



Local Government Act 2000

2000 CHAPTER 22

PART III U.K.

CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

CHAPTER II U.K.

INVESTIGATIONS ETC: ENGLAND

References to monitoring officers

66 Matters referred to monitoring officers. E+W

[^{F1}(1) The Secretary of State may by regulations make provision in relation to the way in which any matters referred to the monitoring officer of a relevant authority under section [^{F2}57A, 60(2) or (3) or 64(2) or (4)] are to be dealt with.

(2) The provision which may be made by regulations under subsection (1) includes provision for or in connection with—

- (a) enabling a monitoring officer of a relevant authority to conduct an investigation in respect of any matters referred to him,
- (b) enabling a monitoring officer of a relevant authority to make a report, or recommendations, to the standards committee of the authority in respect of any matters referred to him,
- (c) enabling a standards committee of a relevant authority to consider any report or recommendations made to it by a monitoring officer of the authority (including provision with respect to the procedure to be followed by the standards committee),
- (d) enabling a standards committee of a relevant authority, following its consideration of any such report or recommendations, to take any action prescribed by the regulations (including action against any member or co-

Status: Point in time view as at 07/06/2012.

Changes to legislation: Local Government Act 2000, Cross Heading: References to monitoring officers is up to date with all changes known to be in force on or before 26 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)

- opted member (or former member or co-opted member) of the authority who is the subject of any such report or recommendation),
- (e) the publicity to be given to any such reports, recommendations or action.
- [^{F3}(f) enabling a monitoring officer of a relevant authority, in such circumstances as may be prescribed by the regulations, to refer back any matters that were referred to him under section 57A.]
- (3) The provision which may be made by virtue of subsection (2)(a) includes provision for or in connection with—
- (a) conferring powers on a monitoring officer of a relevant authority to enable him to conduct an investigation in respect of any matters referred to him,
- (b) conferring rights (including the right to make representations) on any member or co-opted member (or former member or co-opted member) of a relevant authority who is the subject of any such investigation.
- [^{F4}(3A) Provision made by virtue of subsection (2)(a) and (3) may make provision corresponding to or applying, with or without modifications, any provisions of sections 62 and 63 (including sections 62(10) and 63(4)) or section 67(1), (1A) and (3) to (5).
- (3B) The provision which may be made by virtue of subsection (2)(b) includes provision for or in connection with—
- (a) interim reports;
- (b) the disclosure of reports.]
- (4) The provision which may be made by virtue of subsection (2)(d) includes provision for or in connection with—
- (a) enabling a standards committee of a relevant authority to censure a member or co-opted member (or former member or co-opted member) of the authority,
- (b) enabling a standards committee of a relevant authority to suspend or partially suspend a person from being a member or co-opted member of the authority for a limited period,
- (c) conferring a right of appeal on a member or co-opted member (or former member or co-opted member) of a relevant authority in respect of any action taken against him.
- [^{F5}(4A) The provision which may be made by virtue of subsection (2)(f) includes provision applying any provisions of section 57A or 57C, with or without modifications, where matters have been referred back by the monitoring officer.]
- (5) Nothing in [^{F6}subsections (2) to (4A) or section 66A] affects the generality of the power under subsection (1).
- (6) [^{F7}A person who refers any matters to the monitoring officer of a relevant authority under section 57A, 60(2) or (3) or 64(2) or (4),] may give directions to the monitoring officer as to the way in which those matters are to be dealt with.]

Textual Amendments

- F1** S. 66 repealed (7.6.2012 for specified purposes, 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. 31, [Sch. 25 Pt. 5](#); S.I. 2012/1463, arts. 2(h), 5(a)(d) (with arts. 6, 7); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)

Status: Point in time view as at 07/06/2012.

Changes to legislation: Local Government Act 2000, Cross Heading: References to monitoring officers is up to date with all changes known to be in force on or before 26 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)

- F2** Words in s. 66(1) substituted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 194\(2\), 245\(5\)](#) (with s. 201); S.I. 2008/172, art. 2(1)(o)
- F3** S. 66(2)(f) inserted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 194\(3\), 245\(5\)](#) (with s. 201); S.I. 2008/172, art. 2(1)(o)
- F4** S. 66(3A)(3B) inserted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 194\(4\), 245\(5\)](#) (with s. 201); S.I. 2008/172, art. 2(1)(o)
- F5** S. 66(4A) inserted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 194\(5\), 245\(5\)](#) (with s. 201); S.I. 2008/172, art. 2(1)(o)
- F6** Words in s. 66(5) substituted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 194\(6\), 245\(5\)](#) (with s. 201); S.I. 2008/172, art. 2(1)(o)
- F7** Words in s. 66(6) substituted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 194\(7\), 245\(5\)](#) (with s. 201); S.I. 2008/172, art. 2(1)(o)

Commencement Information

- I1** S. 66 wholly in force at 28.7.2001; s. 66 not in force at Royal Assent see s. 108; s. 66 in force at 19.12.2000 in relation to England and to police authorities in Wales by [S.I. 2000/3335, art. 2](#); s. 66 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

[^{F8}66A **References to [^{F9}First-tier Tribunal] for action in respect of misconduct** **E+W**

- (1) The provision which may be made by regulations under section 66 by virtue of subsection (2)(d) of that section also includes provision for or in connection with—
 - (a) enabling a standards committee, where it considers that the action it could take against a person is insufficient, to refer the case to the [^{F10}First-tier Tribunal for a decision] on the action that should be taken against the person,
^{F11}(b)
 - (c) enabling [^{F12}the First-tier Tribunal] to decide what action, of a kind authorised by the regulations, should be taken against the person and enabling [^{F13}the tribunal] to take that action,
^{F14}(d)
 - ^{F14}(e)
- (2) The kinds of action that may be authorised by virtue of subsection (1)(c) include any kinds of action that may be authorised in relation to [^{F15}the First-tier Tribunal] by regulations under section 78A(4) to (6).]

Textual Amendments

- F8** S. 66A inserted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 195, 245\(5\)](#) (with s. 201); S.I. 2008/172, art. 2(1)(p)
- F9** Words in s. 66A heading substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\), art. 1\(1\), Sch. 2 para. 55\(a\)](#) (with Sch. 5)
- F10** Words in s. 66A(1)(a) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\), art. 1\(1\), Sch. 2 para. 55\(b\)\(i\)](#) (with Sch. 5)
- F11** S. 66A(1)(b) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\), art. 1\(1\), Sch. 2 para. 55\(b\)\(ii\)](#) (with Sch. 5)
- F12** Words in s. 66A(1)(c) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\), art. 1\(1\), Sch. 2 para. 55\(b\)\(iii\)\(aa\)](#), (with Sch. 5)
- F13** Words in s. 66A(1)(c) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\), art. 1\(1\), Sch. 2 para. 55\(b\)\(iii\)\(bb\)](#), (with Sch. 5)

Status: Point in time view as at 07/06/2012.

Changes to legislation: Local Government Act 2000, Cross Heading: References to monitoring officers is up to date with all changes known to be in force on or before 26 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)

- F14** S. 66A(1)(d)(e) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), [Sch. 2 para. 55\(b\)\(iv\)](#) (with [Sch. 5](#))
- F15** Words in s. 66A(2) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), [Sch. 2 para. 55\(c\)](#) (with [Sch. 5](#))

Status:

Point in time view as at 07/06/2012.

Changes to legislation:

Local Government Act 2000, Cross Heading: References to monitoring officers is up to date with all changes known to be in force on or before 26 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.