

1999 No. 3434 (C. 96)

LONDON GOVERNMENT

**The Greater London Authority Act 1999 (Commencement
No. 3 and Transitional Finance Provisions) Order 1999**

Made - - - - 21st December 1999

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred upon him by section 425 of the Greater London Authority Act 1999^(a), and of all other powers enabling him in that behalf^(b), hereby makes the following Order:—

Citation

1. This Order may be cited as the Greater London Authority Act 1999 (Commencement No. 3 and Transitional Finance Provisions) Order 1999.

Provisions coming into force on 12th January 2000

2. The following provisions of the Greater London Authority Act 1999 shall come into force on 12th January 2000:—

section 81, subject to the transitional provisions set out in Table 1 of Schedule 1 to this Order
section 82(1) and (2), subject to the transitional provisions set out in Table 1 of Schedule 1 to this Order

section 82(3), in so far as it relates to the exercise of functions by the London Fire and Civil Defence Authority in respect of the financial year beginning on 1st April 2000 and subsequent years

section 83, subject to the transitional provisions set out in Table 1 of Schedule 1 to this Order

section 85, subject to the transitional provisions set out in Table 1 of Schedule 1 to this Order
section 86, in so far as it is not already in force, subject to the transitional provisions set out in Table 1 of Schedule 1 to this Order

section 88, in so far as it is not already in force, subject to the transitional provisions set out in Table 1 of Schedule 1 to this Order

section 89, in so far as it is not already in force, subject to the transitional provisions set out in Table 1 of Schedule 1 to this Order

section 90

section 91

section 92, subject to the transitional provisions set out in Table 1 of Schedule 1 to this Order

section 93, subject to the transitional provisions set out in Table 1 of Schedule 1 to this Order

section 97(1) and (2), subject to the transitional provisions set out in Tables 1 and 2 of Schedule 1 to this Order

section 99

section 100(1), (2), (3), (4) and (6)

section 101, subject to the transitional provisions set out in Tables 1 and 2 of Schedule 1 to this Order

section 102(1), (2), (3), (4), (6), (7), (8), subject to the transitional provisions set out in Table 1 of Schedule 1 to this Order

^(a) 1999 c. 29.

^(b) See section 424(4) of the Greater London Authority Act 1999.

section 105, subject to the transitional provisions set out in Table 1 of Schedule 1 to this Order
 section 106
 section 107
 section 136(1)
 sections 170 to 172
 sections 210 to 216
 section 218
 section 219
 sections 225 to 239
 section 258
 section 260
 section 272
 section 298(1) and (2)
 section 344
 section 389
 section 390
 section 401
 section 407
 section 409 (and accordingly Schedule 31)
 section 410
 section 412
 sections 414 to 419 (and accordingly Schedule 33)
 section 421
 section 422
 section 423, in so far as it relates to the repeals in Schedule 34 set out in Table 1 in Schedule 2 to this Order
 section 424, in so far as it is not already in force, subject to the transitional amendments set out in Table 2 of Schedule 1 to this Order

Provisions coming into force on 8th May 2000

3. The following provisions of the Greater London Authority Act 1999 shall come into force on 8th May 2000:—

section 127, in its application to the Authority
 section 128, in its application to the Authority
 section 129, in its application to the Authority
 section 130, in its application to the Authority
 section 131, in its application to the Authority
 section 132, in its application to the Authority
 section 133, in its application to the Authority
 section 134
 section 137
 section 387, for the purposes of its application to the Authority
 section 388, for the purposes of paragraph (a)
 section 392, for the purposes of (3)(a)
 section 393, for the purposes of its application to the Authority

Provisions coming into force on 3rd July 2000

4. The following provisions of the Greater London Authority Act 1999 shall come into force on 3rd July 2000:—

section 84
 section 87 (and accordingly Schedule 6)
 section 94, subject to the transitional provisions set out in Table 2 of Schedule 1 to this Order
 section 95
 section 96
 section 97(3)
 section 98 (and accordingly Schedule 7)
 section 100(5)
 section 102(5)
 section 103

section 104
section 108
section 109
section 110
section 127, in so far as it is not already in force
section 128, in so far as it is not already in force
section 129, in so far as it is not already in force
section 130, in so far as it is not already in force
section 131, in so far as it is not already in force
section 132, in so far as it is not already in force
section 133, in so far as it is not already in force
section 135
section 136(2) (and accordingly Schedule 9)
section 138
section 139
section 140
section 387, other than for the purposes of (3)(b), in so far as it is not already in force
section 388, in so far as it is not already in force
section 392, for the purposes of (3)(b)
section 393, to the extent that it is not in force
section 423, in so far as it relates to the repeals set out in Table 2 in Schedule 2 to this Order

Signed by authority of the Secretary of State for
the Environment, Transport and the Regions

21st December 1999

Keith Hill
Parliamentary Under Secretary of State,
Department of the Environment, Transport
and the Regions

SCHEDULE 1

TRANSITIONAL PROVISIONS

ADAPTATIONS OF THE GREATER LONDON AUTHORITY ACT 1999 HAVING EFFECT IN RESPECT OF POWERS EXERCISED BEFORE 3RD JULY 2000

1. The provisions of the Greater London Authority Act 1999 set out in column (1) of Table 1 below shall have effect in relation to—

- (a) the financial year beginning on 1st April 2000, and
- (b) the exercise before 3rd July 2000 of functions under any of those provisions, or under any provisions adapted by any of those provisions,

subject to the adaptations set out in column (2) of Table 1 below.

TABLE 1

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Adaptation</i>
section 81	For “Greater London Authority, subsections” substitute “Secretary of State, subsections”
section 82(2)	For “Greater London Authority” substitute “Secretary of State”
section 83	For “Greater London Authority, this section” substitute “Secretary of State, this section”
section 85(2)	For “Authority” substitute “Secretary of State”
section 85(3)	For “Authority must” substitute “Secretary of State must”
section 85(4)(a)	For section 85(4)(a) substitute the following provision: “(a) (i) the expenditure the Secretary of State estimates the body will incur in the year in performing its functions and will charge to a revenue account for the year, other than expenditure which the Secretary of State estimates will be so incurred in pursuance of regulations under section 99(3) of the 1988 Act; (ii) the expenditure the Secretary of State estimates any relevant predecessor body will incur on or after 1st April 2000 and before 3rd July 2000 in performing transferred functions, and will charge to a revenue account of that relevant predecessor body for the year (or which the predecessor body would, if it were a body to which Part IV of the Local Government and Housing Act 1989 applied, charge to a revenue account for the year), other than expenditure which the Secretary of State estimates will be so incurred in pursuance of regulations under section 99(3) of the 1988 Act;”
section 85(4)(b)	At the beginning insert “(i)” For “Authority” substitute “Secretary of State” After “for the year;” insert “and (ii) in respect of any relevant predecessor body, such allowance as the Secretary of State estimates will be appropriate for contingencies, in relation to expenditure incurred in performing transferred functions and to be charged to a revenue account for the year (or which would, if Part IV of the Local Government and Housing Act 1989 applied to that body, be charged to a revenue account for the year);”
section 85(4)(c)	For “Authority” substitute “Secretary of State”
section 85(4)(d)	For “the body’s” substitute “any relevant predecessor body’s”

(1) Provision	(2) Adaptation
	<p>For “Authority” substitute “Secretary of State”</p> <p>After “revenue account deficit” insert “(or a deficit which would, if Part IV of the Local Government and Housing Act 1989 applied to that relevant predecessor body, be a revenue account deficit)”</p> <p>For “of the body” substitute “of that relevant predecessor body”</p> <p>After “financial year” insert “relating to the performance of transferred functions,”</p>
section 85(5)	For “Authority”, on each occasion where that word appears, substitute “Secretary of State”
section 85(5)(a)	<p>After “the body” insert “, and to any relevant predecessor body in respect of transferred functions,”</p> <p>After “credited to a revenue account” insert “of the constituent body, or in the case of sums payable to a relevant predecessor body, which will be credited to a revenue account of that relevant predecessor body, (or which would, if Part IV of the Local Government and Housing Act 1989 applied to the relevant predecessor body, be credited to a revenue account)”</p>
section 85(5)(b)	<p>Delete “the body’s”</p> <p>After “financial reserves” insert “of the body, or of any relevant predecessor body”</p> <p>After “that the body” insert “or the relevant predecessor body”</p>
section 85(6)(a)	For “Authority” substitute “Secretary of State”
section 85(8)	For “Authority must” substitute “Secretary of State must”
section 86(2)	<p>For “the Authority” substitute “the Secretary of State”</p> <p>After “to the body” insert “or to any relevant predecessor body”</p>
section 86(3)	<p>For “the Authority” substitute “the Secretary of State”</p> <p>For “the Metropolitan Police Authority under” substitute “the Receiver for the Metropolitan Police District under”</p>
section 86(4)	For “Authority” on each occasion where that word appears, substitute “Secretary of State”
section 88(2)	<p>For “Authority shall calculate the basic amount of its council tax” substitute “Secretary of State shall calculate the basic amount of the Authority’s council tax”</p> <p>For “Authority” in the definition of “R” substitute “Secretary of State”</p> <p>For “its consolidated budget requirement” in the definition of “R” substitute “the Authority’s consolidated budget requirement”</p> <p>In the definition of “P1” after “payable to the Authority” insert “or allocated or liable to be allocated by the Secretary of State in respect of the transferred functions of predecessor bodies or payable to the predecessor bodies in respect of the transferred functions”</p> <p>In the definition of “T” for “Authority” on each occasion where that word appears, substitute “Secretary of State”</p>
section 88(5)(a)	For “which the Authority estimates will be paid to it” substitute “which the Secretary of State estimates will be paid to any predecessor body or to the Authority”
section 88(5)(b)	For “which the Authority estimates will be paid by it” substitute “which the Secretary of State estimates will be paid by any predecessor body or by the Authority”
section 89(3)	<p>For “Authority” substitute “Secretary of State”</p> <p>For “its council tax” substitute “the Authority’s council tax”</p> <p>For “its area” substitute “Greater London”</p>

(1) Provision	(2) Adaptation
section 89(4)	After “payable to the Authority” insert “or allocated or liable to be allocated by the Secretary of State in respect of the transferred functions of the predecessor bodies or payable to the predecessor bodies in respect of the transferred functions” In the definition of “TP2” for “Authority” on each occasion where that word appears, substitute “Secretary of State”
section 92(2)	For “Greater London Authority, subsection” substitute “Secretary of State, subsection” For “Greater London Authority for” substitute “Secretary of State for”
section 92(3)	For “Greater London Authority, subsection” substitute “Secretary of State, subsection”
section 93(2)	For “Greater London Authority” on each occasion where those words appear, substitute “Secretary of State”
section 97(1)	For “Authority may” substitute “Secretary of State may”
section 97(1)(b)	For “Mayor” substitute “Secretary of State”
section 97(2)(a)	For “functional bodies” substitute “predecessor bodies”
section 101(3)	Delete “, after consultation with the Mayor,”
section 101(5)	Delete “after consultation with the Mayor”
section 102(1)	For “Authority to pay to each functional body,” substitute “Secretary of State to pay to each predecessor body (other than himself), and additionally on or after 8th May 2000 to pay to the Authority,” For “the amount required by that body” substitute “such amount as he may determine”
section 102	After subsection (1) insert the following subsection: (1A) The Secretary of State shall use such amounts as he may determine of the aggregate specified in subsection (2) in performing his transferred functions as a predecessor body.”
section 102(2)	After “received” insert “or applied” For “Authority” on each occasion where that word appears, substitute “Secretary of State”
section 102(4)	For “functional body” substitute “predecessor body, and additionally on or after 8th May 2000 to the Authority,”
section 102(6)	For “functional body” substitute “predecessor body” After “means expenditure” insert “estimated by the Secretary of State to be incurred by the predecessor body in performing its transferred functions”
section 102(7)	For “functional body”, on each occasion where those words appear, substitute “predecessor body” For “Mayor” substitute “Secretary of State”
section 105(2)	For “Greater London Authority in” substitute “Secretary of State in”

**ADAPTATIONS OF THE GREATER LONDON AUTHORITY ACT 1999 HAVING
EFFECT IN RESPECT OF THE WHOLE FINANCIAL YEAR BEGINNING 1ST
APRIL 2000**

2. The provisions of the Greater London Authority Act 1999 set out in column (1) of Table 2 below shall have effect in relation to—

- (a) the financial year beginning on 1st April 2000, and
- (b) the exercise before 1st April 2001 of functions under those provisions, or under any provisions adapted by any of those provisions,

subject to the adaptations set out in Column (2) of Table 2 below.

TABLE 2

(1) Provision	(2) Adaptation
section 94(2)	For “A major precepting authority which” substitute “Where a major precepting authority, or in the case of the Greater London Authority, where either that authority or the Secretary of State,” After “sections 47 and 48 above (by way of substitute),” insert “that authority”
section 94(5)	In the definition of “the relevant portion of any new additional grant” after “taken into account by the authority” insert “, or by the Secretary of State,”
section 97(1)	After “Where—(a) the Authority” insert “or the Secretary of State”
section 101(1)	For subsection (1) substitute the following provision: “(1) The Secretary of State— (a) in the period beginning on 1st April 2000 and ending immediately before 3rd July 2000 may— (i) pay such sums of money to such relevant predecessor bodies of Transport for London (other than himself) as he may determine, as a contribution towards their expenditure on performing their transferred functions, (ii) spend such sums of money as he may determine on performing his transferred functions as a predecessor body of Transport for London; (b) in the remainder of the 2000/2001 financial year, shall pay a grant to the Authority, and the sums and that grant together are to be called “GLA transport grant”.”
section 101(2)	After “London” insert “and the transferred functions of its relevant predecessor bodies”
section 424(1)	After the definition of “ordinary election” insert the following definition: ““predecessor body” means a person or body having functions before 3rd July 2000 which on or after 3rd July 2000 will be performed by the Authority or a functional body;” After the definition of “proper officer” insert the following definition: ““relevant predecessor body” means, in relation to a constituent body a person or body, having functions before 3rd July 2000 which on or after 3rd July 2000 will be performed by that constituent body; and the relevant predecessor bodies are set out below:
Constituent body	Relevant predecessor bodies
The Greater London Authority	The Secretary of State for the Environment, Transport and the Regions;
Transport for London	The Secretary of State for the Environment, Transport and the Regions; The Councils of the London Boroughs of Camden, Greenwich, Hackney, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth, Westminster, Bromley, Croydon, Ealing,

TABLE 2

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Adaptation</i>
	Haringey, Hillingdon, Hounslow, Kingston upon Thames, Merton, Newham and Sutton; The Common Council of the City of London; The Receiver for the Metropolitan Police District; Docklands Light Railway Ltd; London Regional Transport, and its subsidiaries; The Traffic Director for London; The Commission for New Towns;
Metropolitan Police Authority	The Receiver for the Metropolitan Police District;
London Fire and Emergency Planning Authority	The London Fire and Civil Defence Authority;
The London Development Agency	The Secretary of State for the Environment, Transport and the Regions; The Urban Regeneration Agency;"
After the definition of "subsidiary" insert the following definition: "“transferred functions” means those functions of a relevant predecessor body which on or after 3rd July 2000 will be performed by a constituent body;"	

SCHEDULE 2**TABLE 1**

Repeals with effect from 12th January 2000

Chapter	Short title	Extent of repeal
1992 c. 14.	The Local Government Finance Act 1992.	Section 39(1)(e), in respect of the exercise of functions in relation to the financial year beginning on 1st April 2000 and subsequent years In section 43(5A), paragraph (b) and the word "and" immediately preceding it. In section 46, subsections (2)(d), (3)(d) and (4).

TABLE 2

Repeals with effect from 3rd July 2000

Chapter	Short title	Extent of repeal
1965 c. 63	The Public Works Loans Act 1965	In section 2(1)(a), the word “and” immediately preceding sub-paragraph (iii).
1968 c. 13	The National Loans Act 1968	In Schedule 4, in paragraph 1, in paragraph (a) of the definition of “local Authority” the word “and” immediately preceding sub-paragraph (iii).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force specified provisions of the Greater London Authority Act 1999 relating to finance. Article 2 of this Order brings into force on the 12th January 2000 certain finance provisions in Chapters I to III and VI of Part III, subject to the transitional provisions set out in Schedule 1 to this Order, certain preparatory provisions in Part IV relating to the transition from London Regional Transport to Transport for London, preparations for Public-Private Partnership Agreements and GLA roads, preparatory provisions in Parts XI and XII. Article 3 brings into force certain finance related provisions in Chapters V and VI of Part III and Part XI, on 8th May 2000, when the GLA will come into existence. Article 4 brings into force the remaining provisions in Part III, Chapters I to III, V and VI, and further provisions in Part XI, on 3rd July 2000, when the GLA and functional bodies will assume most of their powers.

The transitional provisions in Schedule 1 are necessary because the Greater London Authority (“GLA”) and functional bodies will come into existence and assume their powers part way through the financial year beginning on 1st April 2000. Budget requirements need to be calculated, and precepts issued before the start of the financial year, so that billing authorities can include an amount for the GLA when setting their council taxes in accordance with section 30 of the Local Government Finance Act 1992.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Greater London Authority Act 1999 have been brought into force by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Part I (and accordingly Schedules 1 to 3)	14th December 1999	S.I. 1999/3376 (C. 91)
Section 424 for the purposes of Part I	14th December 1999	S.I. 1999/3376 (C. 91)
Section 310 (in part)	1st January 2000	S.I. 1999/3271 (C. 87)
Section 323	1st April 2000	S.I. 1999/3271 (C. 87)
Section 324	1st January 2000	S.I. 1999/3271 (C. 87)
Section 325 (in part)	1st January 2000	S.I. 1999/3271 (C. 87)
(in part)	1st April 2000	S.I. 1999/3271 (C. 87)
Schedule 26 (in part)	1st January 2000	S.I. 1999/3271 (C. 87)
Schedule 27 paragraphs 69, 84(1) and (3) and 105	1st April 2000	S.I. 1999/3271 (C. 87)
Schedule 34 part VII (in part)	1st April 2000	S.I. 1999/3271 (C. 87)

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