STATUTORY INSTRUMENTS

1982 No. 229

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Government (Direct Labour Organisations) (Amendment of Local Acts) Order 1982

Made - - -	*23rd February* 1982
Laid before Parliament	*8th March* 1982
Coming into Operation	*1st April* 1982

The Secretary of State for the Environment in relation to England and the Secretary of State for Wales in relation to Wales, having consulted each local authority which they consider to be affected, in exercise of the powers conferred upon them by section 22 of the Local Government, Planning and Land Act 1980(**a**), and of all other powers enabling them in that behalf, hereby make the following order:—

Title and Commencement

1. This order may be cited as the Local Government (Direct Labour Organisations) (Amendment of Local Acts) Order 1982 and shall come into operation on 1st April 1982.

Amendment of Local Acts

2.— (1) Section 59 of the County of South Glamorgan Act 1976(**b**) shall be amended as follows.

(2) In subsection (1) the words "(hereinafter in this section called relevant work)" shall be omitted and after that subsection there shall be inserted the following subsections:—

> "(1A) Subject to subsection (1B), in this section "relevant work" means any work carried out under arrangements authorised by subsection (1) above and which is not construction or maintenance work as defined in section 20 of the Local Government, Planning and Land Act 1980.
>
> (1B) In subsection (4) of this section "relevant work" means any work carried out under arrangements authorised by subsection (1) above.".

(3) In subsection (7) for the words "any works carried out in exercise of the powers of this section" there shall be substituted the words "any relevant work"; and in paragraph (*e*) of that subsection for the words "work carried out in exercise of the powers of this section" there shall be substituted the words "relevant work".

(**a**) 1980 c.65. (**b**) 1976 c.xxxv.

3.— (1) Section 68 of the Tyne and Wear Act 1976(**a**) shall be amended as follows.

(2) In subsection (1) the words "which is not a work of maintenance as defined in section 1(4) of the Local Authorities (Goods and Services) Act 1970(**b**), carried out under the powers of that Act" shall be omitted and after that subsection there shall be inserted the following subsections:—

"(1A) Subject to subsection (1B), in this section "relevant work" means any work to be carried out by the contracting authority in exercise of the relevant powers except—

(*a*) construction or maintenance work as defined in section 20 of the Local Government, Planning and Land Act 1980, and

(*b*) any other work which is a work of maintenance, as defined in section 1(4) of the Local Authorities (Goods and Services) Act 1970, (in this section called "the 1970 Act") carried out under the powers of that Act.

(1B) In subsection (4) of this section "relevant work" means any work to be carried out by the contracting authority in exercise of the relevant powers which is not a work of maintenance, as defined in section 1(4) of the 1970 Act, carried out under the powers of that Act."

(3) In subsection (7) for the words "any works carried out in exercise of the relevant powers" there shall be substituted the words "any relevant work"; and in paragraph (*e*) of that subsection for the words "work carried out in exercise of the relevant powers" there shall be substituted the words "relevant work".

Saving

4.— (1) Nothing in this order shall affect the carrying out of a relevant work which has been commenced before the date on which this order comes into operation.

(2) In this article "relevant work", in relation to work authorised to be carried out by section 59(1) (as originally enacted) of the County of South Glamorgan Act 1976, has the meaning ascribed to it in that section, and, in relation to work authorised to be carried out by sections 49 or 56 of the Tyne and Wear Act 1976 has the meaning ascribed to it in section 68 of that Act (as originally enacted).

Michael R. D. Heseltine,
19th February 1982. Secretary of State for the Environment.

Nicholas Edwards,
23rd February 1982. Secretary of State for Wales.

(**a**) 1976 c.xxxvi. (**b**) 1970 c.39.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Secretary of State is empowered under section 22 of the Local Government, Planning and Land Act 1980 to make an order amending the provisions of any local Act which appear to him to require amendment in consequence of any of the provisions (relating to local authority direct labour organisations) of Part III of that Act. Such an order may contain such incidental or transitional provisions as the Secretary of State considers appropriate. This order amends the County of South Glamorgan Act 1976 and the Tyne and Wear Act 1976 in order to exempt from certain provisions work for which similar, and inconsistent, provision is made in Part III of the 1980 Act and contains a saving in relation to the carrying out of works which were begun before the date on which the order comes into operation.

SI 1982/229
ISBN 0-11-026229-8

