



# 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 [<sup>F1</sup>Adjudication Panel for Wales] under section <sup>F2</sup>... 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 [<sup>F3</sup>Adjudication Panel for Wales] under section <sup>F4</sup>... 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 [<sup>F5</sup>Adjudication Panel for Wales] (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 [<sup>F6</sup>Adjudication Panel for Wales] may conduct a single adjudication in relation to two or more matters which are referred to the president of the Panel under section <sup>F7</sup>... 71(3).
- (5) An interim case tribunal drawn from the [<sup>F8</sup>Adjudication Panel for Wales] may conduct a single adjudication in relation to two or more matters which are referred to the president of the Panel under section <sup>F9</sup>...72(4).

*Status: Point in time view as at 18/01/2010.*

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- (6) The president or the deputy president of the <sup>F10</sup>Adjudication Panel for Wales] may be a member of a case tribunal or interim case tribunal drawn from the Panel.
- (7) A member of the <sup>F11</sup>Adjudication Panel for Wales] 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 <sup>F12</sup>Adjudication Panel for Wales] 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 <sup>F13</sup>Adjudication Panel for Wales], 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 <sup>F14</sup>...the National Assembly for Wales may specify.

<sup>F15</sup>(9A) .....

- (10) A person who is a member of an interim case tribunal which, as a result of an investigation under section <sup>F16</sup>... 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.

<sup>F17</sup>(11) .....

<sup>F18</sup>(12) .....

- (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.

<sup>F19</sup>(15) .....

**Textual Amendments**

- F1** Words in s. 76(1) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), [art. 1\(1\)](#), [Sch. 2 para. 58\(a\)\(i\)](#) (with Sch. 5)
- F2** Words in s. 76(1) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), [art. 1\(1\)](#), [Sch. 2 para. 58\(a\)\(ii\)](#) (with Sch. 5)
- F3** Words in s. 76(2) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), [art. 1\(1\)](#), [Sch. 2 para. 58\(b\)\(i\)](#) (with Sch. 5)
- F4** Words in s. 76(2) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), [art. 1\(1\)](#), [Sch. 2 para. 58\(b\)\(ii\)](#) (with Sch. 5)

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- F5** Words in s. 76(3) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 58(c)** (with Sch. 5)
- F6** Words in s. 76(4) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 58(d)(i)** (with Sch. 5)
- F7** Words in s. 76(4) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 58(d)(ii)** (with Sch. 5)
- F8** Words in s. 76(5) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 58(e)(i)** (with Sch. 5)
- F9** Words in s. 76(5) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 58(e)(ii)** (with Sch. 5)
- F10** Words in s. 76(6) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 58(f)** (with Sch. 5)
- F11** Words in s. 76(7) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 58(f)** (with Sch. 5)
- F12** Words in s. 76(8) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 58(f)** (with Sch. 5)
- F13** Words in s. 76(9) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 58(g)(i)** (with Sch. 5)
- F14** Words in s. 76(9) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 58(g)(ii)** (with Sch. 5)
- F15** S. 76(9A) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 58(h)** (with Sch. 5)
- F16** Words in s. 76(10) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 58(i)** (with Sch. 5)
- F17** S. 76(11) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 58(j)** (with Sch. 5)
- F18** S. 76(12) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 58(j)** (with Sch. 5)
- F19** S. 76(15) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 58(j)** (with Sch. 5)

#### 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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