



Rates Act 1984

1984 CHAPTER 33

PART II

GENERAL LIMITATION OF RATES AND PRECEPTS

11 Expenditure levels and variation of maximum

- (1) Before determining levels of total expenditure under section 3 above for the authorities treated as designated by virtue of section 10 above the Secretary of State shall consult such associations of local authorities as appear to him to be concerned.
- (2) Section 5 above shall not apply in the case of an authority treated as designated by virtue of section 10 above but any maximum prescribed in the case of such an authority by an order under section 4(4) above may be—
 - (a) increased by a direction in writing served by the Secretary of State on that authority ; or
 - (b) reduced by an order made by the Secretary of State.
- (3) If an authority has made a rate or issued a precept by reference to a maximum which is subsequently increased under subsection (2)(a) above—
 - (a) a substituted rate or precept complying with the higher maximum may be made or issued by the authority under section 3 of the Local Government Finance Act 1982 without regard to subsection (2) of that section; and
 - (b) that subsection shall not prevent a substituted rate being made by any other authority in pursuance of subsection (4)(a) of that section for giving effect to a precept substituted in accordance with paragraph (a) above.
- (4) The power to make an order under subsection (2)(b) above shall be exercisable by statutory instrument and no such order shall be made unless a draft of it has been laid before and approved by a resolution of the House of Commons.
- (5) An order under subsection (2)(b) above may relate to two or more authorities.