
STATUTORY INSTRUMENTS

2012 No. 1772

LOCAL GOVERNMENT, ENGLAND

**The Local Government Officers (Political Restrictions)
(Amendment) (England) Regulations 2012**

<i>Made</i>	- - - -	<i>5th July 2012</i>
<i>Laid before Parliament</i>		<i>11th July 2012</i>
<i>Coming into force</i>	- -	<i>6th August 2012</i>

The Secretary of State for Communities and Local Government, in exercise of the powers conferred by sections 1(5) and (6) and 190(1) of the Local Government and Housing Act 1989⁽¹⁾, makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Local Government Officers (Political Restrictions) (Amendment) (England) Regulations 2012 and shall come into force on 6th August 2012.

(2) These Regulations apply in relation to England only.

Amendment of the Local Government Officers (Political Restrictions) Regulations 1990

2.—(1) The Local Government Officers (Political Restrictions) Regulations 1990⁽²⁾ are amended as follows.

(2) In regulation 2 (interpretation) after the definition of “the Act” insert—

““Deputy Mayor for Policing and Crime” means a person appointed under section 19(1) of the Police Reform and Social Responsibility Act 2011⁽³⁾”.

(3) In regulation 3 (terms of appointment and conditions of employment)—

(a) in paragraph (1) for “The terms of appointment” substitute “Subject to paragraph (3), the terms of appointment”;

(b) after paragraph (2) insert—

(1) 1989 c. 42. These powers are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); see the entry in Schedule 1 for the Local Government and Housing Act 1989. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32) they were transferred to the Welsh Ministers.

(2) S.I. 1990/851. Relevant amendments were made by S.I. 1999/715 and 1999/1665.

(3) 2011 c. 13.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“(3) Paragraphs 4, 5, 6, 7 and 8 of the Schedule do not apply where the appointee is the Deputy Mayor for Policing and Crime.”.

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

5th July 2012

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Local Government Officers (Political Restrictions) Regulations 1990 (“the 1990 Regulations”) impose restrictions on the public political activities of local government officers who are appointed to or employed in posts which are politically restricted posts for the purposes of Part 1 of the Local Government and Housing Act 1989. The restrictions take the form of terms and conditions that are deemed to be incorporated into those officers’ terms of appointment and conditions of employment. The restrictions applicable to all holders of politically restricted posts are set out in Part 1 of the Schedule to the Regulations. Additional restrictions applicable to officers who are not appointed as political assistants under section 9 of the 1989 Act are set out in Part 2 of the Schedule. Additional restrictions applicable to political assistants appointed under section 9 are set out in Part 3 of the Schedule.

These Regulations amend the 1990 Regulations to disapply certain restrictions in the case of a person who is the Deputy Mayor for Policing and Crime, appointed under section 19 of the Police Reform and Social Responsibility Act 2011.

A full impact assessment has not been produced in relation to these Regulations as no impact on the private or voluntary sectors is foreseen.