# 1992 No. 520

## LOCAL GOVERNMENT

## The Local Government (Defined Activities) (Exemptions) Order (Northern Ireland) 1992

*Made* . . . . . *4th December 1992*

*Coming into operation* . . *1st February 1993*

The Department of the Environment, in exercise of the powers conferred on it by Articles 2(2), 4(8) and 16(3) of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992(**a**) and of all other powers enabling it in that behalf, hereby makes the following Order:

*Title, commencement and interpretation*

**1.**—(1) This Order may be cited as the Local Government (Defined Activities) (Exemptions) Order (Northern Ireland) 1992 and shall come into operation on 1st February 1993.

(2) In this Order "the Order" means the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992.

*Activities not to be treated as defined activities*

**2.**—(1) None of the activities mentioned in Article 4(1) of the Order shall, if carried out by a council, be treated as a defined activity so long as the condition mentioned in paragraph (2) is fulfilled.

(2) The condition mentioned in paragraph (1) is that the amount estimated by the council as the gross cost of carrying out the activity in question through its direct labour organisation or a similar organisation in the immediately preceding financial year, does not exceed £100,000.

(3) For the purposes of paragraph (2) the cost of carrying out any activity shall—

(*a*) include such proportion of the council's administrative expenses, other than expenses that would be incurred by the council whether the activity were carried out by it or by another person, as is properly attributable to the carrying out of the activity;

(*b*) exclude the cost of any work which is treated as carried out by the council by virtue of Article 3(1) of the Order; and

(*c*) exclude the cost of any work which by virtue of Article 3 does not fall within a defined activity.

(**a**) S.I. 1992/810 (N.I. 6). Article 2(2) is cited because it contains a definition of "the Department"