Local Government Act 1948

1948 CHAPTER 26

PART V

RATING OF TRANSPORT AND ELECTRICITY AUTHORITIES.

General provision as to payments for benefit of local authorities.

100 Provision as to making and division of payments for benefit of local authorities.

(1) The sums falling to be paid under the preceding provisions of this Part of this Act for the benefit of local authorities in England and Wales shall be paid to the Minister, and the sums falling to be paid under the said provisions for the benefit of local authorities in Scotland shall be paid to the Secretary of State.

(2) The sums so paid to the Minister for any year shall, subject to the provisions of this Part of this Act relating to liabilities of the Railway Assessment Authority and the Anglo-Scottish Railways Assessment Authority, be distributed by him, at such times as he may determine, in the manner following, that is to say—

(a) the sums shall first be allocated among the rating authorities in England and Wales in proportion to the rateable values for their respective areas for that year ;

(b) in the case of the council of a county borough, the amount so allocated to that council shall be paid to that council;

(c) in the case of any other rating authority, the amount so allocated to that authority shall be paid as to one-third thereof to that authority and as to two-thirds thereof to the council of the county of which the area of that authority forms part.

(3) The sums so paid to the Secretary of State for any year shall be distributed by him according to their respective rateable valuations among the rating authorities—

(a) throughout Scotland ;

(b) in that part of Scotland which is not included in the North of Scotland District ; and

(c) in the said District,

according as the said sums represent sums paid to the Secretary of State by the British Transport Commission, the British Electricity Authority and the North of Scotland Hydro-Electric Board.

101 Application of payments under Part V to councils in Scotland.

All sums received under this Part of this Act by the county. council of a county in Scotland shall be applied in meeting the expenditure on all purposes for which the council exercise functions throughout the landward area only, and all sums so received , by the town council of a burgh in Scotland shall be applied proportionately towards meeting the expenditure which, but for the said sums, would be defrayed out of those portions of the burgh rate as are respectively payable—

(a) by occupiers and owners in equal proportions j

(b) wholly by owners ; and

(c) wholly by occupiers,

102 Treatment of payments for benefit of local authorities.

(1) Any payments made under this Part of this Act by the British Transport Commission, the British Electricity Authority or the North of Scotland Hydro-Electric Board shall, if and so far as it is so prescribed, be taken into account for any purposes of this or any other Act as if they were paid on account of rates, and in computing the product of a penny rate, but, save as aforesaid, shall not be deemed to be payments on account of rates.

(2) Where, under any statutory provision other than this Act, any amount falls to be calculated by reference to the rateable value for any area, the Minister or, as respects Scotland, the Secretary of State, may by regulations provide that, for the purposes of that statutory provision, the rateable value for the area of any local authority who receive any payment from the sums paid for the benefit of local authorities under this part of this Act shall be deemed to be increased by an amount calculated, by reference to the payments so made to that authority, in such manner as may be prescribed by the regulations.

103 Power of British Electricity Authority to require contributions from Area Electricity Boards.

Section forty-one of the Electricity Act, 1947 (which enables the British Electricity Authority to require Area Electricity Boards to contribute towards the satisfaction of certain obligations of the Authority) shall have effect in relation to the obligation imposed by this Part of this Act on that Authority to make payments for the benefit of local authorities, and accordingly in subsection (1) of that section the word " or " where it occurs at the end of paragraph (c) shall be omitted and after paragraph (d) there shall be inserted the words—

"or

(e) the making of payments under Part V of the Local Government Act, 1948, for the benefit of local authorities".