WELSH STATUTORY INSTRUMENTS

2006 No. 979 (W.102)

LOCAL GOVERNMENT, WALES

The Local Government (Best Value Authorities) (Power to Trade) (Wales) Order 2006

Made - - - -	*29 March 2006*
Coming into force - -	*1 April 2006*

The National Assembly for Wales, in exercise of the powers conferred on it by sections 95, 96 and 123 of the Local Government Act 2003(**1**), hereby makes the following Order:

Title, commencement and application

1.—(1) The title of this Order is the Local Government (Best Value Authorities) (Power to Trade) (Wales) Order 2006 and it comes into force on 1 April 2006.

(2) This Order applies in relation to best value authorities in Wales(**2**) which are—

(a) county councils or county borough councils;

(b) National Park authorities; and

(c) fire and rescue authorities constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004(**3**) or a scheme to which section 4 of that Act applies.

Power to trade in function-related activities

2.—(1) Subject to paragraphs (2) and (3), a best value authority is authorised to do for a commercial purpose anything which it is authorised to do for the purpose of carrying on any of its ordinary functions(**4**).

(2) Before exercising the power conferred by paragraph (1), the best value authority must—

(a) prepare a business case in support of the proposed exercise of that power; and

(b) approve that business case.

(**1**) 2003 c. 26.
(**2**) See section 124 of the Local Government Act 2003 for the definition of "best value authority".
(**3**) 2004 c. 21.
(**4**) See section 95(7) of the Local Government Act 2003 for the meaning of "ordinary functions".