



Local Government Act 2000

2000 CHAPTER 22

PART III

CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

CHAPTER III

INVESTIGATIONS ETC: WALES

References to monitoring officers

73 Matters referred to monitoring officers.

- (1) The National Assembly for Wales may by regulations make provision in relation to the way in which any matters referred to the monitoring officer of a relevant authority under section [F¹70(4) or (5) or 71(2) or (4)] are to be dealt with.
- (2) The provision which may be made by regulations under subsection (1) includes provision for or in connection with—
 - (a) enabling a monitoring officer of a relevant authority to conduct an investigation in respect of any matters referred to him,
 - (b) enabling a monitoring officer of a relevant authority to make a report, or recommendations, to the standards committee of the authority[F², or to the standards committee of another relevant authority,] in respect of any matters referred to him,
 - [F³(ba) enabling a standards committee of a relevant authority to refer a report or recommendations made by its monitoring officer to the standards committee of another relevant authority,]
 - [F⁴(c) enabling a standards committee of a relevant authority to consider any report or recommendations made or, as the case may be, referred to it by—
 - (i) a monitoring officer of a relevant authority, or
 - (ii) the standards committee of another relevant authority.

Status: Point in time view as at 01/05/2015.

Changes to legislation: Local Government Act 2000, Section 73 is up to date with all changes known to be in force on or before 26 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. (See end of Document for details)

- (ca) the procedure to be followed by a standards committee as respects a report or recommendation made or referred to it,]
 - (d) enabling a standards committee of a relevant authority, following its consideration of any such report or recommendations, to take any action prescribed by the regulations (including action against any member or co-opted member (or former member or co-opted member) of [^{F5}a relevant authority] who is the subject of any such report or recommendation),
 - (e) the publicity to be given to any such reports, recommendations or action.
- (3) The provision which may be made by virtue of subsection (2)(a) includes provision for or in connection with—
- (a) conferring powers on a monitoring officer of a relevant authority to enable him to conduct an investigation in respect of any matters referred to him,
 - (b) conferring rights (including the right to make representations) on any member or co-opted member (or former member or co-opted member) of a relevant authority who is the subject of any such investigation.
- (4) The provision which may be made by virtue of subsection (2)(d) includes provision for or in connection with—
- (a) enabling a standards committee of a relevant authority to censure a member or co-opted member (or former member or co-opted member)^{F6} ...,
 - (b) enabling a standards committee of a relevant authority to suspend or partially suspend a person from being a member or co-opted member of the authority [^{F7}of which they are a member] for a limited period,
 - (c) conferring a right of appeal on a member or co-opted member (or former member or co-opted member) of a relevant authority in respect of any action taken against him.
- (5) Nothing in subsection (2), (3) or (4) affects the generality of the power under subsection (1).
- ^{F8}(6)
- (7) Where [^{F9}the Public Services Ombudsman for Wales] refers any matters to the monitoring officer of a relevant authority under section [^{F10} 70(4) or (5) or 71(2) or (4)] he may give directions to the monitoring officer as to the way in which those matters are to be dealt with.

Textual Amendments

- F1** Words in s. 73(1) substituted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 194(8)**, 245(5) (with s. 201); S.I. 2008/172, art. 2(1)(o)
- F2** Words in s. 73(2)(b) inserted (1.5.2015) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), **ss. 69(2)(a)(i)**, 75(3); S.I. 2015/1182, art. 2(f)
- F3** S. 73(2)(ba) inserted (1.5.2015) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), **ss. 69(2)(a)(ii)**, 75(3); S.I. 2015/1182, art. 2(f)
- F4** S. 73(2)(c)(ca) substituted for s. 73(2)(c) (1.5.2015) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), **ss. 69(2)(b)**, 75(3); S.I. 2015/1182, art. 2(f)
- F5** Words in s. 73(2)(d) substituted (1.5.2015) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), **ss. 69(2)(c)**, 75(3); S.I. 2015/1182, art. 2(f)
- F6** Words in s. 73(4)(a) omitted (1.5.2015) by virtue of [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), **ss. 69(2)(d)(i)**, 75(3); S.I. 2015/1182, art. 2(f)

Status: Point in time view as at 01/05/2015.

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- F7** Words in s. 73(4)(b) inserted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), **ss. 69(2)(d)(ii)**, 75(3); S.I. 2015/1182, art. 2(f)
- F8** S. 73(6) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 41, **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F9** Words in s. 73(7) substituted (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), s. 40, **Sch. 4 para. 17**; S.I. 2005/2800, art. 5(1)(3) (with transitional provisions in S.I. 2006/362, art. 4)
- F10** Words in s. 73(7) substituted (31.1.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), **ss. 194(8)**, 245(5) (with s. 201); S.I. 2008/172, art. 2(1)(o)

Modifications etc. (not altering text)

- C1** Pt. III applied (with modifications) (22.11.2012) by The Police and Crime Panels (Application of Local Authority Enactments) Regulations 2012 (S.I. 2012/2734), regs. 1(1), 3-6, **Sch. Pt. 3**

Commencement Information

- I1** S. 73 wholly in force at 28.7.2001; s. 73 not in force at Royal Assent see s. 108; s. 73 in force at 1.11.2000 in relation to Wales by S.I. 2000/2948, **art. 2**; s. 73 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

Status:

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