



# Greater London Authority Act 1999

## 1999 CHAPTER 29

### PART II

#### GENERAL FUNCTIONS AND PROCEDURE

##### *Exercise of functions: general principles*

#### **35 Authority functions to be exercisable by Mayor, Assembly or both.**

- (1) Any function transferred to, or conferred or imposed on, the Authority by or under this Act or any other Act (whenever passed) shall, in accordance with the provisions of this Act, be exercisable—
  - (a) only by the Mayor acting on behalf of the Authority;
  - (b) only by the Assembly so acting; or
  - (c) only by the Mayor and Assembly jointly so acting.
- (2) Any function—
  - (a) which is transferred to, or conferred or imposed on, the Authority by or under this Act or any other Act (whenever passed), and
  - (b) which (apart from this subsection) is not made exercisable on behalf of the Authority by the Mayor, by the Assembly, or by the Mayor and the Assembly acting jointly,shall be exercisable only by the Mayor acting on behalf of the Authority.
- (3) Any function transferred to, or conferred or imposed on, the Mayor by or under this Act or any other Act (whenever passed) shall be taken to be a function of the Authority exercisable only by the Mayor acting on behalf of the Authority.
- (4) Any function transferred to, or conferred or imposed on, the Assembly by or under this Act or any other Act (whenever passed) shall be taken to be a function of the Authority exercisable only by the Assembly acting on behalf of the Authority.
- (5) Any function transferred to, or conferred or imposed on, the Mayor and the Assembly by or under this Act or any other Act (whenever passed) shall be taken to be a function

*Changes to legislation:* Greater London Authority Act 1999, Cross Heading: Exercise of functions: general principles 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

of the Authority exercisable only by the Mayor and Assembly acting jointly on behalf of the Authority.

- (6) Subsections (3) and (4) above are subject to subsection (5) above.
- (7) Any reference in this Act to—
- (a) functions of the Authority,
  - (b) functions of the Mayor,
  - (c) functions of the Assembly, or
  - (d) functions of the Mayor and Assembly,
- shall be construed in accordance with the foregoing provisions of this section.
- (8) Subsections (1) to (7) above are subject to any express provision to the contrary in this Act.
- (9) Subsections (2) and (3) above are without prejudice to [<sup>F1</sup>sections 38 and 380] below and Schedule 4 to this Act.
- (10) This section is subject, in particular, to Part II of the <sup>M1</sup>Deregulation and Contracting Out Act 1994 (contracting out).

#### Textual Amendments

**F1** Words in s. 35(9) substituted (27.5.2000) by S.I. 2000/1435, art. 2, Sch. Pt. I para. 3

#### Marginal Citations

**M1** 1994 c. 40.

### 36 Standing orders of the Authority.

- (1) The Assembly, in consultation with the Mayor, may make standing orders of the Authority.
- (2) The procedure of the Assembly, and of any committees or sub-committees of the Assembly, shall be regulated by the standing orders of the Authority.
- (3) Standing orders of the Authority may make provision regulating the procedure to be followed—
- (a) by any member of the Assembly, or
  - (b) by any member of staff of the Authority,
- by whom functions of the Authority are exercisable pursuant to arrangements under section 54 below.
- (4) Standing orders of the Authority may make provision regulating the procedure to be followed by the Mayor or by the Assembly in discharging any functions of the Mayor or the Assembly, to the extent that the functions—
- (a) consist of consultation, or any other interaction or relationship, between the Mayor and the Assembly; or
  - (b) are exercisable by the Mayor in relation to the Assembly or by the Assembly in relation to the Mayor.

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- (5) Standing orders of the Authority may make provision for any other matter for which provision by standing orders of the Authority is authorised or required by or under any other provision of this Act or any other enactment.
- (6) Subsections (2) to (5) above are subject to any other provision of this Act or any other enactment which regulates, or provides for the regulation of, the procedure of the Assembly or any procedure to be followed by the Mayor.
- (7) Standing orders of the Authority may make different provision for different circumstances.
- (8) The Assembly, after consultation with the Mayor, may at any time vary or revoke any standing orders of the Authority.
- (9) Neither section 38 below nor section 54 below shall apply in relation to the functions of the Mayor or the Assembly under this section.

**Modifications etc. (not altering text)**

- C1** S. 36(9) modified (E.) (4.4.2020) by [The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020 \(S.I. 2020/392\)](#), regs. 1, [7\(a\)](#) (with reg. 2(4))

**37 Discharge during vacancy or temporary incapacity of Mayor.**

Schedule 4 to this Act shall have effect with respect to the discharge of functions during periods when—

- (a) there is a vacancy in the office of Mayor; or
- (b) there is no such vacancy but the Mayor is unable to act in his office.

**Changes to legislation:**

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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\(6\)](#)