
STATUTORY INSTRUMENTS

2001 No. 3576

The Parish Councils (Model Code of Conduct) Order 2001

Transitional provision

3.—(1) On the day an authority’s code of conduct is adopted or applied(1) to it, the following shall, where applicable to the authority, be disapplied as respects that authority until 27th July 2002—

- (a) sections 94 to 98 and 105 of the Local Government Act 1972(2);
- (b) any order made under section 83 of the Local Government Act 1972(3);
- (c) any regulations made or code issued under sections 19 and 31 of the Local Government and Housing Act 1989(4);
- (d) in section 17 of the Audit Commission Act 1998, subsections (1)(b), (3), (5)(b), (7) and (8) and in subsection (2), the words “subject to subsection (3)” and paragraphs (a) and (b)(5);
- (e) section 18 of the Audit Commission Act 1998(6);

(2) Section 16(1) of the Interpretation Act 1978(7) shall apply to a disapplication under paragraph (1) above as if it were a repeal, by an Act, of an enactment.

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- (1) See section 51(2) and (5) of the Local Government Act 2000 for the requirements for authorities to adopt a code of conduct and for provision applying the mandatory provisions of this Order.
 - (2) 1972 c. 70. Section 94 is amended by sections 37, 38 and 46 of the Criminal Justice Act 1982 (c. 48); section 103 of and paragraph 21 of Schedule 7 to the Police Act 1996 (c. 16); section 88 of and paragraph 1 of Schedule 6 to the Police Act 1997 (c. 50); sections 128(1) and 137 of, paragraphs 22 and 23 of Schedule 6 to and Part V of Schedule 7 to the Criminal Justice and Police Act 2001 (c. 16); and paragraph 22 of Schedule 11 to the Local Government and Housing Act 1989 c. 42. Section 97 is amended by section 194 of and paragraph 23 of Schedule 11 to the Local Government and Housing Act 1989 and section 161 of and paragraph 5 of Schedule 11 to the Transport Act 2000 c. 38. Section 98 is amended by section 212(2) of and paragraph 8 of Schedule 16 to the Financial Services Act 1986 (c. 60); section 84 of and paragraph 13 of Schedule 14 to the Local Government Act 1985 (c. 51); sections 325 and 328 of, paragraph 25 of Schedule 27 to and Part I of Schedule 29 to the Greater London Authority Act 1999 (c. 29); section 43 of and paragraph 7 of Schedule 4 to the Police and Magistrates' Court Act 1994 (c. 29); section 103 of and paragraph 1(2)(h) of Schedule 7 to the Police Act 1996; section 88 of and paragraph 2 of Schedule 6 to the Police Act 1997; section 237 of and Schedule 13 to the Education Reform Act 1988 (c. 40); and sections 128(1), 137 of, paragraphs 22 and 24 of Schedule 6 to and Part V of Schedule 7 to the Criminal Justice and Police Act 2001. Under section 107 of, paragraph 12 of Schedule 5 to and Schedule 6 to the Local Government Act 2000, sections 94 to 98 and 105 of the 1972 Act are to be repealed at a date to be appointed.
 - (3) See The Local Elections (Parishes and Communities) (Declaration of Acceptance of Office) Order 1990 (S.I.1990/2477).
 - (4) 1989 c. 42. Under section 107 of, paragraph 25 and 26 of Schedule 5 to and Schedule 6 to the Local Government Act 2000, these provisions are to be repealed at a date to be appointed.
 - (5) 1998 c. 18. Section 17 was amended by paragraphs 1, 6(1) and (2)(a) of Schedule 8 to and section 133 of the Greater London Authority Act 1999 and by Schedule 7 to and section 137 of the Criminal Justice and Police Act 2001. The provisions disapplied are to be repealed under section 90(2) of the Local Government Act 2000 at a date to be appointed.
 - (6) Section 18 was amended by paragraph 7 of Schedule 8 to the Greater London Authority Act 1999. This provision is to be repealed under section 90(3) of the Local Government Act 2000, at a date to be appointed.
 - (7) 1978 c. 30.