
EXPLANATORY NOTE

(This note is not part of the Order)

Section 17(5) of the Local Government Act 1988 (c. 9) (the “1988 Act”) contains a list of matters (non-commercial matters) by reference to which public authorities may not exercise the functions listed in section 17(4) of that Act, which include functions in relation to proposed public supply or works contracts with the authority.

This Order provides for certain matters specified in the Order to cease to be non-commercial matters for the purposes of section 17 of the 1988 Act. The matters concerned are contracts under which supplies originate in the Russian Federation or the Republic of Belarus or where the location of the business activities or interests of a contractor is the Russian Federation or the Republic of Belarus.

This Order applies to all best value authorities within the meaning of section 1 of the Local Government Act 1999 (c. 27) and parish councils in England. The Order allows for these authorities to take comparable action to central Government departments, executive agencies and non-departmental public bodies, as set out in the Cabinet Office Procurement Policy Note – Contracts with Suppliers from Russia and Belarus (PPN 01/2022). PPN 01/2022 is available at <https://www.gov.uk/government/publications/procurement-policy-note-0122-contracts-with-suppliers-from-russia-and-belarus>.

A full regulatory impact assessment has not been prepared as this instrument will have no impact on the costs of business and the voluntary sector.