



Greater London Authority Act 1999

1999 CHAPTER 29

PART II

GENERAL FUNCTIONS AND PROCEDURE

Functions exercisable by the Mayor

38 Delegation.

- (1) Any function exercisable on behalf of the Authority by the Mayor shall also be exercisable on behalf of the Authority by any of the bodies or persons specified in subsection (2) below, if or to the extent that the Mayor so authorises, whether generally or specially, and subject to any conditions imposed by the Mayor.
- (2) Those bodies and persons are—
 - (a) the Deputy Mayor;
 - (b) any member of staff of the Authority;
 - (c) Transport for London;
 - (d) the London Development Agency;
 - (e) the Common Council;
 - (f) any local authority.
- (3) In the case of the Common Council or a local authority, an authorisation under this section—
 - (a) may only be granted or varied with its written consent; and
 - (b) shall cease to have effect if notice of the withdrawal of that consent is given to the Mayor.
- (4) Where, by virtue of an authorisation under subsection (1) above, a duty is exercisable by any of the bodies or persons specified in subsection (2) above, that body or person shall discharge the duty in accordance with the authorisation and any conditions imposed by the Mayor under subsection (1) above.

Status: Point in time view as at 22/01/2001. This version of this provision has been superseded.

Changes to legislation: Greater London Authority Act 1999, Section 38 is up to date with all changes known to be in force on or before 10 July 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)

- (5) Subsection (4) above is without prejudice to the exercise by the body or person concerned of any power to arrange for the discharge of functions by—
- (a) a committee or sub-committee, or a member, officer or employee, of the body or person, or
 - (b) a joint committee on which the body or person is represented,
- except to the extent that the terms of the authorisation or any conditions imposed by the Mayor under subsection (1) above otherwise provide.
- (6) Subsection (1) above does not apply—
- (a) in relation to functions under this section;
 - (b) in relation to any function of making appointments under subsection (1) of section 67 below (which, subject to the provisions of Schedule 4 to this Act, shall be exercisable only by the Mayor); or
 - (c) in relation to any function under Part X below (in relation to which provision for delegation is made under that Part).
- (7) Each of the following bodies, namely—
- (a) Transport for London,
 - (b) the London Development Agency,
 - (c) the Common Council,
 - (d) any local authority,
- shall have power to exercise functions on behalf of the Authority in accordance with this section, whether or not they would have power to do so apart from this subsection and irrespective of the nature of the function.
- (8) Subsections (3) and (4) of section 101 of the ^{M1}Local Government Act 1972 (delegation of functions to committees, officers etc, and continued exercise by local authority concerned) shall apply in relation to any authorisation under subsection (1) above given by the Mayor—
- (a) to a local authority,
 - (b) to Transport for London, or
 - (c) to the London Development Agency,
- as they apply to arrangements under that section between one local authority and another.
- (9) An authorisation under this section may be varied or revoked at any time by the Mayor.
- (10) Any authorisation under this section, and any variation or revocation of such an authorisation, must be in writing.

Marginal Citations

M1 1972 c. 70.

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