WELSH STATUTORY INSTRUMENTS

2007 No. 969 (W.86)

LOCAL GOVERNMENT, WALES

The Local Government (Access to Information) (Variation) (Wales) Order 2007

Made - - - -	*21 March 2007*
Coming into force - -	*21 April 2007*

The National Assembly for Wales makes the following Order in exercise of the powers conferred on it by sections 100F(3) and 100I(2) of the Local Government Act 1972(**1**) and in exercise of the powers conferred on the Secretary of State under section 254 of that Act which are now vested in the National Assembly for Wales so far as exercisable in relation to Wales(**2**):

Title, commencement and interpretation

1.—(1) The title of this Order is the Local Government (Access to Information) (Variation) (Wales) Order 2007 and this Order comes into force on 21 April 2007.

(2) In this Order, "the 1972 Act" ("*Deddf 1972*") means the Local Government Act 1972.

Additional rights of access to documents for members of principal councils

2.—(1) Section 100F of the 1972 Act (additional rights of access to documents for members of principal councils) is amended as follows.

(2) In subsection (1), for "subsections (2) to (2C)" substitute "subsections (2) to (2E)".

(3) For subsection (2C) substitute —

"(2C) In relation to a principal council in Wales, subsection (1) above does not require the document to be open to inspection if it appears to the proper officer that it discloses exempt information.".

(4) After subsection (2C) insert —

"(2D) But subsection (1) above does require (despite subsection (2C) above) the document to be open to inspection if the information is information of a description for the time being falling within —

(**1**) 1972 c. 70. Sections 100F and 100I were inserted by the Local Government (Access to Information) Act 1985 (c. 43), section 1(1) and amended by S.I. 2006/88 The Local Government (Access to Information) (Variation) Order 2006.

(**2**) *See* the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(a) paragraph 14 of Schedule 12A to this Act (except to the extent that the information relates to any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract), or

(b) paragraph 17 of Schedule 12A to this Act.

(2E) In subsection (2D) above, "the authority" has the meaning given in paragraph 22(2) of Schedule 12A to this Act.".

(5) In subsection (3), for "subsections (2) to (2C)" substitute "subsections (2) to (2E)".

Access to Information : exempt information

3. For Parts 4 to 6 of Schedule 12A to the 1972 Act(**3**) (Exempt Information) substitute the text set out in the Schedule to this Order.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**4**).

D. Elis-Thomas
21 March 2007 The Presiding Officer of the National Assembly

(**3**) Schedule 12A was inserted by the Local Government (Access to Information) Act 1985, section 1(2) and Schedule 1, Part 1 and amended by S.I. 2006/88 The Local Government (Access to Information) (Variation) Order 2006.
(**4**) 1998 c. 38.