



# Local Government and Housing Act 1989

## 1989 CHAPTER 42

### PART IX

#### MISCELLANEOUS AND GENERAL

*Local Government Finance Act 1988, local finance (Scotland) and block grants*

#### **139 Local Government Finance Act 1988: amendments.**

Schedule 5 to this Act (which amends the <sup>M1</sup>Local Government Finance Act 1988) shall have effect.

#### **Marginal Citations**

**M1** 1988 c. 41.

#### **<sup>F1</sup>140 Scottish non-domestic rates: interim provisions.**

#### **Textual Amendments**

**F1** Ss. 140-144 repealed (1.4.1993 for the repeal of ss. 140 and 141, 26.3.2015 in so far as not already in force) by [Local Government Finance Act 1992 \(c. 14\)](#), s. 119(2), [Sch. 14](#); [S.I. 1993/575](#), art. 2(d), [Sch.](#); [S.S.I. 2015/59](#), art. 2

#### **<sup>F1</sup>141** .....

**Changes to legislation:** Local Government and Housing Act 1989, Cross Heading: Local Government Finance Act 1988, local finance (Scotland) and block grants is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**Textual Amendments**

**F1** Ss. 140-144 repealed (1.4.1993 for the repeal of ss. 140 and 141, 26.3.2015 in so far as not already in force) by [Local Government Finance Act 1992 \(c. 14\)](#), s. 119(2), **Sch. 14**; S.I. 1993/575, art. 2(d), Sch.; S.S.I. 2015/59, art. 2

**F1 142 Powers to vary incidence of standard community charge: Scotland.**

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**Textual Amendments**

**F1** Ss. 140-144 repealed (1.4.1993 for the repeal of ss. 140 and 141, 26.3.2015 in so far as not already in force) by [Local Government Finance Act 1992 \(c. 14\)](#), s. 119(2), **Sch. 14**; S.I. 1993/575, art. 2(d), Sch.; S.S.I. 2015/59, art. 2

**F1 143 Reduced liability for personal community charges: Scotland.**

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**Textual Amendments**

**F1** Ss. 140-144 repealed (1.4.1993 for the repeal of ss. 140 and 141, 26.3.2015 in so far as not already in force) by [Local Government Finance Act 1992 \(c. 14\)](#), s. 119(2), **Sch. 14**; S.I. 1993/575, art. 2(d), Sch.; S.S.I. 2015/59, art. 2

**F1 144 Community charge grants: Scotland.**

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**Textual Amendments**

**F1** Ss. 140-144 repealed (1.4.1993 for the repeal of ss. 140 and 141, 26.3.2015 in so far as not already in force) by [Local Government Finance Act 1992 \(c. 14\)](#), s. 119(2), **Sch. 14**; S.I. 1993/575, art. 2(d), Sch.; S.S.I. 2015/59, art. 2

**145 Amendment of Abolition of Domestic Rates Etc. (Scotland) Act 1987 and other enactments: Scotland.**

Schedule 6 to this Act (which amends the <sup>M2</sup>Abolition of Domestic Rates Etc. (Scotland) Act 1987 and other enactments) shall have effect.

**Marginal Citations**

**M2** 1987 c. 47.

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**F<sup>2</sup>146** .....

**Textual Amendments**

- F2** S. 146 repealed (1.4.1993) by [Local Government Finance Act 1992 \(c. 14\)](#), s. 117(2), [Sch.14](#) (with s. 118(1)(2)(4)); [S.I. 1992/2454](#) art.3 (with saving in art. 4) and subject to an amendment (28.11.1194) by [S.I. 1994/2825](#), [reg. 40](#)

**F<sup>3</sup>147** **Adjustment of block grant.**  
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**Textual Amendments**

- F3** S. 147 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 10](#) Group 2

**F<sup>4</sup>148** **Rate support grant, 1985/86.**  
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**Textual Amendments**

- F4** S. 148 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 10](#) Group 2

**149** **Statutory references to rating.**

(1) In the case of a provision which is made by or under any enactment and refers to a rate or a rateable value or any other factor connected with rating, the Secretary of State may make regulations—

- (a) providing that the reference shall instead be to some other factor (whether or not connected with rating); or
- (b) providing for the factor to be amended (whether by limiting its operation or in any other way);

and this section shall have effect in place of section 119 of the <sup>M3</sup>Local Government Finance Act 1988.

(2) Regulations under this section—

- (a) may make provision in such manner as the Secretary of State thinks fit (whether by amending provisions or otherwise);
- (b) may provide for a factor expressed by reference to valuation, rent, a premium, the length of a lease, anything connected with rating, or any other matter whatever;
- (c) may provide for a factor expressed by reference to a combination of matters (whether expressed in terms of a formula or otherwise);
- (d) may provide for a factor which includes a method of adjustment (whether by reference to indexation or otherwise);
- (e) may make provision with respect to the resolution of disputes (whether by a court or otherwise); and

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- (f) may contain such supplementary, incidental, consequential or transitional provisions as appear to the Secretary of State to be necessary or expedient.
- (3) A factor expressed by reference to rent may be by reference to ground rent, rent of premises at a market rate, rent as limited by law, or otherwise.
- (4) Nothing in this section shall be construed as limiting the power conferred by section 14 of the <sup>M4</sup> Interpretation Act 1978 to revoke, amend or vary regulations previously made under this section.
- (5) In this section “enactment” means an enactment contained in Schedule 10 to this Act, or in any other Act whether passed before or in the same Session as this Act; and for this purpose “Act” includes a private or local Act.
- (6) Without prejudice to the generality of the powers conferred by this section, section 37 of the <sup>M5</sup> Landlord and Tenant Act 1954 (which provides for compensation by reference to rateable values) shall be amended in accordance with Schedule 7 to this Act.

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**Marginal Citations**

**M3** 1988 c. 41.

**M4** 1978 c. 30.

**M5** 1954 c. 56.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 65(2)(b)(ii) inserted by [2004 c. 23 Sch. 2 para. 11](#) (Pt. IV repealed (18.11.2003 for E. for the repeal of ss. 45, 53, 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1st April 2004, and 1.4.2004 for E. in so far as not already in force) by Local Government Act 2003 (c. 26), s. 128(6), Sch. 7 para. 29; S.I. 2003/2938, arts. 3(h), 7(b) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I (with Sch. 2 para. 2))
- s. 76A76B inserted by [2014 c. 29 s. 24\(2\)](#)
- s. 87(1A) inserted by [2014 c. 29 s. 24\(5\)](#)