



# Local Government Act 2000

## 2000 CHAPTER 22

### PART III

#### CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

#### CHAPTER I

#### CONDUCT OF MEMBERS

#### *Standards of conduct*

#### **50 Model code of conduct.**

- (1) The Secretary of State may by order issue a model code as regards the conduct which is expected of members and co-opted members of relevant authorities in England and police authorities in Wales (referred to in this Part as a model code of conduct).
- (2) The National Assembly for Wales may by order issue a model code as regards the conduct which is expected of members and co-opted members of relevant authorities in Wales other than police authorities (also referred to in this Part as a model code of conduct).
- (3) The power under subsection (1) or (2) to issue a model code of conduct includes power to revise any such model code which has been issued.
- (4) A model code of conduct—
  - (a) must be consistent with the principles for the time being specified in an order under section 49(1) or 49(2) (as the case may be),
  - (b) may include provisions which are mandatory, and
  - (c) may include provisions which are optional.

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*Status: Point in time view as at 17/12/2009. This version of this provision has been superseded.*

*Changes to legislation: Local Government Act 2000, Section 50 is up to date with all changes known to be in force on or before 18 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)*

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- [<sup>F1</sup>(4A) A model code of conduct issued under subsection (1) must provide, as respects each provision of the code which relates to the conduct expected of the persons mentioned in that subsection—
- (a) that the provision applies to a person only when acting in an official capacity; or
  - (b) that it applies to a person only when not acting in an official capacity;
- but the code may provide as mentioned in paragraph (b) only as respects a provision within subsection (4B).
- (4B) A provision is within this subsection if it prohibits particular conduct (or conduct of a particular description) where that conduct would constitute a criminal offence.
- (4C) A model code of conduct issued under subsection (1) may define for the purposes of the code—
- “official capacity”; and
  - “criminal offence”.
- (4D) Provision included under subsection (4A) or (4C) in a model code of conduct—
- (a) must be consistent with the provision for the time being included in an order under section 49(1) by virtue of section 49(2A) or (2C);
  - (b) is to be mandatory except to the extent that it relates to an optional provision;
  - (c) to the extent that it relates to an optional provision, is to be mandatory where that optional provision is incorporated in a code of conduct under section 51.
- (4E) A model code of conduct issued under subsection (2) may include—
- (a) provisions which are to apply to a person at all times;
  - (b) provisions which are to apply to a person otherwise than at all times.]
- (5) Before making an order under this section, the Secretary of State or the National Assembly for Wales must carry out such consultation as is required, by virtue of section 49, before an order is made under that section.
- (6) For the purpose of facilitating the making of an order under this section, the Secretary of State may invite such body as he considers appropriate to draw up, and send to him, a proposed model code of conduct or proposed revisions to such a model code.
- (7) An invitation under subsection (6)—
- (a) must be made in writing,
  - (b) may be made to more than one body,
  - (c) may be limited to particular descriptions of authority,
  - (d) must specify the period within which the proposals are to be drawn up and sent to the Secretary of State,
  - (e) may require different proposals to be drawn up for different authorities or descriptions of authority, and
  - (f) may require any body to which the invitation is made to consult such persons as may be specified in the invitation.

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#### **Textual Amendments**

- F1** S. 50(4A)-(4E) inserted (31.1.2008 for specified purposes) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 183(2)**, 245(5) (with s. 183(5)-(11), 201); [S.I. 2008/172](#), art. 5(1)(b)

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#### **Commencement Information**

- I1** S. 50 wholly in force at 28.7.2001; s. 50 not in force at Royal Assent see s. 108; s. 50(2)-(7) in force at 1.11.2000 in relation to Wales by [S.I. 2000/2948](#), **art. 2**; s. 50 in force at 19.12.2000 in relation to England and to police authorities in Wales by [S.I. 2000/3335](#), **art. 2**; s. 50 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

**Status:**

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