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SCHEDULES

SCHEDULE 4

CONDUCT OF LOCAL GOVERNMENT MEMBERS

VALID FROM 31/01/2012

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 ”.

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

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	<p>(2) Omit subsection (1).</p> <p>(3) In subsection (2) omit “in Wales other than police authorities”.</p> <p>(4) In subsection (3) omit “(1) or”.</p> <p>(5) In subsection (4)(a) omit—</p> <p style="padding-left: 20px;">(a) “49(1) or”, and</p> <p style="padding-left: 20px;">(b) “(as the case may be)”.</p> <p>(6) Omit subsections (4C) and (4D).</p> <p>(7) In subsection (5) omit “the Secretary of State or”.</p> <p>(8) Omit subsections (6) and (7).</p>
10	<p>(1) Section 51 (duty of relevant authorities to adopt codes of conduct) is amended as follows.</p> <p>(2) In subsection (4C) omit the words from “by a” to “police authority”.</p> <p>(3) In subsection (6)(c)—</p> <p style="padding-left: 20px;">(a) omit sub-paragraph (i), and</p> <p style="padding-left: 20px;">(b) in sub-paragraph (ii) omit the words from “in the case” to “in Wales,”.</p>
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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	<p>(1) Section 53 (standards committees) is amended as follows.</p> <p>(2) In subsection (2) omit “parish council or”.</p> <p>(3) Omit subsections (3) to (10).</p> <p>(4) In subsection (11)—</p> <p style="padding-left: 20px;">(a) in paragraph (a) omit “in Wales other than police authorities”, and</p> <p style="padding-left: 20px;">(b) in paragraph (k) omit “in Wales (other than police authorities)”.</p> <p>(5) In subsection (12) omit “(6)(c) to (f) or”.</p>
13	<p>(1) Section 54 (functions of standards committees) is amended as follows.</p> <p>(2) Omit subsection (4).</p> <p>(3) In subsection (5) omit “in Wales (other than police authorities)”.</p> <p>(4) Omit subsection (6).</p> <p>(5) In subsection (7) omit “in Wales (other than police authorities)”.</p>
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14	(1) Section 54A (sub-committees of standards committees) is amended as follows.

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	(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) ”.
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15	Omit section 55 (standards committees for parish councils).
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16	Omit section 56A (joint committees of relevant authorities in England).
17	Omit section 57 (Standards Board for England).
18	Omit section 57A (written allegations: right to make, and initial assessment).
19	Omit section 57B (right to request review of decision not to act).
20	Omit section 57C (information to be given to subject of allegation).
21	Omit section 57D (power to suspend standards committee's functions).
22	Omit section 58 (allegations referred to Standards Board).
23	Omit section 59 (functions of ethical standards officers).
24	Omit section 60 (conduct of investigations).
25	Omit section 61 (procedure in respect of investigations).
26	Omit section 62 (investigations: further provisions).
27	Omit section 63 (restrictions on disclosure of information).
28	Omit section 64 (reports etc).
29	Omit section 65 (interim reports).
30	Omit section 65A (disclosure by monitoring officers of ethical standards officers' reports).
	VALID FROM 07/06/2012
31	Omit section 66 (matters referred to monitoring officers).
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32	Omit section 66A (references to First-tier Tribunal).

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33	Omit section 66B (periodic returns).
34	Omit section 66C (information requests).
35	Omit section 67 (consultation with ombudsmen).
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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)”.
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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”.
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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”.
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39	In section 71(4) (reports etc) omit “in Wales”.
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40	In section 72(6) (interim reports) omit “in Wales”.
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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).

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

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

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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”.

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- (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).
- 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).

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- 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)—
- (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,”.

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

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- 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”,

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	(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).
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52	In section 105(6) (orders and regulations) omit “, 49, 63(1)(j)”.
53	Omit Schedule 4 (Standards Board for England).

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