

**2011 No. 1514 (W. 178) (C. 57)**

**CONSTRUCTION, WALES**

**The Local Democracy, Economic  
Development and Construction Act  
2009 (Commencement No. 1)  
(Wales) Order 2011**

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

So far as extending to England and Wales, this Order commences provisions in Part 8 of the Local Democracy, Economic Development and Construction Act 2009 (c.20) (“the 2009 Act”) in relation to construction contracts which relate to the carrying out of construction operations in Wales. It does not commence such provisions in respect of other construction contracts which are being commenced by separate commencement orders.

Part 8 of the 2009 Act amends Part 2 of the Housing Grants, Construction and Regeneration Act 1996 (c.53) (“the 1996 Act”).

The provisions of Part 8 of the 2009 Act brought into force by this Order (where applicable in relation to Wales) are contained in section 138, which substitutes a new power allowing the Welsh Ministers to disapply any or all of the provisions of Part 2 of the 1996 Act.

Article 3 brings into force, on the day after this Order is made, the provision enabling the Welsh Ministers to make orders under the power which section 138 of the 2009 Act inserts into the 1996 Act.

**NOTE AS TO EARLIER COMMENCEMENT  
ORDERS**

*(This note is not part of the Order)*

So far as extending to England and Wales, the following provisions of the 2009 Act have been brought into force in relation to Wales by commencement orders made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 69 (partially)	25.11.2009	2009/3087
Section 71	25.11.2009	2009/3087
Section 84	25.11.2009	2009/3087
Section 86	25.11.2009	2009/3087
Section 87	25.11.2009	2009/3087

Various provisions of the 2009 Act have been brought into force so far as extending to England and Wales by the Secretary of State in relation to other construction contracts by the following Statutory Instruments: S.I. 2009/3087, S.I. 2009/3318 and S.I. 2010/881.

See also section 148 for the provisions which come into force on the passing of the 2009 Act.

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Development and Construction Act  
2009 (Commencement No. 1)  
(Wales) Order 2011

*Made*

*17 June 2011*

The Welsh Ministers, in exercise of the power conferred on them by section 149(1) of the Local Democracy, Economic Development and Construction Act 2009<sup>(1)</sup>, make the following Order:

**Title and interpretation**

1.—(1) The title of this Order is the Local Democracy, Economic Development and Construction Act 2009 (Commencement No. 1) (Wales) Order 2011.

(2) In this Order, “the Act” (“*y Ddeddf*”) means the Local Democracy, Economic Development and Construction Act 2009.

**Extent and application of provisions coming into force**

2. Section 138 of the Act comes into force so far as extending to England and Wales in relation to construction contracts which relate to the carrying out of construction operations in Wales in accordance with article 3.

**Provisions coming into force on the day after this Order is made**

3. Section 138 of the Act comes into force on the day after this Order is made for the purpose of enabling the Welsh Ministers to make orders.

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(1) 2009 c.20.

*John Griffiths*

Minister for Environment and Sustainable  
Development, one of the Welsh Ministers

17 June 2011