



Local Government Act 2000

2000 CHAPTER 22

PART III

CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

CHAPTER IV

ADJUDICATIONS

Adjudications

78 Decisions of interim case tribunals

- (1) An interim case tribunal which adjudicates on any matters which are the subject of an interim report must reach one of the following decisions—
 - (a) that the person to whom the recommendation mentioned in section 65(3) or 72(3) relates should not be suspended or partially suspended from being a member or co-opted member of the relevant authority concerned,
 - (b) that that person should be suspended or partially suspended from being a member or co-opted member of the authority concerned for a period which does not exceed six months or (if shorter) the remainder of the person's term of office.
- (2) An interim case tribunal must give notice of its decision to the standards committee of the relevant authority concerned.
- (3) If the decision of an interim case tribunal is that a person should be suspended or partially suspended from being a member or co-opted member of the relevant authority concerned—
 - (a) the notice must give details of the suspension or partial suspension and specify the date on which the suspension or partial suspension is to begin, and
 - (b) the relevant authority must suspend or partially suspend the person in accordance with the notice.

Status: This is the original version (as it was originally enacted).

- (4) A decision of an interim case tribunal under this section shall not prevent an ethical standards officer from continuing with the investigation under section 59 which gave rise to the interim report concerned and producing a report under section 64, or a further interim report under section 65, in respect of any matters which are the subject of the investigation.
- (5) A decision of an interim case tribunal under this section shall not prevent a Local Commissioner in Wales from continuing with the investigation under section 69 which gave rise to the interim report concerned and producing a report under section 71, or a further interim report under section 72, in respect of any matters which are the subject of the investigation.
- (6) The suspension or partial suspension of any person under this section shall not extend beyond the day on which a notice under section 79 is given to the standards committee of the relevant authority concerned with respect to that person.
- (7) A copy of any notice under this section must be given—
 - (a) to any person who is the subject of the notice, and
 - (b) to the monitoring officer of the relevant authority concerned.
- (8) In a case where section 65(6) or 72(6) applies, the references in subsections (2) and (7)(b) to the relevant authority concerned are to be treated as including a reference to the relevant authority of which the person concerned was formerly a member or co-opted member.
- (9) An interim case tribunal must take reasonable steps to inform any person who made any allegation which gave rise to the investigation under section 59 or 69 of its decision under this section.
- (10) A person who is suspended or partially suspended under this section may appeal to the High Court—
 - (a) against the suspension or partial suspension, or
 - (b) against the length of the suspension or partial suspension.