



Local Government Act 2000

2000 CHAPTER 22

PART III

CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

CHAPTER IV

ADJUDICATIONS

Case tribunals and interim case tribunals

76 Case tribunals and interim case tribunals.

- (1) Adjudications in respect of matters referred to the president of the relevant Adjudication Panel under section 64(3) or 71(3) are to be conducted by tribunals (referred to in this Part as case tribunals) consisting of not less than three members of the Panel.
- (2) Adjudications in respect of matters referred to the president of the relevant Adjudication Panel under section 65(4) or 72(4) are to be conducted by tribunals (referred to in this Part as interim case tribunals) consisting of not less than three members of the Panel.
- (3) The president of the relevant Adjudication Panel (or in his absence the deputy president) is to appoint the members of any case tribunal or interim case tribunal.
- (4) A case tribunal drawn from the relevant Adjudication Panel may conduct a single adjudication in relation to two or more matters which are referred to the president of the Panel under section 64(3) or 71(3).
- (5) An interim case tribunal drawn from the relevant Adjudication Panel may conduct a single adjudication in relation to two or more matters which are referred to the president of the Panel under section 65(4) or 72(4).

Status: Point in time view as at 12/01/2010. This version of this provision has been superseded.

Changes to legislation: Local Government Act 2000, Section 76 is up to date with all changes known to be in force on or before 07 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)

- (6) The president or the deputy president of the relevant Adjudication Panel may be a member of a case tribunal or interim case tribunal drawn from the Panel.
- (7) A member of the relevant Adjudication Panel may not at any time be a member of a case tribunal or interim case tribunal drawn from the Panel which is to adjudicate on a matter relating 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 member of the Panel has been a member or an officer of the authority or a member of any committee, sub-committee, joint committee or joint sub-committee of the authority.
- (8) A member of the relevant Adjudication Panel who is directly or indirectly interested in any matter which is, or is likely to be, the subject of an adjudication conducted by a case tribunal or interim case tribunal—
- (a) must disclose the nature of his interest to the president or deputy president of that Panel, and
 - (b) may not be a member of a case tribunal or interim case tribunal which conducts an adjudication in relation to that matter.
- (9) Where there is no deputy president of the relevant Adjudication Panel, the reference in subsections (3) and (8) to the deputy president is to be treated as a reference to such member of the Panel as the [^{F1}Lord Chief Justice] or (as the case may require) the National Assembly for Wales may specify.
- [^{F2}(9A) The Lord Chief Justice must consult the Lord Chancellor before specifying a member of the Panel in accordance with subsection (9).]
- (10) A person who is a member of an interim case tribunal which, as a result of an investigation under section 59 or 69, conducts an adjudication in relation to any person may not be a member of a case tribunal which, on the conclusion of that investigation, subsequently conducts an adjudication in relation to that person.
- (11) The Lord Chancellor may issue guidance with respect to the composition of case tribunals or interim case tribunals drawn from the Adjudication Panel for England.
- (12) The Lord Chancellor must [^{F3}consult the Lord Chief Justice and]obtain the consent of the Secretary of State before issuing any guidance under subsection (11).
- (13) The National Assembly for Wales may issue guidance with respect to the composition of case tribunals or interim case tribunals drawn from the Adjudication Panel for Wales.
- (14) The National Assembly for Wales may incur expenditure for the purpose of providing administrative support to the Adjudication Panel for Wales.
- [^{F4}(15) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.]

Textual Amendments

- F1** Words in s. 76(9) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 4 para. 291\(2\)](#); S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(x)
- F2** S. 76(9A) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 4 para. 291\(3\)](#); S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(x)

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- F3** Words in s. 76(12) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), s. 148(1), **Sch. 4 para. 291(4)**; S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(x)
- F4** S. 76(15) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), s. 148(1), **Sch. 4 para. 291(5)**; S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(x)

Commencement Information

- I1** S. 76 wholly in force at 28.7.2001; s. 76 not in force at Royal Assent see s. 108; s. 76(13) in force at 1.11.2000 in relation to Wales by S.I. 2000/2948, **art. 2**; s. 76 in force at 19.12.2000 in relation to England and to police authorities in Wales by S.I. 2000/3335, **art. 2**; s. 76 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

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