

2012 No. 1714

LOCAL GOVERNMENT, ENGLAND AND WALES

The Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) (Amendment) Order 2012

Made - - - - - *2nd July 2012*

Coming into force in accordance with article 1(1)

The Secretary of State for Communities and Local Government, in exercise of the powers conferred by section 240(2) and (7) of the Localism Act 2011(a), makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) (Amendment) Order 2012 and shall come into force on the day after the day on which it is made.

(2) In this Order, “the Order” means the Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) Order 2012(b).

Amendment of the Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) Order 2012

2.—(1) Article 7 of the Order is amended as follows.

(2) After paragraph (2) insert—

“(2A) A person who falls within the description in sub-paragraphs (a) and (b) of paragraph (1) may not be appointed for a period ending on or after 1st July 2013.

(2B) Paragraph (2A) does not apply in relation to an appointment—

(a) made before 24th July 2012; and

(b) where the period of the appointment ends on or after 1st July 2013.”

Signed by authority of the Secretary of State for Communities and Local Government

Bob Neill

Parliamentary Under Secretary of State

Department for Communities and Local Government

2nd July 2012

(a) 2011 c.20.

(b) S.I. 2012/1463 (c.56).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends article 7 of the Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) Order 2012 (“the Order”).

Chapter 7 of Part 1 of the Localism Act 2011 makes provision in relation to standards matters. Relevant authorities have a duty to promote and maintain high standards of conduct by members and co-opted members and must adopt a code of conduct. Relevant authorities must have arrangements in place to deal with any allegations of failure to comply with the code of conduct and must appoint an independent person.

Article 7 of the Order contains transitional provisions relating to the appointment of the independent person under section 28(7) of the Localism Act 2011. Article 2 of this Order inserts new paragraph (2A) to limit the period of an appointment under the transitional provisions in the Order to not later than the 30th June 2013. New paragraph (2B) inserted by article 2 of this Order ensures that the amendments do not apply where an appointment has been made before 24th July 2012 and where the period of that appointment ends on or after 1st July 2013.

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