STATUTORY INSTRUMENTS

1999 No. 1084

LOCAL GOVERNMENT, ENGLAND AND WALES

WALES

The Local Authorities (Direct Labour Organisations) (Competition) (Wales) (Amendment) Regulations 1999

Made - - - -	*1st April 1999*
Laid before Parliament	*9th April 1999*
Coming into force - -	*6th May 1999*

The Secretary of State for Wales, in exercise of the powers conferred on him by sections 7(1), (2), (4), (5) and (6), 9(3) and 23(1) of the Local Government, Planning and Land Act 1980(**1**), and of all other powers enabling him in that behalf, hereby makes the following Regulations:–

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Authorities (Direct Labour Organisations) (Competition) (Wales) (Amendment) Regulations 1999 and shall come into force on 6th May 1999.

(2) In these Regulations, "the principal Regulations" means the Local Authorities (Direct Labour Organisations) (Competition) (Wales) Regulations 1997(**2**).

Amendment of the principal Regulations

2. In regulation 3 (application) of the principal Regulations, for paragraphs (2) and (3) substitute the following–

"(2) These Regulations apply to–

(a) a works contract entered into on or after 2nd January 2000; and

(b) functional work to be carried out on or after that date(**3**)."

(**1**) 1980 c. 65. Section 7 was amended by the Local Government Act 1988 (c. 9), Schedule 6 paragraph 2, and by the Local Government Act 1992 (c. 19), Schedule 1 paragraph 1, and section 23(1) was amended by that Act of 1992, Schedule 1, paragraph 9.

(**2**) S.I. 1997/999 to which there are relevant amendments by S.I. 1997/1697 and S.I. 1998/2193.

(**3**) For the meaning of "works contract", *see* sections 5(1) and 20(1) of the Act. For the meaning of "functional work" *see* sections 8 and 20(1) of the Act.

Revocation

3. The Local Authorities (Direct Labour Organisation) (Competition) (Wales) (Amendment) Regulations 1998(**4**) are revoked.

Signed by authority of the Secretary of State for Wales

Jon Owen Jones
Parliamentary Under Secretary of State, Welsh Office

1st April 1999

(**4**) S.I. 1998/2193.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part III of the Local Government, Planning and Land Act 1980 ("the 1980 Act") requires local authorities (including authorities who are treated as local authorities for that purpose) and development bodies, before undertaking construction or maintenance work through their direct labour organisations (DLO's), to have satisfied certain requirements as respects competitive tendering.

The Local Authorities (Direct Labour Organisations) (Competition) (Wales) Regulations 1997 (S.I. 1997/999) ("the principal Regulations"), require local authorities in Wales to satisfy the competitive tendering provisions of Part III of the 1980 Act in relation to various descriptions of works contracts and functional work.

Regulation 2 of the present Regulations amends regulation 3 (application) of the principal Regulations (as amended by S.I. 1997/1697 and S.I. 1998/2193) so that they will now apply to works contracts entered into on or after 2nd January 2000 and to functional work carried out on or after that date. In consequence, the Local Government, Planning and Land Act 1980 (Competition) (Wales) Regulations 1994 (S.I. 1994/338) will continue to apply to works contracts and functional work entered into or, as the case may be, carried out before 2nd January 2000.

Regulation 3 makes a consequential revocation of the Local Authorities (Direct Labour Organisation) (Competition) (Wales) (Amendment) Regulations 1998 (S.I. 1998/2193).