



# Local Government Act 2000

## 2000 CHAPTER 22

### PART III

#### CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

### CHAPTER II

#### INVESTIGATIONS ETC: ENGLAND

*Reports etc. [F1by ethical standards officers ]*

#### 65 Interim reports.

- (1) Where he considers it necessary in the public interest, an ethical standards officer may, before the completion of an investigation under section 59, produce an interim report on that investigation.
- (2) An interim report under this section may cover more than one investigation under section 59 in relation to any members or co-opted members (or former members or co-opted members) of the same relevant authority.
- (3) Where the prima facie evidence is such that it appears to the ethical standards officer producing the interim report—
  - (a) that the person who is the subject of the report has failed to comply with the code of conduct of the relevant authority concerned,
  - (b) that the nature of that failure is such as to be likely to lead to disqualification under section 79(4)(b), and
  - (c) that it is in the public interest to suspend or partially suspend that person immediately,

the interim report may include a recommendation that that person should be suspended or partially suspended from being a member or co-opted member of the relevant

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*Changes to legislation: Local Government Act 2000, Section 65 is up to date with all changes known to be in force on or before 29 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)*

authority concerned for a period which does not exceed six months or (if shorter) the remainder of the person’s term of office.

(4) Where an ethical standards officer produces an interim report under this section which contains such a recommendation as is mentioned in subsection (3), he must refer the matters which are the subject of the report to the president of the Adjudication Panel for England for adjudication by a tribunal falling within section 76(2).

[<sup>F1</sup>(4A) The Secretary of State may by regulations make provision for or in connection with the withdrawal of a reference under subsection (4).]

(5) A copy of any report under this section must be given—

- (a) to any person who is the subject of the report,
- (b) to the monitoring officer of the relevant authority concerned, and
- (c) to the president of the Adjudication Panel for England.

[<sup>F2</sup>(5A) A copy of any report under this section may be given to the standards committee of the relevant authority concerned if the ethical standards officer believes that it will assist that committee in the discharge of its functions under this Part.]

(6) 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—

- (a) the second reference in subsection (3) to the relevant authority concerned is to be treated as a reference to that other relevant authority, and
- (b) [<sup>F3</sup>any reference in subsection (5)(b) or (5A) ] to the relevant authority concerned is to be treated as including a reference to that other relevant authority.

(7) In this Part “partially suspended” and cognate expressions are to be construed in accordance with section 83(7) and (8).

#### Textual Amendments

- F1** S. 65(4A) inserted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 192(8)**, 245(5) (with s. 201); S.I. 2008/172, art. 2(1)(m)
- F2** S. 65(5A) inserted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 192(9)**, 245(5) (with s. 201); S.I. 2008/172, art. 2(1)(m)
- F3** Words in s. 65(6)(b) substituted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 192(10)**, 245(5) (with s. 201); S.I. 2008/172, art. 2(1)(m)

#### Commencement Information

- I1** S. 65 wholly in force at 28.7.2001; s. 65 not in force at Royal Assent see s. 108; s. 65 in force at 19.12.2000 in relation to England and to police authorities in Wales by [S.I. 2000/3335](#), **art. 2**; s. 65 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

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