



Local Government Act 1999

1999 CHAPTER 27

PART I

BEST VALUE

[^{F1}Exclusion of non-commercial considerations]

Textual Amendments

- F1** S. 19 cross-heading inserted (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), s. 245(5), [Sch. 7 para. 2\(2\)](#); S.I. 2008/917, art. 2(1)(a)

19 Contracts: exclusion of non-commercial considerations.

- (1) The Secretary of State may by order provide, [^{F2}in relation to—
- (a) all [^{F3}relevant authorities],
 - (b) particular [^{F4}relevant authorities], or
 - (c) particular descriptions of [^{F5}relevant authority],
- for] a specified matter to cease to be a non-commercial matter for the purposes of section 17 of the ^{M1}Local Government Act 1988 (local and other public authority contracts: exclusion of non-commercial considerations).
- (2) An order under this section may—
- (a) provide for a matter to cease to be a non-commercial matter for specified purposes or to a specified extent;
 - (b) apply in relation to specified authorities, functions or contracts;
 - (c) make different provision for different cases;
 - (d) include consequential or transitional provision (including provision amending an enactment).

[^{F6}(2A) The power under subsection (2)(c) includes, in particular, power to make different provision for different authorities or descriptions of authority.]

Status: Point in time view as at 01/04/2009.

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1999, Cross Heading: Exclusion of non-commercial considerations. (See end of Document for details)

- (3) [^{F7}Subject to subsection (3A),] no order shall be made under this section unless a draft has been laid before, and approved by resolution of, each House of Parliament.
- [^{F8}(3A) An order under this section which is made only for the purpose of amending an earlier order under this section—
- (a) so as to extend the earlier order, or any provision of the earlier order, to a particular authority or to authorities of a particular description, or
 - (b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or to authorities of a particular description,
- shall be subject to annulment in pursuance of a resolution of either House of Parliament.]
- (4) In exercising a function regulated by section 17 of the Local Government Act 1988 with reference to a matter which is the subject of an order under this section a [^{F9}relevant authority] shall have regard to any guidance issued by the Secretary of State.
- [^{F10}(5) In this section, “relevant authority” means—
- (a) a best value authority,
 - (b) a parish council, or
 - (c) a community council.]

Textual Amendments

- F2** S. 19(1)(a)-(c) and words substituted for words (18.11.2003 for E., 27.11.2003 for W.) by [Local Government Act 2003 \(c. 26\)](#), s. 128(6), [Sch. 3 para. 10\(2\)](#); S.I. 2003/2938, art. 3(a) (with art. 8Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F3** Words in s. 19(1)(a) substituted (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), s. 245(5), [Sch. 7 para. 2\(3\)\(a\)](#); S.I. 2008/917, art. 2(1)(a)
- F4** Words in s. 19(1)(b) substituted (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), s. 245(5), [Sch. 7 para. 2\(3\)\(a\)](#); S.I. 2008/917, art. 2(1)(a)
- F5** Words in s. 19(1)(c) substituted (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), s. 245(5), [Sch. 7 para. 2\(3\)\(b\)](#); S.I. 2008/917, art. 2(1)(a)
- F6** S. 19(2A) inserted (18.11.2003 for E., 27.11.2003 for W.) by [Local Government Act 2003 \(c. 26\)](#), s. 128(6), [Sch. 3 para. 10\(3\)](#); S.I. 2003/2938, art. 3(a) (with art. 8Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F7** Words in s. 19(3) inserted (18.11.2003 for E., 27.11.2003 for W.) by [Local Government Act 2003 \(c. 26\)](#), s. 128(6), [Sch. 3 para. 10\(4\)](#); S.I. 2003/2938, art. 3(a) (with art. 8Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F8** S. 19(3A) inserted (18.11.2003 for E., 27.11.2003 for W.) by [Local Government Act 2003 \(c. 26\)](#), s. 128(6), [Sch. 3 para. 10\(5\)](#); S.I. 2003/2938, art. 3(a) (with art. 8Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F9** Words in s. 19(4) substituted (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), s. 245(5), [Sch. 7 para. 2\(3\)\(b\)](#); S.I. 2008/917, art. 2(1)(a)
- F10** S. 19(5) inserted (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), s. 245(5), [Sch. 7 para. 2\(3\)\(c\)](#); S.I. 2008/917, art. 2(1)(a)

Commencement Information

- I1** S. 19 wholly in force at 27.7.2000; s. 19 not in force at Royal Assent see s. 27; s. 19 in force (E.) at 27.9.1999 and (W.) for certain purposes at 27.9.1999 by [S.I. 1999/2169](#), art. 3(2), [Sch. 2](#); s. 19(1)(2)(4) in force (W.) at 1.10.1999 by [S.I. 1999/2815](#), art. 2; s. 19 in force at 27.7.2000 in so far as not already in force see s. 27

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Changes to legislation: *There are currently no known outstanding effects for the Local Government Act 1999, Cross Heading: Exclusion of non-commercial considerations. (See end of Document for details)*

Marginal Citations

M1 [1988 c.9.](#)

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Changes to legislation:

There are currently no known outstanding effects for the Local Government Act 1999, Cross
Heading: Exclusion of non-commercial considerations.