

SL(6)384 – The Standards Committees (Grant of Dispensations) (Wales) (Amendment) Regulations 2023

Background and Purpose

Corporate Joint Committees (“CJC”) were established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021. They are regional corporate bodies, with [broadly similar](#) powers and duties to local authorities, and are [responsible](#) for strategic development planning, regional transport planning and promoting the economic well-being of their area.

These Regulations add CJs to the definition of “*relevant authority*” in the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001 (the “2001 Regulations”).

The 2001 Regulations set out the circumstances and procedure for a standards committee of a relevant authority to grant dispensations from prohibitions in the code of conduct for members or co-opted members of that relevant authority.

The Explanatory Memorandum notes that this regulation forms part of a package of instruments which underpin the establishment of CJs and which seek to ensure CJs are subject to the same administrative and governance requirements as the rest of local government. It further notes that the overall intent is that a CJC will be treated as part of the “local government family” and will be largely subject to the same or similar powers and duties as local authorities in the way they operate and are governed.

Procedure

Negative.

The Regulations were made by the Welsh Ministers before they were laid before the Senedd. The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd.

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

The following merit point is identified for reporting under Standing Order 21.3 in respect of this instrument.



1. Standing Order 21.3(vi) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd

The Explanatory Memorandum states that a regulatory impact assessment (“RIA”) has not been prepared in respect of these Regulations. However, it notes that:

“[the RIAs accompanying the regulations which established the four current CJs in Wales] assessed the potential costs and benefits associated with establishing the CJs through regulations. In assessing the potential costs and benefits the RIA considered the overarching policy intent that Corporate Joint Committees should be treated as part of the ‘local government family’. The costs associated with the application of the 2001 Regulations to CJs was considered therefore as part of the regulatory impact assessment on the establishment regulations themselves”.

Welsh Government response

A Welsh Government response is not required

Legal Advisers

Legislation, Justice and Constitution Committee

26 September 2023

