
STATUTORY INSTRUMENTS

1994 No. 2825

**The Local Government Changes for
England (Finance) Regulations 1994**

PART II

MODIFICATIONS OF PRIMARY LEGISLATION

General funds

7.—(1) In subsection (1) of section 91 of the 1988 Act (general funds), after paragraph (a) there shall be inserted the following paragraph—

- “(aa) a county council to which have been transferred, by or in consequence of an order under section 17 of the Local Government Act 1992, the functions of district councils in relation to the county council’s area.”

and accordingly regulation 5(7) of the Local Government Changes for England Regulations 1994 shall not apply in relation to the reference in paragraph a of that subsection to a district council⁽¹⁾.

(2) In subsection (3) of that section there shall be inserted at the beginning the words “Subject to subsection (3A) below.”

(3) After subsection (3) of that section there shall be inserted the following subsections—

“(3A) In the case of a district council which is established for an area by an order under section 17 of the Local Government Act 1992, the general fund must be established on the date on which by virtue of the order the structural or boundary change affecting the area comes into force.

(3B) In the case of—

- (a) a county council which is established by such an order and to which are transferred by or in consequence of the order the functions of district councils in relation to the county council’s area, or
- (b) an existing county council to which are transferred by or in consequence of such an order the functions of district councils in relation to the county council’s area,

the general fund must be established on the date on which by virtue of the order the structural change comes into force (in this section referred to as “the reorganisation date”).”

(4) In subsection (4) of that section for the words “after 31 March 1990 shall be paid into its general fund” there shall be substituted the words “on or after the date on which it is required by this section to establish its general fund shall be paid into that fund”.

(5) In subsection (5) of that section for the words “after 31 March 1990 shall be met from its general fund” there shall be substituted the words “on or after the date on which it is required by this section to establish its general fund shall be met from that fund”.

(6) At the end of that section there shall be added the following subsection—

(1) S.I.1994/867.

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“(8) The assets held in the county fund of a county council such as is referred to in subsection (3B)(b) above immediately before the reorganisation date (other than assets forming part of a trust fund) shall be transferred on that date to its general fund established under this section.”.