

Changes to legislation: Greater London Authority Act 1999, SCHEDULE 4A is up to date with all changes known to be in force on or before 25 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

SCHEDULES

[^{F1}SCHEDULE 4A

CONFIRMATION HEARINGS ETC

Textual Amendments

- F1** Sch. 4A inserted (E.W.) (23.10.2007 for specified purposes, 21.1.2008 in so far as not already in force) by Greater London Authority Act 2007 (c. 24), ss. 4(2), 59(4)(b), **Sch. 1**; S.I. 2008/113, art. 2(a)

Application of Schedule

- 1 (1) This Schedule has effect where the Mayor proposes to make an appointment to any of the offices specified in section 60A(3) of this Act.
- (2) If the Mayor decides to appoint himself to any of those offices—
- (a) he must notify the Assembly of that fact, but
 - (b) the following provisions of this Schedule do not have effect in relation to the appointment of the Mayor to that office.
- [This Schedule also has effect where the Mayor's Office for Policing and Crime
- ^{F2}(3) proposes to make an appointment, under section 19 of the Police Reform and Social Responsibility Act 2011, of a person to be the Deputy Mayor for Policing and Crime.
- (4) In the application of this Schedule in relation to such an appointment, references to the Mayor are to be read as references to the Mayor's Office for Policing and Crime.
- (5) Paragraph 9 does not apply in relation to such an appointment (but see section 32 of the Police Reform and Social Responsibility Act 2011).
- (6) Paragraph 10 applies in relation to such an appointment if the candidate is not a member of the London Assembly.
- (7) Paragraphs 2, 4 and 5 are subject to paragraph 10.]
- [Paragraph 9 does not apply in relation to—
- ^{F3}(8) (a) the appointment of a person as the London Fire Commissioner, or
- (b) the appointment of a person as the Deputy Mayor for Fire under section 67(1)(b),
- (but see section 327H).
- (9) Paragraph 11 applies to—
- (a) the appointment of a person as the London Fire Commissioner, and
 - (b) the appointment of a person as the Deputy Mayor for Fire under section 67(1)(b) if the candidate is not a member of the Assembly.
- (10) Paragraphs 2, 4 and 5 are subject to paragraph 11.]

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Textual Amendments

- F2** Sch. 4A para. 1(3)-(7) inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 20\(3\)\(a\)](#), 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 6)
- F3** Sch. 4A para. 1(8)-(10) inserted (E.W.) (31.1.2017 for specified purposes, 1.3.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 2 para. 14\(2\)](#); S.I. 2018/227, art. 2(b)(i)

Mayor not to make appointment until end of confirmation process

- 2 (1) The Mayor must not make any appointment to the office until the end of the confirmation process has been reached.
- (2) The end of the confirmation process is reached when—
- (a) the Mayor has given the Assembly the notification required by paragraph 5(2) below (acceptance or rejection of Assembly's recommendation), or
 - (b) the period of 3 weeks described in sub-paragraph (3) of paragraph 4 below has expired without any recommendation under that paragraph being given to the Mayor by the Assembly.

Duty of Mayor to notify Assembly

- 3 (1) The Mayor must notify the Assembly of the person (“the candidate”) whom he proposes to appoint to the office.
- (2) The notification must contain the following information—
- (a) the candidate's name;
 - (b) the candidate's address for correspondence;
 - (c) the office to which the Mayor proposes to appoint the candidate;
 - (d) the reasons why the candidate is the person the Mayor proposes to appoint to the office.

Assembly to make recommendation to the Mayor

- 4 (1) This paragraph applies when the Mayor has given that notification to the Assembly.
- (2) The Assembly must make a recommendation to the Mayor as to whether or not the candidate should be appointed to the office.
- (3) The recommendation must be given to the Mayor in writing before the end of the period of 3 weeks beginning with the day on which the Assembly receives the notification from the Mayor.
- (4) In calculating the period of 3 weeks mentioned in sub-paragraph (3) above, no regard shall be had to the period beginning with the day of the poll at an ordinary election and ending with the day on which the Chair of the Assembly and the Deputy Chair of the Assembly are elected under section 52(2) of this Act.

The Mayor's response to the recommendation

- 5 (1) The Mayor may accept or reject the Assembly's recommendation.

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- (2) The Mayor must notify the Assembly of his decision whether to accept or reject the recommendation.

Power to request candidate to attend confirmation hearing or produce documents

- 6 (1) The Assembly may decide to hold a confirmation hearing before deciding the recommendation that is to be made to the Mayor.
- (2) In this Schedule “confirmation hearing” means a meeting at which the candidate is requested to appear for the purpose of answering questions relating to the proposed appointment.
- (3) In this Schedule “appear”, in relation to a meeting, means—
- (a) attend in person, or
 - (b) participate in proceedings by means of any device that enables a person to hear and be heard in the proceedings as they happen, without attending in person.
- (4) The Assembly may decide to request the candidate to produce, whether at a confirmation hearing or otherwise, documents which are in his possession or under his control and which relate to the proposed appointment.

Procedure for requesting candidate's appearance at confirmation hearing

- 7 (1) This paragraph applies where the Assembly decides to hold a confirmation hearing.
- (2) The head of the Authority's paid service must give the candidate a notice requesting him to appear at the confirmation hearing.
- (3) The notice must state the date on which, and the time and place at which, the confirmation hearing is to take place.
- (4) The notice must state whether the candidate is requested to attend in person.
- (5) If the candidate is not requested to attend in person, the notice must specify or describe the means by which the candidate may appear.
- (6) The notice must be given to the candidate at least one week before the day on which the confirmation hearing is to take place, unless the candidate waives this right.
- (7) The notice is to be taken to have been given to the candidate if it is sent by—
- (a) registered post, or
 - (b) a recorded delivery service,
- to the address for correspondence specified in the Mayor's notification under paragraph 3 above.
- (8) Sections 61 and 62 of this Act (power to require attendance at meetings and procedure for doing so) do not apply in relation to the candidate in the case of a confirmation hearing.

Restriction of information etc

- 8 (1) This paragraph applies in relation to—
- (a) any confirmation hearing, and

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- (b) any document which the candidate is requested to produce by virtue of paragraph 6(4) above.
- (2) The Secretary of State may by order make provision for any order for the time being in force under section 63 of this Act (restriction of information) to have effect (with or without modifications) in relation to the candidate as it has effect in relation to a person required to attend proceedings or produce documents under section 61(1) (a) or (b) of this Act.
- (3) The candidate is not obliged to answer any question or produce any document which he would be entitled to refuse to answer or produce in or for the purposes of proceedings in a court in England or Wales.

Discharge of Assembly's functions by Assembly, ordinary committee or Chair of Assembly

- 9 (1) The Assembly may arrange under section 54(1)(a) of this Act for any of its functions under this Schedule to be discharged on its behalf by an ordinary committee.
- (2) The Assembly may arrange under section 54(1)(b) of this Act for any of the following functions to be discharged on its behalf by the Chair of the Assembly—
 - (a) its function under paragraph 6(1) above of deciding whether to hold a confirmation hearing;
 - (b) its function under paragraph 6(4) above of deciding whether to request the candidate to produce any documents.
- (3) Except as provided by sub-paragraphs (1) and (2) above, neither the Assembly nor an ordinary committee may arrange for the discharge of any functions under this Schedule on its behalf by—
 - (a) any committee or sub-committee, or
 - (b) a single member of the Assembly.]
- [^{F4}10 (1) The London Assembly may veto the appointment of the candidate as Deputy Mayor for Policing and Crime if the candidate is not a member of the London Assembly.
- (2) The exercise of that power of veto in relation to an appointment is not valid unless the London Assembly—
 - (a) has held a confirmation meeting in relation to the appointment before the exercise of the power; and
 - (b) notifies the Mayor's Office for Policing and Crime of the veto within the period of 3 weeks described in paragraph 4(3).
- (3) If the London Assembly vetoes the appointment of the candidate, the Mayor's Office for Policing and Crime must not appoint the candidate.
- (4) References in this Schedule to the London Assembly vetoing the appointment of a candidate are references to the Assembly making a decision, by the required majority, that the candidate should not be appointed as Deputy Mayor for Policing and Crime.
- (5) For that purpose, the London Assembly makes that decision by the required majority if at least two-thirds of the votes given in making that decision are votes in favour of making that decision.]

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Textual Amendments

F4 Sch. 4A para. 10 inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 20\(3\)\(b\)](#), [157\(1\)](#); [S.I. 2011/3019](#), [art. 3](#), [Sch. 1](#) (with [art. 6](#))

- [^{F5}11 (1) The Assembly may veto—
- (a) the appointment of the candidate as the London Fire Commissioner, or
 - (b) the appointment of the candidate as the Deputy Mayor for Fire if the candidate is not a member of the Assembly.
- (2) The exercise of that power of veto in relation to an appointment is not valid unless the Assembly—
- (a) has held a confirmation meeting in relation to the appointment before the exercise of the power; and
 - (b) notifies the Mayor of the veto within the period of 3 weeks described in paragraph 4(3).
- (3) If the Assembly vetoes the appointment of the candidate, the Mayor must not appoint the candidate.
- (4) References in this Schedule to the Assembly vetoing the appointment of a candidate are references to the Assembly making a decision, by the required majority, that the candidate should not be appointed—
- (a) as the London Fire Commissioner, or
 - (b) as the Deputy Mayor for Fire.
- (5) For that purpose, the Assembly makes that decision by the required majority if at least two-thirds of the votes given in making that decision are votes in favour of making that decision.]

Textual Amendments

F5 Sch. 4A para. 11 inserted (E.W.) (31.1.2017 for specified purposes, 1.3.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), [s. 183\(1\)\(5\)\(e\)](#), [Sch. 2 para. 14\(3\)](#); [S.I. 2018/227](#), [art. 2\(b\)\(i\)](#)

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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\(6\)](#)