

**2012 No. 1463 (C. 56)**

**HOUSING, ENGLAND AND WALES**

**LOCAL GOVERNMENT, ENGLAND AND WALES**

**LONDON GOVERNMENT**

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

*Made* - - - -

*6th June 2012*

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<sup>(a)</sup>, makes the following Order:

**Citation and interpretation**

**1.**—(1) This Order may be cited as the Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) Order 2012.

(2) In this Order—

“the Act” means the Localism Act 2011;

“the 2000 Act” means the Local Government Act 2000<sup>(b)</sup>; and

“police authority” means a police authority (in England or in Wales) established under section 3 of the Police Act 1996<sup>(c)</sup>.

**Provisions coming into force in relation to England and Wales on the day after the day on which this Order is made**

**2.** The following provisions of the Act (so far as they are not yet in force) come into force in relation to England and Wales on the day after the day on which this Order is made—

- (a) section 27, except paragraph (k) of subsection (6), so far as it enables a relevant authority to adopt a code of conduct which will take effect on or after 1st July 2012;
- (b) section 28 so far as it enables a relevant authority to make arrangements under which allegations can be investigated on or after 1st July 2012;
- (c) section 29 so far as it enables a monitoring officer of a relevant authority to prepare a register of interests which will take effect on or after 1st July 2012;

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(a) 2011 c. 20.

(b) 2000 c. 22.

(c) 1996 c. 16. Section 3 is repealed by the Police Reform and Social Responsibility Act 2011 (c. 13) from a date to be appointed.

- (d) section 31(10) so far as it enables a relevant authority to make standing orders that will take effect on or after 1st July 2012;
- (e) section 33 so far as it enables a relevant authority to grant a dispensation which will take effect on or after 1st July 2012;
- (f) section 35;
- (g) section 153;
- (h) in Schedule 4, paragraphs 13(1), (2) and 31 so far as they repeal provisions which enable regulations to enable a standards committee of a relevant authority to suspend or partially suspend a person from being a member or co-opted member of the authority, and section 26 so far as it relates to those provisions;
- (i) Part 31 of Schedule 25 and section 237 so far as relating to that Part.

**Provisions coming into force in relation to England and Wales on 18th June 2012**

3. Sections 145 to 147 of the Act (so far as they are not yet in force) come into force in relation to England and Wales on 18th June 2012.

**Provisions coming into force in relation to England and Wales on 27th June 2012**

4. Sections 81 to 85 of the Act (so far as they are not yet in force) come into force in relation to England and Wales on 27th June 2012.

**Provisions coming into force in relation to England and Wales on 1st July 2012**

5. Subject to articles 6 and 7, the following provisions of the Act (so far as they are not yet in force) come into force in relation to England and Wales on 1st July 2012—

- (a) section 26 and Schedule 4 except insofar as the repeals and amendments made by that Schedule apply in relation to a police authority;
- (b) section 27 except paragraph (k) of subsection (6);
- (c) sections 28 to 34; and
- (d) Part 5 of Schedule 25 and section 237 so far as relating to that Part except insofar as the repeals set out in that Part apply in relation to a police authority.

**Transitional, transitory and savings provisions**

6. The following transitional, transitory and savings provisions have effect.

**Transitional etc provisions: standards**

7.—(1) Notwithstanding section 28(8)(b) of the Act, a person may be appointed by a relevant authority as the independent person under section 28(7) of the Act, if that person—

- (a) is not a member or co-opted member of the standards committee of the relevant authority on 1st July 2012; but
- (b) has held such a post at any time during the 5 years ending on 30th June 2012.

(2) Paragraph (1) only applies in relation to appointments made before 1st July 2013.

(3) Notwithstanding article 5, the provisions of the 2000 Act, and any regulations made under them, which are repealed or amended by sections 26 and 237 of, and Schedule 4 and Part 5 of Schedule 25 to, the Act continue to have effect for the purposes of—

- (a) the bringing of an appeal under regulation 21 of the Standards Committee (England) Regulations 2008(a);

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(a) S.I. 2008/1085. Relevant amendments were made by S.I. 2012/22.

(b) proceedings before the First-tier Tribunal on a referral under section 64(3)(b) or 65(4) of the 2000 Act or under regulation 17 of the Standards Committee (England) Regulations 2008 or on an appeal under regulation 21 of those Regulations; or

(c) legal proceedings associated with proceedings on a referral or an appeal,

where proceedings were commenced before 1st July 2012 or relate to a decision by a standards committee made before 1st July 2012.

(4) This paragraph applies where, immediately before the commencement of the provisions referred to in article 5—

(a) an allegation or case that relates to a person who is a member or co-opted member of a relevant authority has been referred to the standards committee of the authority; and

(b) the standards committee has not made a finding in respect of that allegation or case.

(5) In paragraph (4), “standards committee”, “relevant authority”, “member” and “co-opted member” have the same meaning as in Part 3 of the 2000 Act.

(6) Where paragraph (4) applies, the allegation or case shall be treated as having been made under Chapter 7 of Part 1 of the Act.

(7) Notwithstanding the amendment of sections 49(6) and 83 of the 2000 Act by Schedule 4 to the Act, those sections shall continue to have effect in their un-amended form for the purposes of the definition of “relevant authority” in sections 92 and 101 of the 2000 Act.

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

*Grant Shapps*  
Minister of State

6th June 2012

Department for Communities and Local Government

#### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

Article 2 of this Order brings into force, on the day after the day on which the Order is made, in relation to England and Wales, the following provisions relating to standards for the purposes of certain preparatory work: sections 27, 28, 29, 31(10), 33 and 35 of the Localism Act 2011, as well as paragraphs 13(1), (2) and 31 of Schedule 4 (repeals relating to standards). It also brings into force on the same day, so far as not yet in force, section 153 (social housing: relationship between schemes and strategies) and Part 31 of Schedule 25 (repeals relating to London (housing and regeneration)).

Article 3 brings into force on the 18th June 2012, so far as they are not already in force, in relation to England and Wales, sections 145 to 147 (allocation).

Article 4 brings into force on 27th June 2012, in relation to England and Wales, sections 81 to 85 (community right to challenge).

Article 5 brings into force on 1st July 2012, in relation to England and Wales, the remaining sections of Chapter 7 of Part 1 of the Act and Schedule 4 (standards) except provisions relating to police authorities.

Articles 6 and 7 makes transitional, savings and transitory provision.

#### **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 partially as to England and Wales | 18th February 2012          | 2012/411        |
| Section 1(7) and Schedule 4 as to England   | 4th April 2012              | 2012/1008       |

|   |                    |           |
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| and Wales   |                    |           |
| Sections 2 to 7 as to England   | 18th February 2012 | 2012/411  |
| Section 8(2) partially as to England and Wales  | 3rd December 2011  | 2011/2896 |
| Section 8 (so far as not yet in force) as to England and Wales                              | 18th February 2012 | 2012/411  |
| Sections 9 and 10 partially as to England and Wales   | 18th February 2012 | 2012/411  |
| Sections 11 to 14 as to England and Wales   | 18th February 2012 | 2012/411  |
| Section 15 as to England and Wales  | 3rd December 2011  | 2011/2896 |
| Section 16 to 18 as to England and Wales  | 15th January 2012  | 2012/57   |
| Section 19 as to England and Wales  | 3rd December 2011  | 2011/2896 |
| Section 20 partially as to England and Wales  | 3rd December 2011  | 2011/2896 |
| Section 20 as to England and Wales so far as not yet in force                               | 15th January 2012  | 2012/57   |
| Chapter 4 of Part 1 as to England and Wales, so far as not yet in force                     | 15th January 2012  | 2012/57   |
| Section 21 and Schedule 2 partially as to England and Wales                                 | 3rd December 2011  | 2011/2896 |
| Section 21 and Schedule 2 partially as to England and Wales                                 | 15th January 2012  | 2012/57   |
| Section 21 and Schedule 2 partially as to England and Wales                                 | 9th March 2012     | 2012/628  |
| Section 22 and Schedule 3 partially as to England and Wales                                 | 15th January 2012  | 2012/57   |
| Section 22 and Schedule 3 partially as to England and Wales                                 | 9th March 2012     | 2012/628  |
| Sections 21 and 22 and Schedules 2 and 3 as to England and Wales so far as not yet in force | 4th May 2012       | 2012/1008 |
| Section 24 as to England and Wales  | 15th January 2012  | 2012/57   |
| Section 26 and Schedule 4 partially as to England and Wales                                 | 31 January 2012    | 2012/57   |
| Section 26 and Schedule 4 partially as to England and Wales                                 | 1st April 2012     | 2012/628  |
| Section 30 partially as to England and Wales  | 31st January 2012  | 2012/57   |
| Section 36 partially as to England and Wales  | 15th January 2012  | 2012/57   |
| Section 46 as to England  | 1st April 2012     | 2012/628  |
| Sections 48 to 57 as to England, Wales, Scotland and Northern Ireland                       | 31st May 2012      | 2012/1008 |
| Section 68 as to England  | 15th January 2012  | 2012/57   |
| Section 69(8) as to England   | 3rd December 2011  | 2011/2896 |
| Section 69(1) to (7) partially as to England  | 15th January 2012  | 2011/57   |
| Section 69 as to England so far as not yet in force   | 1st April 2012     | 2012/628  |
| Section 70 as to England and Wales  | 15th January 2012  | 2012/57   |
| Sections 72 to 79 and Schedules 5 to 7 as to England and Wales                              | 3rd December 2011  | 2011/2896 |
| Section 115 as to England and Wales   | 15th January 2012  | 2012/57   |
| Sections 116 and 121 and Schedules 10 to 12 partially as to England and Wales               | 15th January 2012  | 2012/57   |
| Sections 116 and 121 and Schedules 9 to 12 partially as to England and Wales                | 6th April 2012     | 2012/628  |
| Section 123 as to England and Wales   | 6th April 2012     | 2012/628  |

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| Section 124(2) partially as to England and Wales   | 15th January 2012 | 2012/57   |
| Section 124 as to England and Wales so far as not yet in force                           | 6th April 2012    | 2012/628  |
| Sections 125 to 127 as to England and Wales  | 6th April 2012    | 2012/628  |
| Section 128(2) and Schedule 13 partially as to England, Wales and Scotland               | 15th January 2012 | 2012/57   |
| Section 128 and Schedule 13 as to England, Wales and Scotland so far as not yet in force | 1st April 2012    | 2012/628  |
| Section 129 partially as to England, Wales and Scotland                                  | 15th January 2012 | 2012/57   |
| Section 129 as to England, Wales and Scotland so far as not yet in force                 | 1st April 2012    | 2012/628  |
| Sections 130 to 137 as to England, Wales and Scotland                                    | 1st April 2012    | 2012/628  |
| Section 138(5) partially as to England, Wales and Scotland                               | 15th January 2012 | 2012/57   |
| Section 138 as to England, Wales and Scotland so far as not yet in force                 | 1st April 2012    | 2012/628  |
| Sections 139 to 141 as to England, Wales and Scotland                                    | 1st April 2012    | 2012/628  |
| Section 142(3) partially as to England, Wales and Scotland                               | 15th January 2012 | 2012/57   |
| Section 142 as to England, Wales and Scotland so far as not yet in force                 | 1st April 2012    | 2012/628  |
| Section 145 partially as to England and Wales  | 15th January 2012 | 2012/57   |
| Sections 146 and 147(2)(3)(4) and (5) partially as to England and Wales                  | 15th January 2012 | 2012/57   |
| Sections 147(1) and (6) partially as to England and Wales                                | 15th January 2012 | 2012/57   |
| Section 150 partially as to England and Wales  | 15th January 2012 | 2012/57   |
| Section 150 partially as to England and Wales  | 15th January 2013 | 2012/1008 |
| Sections 151 and 152 as to England and Wales   | 15th January 2012 | 2012/57   |
| Section 153 partially as to England and Wales  | 15th January 2012 | 2012/57   |
| Section 154 partially as to England and Wales  | 15th January 2012 | 2012/57   |
| Sections 154 to 157 as to England and Wales so far as not yet in force                   | 1st April 2012    | 2012/628  |
| Section 158 partially as to England and Wales  | 15th January 2012 | 2012/57   |
| Section 158 to 161 as to England and Wales so far as not yet in force                    | 1st April 2012    | 2012/628  |
| Schedule 14 as to England and Wales  | 1st April 2012    | 2012/1008 |
| Section 162 partially as to England and Wales  | 1st April 2012    | 2012/628  |
| Sections 163 and 164   | 1st April 2012    | 2012/628  |
| Section 165 partially as to England and Wales  | 15th January 2012 | 2012/57   |
| Section 165 as to England and Wales  | 1st April 2012    | 2012/628  |
| Section 166 as to England and Wales  | 1st April 2012    | 2012/628  |

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|---|--------------------|-----------|
| Section 176 as to England and Wales   | 15th January 2012  | 2012/57   |
| Section 178 and Schedule 16 partially as to England and Wales   | 15th January 2012  | 2012/57   |
| Sections 178 and 179 and Schedules 16 and 17 as to England and Wales so far as not yet in force                   | 1st April 2012     | 2012/628  |
| Section 184 as to England and Wales   | 6th April 2012     | 2012/628  |
| Section 185 as to England and Wales   | 1st April 2012     | 2012/628  |
| Section 186 partially as to England and Wales   | 15th January 2012  | 2012/57   |
| Section 186 as to England and Wales so far as not yet in force  | 1st April 2012     | 2012/628  |
| Section 187(1) and (2) as to England and Wales  | 15th January 2012  | 2012/57   |
| Section 187(3) and (4) partially as to England and Wales  | 15th January 2012  | 2012/57   |
| Section 187 as to England and Wales so far as not yet in force  | 1st April 2012     | 2012/628  |
| Section 188 as to England and Wales   | 3rd May 2012       | 2012/1008 |
| Section 189 as to England and Wales   | 1st April 2012     | 2012/628  |
| Section 190 as to England and Wales   | 15th January 2012  | 2012/57   |
| Section 191 partially as to England and Wales and   | 15th January 2012  | 2012/57   |
| Section 191 as to England and Wales so far as not yet in force  | 31st March 2012    | 2012/628  |
| Section 192 as to England and Wales   | 3rd May 2012       | 2012/1008 |
| Sections 193 and 194 as to England and Wales  | 15th January 2012  | 2012/57   |
| Section 195 partially and Schedule 19 as to England and Wales   | 15th January 2012  | 2012/57   |
| Section 195 and Schedule 19 as to England and Wales so far as not yet in force                                    | 1st April 2012     | 2012/628  |
| Section 195 and Schedule 20 as to England and Wales so far as not yet in force                                    | 31st March 2012    | 2012/628  |
| Section 197 partially as to England and Wales   | 15th January 2012  | 2012/57   |
| Sections 223 and 224 as to England and Wales  | 15th January 2012  | 2012/57   |
| Section 225 and Schedule 23 as to England and Wales   | 3rd May 2012       | 2012/1008 |
| Sections 226 to 229 as to England and Wales   | 3rd May 2012       | 2012/1008 |
| Section 230 as to England and Wales   | 15th January 2012  | 2012/57   |
| Section 231 as to England and Wales   | 3rd May 2012       | 2012/1008 |
| Section 232 as to England and Wales   | 6th April 2012     | 2012/628  |
| Section 233 and Schedule 24 as to England and Wales   | 30th March 2012    | 2012/628  |
| Section 237 and Part 4 of Schedule 25 partially and Parts 11 to 13 and 25 of Schedule 25, as to England and Wales | 15th January 2012  | 2012/57   |
| Section 237 partially and Part 9 of Schedule 25 as to England   | 15th January 2012  | 2012/57   |
| Section 237 and Part 5 of Schedule 25 partially as to England and Wales   | 31 January 2012    | 2012/57   |
| Section 237 partially and Part 2 partially and Part 3 as to England and Wales                                     | 18th February 2012 | 2012/411  |

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|---|-----------------|-----------|
| Section 237 partially and Part 4 of Schedule 25 as to England and Wales                             | 9th March 2012  | 2012/628  |
| Section 237 partially and Part 32 of Schedule 25 as to England and Wales                            | 31st March 2012 | 2012/628  |
| Section 237 partially and Parts 7 and 10 of Schedule 25 as to England                               | 1st April 2012  | 2012/628  |
| Section 237 partially and Parts 20 and 21 of Schedule 25 as to England, Wales and Scotland          | 1st April 2012  | 2012/628  |
| Section 237 partially and Parts 26 and 27 and 31 (partially) of Schedule 25 as to England and Wales | 1st April 2012  | 2012/628  |
| Section 237 partially and Parts 18, 19, 30 and 34 of Schedule 25 as to England and Wales            | 6th April 2012  | 2012/628  |
| Section 237 partially and Part 1 of Schedule 25 as to England and Wales                             | 4th April 2012  | 2012/1008 |
| Section 237 partially and Part 33 of Schedule 25 as to England and Wales                            | 3rd May 2012    | 2012/1008 |
| Section 237 partially and Part 4 of Schedule 25 as to England and Wales                             | 4th May 2012    | 2012/1008 |

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STATUTORY INSTRUMENTS

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**LONDON GOVERNMENT**

The Localism Act 2011 (Commencement No. 6 and Transitional,  
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