Draft Order laid before Parliament under section 235(6) of the Localism Act 2011, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2012 No.

LOCAL GOVERNMENT, ENGLAND

The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012

Made - - - - ***

Coming into force in accordance with article 1(1)

The Secretary of State makes the following Order in exercise of the powers conferred by sections 8(2) and 235(2) of the Localism Act 2011(**1**).

A draft of this Order has been approved by a resolution of each House of Parliament in accordance with section 235(6) of that Act.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012 and comes into force on the day after the day on which it is made.

(2) In this Order—

"annual meeting" means a meeting of a parish council held in pursuance of paragraph 7(1) of Schedule 12 to the Local Government Act 1972;

"relevant annual meeting" means an annual meeting that takes place in a year of ordinary elections of parish councillors(**2**).

Prescribed conditions

2. The conditions prescribed for the purposes of section 8(2) of the Localism Act 2011 are those specified in the Schedule to this Order.

Transitional provision

3.—(1) This article applies to a parish council in the circumstances described in paragraph (2).

(2) The circumstances are that—

(**1**) 2011 c.20.
(**2**) For year of ordinary elections, see section 16 of the Local Government Act 1972.

(a) the parish council has passed a resolution under paragraph 1 of the Schedule; and

(b) at the next relevant annual meeting to be held after the meeting at which that resolution is passed, the parish council does not pass another resolution under that paragraph.

(3) The council shall continue to be an eligible parish council for the purpose of completing any activity—

(a) undertaken in the exercise of the general power, but

(b) not completed before the day of the meeting referred to in paragraph (2)(b).

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

Name
Parliamentary Under Secretary of State
Department for Communities and Local Government

Date