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STATUTORY INSTRUMENTS

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**2009 No. 1255**

**The Standards Committee (Further Provisions) (England) Regulations 2009**

**PART 2**

**SUSPENSION OF INITIAL ASSESSMENT FUNCTIONS**

**Assessment of allegations by standards committee of another authority**

**10.**—(1) This regulation applies where a direction under section 57D(1) of the Act is in force and specifies the standards committee of another authority in England as the body to whom relevant allegations and relevant requests should be referred.

(2) For the purposes of this regulation and the modifications which it makes—

- (a) the standards committee of the authority given the direction is called “the suspended standards committee”; and
- (b) the standards committee of the other authority specified as mentioned in paragraph (1) is called “the specified body”.

(3) Section 57A(2) to (4) of the Act shall apply as if—

- (a) references in those subsections to a “standards committee” were to the “specified body”;
- (b) in section 57A(2), for the words “under subsection (1)” there were substituted “by virtue of a direction under section 57D(1)”; and
- (c) at the end of section 57A(2)(a) there were added “or to the monitoring officer of the specified body”.

(4) Section 57C(2) to (4) of the Act shall apply as if references in those subsections to “the standards committee” were to “the specified body”.

(5) Regulations 11, 13, 14 and 16 of the Standards Committee (England) Regulations 2008 shall apply in respect of matters referred to monitoring officers under section 57A(2)(a) or (3) of the Act as modified by paragraph (3) of this regulation, with the modifications set out in paragraph (6) of this regulation.

(6) The modifications mentioned in paragraph (5) are that—

- (a) Regulation 11 shall apply as if the references to section 57C(2) of the Act were to that section as modified by paragraph (4) of this regulation, and as if for the words “standards committee” in that regulation there were substituted the words “the specified body”.
- (b) Regulation 13 shall apply as if—
  - (i) for the words “standards committee” in each place where they occur in paragraphs (1)(a), (2), 3(c) and (5) and in the first place in which they occur in paragraph (6), there were substituted the words “specified body”;
  - (ii) the reference in paragraph (1)(a) to “section 57A(2)(a) or 57A(3) of the Act” were to those provisions as modified by paragraph (3) of this regulation; and

- (iii) for paragraph (4)(c)(i) there were substituted “where the matter was referred to the monitoring officer under section 57(A) to the specified body, with a copy also being sent to the standards committee.”.
- (c) Regulation 14 shall apply as if—
  - (i) the references in paragraph (1) to section 57A(2)(a) and 57A(3) of the Act were a reference to those provisions as modified by paragraph (3) of this regulation;
  - (ii) in paragraph (2), for the words “standards committee” in the first place in which they occur, there were substituted the words “specified body”;
  - (iii) at the end of subparagraph (8)(c) there were added “and to the specified body”; and
  - (iv) for paragraph (8)(d)(i) there were substituted “either the suspended standards committee or the specified body”.
- (d) Regulation 16 shall apply as if—
  - (i) the reference in paragraph (1) to section 57A(2)(a) of the Act, were to that provision as modified by paragraph (3) of this regulation;
  - (ii) for the words “refer that matter back to the standards committee concerned” in paragraph (1) there were substituted “refer the matter to, or back to the specified body”;
  - (iii) in the full-out after paragraph (1)(a)(ii), and in paragraph (1)(a)(iii), after the words “standards committee” there were inserted “or the specified body”; and
  - (iv) for the words “standards committee” in each place in which they occur in paragraphs (2) and (4) there were substituted the words “specified body”.