STATUTORY INSTRUMENTS

2004 No.2475

LOCAL GOVERNMENT, ENGLAND

The Local Authorities (Goods and Services) (Public Bodies) (England) (No.2) Order 2004

Made - - - -	*21st September 2004*
Laid before Parliament	*27th September 2004*
Coming into force - -	*18th October 2004*

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

Citation and commencement

1. This Order may be cited as the Local Authorities (Goods and Services) (Public Bodies) (England) (No.2) Order 2004 and shall come into force on 18th October 2004.

Designation as a public body

2. District Surveyors Association Local Authority Building Control Advisory Services Limited(**b**) ("LABCAS"), being a person appearing to the Secretary of State to be exercising a function of a public nature, shall be a public body for the purposes of the Local Authorities (Goods and Services) Act 1970, in its application to England(**c**).

Restrictions on agreements

3. Agreements which may be entered into by LABCAS by virtue of this Order shall be subject to the following restrictions—

(a) that any such agreements are for the supply of any administrative, professional or technical building control services by a local authority;

(b) that any such agreements are made for the provision of services to the Ministry of Defence ("MOD") or to a person undertaking building work or associated consultancy services on behalf of the MOD, in connection with the building project known as "Single Living Accommodation Modernisation Scheme"("SLAM"); and

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(**a**) 1970 c. 39. The power conferred on the Minister of Housing and Local Government is exercisable by the Secretary of State; *see* article 2 of the Secretary of State for the Environment Order 1970 (S.I. 1970/1681), and *see* also S.I. 1997/2971.

(**b**) District Surveyors Association Local Authority Building Control Advisory Services Limited is a company limited by guarantee registered under company number 4685813.

(**c**) 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* article 2 and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), to which there are amendments not relevant to this Order.

(c) that any such agreements are made in connection with the provision of services where the SLAM project building work is undertaken in England and Wales.

Signed by authority of the First Secretary of State

Phil Hope
Parliamentary Under Secretary of State
Office of the Deputy Prime Minister

21st September 2004

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order designates District Surveyors Association Local Authority Building Control Advisory Services Limited as a public body for the purposes of the Local Authorities (Goods and Services) Act 1970 ("the 1970 Act").

The effect of the designation is to allow local authorities in England to provide goods and services to the body by way of an agreement for any purposes prescribed by section 1(1) of the 1970 Act.

Article 3 imposes restrictions on the agreements with local authorities that can be entered into by the body, by virtue of this Order.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business may be accessed at: www.odpm.gov.uk; or available from: ODPM Free Literature, PO Box 236, Wetherby, West Yorkshire, LS23 7NB (tel: 0870-1226-236; fax: 0870-1226-237); e-mail: odpm@twoten.press.net

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