



Local Government Act 2000

2000 CHAPTER 22

PART III

CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

CHAPTER V

SUPPLEMENTARY

Interpretation

83 Interpretation of Part III

(1) In this Part—

“the Audit Commission” means the Audit Commission for Local Authorities and the National Health Service in England and Wales,

“case tribunal” has the meaning given by section 76(1),

“code of conduct” means a code of conduct under section 51,

“co-opted member” has the meaning given by section 49(7),

“elected mayor” and “elected executive member” have the meaning given by section 39(1) and (4),

“ethical standards officer” means a person appointed under section 57(5) (a),

“executive” is to be construed in accordance with section 11,

“executive arrangements” has the meaning given by section 10,

“executive leader” has the meaning given by section 11(3)(a),

“interim case tribunal” has the meaning given by section 76(2),

“Local Commissioner in Wales” has the meaning given by section 68(5),

“model code of conduct” is to be construed in accordance with section 50(1) and (2),

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“police authority” means a police authority established under section 3 of the Police Act 1996,

“the relevant Adjudication Panel” means—

- (a) in relation to matters referred or to be referred by an ethical standards officer, the Adjudication Panel for England,
- (b) in relation to matters referred or to be referred by a Local Commissioner in Wales, the Adjudication Panel for Wales,

“relevant authority” has the meaning given by section 49(6).

- (2) Any reference in this Part to a committee of a relevant authority, in the case of a relevant authority to which Part II of this Act applies, includes a reference to a committee of an executive of the authority.
- (3) Any reference in this Part to a member of a relevant authority, in the case of a relevant authority to which Part II of this Act applies, includes a reference to an elected mayor or elected executive member of the authority.
- (4) Any reference in this Part to a member of a relevant authority, in the case of the Greater London Authority, is a reference to the Mayor of London or a London Assembly member.
- (5) Any reference in this Part to a joint committee or joint sub-committee of a relevant authority is a reference to a joint committee on which the authority is represented or a sub-committee of such a committee.
- (6) Any reference in this Part to a failure to comply with a relevant authority’s code of conduct includes a reference to a failure to comply with the mandatory provisions which apply to the members or co-opted members of the authority by virtue of section 51(5)(b).
- (7) Any reference in this Part to a person being partially suspended from being a member or co-opted member of a relevant authority includes a reference to a person being prevented from exercising particular functions or having particular responsibilities as such a member or co-opted member.
- (8) The reference in subsection (7) to particular functions or particular responsibilities as a member of a relevant authority, in the case of a relevant authority to which Part II of this Act applies, includes a reference to particular functions or particular responsibilities as a member of an executive of the authority.
- (9) A person who is suspended under this Part from being a member of a relevant authority shall also be suspended from being a member of any committee, sub-committee, joint committee or joint sub-committee of the authority, but this subsection does not apply to a person who is partially suspended under this Part.
- (10) A person who is suspended under this Part from being a member of a relevant authority to which Part II of this Act applies shall also be suspended, if he is a member of an executive of the authority, from being such a member; but this subsection does not apply to a person who is partially suspended under this Part.
- (11) A person who is disqualified under this Part for being or becoming a member of a relevant authority shall also be disqualified—
 - (a) for being or becoming a member of any committee, sub-committee, joint committee or joint sub-committee of the authority, and

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- (b) if the authority is one to which Part II of this Act applies, for being or becoming a member of an executive of the authority.
- (12) Any function which by virtue of this Part is exercisable by or in relation to the monitoring officer of a relevant authority which is a parish council is to be exercisable by or in relation to the monitoring officer of the district council or unitary county council which are the responsible authority in relation to the parish council; and any reference in this Part to the monitoring officer of a relevant authority which is a parish council is to be construed accordingly.
- (13) Any function which by virtue of this Part is exercisable by or in relation to the monitoring officer of a relevant authority which is a community council is to be exercisable by or in relation to the monitoring officer of the county council or county borough council in whose area the community council is situated; and any reference in this Part to the monitoring officer of a relevant authority which is a community council is to be construed accordingly.
- (14) Any functions which are conferred by virtue of this Part on a relevant authority to which Part II of this Act applies are not to be the responsibility of an executive of the authority under executive arrangements.
- (15) Any functions which are conferred on the Greater London Authority by virtue of this Part are to be exercisable by the Mayor of London and the London Assembly acting jointly on behalf of the Authority.
- (16) Subsections (12) and (13) of section 55 are to apply for the purposes of subsection (12) as they apply for the purposes of that section.