



Audit Commission Act 1998

1998 CHAPTER 18

PART II

ACCOUNTS AND AUDIT OF PUBLIC BODIES

Prevention of unlawful expenditure etc.

21 Restriction on power to issue prohibition orders

(1) Where—

(a) a report is made under section 114(2) of the Local Government Finance Act 1988 (“the 1988 Act”) (chief finance officer’s report on unlawful expenditure etc.), and

(b) copies of the report are sent in accordance with section 114(4) of the 1988 Act, no prohibition order may be issued during the relevant period as regards any decision, course of action or item of account which led to the report being made.

(2) For the purposes of subsection (1) the relevant period is the period—

(a) beginning with the day on which copies of the report are sent, and

(b) ending with the day (if any) on which the body’s consideration of the report under section 115(2) of the 1988 Act begins.

(3) If the body fails to hold the meeting to consider the report within the time limit specified in section 115(3) of the 1988 Act that failure is immaterial for the purposes of subsection (2)(b) above.