
STATUTORY INSTRUMENTS

1996 No. 1215

**LOCAL GOVERNMENT, ENGLAND AND
WALES LOCAL GOVERNMENT, SCOTLAND**

**The Local Authorities (Members'
Interests) (Amendment) Regulations 1996**

<i>Made</i>	- - - -	<i>30th April 1996</i>
<i>Laid before Parliament</i>		<i>10th May 1996</i>
<i>Coming into force</i>	- -	<i>1st July 1996</i>

The Secretary of State for the Environment as respects England, the Secretary of State for Wales as respects Wales, and the Secretary of State for Scotland as respects Scotland, in exercise of the powers conferred on them by sections 19(1), (4)(b) and (6) and 190 of the Local Government and Housing Act 1989(1), and of all other powers enabling them in that behalf, hereby make the following Regulations:—

Citation and commencement

1.—(1) These Regulations may be cited as the Local Authorities (Members' Interests) (Amendment) Regulations 1996, and shall come into force on 1st July 1996.

Members' interests

2. The Local Authorities (Members' Interests) Regulations 1992(2) are amended as provided in regulations 3 to 5 below.

Interpretation

3. In regulation 2—

(a) after 'these Regulations' there is inserted—

“‘the 1964 Act’ means the Police Act 1964(3);”;

(1) 1989 c. 42. Section 19 is extended to National Park authorities by paragraph 10(2) of Schedule 7 to the Environment Act 1995 (c. 25). Section 21 (which contains the definition of 'local authority' applicable in relation to section 19) is amended by paragraph 38 of Schedule 4 to the Police and Magistrates' Courts Act 1994 (c. 29), and paragraph 161(8) of Schedule 13 to the Local Government etc. (Scotland) Act 1994 (c. 39).

(2) S.I.1992/618.

(3) 1964 c. 48; section 3 is substituted by section 2 of the Police and Magistrates' Courts Act 1994.

- (b) for the definition of ‘authority’⁽⁴⁾ there is substituted—
- “‘authority’ means—
- (i) in relation to England—
 - (a) a county, district or London borough council;
 - (b) the Council of the Isles of Scilly;
 - (c) the Common Council of the City of London in its capacity as a local authority, police authority or port health authority;
 - (ii) in relation to Wales, a county or county borough council;
 - (iii) in relation to England and Wales—
 - (a) a police authority established under section 3 of the 1964 Act, or
 - (b) a National Park authority;
 - (iv) in relation to Scotland, a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994⁽⁵⁾”;
- (c) the definition of ‘councillor’ is omitted, and after the words ‘or to receive income’ in the definition of ‘land’ there is inserted—
- “‘relevant member’—
- (i) in the case of a police authority, means a member of the authority appointed under paragraph 2 or 5 of Schedule 1B to the 1964 Act⁽⁶⁾;
 - (ii) in the case of a National Park authority, means any member of the authority; and
 - (iii) in any other case, means an elected member of the authority”.

General notices

- 4.—(1) In regulation 3—
- (a) in paragraph (1)—
 - (i) there is inserted at the beginning ‘Subject to paragraph (5),’; and
 - (ii) for ‘councillor’ there is substituted ‘relevant member’;
 - (b) for paragraph (2) there is substituted—

“(2) A person who is a relevant member of a police authority or a National Park authority immediately before 1st July 1996 shall give the general notice not later than one month after the date, being a date on or after that date, on which he first attends a relevant meeting.”
 - (c) in paragraph (3), for the words from ‘who is elected’ to ‘already a councillor’ there is substituted ‘who becomes a relevant member of an authority other than a police authority or a National Park authority and was not already such a member’;
 - (d) after paragraph (3) there is inserted—

“(3A) A person who becomes a relevant member of a police authority or a National Park authority (other than by a re-appointment taking effect immediately after cessation of his membership) on or after 1st July 1996 shall give the relevant notice not later than—

 - (a) one month after that date, or

⁽⁴⁾ The definition was amended by the Local Government (Translation Amendments) (Scotland) Order 1996 (S.I. 1996/974).

⁽⁵⁾ 1994 c. 39.

⁽⁶⁾ Inserted by section 3 of the Police and Magistrates' Courts Act 1994.

- (b) one month after the date on which he first attends a relevant meeting, whichever is the later.”;
- (e) in paragraph (4), for the words from ‘relevant meeting’ to ‘the councillor is a member, or’ there is substituted ‘in relation to a relevant member, “relevant meeting” means a meeting of the authority of which he is a member, or (except where the authority is a police authority),’; and
- (f) at the end there is added—

“(5) The Schedule shall apply in relation to a police authority and a National Park authority as if paragraph 3(b) were omitted.”.

(2) The requirement to give a general notice applicable by virtue of paragraph (1)(b) above shall not apply in relation to a member of a National Park authority who has before 1st July 1996 given a general notice in accordance with paragraph 6(2) of Schedule 5 to the National Park Authorities (Wales) Order 1995(7).

Consequential amendments

5.—(1) In regulations 4 and 5(2) and (3), for ‘councillor’ in each place where it occurs there is substituted ‘relevant member’.

(2) In the Schedule, for ‘councillor’ and ‘councillor’s’, wherever they occur, there is substituted ‘member’ or, as the case may be, ‘member’s’.

Signed by authority of the Secretary of State

Department of the Environment
25th April 1996

Paul Beresford
Parliamentary Under-Secretary of State,

Welsh Office
29th April 1996

Gwilym Jones
Parliamentary Under-Secretary of State,

Scottish Office
30th April 1996

George Kynoch
Parliamentary Under-Secretary of State,

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Local Authorities (Members' Interests) Regulations 1992 require an elected member of a local authority to give to the local authority of which he is a member written notice of any interest he holds which is described in the Regulations. Regulations 2 to 5 of these Regulations extend with modifications this requirement to—

- (a) members of National Park authorities and
- (b) members of police authorities in England and Wales who are elected members of local authorities or who are appointed from a short-list prepared by the Secretary of State.

The 1992 Regulations are also modified in consequence of local government reorganisation in Wales.