
STATUTORY INSTRUMENTS

1997 No. 1700

LOCAL GOVERNMENT, ENGLAND AND WALES

WALES

**The Local Government Act 1988 (Defined Activities)
(Works Contracts) (Exemptions) (Wales) 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 on 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 application

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

(2) This Order applies only in relation to the following defined authorities⁽²⁾ in Wales—

- (a) a local authority⁽³⁾;
- (b) a combined fire authority;
- (c) a National Park authority⁽⁴⁾; and
- (d) a joint committee which falls to be treated as a defined authority by section 1(4) of the Local Government Act 1988 and which is appointed only by two or more defined authorities within paragraph (a), (b) or (c) above.

(1) 1988 c. 9.

(2) For the meaning of “defined authority” see section 1 of the Local Government Act 1988 (“the Act”).

(3) For the meaning of “local authority”, see section 1(2A) of the Act which was inserted by the Local Government Reorganisation (Wales) (Consequential Amendments) Order 1995. (S.I. 1995/115).

(4) see section 1(1)(aa) of the Act which was inserted by paragraph 8(2) of Schedule 8 to the Environment Act 1995 (c. 25).

Status: This is the original version (as it was originally made).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

Works contracts

2. The provision of services specified in column (1) of the Schedule to this Order shall not be treated as a defined activity so long as it is carried out in pursuance of a works contract⁽⁵⁾ by a defined authority for another defined authority before the date specified in relation to those services in column (2) of that Schedule.

Signed by authority of the Secretary of State for Wales.

14th July 1997

Win Griffiths
Parliamentary Under Secretary of State, Welsh
Office

(5) For the meaning of “works contract”, see section 3(2) and (3) of the Act. Section 3(3) was amended by paragraph 79(1) of Schedule 25 to the Water Act 1989 (c. 15).

THE SCHEDULE

Article 2(1)

(1) <i>Services</i>	(2) <i>Specified date</i>
1. Construction and Property(6)	1st October 1999
2. Financial(7)	1st October 1999
3. Housing Management(8)	1st October 1999
4. Legal(9)	1st October 1999
5. Management of vehicles(10)	1st April 1999
6. Security work(10)	1st June 1999
7. Supervision of parking(10)	1st June 1999

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 not be carried out by defined authorities unless it has first been subjected to competition.

This Order exempts from Part I various works contracts carried out by certain defined authorities in Wales on behalf of other such defined authorities in Wales. The defined authorities are local authorities (that is county councils, county borough councils and community councils), combined fire authorities and National Park Authorities (and joint committees thereof). The exemptions are in relation to construction and property services; financial services; housing management services and legal services (all until 1st October 1999); for management of vehicles (until 1st April 1999) and for security work and supervision of parking (until 1st June 1999).

-
- (6) The provision of “construction and property services” is a defined activity by virtue of the Local Government Act 1988 (Competition) (Defined Activities) (Construction and Property Services) Order 1994 (S.I. [1994/2888](#)) which inserted section 2(2)(k) into the Act.
- (7) The provision of “financial services” is a defined activity by virtue of the Local Government Act 1988 (Competition) (Defined Activities) Order 1995 (S.I. [1995/1915](#)) which inserted section 2(2)(l) into the Act.
- (8) The provision of “housing management services” is a defined activity by virtue of the Local Government Act 1988 (Competition) (Defined Activities) (Housing Management) Order 1994 (S.I. [1994/1671](#)) which inserted section 2(2)(h) into the Act.
- (9) The provision of “legal services” is a defined activity by virtue of the Local Government Act 1988 (Competition) (Defined Activities) Order 1994 (S.I. [1994/2884](#)) which inserted section 2(2)(j) into the Act.
- (10) The provision of “management of vehicles”, “security work” and “supervision of parking” are defined activities by virtue of the said S.I. [1994/2884](#) which substituted or, as the case may be inserted, respectively section 2(2)(gg), (i), and (ff) into the Act.
- (10) The provision of “management of vehicles”, “security work” and “supervision of parking” are defined activities by virtue of the said S.I. [1994/2884](#) which substituted or, as the case may be inserted, respectively section 2(2)(gg), (i), and (ff) into the Act.
- (10) The provision of “management of vehicles”, “security work” and “supervision of parking” are defined activities by virtue of the said S.I. [1994/2884](#) which substituted or, as the case may be inserted, respectively section 2(2)(gg), (i), and (ff) into the Act.

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

The dates specified in this Order correspond to the revised dates for the application of section 6 (functional work: restrictions) of the Local Government Act 1988 to those services made by the Local Government Act 1988 (Competition) (Wales) Regulations 1997 (S.I.[1997/1699](#)).