



OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

**2021 Rhif 296 (Cy. 73)**

**2021 No. 296 (W. 73)**

**LLYWODRAETH LEOL,  
CYMRU**

**LOCAL GOVERNMENT,  
WALES**

**Rheoliadau Deddf Llywodraeth  
Leol ac Etholiadau (Cymru) 2021  
(Diwygiadau Canlyniadol) 2021**

**The Local Government and  
Elections (Wales) Act 2021  
(Consequential Amendments)  
Regulations 2021**

**NODYN ESBONIADOL**

*(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)*

Mae'r Rheoliadau hyn yn gwneud diwygiadau sy'n ganlyniadol ar Bennod 1 o Ran 6 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (dsc 1) ("Deddf 2021") ac ar ddatgymhwyso a diddymu Mesur Llywodraeth Leol (Cymru) 2009 (mccc 2) ("Mesur 2009") gan Ddeddf 2021.

Mae Pennod 1 o Ran 6 o Ddeddf 2021 yn sefydlu system newydd ar gyfer asesu perfformiad a llywodraethiant cynghorau sir a chynghorau bwrdeistref sirol yng Nghymru, gan ddisodli'r system a oedd yn gymwys i'r cynghorau hynny o dan Ran 1 o Fesur 2009. Roedd y system yn Rhan 1 o Fesur 2009 hefyd yn gymwys i awdurdodau Parciau Cenedlaethol yng Nghymru ac i awdurdodau tân ac achub yng Nghymru (a bydd yn parhau i fod yn gymwys i awdurdodau tân ac achub hyd nes y bydd y darpariaethau yn Neddf 2021 sy'n ei datgymhwyso mewn perthynas â'r awdurdodau hynny yn dod i rym). Nid yw'r system ym Mhennod 1 o Ran 6 o Ddeddf 2021 yn gymwys i awdurdodau tân ac achub nac i awdurdodau Parciau Cenedlaethol.

O dan Fesur 2009, cyfeiriwyd at gynghorau sir a chynghorau bwrdeistref sirol, awdurdodau Parciau Cenedlaethol ac awdurdodau tân ac achub fel "awdurdodau gwella Cymreig". Defnyddiwyd y term hwnnw wedi hynny mewn peth deddfwriaeth fel ffordd o gyfeirio at gynghorau sir, cynghorau bwrdeistref sirol, awdurdodau Parciau Cenedlaethol ac awdurdodau tân ac achub.

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations make amendments which are consequential on Chapter 1 of Part 6 of the Local Government and Elections (Wales) Act 2021 (asc 1) ("the 2021 Act"), and on the disapplication and repeal of the Local Government (Wales) Measure 2009 (nawm 2) ("the 2009 Measure") by the 2021 Act.

Chapter 1 of Part 6 of the 2021 Act establishes a new system for assessing the performance and governance of county councils and county borough councils in Wales, replacing the system which applied to those councils under Part 1 of the 2009 Measure. The system in Part 1 of the 2009 Measure also applied to National Park authorities in Wales and fire and rescue authorities in Wales (and will continue to apply to fire and rescue authorities until provisions in the 2021 Act disapplying it in relation to those authorities come into force). The system in Chapter 1 of Part 6 of the 2021 Act does not apply to fire and rescue authorities or National Park authorities.

County councils and county borough councils, National Park authorities and fire and rescue authorities were known under the 2009 Measure as "Welsh improvement authorities". That term was subsequently used in some legislation as a way of referring to county councils, county borough councils, National Park authorities and fire and rescue authorities.

Datgymhwysir Mesur 2009 mewn perthynas â chynghorau sir a chynghorau bwrdeistref sirol gan adran 113 o Ddeddf 2021. Fe'i datgymhwysir mewn perthynas ag awdurdodau tân ac achub gan adran 168 o'r Ddeddf honno. Fe'i datgymhwysir mewn perthynas ag awdurdodau Parciau Cenedlaethol gan adran 169 o'r Ddeddf honno. Diddymir Mesur 2009 yn llawn gan adran 170 o'r Ddeddf honno.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

The 2009 Measure is disapplied in relation to county councils and county borough councils by section 113 of the 2021 Act. It is disapplied in relation to fire and rescue authorities by section 168 of that Act. It is disapplied in relation to National Park authorities by section 169 of that Act. The 2009 Measure is repealed in full by section 170 of that Act.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

**2021 Rhif 296 (Cy. 73)**

**LLYWODRAETH LEOL,  
CYMRU**

**Rheoliadau Deddf Llywodraeth  
Leol ac Etholiadau (Cymru) 2021  
(Diwygiadau Canlyniadol) 2021**

*Gwnaed* 10 Mawrth 2021  
*Yn dod i rym* 1 Ebrill 2021

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adran 173 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021(1), yn gwneud y Rheoliadau a ganlyn.

Cymeradwywyd drafft o'r Rheoliadau hyn drwy benderfyniad gan Senedd Cymru yn unol ag adran 174(4) a (5)(t) o'r Ddeddf honno.

**Enwi a chychwyn**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (Diwygiadau Canlyniadol) 2021.

(2) Daw'r Rheoliadau hyn i rym ar 1 Ebrill 2021.

**Deddf Llywodraeth Leol, Cynllunio a Thir 1980**

2. Yn Neddf Llywodraeth Leol, Cynllunio a Thir 1980(2), yn adran 2 (dyletswydd ar awdurdodau i gyhoeddi gwybodaeth), yn is-adran (1)—

(a) ar ôl paragraff (h) mewnosoder—

“(ha) a National Park authority  
for a National Park in  
Wales;”;

---

(1) 2021 dsc 1.  
(2) 1980 p. 65.

**2021 No. 296 (W. 73)**

**LOCAL GOVERNMENT,  
WALES**

**The Local Government and  
Elections (Wales) Act 2021  
(Consequential Amendments)  
Regulations 2021**

*Made* 10 March 2021  
*Coming into force* 1 April 2021

The Welsh Ministers, in exercise of the powers conferred by section 173 of the Local Government and Elections (Wales) Act 2021(1), make the following Regulations.

A draft of these Regulations has been approved by a resolution of Senedd Cymru in accordance with section 174(4) and (5)(t) of that Act.

**Title and commencement**

1.—(1) The title of these Regulations is the Local Government and Elections (Wales) Act 2021 (Consequential Amendments) Regulations 2021.

(2) These Regulations come into force on 1 April 2021.

**Local Government, Planning and Land Act 1980**

2. In the Local Government, Planning and Land Act 1980(2), in section 2 (duty of authorities to publish information), in subsection (1)—

(a) after paragraph (h) insert—

“(ha) a National Park authority  
for a National Park in  
Wales;”;

---

(1) 2021 asc 1.  
(2) 1980 c. 65.

- (b) hepgorer “or a Welsh improvement authority for the purposes of Part 1 of the Local Government (Wales) Measure 2009”(1).

- (b) omit “or a Welsh improvement authority for the purposes of Part 1 of the Local Government (Wales) Measure 2009”(1).

### **Deddf Gweinyddu Nawdd Cymdeithasol 1992**

3.—(1) Mae Deddf Gweinyddu Nawdd Cymdeithasol 1992(2) wedi ei diwygio yn unol â pharagraffau (2) i (4).

(2) Yn adran 139A (personau i adrodd ar weinyddu budd-dal tai), yn is-adran (2), ym mharagraff (b) yn lle “or Part 1 of the Local Government (Wales) Measure 2009”(3) rhodder “or the performance requirements set out in section 89 of the Local Government and Elections (Wales) Act 2021”.

(3) Yn adran 139C (adroddiadau), yn is-adran (1), ym mharagraff (b) yn lle “or Part 1 of the Local Government (Wales) Measure 2009”(4) rhodder “or the performance requirements set out in section 89 of the Local Government and Elections (Wales) Act 2021”.

(4) Yn adran 139D (cyfarwyddydau), yn is-adran (1), yn lle paragraff (ca)(5) rhodder—

“(ca) a copy of a report has been sent to a local authority under section 95(7)(b)(i) of the Local Government and Elections (Wales) Act 2021 and to the Secretary of State under subsection (9) of that section.”

(5) Mae paragraffau (1) i (4) yn peidio â chael effaith pan fydd y ddarpariaeth yn Rhan 1 o Atodlen 14 i Ddeddf Diwygio Lles 2012(6) (diddymiadau sy'n ymwneud â diddymu budd-daliadau a ddisodlir gan y credyd cynhwysol) sy'n diddymu adrannau 139A, 139C a 139D o Ddeddf Gweinyddu Nawdd Cymdeithasol 1992 yn dod i rym yn llawn.

### **Social Security Administration Act 1992**

3.—(1) The Social Security Administration Act 1992(2) is amended in accordance with paragraphs (2) to (4).

(2) In section 139A (persons to report on administration of housing benefit), in subsection (2), in paragraph (b) for “or Part 1 of the Local Government (Wales) Measure 2009”(3) substitute “or the performance requirements set out in section 89 of the Local Government and Elections (Wales) Act 2021”.

(3) In section 139C (reports), in subsection (1), in paragraph (b) for “or Part 1 of the Local Government (Wales) Measure 2009”(4) substitute “or the performance requirements set out in section 89 of the Local Government and Elections (Wales) Act 2021”.

(4) In section 139D (directions), in subsection (1), for paragraph (ca)(5) substitute—

“(ca) a copy of a report has been sent to a local authority under section 95(7)(b)(i) of the Local Government and Elections (Wales) Act 2021 and to the Secretary of State under subsection (9) of that section.”

(5) Paragraphs (1) to (4) cease to have effect when the provision in Part 1 of Schedule 14 to the Welfare Reform Act 2012(6) (repeals relating to abolition of benefits superseded by universal credit) which repeals sections 139A, 139C and 139D of the Social Security Administration Act 1992 comes fully into force.

---

(1) Mewnosodwyd y geiriau sydd i'w hepgor gan baragraff 2 o Atodlen 1 i Fesur Llywodraeth Leol (Cymru) 2009 (mccc 2) (“Mesur 2009”). Mae diwygiadau eraill i'r is-adran nad ydynt yn berthnasol i'r diwygiad hwn.

(2) 1992 p. 5.

(3) Mewnosodwyd y geiriau sydd i'w hepgor gan baragraff 4 o Atodlen 1 i Fesur 2009. Mae diwygiadau eraill i'r is-adran nad ydynt yn berthnasol i'r diwygiad hwn.

(4) Mewnosodwyd y geiriau sydd i'w hepgor gan baragraff 5 o Atodlen 1 i Fesur 2009. Mae diwygiadau eraill i'r is-adran nad ydynt yn berthnasol i'r diwygiad hwn.

(5) Mewnosodwyd paragraff (ca) yn wreiddiol gan adran 39(3) o Ddeddf Diwygio Lles 2007 (p. 5) ac fe'i hamnewidiwyd gan baragraff 6 o Atodlen 1 i Fesur 2009.

(6) 2012 p. 5. Cafodd y ddarpariaeth yn Rhan 1 o Atodlen 14 i Ddeddf Diwygio Lles 2012 sy'n diddymu adrannau 138 i 140G o Ddeddf Gweinyddu Nawdd Cymdeithasol 1992, i'r graddau y mae'r ddarpariaeth ddiddymu honno yn ymwneud â diddymu budd-dal y dreth gyngor, ei dwyn i rym ar 1 Ebrill 2013 gan erthygl 8(c) o Orchymyn Deddf Diwygio Lles 2012 (Cychwyn Rhif 8 ac Arbedion a Darpariaethau Trosiannol) 2013 (O.S. 2013/358) ac Atodlen 4 iddi.

---

(1) The words to be omitted were inserted by paragraph 2 of Schedule 1 to the Local Government (Wales) Measure 2009 (nawm 2) (“the 2009 Measure”). There are other amendments to the subsection not relevant to this amendment.

(2) 1992 c. 5.

(3) The words to be omitted were inserted by paragraph 4 of Schedule 1 to the 2009 Measure. There are other amendments to the subsection not relevant to this amendment.

(4) The words to be omitted were inserted by paragraph 5 of Schedule 1 to the 2009 Measure. There are other amendments to the subsection not relevant to this amendment.

(5) Paragraph (ca) was originally inserted by section 39(3) of the Welfare Reform Act 2007 (c. 5) and was substituted by paragraph 6 of Schedule 1 to the 2009 Measure.

(6) 2012 c. 5. The provision in Part 1 of Schedule 14 to the Welfare Reform Act 2012 which repeals sections 138 to 140G of the Social Security Administration Act 1992, in so far as that repealing provision relates to the abolition of council tax benefit, was brought into force on 1 April 2013 by article 8(c) of and Schedule 4 to the Welfare Reform Act 2012 (Commencement No.8 and Savings and Transitional Provisions) Order 2013 (S.I. 2013/358).

## Deddf Llywodraeth Leol 1999

4.—(1) Mae Deddf Llywodraeth Leol 1999(1) wedi ei diwygio fel a ganlyn.

(2) Yn adran 19(2) (contractau: eithrio ystyriaethau anfasnachol), yn is-adran (5)—

- (a) yn lle paragraff (aa)(3) rhodder—

“(aa) a county council or county borough council in Wales,”;
- (b) ar ôl paragraff (aa) mewnosoder—

“(ab) a National Park authority for a National Park in Wales,
- (ac) a fire and rescue authority in Wales, constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies,”.

(3) Yn adran 33 (cyllid), yn is-adran (3)(4), ym mharagraff (b), ar y diwedd mewnosoder “or Chapter 1 or 3 of Part 6 of the Local Government and Elections (Wales) Act 2021”.

## Deddf Llywodraeth Leol 2003

5.—(1) Mae Deddf Llywodraeth Leol 2003(5) wedi ei diwygio fel a ganlyn.

(2) Yn adran 36 (grantaiau mewn cysylltiad â dynodi ar gyfer rhagoriaeth mewn gwasanaeth)—

- (a) yn is-adran (1) yn lle “or to a Welsh improvement authority within the meaning of section 1 of the Local Government (Wales) Measure 2009”(6) rhodder “or to a relevant Welsh authority”;
- (b) ar ôl is-adran (3) mewnosoder—

“(4) In subsection (1) “relevant Welsh authority” means—

  - (a) a county council or county borough council in Wales;

## Local Government Act 1999

4.—(1) The Local Government Act 1999(1) is amended as follows.

(2) In section 19(2) (contracts: exclusion of non-commercial considerations), in subsection (5)—

- (a) for paragraph (aa)(3) substitute—

“(aa) a county council or county borough council in Wales,”;
- (b) after paragraph (aa) insert—

“(ab) a National Park authority for a National Park in Wales,
- (ac) a fire and rescue authority in Wales, constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies,”.

(3) In section 33 (finance), in subsection (3)(4), in paragraph (b), at the end insert “or Chapter 1 or 3 of Part 6 of the Local Government and Elections (Wales) Act 2021”.

## Local Government Act 2003

5.—(1) The Local Government Act 2003(5) is amended as follows.

(2) In section 36 (grants in connection with designation for service excellence)—

- (a) in subsection (1) for “or to a Welsh improvement authority within the meaning of section 1 of the Local Government (Wales) Measure 2009”(6) substitute “or to a relevant Welsh authority”;
- (b) after subsection (3) insert—

“(4) In subsection (1) “relevant Welsh authority” means—

  - (a) a county council or county borough council in Wales;

---

(1) 1999 p. 27.

(2) Gosodwyd adran 19 o dan groesbennawd newydd “Exclusion of non-commercial considerations” gan baragraff 2 o Atodlen 7 i Ddeddf Llywodraeth Leol a Chynnwys y Cyhoedd mewn Iechyd 2007 (p. 28), a wnaeth hefyd fewnosod is-adran (5) yn adran 19.

(3) Mewnosodwyd paragraff (aa) gan baragraff 18 o Atodlen 1 i Fesur 2009.

(4) Diwygiwyd is-adran (3) gan baragraff 17 o Atodlen 1 i Ddeddf Archwilio Cyhoeddus (Cymru) 2004 (p. 23) ac adran 36 o Fesur 2009. Amnewidiwyd paragraff (b) o is-adran (3) gan baragraff 16 o Atodlen 4 i Ddeddf Archwilio Cyhoeddus (Cymru) 2013 (dccc 3). Mae diwygiadau eraill i'r is-adran nad ydynt yn berthnasol i'r Rheoliadau hyn.

(5) 2003 p. 26.

(6) Mewnosodwyd y geiriau sydd i'w hepgor gan baragraff 24 o Atodlen 1 i Fesur 2009. Mae diwygiadau eraill i is-adran (1) nad ydynt yn berthnasol i'r Rheoliadau hyn.

---

(1) 1999 c. 27.

(2) Section 19 was placed under a new cross-heading “Exclusion of non-commercial considerations” by paragraph 2 of Schedule 7 to the Local Government and Public Involvement in Health Act 2007 (c. 28), which also inserted subsection (5) into section 19.

(3) Paragraph (aa) was inserted by paragraph 18 of Schedule 1 to the 2009 Measure.

(4) Subsection (3) was amended by paragraph 17 of Schedule 1 to the Public Audit (Wales) Act 2004 (c. 23) and section 36 of the 2009 Measure. Paragraph (b) of subsection (3) was substituted by paragraph 16 of Schedule 4 to the Public Audit (Wales) Act 2013 (anaw 3). There are other amendments to the subsection not relevant to these regulations.

(5) 2003 c. 26.

(6) The words to be omitted were inserted by paragraph 24 of Schedule 1 to the 2009 Measure. There are other amendments to subsection (1) not relevant to these regulations.

- (b) a National Park authority for a National Park in Wales;
- (c) a fire and rescue authority in Wales, constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies.”

(3) Yn adran 36A(1) (grantiau gan Weinidogion y Goron mewn cysylltiad ag awdurdodau gwerth gorau etc.)—

- (a) yn is-adran (1) yn lle “or a Welsh improvement authority or Welsh improvement authorities”(2) rhodder “or a relevant Welsh authority or relevant Welsh authorities”;
- (b) yn is-adran (2), ym mharagraff (b), yn lle “Welsh improvement authority”(3) rhodder “relevant Welsh authority”;
- (c) yn is-adran (3) yn lle “or a Welsh improvement authority”(4) rhodder “or a relevant Welsh authority”;
- (d) yn is-adran (7) yn lle’r diffiniad o “Welsh improvement authority”(5) rhodder—  
““relevant Welsh authority” means—  
(a) a county council or county borough council in Wales;  
(b) a National Park authority for a National Park in Wales;  
(c) a fire and rescue authority in Wales, constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies.”

(4) Yn adran 36B(6) (grantiau gan Weinidogion Cymru mewn cysylltiad ag awdurdodau gwerth gorau Cymru)—

- (a) yn is-adran (1) yn lle’r geiriau o “compliance by a Welsh improvement authority” hyd at y diwedd(7) rhodder “compliance by a Welsh principal council or Welsh principal councils with the performance requirements set out in

- (b) a National Park authority for a National Park in Wales;
- (c) a fire and rescue authority in Wales, constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies.”

(3) In section 36A(1) (grants by Ministers of the Crown in respect of best value authorities etc.)—

- (a) in subsection (1) for “or a Welsh improvement authority or Welsh improvement authorities”(2) substitute “or a relevant Welsh authority or relevant Welsh authorities”;
- (b) in subsection (2), in paragraph (b) for “Welsh improvement authority”(3) substitute “relevant Welsh authority”;
- (c) in subsection (3) for “or a Welsh improvement authority”(4) substitute “or a relevant Welsh authority”;
- (d) in subsection (7) for the definition of “Welsh improvement authority”(5) substitute—  
““relevant Welsh authority” means—  
(a) a county council or county borough council in Wales;  
(b) a National Park authority for a National Park in Wales;  
(c) a fire and rescue authority in Wales, constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies.”

(4) In section 36B(6) (grants by Welsh Ministers in respect of Welsh best value authorities)—

- (a) in subsection (1) for the words from “compliance by a Welsh improvement authority” to the end(7) substitute “compliance by a Welsh principal council or Welsh principal councils with the performance requirements set out in section

---

(1) Ychwanegwyd adran 36A gan adran 143(1) o Ddeddf Llywodraeth Leol a Chynnwys y Cyhoedd mewn Iechyd 2007.  
(2) Mewnosodwyd y geiriau sydd i’w hepgor gan baragraff 25(a) o Atodlen 1 i Fesur 2009.  
(3) Mewnosodwyd y geiriau sydd i’w hepgor gan baragraff 25(b) o Atodlen 1 i Fesur 2009.  
(4) Mewnosodwyd y geiriau sydd i’w hepgor gan baragraff 25(c) o Atodlen 1 i Fesur 2009.  
(5) Mewnosodwyd y diffiniad o “Welsh improvement authority” gan baragraff 25(d) o Atodlen 1 i Fesur 2009.  
(6) Mewnosodwyd adran 36B gan adran 143(1) o Ddeddf Llywodraeth Leol a Chynnwys y Cyhoedd mewn Iechyd 2007.  
(7) Mewnosodwyd y geiriau sydd i’w hepgor gan baragraff 26(a) o Atodlen 1 i Fesur 2009.

---

(1) Section 36A was added by section 143(1) of the Local Government and Public Involvement in Health Act 2007.  
(2) The words to be omitted were inserted by paragraph 25(a) of Schedule 1 to the 2009 Measure.  
(3) The words to be omitted were inserted by paragraph 25(b) of Schedule 1 to the 2009 Measure.  
(4) The words to be omitted were inserted by paragraph 25(c) of Schedule 1 to the 2009 Measure.  
(5) The definition of “Welsh improvement authority” was inserted by paragraph 25(d) of Schedule 1 to the 2009 Measure.  
(6) Section 36B was inserted by section 143(1) of the Local Government and Public Involvement in Health Act 2007.  
(7) The words to be omitted were inserted by paragraph 26(a) of Schedule 1 to the 2009 Measure.

section 89 of the Local Government and Elections (Wales) Act 2021 or the requirements of, or any requirements imposed under, Chapter 1 of Part 6 of that Act”;

- (b) yn is-adran (2) yn lle “or Welsh improvement authority”(1) rhodder “or Welsh principal council”;
- (c) yn is-adran (6) yn lle’r diffiniad o “Welsh improvement authority”(2) rhodder—  
““Welsh principal council” means a county council or county borough council in Wales.”;
- (d) yn y pennawd, yn lle “best value authorities” rhodder “principal councils”.

(5) Yn adran 95 (pŵer i fasnachu mewn gweithgareddau sy’n gysylltiedig â swyddogaethau drwy gwmni), yn is-adran (7), yn y diffiniad o “relevant authority”—

- (a) yn lle paragraff (aa)(3) rhodder—  
“(aa) a county council or county borough council in Wales;”;
- (b) ar ôl paragraff (ac)(4) mewnosoder—  
“(ad) a fire and rescue authority in Wales, constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;
- (ae) a National Park authority for a National Park in Wales;”.

(6) Yn adran 97 (pŵer i addasu deddfiadau mewn cysylltiad â chodi tâl neu fasnachu), yn is-adran (11), yn y diffiniad o “relevant authority”(5), yn lle paragraff (b) rhodder—

- “(b) in relation to Wales—
  - (i) a county council or county borough council in Wales;
  - (ii) a community council;
  - (iii) a National Park authority for a National Park in Wales;
  - (iv) a fire and rescue authority in Wales, constituted by a scheme under section 2 of the Fire and

89 of the Local Government and Elections (Wales) Act 2021 or the requirements of, or any requirements imposed under, Chapter 1 of Part 6 of that Act”;

- (b) in subsection (2) for “or Welsh improvement authority”(1) substitute “or Welsh principal council”;
- (c) in subsection (6) for the definition of “Welsh improvement authority”(2) substitute—  
““Welsh principal council” means a county council or county borough council in Wales.”;
- (d) in the heading, for “best value authorities” substitute “principal councils”.

(5) In section 95 (power to trade in function-related activities through a company), in subsection (7), in the definition of “relevant authority”—

- (a) for paragraph (aa)(3) substitute—  
“(aa) a county council or county borough council in Wales;”;
- (b) after paragraph (ac)(4) insert—  
“(ad) a fire and rescue authority in Wales, constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;
- (ae) a National Park authority for a National Park in Wales;”.

(6) In section 97 (power to modify enactments in connection with charging or trading), in subsection (11), in the definition of “relevant authority”(5), for paragraph (b) substitute—

- “(b) in relation to Wales—
  - (i) a county council or county borough council in Wales;
  - (ii) a community council;
  - (iii) a National Park authority for a National Park in Wales;
  - (iv) a fire and rescue authority in Wales, constituted by a scheme under section 2 of the Fire and

---

(1) Mewnosodwyd y geiriau sydd i’w hepgor gan baragraff 26(b) o Atodlen 1 i Fesur 2009.  
(2) Mewnosodwyd y diffiniad o “Welsh improvement authority” gan baragraff 26(c) o Atodlen 1 i Fesur 2009.  
(3) Mewnosodwyd paragraff (aa) gan baragraff 28 o Atodlen 1 i Fesur 2009.  
(4) Mewnosodwyd paragraff (ac) gan baragraff 83(4) o Atodlen 1 i Ddeddf Plismona a Throsedd 2017 (p. 3).  
(5) Amnewidiwyd y diffiniad o “relevant authority” gan erthygl 40(2)(g)(ii) o Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) 2018 (O.S. 2018/644).

---

(1) The words to be omitted were inserted by paragraph 26(b) of Schedule 1 to the 2009 Measure.  
(2) The definition of “Welsh improvement authority” was inserted by paragraph 26(c) of Schedule 1 to the 2009 Measure.  
(3) Paragraph (aa) was inserted by paragraph 28 of Schedule 1 to the 2009 Measure.  
(4) Paragraph (ac) was inserted by paragraph 83(4) of Schedule 1 to the Policing and Crime Act 2017 (c. 3).  
(5) The definition of “relevant authority” was substituted by article 40(2)(g)(ii) of the Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644).

Rescue Services Act 2004 or a scheme to which section 4 of that Act applies.”

(7) Yn adran 101 (materion trosglwyddo staff: cyffredinol)—

- (a) hepgorer is-adran (5A)(1);
- (b) yn is-adran (7A)(2)—
  - (i) yn lle paragraff (aa)(3) rhodder—

“(aa) a county council or county borough council in Wales;”;
  - (ii) ar ôl paragraff (aa) mewnosoder—

“(ab) a National Park authority for a National Park in Wales;
  - (ac) a fire and rescue authority in Wales, constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;”.

(8) Yn adran 124 (dehongli cyffredinol) hepgorer y diffiniad o “Welsh improvement authority”(4).

#### **Deddf Archwilio Cyhoeddus (Cymru) 2004**

6.—(1) Mae Deddf Archwilio Cyhoeddus (Cymru) 2004(5) wedi ei diwygio fel a ganlyn.

(2) Yn adran 41 (astudiaethau i wella darbodaeth etc. mewn gwasanaethau), yn is-adran (1), ym mharagraff (a)(6) yn lle “local government bodies in Wales that are Welsh improvement authorities for the purposes of Part 1 of the Local Government (Wales) Measure 2009” rhodder “—

- (i) county councils and county borough councils in Wales;
- (ii) fire and rescue authorities in Wales constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;
- (iii) National Park authorities for National Parks in Wales;”.

Rescue Services Act 2004 or a scheme to which section 4 of that Act applies.”

(7) In section 101 (staff transfer matters: general)—

- (a) omit subsection (5A)(1);
- (b) in subsection (7A)(2)—
  - (i) for paragraph (aa)(3) substitute—

“(aa) a county council or county borough council in Wales;”;
  - (ii) after paragraph (aa) insert—

“(ab) a National Park authority for a National Park in Wales;
  - (ac) a fire and rescue authority in Wales, constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;”.

(8) In section 124 (general interpretation) omit the definition of “Welsh improvement authority”(4).

#### **Public Audit (Wales) Act 2004**

6.—(1) The Public Audit (Wales) Act 2004(5) is amended as follows.

(2) In section 41 (studies for improving economy etc. in services), in subsection (1), in paragraph (a)(6) for “local government bodies in Wales that are Welsh improvement authorities for the purposes of Part 1 of the Local Government (Wales) Measure 2009” substitute “—

- (i) county councils and county borough councils in Wales;
- (ii) fire and rescue authorities in Wales constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;
- (iii) National Park authorities for National Parks in Wales;”.

---

(1) Mewnosodwyd is-adran (5A) gan baragraff 30(a) o Atodlen 1 i Fesur 2009.

(2) Mewnosodwyd is-adran (7A) gan baragraff 3(9)(c) o Atodlen 7 i Ddeddf Llywodraeth Leol a Chynnwys y Cyhoedd mewn Iechyd 2007.

(3) Mewnosodwyd paragraff (aa) gan baragraff 30(b) o Atodlen 1 i Fesur 2009.

(4) Mewnosodwyd y diffiniad o “Welsh improvement authority” gan baragraff 31 o Atodlen 1 i Fesur 2009.

(5) 2004 p. 23.

(6) Diwygiwyd paragraff (a) gan baragraff 27(2) o Atodlen 8 i Ddeddf Llywodraeth Leol a Chynnwys y Cyhoedd mewn Iechyd 2007, paragraff 35 o Atodlen 1 i Fesur 2009 a pharagraff 46 o Atodlen 4 i Ddeddf Archwilio Cyhoeddus (Cymru) 2013.

---

(1) Subsection (5A) was inserted by paragraph 30(a) of Schedule 1 to the 2009 Measure.

(2) Subsection (7A) was inserted by paragraph 3(9)(c) of Schedule 7 to the Local Government and Public Involvement in Health Act 2007.

(3) Paragraph (aa) was inserted by paragraph 30(b) of Schedule 1 to the 2009 Measure.

(4) The definition of “Welsh improvement authority” was inserted by paragraph 31 of Schedule 1 to the 2009 Measure.

(5) 2004 c. 23.

(6) Paragraph (a) was amended by paragraph 27(2) of Schedule 8 to the Local Government and Public Involvement in Health Act 2007, paragraph 35 of Schedule 1 to the 2009 Measure and paragraph 46 of Schedule 4 to the Public Audit (Wales) Act 2013.



(3) Yn adran 54 (cyfyngiad ar ddatgelu gwybodaeth)—

(a) yn is-adran (1)(1)—

(i) ym mharagraff (aa)(2) ar ôl “pursuant to” mewnosoder “a provision of Chapter 1 of Part 6 or”;

(ii) ym mharagraff (b)(3) ar ôl “Local Government (Wales) Measure 2009” mewnosoder “or Chapter 1 of Part 6 of the Local Government and Elections (Wales) Act 2021”;

(b) yn is-adran (2)(4), ym mharagraff (b)(5), ar ôl “Local Government (Wales) Measure 2009” mewnosoder “or Chapter 1 of Part 6 of the Local Government and Elections (Wales) Act 2021”.

### **Deddf Llywodraeth Leol a Chynnwys y Cyhoedd mewn Iechyd 2007**

7. Yn Neddf Llywodraeth Leol a Chynnwys y Cyhoedd mewn Iechyd 2007(6), yn Atodlen 8 (gwerth gorau: mân ddiwygiadau a diwygiadau canlyniadol) hepgorer paragraff 27.

### **Mesur Addysg (Cymru) 2011**

8. Ym Mesur Addysg (Cymru) 2011(7), yn adran 3 (dyletswydd corff addysg i gydlafurio), yn is-adran (4) hepgorer paragraff (c).

### **Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014**

9. Yn Neddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014(8), yn adran 10 (awdurdodau lleol a'r cod) hepgorer is-adran (2).

(3) In section 54 (restriction on disclosure of information)—

(a) in subsection (1)(1)—

(i) in paragraph (aa)(2) after “pursuant to” insert “a provision of Chapter 1 of Part 6 or”;

(ii) in paragraph (b)(3) after “Local Government (Wales) Measure 2009” insert “or Chapter 1 of Part 6 of the Local Government and Elections (Wales) Act 2021”;

(b) in subsection (2)(4), in paragraph (b)(5), after “Local Government (Wales) Measure 2009” insert “or Chapter 1 of Part 6 of the Local Government and Elections (Wales) Act 2021”.

### **Local Government and Public Involvement in Health Act 2007**

7. In the Local Government and Public Involvement in Health Act 2007(6), in Schedule 8 (best value: minor and consequential amendments) omit paragraph 27.

### **Education (Wales) Measure 2011**

8. In the Education (Wales) Measure 2011(7), in section 3 (duty of education body to collaborate), in subsection (4) omit paragraph (c).

### **Social Services and Well-being (Wales) Act 2014**

9. In the Social Services and Well-being (Wales) Act 2014(8), in section 10 (local authorities and the code) omit subsection (2).

---

(1) Diwygiwyd is-adran (1) gan baragraff 55 o Atodlen 4 i Ddeddf Archwilio Cyhoeddus (Cymru) 2013.

(2) Mewnosodwyd paragraff (aa) gan baragraff (a) o adran 160 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021.

(3) Diwygiwyd paragraff (b) gan baragraff 36 o Atodlen 1 i Fesur 2009 a pharagraff 55 o Atodlen 4 i Ddeddf Archwilio Cyhoeddus (Cymru) 2013.

(4) Mewnosodwyd paragraffau (ba) a (bb) yn is-adran (2) gan baragraff (b) o adran 160 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021.

(5) Diwygiwyd paragraff (b) gan baragraff 36 o Atodlen 1 i Fesur 2009 a pharagraff 55 o Atodlen 4 i Ddeddf Archwilio Cyhoeddus (Cymru) 2013.

(6) 2007 p. 28.

(7) 2011 mccc 7.

(8) 2014 dccc 4.

---

(1) Subsection (1) was amended by paragraph 55 of Schedule 4 to the Public Audit (Wales) Act 2013.

(2) Paragraph (aa) was inserted by paragraph (a) of section 160 of the Local Government and Elections (Wales) Act 2021.

(3) Paragraph (b) was amended by paragraph 36 of Schedule 1 to the 2009 Measure and paragraph 55 of Schedule 4 to the Public Audit (Wales) Act 2013.

(4) Paragraphs (ba) and (bb) were inserted into subsection (2) by paragraph (b) of section 160 of the Local Government and Elections (Wales) Act 2021.

(5) Paragraph (b) was amended by paragraph 36 of Schedule 1 to the 2009 Measure and paragraph 55 of Schedule 4 to the Public Audit (Wales) Act 2013.

(6) 2007 c. 28.

(7) 2011 nawm 7.

(8) 2014 anaw 4.

## **Deddf Cyfiawnder Troseddol a'r Llysoedd 2015**

**10.** Yn Neddf Cyfiawnder Troseddol a'r Llysoedd 2015(1), yn adran 22 (trosedd gan ddarparwr gofal: darparwyr gofal a eithrir), yn is-adran (5), ym mharagraff (a) yn lle'r geiriau o "section 29(6)(a)" hyd at y diwedd rhodder "section 107 of the Local Government and Elections (Wales) Act 2021 (dsc 1) (direction that a function be performed by the Welsh Ministers or their nominee)".

## **Rheoliadau Cyllido Ysgolion (Cymru) 2010**

**11.** Yn Rheoliadau Cyllido Ysgolion (Cymru) 2010(2), yn Atodlen 1, ym mharagraff 20 yn lle is-baragraff (c) rhodder—

“(c) swyddogaethau'r awdurdod o dan Bennod 1 o Ran 6 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (perfformiad cynghorau sir a chynghorau bwrdeistref sirol a'u llywodraethu), a darparu cyngor i gynorthwyo cyrff llywodraethu i gaffael nwyddau a gwasanaethau;”.

## **Criminal Justice and Courts Act 2015**

**10.** In the Criminal Justice and Courts Act 2015(1), in section 22 (care provider offence: excluded care providers), in subsection (5), in paragraph (a) for the words from “section 29(6)(a)” to the end substitute “section 107 of the Local Government and Elections (Wales) Act 2021 (asc 1) (direction that a function be performed by the Welsh Ministers or their nominee)”.

## **School Funding (Wales) Regulations 2010**

**11.** In the School Funding (Wales) Regulations 2010(2), in Schedule 1, in paragraph 20 for subparagraph (c) substitute—

“(c) functions of the authority under Chapter 1 of Part 6 of the Local Government and Elections (Wales) Act 2021 (performance and governance of county and county borough councils), and the provision of advice to assist governing bodies in procuring goods and services;”.

*Julie James*

Y Gweinidog Tai a Llywodraeth Leol, un o  
Weinidogion Cymru  
10 Mawrth 2021

©©Hawlfraint y Goron 2021

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Jeff James, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

Minister for Housing and Local Government, one of  
the Welsh Ministers  
10 March 2021

© Crown copyright 2021

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

(1) 2015 p. 2.  
(2) O.S. 2010/824.

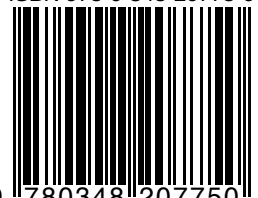
(1) 2015 c. 2.  
(2) S.I. 2010/824.



£6.90

<http://www.legislation.gov.uk/id/wsi/2021/296>

ISBN 978-0-348-20775-0



9 780348 207750