



Local Government (Contracts) Act 1997

1997 CHAPTER 65

Contracts for provision of assets or services

1 Functions to include power to enter into contracts.

(1) Every statutory provision conferring or imposing a function on a local authority confers power on the local authority to enter into a contract with another person for the provision or making available of assets or services, or both, (whether or not together with goods) for the purposes of, or in connection with, the discharge of the function by the local authority.

(2) Where—

- (a) a local authority enters into a contract such as is mentioned in subsection (1) (“the provision contract”) under any statutory provision, and
- (b) in connection with the provision contract, a person (“the financier”) makes a loan to, or provides any other form of finance for, a party to the provision contract other than the local authority,

the statutory provision also confers power on the local authority to enter into a contract with the financier, or any insurer of or trustee for the financier, in connection with the provision contract.

(3) The following are local authorities for the purposes of this Act—

- (a) any authority with respect to the finances of which [^{F1}Part IV of the ^{M1}Local Government and Housing Act 1989][^{F1}Chapter 1 of Part 1 of the Local Government Act 2003 (capital finance)] has effect at the time in question,
- (b) any probation committee,
- (c) the Receiver for the Metropolitan Police District, and
- (d) any local authority or joint board as defined in section 235(1) of the ^{M2}Local Government (Scotland) Act 1973.

(4) In this Act “assets” means assets of any description (whether tangible or intangible), including (in particular) land, buildings, roads, works, plant, machinery, vehicles, vessels, apparatus, equipment and computer software.

(5) Regulations may be made amending subsection (4).

Changes to legislation: Local Government (Contracts) Act 1997, Section 1 is up to date with all changes known to be in force on or before 16 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F1** Words in s. 1(3)(a) substituted (27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004 and 1.4.2004 for E.) by [Local Government Act 2003 \(c. 26\), s. 128\(6\), Sch. 7 para. 64](#); [S.I. 2003/3034, art. 2, Sch. 1 Pt. 1](#); [S.I. 2003/2938, art. 7\(a\)](#) (with art. 8, Sch.)
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Marginal Citations

- M1** [1989 c. 42.](#)
M2 [1973 c. 65.](#)

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Changes and effects yet to be applied to :

- s. 1 amended & repealed in part by [1999 c. 29 Sch. 27 para. 116](#)[Sch. 34 Pt. 7](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2007/1182 art. 2](#)[Sch. 1](#)
- Act applied (with modifications) by [S.I. 2007/1182 art. 3](#)[Sch. 2](#)