



Local Government Act 1992

1992 CHAPTER 19

PART I

CITIZEN'S CHARTER PROVISIONS

Performance standards of local authorities etc.

1 Publication of information as to standards of performance. E+W

- (1) The Audit Commission and the Scottish Accounts Commission shall each give such directions as it thinks fit for requiring relevant bodies to publish such information relating to their activities in any financial year as will, in that Commission's opinion, facilitate the making of appropriate comparisons (by reference to the criteria of cost, economy, efficiency and effectiveness) between—
 - (a) the standards of performance achieved by different relevant bodies in that financial year; and
 - (b) the standards of performance achieved by such bodies in different financial years.
- (2) Where a relevant body are required by a direction under this section to publish information in relation to any financial year, it shall be the duty of that body—
 - (a) to make such arrangements for collecting and recording the information as secure that the information is available for publication and, so far as practicable, that everything published in pursuance of the direction is accurate and complete;
 - (b) within the period of nine months beginning with the end of that financial year, to publish the information, in accordance with the direction, [¹and by one of the methods permitted by section 1A below]; and
 - (c) to keep a document containing any information published in pursuance of the direction available for inspection by interested persons.
- (3) The Secretary of State may by order made by statutory instrument vary the period for the time being specified in paragraph (b) of subsection (2) above so as to fix the latest

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time for the publication of information in accordance with that paragraph at any such time, within the period of nine months after the end of the financial year in question, as may be specified in the order; and a statutory instrument containing an order under this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.

- (4) An interested person shall be entitled—
- (a) at all reasonable times and without payment, to inspect and make copies of the whole or any part of a document kept available for inspection under subsection (2)(c) above; and
 - (b) to require copies of the whole or a part of any such document to be delivered to him on payment of a reasonable sum for each copy.
- (5) Any person having custody of any document kept available for inspection under subsection (2)(c) above who—
- (a) obstructs a person in the exercise of his rights under subsection (4) above; or
 - (b) refuses to comply with a requirement under subsection (4)(b) above,
- shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.
- (6) References in this section to an interested person, in relation to any document which is required to be kept available by a relevant body in England and Wales, are references to any local government elector (within the meaning of the 1972 Act) for the area of that body.
- (7) References in this section and sections 2 and 3 below to a relevant body are references—
- (a) in relation to England and Wales, to any body with which the Audit Commission is concerned, other than one falling within subsection (8) below; and
 - (b) in relation to Scotland, to any local authority, joint board or joint committee, within the meaning of the 1973 Act.
- (8) Subject to section 4 below, the bodies with which the Audit Commission is concerned which shall not be relevant bodies for the purposes of this section and sections 2 to 3 below are—
- (a) parish and community councils and any parish meeting of a parish not having a separate parish council;
 - (b) charter trustees constituted under section 246 of the 1972 Act;
 - (c) health service bodies within the meaning of Part III of the 1982 Act;
 - (d) port health authorities;
 - (e) licensing planning committees;
 - (f) internal drainage boards;
 - (g) probation committees; and
 - (h) Passenger Transport Executives.

Extent Information

E1 This version extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

F1 Words in s. 1(2)(b) substituted (29.4.1996) by 1996 c. 10, s. 5(1)

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Modifications etc. (not altering text)

- C1** Ss. 1-7 amended (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), **Sch. 7 para. 19(1)** (with ss. 7(6), 115, 117)
S. 1 amended (28.11.1994) by **S.I. 1994/2825, reg. 51**
- C2** S. 1(8) applied (with modifications) (1.2.1995) by **S.I. 1995/102, reg. 3**

1 Publication of information as to standards of performance. S

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 - (b) the standards of performance achieved by such bodies in different financial years.
- (2) Where a relevant body are required by a direction under this section to publish information in relation to any financial year, it shall be the duty of that body—
- (a) to make such arrangements for collecting and recording the information as secure that the information is available for publication and, so far as practicable, that everything published in pursuance of the direction is accurate and complete;
 - (b) within the period of [^{F2}six] months beginning with the end of that financial year, to publish the information, in accordance with the direction, [^{F3}and by one of the methods permitted by section 1A below]; and
 - (c) to keep a document containing any information published in pursuance of the direction available for inspection by interested persons.
- (3) The Secretary of State may by order made by statutory instrument vary the period for the time being specified in paragraph (b) of subsection (2) above so as to fix the latest time for the publication of information in accordance with that paragraph at any such time, within the period of nine months after the end of the financial year in question, as may be specified in the order; and a statutory instrument containing an order under this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.
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Extent Information

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Textual Amendments

F2 Word in [s. 1\(2\)\(b\)](#) substituted (1.1.1998) by [S.I. 1997/1981](#), [art. 2](#)

F3 Words in [s. 1\(2\)\(b\)](#) substituted (29.4.1996) by [1996 c. 10](#), [s. 5\(1\)](#)

Modifications etc. (not altering text)

C3 [Ss. 1-7](#) amended (19.9.1995) by [1995 c. 25](#), [ss. 63\(5\)](#), [125\(2\)](#), [Sch. 7 para. 19\(1\)](#) (with [ss. 7\(6\)](#), [115](#), [117](#))

C4 [S. 1\(8\)](#) applied (with modifications) (1.2.1995) by [S.I. 1995/102](#), [reg. 3](#)

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