

1992 No. 518

LOCAL GOVERNMENT

**The Local Government (Competition in Functional Work)
Regulations (Northern Ireland) 1992**

Made 4th December 1992

Coming into operation 1st February 1993

The Department of the Environment, in exercise of the powers conferred on it by Articles 2(3), 7(3) and (4) of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992(a) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Local Government (Competition in Functional Work) Regulations (Northern Ireland) 1992 and shall come into operation on 1st February 1993.

Interpretation

2. In these regulations "the Order" means the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992.

Application of Article 7 of the Order

3. Article 7 of the Order (restrictions on the carrying out of functional work by councils) shall apply to any functional work falling within a defined activity specified in column 1 of the Schedule, and which is proposed to be carried out on or after the date specified in relation thereto in column 2 by a council specified in relation thereto in column 3.

4. Where a council proposes to carry out functional work which falls within a defined activity specified in the Schedule (whether or not by virtue of Article 4(4) or (6) of the Order) and to which Article 7 of the Order would not otherwise apply, it shall (if the council so decides) be treated as work to which said Article 7 applies.

Sealed with the Official Seal of the Department of the Environment on 4th December 1992.

(L.S.)

J. McCormick

Assistant Secretary

(a) S.I. 1992/810 (N.I. 6). Article 2(3) is cited because of the definition of "regulations" and of "the Ministry" in section 148(1) of the principal Act; *see also* S.R. & O. (N.I.) 1973 No. 504 Article 7(1) and S.I. 1976/424 (N.I. 6) Article 3

**Defined activities and dates in relation to carrying out of Functional Work
by Councils**

Column 1 <i>Defined activity</i>	Column 2 <i>Date</i>	Column 3 <i>Council</i>
Collection of refuse (para- graph 1 of Schedule 1 to the Order)	1st April 1994	Antrim Ards Armagh Ballymena Ballymoney Banbridge Belfast Carrickfergus Castlereagh Coleraine Cookstown Craigavon Derry Down Dungannon Fermanagh Larne Limavady Lisburn Magherafelt Moyle Newry & Mourne Newtownabbey North Down Omagh Strabane
Other cleaning (paragraph 3 of Schedule 1 to the Order)	1st April 1995	Antrim Ards Armagh Ballymena Ballymoney Banbridge Belfast Carrickfergus Castlereagh Coleraine Cookstown Craigavon Derry Down Dungannon Fermanagh Larne Limavady Lisburn

Maintenance of ground
(paragraph 5 of Schedule 1
to the Order)

1st April 1996

Magherafelt
Moyle
Newry & Mourne
Newtownabbey
North Down
Omagh
Strabane

Antrim
Ards
Armagh
Ballymena
Ballymoney
Banbridge
Belfast
Carrickfergus
Castlereagh
Coleraine
Cookstown
Craigavon
Derry
Down
Dungannon
Fermanagh
Larne
Limavady
Lisburn
Magherafelt
Moyle
Newry & Mourne
Newtownabbey
North Down
Omagh
Strabane

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations describe for the purposes of Article 7(3) of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992 ("the Order") the nature of the functional work (as defined in Article 3(1)) which the councils specified in the Schedule may not carry out on or after the dates specified in the Schedule unless certain conditions (designed to ensure competition) are fulfilled (regulation 3).

If any council wishes to carry out functional work falling within an activity specified in the Schedule but for which competition is not required, it may treat that work as if the competition requirements applied to it (regulation 4).