

Status: Point in time view as at 01/04/2012. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: Localism Act 2011, Cross Heading: Local Government Act 2000 (c. 22) is up to date with all changes known to be in force on or before 30 June 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)

SCHEDULES

SCHEDULE 4

CONDUCT OF LOCAL GOVERNMENT MEMBERS

PART 1

AMENDMENTS OF EXISTING PROVISIONS

Local Government Act 2000 (c. 22)

VALID FROM 01/07/2012

7 The Local Government Act 2000 is amended as follows.

VALID FROM 01/07/2012

8 (1) Section 49 (principles governing conduct of members of relevant authorities) is amended as follows.

(2) Omit subsection (1).

(3) In subsection (2) omit “in Wales (other than police authorities)”.

(4) Omit subsections (2C), (3) and (4).

(5) In subsection (5)(a) omit “in Wales”.

(6) In subsection (6)—

- (a) in paragraph (a) at the end insert “ in Wales ”,
- (b) omit paragraphs (c) to (e),
- (c) omit paragraphs (g) to (k),
- (d) in paragraph (l) after “authority” insert “ in Wales ”,
- (e) omit paragraphs (m) to (o), and
- (f) in paragraph (p) after “authority” insert “ in Wales ”.

VALID FROM 01/07/2012

9 (1) Section 50 (model code of conduct) is amended as follows.

(2) Omit subsection (1).

(3) In subsection (2) omit “in Wales other than police authorities”.

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- (4) In subsection (3) omit “(1) or”.

(5) In subsection (4)(a) omit—

 - (a) “49(1) or”, and
 - (b) “(as the case may be)”.

(6) Omit subsections (4C) and (4D).

(7) In subsection (5) omit “the Secretary of State or”.

(8) Omit subsections (6) and (7).
- 10 (1) Section 51 (duty of relevant authorities to adopt codes of conduct) is amended as follows.
- (2) In subsection (4C) omit the words from “by a” to “police authority”.
- (3) In subsection (6)(c)—
- (a) omit sub-paragraph (i), and
 - (b) in sub-paragraph (ii) omit the words from “in the case” to “in Wales,”.

Commencement Information

II Sch. 4 para. 10(3)(a) in force at 31.1.2012 by S.I. 2012/57, art. 5(1)(a)(2)(b) (with arts. 6, 8)

VALID FROM 01/07/2012

- 11 In section 52(2) (power for prescribed form of declaration of acceptance of office to include undertaking to observe code of conduct) after “1972” insert “in relation to a relevant authority”.

- 12 (1) Section 53 (standards committees) is amended as follows.
- (2) In subsection (2) omit “parish council or”.
- (3) Omit subsections (3) to (10).
- (4) In subsection (11)—
- (a) in paragraph (a) omit “in Wales other than police authorities”, and
 - (b) in paragraph (k) omit “in Wales (other than police authorities)”.
- (5) In subsection (12) omit “(6)(c) to (f) or”.

Commencement Information

I2 Sch. 4 para. 12(3) in force at 31.1.2012 for specified purposes by S.I. 2012/57, art. 5(1)(a)(2)(c) (with arts. 6, 8)

- 13 (1) Section 54 (functions of standards committees) is amended as follows.
- (2) Omit subsection (4).
- (3) In subsection (5) omit “in Wales (other than police authorities)”.

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(4) Omit subsection (6).

(5) In subsection (7) omit “in Wales (other than police authorities)”.

Commencement Information

I3 Sch. 4 para. 13(4) in force at 31.1.2012 by S.I. 2012/57, art. 5(1)(a)(2)(d) (with arts. 6, 8)

VALID FROM 01/07/2012

- 14 (1) Section 54A (sub-committees of standards committees) is amended as follows.
- (2) In subsection (3) omit “, but this is subject to section 55(7)(b)”.
- (3) Omit subsection (4).
- (4) In subsection (5) omit “in Wales other than a police authority”.
- (5) In subsection (6)—
- (a) omit “section 55(5) and to”, and
 - (b) for “53(6)(a) or (11)(a)” substitute “ 53(11)(a) ”.

VALID FROM 01/07/2012

- 15 Omit section 55 (standards committees for parish councils).

VALID FROM 01/07/2012

- 16 Omit section 56A (joint committees of relevant authorities in England).

- 17 Omit section 57 (Standards Board for England).

Commencement Information

I4 Sch. 4 para. 17 in force at 31.1.2012 for specified purposes by S.I. 2012/57, art. 5(1)(a)(2)(e) (with arts. 6, 8)

I5 Sch. 4 para. 17 in force at 1.4.2012 in so far as not already in force by S.I. 2012/628, art. 6(h) (with arts. 9, 11, 14, 15, 17)

- 18 Omit section 57A (written allegations: right to make, and initial assessment).

Commencement Information

I6 Sch. 4 para. 18 in force at 31.1.2012 for specified purposes by S.I. 2012/57, art. 5(1)(a)(2)(f) (with arts. 6, 8)

- 19 Omit section 57B (right to request review of decision not to act).

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Commencement Information

I7 Sch. 4 para. 19 in force at 31.1.2012 for specified purposes by S.I. 2012/57, art. 5(1)(a)(2)(g) (with arts. 6, 8)

20 Omit section 57C (information to be given to subject of allegation).

Commencement Information

I8 Sch. 4 para. 20 in force at 31.1.2012 for specified purposes by S.I. 2012/57, art. 5(1)(a)(2)(h) (with arts. 6, 8)

21 Omit section 57D (power to suspend standards committee's functions).

Commencement Information

I9 Sch. 4 para. 21 in force at 31.1.2012 by S.I. 2012/57, art. 5(1)(a)(2)(i) (with arts. 6, 8)

22 Omit section 58 (allegations referred to Standards Board).

Commencement Information

I10 Sch. 4 para. 22 in force at 31.1.2012 by S.I. 2012/57, art. 5(1)(a)(2)(i) (with arts. 6, 8)

23 Omit section 59 (functions of ethical standards officers).

Commencement Information

I11 Sch. 4 para. 23 in force at 31.1.2012 by S.I. 2012/57, art. 5(1)(a)(2)(i) (with arts. 6, 8)

24 Omit section 60 (conduct of investigations).

Commencement Information

I12 Sch. 4 para. 24 in force at 31.1.2012 by S.I. 2012/57, art. 5(1)(a)(2)(i) (with arts. 6, 8)

25 Omit section 61 (procedure in respect of investigations).

Commencement Information

I13 Sch. 4 para. 25 in force at 31.1.2012 by S.I. 2012/57, art. 5(1)(a)(2)(i) (with arts. 6, 8)

26 Omit section 62 (investigations: further provisions).

Commencement Information

I14 Sch. 4 para. 26 in force at 31.1.2012 by S.I. 2012/57, art. 5(1)(a)(2)(i) (with arts. 6, 8)

27 Omit section 63 (restrictions on disclosure of information).

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Commencement Information

I15 Sch. 4 para. 27 in force at 31.1.2012 by S.I. 2012/57, art. 5(1)(a)(2)(i) (with arts. 6, 8)

28 Omit section 64 (reports etc).

Commencement Information

I16 Sch. 4 para. 28 in force at 31.1.2012 by S.I. 2012/57, art. 5(1)(a)(2)(i) (with arts. 6, 8)

29 Omit section 65 (interim reports).

Commencement Information

I17 Sch. 4 para. 29 in force at 31.1.2012 by S.I. 2012/57, art. 5(1)(a)(2)(i) (with arts. 6, 8)

30 Omit section 65A (disclosure by monitoring officers of ethical standards officers' reports).

Commencement Information

I18 Sch. 4 para. 30 in force at 31.1.2012 by S.I. 2012/57, art. 5(1)(a)(2)(i) (with arts. 6, 8)

VALID FROM 07/06/2012

31 Omit section 66 (matters referred to monitoring officers).

VALID FROM 01/07/2012

32 Omit section 66A (references to First-tier Tribunal).

33 Omit section 66B (periodic returns).

Commencement Information

I19 Sch. 4 para. 33 in force at 31.1.2012 by S.I. 2012/57, art. 5(1)(a)(2)(j) (with arts. 6, 8)

34 Omit section 66C (information requests).

Commencement Information

I20 Sch. 4 para. 34 in force at 31.1.2012 by S.I. 2012/57, art. 5(1)(a)(2)(j) (with arts. 6, 8)

35 Omit section 67 (consultation with ombudsmen).

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Commencement Information

I21 Sch. 4 para. 35 in force at 31.1.2012 for specified purposes by S.I. 2012/57, art. 5(1)(a)(2)(k) (with arts. 6, 8)

VALID FROM 01/07/2012

- 36 In section 68(2) (guidance by Public Services Ombudsman for Wales)—
- (a) in paragraph (a)—
 - (i) omit “in Wales (other than police authorities)”, and
 - (ii) for “such” substitute “ those ”, and
 - (b) in paragraph (b) omit “in Wales (other than police authorities)”.

VALID FROM 01/07/2012

- 37 (1) Section 69 (investigations by the Public Services Ombudsman for Wales) is amended as follows.
- (2) In subsection (1) omit “in Wales” in both places.
 - (3) In subsection (5) omit “in Wales”.

VALID FROM 01/07/2012

- 38 (1) Section 70 (investigations: further provisions) is amended as follows.
- (2) In subsection (2)(a), after “63” insert “ as those sections had effect immediately before their repeal by the Localism Act 2011 ”.
 - (3) In subsection (5) omit “in Wales”.

VALID FROM 01/07/2012

- 39 In section 71(4) (reports etc) omit “in Wales”.

VALID FROM 01/07/2012

- 40 In section 72(6) (interim reports) omit “in Wales”.

VALID FROM 01/07/2012

- 41 In section 73 (matters referred to monitoring officers) omit subsection (6).

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42 In section 77(7) (offence of failure to comply with regulations about adjudications in Wales or equivalent provisions of Tribunal Procedure Rules) omit the words from “, or with” to “First-tier Tribunal,”.

43 (1) Section 78 (decisions of the First-tier Tribunal or interim case tribunals) is amended as follows.

(2) In the heading omit “the First-tier Tribunal or”.

(3) In subsection (1)—

- (a) omit “the First-tier Tribunal or”, and
- (b) in paragraph (a) omit “65(3) or”.

(4) In subsection (2) for “the tribunal concerned” substitute “ the interim case tribunal ”.

(5) In subsection (3) for “the tribunal concerned” substitute “ the interim case tribunal ”.

(6) Omit subsection (4).

(7) In subsection (6) omit “78A or”.

(8) In subsection (8A)—

- (a) omit paragraph (a), and
- (b) in paragraph (b) omit “where the relevant authority concerned is in Wales,”.

(9) In subsection (9) omit—

- (a) “The First-tier Tribunal or (as the case may be)”, and
- (b) “59 or”.

(10) Omit subsections (9A) to (9D).

Commencement Information

I22 Sch. 4 para. 43(6) in force at 31.1.2012 by S.I. 2012/57, art. 5(1)(a)(2)(l) (with arts. 6, 8)

VALID FROM 01/07/2012

44 Omit section 78A (decisions of First-tier Tribunal).

45 Omit section 78B (section 78A: supplementary).

Commencement Information

I23 Sch. 4 para. 45 in force at 31.1.2012 for specified purposes by S.I. 2012/57, art. 5(1)(a)(2)(m) (with arts. 6, 8)

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46 In section 79(13) (decisions of case tribunals: Wales) in subsection (13) omit “in Wales”.

47 (1) Section 80 (recommendations by First-tier Tribunal or case tribunals) is amended as follows.

(2) In the heading omit “First-tier Tribunal or”.

(3) In subsection (1) omit “the First-tier Tribunal or”.

(4) In subsection (2) for “The tribunal concerned” substitute “ A case tribunal ”.

(5) In subsection (3) for “relevant person” substitute “ Public Services Ombudsman for Wales ”.

(6) In subsection (5) for “relevant person” in both places substitute “ Public Services Ombudsman for Wales ”.

(7) Omit subsection (6).

Commencement Information

I24 Sch. 4 para. 47 in force at 31.1.2012 for specified purposes by S.I. 2012/57, art. 5(1)(a)(2)(n) (with arts. 6, 8)

48 (1) Section 81 (disclosure and registration of members' interests) is amended as follows.

(2) In subsection (5) for “Secretary of State” substitute “ Welsh Ministers ”.

(3) In subsection (7)—

(a) omit paragraph (b), and

(b) in paragraph (c) omit “if it is a relevant authority in Wales,”.

(4) Omit subsection (8).

Commencement Information

I25 Sch. 4 para. 48(3)(a) in force at 31.1.2012 by S.I. 2012/57, art. 5(1)(a)(2)(o) (with arts. 6, 8)

VALID FROM 01/07/2012

49 (1) Section 82 (code of conduct for local government employees) is amended as follows.

(2) Omit subsection (1).

(3) In subsection (2) omit “in Wales (other than police authorities)”.

(4) In subsection (3) omit “(1) or”.

(5) Omit subsections (4) and (5).

(6) In subsection (6)(a)—

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- (a) omit “in Wales”, and
- (b) for “such” substitute “ those ”.

(7) In paragraph (9) omit—

- (a) paragraph (a), and
- (b) in paragraph (b) “in relation to Wales,”.

VALID FROM 01/07/2012

50 In section 82A (monitoring officers: delegation of functions under Part 3), omit “57A, 60(2) or (3), 64(2) or (4),”.

VALID FROM 01/07/2012

51 (1) Section 83 (interpretation of Part 3) is amended as follows.

(2) In subsection (1)—

- (a) omit the definitions of—
 - (i) “the Audit Commission”,
 - (ii) “ethical standards officer”, and
 - (iii) “police authority”, and
- (b) in the definition of “model code of conduct” omit “(1) and”.

(3) Omit subsections (4), (12), (15) and (16).

VALID FROM 01/07/2012

52 In section 105(6) (orders and regulations) omit “, 49, 63(1)(j)”.

53 Omit Schedule 4 (Standards Board for England).

Commencement Information

I26 Sch. 4 para. 53 in force at 31.1.2012 for specified purposes by S.I. 2012/57, art. 5(1)(a)(2)(p) (with arts. 6, 8)

I27 Sch. 4 para. 53 in force at 1.4.2012 in so far as not already in force by S.I. 2012/628, art. 6(h) (with arts. 9, 11, 14, 15, 17)

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