



General Rate Act 1967

1967 CHAPTER 9

PART II

PROVISIONS AS TO PRECEPTS

15 General power for securing payment of precepts.

(1) Where in pursuance of a precept issued to a rating authority by any other authority any amount is payable directly or indirectly by the rating authority to the precepting authority and, on an application for a certificate under this section made by the precepting authority after twenty-one days' notice given to the rating authority, the Minister is satisfied that the rating authority have refused or through wilful neglect or wilful default failed to raise that amount by a rate, or that, having raised the amount by a rate, the rating authority have refused or through wilful neglect or wilful default failed to pay the amount due under the precept, the Minister may issue a certificate to that effect and thereupon—

- (a) the precepting authority shall have the like power of applying for a receiver, and
- (b) a receiver may on such an application be appointed in like manner, and when appointed shall have the like power,

as if—

- (i) the precepting authority were a secured creditor of the rating authority for the amount due under the precept, with interest thereon at the rate of six per cent. per annum from the date when the amount became payable under the precept; and
- (ii) the said amount and interest were due under a security issued under the Local Loans Act 1875 charging them on the rates leviable by, and on all other property of, the rating authority; and
- (iii) the conditions under which a receiver may in such a case be appointed under section 12 of the said Act of 1875 were fulfilled;

and the said section 12 shall apply accordingly.

Status: This is the original version (as it was originally enacted).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

- (2) If the Minister so thinks fit an application under subsection (1)(a) of this section may be made by him instead of by the precepting authority.
- (3) The powers conferred by this section shall be in addition to and not in derogation of any other powers for enforcing compliance with a precept issued to a rating authority.