



Local Government Act 2000

2000 CHAPTER 22

PART III

CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

CHAPTER I

CONDUCT OF MEMBERS

Standards of conduct

52 Duty to comply with code of conduct.

- (1) A person who is a member or co-opted member of a relevant authority at a time when the authority adopt a code of conduct under section 51 for the first time—
 - (a) must, before the end of the period of two months beginning with the date on which the code of conduct is adopted, give to the authority a written undertaking that [^{F1}in performing his functions] he will observe the authority's code of conduct for the time being under section 51, and
 - (b) if he fails to do so, is to cease to be a member or co-opted member at the end of that period.
- (2) The form of declaration of acceptance of office which may be prescribed by an order under section 83 of the ^{M1}Local Government Act 1972 [^{F2} in relation to a relevant authority] may include an undertaking by the declarant that [^{F1}in performing his functions] he will observe the authority's code of conduct for the time being under section 51.
- (3) A person who becomes a member of a relevant authority to which section 83 of that Act does not apply at any time after the authority have adopted a code of conduct under section 51 for the first time may not act in that office unless he has given the authority a written undertaking that [^{F1}in performing his functions] he will observe the authority's code of conduct for the time being under section 51.

Status: Point in time view as at 01/07/2012. This version of this provision has been superseded.

Changes to legislation: Local Government Act 2000, Section 52 is up to date with all changes known to be in force on or before 06 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)

- (4) A person who becomes a co-opted member of a relevant authority at any time after the authority have adopted a code of conduct under section 51 for the first time may not act as such unless he has given the authority a written undertaking that [^{F1}in performing his functions] he will observe the authority's code of conduct for the time being under section 51.
- [^{F3}(5) In relation to a relevant authority whose members and co-opted members are subject to mandatory provisions by virtue of section 51(5)(b)—
- (a) the references in subsections (2) to (4) to the authority's code of conduct for the time being under section 51 include the mandatory provisions which for the time being apply to the members and co-opted members of the authority, and
 - (b) the references in subsections (3) and (4) to any time after the authority have adopted a code of conduct under section 51 for the first time are to be read as references to any time after the coming into force of section 184 of the Local Government and Public Involvement in Health Act 2007.]

Textual Amendments

- F1** Words in s. 52(1)-(4) repealed (31.1.2008 for W.) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. 183(4), 245(5), **Sch. 18 Pt. 15** (with s. 183(5)-(11), 201); S.I. 2008/172, arts. 2(1)(u)(iii), 5(2)
- F2** Words in s. 52(2) inserted (1.7.2012 for specified purposes) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 4 para. 11**; S.I. 2012/1463, art. 5(a) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2)
- F3** S. 52(5) inserted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 184(2)**, 245(5) (with s. 201); S.I. 2008/172, art. 2(1)(i)

Modifications etc. (not altering text)

- C1** Pt. III applied (24.3.2010) by [The South Downs National Park Authority \(Establishment\) Order 2010 \(S.I. 2010/497\)](#), art. 1, **Sch. 4 para. 9(3)**

Commencement Information

- I1** S. 52 wholly in force at 28.7.2001; s. 52 not in force at Royal Assent see s. 108; s. 52 in force at 19.12.2000 in relation to England and to police authorities in Wales by [S.I. 2000/3335](#), **art. 2**; s. 52 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

Marginal Citations

- M1** 1972 c. 70.

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