

1995 No. 363

LOCAL GOVERNMENT

The Local Government (Specified Periods for Functional Work) Regulations (Northern Ireland) 1995

Made 11th September 1995

Coming into operation 1st November 1995

The Department of the Environment, in exercise of the powers conferred on it by Article 9(1) of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992(a) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Local Government (Specified Periods for Functional Work) Regulations (Northern Ireland) 1995 and shall come into operation on 1st November 1995.

(2) In these regulations—

“the Order” means the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992.

“the Regulations” means the Local Government (Competition in Functional Work) Regulations (Northern Ireland) 1995(b).

Specified periods for functional work

2. The second condition set out in Article 8(2) of the Order shall not be treated as fulfilled as respects any work falling within a defined activity and proposed to be carried out by a council and on or after the dates specified in the Regulations and mentioned in column 1 of the Schedule if the period stated in the detailed specification pursuant to Article 8(2)(c) is—

(a) less than the period mentioned in column 2 of the Schedule; or

(b) exceeds the period mentioned in column 3 of the Schedule.

Sealed with the Official Seal of the Department of the Environment on 11th September 1995.

(L.S.)

J. McCormick

Assistant Secretary

(a) S.I. 1992/810 (N.I. 6). See Article 2(2) and (3) — definition of “Department”, “regulations” and of “the Ministry” in section 148(1) of the principal Act; see also S.R. & O. (N.I.) 1973 No. 504 Article 7(1) and S.I. 1976/424 (N.I. 6) Article 3

(b) S.R. 1995 No. 362

Specified Periods

Column 1 <i>Defined Activity</i>	Column 2 <i>Minimum Period Years</i>	Column 3 <i>Maximum Period Years</i>
Cleaning of buildings (paragraph 2 of Schedule 1 to the Order)	4	6
Repair and maintenance of vehicles (paragraph 6 of Schedule 1 to the Order)	4	6
Catering (paragraph 4 of Schedule 1 to the Order)	4	6
Managing sports and leisure facilities (paragraph 7 of Schedule 1 to the Order)	4	6
Construction and maintenance work (paragraph 8 of Schedule 1 to the Order)	4	6

EXPLANATORY NOTE

(This note is not part of the Regulations.)

Article 7 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992 provides that councils may not carry out functional work (as defined in Article 3(1)) falling within a defined activity (as described in Article 4) on or after such a date as may be specified by regulations (see final paragraph below) unless certain conditions are fulfilled.

Article 8 sets out those conditions, including in paragraph (2) of that Article, a condition that the council must include in a detailed specification a statement of the period during which the work is to be carried out.

These regulations specify minimum and maximum periods during which any functional work falling within certain defined activities is to be carried out.

The Local Government (Competition in Functional Work) Regulations (Northern Ireland) 1992 (S.R. 1992/518), and 1995 (S.R. 1995/362) specify, in relation to certain types of functional work, various dates.