
STATUTORY INSTRUMENTS

1994 No. 2888

The Local Government Act 1988 (Competition) (Defined Activities) (Construction and Property Services) Order 1994

Supplementary provisions

3.—(1) For the purpose of interpreting paragraph (k) (as inserted by Article 2(1) above) of subsection (2) of section 2 of the Act, that section shall have effect as if for subsection (6) there were substituted the following subsection—

“(6) Work which is carried out by a defined authority through an employee and which would (apart from this subsection) fall within a defined activity shall not do so if the total amount of such work performed by that employee occupies less than 50 per cent of his working time.”

(2) For the purpose of determining whether any work falling within section 2(2)(k) of the Act is functional work, subsection (4) of section 3 of the Act (other definitions) shall have effect as if the words from “and”, in the first place where it occurs, to the end were omitted.

(3) In relation to any work falling within section 2(2)(k) of the Act, paragraph (a) of subsection (4) of section 7 of the Act (the conditions) shall have effect as if the words from “and” to the end were omitted.