



Local Government (Miscellaneous Provisions) (Scotland) Act 1981

1981 CHAPTER 23

PART II

RATE SUPPORT GRANTS

15 Redetermination and lowering of regional, general or district rate

In the 1973 Act, after section 108 there shall be inserted the following section—

“108A Power of local authority to determine, new regional, general or district rate.

- (1) Where a local authority have in respect of any financial year determined a rate under section 108 of this Act but the Secretary of State makes and causes to be laid before Parliament, for the reasons mentioned in paragraph (c) of section 5(1) of the Local Government (Scotland) Act 1966, a report as regards them under section 5(1) (reduction of rate support grant because of excessive and unreasonable total estimated expenses), or they have reason to believe that such report may be so laid they may, at any time before the Secretary of State informs them that the reduction specified in such report has been made, reassess the total estimated expenses mentioned in subsection (2) of section 108 and subject to that subsection determine under this subsection in respect of the financial year a rate lower than that determined under section 108.
- (2) If a local authority determine a rate under subsection (1) above, that rate and not the rate determined under the said section 108 shall be their regional, general or district rate (as the case may be) for the financial year and shall be levied accordingly.
- (3) The Secretary of State may by order under this subsection repeal or amend any enactment (including this Act) in so far as that enactment relates to the determination, levy or payment of a regional, general or district rate and

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such determination, levy or payment is affected by a determination under subsection (1) above.

- (4) An order made under subsection (3) above shall have no effect until approved by resolution of each House of Parliament.
- (5) A reference in this Act (except this section and subsection (1) of section 108) and in any other enactment, whether passed or made before or after the passing of this Act, to such rates as are determined under section 108 of this Act shall be construed as including a reference to such rates as are determined under subsection (1) above.”.