Local Government (Contracts) Act 1997

1997 CHAPTER 65

Certified contracts

9 **Contracting out of functions in connection with certified contracts.**

(1) An authorisation given by virtue of an order under section 70 of the ^{M1}Deregulation and Contracting Out Act 1994 (authorisation by local authority of exercise by another person of functions of authority for period not exceeding ten years) may specify that it is to be for a period exceeding ten years if it is given in connection with a certified contract.

(2) But an authorisation given in connection with a certified contract may not by virtue of subsection (1) specify that it is to be for a period exceeding the shorter of—

 (a) the period for which the contract is to operate, and

 (b) forty years.

(3) For the purposes of this section an authorisation is given in connection with a certified contract if—

 (a) the authority by which it is given is a local authority for the purposes of this Act,

 (b) the authority and the authorised person are parties to the contract, and

 (c) the authorisation is given to enable the authorised person to perform or better perform his obligations under the contract.

Commencement Information
 I1 S. 9 wholly in force; s. 9 not in force at Royal Assent see s. 12(2); s. 9 in force at 30.12.1997 insofar as it applies to England and Wales by S.I. 1997/2843, **art. 2(2)**; s. 9 in force at 1.1.1998 insofar as it applies to Scotland by S.I. 1997/2878, **art. 2(2)**

Marginal Citations
 M1 1994 c. 40.

Changes to legislation:
Local Government (Contracts) Act 1997, Section 9 is up to date with all changes known to be in force on or before 16 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. View outstanding changes

> **Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**
> – Act applied (with modifications) by S.I. 2007/1182 art. 2Sch. 1
> – Act applied (with modifications) by S.I. 2007/1182 art. 3Sch. 2