
STATUTORY INSTRUMENTS

1994 No. 3165

**The Local Government Act 1988 (Defined Activities)
(Competition) (Supervision of Parking, Management of
Vehicles and Security Work) (England) Regulations 1994**

Application of competition provisions

2.—(1) Section 6 of the Act shall apply to functional work within section 2(2)(ff) (supervision of parking), section 2(2)(gg) (management of vehicles), or section 2(2)(i) (security work)⁽¹⁾ if it is proposed to be carried out —

- (a) on or after 1st October 1996 by a local authority which is subject to, or created by, a structural or substantial boundary change effected by an order made under section 17 of the Local Government Act 1992⁽²⁾ (“a structural change”) where that structural change takes effect from 1st April 1995; or
- (b) on or after 1st October 1997 by a local authority subject to a structural change where that structural change takes effect from 1st April 1996; or
- (c) on or after 1st October 1998 by a local authority subject to a structural change where that structural change takes effect from 1st April 1997; or
- (d) on or after 1st January 1996 by any other defined authority except —
 - (i) those mentioned in section 1(1)(b), (c) and (d) of the Act,
 - (ii) county councils or non-metropolitan district councils which are not subject to a structural change, and
 - (iii) a police authority.

(2) Nothing in this regulation requires a defined authority to take any steps pursuant to section 6 of the Act in respect of functional work within section 2(2)(gg) of the Act which, before the day specified in the Schedule in relation to that authority, the authority has, in reaching the decision that they should carry out relevant work, decided to carry out exclusively for the purposes of facilitating that relevant work.

(3) In paragraph (2) above “relevant work” means work—

- (a) within any of the defined activities in paragraphs (a) to (g) of section 2(2) of the Act, or
- (b) consisting of construction or maintenance work within the meaning given by section 20(1) of the Local Government, Planning and Land Act 1980⁽³⁾.

(1) The activities of supervision of parking, management of vehicles and security work were added by S.I.1994/2884.

(2) 1992 c. 19.

(3) 1980 c. 65. Relevant amendments to section 20 are made by the Local Government Act 1988 Schedule 6 paragraph 10(2) and the Employment Act 1989 (c. 38) Schedule 6 paragraph 27.