S C H E D U L E S

SCHEDULE 5

MINOR AND CONSEQUENTIAL AMENDMENTS

Local Government and Housing 1989 (c. 42)

24   (1) Section 5 of the Local Government and Housing Act 1989 (designation and reports of monitoring officer) is amended as follows.

(2) In subsection (1), before "the officer so" there is inserted " subject to subsection (1A) below ".

(3) After that subsection there is inserted—

"(1A) The officer designated under subsection (1) above by a relevant authority to which this subsection applies may not be the head of that authority's paid service.

(1B) Subsection (1A) above applies to the following relevant authorities in England and Wales—
    (a)   a county council,
    (b)   a county borough council,
    (c)   a district council,
    (d)   a London borough council,
    (e)   the Greater London Authority, and
    (f)   the Common Council of the City of London in its capacity as a local authority, police authority or port health authority."

(4) In subsection (2), the words "or of any code of practice made or approved by or under any enactment" are omitted.

(5) In subsection (2), as substituted in relation to the Greater London Authority by section 73(6) of the [M1]Greater London Authority Act 1999, in paragraph (a) the words "or of any code of practice made or approved by or under any enactment" are omitted.

(6) After that subsection there is inserted—

"(2A) No duty shall arise by virtue of subsection (2)(b) above unless a Local Commissioner (within the meaning of the [M2]Local Government Act 1974) has conducted an investigation under Part III of that Act in relation to the proposal, decision or omission concerned."

(7) In subsection (8), in paragraph (a) of the definition of "relevant authority", for "(j)" there is substituted " (k) ".

(8) After that subsection there is inserted—

"(8A) Any reference in this section to the duties of a monitoring officer imposed by this section, or to the duties of a monitoring officer under this section, shall include a reference to the functions which are conferred on a monitoring officer by virtue of Part III of the Local Government Act 2000."

Marginal Citations
M1   1999 c. 29.
M2   1974 c. 7.

VALID FROM 22/05/2012

25   Section 19 of that Act (members' interests) ceases to have effect.

VALID FROM 22/05/2012

26   Sections 31 and 32(1) of that Act (National Code of Local Government Conduct) are omitted.

27   Sections 33 to 35 of that Act (economic development and discretionary expenditure by local authorities) cease to have effect.

Status:
Point in time view as at 12/01/2010. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation:
Local Government Act 2000, Cross Heading: Local Government and Housing 1989 (c. 42) is up to date with all changes known to be in force on or before 07 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.