

Draft Regulations laid before the National Assembly for Wales under section 54(4)(c) of the Well-being of Future Generations (Wales) Act 2015.

DRAFT WELSH STATUTORY
INSTRUMENTS

2015 No. (W.)

WELL-BEING, WALES

The Well-being of Future
Generations (Wales) Act 2015
(Consequential Provisions)
Regulations 2015

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make consequential provisions in relation to the Well-being of Future Generations (Wales) Act 2015 (“the Act”).

Regulation 3 makes provision in relation to section 15 (the sustainable development principle: Auditor General’s examinations) of the Act which defines the reporting period for the Auditor General for Wales’s examinations. This section is due to come into force less than one year before the next ordinary general election to the National Assembly for Wales. Consequentially, there may be doubt as to when the first reporting period described in subsection (6) of section 15 is to begin. This regulation therefore modifies section 15(6)(a) to make it clear that the first reporting period under this section begins one month before the next election (in practice this will be 5 April 2016).

Regulation 4 makes provision in relation to the Future Generations Commissioner for Wales (“the Commissioner”) in respect of the estimates of income and expenses for the financial year 2016-2017. Paragraph 19 of Schedule 2 to the Act provides that for each financial year other than the first, the Commissioner must prepare an estimate of the income and expenses of the Commissioner and the Commissioner’s staff. The Commissioner is required pursuant to paragraph 19(2) of Schedule 2 to the Act, to submit the estimate to the Welsh Ministers at least

five months before the beginning of the financial year to which it relates.

Given the timeframe for the appointment of the Commissioner, the Regulations make consequential provision modifying paragraph 19(2) of Schedule 2 to the Act so that for financial year 2016-2017 only, the Commissioner must submit the estimate three months after the Commissioner is appointed by the Welsh Ministers.

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.

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Made

Laid before the National Assembly for Wales

Coming into force

The Welsh Ministers make these Regulations in exercise of the powers conferred on them by section 53(1) of the Well-being of Future Generations (Wales) Act 2015(1).

In accordance with section 54(4)(c) of that Act, a draft of this instrument has been laid before and approved by resolution of the National Assembly for Wales.

Title and commencement

1.—(1) The title of these Regulations is the Well-being of Future Generations (Wales) Act 2015 (Consequential Provisions) Regulations 2015.

(2) These Regulations come into force on 23 November 2015.

Interpretation

2. In these Regulations—

“the Act” (“*y Ddeddf*”) means the Well-being of Future Generations (Wales) Act 2015;

(1) 2015 anaw 2.

“financial year” (*“blwyddyn ariannol”*) means the period of 12 months ending with 31 March.

Consequential provision in relation to the first period within which the Auditor General must carry out examinations under section 15 of the Act

3. Despite section 15(6)(a) of the Act, the first period referred to in subsections (2) and (3) of section 15 begins on the date falling one month before the date on which an ordinary general election is to be held under section 3 of the Government of Wales Act 2006⁽¹⁾.

Consequential provision in relation to the Future Generations Commissioner for Wales: Estimate of income and expenses 2016-2017

4. For the purposes of the financial year ending on 31 March 2017, paragraph 19(2) of Schedule 2 to the Act is to be read as if for “at least five months before the beginning of the financial year to which it relates” there were substituted “no later than three months after the Commissioner is appointed under section 17(2)”.

Minister for Natural Resources, one of the Welsh Ministers

(1) 2006 c. 32.