



Local Government Act 2000

2000 CHAPTER 22

PART III

CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

CHAPTER IV

ADJUDICATIONS

Adjudications

[^{F1}78B [^{F2}Section 78A:] supplementary

- (1) A copy of any notice given under section 78A(3) or under regulations made under section 78A(7)—
 - (a) must be given to the Standards Board for England,
 - (b) must be given to any person who is the subject of the decision to which the notice relates, and
 - (c) must be published in one or more newspapers circulating in the area of the relevant authority concerned.
- (2) Where the person concerned 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, the following references to the relevant authority concerned are to be treated as including references to that other relevant authority—
 - (a) the second reference in section 78A(3);
 - (b) the reference in subsection (1)(c) above.
- (3) Where [^{F3}the First-tier Tribunal adjudicates on any matter under this Act], it must take reasonable steps to give notice of its decision to any person who made any allegation which gave rise to the adjudication.

Status: Point in time view as at 18/01/2010. This version of this provision has been superseded.

Changes to legislation: Local Government Act 2000, Section 78B is up to date with all changes known to be in force on or before 30 May 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)

- (4) Where [^{F4}the First-tier Tribunal] decides under section 78A that a person has failed to comply with the code of conduct of the relevant authority concerned, that person may appeal to [^{F5}the Upper Tribunal] against that decision, or any other decision made by the tribunal by virtue of section 78A which relates to him [^{F6}(unless the decision is set aside under section 9 of the Tribunals, Courts and Enforcement Act 2007)].
- [^{F7}(5) An appeal may not be brought under subsection (4) on a point of law (as to which see instead section 11 of the Tribunals, Courts and Enforcement Act 2007).
- (6) An appeal may be brought under subsection (4) only if, on an application made by the person concerned, the First-tier Tribunal or Upper Tribunal has given its permission for the appeal to be brought.
- (7) In any case where the Upper Tribunal is determining an appeal under subsection (4), section 12(2) to (4) of the Tribunals, Courts and Enforcement Act 2007 (proceedings on appeal to the Upper Tribunal) apply.]]

Textual Amendments

- F1** Ss. 78A, 78B inserted (31.1.2008 for specified purposes, 12.12.2008 in so far as not already in force) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 198**, 245(5) (with s. 201); S.I. 2008/172, art. 8; S.I. 2008/3110, art. 2(e)
- F2** Words in s. 78B heading substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 62(a)** (with Sch. 5)
- F3** Words in s. 78B(3) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 62(b)** (with Sch. 5)
- F4** Words in s. 78B(4) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 62(c)(i)** (with Sch. 5)
- F5** Words in s. 78B(4) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 62(c)(ii)** (with Sch. 5)
- F6** Words in s. 78B(4) inserted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 62(c)(iii)** (with Sch. 5)
- F7** S. 78B(5)-(7) substituted for s. 78B(5) (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 62(d)** (with Sch. 5)

Modifications etc. (not altering text)

- C1** S. 78B(4)-(7) modified (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 5 para. 5(c)** (with Sch. 5)

Status:

Point in time view as at 18/01/2010. This version of this provision has been superseded.

Changes to legislation:

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