
STATUTORY INSTRUMENTS

1996 No. 265

LOCAL GOVERNMENT, ENGLAND AND WALES

**The Local Government Act 1988 (Defined Activities)
(Specified Periods) (Wales) Regulations 1996**

<i>Made</i>	- - - -	<i>8th February 1996</i>
<i>Laid before Parliament</i>		<i>21st February 1996</i>
<i>Coming into force</i>	- -	<i>1st April 1996</i>

The Secretary of State for Wales, in exercise of the powers conferred by sections 8(1) and 15(6) of the Local Government Act 1988(1) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Local Government Act 1988 (Defined Activities) (Specified Periods) (Wales) Regulations 1996 and shall come into force on 1st April 1996.

Interpretation

2. In these Regulations—

“the 1988 Act” means the Local Government Act 1988;

“educational establishment” means a county school, a voluntary controlled school, a voluntary aided school, a special agreement school, a special school, a nursery school or a pupil referral unit within the meaning of the Education Act 1944(2) and the Education Act 1993(3).

Application

3. These Regulations apply only to work which is proposed to be carried out in Wales on or after 1st April 1996 and shall not apply to work for which a notice has been published in accordance with the requirements of section 7 of the 1988 Act on or before that date.

(1) 1988 c. 9.
(2) 1944 c. 31.
(3) 1993 c. 35.

Disapplication of previous regulations

4. The Local Government Act 1988 (Defined Activities) (Specified Periods) (Wales) Regulations 1988(4), and regulation 5 of the Local Government Act 1988 (Defined Activities) (Competition) (Wales) Regulations 1991(5) shall not apply to work to which these Regulations apply.

Specified periods

5.—(1) The second condition, set out in section 7(3) of the 1988 Act, shall not be treated as fulfilled as respects work undertaken under an arrangement which comprises an activity mentioned in the first column of Part I of the Schedule all or part of which is undertaken at or in connection with an educational establishment if the period stated in the detailed specification by virtue of section 7(3)(c) is less than the period mentioned in the second column of that Part or exceeds the period mentioned in the third column.

(2) The said condition shall not be treated as fulfilled as respects work undertaken under an arrangement which comprises an activity in the first column of Part II of the Schedule, and which does not involve work at or in connection with an educational establishment, if the period so stated is less than the period mentioned in the second column of that Part or exceeds the period mentioned in the third column.

(3) Where an authority estimates that the hours of work to be undertaken at or in connection with an educational establishment are less than 40 per cent of the total number of hours of work required in respect of the relevant arrangement, paragraph (2) shall apply to the work undertaken under that arrangement.

Signed by authority of the Secretary of State for Wales

Gwilym Jones
Parliamentary Under Secretary of State, Welsh
Office

8th February 1996

(4) S.I.1988/1470.

(5) S.I. 1991/232.

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

SCHEDULE

Regulation 5

SPECIFIED PERIODS

PART I

WORK RELATED WHOLLY OR MAINLY
TO EDUCATIONAL ESTABLISHMENTS

<i>Activity (1)</i>	<i>Minimum period years (2)</i>	<i>Maximum period years (3)</i>
Collection of refuse	5	7
Cleaning of buildings	3	4
Other cleaning	3	7
Catering for purposes of schools and welfare	3	5
Other catering	3	5
Managing sports and leisure facilities	4	6
Maintenance of ground	3	4
Repair and maintenance of vehicles	3	5

PART II

WORK NOT RELATED WHOLLY OR MAINLY
TO EDUCATIONAL ESTABLISHMENTS

<i>Activity (1)</i>	<i>Minimum period years (2)</i>	<i>Maximum period years (3)</i>
Collection of refuse	5	7
Cleaning of buildings	3	5
Other cleaning	3	7
Catering for purposes of schools and welfare	3	5
Other catering	3	5
Managing sports and leisure facilities	4	6
Maintenance of ground	3	5
Repair and maintenance of vehicles	3	5

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations specify new minimum and maximum periods for which defined authorities may invite offers to carry out functional work of certain descriptions which must be open to competition under Part I of the Local Government Act 1988.

The Regulations make different provision in respect of work all or the majority of which is undertaken at or connected with educational establishments, and work which is not undertaken at those establishments or does not substantially involve such work.