

*These notes relate to the Scottish Local Authorities (Tendering)  
Act 2001 (asp 9) which received Royal Assent on 6 July 2001*

# **SCOTTISH LOCAL AUTHORITIES (TENDERING) ACT 2001**

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## **EXPLANATORY NOTES**

### **INTRODUCTION**

1. These Explanatory Notes have been prepared by the Scottish Executive in order to assist the reader of the Act and to help inform debate on it. They do not form part of the Act and have not been endorsed by the Parliament.
2. The Notes should be read in conjunction with the Act. They are not, and are not meant to be, a comprehensive description of the Act. So where a section or schedule, or a part of a section or schedule, does not seem to require any explanation or comment, none is given.

### **THE ACT**

#### ***Section 1 Compulsory competitive tendering: local authorities***

3. The Local Government Act 1988 requires local authorities to seek tenders for work within the scope of the “defined activities” set out in section 2(2) of the Act. This opens up the relevant activities to competition. Section 2(10) of the Act enables the Scottish Ministers to make orders modifying the application of the competition provisions in Part I of the Act in their application to local authorities. Orders made under this section may have effect until 31 December 2001.
4. **Section 1** deletes the reference to 31 December 2001 in section 2(10). The consequence of this section will be to allow orders made under section 2(10) to have effect after this date.

#### ***Section 2 Short title and commencement***

5. This section makes provision as to citation and commencement. The Act will come into force one month after Royal Assent.

### **PARLIAMENTARY HISTORY OF SCOTTISH LOCAL AUTHORITIES (TENDERING) ACT 2001**

The following table sets out, for each Stage of the proceedings in the Scottish Parliament on the Bill for this Act, the dates on which proceedings at that Stage took place, the references to the Official Report of those proceedings and the dates on which Committee Reports were published and the references to those Reports.

| <i>Proceedings and Reports</i> | <i>Reference</i> |
|--------------------------------|------------------|
| <i>Introduction</i>            | 5 April 2001     |
| <i>Stage 1</i>                 |                  |

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| <b><i>Proceedings and Reports</i></b>                  | <b><i>Reference</i></b>      |
|--|------------------------------|
| <i>(a) Local Government Committee</i>                  | 24 April 2001 cols 1812-1833 |
| <i>(b) Consideration by the Parliament</i>             | 17 May 2001 cols 853-880     |
| <b><i>Stage 2</i></b>                                  | 6 June 2001 col 1264         |
| <i>Committee of the whole Parliament</i>               |                              |
| <b><i>Stage 3: Consideration by the Parliament</i></b> | 6 June 2001 cols 1265-1267   |
| <i>Royal Assent</i>                                    | 6 July 2001                  |