



# Local Government Act 2000

## 2000 CHAPTER 22

### PART III

#### CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

#### CHAPTER I

##### CONDUCT OF MEMBERS

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

- C1** Pt. III applied (24.3.2005) by [New Forest National Park Authority \(Establishment\) Order 2005](#) (S.I. 2005/421), art. 1, **Sch. 4 para. 9(3)**
- C2** Pt. III savings for effects of 2005 c. 10, s. 38 (1.4.2006) by [The Public Services Ombudsman \(Wales\) Act 2005 \(Transitional Provisions and Consequential Amendments\) Order 2006](#) (S.I. 2006/362), arts. 1(1), 4
- C3** Pt. III Ch. I applied (12.11.2009 for specified purposes, 1.10.2010 in so far as not already in force) by [Marine and Coastal Access Act 2009](#) (c. 23), ss. **151(7)(c)**, 324(1)(c)(d) (with ss. 172(3), 185); S.I. 2010/2195, art. 3(2)(b)
- C4** 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)**
- C5** Pt. III applied (with modifications) (22.11.2012) by [The Police and Crime Panels \(Application of Local Authority Enactments\) Regulations 2012](#) (S.I. 2012/2734), regs. 1(1), 3-6, **Sch. Pt. 3**

##### *Standards of conduct*

#### **49 Principles governing conduct of members of relevant authorities.**

<sup>F1</sup>(1) .....

(2) The National Assembly for Wales may by order specify the principles which are to govern the conduct of members and co-opted members of relevant authorities <sup>F2</sup>....

**Changes to legislation:** Local Government Act 2000, Chapter I is up to date with all changes known to be in force on or before 18 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

[<sup>F3</sup>(2A) An order under subsection (1) must provide as respects each specified principle—  
(a) that it applies to a person only when acting in an official capacity; or  
(b) that it applies to a person only when not acting in an official capacity;  
but the order may provide as mentioned in paragraph (b) only as respects a principle within subsection (2B).

(2B) A principle is within this subsection if it prohibits particular conduct (or conduct of a particular description) where that conduct would constitute a criminal offence.

<sup>F4</sup>(2C) .....

(2D) An order under subsection (2)—  
(a) may specify principles which are to apply to a person at all times;  
(b) may specify principles which are to apply to a person otherwise than at all times.]

<sup>F5</sup>(3) .....

<sup>F5</sup>(4) .....

(5) Before making an order under this section, the National Assembly for Wales must consult—  
(a) such representatives of relevant authorities <sup>F6</sup>... as it considers appropriate,  
(b) the [<sup>F7</sup>Auditor General for Wales],  
(c) [<sup>F8</sup>the Public Services Ombudsman for Wales], and  
(d) such other persons (if any) as it considers appropriate.

(6) In this Part “relevant authority” means—  
(a) a county council [<sup>F9</sup>in Wales],  
(b) a county borough council,  
[<sup>F10</sup>(ba) a corporate joint committee;]  
<sup>F11</sup>(c) .....  
<sup>F11</sup>(d) .....  
<sup>F11</sup>(e) .....  
(f) a community council,  
<sup>F12</sup>(g) .....  
<sup>F12</sup>(h) .....  
<sup>F12</sup>(i) .....  
<sup>F12</sup>(j) .....  
<sup>F12</sup>(k) .....  
[<sup>F13</sup>(l) a fire and rescue authority [<sup>F14</sup>in Wales] constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies,]  
<sup>F15</sup>(m) .....  
<sup>F15</sup>(n) .....  
<sup>F15</sup>(na) .....  
<sup>F15</sup>(nb) .....  
<sup>F15</sup>(o) .....  
(p) a National Park authority [<sup>F16</sup>in Wales] established under section 63 of the <sup>M1</sup>Environment Act 1995.

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- (7) In this Part “co-opted member”, in relation to a relevant authority, means a person who is not a member of the authority but who—
- (a) is a member of any committee or sub-committee of the authority, or
  - (b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority,
- and who is entitled to vote on any question which falls to be decided at any meeting of that committee or sub-committee.

[<sup>F17</sup>(8) In this Part, “corporate joint committee” means a corporate joint committee established by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021.]

### Textual Amendments

- F1** S. 49(1) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 8(2), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F2** Words in s. 49(2) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 8(3), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F3** S. 49(2A)-(2D) inserted (31.1.2008 for specified purposes) by Local Government and Public Involvement in Health Act 2007 (c. 28), **ss. 183(1), 245(5)** (with s. 183(5)-(11), 201); S.I. 2008/172, art. 5(1)(a)
- F4** S. 49(2C) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 8(4), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F5** S. 49(3)(4) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 8(4), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F6** Words in s. 49(5)(a) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 8(5), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F7** Words in s. 49(5)(b) substituted (1.4.2005) by Public Audit (Wales) Act 2004 (c. 23), s. 73, Sch. 2 para. 53(1)(3); S.I. 2005/558, art. 2, Sch. 1
- F8** Words in s. 49(5)(c) substituted (12.10.2005 for specified purposes, 1.4.2006 in so far as not already in force) by Public Services Ombudsman (Wales) Act 2005 (c. 10), s. 40, **Sch. 4 para. 2(b)**; S.I. 2005/2800, arts. 4(1)(a)(2), 5(1)(3) (with art. 4(3))
- F9** Words in s. 49(6)(a) inserted (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 4 para. 8(6)(a)**; S.I. 2012/1463, art. 5(a) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b) (with arts. 3-6)
- F10** S. 49(6)(ba) inserted (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), **3(2)(a)**
- F11** S. 49(6)(c)-(e) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 8(6)(b), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)

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- F12** S. 49(6)(g)-(k) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 4 para. 8\(6\)\(c\)](#), [Sch. 25 Pt. 5](#); S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F13** S. 49(6)(l) substituted (1.10.2004 except in relation to W., 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), s. 61, [Sch. 1 para. 94](#); S.I. 2004/2304, art. 2; S.I. 2004/2917, art. 2
- F14** Words in s. 49(6)(l) inserted (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 4 para. 8\(6\)\(d\)](#); S.I. 2012/1463, art. 5(a) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b) (with arts. 3-6)
- F15** S. 49(6)(m)-(o) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 4 para. 8\(6\)\(e\)](#), [Sch. 25 Pt. 5](#); S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F16** Words in s. 49(6)(p) inserted (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 4 para. 8\(6\)\(f\)](#); S.I. 2012/1463, art. 5(a) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b) (with arts. 3-6)
- F17** S. 49(8) inserted (25.3.2022) by [The Corporate Joint Committees \(General\) \(Wales\) Regulations 2022 \(S.I. 2022/372\)](#), regs. 1(2), [3\(2\)\(b\)](#)

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

- C6** S. 49 applied (1.4.2009) by [The Charter Trustees Regulations 2009 \(S.I. 2009/467\)](#), regs. 1(1), [14\(3\)](#) (with [reg. 1\(2\)](#))

#### Commencement Information

- I1** S. 49 wholly in force at 28.7.2001; s. 49 not in force at Royal Assent see s. 108; s. 49(2)(5)(6)(a)(b)(f)(l)(m)(p)(7) in force at 1.11.2000 in relation to Wales by [S.I. 2000/2948](#), [art. 2](#); s. 49 in force at 19.12.2000 in relation to England and to police authorities in Wales by [S.I. 2000/3335](#), [art. 2](#); s. 49 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

#### Marginal Citations

- M1** [1995 c. 25](#).

## 50 Model code of conduct.

<sup>F18</sup>(1) . . . . .

(2) The National Assembly for Wales may by order issue a model code as regards the conduct which is expected of members and co-opted members of relevant authorities <sup>F19</sup>... (also referred to in this Part as a model code of conduct).

(3) The power under subsection <sup>F20</sup>... (2) to issue a model code of conduct includes power to revise any such model code which has been issued.

(4) A model code of conduct—

- (a) must be consistent with the principles for the time being specified in an order under section <sup>F21</sup>... 49(2) <sup>F22</sup>...;
- (b) may include provisions which are mandatory, and
- (c) may include provisions which are optional.

<sup>F23</sup>(4A) A model code of conduct issued under subsection (1) must provide, as respects each provision of the code which relates to the conduct expected of the persons mentioned in that subsection—

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- (a) that the provision applies to a person only when acting in an official capacity;  
or
  - (b) that it applies to a person only when not acting in an official capacity;
- but the code may provide as mentioned in paragraph (b) only as respects a provision within subsection (4B).

(4B) A provision is within this subsection if it prohibits particular conduct (or conduct of a particular description) where that conduct would constitute a criminal offence.

<sup>F24</sup>(4C) .....

<sup>F24</sup>(4D) .....

(4E) A model code of conduct issued under subsection (2) may include—

- (a) provisions which are to apply to a person at all times;
- (b) provisions which are to apply to a person otherwise than at all times.]

(5) Before making an order under this section, <sup>F25</sup>... the National Assembly for Wales must carry out such consultation as is required, by virtue of section 49, before an order is made under that section.

<sup>F26</sup>(6) .....

<sup>F26</sup>(7) .....

### Textual Amendments

- F18** S. 50(1) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 9(2), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F19** Words in s. 50(2) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 9(3), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F20** Words in s. 50(3) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 9(4), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F21** Words in s. 50(4)(a) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 9(5)(a), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F22** Words in s. 50(4)(a) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 9(5)(b), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F23** S. 50(4A)-(4E) inserted (31.1.2008 for specified purposes) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 183(2)**, 245(5) (with s. 183(5)-(11), 201); S.I. 2008/172, art. 5(1)(b)
- F24** S. 50(4C)(4D) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 9(6), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)

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- F25** Words in s. 50(5) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 9(7), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F26** S. 50(6)(7) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 9(8), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)

#### Commencement Information

- I2** S. 50 wholly in force at 28.7.2001; s. 50 not in force at Royal Assent see s. 108; s. 50(2)-(7) in force at 1.11.2000 in relation to Wales by [S.I. 2000/2948](#), **art. 2**; s. 50 in force at 19.12.2000 in relation to England and to police authorities in Wales by [S.I. 2000/3335](#), **art. 2**; s. 50 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

## 51 Duty of relevant authorities to adopt codes of conduct.

- (1) It is the duty of a relevant authority, before the end of the period of six months beginning with the day on which the first order under section 50 which applies to them is made, to pass a resolution adopting a code as regards the conduct which is expected of members and co-opted members of the authority (referred to in this Part as a code of conduct).
  - (2) It is the duty of a relevant authority, before the end of the period of six months beginning with the day on which any subsequent order under section 50 which applies to them is made, to pass a resolution—
    - (a) adopting a code of conduct in place of their existing code of conduct under this section, or
    - (b) revising their existing code of conduct under this section.
  - (3) A relevant authority may by resolution—
    - (a) adopt a code of conduct in place of their existing code of conduct under this section, or
    - (b) revise their existing code of conduct under this section.
  - (4) A code of conduct or revised code of conduct—
    - (a) must incorporate any mandatory provisions of the model code of conduct which for the time being applies to that authority,
    - (b) may incorporate any optional provisions of that model code, and
    - (c) may include other provisions which are consistent with that model code.
- <sup>F27</sup>(4A) Where under subsection (4)(c) a provision relating to the conduct expected of persons is included in the code of a relevant authority in England <sup>F28</sup>..., the code must provide—
- (a) that the provision applies to a person only when acting in an official capacity (within the meaning given by the code); or
  - (b) that it applies to a person only when not acting in an official capacity (within that meaning);
- but the code may provide as mentioned in paragraph (b) only as respects a provision within subsection (4B).

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- (4B) A provision of a code is within this subsection if it prohibits particular conduct (or conduct of a particular description) where that conduct would constitute a criminal offence within the meaning of the code.
- (4C) The provisions which may be included under subsection (4)(c) <sup>F29</sup>... include—
- (a) provisions which are to apply to a person at all times;
  - (b) provisions which are to apply to a person otherwise than at all times.]
- (5) Where a relevant authority fail to comply with the duty under subsection (1) or (2) before the end of the period mentioned in that subsection—
- (a) they must comply with that duty as soon as reasonably practicable after the end of that period, and
  - (b) any mandatory provisions of the model code of conduct which for the time being applies to the authority are to apply in relation to the members and co-opted members of the authority for so long as the authority fail to comply with that duty.
- (6) As soon as reasonably practicable after adopting or revising a code of conduct under this section, a relevant authority must—
- (a) ensure that copies of the code or revised code are available at an office of the authority for inspection by members of the public at all reasonable hours,
  - (b) publish in one or more newspapers circulating in their area a notice which—
    - (i) states that they have adopted or revised a code of conduct,
    - (ii) states that copies of the code or revised code are available at an office of the authority for inspection by members of the public at such times as may be specified in the notice, and
    - (iii) specifies the address of that office, and
  - (c) send a copy of the code or revised code—
    - <sup>F30</sup>(i) .....
    - (ii) <sup>F31</sup>... to the [<sup>F32</sup>Public Services Ombudsman for Wales ].
- (7) Where a relevant authority themselves publish a newspaper, the duty to publish a notice under subsection (6)(b) is to be construed as a duty to publish that notice in their newspaper and at least one other newspaper circulating in their area.
- [<sup>F33</sup>(7A) But subsections (6)(a) and (b) and (7) do not apply in relation to a corporate joint committee.
- (7B) As soon as reasonably practicable after adopting or revising a code of conduct under this section, a corporate joint committee must publish the code or revised code electronically.
- (7C) A corporate joint committee must send a copy of its code to any member of the public who requests a copy, as soon as reasonably practicable after receiving the request.]
- (8) A relevant authority may publicise their adoption or revision of a code of conduct under this section in any other manner that they consider appropriate.
- (9) A relevant authority's function with respect to the passing of a resolution under this section may be discharged only by the authority (and accordingly, in the case of a relevant authority to which section 101 of the <sup>M2</sup>Local Government Act 1972 [<sup>F34</sup>or regulation 13 of the Corporate Joint Committees (General) (No. 2) (Wales)

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Regulations 2021] applies, is not to be a function to which [<sup>F35</sup>that section or regulation, applies]).

#### Textual Amendments

- F27** S. 51(4A)-(4C) inserted (31.1.2008 for specified purposes) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 183(3)**, 245(5) (with s. 183(5)-(11), 201); S.I. 2008/172, art. 5(1)(c)
- F28** Words in s. 51(4A) omitted (22.11.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 259(2)**; S.I. 2012/2892, art. 2(i)
- F29** Words in s. 51(4C) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 4 para. 10(2)**, **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F30** S. 51(6)(c)(i) repealed (31.1.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 4 para. 10(3)(a)**, **Sch. 25 Pt. 5**; S.I. 2012/57, art. 5(1)(a)(c)(2)(b) (with arts. 6, 8)
- F31** Words in s. 51(6)(c)(ii) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 4 para. 10(3)(b)**, **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F32** Words in s. 51(6)(c)(ii) substituted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\)](#), s. 40, **Sch. 4 para. 3**; S.I. 2005/2800, art. 5(1)(3) (with transitional provisions in S.I. 2006/362, art. 4)
- F33** S. 51(7A)-(7C) inserted (25.3.2022) by [The Corporate Joint Committees \(General\) \(Wales\) Regulations 2022 \(S.I. 2022/372\)](#), regs. 1(2), **3(3)(a)**
- F34** Words in s. 51(9) inserted (25.3.2022) by [The Corporate Joint Committees \(General\) \(Wales\) Regulations 2022 \(S.I. 2022/372\)](#), regs. 1(2), **3(3)(b)(i)**
- F35** Words in s. 51(9) substituted (25.3.2022) by [The Corporate Joint Committees \(General\) \(Wales\) Regulations 2022 \(S.I. 2022/372\)](#), regs. 1(2), **3(3)(b)(ii)**

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

- C7** S. 51 modified (24.3.2005) by [New Forest National Park Authority \(Establishment\) Order 2005 \(S.I. 2005/421\)](#), art. 1, **Sch. 4 para. 10**
- C8** S. 51 applied (with modifications) (24.3.2010) by [The South Downs National Park Authority \(Establishment\) Order 2010 \(S.I. 2010/497\)](#), art. 1, **Sch. 4 para. 10**

#### Commencement Information

- I3** S. 51 wholly in force at 28.7.2001; s. 51 not in force at Royal Assent see s. 108; s. 51 in force at 19.12.2000 in relation to England and to police authorities in Wales by [S.I. 2000/3335](#), **art. 2**; s. 51 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

#### Marginal Citations

- M2** 1972 c. 70.

## 52 Duty to comply with code of conduct.

(1) [<sup>F36</sup>Subject to subsection (1A), 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



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written undertaking that [<sup>F37</sup>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.

[<sup>F38</sup>(1A) This section does not apply in the case of a member or co-opted member of a corporate joint committee (as to which see section 52ZA). ]

(2) The form of declaration of acceptance of office which may be prescribed by an order under section 83 of the <sup>M3</sup>Local Government Act 1972 [<sup>F39</sup>in relation to a relevant authority] may include an undertaking by the declarant that [<sup>F37</sup>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 [<sup>F37</sup>in performing his functions] he will observe the authority's code of conduct for the time being under section 51.

(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 [<sup>F37</sup>in performing his functions] he will observe the authority's code of conduct for the time being under section 51.

[<sup>F40</sup>(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

- F36** Words in s. 52(1) substituted (25.3.2022) by [The Corporate Joint Committees \(General\) \(Wales\) Regulations 2022 \(S.I. 2022/372\)](#), regs. 1(2), **3(4)(a)**
- F37** 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)
- F38** S. 52(1A) inserted (25.3.2022) by [The Corporate Joint Committees \(General\) \(Wales\) Regulations 2022 \(S.I. 2022/372\)](#), regs. 1(2), **3(4)(b)**
- F39** Words in s. 52(2) inserted (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) 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); S.I. 2012/2913, arts. 1(2), 2(b) (with arts. 3-6)
- F40** 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)

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#### Commencement Information

**I4** 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

**M3** [1972 c. 70](#).

### [<sup>F41</sup>52A County and county borough councils: duties of leaders of political groups in relation to standards of conduct

- (1) A leader of a political group consisting of members of a county council or county borough council in Wales—
  - (a) must take reasonable steps to promote and maintain high standards of conduct by the members of the group, and
  - (b) must co-operate with the council's standards committee (and any sub-committee of the committee) in the exercise of the standards committee's functions.
- (2) In complying with subsection (1), a leader of a political group must have regard to any guidance about the functions under that subsection issued by the Welsh Ministers.
- (3) The Welsh Ministers may by regulations make provision for the purposes of this section about the circumstances in which—
  - (a) members of a county council or county borough council in Wales are to be treated as constituting a political group;
  - (b) a member of a political group is to be treated as a leader of the group.
- (4) Before making regulations under subsection (3), the Welsh Ministers must consult such persons as they think appropriate.]

#### Textual Amendments

**F41** [S. 52A](#) inserted (5.5.2022) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 62\(2\)](#), [175\(7\)](#); [S.I. 2021/231](#), [art. 6\(l\)](#)

### [<sup>F42</sup>52ZADuty to comply with code of conduct for corporate joint committees

- (1) A person who is a member or co-opted member of a corporate joint committee must observe a code of conduct adopted by the corporate joint committee under section 51, including a code revised under subsection (3)(b) of that section.
- (2) In relation to a corporate joint committee whose members or co-opted members are subject to mandatory provisions by virtue of section 51(5)(b), the reference in subsection (1) to the code of conduct adopted by the corporate joint committee includes the mandatory provisions which for the time being apply to the members or co-opted members of the corporate joint committee.]

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**Textual Amendments**

**F42** S. 52ZA inserted (25.3.2022) by [The Corporate Joint Committees \(General\) \(Wales\) Regulations 2022 \(S.I. 2022/372\)](#), regs. 1(2), **3(5)**

*Standards committees*

**53 Standards committees.**

(1) Subject to subsection (2), every relevant authority must establish a committee [<sup>F43</sup>or, with one or more other relevant authorities, a joint committee] which is to have the functions conferred on it by or under this Part.

[<sup>F44</sup>(1ZA) Subsections (1ZB) and (1ZC) apply for the purposes of subsection (1).

(1ZB) Where a relevant authority is a corporate joint committee—

- (a) the reference to establishing a committee is to be read as a reference to establishing a sub-committee;
- (b) the reference to establishing a joint committee with one or more other relevant authorities is to be read, where all of the other relevant authorities are corporate joint committees, as a reference to establishing a joint sub-committee.

(1ZC) The reference to establishing a joint committee is to be read, where one or more of the relevant authorities are corporate joint committees and one or more of the relevant authorities are not corporate joint committees, as a reference to establishing a joint committee which is—

- (a) a sub-committee in relation to the corporate joint committee (or committees), and
- (b) a committee in relation to the relevant authority which is not (or relevant authorities which are not) a corporate joint committee.]

[<sup>F45</sup>(1A) In this Part, a reference to a “standards committee” is a reference to a committee or a joint committee established under subsection (1) [<sup>F46</sup>(read in accordance with subsections (1ZA) to (1ZC))].]

[<sup>F47</sup>(1B) A relevant authority which is a corporate joint committee must establish its first standards committee within the period of 90 days which begins with the day after the day on which the first regulations under subsection (1) which apply to the corporate joint committee come into force.]

(2) Subsection (1) does not apply to a <sup>F48</sup>... community council.

<sup>F49</sup>(3) .....

<sup>F49</sup>(4) .....

<sup>F49</sup>(5) .....

<sup>F49</sup>(6) .....

<sup>F49</sup>(7) .....

<sup>F49</sup>(8) .....

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<sup>F49</sup>(9) .....

<sup>F49</sup>(10) .....

(11) The [<sup>F50</sup>Welsh Ministers] may by regulations make provision—

- (a) as to the size and composition of standards committees of relevant authorities <sup>F51</sup>... (including provision with respect to the appointment to any such committee of persons who are not members of the relevant authority [<sup>F52</sup>or authorities] concerned),
- (b) as to the term of office of members of any such committees,
- (c) as to the persons who may, may not or must chair any such committees,
- (d) as to the entitlement to vote of members of any such committee who are not members of the relevant authority concerned,
- [<sup>F53</sup>(da) about establishing a standards committee which is a joint committee (including, in particular, provision about any restrictions on the number or types of relevant authority that may establish a joint committee),]
- (e) for or in connection with treating any [<sup>F54</sup>standards] committees as bodies to which section 15 of the <sup>M4</sup>Local Government and Housing Act 1989 does not apply,
- (f) with respect to the access of the public to meetings of such committees,
- (g) with respect to the publicity to be given to meetings of such committees,
- (h) with respect to the production of agendas for, or records of, meetings of such committees,
- (i) with respect to the availability to the public or members of relevant authorities of agendas for, records of or information connected with meetings of any such committees,
- (j) as to the proceedings and validity of proceedings of any such committees,
- (k) for or in connection with requiring relevant authorities <sup>F55</sup>... to send to [<sup>F56</sup>the Public Services Ombudsman for Wales] statements which set out the terms of reference of their standards committees.

(12) The provision which may be made by virtue of subsection <sup>F57</sup>... (11)(f) to (i) includes provision which

- [<sup>F58</sup>(a)] applies or reproduces (with or without modifications) any provisions of Part VA of the Local Government Act 1972;
- [<sup>F59</sup>(b)] in relation to a standards committee which is established by a corporate joint committee and which is not a joint standards committee, disapplies or modifies any provision of regulations 16 to 21 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (meetings and proceedings; see also regulation 22 of those Regulations);
- (c) in relation to a standards committee which is established by a corporate joint committee and which is a joint standards committee, applies or reproduces (with or without modifications) any provision of regulations 16 to 21 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (but the power in this paragraph does not affect the exercise of the power in paragraph (a) in relation to such joint standards committees).]

[<sup>F60</sup>(13) A relevant authority which is considering establishing a joint committee must have regard to any guidance issued by the Welsh Ministers about establishing joint committees and the circumstances in which it is appropriate to do so.]

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### Textual Amendments

- F43** Words in s. 53(1) substituted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), **ss. 68(2)(a)**, 75(3); S.I. 2015/1182, art. 2(e)
- F44** S. 53(1ZA)-(1ZC) inserted (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), **3(6)(a)**
- F45** S. 53(1A) inserted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), **ss. 68(2)(b)**, 75(3); S.I. 2015/1182, art. 2(e)
- F46** Words in s. 53(1A) inserted (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), **3(6)(b)**
- F47** S. 53(1B) inserted (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), **3(6)(c)**
- F48** Words in s. 53(2) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 12(2), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F49** S. 53(3)-(10) repealed (31.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 12(3), **Sch. 25 Pt. 5**; S.I. 2012/57, art. 5(1)(a)(c)(2)(c) (with arts. 6, 8); S.I. 2012/2913, arts. 1(2), 2(b) (with arts. 3-6)
- F50** Words in s. 53(11) substituted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), **ss. 68(2)(c)(i)**, 75(3); S.I. 2015/1182, art. 2(e)
- F51** Words in s. 53(11)(a) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 12(4)(a), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F52** Words in s. 53(11)(a) inserted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), **ss. 68(2)(c)(ii)**, 75(3); S.I. 2015/1182, art. 2(e)
- F53** S. 53(11)(da) inserted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), **ss. 68(2)(c)(iii)**, 75(3); S.I. 2015/1182, art. 2(e)
- F54** Word in s. 53(11)(e) substituted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), **ss. 68(2)(c)(iv)**, 75(3); S.I. 2015/1182, art. 2(e)
- F55** Words in s. 53(11)(k) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 12(4)(b), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F56** Words in s. 53(11)(k) substituted (12.10.2005 for specified purposes, 1.4.2006 in so far as not already in force) by Public Services Ombudsman (Wales) Act 2005 (c. 10), s. 40, **Sch. 4 para. 4**; S.I. 2005/2800, arts. 4(1)(a)(2), 5(1) (with art. 4(3))
- F57** Words in s. 53(12) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 12(5), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F58** Words in s. 53(12) renumbered as s. 53(12)(a) (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), **3(6)(d)(i)**
- F59** S. 53(12)(b)(c) inserted (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), **3(6)(d)(ii)**
- F60** S. 53(13) inserted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), **ss. 68(2)(d)**, 75(3); S.I. 2015/1182, art. 2(e)

### Commencement Information

- I5** S. 53 wholly in force at 28.7.2001; s. 53 not in force at Royal Assent see s. 108; s. 53(11)(12) in force at 1.11.2000 in relation to Wales by S.I. 2000/2948, **art. 2**; s. 53 in force at 19.12.2000 in relation to

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England and to police authorities in Wales by S.I. 2000/3335, art. 2; s. 53 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

**Marginal Citations**

**M4** 1989 c. 42.

**54 Functions of standards committees.**

- (1) The general functions of a standards committee of a relevant authority are—
  - (a) promoting and maintaining high standards of conduct by the members and co-opted members of the authority, and
  - (b) assisting members and co-opted members of the authority to observe the authority’s code of conduct.
- (2) Without prejudice to its general functions, a standards committee of a relevant authority has the following specific functions—
  - (a) advising the authority on the adoption or revision of a code of conduct,
  - (b) monitoring the operation of the authority’s code of conduct, and
  - (c) advising, training or arranging to train members and co-opted members of the authority on matters relating to the authority’s code of conduct.
- [<sup>F61</sup>(2A) A standards committee of a county council or county borough council in Wales also has the specific functions of—
  - (a) monitoring compliance by leaders of political groups on the council with their duties under section 52A(1), and
  - (b) advising, training or arranging to train leaders of political groups on the council about matters relating to those duties.]
- (3) A relevant authority may arrange for their standards committee to exercise such other functions as the authority consider appropriate.
- [<sup>F62</sup>(3A) In relation to a relevant authority whose members and co-opted members are subject to mandatory provisions by virtue of section 51(5)(b), references in subsection (1)(b) and (2)(b) and (c) to the authority’s code of conduct are to those mandatory provisions.]
- <sup>F63</sup>(4) .....
- (5) The [<sup>F64</sup>Welsh Ministers] may by regulations make provision with respect to the exercise of functions by standards committees of relevant authorities <sup>F65</sup>....
- [<sup>F66</sup>(5A) Regulations made under subsection (5) may modify any provision of this Part, or any other enactment relating to a standards committee or to any functions of a standards committee, in relation to cases where a function of a standards committee is exercisable by a joint committee.
- (5B) In subsection (5A) “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the Interpretation Act 1978 (c. 30)), whenever passed or made.]
- <sup>F67</sup>(6) .....
- [<sup>F68</sup>(7) A standards committee must, in exercising any of its functions, have regard to any relevant guidance issued by the Welsh Ministers.]

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### Textual Amendments

- F61** S. 54(2A) inserted (5.5.2022) by Local Government and Elections (Wales) Act 2021 (asc 1), **ss. 62(3)**, 175(7); S.I. 2021/231, art. 6(1)
- F62** S. 54(3A) inserted (31.1.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), **ss. 184(3)**, 245(5) (with s. 201); S.I. 2008/172, art. 2(1)(i)
- F63** S. 54(4) repealed (7.6.2012 for specified purposes, 1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 13(2), **Sch. 25 Pt. 5**; S.I. 2012/1463, arts. 2(h), 5(a)(d) (with arts. 6, 7); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F64** Words in s. 54(5) substituted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), **ss. 68(3)(a)**, 75(3); S.I. 2015/1182, art. 2(e)
- F65** Words in s. 54(5) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 13(3), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F66** S. 54(5A)(5B) inserted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), **ss. 68(3)(b)**, 75(3); S.I. 2015/1182, art. 2(e)
- F67** S. 54(6) repealed (31.1.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 13(4), **Sch. 25 Pt. 5**; S.I. 2012/57, art. 5(1)(a)(c)(2)(d) (with arts. 6, 8)
- F68** S. 54(7) substituted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), **ss. 68(3)(c)**, 75(3); S.I. 2015/1182, art. 2(e)

### Commencement Information

- I6** S. 54 wholly in force at 28.7.2001; s. 54 not in force at Royal Assent see s. 108; s. 54(5)(7) in force at 1.11.2000 in relation to Wales by S.I. 2000/2948, **art. 2**; s. 54 in force at 19.12.2000 in relation to England and to police authorities in Wales by S.I. 2000/3335, **art. 2**; s. 54 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

### [<sup>F69</sup>54A Sub-committees of standards committees

- (1) A standards committee of a relevant authority may appoint one or more sub-committees for the purpose of discharging any of the committee's functions, whether or not to the exclusion of the committee.

[ Subsection (1) does not apply to a standards committee established by a corporate <sup>F70</sup>(1A) joint committee.]

- (2) Subsection (1) does not apply to functions under section <sup>F71</sup>...56.

- (3) A sub-committee under subsection (1) shall be appointed from among the members of the standards committee by which it is appointed <sup>F72</sup>....

<sup>F73</sup>(4) .....

- (5) As regards sub-committees appointed under subsection (1) by a standards committee of a relevant authority <sup>F74</sup>...—

- (a) regulations under section 53(11) may make provision in relation to such sub-committees, and
- (b) section 54(5) and (7) apply in relation to such sub-committees as they apply in relation to standards committees.

- (6) Subject to <sup>F75</sup>... any provision made by regulations under section [<sup>F76</sup>53(11)(a)] (as applied by this section)—

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- (a) the number of members of a sub-committee under subsection (1), and  
 (b) the term of office of those members,  
 are to be fixed by the standards committee by which the sub-committee is appointed.]

#### Textual Amendments

- F69** S. 54A inserted (18.11.2003) by [Local Government Act 2003 \(c. 26\)](#), **ss. 113(1)**, 128(2)(d)
- F70** S. 54A(1A) inserted (25.3.2022) by [The Corporate Joint Committees \(General\) \(Wales\) Regulations 2022 \(S.I. 2022/372\)](#), regs. 1(2), **3(7)**
- F71** Words in s. 54A(2) repealed (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. 188(1)(a), 245(5), **Sch. 18 Pt. 15** (with s. 201); S.I. 2008/172, art. 2(1)(j)(u)(ii) (with art. 2(2))
- F72** Words in s. 54A(3) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 14(2), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F73** S. 54A(4) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 14(3), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F74** Words in s. 54A(5) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 14(4), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F75** Words in s. 54A(6) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 14(5)(a), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F76** Words in s. 54A(6) substituted (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 4 para. 14(5)(b)**; S.I. 2012/1463, art. 5(a) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b) (with arts. 3-6)

#### <sup>F78</sup>**55 Standards committees** <sup>F77</sup> ... for parish councils.

.....

#### Textual Amendments

- F77** Words in s. 55 repealed (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. 188(2)(a), 245(5), **Sch. 18 Pt. 15** (with s. 201); S.I. 2008/172, art. 2(1)(j)(u)(ii) (with art. 2(2))
- F78** S. 55 repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 15, **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)



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## 56 Standards committees or sub-committees for community councils.

- (1) A standards committee of a county council in Wales is to have the same functions in relation to—
  - (a) the community councils which are situated in the area of the county council, and
  - (b) the members of those community councils,as the standards committee has under section 54(1) and (2) in relation to the county council and the members of the county council.
- (2) A standards committee of a county borough council is to have the same functions in relation to—
  - (a) the community councils which are situated in the area of the county borough council, and
  - (b) the members of those community councils,as the standards committee has under section 54(1) and (2) in relation to the county borough council and the members of the county borough council.
- (3) A standards committee of a county council or county borough council may appoint a sub-committee for the purpose of discharging all of the functions conferred on the standards committee by this section.
- (4) In deciding whether it will be their standards committee, or a sub-committee of their standards committee, which is to discharge the functions conferred by this section, a county council or county borough council must consult the community councils which are situated in their area.
- (5) Regulations under section 53(11) may make provision in relation to sub-committees appointed under this section.
- (6) Subsections (5) and (7) of section 54 apply in relation to sub-committees of standards committees appointed under this section as they apply in relation to standards committees.
- (7) Any function which by virtue of the following provisions of this Part is exercisable by or in relation to the standards committee of a relevant authority which is a community council is to be exercisable by or in relation to—
  - (a) the standards committee of the county council or county borough council in whose area the community council is situated, or
  - (b) where that standards committee has appointed a sub-committee under this section, that sub-committee;and any reference in the following provision of this Part to the standards committee of a relevant authority which is a community council is to be construed accordingly.

## <sup>F79</sup> 56A Joint committees of relevant authorities in England

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### Textual Amendments

- F79** S. 56A repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 4 para. 16, [Sch. 25 Pt. 5](#); S.I. 2012/1463, art. 5(a)(d) (with

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arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)

### **[<sup>F80</sup>56B Annual reports by standards committees**

- (1) As soon as reasonably practicable after the end of each financial year, a standards committee of a relevant authority must make an annual report to the authority in respect of that year.
- (2) The annual report must describe how the committee's functions have been discharged during the financial year.
- (3) In particular, the report must include a summary of—
  - (a) what has been done to discharge the general and specific functions conferred on the committee by section 54 or 56;
  - (b) reports and recommendations made or referred to the committee under Chapter 3 of this Part;
  - (c) action taken by the committee following its consideration of such reports and recommendations;
  - (d) notices given to the committee under Chapter 4 of this Part.
- (4) An annual report by a standards committee of a county council or county borough council in Wales must include the committee's assessment of the extent to which leaders of political groups on the council have complied with their duties under section 52A(1) during the financial year.
- (5) An annual report by a standards committee of a relevant authority may include recommendations to the authority about any matter in respect of which the committee has functions.
- (6) A relevant authority must consider each annual report made by its standards committee before the end of 3 months beginning with the day on which the authority receives the report.
- (7) The function of considering the report may be discharged only by the relevant authority (and accordingly is not a function to which section 101 of the Local Government Act 1972 [<sup>F81</sup>or, in the case of a relevant authority which is a corporate joint committee, regulation 13 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (arrangements for discharge of functions)] applies).
- (8) In this section “financial year” means a period of 12 months ending with 31 March.]

#### **Textual Amendments**

- F80** S. 56B inserted (5.5.2022) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), ss. **63(1)**, 175(7); S.I. 2021/231, art. 6(m)
- F81** Words in s. 56B(7) inserted (6.5.2022) by [The Corporate Joint Committees \(General\) \(Wales\) Regulations 2022 \(S.I. 2022/372\)](#), regs. 1(3), **3(8)**

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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. 21(2ZA) inserted by [2011 nawm 4 s. 59\(3\)](#)
- s. 21(13)(c) inserted by [2011 nawm 4 s. 59\(5\)\(b\)](#)
- s. 21(15A) inserted by [2011 nawm 4 s. 59\(6\)](#)
- s. 21(18) inserted by [2011 nawm 4 s. 59\(7\)](#)
- s. 21C(6)(aa)(ab) inserted by [2012 c. 7 Sch. 5 para. 97\(a\)](#)