
STATUTORY INSTRUMENTS

1996 No. 857

LOCAL GOVERNMENT, ENGLAND AND WALES

**The Local Government Act 1988 (Personnel Services)
(Exemption) (England and Wales) Order 1996**

<i>Made</i>	- - - -	<i>19th March 1996</i>
<i>Laid before Parliament</i>		<i>26th March 1996</i>
<i>Coming into force</i>	- -	<i>16th April 1996</i>

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 2(9) and 15(5) of the Local Government Act 1988(1), and of all other powers enabling them in that behalf, hereby make the following Order:

Citation, commencement, application and interpretation

- 1.—(1) This Order may be cited as the Local Government Act 1988 (Personnel Services) (Exemption) (England and Wales) Order 1996 and shall come into force on 16th April 1996.
- (2) This Order applies to local authorities in England and Wales only.
- (3) In this Order “work” means personnel services(2).

Exemption for certain training arrangements

2.—(1) Work shall not be treated as a defined activity so long as the work is carried out for the purposes of the provision (by a local authority acting jointly with any other person) of training in social work by way of a course approved or promoted by, or other training promoted by, the Council in accordance with section 10 of the 1983 Act.

(2) In this article—

“the 1983 Act” means the Health and Social Services and Social Security Adjudications Act 1983(3);

“the Council” means the Central Council for Education and Training in Social Work, continued in being by section 10 of the 1983 Act; and

(1) 1988 c. 9.
(2) The activity of personnel services was added by S.I.1995/1915.
(3) 1983 c. 41.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“social work” means any social work in relation to which the Council has functions by virtue of section 10 of the 1983 Act⁽⁴⁾.

Exemption for training undertaken in conjunction with Training and Enterprise Councils

3.—(1) Work shall not be treated as a defined activity so long as the work is carried out by a local authority in conjunction with a TEC and the TEC is acting pursuant to an arrangement with the Secretary of State made under section 2 of the Employment and Training Act 1973⁽⁵⁾.

(2) In this article “a TEC” means a training and enterprise council established in order to provide assistance in relation to the matters mentioned in section 2(1) of the Employment and Training Act 1973.

Signed by authority of the Secretary of State for the Environment

Paul Beresford
Parliamentary Under Secretary of State,
Department of the Environment

18th March 1996

Signed by authority of the Secretary of State for Wales

Gwilym Jones
Parliamentary Under Secretary of State, Welsh
Office

19th March 1996

(4) Section 10 is extended by S.I. 1991/1123, made under subsection (11)(a) of that section.

(5) 1973 c. 50. Section 2 is substituted by section 25(1) of the Employment Act 1988 (c. 19); subsections (4) and (6) are repealed by Part I of Schedule 7 to the Employment Act 1989 (c. 38).

EXPLANATORY NOTE

(This note is not part of the Order)

Under Part I of the Local Government Act 1988 (competition), work falling within certain defined activities may be carried out by defined authorities only if particular conditions are fulfilled.

Article 2 exempts from the requirements of Part I personnel services carried out for the purposes of the provision (by a local authority in England and Wales acting jointly with any other person) of training in social work by way of a course approved or promoted by, or other training promoted by, the Central Council for Education and Training in Social Work, in accordance with section 10 of the Health and Social Services and Social Security Adjudications Act 1983.

Article 3 exempts from the requirements of Part I personnel services carried out by a local authority in England and Wales in conjunction with a training and enterprise council (“TEC”) and the TEC is acting pursuant to an arrangement with the Secretary of State made under section 2 of the Employment and Training Act 1973.