

Changes to legislation: Local Audit and Accountability Act 2014, Paragraph 3 is up to date with all changes known to be in force on or before 28 February 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

SCHEDULES

SCHEDULE 8

ADVISORY NOTICES

Modifications etc. (not altering text)

- C1** Sch. 8 excluded by 1999 c. 29, s. 134(5) (as amended) (1.4.2015) by [Local Audit and Accountability Act 2014 \(c. 2\)](#), s. 49(1), [Sch. 12 para. 43\(3\)](#); S.I. 2015/841, art. 3(x)

Effect of an advisory notice

- 3 (1) While an advisory notice has effect, it is not lawful for the relevant authority concerned or any officer of that authority—
- (a) if the notice relates to a decision, to make or implement the decision,
 - (b) if the notice relates to a course of action, to take or continue to take the course of action, or
 - (c) if the notice relates to an item of account, to enter the item of account.
- (2) Sub-paragraph (1) does not apply if—
- (a) the relevant authority has considered, in the light of the advisory notice and the statement under paragraph 2(3), the consequences of doing the thing mentioned in sub-paragraph (1) which is relevant,
 - (b) the relevant authority or officer has given the authority's local auditor and (where applicable) its related authority or each of its related authorities the period of notice in writing required by the advisory notice under paragraph 1(2)(d), and
 - (c) that period has expired.
- (3) The condition in paragraph (a) of sub-paragraph (2) is met in relation to a parish meeting only if the matters referred to in that paragraph are considered by the parish meeting itself (and not by its chairman on behalf of the parish meeting).
- (4) An advisory notice takes effect on the day on which a copy of the notice is served on the person to whom it is addressed, and ceases to have effect—
- (a) if a statement of reasons is not served in accordance with paragraph 2(3), at the end of the period specified in paragraph 2(4), or
 - (b) when it is withdrawn under paragraph 2(6).
- (5) A local auditor may recover from a relevant authority—
- (a) the reasonable costs of determining whether to issue an advisory notice to that authority or an officer of that authority, and
 - (b) the reasonable costs of issuing an advisory notice to that authority or an officer of that authority.
- (6) Sub-paragraph (5)(a) applies regardless of whether the notice is in fact issued.

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Commencement Information

- II** [Sch. 8 para. 3](#) in force at 1.4.2015 by [S.I. 2015/841](#), [art. 3\(r\)](#) (with [Sch. para. 1](#)) (as amended (27.6.2016) by S.I. 2016/675, art. 2)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2015/841 by [S.I. 2016/675 art. 2](#)