

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: Learning and Skills Act 2000, SCHEDULE 2 is up to date with all changes known to be in force on or before 03 June 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)*

## SCHEDULES

### SCHEDULE 2

Section 19.

#### LOCAL COUNCILS

##### *Director*

- 1 (1) The Council must appoint one of its employees as the director of a local council.
- (2) The Council must seek the advice of the chairman of a local council before appointing a director.
- (3) Sub-paragraph (2) does not apply to the appointment of the first director of a local council.
- (4) If a person to be appointed as a director of a local council is not already a member of that local council, the Council must appoint him as a member of the local council for the same term as the term of his appointment as director.
- (5) If a person to be appointed as a director of a local council is already a member of that local council but his term of appointment as such ends before the term of his appointment as director ends, the Council must extend his term of appointment as a member so that it ends when the term of his appointment as director ends.

##### *Tenure of members*

- 2 (1) A person is to hold and vacate office as a member or as chairman of a local council in accordance with the terms of his appointment.
- (2) On ceasing to be a member or chairman a person is eligible for re-appointment.
- (3) A person may at any time by notice in writing to the Council resign his office as a member.
- (4) A person may at any time by notice in writing to the Secretary of State resign his office as chairman.
- 3 (1) This paragraph applies if the Council is satisfied that a member of a local council—
  - (a) has been absent from meetings of the local council for a period longer than 6 consecutive months without the local council's permission, or
  - (b) is unable or unfit to carry out the functions of a member.
- (2) The Council may by notice in writing to the member remove him from office, which shall then become vacant.
- (3) A notice under this paragraph requires the Secretary of State's approval.

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#### *Allowances*

- 4 The Council must pay in respect of the members of a local council such travelling, subsistence and other allowances as the Secretary of State may determine.

#### *Staff*

- 5 The Council may appoint such of its employees as it thinks fit to act as the staff of a local council.

#### *Delegation of functions*

- 6 (1) A local council may authorise the chairman or the director to exercise such of its functions as it may determine.
- (2) If the chairman is authorised to exercise a function he may authorise another member of the local council to exercise it.
- (3) If the director is authorised to exercise a function he may authorise an employee of the local council to exercise it.

#### *Proceedings*

- 7 The validity of any proceedings of a local council is not to be affected by a vacancy among the members or by any defect in the appointment of a member.
- 8 A local council may regulate its own procedure.

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