STATUTORY INSTRUMENTS

1999 No. 452

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Government Act 1988 (Defined Activities) (Exemptions) (Havering London Borough Council and Scarborough Borough Council) Order 1999

Made - - - -	*25th February 1999*
Laid before Parliament	*4th March 1999*
Coming into force	*1st April 1999*

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred on him by sections 2(9) and 15(5) of the Local Government Act 1988**(a)** hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Local Government Act 1988 (Defined Activities) (Exemptions) (Havering London Borough Council and Scarborough Borough Council) Order 1999 and shall come into force on 1st April 1999.

Exemption of catering

2.—(1) Catering for purposes of schools and welfare**(b)** by Havering London Borough Council ("the Council") shall not be treated as a defined activity so long as–

(a) it is limited to providing ingredients for, and preparing on premises occupied by or under the control of the Council, meals for provision to persons in their own homes under section 45 of the Health Services and Public Health Act 1968**(c)**, section 2(1)(g) of the Chronically Sick and Disabled Persons Act 1970**(d)**, or Part II of Schedule 9 to the Health and Social Services and Social Security Adjudications Act 1983**(e)**; and

(b) it is carried out during the period beginning with 1st April 1999 and ending immediately before 1st April 2000.

(2) Other catering**(f)** by the Council shall not be treated as a defined activity so long as–

(a) it is limited to the provision of ingredients for, and the preparation and service of, meals, and the provision of refreshments, to persons working for or on behalf of the Council; and

(b) it is carried out during the period beginning with 1st April 1999 and ending immediately before 1st April 2000.

(a) 1988 c. 9.
(b) *See* section 2(2)(d) of, and paragraph 4 of Schedule 1 to, the Local Government Act 1988.
(c) 1968 c. 46.
(d) 1970 c. 44.
(e) 1983 c. 41.
(f) *See* section 2(2)(e) of, and paragraph 5 of Schedule 1 to, the Local Government Act 1988.

Exemption of financial services

3. The provision of financial services**(a)** by Scarborough Borough Council shall not be treated as a defined activity so long as it is carried out during the period beginning with 1st April 1999 and ending immediately before 1st April 2001.

Signed by authority of the Secretary of State

Hilary Armstrong
Minister of State,
Department of the Environment,
Transport and the Regions

25th February 1999

EXPLANATORY NOTE

(This note is not part of the Order)

Under Part I (competition) of the Local Government Act 1988 work falling within certain defined activities may be carried out by local authorities only if particular conditions are fulfilled.

Article 2 of this Order exempts from the requirements of Part I catering services provided by Havering London Borough Council so long as they are limited to the provision on premises occupied by, or under the control of, the Council, of meals for delivery to persons in their own homes, and to the provision and service of meals and refreshments to Council workers. The services may be provided only from 1st April 1999 to, and including, 31st March 2000.

Article 3 of this Order exempts from the requirements of Part I the provision of financial services by Scarborough Borough Council. The services may be provided only from 1st April 1999 to, and including, 31st March 2001.

(a) *See* section 2(2)(1) of, and paragraph 13 of Schedule 1 to, the Local Government Act 1988, which were added by S.I. 1995/1915.

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