
STATUTORY INSTRUMENTS

1997 No. 1698

LOCAL GOVERNMENT, ENGLAND AND WALES
WALES

**The Local Government Act 1988 (Defined Activities)
(Exemptions) (Wales) (Amendment) Order 1997**

<i>Made</i>	- - - -	<i>14th July 1997</i>
<i>Laid before Parliament</i>		<i>21st July 1997</i>
<i>Coming into force</i>	- -	<i>14th August 1997</i>

The Secretary of State for Wales, in exercise of the powers conferred upon him by sections 2(9) and 15(5) of the Local Government Act 1988⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Local Government Act 1988 (Defined Activities) (Exemptions) (Wales) (Amendment) Order 1997 and shall come into force on 14th August 1997.

(2) In this Order,

“the 1994 Order” means the Local Government Act 1988 (Defined Activities) (Exemptions) (Wales) Order 1994⁽²⁾.

Amendment to the 1994 Order

2. For article 4(1) of the 1994 Order (defined activity exemption conditions) substitute the following—

“(1) Subject to paragraphs (4) and (5), during the period beginning with 1st April 1994 and ending on,

- (a) 31st March 1999, in relation to an activity mentioned in section 2(2)(a), (c), (f) or (g) of the Act; and
- (b) 31st May 1999, in relation to an activity mentioned in section 2(2)(b), (d), (e) or (ee) of the Act⁽³⁾,

(1) 1988 c. 9.

(2) S.I. 1994/339, to which there are relevant amendments by S.I. 1996/3179.

(3) Section 2(2)(ee) of the Local Government Act 1988 was inserted by S.I. 1989/2488.

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such an activity shall not be treated as a defined activity if carried out during the period relating to that activity by a defined authority to which this Order applies, so long as any one of the conditions specified in paragraph (2) is fulfilled.”.

Signed by authority of the Secretary of State for Wales

14th July 1997

Win Griffiths
Parliamentary Under Secretary of State Welsh
Office

EXPLANATORY NOTE

(This note is not part of the Order)

The Local Government Act 1988 (Defined Activities) (Exemptions) (Wales) Order 1994 (S.I.1994/339) (as amended by S.I. 1996/3179) (“the 1994 Order”) provides an exemption from the competition requirements of Part I of the Local Government Act 1988 (Competition) for Welsh county councils, county borough councils, fire authorities and certain joint committees thereof. That Order is also applied to Welsh National Park authorities by virtue of the National Park Authorities (Wales) Order 1995 (S.I. 1995/2803) (see Schedule 8 paragraph 2 thereof). Generally, the exemption provided for by the 1994 Order is for the period from 1st April 1994 until 30th September 1997 although for certain authorities in respect of certain activities the exemption period was only until 31st March 1997 or, as the case may be, 30th June 1997 (see the Schedule to the 1994 Order as substituted by S.I. 1996/3179).

Article 2 of the present Order amends the 1994 Order by substituting a new paragraph (1) of article 4 of the 1994 Order. This extends the exemption period from 30th September 1997 to 31st March 1999 in relation to refuse collection; other cleaning; maintenance of ground and the repair and maintenance of vehicles, and from 30th September 1997 to 31st May 1999, in relation to cleaning of buildings; catering for purposes of schools and welfare; other catering and managing sports and leisure facilities. The present Order does not affect the position of those authorities in respect of those activities for which the exemption period expired on 31st March 1997 or, as the case may be, 30th June 1997.