



Greater London Authority Act 1999

1999 CHAPTER 29

PART III

FINANCIAL PROVISIONS

CHAPTER I

COUNCIL TAX

Substitute calculations etc.

95 Minimum budget for [^{F1}Mayor's Office for Policing and Crime].

- (1) This section applies where the Authority—
- (a) has made calculations in relation to a financial year in accordance with sections 85 to 90 above and sections 47 and 48 of the ^{M1}Local Government Finance Act 1992, or
 - (b) has made substitute calculations in relation to a financial year in accordance with sections 85, 86 and 88 to 90 above and Schedule 7 to this Act and sections 47 and 48 of that Act,

but it appears to the Secretary of State that the [^{F2}Mayor's Office for Policing and Crime], in order to restore or maintain an efficient and effective police force for its area, requires a greater component [^{F3}council tax] requirement than that previously calculated under section 85 above.

- (2) Where this section applies, the Secretary of State may direct the Authority that there must be a component [^{F4}council tax] requirement for the [^{F5}Mayor's Office for Policing and Crime] for the year which is not less than such amount as may be specified in the direction.

[^{F6}(2A) But the Secretary of State may not give a direction to the Authority under subsection (2) unless the Secretary of State is satisfied that it is necessary to give the

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direction in order to prevent the safety of people in the metropolitan police district from being put at risk.]

(3) The amount specified in a direction under subsection (2) above shall be that which the Secretary of State considers the minimum necessary in order for the [F7Mayor's Office for Policing and Crime] to restore or maintain an efficient and effective police force for its area.

[F8(3A) The power exercisable by virtue of subsection (2) above, and any direction given under that power, are subject to any limitation imposed under Chapter 4ZA of Part 1 of the Local Government Finance Act 1992 (council tax referendums).]

(4) Where a direction is given under this section, the Authority shall make calculations in substitution in relation to that year under subsections (4) to (7) of section 85 above in relation to—

- (a) the [F9Mayor's Office for Policing and Crime] alone; or
- (b) the [F9Mayor's Office for Policing and Crime] and one or more other constituent bodies.

(5) If the result of the substitute calculations is such that—

- (a) there is an increase in the Authority's consolidated [F10council tax] requirement for the year, or
- (b) there is no such increase, but the results of calculations in substitution made in accordance with sections 85, 86 and 88 to 90 above and Schedule 7 to this Act and sections 47 and 48 of the M2Local Government Finance Act 1992 would be different from the last relevant calculations in relation to the year,

the Authority shall make calculations in substitution in relation to the year in accordance with those provisions.

(6) In subsection (5) above, the last relevant calculations means the last calculations made by the Authority in relation to the year in accordance with—

- (a) sections 85 to 90 above and sections 47 and 48 of the M3Local Government Finance Act 1992, or
- (b) sections 85, 86 and 88 to 90 above and Schedule 7 to this Act and sections 47 and 48 of that Act.

(7) None of the substitute calculations shall have any effect if—

- (a) the amount calculated under section 85(6) or (7) above for the [F11Mayor's Office for Policing and Crime] is not in compliance with the direction; or
- (b) there is an increase in the Authority's consolidated [F12council tax] requirement for the year (as last calculated) which exceeds the minimum increase required to be made to the component [F12council tax] requirement for the [F11Mayor's Office for Policing and Crime] (as last calculated for the year) to comply with the direction under subsection (2) above; or
- (c) in making substitute calculations under section 88(2) or 89(3) above, the Authority fails to comply with subsection (8) below.

(8) In making substitute calculations under section 88(2) or 89(3) above, the Authority must use any amount determined in the previous calculations for item F13... T in section 88(2) above or for F13... item TP2 in section 89(4) above.

F14(9)

F14(10)

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F14(11)

(12) Subsections (7)(c) and (8) above shall not apply if the previous calculations have been quashed because of a failure to comply with the appropriate Greater London provisions in making the calculations.

(13) For the purposes of subsection (12) above, the appropriate Greater London provisions means—

- (a) in the case of calculations required to be made in accordance with sections 85 to 90 above and sections 47 and 48 of the ^{M4}Local Government Finance Act 1992, those provisions; and
- (b) in the case of calculations required to be made in accordance with sections 85, 86 and 88 to 90 above and Schedule 7 to this Act and sections 47 and 48 of that Act, those provisions.

(14) Any substitute calculations under this section shall be made in accordance with Schedule 7 to this Act.

Textual Amendments

- F1** Words in s. 95 title substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 23(3)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F2** Words in s. 95(1) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 23(4)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F3** Words in s. 95(1) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 36(2)(a)**; S.I. 2011/2896, art. 2(i)
- F4** Words in s. 95(2) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 36(2)(b)**; S.I. 2011/2896, art. 2(i)
- F5** Words in s. 95(2) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 23(5)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F6** S. 95(2A) inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 23(6)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F7** Words in s. 95(3) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 23(7)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F8** S. 95(3A) inserted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 35**; S.I. 2011/2896, art. 2(i)
- F9** Words in s. 95(4) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 23(7)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F10** Words in s. 95(5)(a) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 36(2)(c)**; S.I. 2011/2896, art. 2(i)
- F11** Words in s. 95(7) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 23(7)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F12** Words in s. 95(7)(b) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 36(2)(d)**; S.I. 2011/2896, art. 2(i)
- F13** Words in s. 95(8) repealed (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), Sch. 7 para. 36(3), **Sch. 25 Pt. 13**; S.I. 2011/2896, art. 2(i)
- F14** S. 95(9)-(11) repealed (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), Sch. 7 para. 36(4), **Sch. 25 Pt. 13**; S.I. 2011/2896, art. 2(i)

Modifications etc. (not altering text)

- C1** S. 95 modified (3.7.2000) by 1996 c. 16, **s. 96B(6)** (as inserted (3.7.2000) by 1999 c. 29, s. 325, Sch. 27 para. 104 (with **Sch. 12 para. 9(1)**)); S.I. 2000/1648, art. 2, **Sch.**

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Marginal Citations

M1 1992 c. 14.

M2 1992 c. 14.

M3 1992 c. 14.

M4 1992 c. 14.

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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. 334(2A)-(2E) substituted for s. 334(2)-(6) by [2023 c. 55 s. 95\(2\)](#)
- s. 334(9)-(11) inserted by [2023 c. 55 s. 95\(3\)](#)
- s. 337(1A) inserted by [2023 c. 55 s. 96\(1\)\(c\)](#)
- s. 337(2)(ca) inserted by [2023 c. 55 Sch. 6 para. 15](#)
- Sch. 23 para. 1(3A) inserted by [2023 c. 55 s. 244\(2\)](#)
- Sch. 23 para. 3A3B and cross-heading inserted by [2023 c. 55 s. 244\(3\)](#)
- Sch. 23 para. 4(2A)(2B) inserted by [2023 c. 55 s. 244\(4\)](#)
- Sch. 23 para. 4A and cross-heading inserted by [2023 c. 55 s. 244\(6\)](#)