



# 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 for year under consideration*

#### [<sup>F1</sup>52E Designation.

- (1) This section applies if the [<sup>F2</sup>Welsh Ministers designate] an authority under section 52D(2)(a) above as regards the year under consideration.
- (2) [<sup>F3</sup>They] shall notify the authority in writing of—
  - (a) the designation;
  - (b) the set of principles determined for the authority under section 52B above;
  - (c) the category in which the authority falls (if [<sup>F4</sup>they determine] categories under section 52B above);
  - (d) the amount which [<sup>F5</sup>they propose] should be the maximum for the amount calculated by the authority as its budget requirement for the year;
  - (e) the target amount for the year, that is, the maximum amount which [<sup>F6</sup>they propose] the authority could calculate as its budget requirement for the year without the amount calculated being excessive;
  - (f) the financial year as regards which [<sup>F7</sup>they expect] the amount calculated by the authority as its budget requirement for that year to be equal to or less than the target amount for that year (assuming one to be determined for that year).
- (3) A designation under section 52D(2)(a) above—
  - (a) is invalid unless subsection (2) above is complied with;

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**Changes to legislation:** *Local Government Finance Act 1992, Section 52E 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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- (b) shall be treated as made at the beginning of the day on which the authority receives a notification under that subsection.
- (4) If—
- (a) an authority has been designated under section 52D(2)(a) above, and
  - (b) after the designation is made the authority makes substitute calculations in relation to the year,
- the substitute calculations shall be invalid unless they are made in accordance with section 52I or 52J below (as the case may be).
- (5) Before the end of the period of 21 days beginning with the day it receives a notification under this section, an authority may inform the [<sup>F8</sup>Welsh Ministers] by notice in writing that—
- (a) for reasons stated in the notice, it believes the maximum amount stated under subsection (2)(d) above should be such as the authority states in its notice, or
  - (b) it accepts the maximum amount stated under subsection (2)(d) above.]

#### **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. 52E(1) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 8(2)**; S.I. 2011/2896, art. 2(i)
- F3** Word in s. 52E(2) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 8(3)(a)**; S.I. 2011/2896, art. 2(i)
- F4** Words in s. 52E(2)(c) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 8(3)(b)**; S.I. 2011/2896, art. 2(i)
- F5** Words in s. 52E(2)(d) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 8(3)(c)**; S.I. 2011/2896, art. 2(i)
- F6** Words in s. 52E(2)(e) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 8(3)(c)**; S.I. 2011/2896, art. 2(i)
- F7** Words in s. 52E(2)(f) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 8(3)(d)**; S.I. 2011/2896, art. 2(i)
- F8** Words in s. 52E(5) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 8(4)**; S.I. 2011/2896, art. 2(i)

**Changes to legislation:**

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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\(1\)](#)