



# Local Government Act 2000

## 2000 CHAPTER 22

### PART III

#### CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

### CHAPTER II

#### INVESTIGATIONS ETC: ENGLAND

#### *Investigations*

#### **60 Conduct of investigations.**

- (1) An ethical standards officer may arrange for any person to assist him in the conduct of any investigation under section 59.
- (2) An ethical standards officer to whom an investigation under section 59 is assigned may—
  - (a) cease the investigation at any stage before its completion, and
  - (b) refer the matters which are the subject of the investigation to the monitoring officer of the relevant authority concerned.
- (3) Where a person is no longer a member or co-opted member of the relevant authority concerned but is a member or co-opted member of another relevant authority in England, an ethical standards officer may, if he thinks it more appropriate than making such a reference as is mentioned in subsection (2)(b), refer the matters which are the subject of the investigation to the monitoring officer of that other relevant authority.
- (4) An ethical standards officer may not at any time conduct an investigation under section 59 in relation to a member or co-opted member (or former member or co-opted member) of a relevant authority if, within the period of five years ending with that time, the ethical standards officer has been a member or an officer of the authority or

*Status: Point in time view as at 01/04/2006. This version of this provision has been superseded.*

*Changes to legislation: Local Government Act 2000, Section 60 is up to date with all changes known to be in force on or before 21 June 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)*

a member of any committee, sub-committee, joint committee or joint sub-committee of the authority.

- (5) An ethical standards officer who is directly or indirectly interested in any matter which is, or is likely to be, the subject of an investigation under section 59—
- (a) must disclose the nature of his interest to the Standards Board for England, and
  - (b) may not take part in any investigation under that section which relates to that matter.
- (6) The validity of any acts of an ethical standards officer are not to be affected by any contravention of subsection (4) or (5) or paragraph 3(2) of Schedule 4 or any breach falling within paragraph 3(3) of that Schedule.

#### **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
- C2** S. 60(1)(4)(5) modified (W.) (28.7.2001) by [S.I. 2001/2286](#), art. 2, **Sch. 1**
- C3** S. 60(1) applied (with modifications) (W.) (1.4.2006) by [The Public Services Ombudsman for Wales \(Standards Investigations\) Order 2006 \(S.I. 2006/949\)](#), arts. 1(1), 2, **Sch. 1**
- C4** S. 60(4) applied (with modifications) (W.) (1.4.2006) by [The Public Services Ombudsman for Wales \(Standards Investigations\) Order 2006 \(S.I. 2006/949\)](#), arts. 1(1), 3, **Sch. 2 para. 1**
- C5** S. 60(5) applied (with modifications) (W.) (1.4.2006) by [The Public Services Ombudsman for Wales \(Standards Investigations\) Order 2006 \(S.I. 2006/949\)](#), arts. 1(1), 3, **Sch. 2 para. 2**
- C6** S. 60(6) modified (W.) (28.7.2001) by [S.I. 2001/2286](#), art. 3, **Sch. 2 para. 1**
- C7** S. 60(6) applied (with modifications) (W.) (1.4.2006) by [The Public Services Ombudsman for Wales \(Standards Investigations\) Order 2006 \(S.I. 2006/949\)](#), arts. 1(1), 3, **Sch. 2 para. 3**

#### **Commencement Information**

- I1** S. 60 wholly in force at 28.7.2001; s. 60 not in force at Royal Assent see s. 108; s. 60 in force at 19.12.2000 in relation to England and to police authorities in Wales by [S.I. 2000/3335](#), **art. 2**; s. 60 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

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