



Local Government (Overseas Assistance) Act 1993

1993 CHAPTER 25

1 Power to provide advice and assistance.

- (1) Subject to subsections (3) to (6) below, a local authority may provide advice and assistance as respects any matter in which they have skill and experience to a body engaged outside the United Kingdom in the carrying on of any of the activities of local government.
- (2) In relation to any place outside the United Kingdom, activities shall be taken for the purposes of this Act to be activities of local government wherever they are the equivalent of, or are comparable to, any activities which in any part of Great Britain are carried on, by virtue of the functions vested in them, by local authorities.
- (3) The power conferred by subsection (1) above shall not be exercised except with the consent of the Secretary of State or in accordance with a general authorisation given by him.
- (4) Before giving any general authorisation under subsection (3) above, the Secretary of State shall consult with such persons appearing to him to represent local authorities as he thinks appropriate.
- (5) A consent or authorisation under subsection (3) above may be given subject to such conditions as the Secretary of State thinks fit.
- (6) Nothing in this section authorises a local authority to provide any financial assistance by—
 - (a) making a grant or loan,
 - (b) giving a guarantee or indemnity, or
 - (c) investing by acquiring share or loan capital.

^{F1}[(6A) For the purposes of subsection (1) above the Greater London Authority shall be treated as having skill and experience as respects a particular matter if—

- (a) the Authority does not have skill and experience as respects that matter,
- (b) the London Development Agency does have such skill and experience, and

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- (c) the Agency provides advice and assistance as respects that matter to the Authority.]
- (7) The Secretary of State shall provide local authorities with such guidance about the exercise of their powers under this section as he thinks appropriate.
- (8) There shall be paid out of money provided by Parliament any increase attributable to this section in the sums payable out of money so provided under any other enactment.
- (9) In this section, “local authority” means—
- (a) a county or district council in England [^{F2}, the council of a county or county borough in] Wales, [^{F3}the Greater London Authority,] a London borough council, the Common Council of the City of London, the Council of the Isles of Scilly or a body mentioned in subsection (10) below; or
 - (b) a [^{F4}council constituted under section 2 of the Local Government etc. (Scotland) Act 1994] in Scotland or a joint board within the meaning of section 235(1) of the ^{M1}Local Government (Scotland) Act 1973.
- (10) The bodies referred to in subsection (9) above are—
- [^{F5}(a) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;]
 - ^{F6}(b)
 - (c) an authority established under section 10 of the ^{M2}Local Government Act 1985 (waste disposal authorities);
 - (d) a joint authority established by Part IV of that Act (^{F7} . . . , fire services, civil defence and transport);
 - ^{F8}[(dd) the London Fire and Emergency Planning Authority;]
 - (e) a joint authority established by an order under section 21 of the ^{M3}Local Government Act 1992 (joint authorities established in connection with structural or boundary changes);
 - (f) the Broads Authority;
 - [^{F9}(ff) the ^{F10} London Pensions Fund Authority;]
 - ^{F11}(g)
 - [^{F12}(h) a joint planning board constituted for an area in Wales outside a National Park by an order under section 2(1B) of the ^{M4}Town and Country Planning Act 1990.]
- (11) The Secretary of State may by order made by statutory instrument amend subsection (9) or (10) above so as to add any body or description of body to the bodies which are local authorities for the purposes of this section; and any statutory instrument containing an order under this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F1** S. 1(6A) inserted (8.5.2000) by 1999 c. 29, s. 400(1)(2) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(b), **Sch. Pt. II**
- F2** Words in s. 1(9)(a) substituted (1.4.1996) by 1994 c. 19, s. 66(6), **Sch. 16 para. 103** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F3** Words in s. 1(9)(a) inserted (8.5.2000) by 1999 c. 29, s. 400(1)(3) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(b), **Sch. Pt. II**

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- F4** Words in s. 1(9)(b) substituted (S.) (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 182**; S.I. 1996/323, **art. 4(1)(b)(c)**
- F5** S. 1(10)(a) substituted (1.10.2004 except in relation to W., 10.11.2004 for W.) by Fire and Rescue Services Act 2004 (c. 21), s. 61, **Sch. 1 para. 83**; S.I. 2004/2304, art. 2; S.I. 2004/2917, art. 2
- F6** S. 1(10)(b) repealed (1.4.1995) by 1994 c. 29, s. 93, **Sch. 9 Pt. I**; S.I. 1994/3262, art. 4, **Sch.**
- F7** Words in s. 1(10)(d) repealed (1.4.1995) by 1994 c. 29, s. 93, **Sch. 9 Pt. I**; S.I. 1994/3262, art. 4, **Sch.**
- F8** S. 1(10)(dd) inserted (3.7.2000) by 1999 c. 29, s. 328(8), **Sch. 29 Pt. I para. 59** (with Sch. 12 para. 9(1)); S.I. 2000/1094, **art. 4(a)(h)**
- F9** S. 1(10)(ff) inserted (E.W.) (5.12.2001) by S.I. 2001/3618, **art. 2**
- F10** A body established by the London Government Reorganisation (Pensions etc.) Order 1989 S.I. (1989/1815).
- F11** S. 1(10)(g) repealed (1.4.1997) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I. 1996/2560, art. 2, **Sch.**
- F12** S. 1(10)(h) added (23.11.1995) by 1995 c. 25, s. 78, **Sch. 10 para. 36** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1995/2950, art. 2, **Sch.**

Marginal Citations

- M1** 1973 c. 65.
M2 1985 c. 51.
M3 1992 c. 19.
M4 1990 c. 8.

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Local Government (Overseas Assistance) Act 1993, Section 1.