

## 1995 No. 362

## LOCAL GOVERNMENT

**The Local Government (Competition in Functional Work)  
Regulations (Northern Ireland) 1995**

*Made* . . . . . 11th September 1995

*Coming into operation* . . . . . 1st November 1995

The Department of the Environment, in exercise of the powers conferred on it by Articles 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, commencement and interpretation*

1.—(1) These regulations may be cited as the Local Government (Competition in Functional Work) Regulations (Northern Ireland) 1995 and shall come into operation on 1st November 1995.

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

*Application of Article 7 of the Order*

2. Article 7 of the Order (functional work: restrictions) 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.

3. 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 that Article 7 applies.

Sealed with the Official Seal of the Department of the Environment on  
11th September 1995.

(L.S.)

*J. McCormick*

Assistant Secretary

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(a) S.I. 1992/810 (N.I. 6). See Article 2(2) and (3) — definition of “Department”, “regulations” and “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>
Cleaning of buildings (paragraph 2 of Schedule 1 to the Order)	1st April 1997	Antrim Ards Armagh Ballymena Ballymoney Banbridge Belfast Carrickfergus Castlereagh Coleraine Cookstown Craigavon Derry Down Dungannon Fermanagh Larne Limavady Lisburn Magherafelt Moyle Newry and Mourne Newtownabbey North Down Omagh Strabane
Repair and maintenance of vehicles (paragraph 6 of Schedule 1 to the Order)	1st April 1997	Antrim Ards Armagh Ballymena Ballymoney Banbridge Belfast Carrickfergus Castlereagh Coleraine Cookstown Craigavon Derry Down Dungannon Fermanagh Larne Limavady Lisburn

Column 1 <i>Defined Activity</i>	Column 2 <i>Date</i>	Column 3 <i>Council</i>
		Magherafelt Moyle Newry and Mourne Newtownabbey North Down Omagh Strabane
Catering (paragraph 4 of Schedule 1 to the Order)	1st April 1997	Antrim Ards Armagh Ballymena Ballymoney Banbridge Belfast Carrickfergus Castlereagh Coleraine Cookstown Craigavon Derry Down Dungannon Fermanagh Larne Limavady Lisburn Magherafelt Moyle Newry and Mourne Newtownabbey North Down Omagh Strabane
Managing sports and leisure facilities (paragraph 7 of Schedule 1 to the Order)	1st April 1998	Antrim Ards Armagh Ballymena Ballymoney Banbridge Belfast Carrickfergus Castlereagh Coleraine Cookstown Craigavon Derry Down Dungannon Fermanagh

Column 1 <i>Defined Activity</i>	Column 2 <i>Date</i>	Column 3 <i>Council</i>
Construction and maintenance work (paragraph 8 of Schedule 1 to the Order)	1st April 1998	Larne
		Limavady
		Lisburn
		Magherafelt
		Moyle
		Newry and 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 and Mourne
		Newtownabbey
		North Down
		Omagh
		Strabane

*(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 2).

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 3).