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**Changes to legislation:** Policing and Crime Act 2017, Cross Heading: Local Government and Housing Act 1989 (c. 42) is up to date with all changes known to be in force on or before 14 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 2

#### THE LONDON FIRE COMMISSIONER

#### PART 2

#### AMENDMENTS TO OTHER ACTS

##### *Local Government and Housing Act 1989 (c. 42)*

85 The Local Government and Housing Act 1989 is amended as follows.

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**Commencement Information**

- I1** Sch. 2 para. 85 in force for specified purposes at Royal Assent, see s. 183  
**I2** Sch. 2 para. 85 in force at 22.3.2018 in so far as not already in force by S.I. 2018/227, reg. 3(1)(d)(ii)

86 In section 1(9) (meaning of politically restricted post under a local authority) for “and every member of staff of a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004” (as inserted by paragraph 61 of Schedule 1) substitute “every member of staff of a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004 and every member of staff of the London Fire Commissioner”.

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**Commencement Information**

- I3** Sch. 2 para. 86 in force for specified purposes at Royal Assent, see s. 183  
**I4** Sch. 2 para. 86 in force at 1.4.2018 in so far as not already in force by S.I. 2018/227, reg. 4(c)(i)

87 (1) Section 4 (designation and reports of head of paid service) is amended as follows.

(2) In subsection (4) after paragraph (aa) (as inserted by paragraph 62(2) of Schedule 1) insert—

“(ab) in the case of the London Fire Commissioner, to the Commissioner;”.

(3) After subsection (5B) (as inserted by paragraph 62(3) of Schedule 1) insert—

“(5C) It shall be the duty of the London Fire Commissioner to consider any report under this section by the head of the Commissioner's paid service and to do so no later than three months after the Commissioner is sent a copy of the report.”

(4) In subsection (6)(a) for “and a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004” (as inserted by paragraph

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62(4) of Schedule 1) substitute “, a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004 and the London Fire Commissioner”.

**Commencement Information**

- I5** Sch. 2 para. 87 in force for specified purposes at Royal Assent, see s. 183  
**I6** Sch. 2 para. 87 in force at 1.4.2018 in so far as not already in force by S.I. 2018/227, reg. 4(c)

- 88 (1) Section 5 (designation and reports of monitoring officer) is amended as follows.
- (2) In subsection (3) after paragraph (aa) (as inserted by paragraph 63(2) of Schedule 1) insert—
- “(ab) in the case of the London Fire Commissioner, to the Commissioner;”.
- (3) In subsection (5)(a) after sub-paragraph (ia) (as inserted by paragraph 63(3) of Schedule 1) insert—
- “(ib) in the case of the London Fire Commissioner, no later than three months after the Commissioner is sent a copy of the report;”.
- (4) In subsection (8) in paragraph (a) of the definition of “relevant authority” for “and a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004” (as inserted by paragraph 63(4) of Schedule 1) substitute “, a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004 and the London Fire Commissioner”.

**Commencement Information**

- I7** Sch. 2 para. 88 in force for specified purposes at Royal Assent, see s. 183  
**I8** Sch. 2 para. 88 in force at 1.4.2018 in so far as not already in force by S.I. 2018/227, reg. 4(c)

- 89 (1) Section 21 (interpretation of Part 1) is amended as follows.
- (2) In subsection (1)(i) omit “or the London Fire and Emergency Planning Authority”.
- (3) After subsection (1B) (as inserted by paragraph 64 of Schedule 1) insert—
- “(1C) In the following provisions of this Part references to a local authority include the London Fire Commissioner—
- (a) section 7 (all staff to be appointed on merit), and
- (b) section 10 (limit on paid leave for local authority duties).
- (1D) In the application of section 1(1) to the London Fire Commissioner by virtue of subsection (1C) the reference to being or remaining a member of a local authority is to be read as a reference to becoming or remaining the London Fire Commissioner.”

**Commencement Information**

- I9** Sch. 2 para. 89 in force for specified purposes at Royal Assent, see s. 183  
**I10** Sch. 2 para. 89(1) in force at 22.3.2018 in so far as not already in force by S.I. 2018/227, reg. 3(1)(d)(ii)

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- I11** Sch. 2 para. 89(2) in force at 1.4.2018 in so far as not already in force by [S.I. 2018/227, reg. 4\(c\)](#)
- I12** Sch. 2 para. 89(3) in force at 22.3.2018 for specified purposes by [S.I. 2018/227, reg. 3\(1\)\(d\)\(iii\)](#)

90 In section 152(2) (meaning of “relevant authority” for the purposes of sections 150 and 151) for paragraph (n) substitute—  
“(n) the London Fire Commissioner.”

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**Commencement Information**

- I13** Sch. 2 para. 90 in force for specified purposes at Royal Assent, see s. 183
- I14** Sch. 2 para. 90 in force at 1.4.2018 in so far as not already in force by [S.I. 2018/227, reg. 4\(c\)](#)

91 In section 155(1A) (emergency financial assistance to local authorities: expenditure treated as incurred by Greater London Authority) for paragraph (a) substitute—  
“(a) the London Fire Commissioner.”

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**Commencement Information**

- I15** Sch. 2 para. 91 in force for specified purposes at Royal Assent, see s. 183
- I16** Sch. 2 para. 91 in force at 1.4.2018 in so far as not already in force by [S.I. 2018/227, reg. 4\(c\)](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.I. 2017/1139, reg. 2 by [S.I. 2017/1162 reg. 2](#)