

2021 No. (W.)

**LOCAL GOVERNMENT,
WALES**

**The Eligible Community Councils
(General Power of Competence)
(Qualifications of Clerks) (Wales)
Regulations 2021**

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 30 of the Local Government and Elections (Wales) Act 2021 (“the 2021 Act”) sets out the eligibility conditions that a community council must meet before it may resolve to become an eligible community council.

Becoming an eligible community council enables a community council to exercise the general power of competence for the purpose of Chapter 1 of Part 2 of the 2021 Act.

The second eligibility condition is set out in section 30(3) of the 2021 Act and requires that the clerk to a community council holds such qualification or description of qualification as may be specified by the Welsh Ministers by regulations.

These Regulations specify the qualifications that the clerk must hold in order for the community council to meet the second eligibility condition. The clerk must hold at least one of the four qualifications set out in regulation 2.

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 Senedd Cymru ***

Coming into force 5 May 2022

The Welsh Ministers make the following Regulations in exercise of the power conferred on them by section 30(3) of the Local Government and Elections (Wales) Act 2021(1).

Title and commencement

1.—(1) The title of these Regulations is the Eligible Community Councils (General Power of Competence) (Qualifications of Clerks) (Wales) Regulations 2021.

(2) These Regulations come into force on 5 May 2022.

Specified qualifications of clerks

2. For the purpose of section 30(3) of the Local Government and Elections (Wales) Act 2021, the clerk to a community council must hold at least one of the following qualifications in order for the community council to meet the second eligibility condition—

- (a) a Certificate in Local Council Administration;
- (b) a Certificate of Higher Education in Community Governance;
- (c) a Certificate of Higher Education in Community Engagement and Governance;

(1) 2021 asc 1.

(d) a Certificate of Higher Education in Local Policy.

Name

Minister for Finance and Local Government, one of the Welsh Ministers

Date