



# Local Government and Housing Act 1989

## 1989 CHAPTER 42

### PART I

#### LOCAL AUTHORITY MEMBERS, OFFICERS, STAFF AND COMMITTEES ETC.

##### *Political balance on committees etc.*

#### **16 Duty to give effect to allocations.**

(1) Where any relevant authority or any committee of a relevant authority have determined the allocation to different political groups of the seats on a body to which section 15 above applies, it shall be the duty of that authority or committee so to exercise their power to make appointments to that body as to give effect—

- (a) as soon as practicable after the determination; and
- (b) if a vacancy subsequently occurs on that body, as soon as practicable after the occurrence of the vacancy,

to such wishes about who is to be appointed to the seats on that body which are allocated to a particular political group as are expressed by that group.

(2) Where—

- (a) any person has been appointed, otherwise than for a fixed term, to a body to which section 15 above applies; and
- (b) that appointment was made, in pursuance of subsection (1) above, in accordance with the wishes of a political group,

then, so long as that person's seat continues to be allocated to that group, the authority or committee which made the appointment shall act in accordance with the wishes of that group in determining whether and when to terminate the appointment.

(3) The proceedings of a body to which section 15 above applies shall not be invalidated by any defect by virtue of this section or that section in the appointment of any person to that body.

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*Status: Point in time view as at 31/10/1997. This version of this provision has been superseded.*

**Changes to legislation:** Local Government and Housing Act 1989, Section 16 is up to date with all changes known to be in force on or before 19 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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- (4) This section applies in relation to an allocation of seats to different political groups whether or not that allocation is made in pursuance of any duty under section 15 above.

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

- C1** Ss. 15-17 applied (with modifications) by S.I. 1990/1553, **regs. 21, 22**
- C2** Ss. 15, 16 modified by S.I. 1990/1553, **reg. 16(1)(2)**
- C3** S. 16 applied (with modifications) (8.5.2000) by 1999 c. 29, **s. 57(1)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(b), **Sch. Pt. 2**

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