

Draft Order laid before Parliament under section 14 of the Legislative and Regulatory Reform Act 2006 to which the Secretary of State has recommended that the negative resolution procedure under section 16 of that Act should apply

DRAFT STATUTORY INSTRUMENTS

2013 No.

**REGULATORY REFORM,
ENGLAND AND WALES
LOCAL GOVERNMENT, ENGLAND AND WALES**

The Legislative Reform (Payments by Parish Councils,
Community Councils and Charter Trustees) Order 2013

Made - - - - 2013

Coming into force in accordance with article 1(c).

The Secretary of State for Communities and Local Government makes the following Order in exercise of the power conferred by section 1 of the Legislative and Regulatory Reform Act 2006⁽¹⁾.

For the purposes of section 3(1) of that Act, the Secretary of State considers that the conditions in section 3(2), where relevant, are satisfied.

Agreement to the making of the Order has been given by the National Assembly for Wales in accordance with section 11(1) of that Act⁽²⁾.

The Secretary of State has consulted in accordance with section 13(1) of that Act.

The Secretary of State laid a draft of the Order and an explanatory document before Parliament in accordance with section 14(1) of that Act.

Pursuant to section 15 of that Act, the negative resolution procedure (within the meaning of Part 1 of that Act) applies in relation to the making of the Order.

Neither House of Parliament resolved within the 40-day period referred to in section 16(3) of that Act that the Secretary of State should not make the Order⁽³⁾.

Citation, extent and commencement

1. This Order—

(1) 2006 c. 51.

(2) Section 11 was substituted by S.I. 2007/1388 article 3, Schedule 1, paragraphs 143 and 146.

(3) The expression “40-day period” is defined in section 16(7)(b) of the Legislative and Regulatory Reform Act 2006.

- (a) may be cited as the Legislative Reform (Payments by Parish Councils, Community Councils and Charter Trustees) Order 2013;
- (b) extends to England and Wales only; and
- (c) comes into force on the day after the day on which it is made.

Payment of money by parish and community councils

- 2. Omit subsection (5) of section 150 of the Local Government Act 1972(4).

Payment of money by charter trustees

- 3.—(1) Omit subsection (12) of section 246 of the Local Government Act 1972(5).
- (2) Omit paragraph (2) of regulation 15 of the Charter Trustee Regulations 1996(6).

Signed by authority of the Secretary of State for Communities and Local Government

Date

Name
Parliamentary Under Secretary of State
Department for Communities and Local
Government

(4) 1972 c. 70; there have been amendments to section 150 which are not relevant to this Order.
(5) There have been amendments to section 246 which are not relevant to this Order.
(6) S.I. 1996/263, to which there are amendments not relevant to this Order.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order removes the requirement for every cheque or other order for the payment of money by a parish or community council to be signed by two members of the council. The Order also removes a similar requirement for every cheque or other order for payment of money by charter trustees to be signed by two charter trustees.

The Order is made under the provisions of the Legislative and Regulatory Reform Act [2006 \(c. 51\)](#) and removes a burden on parish and community councils and charter trustees and facilitates the use of electronic means of payment.