



# Greater London Authority Act 2007

## 2007 CHAPTER 24

### PART 1

#### GENERAL FUNCTIONS OF THE AUTHORITY

VALID FROM 21/01/2008

#### *Officers and staff*

#### **7 Staff appointed under section 67(2) of the GLA Act 1999**

- (1) In section 67 of the GLA Act 1999 (appointment of staff) for subsection (2) substitute—
  - “(2) The head of the Authority's paid service, after consultation with the Mayor and the Assembly, and having regard, in particular, to—
    - (a) the resources available, and
    - (b) the priorities of the Authority,may appoint such staff as he considers necessary for the proper discharge of the functions of the Authority.”.
- (2) In section 70(2) of the GLA Act 1999 (terms and conditions of employment of persons appointed under section 67(2)) for “as the Assembly, after consultation with the Mayor, thinks fit” substitute “ as the head of the Authority's paid service, after consultation with the Mayor and the Assembly, thinks fit ”.
- (3) In section 72(5)(a) of the GLA Act 1999 (head of paid service: discharge of duty as to provision of staff) for “shall be discharged by the Assembly” substitute “ shall be discharged by the head of the Authority's paid service after consultation with the Mayor and the Assembly ”.
- (4) In section 73(5)(a) of the GLA Act 1999 (monitoring officer: discharge of duty as to provision of staff) for “shall be discharged by the Assembly” substitute “ shall

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be discharged by the head of the Authority's paid service after consultation with the Mayor and the Assembly ”.

- (5) Where this section amends any provision relating to the appointment of a person as a member of the staff of the Authority, appointments made under that provision before the commencement day and in force on that day have effect on and after that day as if made under the provision as amended.
- (6) Where this section amends any provision relating to the terms and conditions of employment of any such person, the terms and conditions of employment of the person that are in force on the commencement day have effect on and after that day as if imposed under the provision as amended.
- (7) In this section “the commencement day” means the day on which the amendment in question comes into force.

## **8 Head of paid service**

- (1) Section 72 of the GLA Act 1999 (head of paid service) is amended as follows.
- (2) For subsection (1) substitute—
  - “(1) The Mayor and the Assembly, acting jointly, shall appoint a person to be head of the Authority's paid service.
  - (1A) Section 4 of the Local Government and Housing Act 1989 (designation and reports of head of paid service) shall apply in relation to the Authority as if—
    - (a) the person appointed under subsection (1) above were a person designated under subsection (1)(a) of that section;
    - (b) the Authority were a relevant authority for the purposes of that section; and
    - (c) the Mayor and Assembly members were members of that authority.
  - (1B) Any appointment under subsection (1) above is an appointment as an employee of the Authority and—
    - (a) section 7 of the Local Government and Housing Act 1989 (staff to be appointed on merit) shall apply in relation to any such appointment as if the Authority were a local authority;
    - (b) section 8 of that Act (duty to adopt standing orders with respect to staff) shall apply in relation to a person appointed under subsection (1) above as if the Authority were a relevant authority.
  - (1C) The terms and conditions of employment of the person appointed under subsection (1) above (including conditions as to remuneration) are to be such as the Mayor and the Assembly acting jointly think fit.”.
- (3) For subsection (2) substitute—
  - “(2) A person must not at the same time be both—
    - (a) the head of the Authority's paid service appointed under subsection (1) above, and
    - (b) a member of staff appointed under section 67(1) above.”.
- (4) In subsection (3) for “subsection (1)” substitute “ subsection (1A) ”.

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(5) Omit subsection (4) (appointment).

(6) After subsection (10) insert—

“(11) The head of the Authority's paid service may arrange for a member of staff of the Authority, other than a member of staff appointed under section 67(1) above, to exercise on his behalf any function exercisable by the head of paid service under section 67(2) or 70(2) above.”.

(7) Where this section amends any provision relating to the appointment of a person as head of the Authority's paid service, any appointment made under the provision before the commencement day and in force on that day has effect on and after that day as if made under the provision as amended.

(8) Where this section amends any provision relating to the terms and conditions of employment of any such person, the terms and conditions of employment of the person that are in force on the commencement day have effect on and after that day as if imposed under the provision as amended.

(9) In this section “the commencement day” means the day on which the amendment in question comes into force.

## **9 Monitoring officer**

(1) Section 73 of the GLA Act 1999 (monitoring officer) is amended as follows.

(2) For subsection (1) substitute—

“(1) The Mayor and the Assembly, acting jointly, shall appoint a person to be the Authority's monitoring officer.

(1A) Section 5 of the Local Government and Housing Act 1989 (designation and reports of monitoring officer) shall apply in relation to the Authority as if—

- (a) the person appointed under subsection (1) above were a person designated under subsection (1)(a) of that section;
- (b) the Authority were a relevant authority for the purposes of that section; and
- (c) the Mayor and Assembly members were members of that authority.

(1B) Any appointment under subsection (1) above is an appointment as an employee of the Authority and—

- (a) section 7 of the Local Government and Housing Act 1989 (staff to be appointed on merit) shall apply in relation to any such appointment as if the Authority were a local authority;
- (b) section 8 of that Act (duty to adopt standing orders with respect to staff) shall apply in relation to a person appointed under subsection (1) above as if the Authority were a relevant authority.

(1C) The terms and conditions of employment of the person appointed under subsection (1) above (including conditions as to remuneration) are to be such as the Mayor and the Assembly acting jointly think fit.”.

(3) For subsection (2) substitute—

“(2) A person must not at the same time be both—

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- (a) the Authority's monitoring officer appointed under subsection (1) above, and
  - (b) a member of staff appointed under section 67(1) above.”.
- (4) In subsection (3) for “subsection (1)” substitute “ subsection (1A) ”.
- (5) Omit subsection (4) (appointment).
- (6) Where this section amends any provision relating to the appointment of a person as the Authority's monitoring officer, any appointment made under the provision before the commencement day and in force on that day has effect on and after that day as if made under the provision as amended.
- (7) Where this section amends any provision relating to the terms and conditions of employment of any such person, the terms and conditions of employment of the person that are in force on the commencement day have effect on and after that day as if imposed under the provision as amended.
- (8) In this section “the commencement day” means the day on which the amendment in question comes into force.

## **10 Chief finance officer**

- (1) In section 127 of the GLA Act 1999 (proper financial administration and chief finance officer) for subsections (5) and (6) substitute—
- “(5) Section 127A below makes further provision with respect to the Authority's chief finance officer for the purposes of subsection (2)(b) above.”.
- (2) After section 127 insert—

### **“127A Chief finance officer of the Authority**

- (1) The Mayor and the Assembly, acting jointly, shall appoint a person to be the chief finance officer of the Authority.
- (2) Any appointment under subsection (1) above is an appointment as an employee of the Authority and—
  - (a) section 7 of the Local Government and Housing Act 1989 (staff to be appointed on merit) shall apply in relation to any such appointment as if the Authority were a local authority;
  - (b) section 8 of that Act (duty to adopt standing orders with respect to staff) shall apply in relation to a person appointed under subsection (1) above as if the Authority were a relevant authority.
- (3) The terms and conditions of employment of the person appointed under subsection (1) above (including conditions as to remuneration) are to be such as the Mayor and the Assembly acting jointly think fit.
- (4) A person must not at the same time be both—
  - (a) the Authority's chief finance officer appointed under subsection (1) above, and
  - (b) a member of staff appointed under section 67(1) above.”.

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- (3) Where this section amends any provision relating to the appointment of a person as the chief finance officer of the Authority, any such appointment made before the commencement day and in force on that day has effect on and after that day as if made under the provision as amended.
- (4) Where this section amends any provision relating to the terms and conditions of employment of any such person, the terms and conditions of employment of the person that are in force on the commencement day have effect on and after that day as if imposed under the provision as amended.
- (5) In this section “the commencement day” means the day on which the amendment in question comes into force.

## **11 Amendments consequential on sections 8 to 10**

- (1) The GLA Act 1999 is amended as follows.
- (2) In section 45(6) (exemption from requirement to answer questions) after “section 67(1) or (2)” insert “, 72(1), 73(1) or 127A(1) ”.
- (3) In section 61(10) (exemption from requirement to disclose evidence or documents) after “section 67(1) or (2)” insert “, 72(1), 73(1) or 127A(1) ”.
- (4) In section 359(2)(a) (confidential information about waste contracts) after “section 67(1) or (2)” insert “, 72(1), 73(1) or 127A(1) ”.
- (5) In section 404(1) (duty not to discriminate)—
  - (a) after “it shall be the duty of” insert “ (and of any body or person acting for or on behalf of) any of the following ”;
  - (b) in paragraph (a), omit “(whether acting by the Mayor, the Assembly or the Mayor and Assembly jointly)”;
  - (c) omit “and” at the end of paragraph (b).
- (6) In section 424(1) (interpretation), in the definition of “member of staff”, after “section 67(1) or (2)” insert “, 72(1), 73(1) or 127A(1) ”.

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