



# Local Government Act 2000

## 2000 CHAPTER 22

### PART III

#### CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

### CHAPTER V

#### SUPPLEMENTARY

#### *[<sup>F1</sup>Delegation by monitoring officers*

#### Textual Amendments

- F1** S. 82A and cross-heading inserted (18.11.2003) by [Local Government Act 2003 \(c. 26\), ss. 113\(2\), 128\(2\)\(d\)](#)

#### **82A Monitoring officers: delegation of functions under Part 3**

- (1) This section applies to functions of a monitoring officer of a relevant authority in relation to matters referred to him under section <sup>F2</sup>[<sup>F3</sup>... 70(4) or (5) or 71(2) or (4) ] .
- (2) Where the monitoring officer considers that in a particular case he himself ought not to perform particular functions to which this section applies, those particular functions shall in that case be performed personally by a person nominated for the purpose by the monitoring officer.
- (3) Where a deputy nominated by the monitoring officer under section 5(7) of the Local Government and Housing Act 1989 (nomination of member of monitoring officer's staff to act as deputy when monitoring officer absent or ill) considers that in a particular case he himself ought not to perform particular functions—
  - (a) to which this section applies, and

*Status: Point in time view as at 22/11/2012.*

*Changes to legislation: Local Government Act 2000, Cross Heading: Delegation by monitoring officers is up to date with all changes known to be in force on or before 30 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)*

- (b) which, by reason of the absence or illness of the monitoring officer, would but for this subsection fall to be performed by the deputy,  
 those particular functions shall, while the monitoring officer continues to be unable to act by reason of absence or illness, be performed in that case personally by a person nominated for the purpose by the deputy.
- (4) Where functions to which this section applies are to be performed by a person nominated under subsection (2) or (3) who is an officer of the relevant authority, the authority shall provide the officer with such staff, accommodation and other resources as are, in the officer's opinion, sufficient to allow those functions to be performed.
- (5) Where functions to which this section applies are to be performed by a person nominated under subsection (2) or (3) who is not an officer of the relevant authority, the authority shall—
- (a) pay the person a reasonable fee for performing the functions,
  - (b) reimburse expenses properly incurred by the person in performing the functions, but only to the extent that the amount of the expenses is reasonable, and
  - (c) provide the person with such staff, accommodation and other resources as are reasonably necessary for the person's performance of the functions.]

#### **Textual Amendments**

- F2** Words in s. 82A repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 50, **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F3** Words in s. 82A(1) substituted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 194(9)**, 245(5) (with s. 201); S.I. 2008/172, art. 2(1)(o)

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

- C1** Pt. III applied (with modifications) (22.11.2012) by [The Police and Crime Panels \(Application of Local Authority Enactments\) Regulations 2012 \(S.I. 2012/2734\)](#), regs. 1(1), 3-6, **Sch. Pt. 3**

**Status:**

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**Changes to legislation:**

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