



Local Government (Miscellaneous Provisions) Act 1976

1976 CHAPTER 57

PART I

GENERAL

Miscellaneous

38 Use of spare capacity of computers of local authorities.

(1) If a local authority—

- (a) has provided a computer for the purpose of enabling the authority to perform any of its functions other than functions under this section; and
- (b) considers that the computer can, without detriment to its use for that purpose, be used for the benefit of the authority in pursuance of the following provisions of this section,

the authority may enter into agreements with other persons for the provision by the authority of facilities for using the computer or of services provided by means of the computer.

(2) An agreement in pursuance of this section may contain such terms as to payment or otherwise as the parties consider appropriate; and it shall be the duty of a local authority, in settling the terms of such an agreement, to ensure that they are terms on which the authority considers that a person other than a local authority could reasonably be expected to provide the facilities or services in question.

(3) In this section “computer” means any device for storing and processing information.

Modifications etc. (not altering text)

C1 S. 38 amended by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 57(7), [Sch. 13 para. 13\(g\)](#)

Changes to legislation: There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1976, Section 38. (See end of Document for details)

- C2** S. 38 extended (5.7.1994) by 1994 c. 19, s. 39, **Sch. 13 para. 20(f)** (with ss. 54(5)(7), 55(5), Sch. 17 paras 22(1), 23(2))
S. 38 extended (19.9.1995) by 1995 c. 25, ss. 65(7), 125(2), **Sch. 8 para. 3(2)** (with ss. 7(6), 115, 117, Sch. 8 para. 7)
- C3** S. 38: power to apply conferred (1.9.1997) by 1997 c. 50, s. 44(1), **Sch. 4** para. (c)(iii); S.I. 1997/1930, **art. 2(2)(m)**
- C4** S. 38 modified (22.7.2004) by The Cotswolds Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 (S.I. 2004/1777), **art. 29(2)**
S. 38 modified (22.7.2004) by The Chilterns Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 (S.I. 2004/1778), **art. 29(2)**

Changes to legislation:

There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1976, Section 38.