

2000 No. 1174

LONDON GOVERNMENT

**The London Development Agency (Transitional Provisions)
Order 2000**

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| <i>Made - - - -</i> | <i>29th April 2000</i> |
| <i>Laid before Parliament</i> | <i>2nd May 2000</i> |
| <i>Coming into force</i> | <i>3rd July 2000</i> |

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred on him by sections 405(2) and 406(1) of the Greater London Authority Act 1999^(a) and of all other powers enabling him in that behalf, hereby makes the following Order—

Citation and commencement

1. This Order may be cited as the London Development Agency (Transitional Provisions) Order 2000 and shall come into force on 3rd July 2000.

Modification of the Regional Development Agencies Act 1998

2. The Regional Development Agencies Act 1998^(b) shall apply in relation to the London Development Agency with the following modifications—

(a) section 2 shall apply as if the following subsection were added—

“(12) This section is subject to Schedule 2A (which makes transitional provisions for the purposes of the London Development Agency).”;

(b) the Act shall apply as if the following Schedule were inserted after Schedule 2 (constitution of agencies)—

^(a) 1999 c. 29.

^(b) 1998 c. 45. The Act is amended, so far as it relates to the London Development Agency, by Part V of, and Schedule 25 to, the Greater London Authority Act 1999. Section 304 of that Act inserts subsection (6) to (11) in section 2 of the Regional Development Agencies Act 1998.

TRANSITIONAL PROVISIONS FOR THE LONDON DEVELOPMENT
AGENCY

1. Until the day on which at least 8 members of the agency appointed by the Mayor under section 2(1) take office, the London Development Agency shall consist of not less than 2 and not more than 4 members appointed by the Secretary of State (“the interim members”), and the Secretary of State shall designate one of those members as chairman of the agency.

2. Subject to paragraph 3, the interim members shall hold office in accordance with the terms of their appointment.

3.—(1) The appointments of the interim members shall cease at such time on the day on which the Mayor’s appointments under section 2(1) are due to take effect as the Mayor shall specify in a notice in writing to the Secretary of State.

(2) Such notice shall be given not later than 3 days before the day on which the Mayor’s appointments are due to take effect or such shorter period before the time specified in the notice as the Mayor and the Secretary of State may agree.

4. Schedule 2 (constitution of agencies) has effect in relation to the interim members as if—

- (a) paragraphs 1(1), 1(4), 2(2), 3 and 3A were omitted^(a);
 - (b) in paragraph 2, the words from “and shall, on ceasing to be chairman” to the end were omitted; and
 - (c) in paragraph 4(2)(a), for “chairman (or chairman designate)” there were substituted “person, if any, whom the Mayor proposes will be the chairman”.; and
- (c) section 6 (delegation of functions by Ministers) shall apply as if the following subsection were added—

“(8) Subsection (3) shall not apply in relation to any delegation of functions to the London Development Agency under subsection (1) that is made before at least 8 members of the agency appointed by the Mayor under section 2(1) take office.”^(b).

Modifications ceasing to apply

3. The modifications made by this Order shall cease to apply immediately after the interim members of the London Development Agency appointed in accordance with the modification in article 2(b) have ceased to hold office.

Signed by authority of the Secretary of State for
the Environment, Transport and the Regions

Keith Hill
Parliamentary Under Secretary of State,
Department of the Environment, Transport
and the Regions

29th April 2000

(a) Paragraphs 1(4) and 2(2) and 3A of Schedule 2 to the Regional Development Agencies Act 1998 were inserted by paragraphs 20(2), (4) and (5) of Schedule 25 to the Greater London Authority Act 1999.
(b) Section 305(1) of the Greater London Authority Act 1999 inserts subsection (7) in section 6 of the Regional Development Agencies Act 1998.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order modifies the Regional Development Agencies Act 1998 (“the Act”) for transitional purposes relating to the London Development Agency.

Under the Act, as amended in relation to the agency by Part V of the Greater London Authority Act 1999 (sections 304 to 309 and Schedule 25), the Mayor is empowered to appoint the members of the agency instead of the Secretary of State. (The agency shall consist of not less than 8 nor more than 15 members.) The main effect of the Order is to empower the Secretary of State to appoint members of the agency to hold office from 3rd July, when the agency is established^(a), until a time specified by the Mayor (in a notice to the Secretary of State) on the day on which the Mayor’s own appointments are due to take effect.

The Order also makes consequential modifications relating to Schedule 2 to the Act (constitution of agencies). In particular, the effect of the modifications is that members appointed by the Secretary of State are not to receive remuneration as members of the agency; that the Secretary of State may remove those members from office; and that if the Mayor wishes to appoint a chief executive before his own appointments of members of the agency take effect, he will do so after consulting the person, if any, he proposes will be the chairman.

The Order also removes the requirement to obtain the agency’s agreement to any delegation of functions made under section 6(1) before at least 8 members of the agency appointed by the Mayor take office (such a delegation will still need the consent of the Mayor).

^(a) Section 1 of the Regional Development Agencies Act 1998, so far as it relates to the establishment of a regional development agency for London, comes into force on 3rd July 2000 (*see* the Regional Development Agencies Act 1998 (Commencement No. 2) Order 2000 (S.I. 2000/1173) (C. 37)).

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