
STATUTORY INSTRUMENTS

1999 No. 296

LOCAL GOVERNMENT, ENGLAND AND WALES

WALES

FINANCE

The Local Authorities (Alteration of Requisite Calculations) (Wales) Regulations 1999

<i>Made</i>	- - - -	<i>12th February 1999</i>
<i>Laid before Parliament</i>		<i>15th February 1999</i>
<i>Coming into force</i>	- -	<i>16th February 1999</i>

The Secretary of State for Wales, in exercise of the powers conferred on him by sections 32(9), 33(4), 43(7) and 113 of the Local Government Finance Act 1992(1) and of all other powers enabling him in that behalf, makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Authorities (Alteration of Requisite Calculations) (Wales) Regulations 1999 and shall come into force on 16th February 1999.

(2) In these Regulations a reference to a numbered section is a reference to a section of the Local Government Finance Act 1992.

Calculation of basic amount of tax (billing authorities)

2.—(1) Section 33(2) is amended as follows.

(2) After subsection (3B)(3) insert—

“(3C) In the case of a Welsh county council or county borough council the aggregate of the sums mentioned in item P in subsection (1) above shall be reduced by an amount calculated by applying the formula—

(1) 1992 c. 14; section 32(9) was amended by paragraph 4 of Schedule 12 to the Local Government (Wales) Act 1994 (c. 19).
(2) Section 33 was amended by paragraph 5 of Schedule 12 to the Local Government (Wales) Act 1994, the Local Authorities (Alteration of Requisite Calculations and Funds) Regulations 1994, (S.I. 1994/246), and the Local Authorities (Alteration of Requisite Calculations and Funds) Regulations 1995, (S.I. 1995/234).
(3) Section 33(3B) was inserted by the Local Government Reorganisation (Wales) (Calculation of Basic Amount of Council Tax) Order 1996, (S.I. 1996/335).

$$E \div B \div 0.5 \quad (E \div B \div 0.5) \\ 1 + B$$

where—

E is the product of the formula set out in subsection (3D) below or, if that is a negative amount, is nil;

B is the proportion of council tax benefit prescribed for the authority for the year.

(3D) E is to be calculated by applying the formula—

$$R - LP - BX \\ 1 + (B \div 0.5)$$

where—

R has the same meaning as in subsection (1) above;

LP is the aggregate of the precepts for the year—

- (a) issued to the council by local precepting authorities; or
- (b) anticipated by the council in pursuance of regulations made under section 41(3) below;

which were taken into account by the council in making the calculation required by section 32(2) above;

BX is the guideline budget requirement prescribed for the authority for the year.

B has the same meaning as in subsection (3C) above.”

Calculation of budget requirement (major precepting authorities)

3.—(1) Section 43(4) is amended as follows.

(2) In subsection (6A), for “In” substitute “Subject to subsections (6B) and (6C) below, in”.

(3) After subsection (6A), insert—

“(6B) Subsection (6A) above does not apply in relation to a major precepting authority in Wales.

(6C) In relation to a major precepting authority in Wales in this section and section 44 below “police grant” means so much of the grant payable in accordance with paragraph 3.1 of the relevant police grant report as excludes the amounts shown in column (b) of the Table set out below that paragraph.

(6D) In subsection (6C) above “the relevant police grant report” means the police grant report (Police Grant Report (England and Wales) 1999/2000) approved by a resolution of the House of Commons pursuant to section 46 of the Police Act 1996(5) on 4th February 1999.”

(4) Section 43 was amended by the Local Authorities (Alteration of Requisite Calculations and Funds) Regulations 1995 (S.I. 1995/234).

(5) 1996 c. 16.

Signed by authority of the Secretary of State for Wales

12th February 1999

Peter Hain
Parliamentary Under Secretary of State, Welsh
Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Sections 32 and 43 of the Local Government Finance Act 1992 (“the 1992 Act”) set out respectively how a billing authority and a major precepting authority are to calculate their budget requirements for a financial year and sections 33 and 44 of the 1992 Act set out respectively how a billing authority and a major precepting authority are to calculate the basic amount of their council tax.

These Regulations make further amendments to the calculations required by section 33 of the 1992 Act as they apply to billing authorities in Wales so that, if such an authority’s budget requirement exceeds a prescribed figure, the authority will be required to increase the basic amount of its council tax to take account of a consequent reduction in the council tax benefit subsidy which will be paid to it.

In addition, these Regulations provide that the definition of “police grant” in section 32 of the 1992 Act shall not apply to major precepting authorities in Wales and substitute an alternative definition which applies to sections 43 and 44 of the 1992 Act.