
STATUTORY INSTRUMENTS

1995 No. 1042

**The Local Government Reorganisation (Wales)
(Transitional Provisions No. 2) Order 1995**

Interim monitoring officer

10.—(1) If, at the time of the holding of the first meeting of a new authority in accordance with paragraph 5(1) of Schedule 5 to the 1972 Act⁽¹⁾, the new authority is not in a position to designate a monitoring officer as required by section 5(1) of the Local Government and Housing Act 1989, it shall appoint an interim monitoring officer in accordance with the provisions of this article.

(2) The obligation for a new authority to have an interim monitoring officer shall continue until the designation of a monitoring officer by the authority under section 5(1) of the Act of 1989.

(3) Subject to the provisions of this article, section 5 of the Act of 1989 shall apply to an interim monitoring officer in the same way as it applies to a monitoring officer, and the interim monitoring officer shall, for all purposes, be treated as the new authority's monitoring officer.

(4) An interim monitoring officer shall be paid such remuneration and allowances (if any) as the new authority appointing him think fit.

(5) The duties of an interim monitoring officer shall be performed by him personally.

(6) A new authority shall not appoint as its interim monitoring officer a person who holds any other paid office or employment with that authority.

(7) During the period of his appointment an interim monitoring officer shall not be appointed to any other paid office or employment of the new authority.

(8) Any person who ceases to be an interim monitoring officer shall be disqualified from being appointed to any paid office or employment with that new authority until 1st April 1996.

(9) A member of a new authority shall be disqualified from being appointed as an interim monitoring officer for the authority.

(10) The new authority may revoke the appointment of an interim monitoring officer if—

(a) he becomes bankrupt or makes an arrangement with his creditors; or

(b) he is, in the opinion of the new authority, unable or unfit to discharge his duties.

(11) If the appointment of an interim monitoring officer is ended other than by reason of the designation of a monitoring officer a new authority shall, unless they designate a monitoring officer, appoint a further person to be an interim monitoring officer and the provisions of this article shall have effect in relation to that further appointment.

(1) Schedule 5 was substituted by section 3 of, and Schedule 3 to, the 1994 Act.