
STATUTORY INSTRUMENTS

2008 No. 917

**The Local Government and Public Involvement
in Health Act 2007 (Commencement No.5 and
Transitional, Saving and Transitory Provision) Order 2008**

Provisions coming into force on 1st April 2008

- 2.—(1) The following provisions of the Act shall come into force on 1st April 2008—
- (a) section 136 (parish councils and community councils etc not to be best value authorities) and Schedule 7 (amendments consequential on removing parish councils etc from best value duties);
 - (b) section 137 (guidance about general best value duty) in relation to England and police authorities in Wales;
 - (c) section 139 (abolition of performance indicators etc except for Welsh authorities);
 - (d) section 140 (abolition of best value performance reviews) in so far as it applies in relation to England;
 - (e) section 144 (best value: minor and consequential amendments) and Schedule 8 (best value: minor and consequential amendments);
 - (f) section 168 (appointment and removal of Commissioners) in so far as it relates to appointments of Local Commissioners made on or after 1st April 2008;
 - (g) section 169 (responsibilities of Commissioners);
 - (h) section 170 (annual reports) in relation to any report submitted on or after 1st April 2008;
 - (i) sections 171 to 176 (which relate to investigations and reports by Local Commissioners) in relation to matters coming to the attention of the Commission on or after 1st April 2008;
 - (j) section 177 (publication of reports etc by Commissioners);
 - (k) section 178 (making complaints etc electronically);
 - (l) section 179 (disqualifications);
 - (m) section 181 (delegation) in relation to matters coming to the attention of the Commission on or after 1st April 2008;
 - (n) section 182 and Schedule 12 (minor and consequential amendments);
 - (o) sections 205 to 209 (joint waste authorities in England);
 - (p) Schedule 13 (consequential amendments relating to joint waste authorities);
 - (q) section 211 (interpretation of Part 11);
 - (r) section 219(1) (establishment of the Tribunal) in so far as it relates to the provisions specified in sub-paragraph (w) and paragraph (2) below;
 - (s) section 220(1) (consequential and transitional provision etc.) in so far as it relates to the provisions specified in sub-paragraphs (x) to (dd) below;
 - (t) section 220(2) to (4);

- (u) section 239 (contracting out);
 - (v) section 241 (repeals), in so far as it relates to—
 - (i) the provisions specified in Part 8 of Schedule 18 other than the entry relating to section 29(3) of the Local Government Act 1999⁽¹⁾; and
 - (ii) the provisions specified in Part 14 of Schedule 18.
 - (w) paragraphs 1 and 2 of Schedule 15 (the Valuation Tribunal for England) in so far as they relate to the provisions specified in paragraph (2) below;
 - (x) paragraph 1 of Schedule 16 (House of Commons Disqualification Act 1975⁽²⁾);
 - (y) paragraph 10 of that Schedule (Local Government Act 2003⁽³⁾) in so far as it relates to the provisions specified in sub-paragraphs (z) to (cc) below;
 - (z) paragraph 11(1) of that Schedule in so far as it relates to the provision specified in sub-paragraph (aa) below;
 - (aa) paragraph 11(2)(e) of that Schedule to the Act;
 - (bb) paragraph 13(1) of that Schedule in so far as it relates to the provisions specified in sub-paragraph (cc) below;
 - (cc) paragraph 13(2)(a) and (3) of that Schedule; and
 - (dd) paragraphs 14 to 16 of that Schedule (Constitutional Reform Act 2005⁽⁴⁾) in so far as they relate to the office of President or the office of Vice-President.
- (2) The provisions referred to in paragraph (1)(r) and (w) are all the provisions of Part 1 of Schedule 11 to the Local Government Act 1988⁽⁵⁾ with the exception of—
- (a) paragraph A2 (transfer of the jurisdiction of the existing English tribunals),
 - (b) paragraph A3 (arbitration), and
 - (c) paragraph A18 (member of the Tribunal unable to act in an appeal).

(1) 1999 c.27. The entry relating to section 29(3) of the 1999 Act, and section 241 of the 2007 Act so far as relating to that entry, were brought into force on 30 December 2007.

(2) 1975 c.24.

(3) 2003 c.26.

(4) 2005 c.4.

(5) 1988 c.41. Part 1 of Schedule 11 to the Local Government Act 1988 is inserted by paragraph 2 of Schedule 15 to the Act.