



# Greater London Authority Act 1999

## 1999 CHAPTER 29

### PART II

#### GENERAL FUNCTIONS AND PROCEDURE

#### *<sup>F1</sup>Delegation to Mayor of Ministers' functions*

#### Textual Amendments

- F1** S. 39A and cross-heading inserted (15.1.2012) by [Localism Act 2011 \(c. 20\)](#), ss. **223(2)**, 240(2); S.I. 2012/57, art. 4(1)(cc) (with arts. 6, 7, 9-11)

#### **39A Delegation by Ministers**

- (1) A Minister of the Crown may, to such extent and subject to such conditions as that Minister thinks fit, delegate to the Mayor any of that Minister's eligible functions.
- (2) A function is eligible for the purposes of subsection (1) above if—
  - (a) it does not consist of a power to make regulations or other instruments of a legislative character or a power to fix fees or charges, and
  - (b) the Secretary of State considers that it can appropriately be exercised by the Mayor.
- (3) No delegation under subsection (1) above, and no variation of a delegation under subsection (1) above, may be made without the agreement of the Mayor.
- (4) Before making or varying a delegation under subsection (1) above, a Minister of the Crown must consult—
  - (a) each London borough council,
  - (b) the Common Council, and
  - (c) the Assembly.

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*Changes to legislation:* Greater London Authority Act 1999, Cross Heading: Delegation to Mayor of Ministers' functions is up to date with all changes known to be in force on or before 19 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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- (5) A delegation under subsection (1) above may be revoked at any time by any Minister of the Crown.
- (6) Section 38 above does not apply in relation to functions delegated under subsection (1) above.]

#### **40 Contracting out.**

- (1) Part II of the <sup>M1</sup>Deregulation and Contracting Out Act 1994 (contracting out) shall be amended as follows.
- (2) In section 70 (functions of local authorities) in subsection (1)(b), after section 56 of the Local Government (Scotland) Act 1973 there shall be inserted “ or section 38 or 380 of the Greater London Authority Act 1999 ”.
- (3) After subsection (5) of that section (which implies certain terms into arrangements under section 101 of the <sup>M2</sup>Local Government Act 1972 etc) there shall be inserted—
  - “(6) Any reference in subsection (5) above to arrangements under section 101 of the <sup>M3</sup>Local Government Act 1972 includes a reference to an authorisation under section 38 or 380 of the Greater London Authority Act 1999.”
- (4) In section 79(1) (interpretation of Part II) in the definition of local authority, in paragraph (a), after London borough council, there shall be inserted “ the Greater London Authority acting through the Mayor of London, ”.

#### **Marginal Citations**

- M1** 1994 c. 40.
- M2** 1972 c. 70.
- M3** 1972 c. 70.

**Changes to legislation:**

Greater London Authority Act 1999, Cross Heading: Delegation to Mayor of Ministers' functions is up to date with all changes known to be in force on or before 19 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.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 334(2A)-(2E) substituted for s. 334(2)-(6) by [2023 c. 55 s. 95\(2\)](#)
- s. 334(9)-(11) inserted by [2023 c. 55 s. 95\(3\)](#)
- s. 337(1A) inserted by [2023 c. 55 s. 96\(1\)\(c\)](#)
- s. 337(2)(ca) inserted by [2023 c. 55 Sch. 6 para. 15](#)
- Sch. 23 para. 1(3A) inserted by [2023 c. 55 s. 244\(2\)](#)
- Sch. 23 para. 3A3B and cross-heading inserted by [2023 c. 55 s. 244\(3\)](#)
- Sch. 23 para. 4(2A)(2B) inserted by [2023 c. 55 s. 244\(4\)](#)
- Sch. 23 para. 4A and cross-heading inserted by [2023 c. 55 s. 244\(6\)](#)