



# Local Government Act 2000

## 2000 CHAPTER 22

### PART III

#### CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

#### CHAPTER I

#### CONDUCT OF MEMBERS

#### *Standards committees*

#### **53 Standards committees.**

(1) Subject to subsection (2), every relevant authority must establish a committee (referred to in this Part as a standards committee) which is to have the functions conferred on it by or under this Part.

(2) Subsection (1) does not apply to a <sup>F1</sup>... community council.

<sup>F2</sup>(3) .....

<sup>F2</sup>(4) .....

<sup>F2</sup>(5) .....

<sup>F2</sup>(6) .....

<sup>F2</sup>(7) .....

<sup>F2</sup>(8) .....

<sup>F2</sup>(9) .....

<sup>F2</sup>(10) .....

(11) The National Assembly for Wales may by regulations make provision—

*Status: Point in time view as at 22/11/2012.*

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- (a) as to the size and composition of standards committees of relevant authorities<sup>F3</sup>... (including provision with respect to the appointment to any such committee of persons who are not members of the relevant authority concerned),
  - (b) as to the term of office of members of any such committees,
  - (c) as to the persons who may, may not or must chair any such committees,
  - (d) as to the entitlement to vote of members of any such committee who are not members of the relevant authority concerned,
  - (e) for or in connection with treating any such committees as bodies to which section 15 of the<sup>M1</sup>Local Government and Housing Act 1989 does not apply,
  - (f) with respect to the access of the public to meetings of such committees,
  - (g) with respect to the publicity to be given to meetings of such committees,
  - (h) with respect to the production of agendas for, or records of, meetings of such committees,
  - (i) with respect to the availability to the public or members of relevant authorities of agendas for, records of or information connected with meetings of any such committees,
  - (j) as to the proceedings and validity of proceedings of any such committees,
  - (k) for or in connection with requiring relevant authorities<sup>F4</sup>... to send to [<sup>F5</sup>the Public Services Ombudsman for Wales] statements which set out the terms of reference of their standards committees.
- (12) The provision which may be made by virtue of subsection<sup>F6</sup>... (11)(f) to (i) includes provision which applies or reproduces (with or without modifications) any provisions of Part VA of the Local Government Act 1972.

#### Textual Amendments

- F1** Words in s. 53(2) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 12(2), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F2** S. 53(3)-(10) repealed (31.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 12(3), **Sch. 25 Pt. 5**; S.I. 2012/57, art. 5(1)(a)(c)(2)(c) (with arts. 6, 8); S.I. 2012/2913, arts. 1(2), 2(b) (with arts. 3-6)
- F3** Words in s. 53(11)(a) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 12(4)(a), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F4** Words in s. 53(11)(k) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 12(4)(b), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F5** Words in s. 53(11)(k) substituted (12.10.2005 for specified purposes, 1.4.2006 in so far as not already in force) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\)](#), s. 40, **Sch. 4 para. 4**; S.I. 2005/2800, arts. 4(1)(a)(2), 5(1) (with art. 4(3))
- F6** Words in s. 53(12) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 12(5), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)

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

- C1** Pt. III savings for effects of 2005 c. 10, s. 38 (1.4.2006) by [The Public Services Ombudsman \(Wales\) Act 2005 \(Transitional Provisions and Consequential Amendments\) Order 2006 \(S.I. 2006/362\)](#), arts. 1(1), 4
- C2** Pt. III applied (with modifications) (22.11.2012) by [The Police and Crime Panels \(Application of Local Authority Enactments\) Regulations 2012 \(S.I. 2012/2734\)](#), regs. 1(1), 3-6, **Sch. Pt. 3**

#### Commencement Information

- I1** S. 53 wholly in force at 28.7.2001; s. 53 not in force at Royal Assent see s. 108; s. 53(11)(12) in force at 1.11.2000 in relation to Wales by [S.I. 2000/2948](#), **art. 2**; s. 53 in force at 19.12.2000 in relation to England and to police authorities in Wales by [S.I. 2000/3335](#), **art. 2**; s. 53 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

#### Marginal Citations

- M1** [1989 c. 42](#).

## 54 Functions of standards committees.

- (1) The general functions of a standards committee of a relevant authority are—
- promoting and maintaining high standards of conduct by the members and co-opted members of the authority, and
  - assisting members and co-opted members of the authority to observe the authority's code of conduct.
- (2) Without prejudice to its general functions, a standards committee of a relevant authority has the following specific functions—
- advising the authority on the adoption or revision of a code of conduct,
  - monitoring the operation of the authority's code of conduct, and
  - advising, training or arranging to train members and co-opted members of the authority on matters relating to the authority's code of conduct.
- (3) A relevant authority may arrange for their standards committee to exercise such other functions as the authority consider appropriate.
- [<sup>F7</sup>(3A) In relation to a relevant authority whose members and co-opted members are subject to mandatory provisions by virtue of section 51(5)(b), references in subsection (1)(b) and (2)(b) and (c) to the authority's code of conduct are to those mandatory provisions.]
- <sup>F8</sup>(4) .....
- (5) The National Assembly for Wales may by regulations make provision with respect to the exercise of functions by standards committees of relevant authorities <sup>F9</sup>....
- <sup>F10</sup>(6) .....
- (7) The National Assembly for Wales may issue guidance with respect to the exercise of functions by standards committees of relevant authorities <sup>F11</sup>....

#### Textual Amendments

- F7** S. 54(3A) inserted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 184(3)**, 245(5) (with s. 201); [S.I. 2008/172](#), art. 2(1)(i)

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- F8** S. 54(4) repealed (7.6.2012 for specified purposes, 1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 13(2), **Sch. 25 Pt. 5**; S.I. 2012/1463, arts. 2(h), 5(a)(d) (with arts. 6, 7); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F9** Words in s. 54(5) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 13(3), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F10** S. 54(6) repealed (31.1.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 13(4), **Sch. 25 Pt. 5**; S.I. 2012/57, art. 5(1)(a)(c)(2)(d) (with arts. 6, 8)
- F11** Words in s. 54(7) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 13(5), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)

#### Commencement Information

- I2** S. 54 wholly in force at 28.7.2001; s. 54 not in force at Royal Assent see s. 108; s. 54(5)(7) in force at 1.11.2000 in relation to Wales by [S.I. 2000/2948](#), **art. 2**; s. 54 in force at 19.12.2000 in relation to England and to police authorities in Wales by [S.I. 2000/3335](#), **art. 2**; s. 54 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

#### [<sup>F12</sup>54A Sub-committees of standards committees

- (1) A standards committee of a relevant authority may appoint one or more sub-committees for the purpose of discharging any of the committee's functions, whether or not to the exclusion of the committee.
- (2) Subsection (1) does not apply to functions under section <sup>F13</sup>...56.
- (3) A sub-committee under subsection (1) shall be appointed from among the members of the standards committee by which it is appointed <sup>F14</sup>....
- <sup>F15</sup>(4) .....
- (5) As regards sub-committees appointed under subsection (1) by a standards committee of a relevant authority <sup>F16</sup>...—
  - (a) regulations under section 53(11) may make provision in relation to such sub-committees, and
  - (b) section 54(5) and (7) apply in relation to such sub-committees as they apply in relation to standards committees.
- (6) Subject to <sup>F17</sup>... any provision made by regulations under section [<sup>F18</sup>53(11)(a)] (as applied by this section)—
  - (a) the number of members of a sub-committee under subsection (1), and
  - (b) the term of office of those members,
 are to be fixed by the standards committee by which the sub-committee is appointed.]

#### Textual Amendments

- F12** S. 54A inserted (18.11.2003) by [Local Government Act 2003 \(c. 26\)](#), **ss. 113(1)**, 128(2)(d)
- F13** Words in s. 54A(2) repealed (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 188(1)(a)**, 245(5), **Sch. 18 Pt. 15** (with s. 201); S.I. 2008/172, art. 2(1)(j)(u)(ii) (with art. 2(2))

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- F14** Words in s. 54A(3) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 4 para. 14\(2\)](#), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F15** S. 54A(4) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 4 para. 14\(3\)](#), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F16** Words in s. 54A(5) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 4 para. 14\(4\)](#), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F17** Words in s. 54A(6) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 4 para. 14\(5\)\(a\)](#), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F18** Words in s. 54A(6) substituted (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 4 para. 14(5)(b)**; S.I. 2012/1463, art. 5(a) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b) (with arts. 3-6)

**F20** **55 Standards committees** <sup>F19</sup> **... for parish councils.**

.....

**Textual Amendments**

- F19** Words in s. 55 repealed (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. 188(2)(a), 245(5), **Sch. 18 Pt. 15** (with s. 201); S.I. 2008/172, art. 2(1)(j)(u)(ii) (with art. 2(2))
- F20** S. 55 repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 4 para. 15](#), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)

**56 Standards committees or sub-committees for community councils.**

- (1) A standards committee of a county council in Wales is to have the same functions in relation to—
  - (a) the community councils which are situated in the area of the county council, and
  - (b) the members of those community councils,as the standards committee has under section 54(1) and (2) in relation to the county council and the members of the county council.
- (2) A standards committee of a county borough council is to have the same functions in relation to—
  - (a) the community councils which are situated in the area of the county borough council, and
  - (b) the members of those community councils,

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as the standards committee has under section 54(1) and (2) in relation to the county borough council and the members of the county borough council.

- (3) A standards committee of a county council or county borough council may appoint a sub-committee for the purpose of discharging all of the functions conferred on the standards committee by this section.
- (4) In deciding whether it will be their standards committee, or a sub-committee of their standards committee, which is to discharge the functions conferred by this section, a county council or county borough council must consult the community councils which are situated in their area.
- (5) Regulations under section 53(11) may make provision in relation to sub-committees appointed under this section.
- (6) Subsections (5) and (7) of section 54 apply in relation to sub-committees of standards committees appointed under this section as they apply in relation to standards committees.
- (7) Any function which by virtue of the following provisions of this Part is exercisable by or in relation to the standards committee of a relevant authority which is a community council is to be exercisable by or in relation to—
  - (a) the standards committee of the county council or county borough council in whose area the community council is situated, or
  - (b) where that standards committee has appointed a sub-committee under this section, that sub-committee;

and any reference in the following provision of this Part to the standards committee of a relevant authority which is a community council is to be construed accordingly.

## <sup>F21</sup> 56A Joint committees of relevant authorities in England

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### Textual Amendments

- F21** S. 56A repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 16, **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)

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