
WELSH STATUTORY INSTRUMENTS

2002 No. 520

**The Service Subsidy Agreements (Tendering)
(Amendment) (Wales) Regulations 2002**

Amendment of Regulation 3 of the Service Subsidy Agreements (Tendering) Regulations 1985

2. There is substituted for regulation 3 of the Service Subsidy Agreements (Tendering) Regulations 1985⁽¹⁾ the following:

“3.—(1) There is excluded from section 89(1) of the Act any service subsidy agreement entered into by an authority during a financial year if the aggregate amount of the service subsidies payable by the authority under that agreement during that financial year, taken together with the service subsidies payable in that financial year under any other service subsidy agreement or agreements already entered into by that authority does not exceed the specified limit for that authority for that financial year.

(2) For the purposes of this regulation the specified limit in respect of any financial year is 40 per cent of the authority’s total budgeted expenditure for service subsidies for that financial year and if any question arises as to the amount of the specified limit in relation to an authority for a financial year the certificate of the chief financial officer of that authority as to its total budgeted expenditure for service subsidies for that financial year shall be conclusive for the purposes of this regulation.

(3) In determining, for the purposes of paragraph (1) of this regulation, the amount or aggregate amount of service subsidies payable in any financial year under a service subsidy agreement there shall be included any specific amount the payment of which is dependent on a contingency.

(4) This regulation has effect only in relation to Wales.”