

2004 No. 2618

LOCAL GOVERNMENT

The Standards Board for England (Functions) Order 2004

<i>Made</i> - - - -	<i>7th October 2004</i>
<i>Laid before Parliament</i>	<i>14th October 2004</i>
<i>Coming into force</i> - -	<i>4th November 2004</i>

The First Secretary of State, in exercise of the powers conferred upon him by sections 57(3) and 105(2) of the Local Government Act 2000(a) hereby makes the following Order:

Citation, commencement and application

1.—(1) This Order may be cited as the Standards Board for England (Functions) Order 2004 and shall come into force on 4th November 2004.

(2) This Order applies in relation to relevant authorities in England and police authorities in Wales(b).

Interpretation

2. In this Order—

“the Act” means the Local Government Act 2000;

“authority” means a relevant authority in England and a police authority in Wales; and

“monitoring officer”, in relation to an authority, means the person for the time being designated in respect of the authority in accordance with the provisions of section 5 of the Local Government and Housing Act 1989(c) and includes any person nominated by a monitoring officer as his deputy for the purposes of section 5(7) of the Local Government and Housing Act 1989 and any person nominated under the provisions of section 82A(2) or (3) of the Act to perform any function(d).

Power to issue guidance

3. In respect of matters referred by an ethical standards officer under section 60(2) or (3) or 64(2) of the Act, or by a Local Commissioner in Wales under section 70(4) or (5) or 71(2) of the Act, the Standards Board for England may issue guidance to—

(a) monitoring officers of authorities; and

(b) standards committees of authorities.

(a) 2000 c.22 (“the Act”).

(b) See section 49(6) of the Act for the meaning of “relevant authority” and section 83(1) of the Act for the meaning of “police authority”.

(c) 1989 c.42. See section 83(12) of the Act for the exercise of functions by a monitoring officer of a responsible authority in relation to parish councils.

(d) Section 82A was inserted by section 113(2) of the Local Government Act 2003 (2003 c.26).

Signed by authority of the First Secretary of State

7th October 2004

Nick Raynsford
Minister of State
Office of the Deputy Prime Minister

EXPLANATORY NOTE

(This note is not part of the Order)

Section 57 of the Local Government Act 2000 provides for the establishment of the Standards Board for England (“the Standards Board”), which is to have the functions conferred on it by Part III of that Act and such other functions as may be conferred on it by order by the Secretary of State.

This Order enables the Standards Board to issue guidance to monitoring officers and standards committees of relevant authorities in England and police authorities in Wales in respect of certain matters referred to them by the Standards Board’s ethical standards officers or, in Wales, Local Commissioners.

£3.00

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under the authority and superintendence of Carol Tullo, Controller of Her Majesty’s
Stationery Office and Queen’s Printer of Acts of Parliament.

E1376 10/2004 141376T 19585

ISBN 0-11-049923-9



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