

2016 No. 675 (C. 48)

LOCAL GOVERNMENT, ENGLAND AND WALES

**The Local Audit and Accountability Act 2014 (Commencement
No. 8 and Commencement No. 7, Transitional Provisions and
Savings (Amendment)) Order 2016**

Made - - - -

27th June 2016

The Secretary of State for Communities and Local Government makes the following Order in exercise of the powers conferred by section 49(1) and (5) to (8) of the Local Audit and Accountability Act 2014^(a).

Citation

1. This Order may be cited as the Local Audit and Accountability Act 2014 (Commencement No. 8 and Commencement No. 7, Transitional Provisions and Savings (Amendment)) Order 2016.

Amendment of the Local Audit and Accountability Act 2014 (Commencement No. 7, Transitional Provisions and Savings) Order 2015

2.—(1) The Local Audit and Accountability Act 2014 (Commencement No. 7, Transitional Provisions and Savings) Order 2015^(b) is amended as follows.

(2) In article 2 (interpretation)—

(a) in the definition of “relevant financial year” for paragraph (b) substitute—

“(b) (i) in relation to a two-year transitional period authority, falling within the period beginning with 1st April 2015 and ending with 31st March 2017; or

(ii) in relation to any other relevant authority^(c), falling within the period beginning with 1st April 2015 and ending with 31st March 2018;”;

(b) for the definition of “transitional period” substitute—

““transitional period” means—

(a) in relation to a two-year transitional period authority the period beginning with 1st April 2015 and ending with 31st March 2017;

(b) in relation to any other relevant authority the period beginning with 1st April 2015 and ending with 31st March 2018;”;

(a) 2014 c.2.

(b) S.I. 2015/841.

(c) For the meaning of “relevant authority” see the Local Audit and Accountability Act 2014 (“the 2014 Act”), section 2 and Schedule 2. A relevant amendment was made to paragraph 24 of that Schedule (special trustees for a hospital) by S.I. 2015/975 and that paragraph is repealed by paragraph 18 of Schedule 1 to the NHS (Charitable Trusts etc.) Act 2016 (c.10) (“the 2016 Act”) (not yet in force). Schedule 2 to the 2014 Act is modified to include paragraphs 24A and 24B (certain NHS trusts and trustees to those NHS trusts) by paragraphs 1 and 3(2) of Schedule 13 to the 2014 Act; paragraphs 1 and 3 of Schedule 13 are amended by paragraph 19 of Schedule 1 to the 2016 Act (not yet in force). Paragraph 25 of Schedule 2 to the 2014 Act was repealed by paragraph 6(1) and (37) of Schedule 13 to the Deregulation Act 2015 (c.20).

- (c) after the definition of “transitional period” insert—
 - ““two-year transitional period authority” means—
 - (a) a smaller authority within the meaning of section 6 of the 2014 Act which is not a full audit authority in accordance with regulation 8 of the Local Audit (Smaller Authorities) Regulations 2015(a);
 - (b) a clinical commissioning group;
 - (c) special trustees for a hospital;
 - (d) an NHS trust all or most of whose hospitals, establishments and facilities are situated in England; or
 - (e) any trustees for an NHS trust all or most of whose hospitals, establishments and facilities are situated in England, appointed under paragraph 10 of Schedule 4 to the National Health Service Act 2006.”.
- (3) In article 4 (provisions of the 2014 Act coming into force on 1st April 2017) omit “45 and”.
- (4) In paragraph (3) of article 6 (transitory provisions: functions of the Audit Commission) for “transitional period” substitute “period beginning with 1st April 2015 and ending with 31st March 2018”.
- (5) In article 7 (transitory provision: exercise of functions) for “2017” substitute “2018”.
- (6) In the Schedule (further transitional, transitory and saving provisions)—
 - (a) in paragraph 1(2) and (3) for “1st April 2017” substitute—
 - “—
 - (a) 1st April 2017 in relation to a two-year transitional period authority; or
 - (b) 1st April 2018 in relation to any other relevant authority.”;
 - (b) in paragraph 4(2) for “During the transitional period” substitute “Until 31st December 2018”;
 - (c) in paragraph 11(1) for “transitional period” substitute “period beginning with 1st April 2015 and ending with 31st March 2017”.

Provisions of the 2014 Act coming into force on 1st April 2018

3. 1st April 2018 is the day appointed for the coming into force of paragraph 45 of Schedule 12 to the Local Audit and Accountability Act 2014 and section 45 so far as it relates to that paragraph.

Marcus Jones
Parliamentary Under Secretary of State
Department of Communities and Local Government

27th June 2016

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Local Audit and Accountability Act 2014 (Commencement No. 7, Transitional Provisions and Savings) Order 2015 and brings into force a provision of the Local Audit and Accountability Act 2014 (“the 2014 Act”) on 1st April 2018.

Article 2 makes a number of amendments to reflect that the transitional arrangements will end on different dates depending on the type of relevant authority. The transitional arrangements for most smaller authorities (as defined by section 6 of the 2014 Act) and various NHS bodies (see paragraphs (b) to (e) of the definition of two-year transitional period authority) will end on 31st

(a) S.I. 2015/184.

March 2017 and for other relevant authorities transitional arrangements will end on 31st March 2018.

Article 3 commences paragraph 45 of Schedule 12 to the 2014 Act on 1st April 2018 to account for the longer of the two transitional periods.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1	1st April 2015	S.I. 2015/841 (C.53)
Section 2(1) and (2) (partially)	4th April 2014	S.I. 2014/900 (C.39)
	9th April 2014	S.I. 2014/940 (C.42)
	16th December 2014	S.I. 2014/3319 (C.154)
Sections 2(3) to (6) (partially)	16th December 2014	S.I. 2014/3319 (C.154)
Section 2 (remainder)	1st April 2015	S.I. 2015/841 (C.53)
Sections 3(5) to (7) (partially)	4th April 2014	S.I. 2014/900 (C.39)
Section 3 (remainder)	1st April 2015	S.I. 2015/841 (C.53)
Section 4(1)(b) (partially)	16th December 2014	S.I. 2014/3319 (C.154)
Section 4 (remainder)	1st April 2015	S.I. 2015/841 (C.53)
Section 5 (partially)	4th April 2014	S.I. 2014/900 (C.39)
Section 5 (partially)	18th June 2014	S.I. 2014/1596 (C.62)
Section 5 (remainder)	16th December 2014	S.I. 2014/3319 (C.154)
Section 6 (partially)	4th April 2014	S.I. 2014/900 (C.39)
Section 6 (partially)	18th June 2014	S.I. 2014/1596 (C.62)
Section 6 (remainder)	1st April 2015	S.I. 2015/841 (C.53)
Section 7(8) (partially)	4th April 2014	S.I. 2014/900 (C.39)
Section 7 (remainder)	1st April 2015	S.I. 2015/841 (C.53)
Section 8	1st April 2015	S.I. 2015/841 (C.53)
Section 9(3) (partially)	4th April 2014	S.I. 2014/900 (C.39)
Section 9 (remainder)	1st April 2015	S.I. 2015/841 (C.53)
Section 10 (partially)	4th April 2014	S.I. 2014/900 (C.39)
Section 10 (remainder)	1st April 2015	S.I. 2015/841

Sections 11 to 13	1st April 2015	(C.53) S.I. 2015/841
Section 14 (partially)	4th April 2014	(C.53) S.I. 2014/900
Section 14 (remainder)	1st April 2015	(C.39) S.I. 2015/841
Section 15	1st April 2015	(C.53) S.I. 2015/841
Section 16 (partially)	4th April 2014	(C.53) S.I. 2014/900
Section 16 (remainder)	1st April 2015	(C.39) S.I. 2015/841
Section 17 (partially)	4th April 2014	(C.53) S.I. 2014/900
Section 17 (remainder)	16th December 2014	(C.39) S.I. 2014/3319
Section 18(1) and (2) (partially)	4th April 2014	(C.154) S.I. 2014/900
Section 18 (remainder)	16th December 2014	(C.39) S.I. 2014/3319
Section 19 (partially)	9th April 2014	(C.154) S.I. 2014/940
Section 19 (remainder)	1st April 2015	(C.42) S.I. 2015/841
Sections 20 to 23	1st April 2015	(C.53) S.I. 2015/841
Section 24 (partially)	4th April 2014	(C.53) S.I. 2014/900
Section 24 (remainder)	1st April 2015	(C.39) S.I. 2015/841
Sections 25 to 31	1st April 2015	(C.53) S.I. 2015/841
Section 32 (partially)	4th April 2014	(C.53) S.I. 2014/900
Section 32 (partially)	12th February 2015	(C.39) S.I. 2015/223
Section 32 (remainder)	1st April 2015	(C.15) S.I. 2015/841
Section 33	1st April 2015	(C.53) S.I. 2015/841
Section 34	4th April 2014	(C.53) S.I. 2014/900
Section 35	4th April 2014	(C.39) S.I. 2014/900
Section 36 (partially)	4th April 2014	(C.39) S.I. 2014/900
Section 36 (remainder)	1st April 2015	(C.39) S.I. 2015/841
Section 37	1st April 2015	(C.53) S.I. 2015/841
Section 38 (partially)	4th April 2014	(C.53) S.I. 2014/900
Section 38 (remainder)	18th June 2014	(C.39) S.I. 2014/1596
		(C.62)

Section 42 (partially)	4th April 2014	S.I. 2014/900 (C.39)
Section 45 (partially)	4th April 2014	S.I. 2014/900 (C.39)
Section 45 (partially)	12th February 2015	S.I. 2015/223 (C.15)
Section 45 (partially)	1st April 2015	S.I. 2015/841 (C.53)
Section 47 (partially)	16th December 2014	S.I. 2014/3319 (C.154)
Schedule 1	1st April 2015	S.I. 2015/841 (C.53)
Schedule 2 (partially)	4th April 2014	S.I. 2014/900 (C.39)
	9th April 2014	S.I. 2014/940 (C.42)
	16th December 2014	S.I. 2014/3319 (C.154)
Schedule 2 (remainder)	1st April 2015	S.I. 2015/841 (C.53)
Schedule 3, paragraph 4 (partially)	4th April 2014	S.I. 2014/900 (C.39)
Schedule 3 (remainder)	1st April 2015	S.I. 2015/841 (C.53)
Schedule 4, paragraphs 2(9), 3 to 5 and 8(3) (partially)	4th April 2014	S.I. 2014/900 (C.39)
Schedule 4 (remainder)	1st April 2015	S.I. 2015/841 (C.53)
Schedule 5 (partially)	4th April 2014	S.I. 2014/900 (C.39)
Schedule 5 (remainder)	16th December 2014	S.I. 2014/3319 (C.154)
Schedule 6 (partially)	9th April 2014	S.I. 2014/940 (C.42)
Schedule 6, paragraph 6 (partially)	16th December 2014	S.I. 2014/3319 (C.154)
Schedule 6 (remainder)	1st April 2015	S.I. 2015/841 (C.53)
Schedule 7, paragraph 5 (partially)	4th April 2014	S.I. 2014/900 (C.39)
Schedule 7 (remainder)	1st April 2015	S.I. 2015/841 (C.53)
Schedules 8 and 9	1st April 2015	S.I. 2015/841 (C.53)
Schedule 10	4th April 2014	S.I. 2014/900 (C.39)
Schedule 11 (partially)	4th April 2014	S.I. 2014/900 (C.39)
Schedule 11 (remainder)	1st April 2015	S.I. 2015/841 (C.53)
Schedule 12, paragraphs 2(1), 31(1), 44(1), 46(1), 69(1) and 88(1) (partially)	4th April 2014	S.I. 2014/900 (C.39)
Schedule 12, paragraphs 2(5), 31(5), 44(4), 46(5), 69(3) and (4), and 88(3)	4th April 2014	S.I. 2014/900 (C.39)
Schedule 12, paragraphs 49, 50(1), 50(3), 51	10th February 2015	S.I. 2015/179

and 52 (partially)		(C.11)
Schedule 12, paragraphs 37, 43(1) and 43(4) (partially)	12th February 2015	S.I. 2015/223 (C.15)
Schedule 12, paragraphs 1 to 44, 46 to 117 and 123	1st April 2015	S.I. 2015/841 (C.53)
Schedule 12, paragraphs 118 to 122	1st April 2017	S.I. 2015/841 (C.53)
Schedule 13, paragraphs 1 to 5 and 11	16th December 2014	S.I. 2014/3319 (C.154)
Schedule 13 (remainder)	1st April 2015	S.I. 2015/841 (C.53)

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