



# Local Government in Scotland Act 2003

## 2003 asp 1

### PART 1

#### BEST VALUE AND ACCOUNTABILITY

##### *Relaxation of rules about contracts and supply of goods and services*

PROSPECTIVE

- 9 Special provision for local authority contracts for construction of buildings or works**
- (1) A local authority may, in accordance with regulations made under this section, enter into an agreement with any person for the construction or maintenance by the authority of any buildings or works.
  - (2) The Scottish Ministers may make regulations—
    - (a) restricting the exercise of the power under subsection (1) above by reference to the likely gross expenditure of the local authority in any financial year occasioned by its exercise of the power when taken together with the likely gross expenditure of the authority in that year on—
      - (i) all other construction of building or works; and
      - (ii) all works of maintenance of land or buildings, undertaken by the authority, and
    - (b) otherwise prescribing how local authorities are to exercise the power.
  - (3) Those regulations may, under subsection (2)(b) above, provide that any code or other document referred to in the regulation is to have effect for the purpose of regulating the exercise of the power under subsection (1) above.
  - (4) Those regulations may include provision for the making of reports to the Scottish Ministers and to the public on the exercise of the power under subsection (1) above.
  - (5) Those regulations may make different provision for different authorities or different classes of authority.

**Status:** *This version of this provision is prospective.*

**Changes to legislation:** *There are currently no known outstanding effects for the Local Government in Scotland Act 2003, Section 9. (See end of Document for details)*

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- (6) Regulations under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (7) Before making any such regulations, the Scottish Ministers shall consult such associations of local authorities and such other persons as they think fit.

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government in Scotland Act 2003, Section 9.