



Local Government and Public Involvement in Health Act 2007

2007 CHAPTER 28

PART 9

THE COMMISSION FOR LOCAL ADMINISTRATION IN ENGLAND

172 Authorities subject to investigation

- (1) Section 25 of the Local Government Act 1974 (c. 7) (authorities subject to investigation) is amended as follows.
- (2) In subsection (4), for paragraphs (b) and (c) substitute—
 - “(b) to a committee or sub-committee of that authority (including a joint committee or joint sub-committee on which the authority are represented),and (for the avoidance of doubt) subsections (4ZA) to (5) apply for the purposes of this subsection.”
- (3) After subsection (4) insert—
 - “(4ZA) Any reference to an authority to which this Part of this Act applies also includes, in the case of a local authority operating executive arrangements, the executive.”
- (4) In subsection (4A) (Greater London Authority), omit paragraphs (b) and (c).
- (5) Omit subsection (4B) (sub-committees of the London Transport Users Committee).
- (6) In subsection (5)—
 - (a) in paragraph (c), after “constituted” insert “by the authority”;
 - (b) in paragraph (d), after first “school” insert “maintained by the authority”;
 - (c) in paragraph (e), after “constituted” insert “by the authority”.

Status: This is the original version (as it was originally enacted).

(7) After subsection (5) insert—

- “(6) Subsection (7) has effect where an authority to which this Part of this Act applies exercise a function entirely or partly by means of an arrangement with another person.
- (7) For the purposes of this Part of this Act, action taken by or on behalf of the other person in carrying out the arrangement shall be treated as action taken—
- (a) on behalf of the authority, and
 - (b) in the exercise of the authority’s function.
- (8) Subsection (7) does not have effect where, by virtue of another enactment, the action would be treated as action taken by the authority.”