

2001 No. 243

LOCAL GOVERNMENT, ENGLAND

**The Local Authorities (Goods and Services)
(Public Bodies) (England) Order 2001**

Made - - - - - *30th January 2001*

Laid before Parliament *31st January 2001*

Coming into force - - *1st March 2001*

The Secretary of State, in exercise of the powers conferred by sections 1(5) and (6) of the Local Authorities (Goods and Services) Act 1970 and now vested in him(a), hereby makes the following Order:

Citation, commencement and extent

- 1.—(1) This Order may be cited as the Local Authorities (Goods and Services) (Public Bodies) (England) Order 2001 and shall come into force on 1st March 2001.
- (2) This Order extends to England only(b).
- (3) In this Order “the 1970 Act” means the Local Authorities (Goods and Services) Act 1970.

Designation as a public body

2. For the purposes of section 1 (Supply of goods and services by local authorities) of the 1970 Act, in its application to local authorities in England, a person of one of the descriptions specified in column (1) of the Schedule to this Order, being descriptions of persons appearing to the Secretary of State to be exercising functions of a public nature, shall be a public body.

Restrictions on agreements

3. Where, in relation to the description specified in column (1) of the Schedule, a requirement is specified in column (2) (“a related requirement”), the agreements which a person of that description may enter into under section 1(1) of the 1970 Act by virtue of this Order shall be restricted to those which satisfy the related requirement.

30th January 2001

Estelle Morris
Minister of State,
Department for Education and Employment

(a) 1970 c. 39. The powers conferred on the Minister of Housing and Local Government are exercisable by the Secretary of State (S.I. 1970/1681).

(b) The Secretary of State’s functions under the Local Authorities (Goods and Services) Act 1970, so far as exercisable in relation to Wales, are transferred to the National Assembly for Wales; see the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2 and Schedule 1.

SCHEDULE

Articles 2 and 3

DESCRIPTIONS OF PERSONS AND RELATED REQUIREMENT

<i>(1)</i> <i>Description of Persons</i>	<i>(2)</i> <i>Related Requirement</i>
1. A person with whom a local education authority has entered into a contract or other arrangement for the performance of functions on the authority's behalf pursuant to a direction made by the Secretary of State under section 497A(4) of the Education Act 1996(a)	The agreement is made in connection with the performance on an authority's behalf of those functions set out in the contract or other arrangement.
2. The School Development Support Agency(b)	
3. A City Technology College, City College for the Technology of the Arts or City Academy which has entered into an agreement with the Secretary of State pursuant to section 482 of the Education Act 1996(c)	

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order designates as public bodies for the purposes of the Local Authorities (Goods and Services) Act 1970 ("the 1970 Act") persons of the description specified in column (1) of the Schedule to the Order. The effect of designation is to allow a local authority in England to provide goods and services to a designated body.

Article 3 limits the agreements that English local authorities may make by virtue of this Order with persons who contract with a local education authority to carry out certain local education authority functions in consequence of a direction made by the Secretary of State under section 497A of the Education Act 1996. Agreements made by local authorities with such bodies are limited to the type of agreement set out in column (2) of the Schedule.

(a) 1996 c. 56; section 497A is inserted by section 8 of the School Standards and Framework Act 1998 (c. 31).

(b) A company limited by guarantee, not having a share capital and registered under company no. 4038050.

(c) Section 482 of the Education Act 1996 is amended by section 130 of the Learning and Skills Act 2000 (c. 21).

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