



Local Government Act 2003

2003 CHAPTER 26

PART 8

MISCELLANEOUS AND GENERAL

CHAPTER 1

MISCELLANEOUS

Charging and trading

98 Procedure for orders under section 97

- (1) Before making an order under section 97, the Secretary of State shall consult—
 - (a) such best value authorities as appear to him to be likely to be affected by his proposals, and
 - (b) such other persons as appear to him to be representative of interests likely to be so affected.
- (2) If following consultation under subsection (1) and, where the proposals relate to best value authorities in Wales, consultation under [^{F1}subsection (7A)] of section 97, the Secretary of State proposes to make an order under that section, he shall lay before each House of Parliament a document which—
 - (a) explains his proposals,
 - (b) sets them out in the form of a draft order,
 - (c) gives details of consultation under subsection (1), and
 - (d) where the proposals relate to best value authorities in Wales, sets out the views of the [^{F2}Welsh Ministers].
- (3) Where a document relating to proposals is laid before Parliament under subsection (2), no draft of an order under section 97 to give effect to the proposals (with or without

Status: Point in time view as at 30/12/2007. This version of this provision has been superseded.

Changes to legislation: Local Government Act 2003, Section 98 is up to date with all changes known to be in force on or before 15 July 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)

modification) shall be laid before Parliament until after the expiry of the period of sixty days beginning with the day on which the document was laid.

- (4) In calculating the period mentioned in subsection (3), no account shall be taken of any time during which —
- (a) Parliament is dissolved or prorogued, or
 - (b) either House is adjourned for more than four days.
- (5) In preparing a draft order under section 97 the Secretary of State shall consider any representations made during the period mentioned in subsection (3).
- (6) A draft order laid before Parliament in accordance with section 97(9) must be accompanied by a statement of the Secretary of State giving details of—
- (a) any representations considered in accordance with subsection (5), and
 - (b) any changes made to the proposals contained in the document laid before Parliament under subsection (2).
- (7) Nothing in this section applies to an order under section 97 which is made only for the purpose mentioned in section 97(10).

Textual Amendments

- F1** Words in s. 98(2) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 141(3)(a)**, 245(2)
- F2** Words in s. 98(2)(d) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 141(3)(b)**, 245(2)

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