

SCHEDULES

SCHEDULE 10

THE CIVIL NUCLEAR POLICE AUTHORITY

PART 4

FINANCES

Borrowing by the Police Authority

- 8 (1) The Police Authority may borrow money, but only in accordance with this paragraph.
- (2) The approval of the Treasury is required for borrowing by the Police Authority.
- (3) The Police Authority may borrow from the Secretary of State such sums in sterling as it may require for meeting its obligations and for carrying out its functions.
- (4) The Police Authority may, with the consent of the Secretary of State, borrow temporarily by way of overdraft from persons other than the Secretary of State such sums in sterling as it may require for meeting its obligations and for carrying out its functions.
- (5) The Police Authority must not borrow if the effect would be—
- (a) to take the aggregate amount outstanding in respect of the principal of sums it has borrowed over its borrowing limit; or
 - (b) to increase the amount by which the aggregate amount so outstanding exceeds that limit.
- (6) The Police Authority's borrowing limit is £10 million.
- (7) The Secretary of State may by order vary the Police Authority's borrowing limit.
- (8) The approval of the Treasury is required for the making of an order under sub-paragraph (7).
- (9) An order under sub-paragraph (7) is subject to the negative resolution procedure.

Guarantees for borrowing by the Police Authority

- 9 (1) The Secretary of State may guarantee—
- (a) the repayment of the principal of any sum borrowed by the Police Authority;
 - (b) the payment of interest on such a sum; and
 - (c) the discharge of any other financial obligation of the Police Authority in connection with the borrowing of such a sum.
- (2) The Secretary of State may give a guarantee under this paragraph in such manner, and on such terms, as he thinks fit.

Status: This is the original version (as it was originally enacted).

- (3) As soon as practicable after giving a guarantee under this paragraph, the Secretary of State must lay a statement of the guarantee before Parliament.
- (4) If sums are paid out by the Secretary of State under a guarantee given under this paragraph, the Police Authority must pay him—
 - (a) such amounts in or towards the repayment to him of those sums as he may direct; and
 - (b) interest, at such rates as he may direct, on amounts outstanding under this sub-paragraph.
- (5) Payments to the Secretary of State under sub-paragraph (4) must be made at such times, and in such manner, as he may from time to time direct.
- (6) Where a sum has been paid out by the Secretary of State under a guarantee given under this paragraph, he must lay a statement relating to that sum before Parliament—
 - (a) as soon as practicable after the end of the financial year in which that sum is paid out; and
 - (b) as soon as practicable after the end of each subsequent relevant financial year.
- (7) In relation to a sum paid out under a guarantee, a financial year is a relevant financial year for the purposes of sub-paragraph (6) unless—
 - (a) before the beginning of that year, the whole of that sum has been repaid to the Secretary of State under sub-paragraph (4); and
 - (b) the Police Authority is not at any time during that year subject to a liability to pay interest on amounts that became due under that sub-paragraph in respect of that sum.
- (8) The consent of the Treasury is required—
 - (a) for the giving of a guarantee under this paragraph; and
 - (b) for the giving of a direction under sub-paragraph (4) or (5).

Grants and loans to the Police Authority

- 10 (1) The Secretary of State may—
 - (a) make payments by way of grant to the Police Authority; and
 - (b) also make payments to it by way of loan.
- (2) The Secretary of State may make any grants made by him to the Police Authority subject to such conditions as he thinks fit.
- (3) Loans made by the Secretary of State to the Police Authority shall be on such terms, as to repayment and interest and other matters, as the Secretary of State may determine.

Financial duties

- 11 (1) The Secretary of State may determine the financial duties of the Police Authority.
- (2) Before determining any financial duties under this paragraph, the Secretary of State must consult the Police Authority.

Status: This is the original version (as it was originally enacted).

- (3) The approval of the Treasury is required for a determination by the Secretary of State of the Police Authority's financial duties.
- (4) A determination by the Secretary of State of the Police Authority's financial duties may—
 - (a) relate to a period beginning before, on or after the date on which it is made;
 - (b) contain supplemental provisions; and
 - (c) be varied by a subsequent determination.
- (5) The Secretary of State may make different determinations for different functions and activities of the Police Authority.
- (6) The Secretary of State must give the Police Authority notice of every determination by him of its financial duties.

Accounts and audit

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- (1) The Police Authority must—
 - (a) keep proper accounts and proper accounting records; and
 - (b) prepare, in respect of each of its accounting years, a statement of its accounts.
 - (2) A statement of accounts prepared under this paragraph must give a true and fair view of—
 - (a) the income and expenditure of the Police Authority for the accounting year in question; and
 - (b) its state of affairs.
 - (3) Such a statement of accounts must comply with every requirement which has been notified by the Secretary of State to the Police Authority.
 - (4) Those requirements may include, in particular, requirements relating to—
 - (a) the information to be contained in the statement;
 - (b) the manner in which that information is to be presented;
 - (c) the methods and principles according to which the statement is to be prepared.
 - (5) The approval of the Treasury is required for the imposition of a requirement under sub-paragraph (3).
 - (6) The accounts of the Police Authority relating to each of its accounting years, including the statement of accounts prepared for the year under this paragraph, must be audited by the Comptroller and Auditor General.
 - (7) The Comptroller and Auditor General must send a copy of his report on what he is required to audit to the Police Authority.
 - (8) The Police Authority must send to the Secretary of State, in respect of each of its accounting years—
 - (a) a copy of the accounts for that year that are required to be audited under this paragraph; and
 - (b) a copy of the Comptroller and Auditor General's report on those accounts.
 - (9) The Secretary of State must lay a copy of whatever is sent to him under sub-paragraph (8) before Parliament.

Status: This is the original version (as it was originally enacted).

(10) In this paragraph—

“accounting records” includes all books, papers and other records of the Police Authority relating to—

- (a) the accounts which it is required to keep; or
- (b) matters dealt with in those accounts;

“accounting year”, in relation to the Police Authority, means—

- (a) the Police Authority’s first accounting year; or
- (b) a financial year after the end of the Police Authority’s first accounting year;

“the Police Authority’s first accounting year” means—

- (a) where the Police Authority is established at the beginning of a financial year, that financial year; and
- (b) in any other case, the period which begins with the day on which the Police Authority is established and ends—
 - (i) if no direction is given under sub-paragraph (ii), with 31st March in the financial year current on that day; and
 - (ii) if the Secretary of State so directs, with 31st March at the end of the following financial year.

Receipts and surpluses

- 13 (1) The Secretary of State may give a direction requiring the Police Authority to pay to him an amount equal to—
- (a) the whole or part of a sum which it has received (otherwise than from the Secretary of State); or
 - (b) the whole or part of any surplus which it has for a financial year.
- (2) For the purposes of this paragraph, the Police Authority has a surplus for a financial year if its revenues for that year exceed the sums which it requires for carrying out its functions in that year.
- (3) Before giving a direction under this paragraph, the Secretary of State must consult—
- (a) the Police Authority; and
 - (b) the Treasury.

Destination of receipts

- 14 The Secretary of State must pay sums received by him under paragraph 9, 10 or 13 into the Consolidated Fund.