

SCHEDULE 1

Article 2(1)(b)

MEANING OF “UNITED KINGDOM PUBLIC AUTHORITY”

1. For the purposes of this Order, each of the following is a United Kingdom public authority—
 - (a) a Minister of the Crown;
 - (b) a department of Her Majesty’s Government in the United Kingdom or a Northern Ireland department;
 - (c) the House of Commons;
 - (d) the House of Lords;
 - (e) the New Northern Ireland Assembly;
 - (f) a local authority;
 - (g) a fire authority constituted by a combination scheme under the Fire Services Act 1947(1);
 - (h) the Fire Authority for Northern Ireland;
 - (i) a police authority established under section 3 of the Police Act 1996(2);
 - (j) the Receiver for the Metropolitan Police District(3);
 - (k) the Police Authority for Northern Ireland;
 - (l) an authority established under section 10 of the Local Government Act 1985(4);
 - (m) a joint authority established under Part IV of that Act;
 - (n) any body established pursuant to an order under section 67 of that Act;
 - (o) the Broads Authority;
 - (p) any joint board the constituent members of which consist of any of the bodies specified in paragraphs (f), (g), (i), (j), (l), (m), (n) and (o) above;
 - (q) a joint or special planning board constituted for a National Park;
 - (r) a corporation established, or a group of individuals appointed to act together, being established or appointed as the case may be by or under any enactment or under the law of the United Kingdom or any part thereof, for the specific purposes of meeting needs in the general interest, not having an industrial or commercial character, and—
 - (i) financed wholly or mainly by another United Kingdom public authority; or
 - (ii) subject to management supervision by another United Kingdom public authority; or
 - (iii) more than half of the board of directors or members of which, or, in the case of a group of individuals, more than half of those individuals, are appointed by another United Kingdom public authority; and
 - (s) an association of or formed by one or more of the above.
2. In this Schedule—
 - (a) in relation to England and Wales as meaning—

(1) 1947 c. 41. Fire authorities other than those constituted by combination are included within the categories of local authorities (section 4 (as amended) of 1947 c. 41, for England and Wales; and section 4 as substituted by section 36(15) of that Act for Scotland), and joint authorities as referred to in sub-paragraph (m) above for England and Wales, and joint boards within the meaning of section 36(2) of that Act for Scotland. Section 36 has been amended.

(2) 1996 c. 16, which applies to England and Wales. In Scotland, the local authority is the police authority (section 2 (as amended) of the Police (Scotland) Act 1967 (c. 77)).

(3) the Receiver for the Metropolitan Police District was created by section 1 of the Metropolitan Police (Receiver) Act 1861 (c. 124).

(4) 1985 c. 51; there is an amendment to section 10 not relevant to this Order.

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

- (i) a county council, a county borough council, a district council, a London borough council, a parish council, a community council or the Council of the Isles of Scilly;
- (ii) the Common Council of the City of London in its capacity as local authority or police authority;
- (b) in relation to Scotland, as having the same meaning as in section 235(1) of the Local Government (Scotland) Act 1973⁽⁵⁾ and also as including a joint board or a joint committee within the meaning of section 235(1);
- (c) in relation to Northern Ireland, as meaning a district council within the meaning of the Local Government Act (Northern Ireland) 1972⁽⁶⁾;

“Minister of the Crown” means the holder of an office in Her Majesty’s Government in the United Kingdom, and includes the Treasury; and

“Northern Ireland department” includes the head of such department.

3. Where an authority specified in paragraph (1) above does not have the capacity to enter into a contract, the person whose function it is to enter into contracts for that authority shall be regarded as a United Kingdom public authority for the purposes of the operation of this Order.

(5) 1973 c. 65; the definition of “local authority” in section 235(1) was substituted by section 180(1) of, and paragraph 92(66) (c) of Schedule 13 to, the Local Government etc. (Scotland) Act 1994 (c. 39). The substituted definition refers to councils constituted under section 2 of 1994 c. 39.

(6) 1972 c. 9 (N.I.).