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WELSH STATUTORY INSTRUMENTS

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**2002 No. 678 (W.75)**

**LOCAL GOVERNMENT, WALES**

**The Local Government Best Value (Exclusion of  
Non-commercial Considerations) (Wales) Order 2002**

*Made* - - - - *12th March 2002*  
*Coming into force* - - *31st March 2002*

The National Assembly for Wales makes the following Order in exercise of the powers conferred upon it by sections 19(1) and (2) and 29 of the Local Government Act 1999<sup>(1)</sup>:

**Name, commencement, application and interpretation**

1.—(1) The name of this Order is the Local Government Best Value (Exclusion of Non-commercial Considerations) (Wales) Order 2002 and it shall come into force on 31st of March 2002.

(2) This Order applies to all best value authorities in Wales except those falling within section 1(1) (d) or (e) of the 1999 Act (police and fire authorities).

(3) In this Order “the 1988 Act” (“*Deddf 1988*”) means the Local Government Act 1988<sup>(2)</sup>.

**Matters not to be non-commercial matters in relation to best value authorities**

2. The matters specified in section 17(5)(a) and (d) of the 1988 Act (Local and other public authority contracts: exclusion of non-commercial considerations) shall cease to be non-commercial matters for the purposes of that section.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998<sup>(3)</sup>.

12th March 2002

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

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(1) 1999 c. 27.  
(2) 1988 c. 9.  
(3) 1998 c. 38.

**Status:** This is the original version (as it was originally made).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

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## EXPLANATORY NOTE

*(This note does not form part of the Order)*

Section 17(5) of the Local Government Act 1988 (“the 1988 Act”) contains a list of matters (non-commercial matters) by reference to which a public authority may not exercise the functions listed in section 17(4) of that Act, which include functions in relation to proposed public supply or works contracts with the authority.

This Order provides for the matters specified in section 17(5)(a) and (d) of the 1988 Act to cease to be non-commercial matters for the purposes of that section. The matters concerned relate to the terms and conditions of employment etc. of the contractor’s workforce and the conduct of contractors or their workers in industrial disputes.