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SCOTTISH STATUTORY INSTRUMENTS

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**2000 No. 207**

**LOCAL GOVERNMENT**

**The Local Authorities (Goods and Services)  
(Public Bodies) (Scotland) Order 2000**

*Made* - - - - - *20th June 2000*  
*Laid before the Scottish*  
*Parliament* - - - - - *21st June 2000*  
*Coming into force* - - - *14th September 2000*

The Scottish Ministers, in exercise of the powers conferred upon them by section 1(5) and (6) of the Local Authorities (Goods and Services) Act 1970<sup>(1)</sup> and of all other powers enabling them in that behalf hereby make the following Order:

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Local Authorities (Goods and Services) (Public Bodies) (Scotland) Order 2000 and shall come into force on 14th September 2000.

(2) This Order extends to Scotland only.

**Designation of public bodies**

2.—(1) The descriptions of persons specified in paragraph (2) shall be public bodies for the purposes of the Local Authorities (Goods and Services) Act 1970 in its application to Scotland.

(2) The descriptions of persons referred to in paragraph (1) are—

- (a) a person who has entered into a contract with the Scottish Ministers pursuant to which that person undertakes responsibility, in whole or in part, for managing, maintaining, or otherwise dealing with, any road (or part thereof) which the Scottish Ministers are under a duty to manage and maintain by virtue of section 2(1) of the Roads (Scotland) Act 1984<sup>(2)</sup> or any road or land which does not form part of such a road but which has been acquired by the Scottish Ministers for the purposes of, or in connection with, such a road; and
- (b) a subcontractor of such a person under such a contract.

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(1) 1970 c. 39. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).  
(2) 1984 c. 54.

### **Restriction on provision of services**

3. A person described in article 2 may only enter into an agreement by virtue of this Order with a local authority for the provision of goods and services by the local authority—

- (a) pursuant to the fulfilment of a contract such as is referred to in article 2(2); and
- (b) where the agreement is for the provision of goods and services in the area of a local authority who are not a party to the agreement, with the consent of that local authority.

St Andrew's House,  
Edinburgh  
20th June 2000

*FRANK McAVEETY*  
A member of the Scottish Executive

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

The Local Authorities (Goods and Services) Act 1970 enables local authorities to supply goods and services (subject to certain restrictions) to other local authorities and to designated public bodies. This Order designates as public bodies for the purposes of that Act persons who undertake responsibility for the management and maintenance of a road for which the Scottish Ministers are responsible by virtue of section 2(1) of the Roads (Scotland) Act 1984.