



# Local Government Finance Act 1992

## 1992 CHAPTER 14

### PART I

#### COUNCIL TAX: ENGLAND AND WALES

#### [<sup>F1</sup>CHAPTER IVA

#### LIMITATION OF COUNCIL TAX AND PRECEPTS

##### *Designation or nomination*

#### [<sup>F1</sup>52B Power to designate or nominate authorities.

- (1) If in the [<sup>F2</sup>Welsh Ministers'] opinion the amount calculated by an authority as its budget requirement for a financial year (the year under consideration) is excessive, [<sup>F3</sup>they] may exercise [<sup>F4</sup>their] power to designate or nominate the authority under section 52D below.
- (2) The question whether the amount so calculated is excessive must be decided in accordance with a set of principles determined by the [<sup>F5</sup>Welsh Ministers].
- (3) A set of principles—
  - (a) may contain one principle or two or more principles;
  - (b) must constitute or include a comparison falling within subsection (4) below or comparisons each of which falls within subsection (4).
- (4) A comparison falls within this subsection if—
  - (a) it is between the amount calculated by the authority as its budget requirement for the year under consideration and the amount calculated by it as its budget requirement for a financial year falling before the year under consideration;
  - (b) the earlier financial year in the comparison does not fall before that beginning with 1st April 1998.

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**Changes to legislation:** *Local Government Finance Act 1992, Section 52B is up to date with all changes known to be in force on or before 16 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*

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- (5) If for the purposes of this section the [<sup>F6</sup>Welsh Ministers determine] categories of authorities for the year under consideration—
- (a) any principles determined for the year must be such that the same set is determined for all authorities (if more than one) falling within the same category;
  - (b) as regards an authority which does not fall within any of the categories, the [<sup>F7</sup>Welsh Ministers] may not exercise [<sup>F7</sup>their] power to designate or nominate the authority under section 52D below by reference to the excessiveness of its budget requirement for the year.
- (6) If [<sup>F8</sup>they do] not determine such categories, any principles determined for the year under consideration must be such that the same set is determined for all authorities.
- (7) In determining categories of authorities for the year under consideration the [<sup>F9</sup>Welsh Ministers] shall take into account any information [<sup>F10</sup>they think] is relevant.
- (8) In applying this section the [<sup>F11</sup>Welsh Ministers] shall ignore any calculation for which another has been substituted at the time designation or nomination is proposed.]

#### **Textual Amendments**

- F1** Chapter 4A (ss. 52A-52Z) inserted (27.7.1999 with effect as mentioned in s. 30(2) of the amending Act.) by 1999 c. 27, s. 30(1), **Sch. 1 para. 1**
- F2** Words in s. 52B(1) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 5(2)(a)**; S.I. 2011/2896, art. 2(i)
- F3** Word in s. 52B(1) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 5(2)(b)**; S.I. 2011/2896, art. 2(i)
- F4** Word in s. 52B(1) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 5(2)(c)**; S.I. 2011/2896, art. 2(i)
- F5** Words in s. 52B(2) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 5(3)**; S.I. 2011/2896, art. 2(i)
- F6** Words in s. 52B(5) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 5(4)(a)**; S.I. 2011/2896, art. 2(i)
- F7** Words in s. 52B(5) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 5(4)(b)**; S.I. 2011/2896, art. 2(i)
- F8** Words in s. 52B(6) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 5(5)**; S.I. 2011/2896, art. 2(i)
- F9** Words in s. 52B(7) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 5(6)(a)**; S.I. 2011/2896, art. 2(i)
- F10** Words in s. 52B(7) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 5(6)(b)**; S.I. 2011/2896, art. 2(i)
- F11** Words in s. 52B(8) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 5(7)**; S.I. 2011/2896, art. 2(i)

**Changes to legislation:**

Local Government Finance Act 1992, Section 52B is up to date with all changes known to be in force on or before 16 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.  
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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied (with modifications) by [S.I. 2010/875 reg. 16Sch. 2](#) (This amendment not applied to [legislation.gov.uk](#). The amending S.I. was revoked before ever coming into force by [S.I. 2010/1906, reg. 2](#))

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

- s. 6(2)(ea) inserted by [2012 c. 17 s. 13\(1\)](#)