



# Local Government Act 2000

## 2000 CHAPTER 22

### PART III

#### CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

#### CHAPTER I

#### CONDUCT OF MEMBERS

#### *Standards committees*

#### **53 Standards committees.**

- (1) Subject to subsection (2), every relevant authority must establish a committee (referred to in this Part as a standards committee) which is to have the functions conferred on it by or under this Part.
- (2) Subsection (1) does not apply to a parish council or community council.
- (3) [<sup>F1</sup>The number of members of a standards committee of a relevant authority in England or a police authority in Wales and their term of office are to be fixed by the authority (subject to any provision made by virtue of subsection (6)(a)).]
- (4) [<sup>F1</sup>A standards committee of a relevant authority in England or a police authority in Wales must include—
  - (a) at least two members of the authority, and
  - (b) at least one person who is not a member, or an officer, of that or any other relevant authority,

[<sup>F2</sup>and must be chaired by a person falling within paragraph (b) ]. ]
- [<sup>F2</sup>(5) [<sup>F1</sup>A standards committee of a relevant authority in England which are operating executive arrangements—
  - (a) may not include the elected mayor or executive leader, and

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*Status: Point in time view as at 31/01/2012. This version of this provision has been superseded.*

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- (b) may not be chaired by a member of the executive.]
- (6) <sup>F1</sup>The Secretary of State may by regulations make provision—
- (a) as to the size and composition of standards committees of relevant authorities in England and police authorities in Wales,
  - (b) as to the appointment to such committees of persons falling within subsection (4)(b),
  - (c) with respect to the access of the public to meetings of such committees,
  - (d) with respect to the publicity to be given to meetings of such committees,
  - (e) with respect to the production of agendas for, or records of, meetings of such committees,
  - (f) with respect to the availability to the public or members of relevant authorities of agendas for, records of or information connected with meetings of such committees,
  - (g) as to the proceedings and validity of proceedings of such committees.]
- (7) <sup>F1</sup>The Standards Board for England—
- (a) may issue guidance with respect to the size and composition of standards committees of relevant authorities in England and police authorities in Wales, and
  - (b) must send a copy of any such guidance to the Secretary of State.]
- (8) <sup>F1</sup>A member of a standards committee of a relevant authority in England or a police authority in Wales who is not a member of the authority is entitled to vote at meetings of the committee.]
- (9) <sup>F1</sup>A relevant authority in England and a police authority in Wales must send a statement which sets out the terms of reference, or any revised terms of reference, of their standards committee to the Standards Board for England.]
- (10) <sup>F1</sup>A standards committee of a relevant authority in England or a police authority in Wales is not to be regarded as a body to which section 15 of the <sup>M1</sup>Local Government and Housing Act 1989 (duty to allocate seats to political groups) applies.]
- (11) The National Assembly for Wales may by regulations make provision—
- (a) as to the size and composition of standards committees of relevant authorities in Wales other than police authorities (including provision with respect to the appointment to any such committee of persons who are not members of the relevant authority concerned),
  - (b) as to the term of office of members of any such committees,
  - (c) as to the persons who may, may not or must chair any such committees,
  - (d) as to the entitlement to vote of members of any such committee who are not members of the relevant authority concerned,
  - (e) for or in connection with treating any such committees as bodies to which section 15 of the <sup>M2</sup>Local Government and Housing Act 1989 does not apply,
  - (f) with respect to the access of the public to meetings of such committees,
  - (g) with respect to the publicity to be given to meetings of such committees,
  - (h) with respect to the production of agendas for, or records of, meetings of such committees,
  - (i) with respect to the availability to the public or members of relevant authorities of agendas for, records of or information connected with meetings of any such committees,

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- (j) as to the proceedings and validity of proceedings of any such committees,
- (k) for or in connection with requiring relevant authorities in Wales (other than police authorities) to send to [<sup>F3</sup>the Public Services Ombudsman for Wales] statements which set out the terms of reference of their standards committees.

(12) The provision which may be made by virtue of subsection (6)(c) to (f) or (11)(f) to (i) includes provision which applies or reproduces (with or without modifications) any provisions of Part VA of the Local Government Act 1972.]

#### Textual Amendments

- F1** S. 53(3)-(10) repealed (31.1.2012 for specified purposes) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 4 para. 12\(3\)](#), [Sch. 25 Pt. 5](#); [S.I. 2012/57](#), art. 5(1)(a)(c)(2)(c) (with arts. 6, 8)
- F2** Words in s. 53(4) inserted (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 187, 245\(5\)](#) (with s. 201); [S.I. 2008/172](#), art. 4(i)
- F3** Words in s. 53(11)(k) substituted (12.10.2005 for specified purposes, 1.4.2006 in so far as not already in force) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\)](#), s. 40, [Sch. 4 para. 4](#); [S.I. 2005/2800](#), arts. 4(1)(a)(2), 5(1) (with art. 4(3))

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

- C1** Pt. III savings for effects of 2005 c. 10, s. 38 (1.4.2006) by [The Public Services Ombudsman \(Wales\) Act 2005 \(Transitional Provisions and Consequential Amendments\) Order 2006 \(S.I. 2006/362\)](#), arts. 1(1), 4

#### Commencement Information

- I1** S. 53 wholly in force at 28.7.2001; s. 53 not in force at Royal Assent see s. 108; s. 53(11)(12) in force at 1.11.2000 in relation to Wales by [S.I. 2000/2948](#), [art. 2](#); s. 53 in force at 19.12.2000 in relation to England and to police authorities in Wales by [S.I. 2000/3335](#), [art. 2](#); s. 53 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

#### Marginal Citations

- M1** 1989 c. 42.
- M2** 1989 c. 42.

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