
STATUTORY INSTRUMENTS

1997 No. 1697

LOCAL GOVERNMENT, ENGLAND AND WALES
WALES

**The Local Authorities (Direct Labour Organisations)
(Competition) (Wales) (Amendment) Regulations 1997**

<i>Made</i>	- - - -	<i>14th July 1997</i>
<i>Laid before Parliament</i>		<i>21st July 1997</i>
<i>Coming into force</i>	- -	<i>14th August 1997</i>

The Secretary of State for Wales, in exercise of the powers conferred on him by sections 7(1), (2), (4), (5) and (6), 9(3) and 23(1) of the Local Government, Planning and Land Act 1980(1), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Authorities (Direct Labour Organisations) (Competition) (Wales) (Amendment) Regulations 1997 and shall come into force on 14th August 1997.

(2) In these Regulations, “the principal Regulations” means the Local Authorities (Direct Labour Organisations) (Competition) (Wales) Regulations 1997(2).

Amendment of the principal Regulations

2.—(1) The principal Regulations shall be amended in accordance with the following paragraph.

(2) For paragraph (2) of regulation 3 (application) substitute the following—

“(2) In relation to works of new construction, these Regulations apply to a works contract entered into on or after 1st October 1998 and to functional work to be carried out on or after that date.

(3) In relation to,

(a) general highway works;

(1) 1980 c. 65; Section 7 was amended by the Local Government Act 1988 (c. 9), Schedule 6 paragraph 2 and by the Local Government Act 1992 (c. 19), Schedule 1 paragraph 1 and section 23(1) was amended by that Act of 1992, Schedule 1, paragraph 9.
(2) S.I. 1997/999.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) the construction or maintenance of a sewer; and
- (c) works of maintenance,

these Regulations apply to a works contract entered into on or after 1st January 1999 and to functional work to be carried out on or after that date.(3).”

Signed by authority of the Secretary of State for Wales

14th July 1997

Win Griffiths
Parliamentary Under Secretary of State, Welsh
Office

(3) The terms “works contract”, “functional work”, “works of new construction”, “general highway works” and “works of maintenance” are defined or explained in the principal Regulations.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part III of the Local Government, Planning and Land Act 1980 (“the 1980 Act”) requires local authorities (including authorities who are treated as local authorities for that purpose) and development bodies, before undertaking construction or maintenance work through their direct labour organisations (DLOs), to have satisfied certain requirements as respects competitive tendering.

The Local Authorities (Direct Labour Organisations) (Competition) (Wales) Regulations 1997 ([S.I. 1997/999](#)) (“the principal Regulations”) require local authorities in Wales to satisfy the competitive tendering provisions of Part III of the 1980 Act in relation to various descriptions of works contracts and functional work (namely, works of new construction, general highway works, the construction or maintenance of a sewer and works of maintenance) entered into or, as the case may be, carried out on or after 1st October 1997. The present Regulations amend the principal Regulations so that they will now apply in relation to works of new construction from 1st October 1998 and in relation to general highways works, the construction or maintenance of a sewer and works of maintenance from 1st January 1999. In consequence, the Local Government Planning and Land Act 1980 (Competition) (Wales) Regulations 1994 ([S.I. 1994/338](#)), which are disapplied by regulation 12 of the principal Regulations, will now continue to apply to works contracts and functional work, entered into or, as the case may be, carried out before 1st October 1998 (in relation to works of new construction) and before 1st January 1999 (in relation to general highway works, the construction or maintenance of a sewer and works of maintenance).