



Local Government Act 1988

1988 CHAPTER 9

PART I

COMPETITION

Sanctions

13 Notice for purpose of getting information.

(1) If it appears to the Secretary of State that in the financial year beginning in 1989 or in a subsequent financial year a defined authority—

- (a) have (as a bidding authority) entered into a contract to carry out work and have done so in contravention of section 4 above,
- (b) have carried out work in circumstances where any of the six conditions required to be fulfilled as regards the work by section 6 above has not been fulfilled,
- (c) have carried out work in circumstances where section 9 above has not been complied with for the year concerned in relation to the defined activity within which the work falls or in relation to an account required by that section to be kept for the year concerned as regards the activity,
- (d) have carried out work in circumstances where section 10 above has not been complied with for the year concerned in relation to the defined activity within which the work falls, or
- (e) have carried out work in circumstances where section 11 above has not been complied with for the year concerned in relation to the defined activity within which the work falls or in relation to a report required by that section to be prepared for the year concerned as regards the activity,

he may serve on the authority a written notice falling within subsection (2) below.

(2) The notice is one which—

- (a) informs the authority that it appears to him that in a financial year identified in the notice they have acted as mentioned in one of the paragraphs (so identified) of subsection (1) above,

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1988, Section 13. (See end of Document for details)

- (b) identifies the work concerned and states why it so appears, and
 - (c) contains the requirement mentioned in subsection (3) below.
- (3) The requirement is that the authority submit to him within such time as is specified in the notice a written response which—
 - (a) states that they have not acted as mentioned in the paragraph concerned of subsection (1) above and justifies the statement, or
 - (b) states that they have acted as so mentioned and gives reasons why he should not give a direction under section 14 below.
- (4) Where work is specified under section 6(3) above as a proportion of particular work, the reference in subsection (2)(b) above to work is to the work of which the proportion forms a part.
- (5) The Secretary of State may serve on an authority different notices under this section identifying the same financial year and the same work, whether they identify the same paragraph or different paragraphs of subsection (1) above.

Status:

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Changes to legislation:

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