
STATUTORY INSTRUMENTS

1997 No. 1439 (S. 116)

LOCAL GOVERNMENT, SCOTLAND

**The Local Government, Planning and Land Act 1980
(Competition) (Scotland) Amendment Regulations 1997**

<i>Made</i>	- - - -	<i>5th June 1997</i>
<i>Laid before Parliament</i>		<i>9th June 1997</i>
<i>Coming into force</i>	- -	<i>30th June 1997</i>

The Secretary of State, in exercise of the powers conferred on him by sections 7(1), (2), (4)(a) and (b), (5) and (6), 9(3) and (4) and 23(1) of the Local Government, Planning and Land Act 1980⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Government, Planning and Land Act 1980 (Competition) (Scotland) Amendment Regulations 1997 and shall come into force on 30th June 1997.

(2) In these Regulations, “the principal Regulations” means the Local Government, Planning and Land Act 1980 (Competition) (Scotland) Regulations 1995⁽²⁾.

Amendment of principal Regulations

2. For regulations 7 and 8 of the principal Regulations, there shall be substituted the following regulation:—

“7. A local authority or development body may not, unless they have first complied with the conditions specified in section 9(4) of the Act, as well as with the terms of section 9(2), undertake functional work (other than emergency work) which is a job involving works of construction where the estimated cost of that job, which is attributable to works of construction, exceeds £500,000.”.

3. In regulation 9 of the principal Regulations—

(a) in paragraph (2B)(c)–

(1) 1980 c. 65; section 7(1) was amended by the Local Government Act 1988 (c. 9), Schedule 6, paragraph 2; section 9(4) was amended by the Local Government Act 1988, Schedule 6, paragraph 3(2) to (4) and the Local Government Act 1992 (c. 19), Schedule 1, paragraph 2(2); and section 23(1) was amended by the Local Government Act 1992, Schedule 1, paragraph 9.
(2) S.I. 1995/677, amended by S.I. 1996/2936.

- (i) for the words “a relevant date and on or before the next relevant date”, there shall be substituted the words “the sixteenth day of a particular month (“the relevant date”) and on or before the sixteenth day of the next month”; and
- (ii) for the words “first of those relevant dates”, there shall be substituted the words “relevant date”;
- (b) paragraph (2C) shall be deleted; and
- (c) in paragraph (3)(a), the words “or which is a job to which regulation 7(b) above applies” shall be deleted.

Revocations

- 4. The following provisions are hereby revoked:–
 - (a) the Local Government, Planning and Land Act 1980 (Competition) (Scotland) Regulations 1996(3); and
 - (b) in the Local Government, Planning and Land Act 1980 (Competition) (Scotland) Amendment Regulations 1996(4), regulations 2, 3 and 4(b)(ii).

St Andrew’s House,
Edinburgh
5th June 1997

Malcolm Chisholm
Parliamentary Under Secretary of State, Scottish
Office

(3) S.I. 1996/2935.
(4) S.I. 1996/2936.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Local Government, Planning and Land Act 1980 makes provision as to compulsory competition tendering (“CCT”) in respect of certain construction and maintenance work undertaken by local authorities and development bodies. The Local Government, Planning and Land Act 1980 (Competition) (Scotland) Regulations 1995 (“the 1995 Regulations”) have, since 31st March 1995, applied 1980 Act CCT in Scotland only to jobs over £500,000 in value. The 1995 Regulations would, in terms of the Local Government, Planning and Land Act 1980 (Competition) (Scotland) Regulations 1996 (“the 1996 Regulations”), have been repealed and replaced as at 1st July 1997. These Regulations revoke the 1996 Regulations before they come into force and make consequential amendments to the 1995 Regulations so as to make them of continuing application.