

**Report 00.179**  
16 March 2000  
File: E/7/7/6

Report to the Policy and Finance Committee  
from Ted Maguire and John Allard

## **Local Government (Validation of Appointments) Bill**

### **1. Purpose**

To advise the Committee of the introduction to Parliament of the above Bill.

### **2. Comment**

A Bill (copy attached as **Appendix 1**) to validate past reappointments of Local Authority Chief Executive Officers has now been introduced into Parliament. It is consequence of a Crown Law Opinion in 1999 which stated that the maximum term for appointment of a Local Authority Chief Executive Officer, without advertising, was five years.

The matter was subject to previous reports to the Committee as this Council, like many others, had reappointed its Chief Executive Officer beyond five year period without readvertising the position.

The Bill validates past actions of many Councils. Previous legal advice to this Council was, that any challenge to this Council's past actions, was highly unlikely to succeed. The Bill, if enacted, removes all doubt and is in keeping with this Council's resolution of 2 November "*Endorse the Action being taken to Regularise the Present Position through Legislation*".

It is understood that the Bill was expected to go through all stages, in Parliament, on 16 March without reference to a Select Committee for Submissions.

As expected, it does not deal with possible future changes bringing the law relating to local authority Chief Executive Officers' appointments more into line with practices elsewhere in the public sector.

**3. Communications**

No special action by this Council is considered necessary.

**4. Recommendation.**

*That the report be received.*

Ted Maguire  
Council Secretary

John Allard  
Corporate Policy Manager

**Attachment 1: Local Government (Validation of Reappointments) Bill**

