



# Greater London Authority Act 1999

## 1999 CHAPTER 29

### PART II

#### GENERAL FUNCTIONS AND PROCEDURE

##### *The general and subsidiary powers of the Authority*

#### **30 The general power of the Authority.**

- (1) The Authority shall have power to do anything which it considers will further any one or more of its principal purposes.
- (2) Any reference in this Act to the principal purposes of the Authority is a reference to the purposes of—
  - (a) promoting economic development and wealth creation in Greater London;
  - (b) promoting social development in Greater London; and
  - (c) promoting the improvement of the environment in Greater London.
- (3) In determining whether or how to exercise the power conferred by subsection (1) above to further any one or more of its principal purposes, the Authority shall have regard to the desirability of so exercising that power as to—
  - (a) further the remaining principal purpose or purposes, so far as reasonably practicable to do so; and
  - (b) secure, over a period of time, a reasonable balance between furthering each of its principal purposes.
- (4) In determining whether or how to exercise the power conferred by subsection (1) above, the Authority shall have regard to the effect which the proposed exercise of the power would have on [<sup>F1</sup>each of the following] —
  - (a) the health of persons in Greater London;
  - [<sup>F2</sup>(aa) health inequalities between persons living in Greater London;]
  - (b) the achievement of sustainable development in the United Kingdom,
  - [<sup>F3</sup>(c) climate change, and the consequences of climate change.]

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- (5) Where the Authority exercises the power conferred by subsection (1) above, it shall do so in the way which it considers best calculated—
- (a) to promote improvements in the health of persons in Greater London,
  - [<sup>F4</sup>(aa) to promote the reduction of health inequalities between persons living in Greater London, <sup>F5</sup>...]
  - (b) to contribute towards the achievement of sustainable development in the United Kingdom, [<sup>F6</sup>and
  - (c) to contribute towards the mitigation of, or adaptation to, climate change, in the United Kingdom,]
- except to the extent that the Authority considers that any action that would need to be taken by virtue of paragraph (a)[<sup>F7</sup>, (aa)][<sup>F8</sup>, (b) or (c)] above is not reasonably practicable in all the circumstances of the case.
- (6) In subsection (5)(a) above, the reference to promoting improvements in health includes a reference to mitigating any detriment to health which would otherwise be occasioned by the exercise of the power.
- [<sup>F9</sup>(6A) In subsection (5)(aa) above, the reference to promoting the reduction of health inequalities includes a reference to mitigating any increase in health inequalities which would otherwise be occasioned by the exercise of the power.]
- (7) The Secretary of State may issue guidance to the Authority concerning the exercise by the Authority of the power conferred by subsection (1) above.
- (8) In deciding whether or how to exercise that power, the Authority shall have regard to any guidance issued under subsection (7) above.
- (9) Any guidance issued under subsection (7) above shall be published by the Secretary of State in such manner as he considers appropriate.
- (10) The functions conferred or imposed on the Authority under or by virtue of this section shall be functions of the Authority which are exercisable by the Mayor acting on behalf of the Authority.
- [<sup>F10</sup>(11) In this section—
- (a) “climate change” has the same meaning as in section 361A below, and
  - (b) in relation to climate change, “adaptation”, “consequences” and “mitigation” have the same meaning as in that section.]

#### Textual Amendments

- F1** Words in s. 30(4) inserted (E.W.) (21.1.2008) by [Greater London Authority Act 2007 \(c. 24\), ss. 23\(2\)\(a\), 59\(7\); S.I. 2008/113, art. 2\(d\)](#)
- F2** S. 30(4)(aa) substituted for word (E.W.) (21.1.2008) by [Greater London Authority Act 2007 \(c. 24\), ss. 23\(2\)\(b\), 59\(7\); S.I. 2008/113, art. 2\(d\)](#)
- F3** S. 30(4)(c) inserted (E.W.) (21.1.2008) by [Greater London Authority Act 2007 \(c. 24\), ss. 40\(2\), 59\(7\); S.I. 2008/113, art. 2\(i\)](#)
- F4** S. 30(5)(aa) substituted for word (E.W.) (21.1.2008) by [Greater London Authority Act 2007 \(c. 24\), ss. 23\(3\)\(a\), 59\(7\); S.I. 2008/113, art. 2\(d\)](#)
- F5** Word in s. 30(5)(aa) repealed (E.W.) (21.1.2008) by [Greater London Authority Act 2007 \(c. 24\), s. 59\(7\), Sch. 2; S.I. 2008/113, art. 2\(m\)](#)
- F6** S. 30(5)(c) and word inserted (E.W.) (21.1.2008) by [Greater London Authority Act 2007 \(c. 24\), ss. 40\(3\)\(a\), 59\(7\); S.I. 2008/113, art. 2\(i\)](#)

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- F7** Word in s. 30(5) inserted (E.W.) (21.1.2008) by [Greater London Authority Act 2007 \(c. 24\)](#), **ss. 23(3)(b)**, 59(7); [S.I. 2008/113](#), art. 2(d)
- F8** Words in s. 30(5) substituted (E.W.) (21.1.2008) by [Greater London Authority Act 2007 \(c. 24\)](#), **ss. 40(3)(b)**, 59(7); [S.I. 2008/113](#), art. 2(i)
- F9** S. 30(6A) inserted (E.W.) (21.1.2008) by [Greater London Authority Act 2007 \(c. 24\)](#), **ss. 23(4)**, 59(7); [S.I. 2008/113](#), art. 2(d)
- F10** S. 30(11) inserted (E.W.) (21.1.2008) by [Greater London Authority Act 2007 \(c. 24\)](#), **ss. 40(4)**, 59(7); [S.I. 2008/113](#), art. 2(i)

**Modifications etc. (not altering text)**

- C1** S. 30(2) applied (15.1.2012) by [Localism Act 2011 \(c. 20\)](#), **ss. 197(7)**, 240(1)(l)

**Commencement Information**

- II** S. 30 wholly in force at 3.7.2000; s. 30 not in force at Royal Assent see s. 425(2); s. 30(7)(9) in force at 8.5.2000 by [S.I. 2000/801](#), art. 2(2)(b), **Sch. Pt. 2**; s. 30 in force at 3.7.2000 in so far as not already in force by [S.I. 2000/801](#), art. 2(2)(c), **Sch. Pt. 3**

**31 Limits of the general power.**

- (1) The Authority shall not by virtue of section 30(1) above incur expenditure in doing anything which may be done <sup>F11</sup>by—
- (a) Transport for London;
  - (b) the Mayor's Office for Policing and Crime; or
  - (c) the London Fire and Emergency Planning Authority.]

<sup>F12</sup>(1A) In determining whether to exercise the power conferred by section 30(1) above, the Authority must seek to secure that it does not incur expenditure in doing anything which is being done by a Mayoral development corporation.]

<sup>F13</sup>(2) .....

- (3) The Authority shall not by virtue of section 30(1) above incur expenditure in providing—

- <sup>F14</sup>(a) .....  
(b) any education services,  
(c) any social services, or  
(d) any health services,

in any case where the provision in question may be made by a London borough council, the Common Council or any other public body.

<sup>F15</sup>(4) .....

<sup>F16</sup>(4A) The reference in subsection (3) above to providing any education services does not include sponsoring Academies or facilitating their sponsorship.]

- (5) Any reference in subsection (3) above to the provision of social services is a reference to the exercise of <sup>F17</sup>any social services function within the meaning of the Local Authority Social Services Act 1970]

<sup>F18</sup>(5A) Any reference in subsection (3) above to the provision of health services does not include a reference to the provision of services or facilities for promoting improvements in, or protecting, public health.]

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- (6) Nothing in subsections (1) to <sup>F19</sup>(5A)] above shall be taken to prevent the Authority incurring expenditure in co-operating with, or facilitating or co-ordinating the activities of, the bodies mentioned in those subsections.
- (7) The Secretary of State may by order amending this section make further provision for preventing the Authority from doing by virtue of section 30(1) above anything—
- (a) which may be done by a London borough council, the Common Council or a public body, and
  - (b) which is specified, or is of a description specified, in the order.
- (8) The Secretary of State may by order impose limits on the expenditure which may be incurred by the Authority by virtue of section 30(1) above.
- (9) The Secretary of State may by order amending this section make provision removing or restricting any prohibitions or limitations imposed by this section on what may be done by the Authority by virtue of section 30(1) above.

#### Textual Amendments

- F11** Words in s. 31(1) substituted (15.1.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(1)(l), [Sch. 22 para. 45\(2\)](#)
- F12** S. 31(1A) inserted (15.1.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(1)(l), [Sch. 22 para. 45\(3\)](#)
- F13** S. 31(2) repealed (31.3.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 25 Pt. 32](#); S.I. 2012/628, art. 4(d)
- F14** S. 31(3)(a) repealed (15.1.2012 for specified purposes, 1.4.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), ss. 186(2), 240(2), [Sch. 25 Pt. 31](#); S.I. 2012/57, art. 4(1)(u) (with arts. 6, 7, 9-11); S.I. 2012/628, art. 6(e) (with arts. 9, 11, 14, 15, 17)
- F15** S. 31(4) repealed (15.1.2012 for specified purposes, 1.4.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), ss. 186(3), 240(2), [Sch. 25 Pt. 31](#); S.I. 2012/57, art. 4(1)(u) (with arts. 6, 7, 9-11); S.I. 2012/628, art. 6(e) (with arts. 9, 11, 14, 15, 17)
- F16** S. 31(4A) inserted (15.1.2012 for specified purposes, 1.4.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), ss. 186(4), 240(2); S.I. 2012/57, art. 4(1)(u) (with arts. 6, 7, 9-11); S.I. 2012/628, art. 6(e) (with arts. 9, 11, 14, 15, 17)
- F17** Words in s. 31(5) substituted for s. 31(5)(a)(b) (26.10.2000 for E. and 28.7.2001 for W.) by [2000 c. 22](#), ss. 107(1), 108(4), [Sch. 5 para. 33](#); S.I. 2000/2849, [art. 2\(f\)\(h\)](#)
- F18** S. 31(5A) inserted (1.7.2012) by [The Greater London Authority Act 1999 \(Amendment\) Order 2012 \(S.I. 2012/1530\)](#), arts. 1(1), [2\(2\)](#)
- F19** Word in s. 31(6) substituted (1.7.2012) by [The Greater London Authority Act 1999 \(Amendment\) Order 2012 \(S.I. 2012/1530\)](#), arts. 1(1), [2\(3\)](#)

#### Commencement Information

- I2** S. 31 wholly in force at 3.7.2000: s. 31 in force at Royal Assent for certain purposes see s. 425(2); s. 31 in force at 3.7.2000 in so far as not already in force by [S.I. 2000/801](#), [art. 2\(2\)\(c\)](#), [Sch. Pt. 3](#)

## 32 Consultation.

- (1) The power conferred by section 30(1) above is exercisable only after consultation with such bodies or persons as the Authority may consider appropriate in the particular case.
- (2) In determining what consultation (if any) is appropriate under subsection (1) above, the bodies which, and persons whom, the Authority considers consulting must include—

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- (a) any London borough council;
  - (b) the Common Council; and
  - (c) bodies of each of the descriptions specified in subsection (3) below.
- (3) Those descriptions are—
- (a) voluntary bodies some or all of whose activities benefit the whole or part of Greater London;
  - (b) bodies which represent the interests of different racial, ethnic or national groups in Greater London;
  - (c) bodies which represent the interests of different religious groups in Greater London;
  - (d) bodies which represent the interests of persons carrying on business in Greater London.
- (4) The Authority may make arrangements with—
- (a) any London borough council,
  - (b) the Common Council,
  - (c) bodies of the descriptions specified in subsection (3) above, and
  - (d) such other bodies or persons as it may consider appropriate,
- for the purpose of facilitating the carrying out by the Authority of consultation pursuant to this section or any other provision of this Act.
- (5) The functions conferred on the Authority under or by virtue of this section shall be functions of the Authority which are exercisable by the Mayor acting on behalf of the Authority.

### **33 Equality of opportunity.**

- (1) The Authority shall make appropriate arrangements with a view to securing that—
- (a) in the exercise of the power conferred on the Authority by section 30 above,
  - (b) in the formulation of the policies and proposals to be included in any of the strategies mentioned in section 41(1) below, and
  - (c) in the implementation of any of those strategies,
- there is due regard to the principle that there should be equality of opportunity for all people.
- (2) After each financial year the Authority shall publish a report containing—
- (a) a statement of the arrangements made in pursuance of subsection (1) above which had effect during that financial year; and
  - (b) an assessment of how effective those arrangements were in promoting equality of opportunity.
- (3) The functions conferred or imposed on the Authority under or by virtue of this section shall be functions of the Authority which are exercisable by the Mayor acting on behalf of the Authority.

#### **Modifications etc. (not altering text)**

- C2** S. 33(1)(b)(c) applied (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 6(11)(a)**, 157(1); [S.I. 2011/3019](#), art. 3, Sch. 1

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### 34 Subsidiary powers of the Authority.

- (1) The Authority, acting by the Mayor, by the Assembly, or by both jointly, may do anything (including the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the exercise of any functions of the Authority exercisable by the Mayor or, as the case may be, by the Assembly or by both acting jointly.
- (2) The Authority shall not by virtue of this section raise money (whether by precepts, borrowing or otherwise) or lend money, except in accordance with the enactments relating to those matters.

#### Modifications etc. (not altering text)

C3 S. 34(2) excluded (18.11.2003) by [Local Government Act 2003 \(c. 26\)](#), ss. 93, 128(2)(d)

### [<sup>F20</sup>34A Restriction on exercise of certain powers except through a taxable body

- (1) The Authority may carry on specified activities for a commercial purpose only if it does so—
  - (a) through a company that is a subsidiary of the Authority, or
  - (b) in pursuance of an authorisation under section 38(1), through—
    - (i) a body that is specified in section 38(2) and is within the charge to corporation tax, or
    - (ii) a company that is a subsidiary of a body specified in section 38(2).
- (2) Subsection (3) applies if—
  - (a) the Authority carries on a specified activity for a commercial purpose otherwise than as permitted by subsection (1), and
  - (b) the activity is actually carried on by a body (whether the Authority or another) that, disregarding this section, is in respect of the carrying-on of the activity exempt from corporation tax and income tax.
- (3) The body mentioned in subsection (2)(b) is to be treated in respect of the carrying-on of the activity as not being a local authority for the purposes of—
  - (a) section 984 of the Corporation Tax Act 2010 (exemption of local authorities from corporation tax),
  - (b) section 838 of the Income Tax Act 2007 (exemption of local authorities from income tax), and
  - (c) section 271 of the Taxation of Chargeable Gains Act 1992 (exemption of local authorities from capital gains tax).
- (4) In this section—
 

“company” means—

  - (a) a company within the meaning given by section 1(1) of the Companies Act 2006, or
  - (b) [<sup>F21a</sup> a registered society within the meaning of the Co-operative and Community Benefit Societies Act 2014 or a society registered or deemed to be registered under] the Industrial and Provident Societies Act (Northern Ireland) 1969, and

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“specified activity” means an activity specified in an order made by the Secretary of State with the consent of the Treasury.]

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**Textual Amendments**

- F20** S. 34A inserted (15.1.2012) by [Localism Act 2011 \(c. 20\)](#), [ss. 224\(2\), 240\(2\)](#); S.I. 2012/57, art. 4(1) (cc) (with arts. 6, 7, 9-11)
- F21** Words in s. 34A(4) substituted (1.8.2014) by [Co-operative and Community Benefit Societies Act 2014 \(c. 14\)](#), s. 154, [Sch. 4 para. 67](#) (with Sch. 5)

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