
STATUTORY INSTRUMENTS

2000 No. 1033

LOCAL GOVERNMENT, ENGLAND

The Local Authorities (Capital Finance, Approved Investments and Contracts) (Amendment) Regulations 2000

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| <i>Made</i> | - - - - | <i>10th April 2000</i> |
| <i>Laid before Parliament</i> | | <i>17th April 2000</i> |
| <i>Coming into force</i> | - - | <i>8th May 2000</i> |

The Secretary of State for the Environment, Transport and the Regions in exercise of the powers conferred upon him by sections 48(5), 66(1)(a) and 190(1) of the Local Government and Housing Act 1989⁽¹⁾, and sections 3(2)(e) and (f), 3(3) and 11(1) of the Local Government (Contracts) Act 1997⁽²⁾ hereby makes the following Regulations:

Citation, commencement and extent

1. These Regulations, which extend to England only⁽³⁾, may be cited as the Local Authorities (Capital Finance, Approved Investments and Contracts) (Amendment) Regulations 2000 and shall come into force on 8th May 2000.

Capital Finance Regulations

2. The Local Authorities (Capital Finance) Regulations 1997⁽⁴⁾ shall be amended in regulation 24 (other leases excluded from section 48) by the addition of the following at the end of paragraph (2)—

“; or

(g) any order, scheme or other instrument made under the Greater London Authority Act 1999⁽⁵⁾ or the Regional Development Agencies Act 1998⁽⁶⁾

(1) 1989 c. 42.

(2) 1997 c. 65.

(3) The relevant powers of the Secretary of State have been devolved, in relation to Wales, by the National Assembly for Wales (Transfer of functions) Order 1999 (S.I.1999/672; see the reference to the Local Government and Housing Act 1989 in Schedule 1).

(4) S.I. 1997/319; amended by S.I. 1998/602. There are other amendments not relevant to this regulation.

(5) 1999 c. 29.

(6) 1998 c. 45.

Approved Investments Regulations

3.—(1) The Local Authorities (Capital Finance) (Approved Investments) Regulations 1990(7) shall be amended as follows.

(2) In Regulation 1(2), in the definition of “relevant lender”, for “paragraph 28, 29 or 30” substitute “any of paragraphs 28 to 35”.

(3) At the end of Part II of the Schedule, add—

- “31. The Greater London Authority.
- 32. The Metropolitan Police Authority.
- 33. The London Development Agency.
- 34. The London Fire and Emergency Planning Authority.
- 35. Transport for London.”.

Contracts Regulations

4.—(1) The Local Authorities (Contracts) Regulations 1997(8) shall be amended as follows.

(2) In regulation 5(1), after sub-paragraph (e) omit “and” and after sub-paragraph (f) insert—

- “(g) Transport for London; and
- (h) the London Development Agency.”.

(3) In regulation 6(1)—

- (a) after “section 111 of the Local Government Act 1972 (subsidiary powers of local authorities)” insert “or, in the case of the Greater London Authority, in section 34(1) of the Greater London Authority Act 1999 or, in the case of Transport for London, in paragraph 1(3) of Schedule 10 to the Greater London Authority Act”; and
- (b) in sub-paragraph (b), after “section 111 of the Local Government Act 1972” insert “or, in the case of the Greater London Authority, section 34(1) of the Greater London Authority Act 1999 or, in the case of Transport for London, paragraph 1(3) of Schedule 10 to the Greater London Authority Act”.

(4) In regulation 7—

- (a) in paragraph (1) for “or section 6 of the 1989 Act” substitute “, section 6 of the 1989 Act or section 127 of the Greater London Authority Act 1999,”; and
- (b) in paragraph (2)(a) after “section 2(6) of the 1989 Act” insert “or, in the case of the Greater London Authority, its chief finance officer”.

(7) S.I. 1990/426; amended by S.I. 1992/1353; S.I. 1995/850; and S.I. 1996/568. There are other amendments which are not relevant to this regulation.

(8) S.I. 1997/2862.

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

10th April 2000

Hilary Armstrong
Minister of State,
Department of the Environment, Transport and
the Regions

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make a number of consequential amendments to the capital finance system resulting from the implementation of the Greater London Authority Act 1999.

The Local Authorities (Capital Finance) Regulations 1997

Regulation 2 further amends the Local Authorities (Capital Finance) Regulations 1997 by excluding leases from the application of section 24 of the Local Government and Housing Act 1989 where any of the constituent bodies specified in the Greater London Authority Act 1999 become lessees by virtue of transfer or vesting arrangements made under that Act or the Regional Development Agencies Act 1998.

The Local Authorities (Capital Finance) (Approved Investments) Regulations 1990

Regulation 3 further amends the the Local Authorities (Capital Finance) (Approved Investments) Regulations 1990. The amendments relate to the definition of approved investments and specify each of the constituent bodies specified in the Greater London Authority Act as persons or bodies advances to whom are approved investments for the purposes of Part IV of the Local Government and Housing Act 1989.

The Local Authorities (Contracts) Regulations 1997

Regulation 4 amends the Local Authorities (Contracts) Regulations 1997 insofar as appropriate to bring the Greater London Authority and the other functional bodies created by the Greater London Authority Act 1999 within the ambit of the 1997 Regulations.

Regulation 5 of the 1997 Regulations is amended so as to require each of Transport for London and the London Development Agency to provide the auditor appointed by the Audit Commission with a copy of each certificate issued under the 1997 Regulations.

Regulation 6(1) of the 1997 Regulations is modified so as to require the Greater London Authority and Transport for London when relying in entering into a contract upon their subsidiary powers to follow the certification procedure set out in Regulation 6(1) of the 1997 Regulations.

Regulation 7(1) of the 1997 Regulations is amended to include within the definition of chief finance officer the chief finance officer of the Greater London Authority and each of the functional bodies and makes a consequential amendment to regulation 7(2)(a) to include reference to the Greater London Authority's chief finance officer.