

SCHEDULE

TRANSITIONAL AND SAVING PROVISIONS

PART 4

Reviews

Councils whose recommendations have been received before the relevant date

8.—(1) This paragraph applies where a council's recommendations under section 9(2) of the 1997 Act have been received by the Secretary of State before the relevant date.

(2) The Secretary of State may agree with the council that—

- (a) the recommendations are not to be dealt with by her but are instead to be treated as if they were recommendations made in a community governance review undertaken by the council under Part 4 of the Act; and
- (b) sections 86 and 96 to 100 of the Act shall apply accordingly.

(3) For the purposes of sub-paragraph (2), a recommendation is “dealt with” when the Secretary of State—

- (a) notifies the council which sent the recommendations that she has decided not to make an order under section 14 of the 1997 Act giving effect to the recommendation; or
- (b) makes an order under section 14 of that Act giving effect to the recommendation (with or without modifications).

(4) If related proposals were received by the Electoral Commission before the relevant date under section 9(3A) or (5) of the 1997 Act, the Commission may agree with the council that—

- (a) those proposals shall be treated as if they were recommendations made in a community governance review under Part 4 of the Act; and
- (b) sections 86 and 96 to 100 of the Act shall apply accordingly.

(5) If the Electoral Commission has not dealt with the proposals before 3rd March 2008—

- (a) the proposals shall be treated as if they were recommendations made in a community governance review under Part 4 of the Act; and
- (b) sections 86 and 96 to 100 of the Act shall apply accordingly.

(6) For the purposes of sub-paragraph (5), a proposal is “dealt with” if the Electoral Commission—

- (a) notifies the council which sent the proposal that it has decided not to make an order under section 14 of the 1997 Act giving effect to the proposal;
- (b) makes an order under section 14 of that Act giving effect to the proposal.