



Rates Act 1984

1984 CHAPTER 33

PART I

SELECTIVE LIMITATION OF RATES AND PRECEPTS

4 Determination of maximum rate or precept

- (1) As soon as practicable after the Rate Support Grant Report for any financial year has been laid before Parliament the Secretary of State shall serve on each designated authority a notice stating the maximum which he proposes to prescribe under section 1 above for the rate made or precept issued by that authority for that year.
- (2) The Secretary of State shall determine that maximum by reference to—
 - (a) the level of expenditure determined or re-determined by him for the authority under section 3 above ;
 - (b) the block grant (if any) which he estimates will become payable to the authority in question; and
 - (c) in the case of an authority affected by a scheme under section 66 of the London Government Act 1963 (equalisation of rates), any contribution to be made by or to the authority in pursuance of the scheme ;and in determining that maximum the Secretary of State may take into account any financial reserves available to the authority.
- (3) If—
 - (a) the proposed maximum stated in a notice served on a designated authority under subsection (1) above is accepted by the authority within the period specified in the notice ; or
 - (b) a designated authority and the Secretary of State agree on a different maximum,

the power of the Secretary of State to prescribe a maximum under section 1 above in the case of that authority for the financial year in question shall be exercised by specifying in a direction in writing served on the authority a maximum equal to that stated in the notice or agreed with the authority, as the case may be.

Status: This is the original version (as it was originally enacted).

- (4) In any other case the power of the Secretary of State to prescribe a maximum under section 1 above shall be exercised by specifying by order a maximum equal to or greater than that stated in the notice served on the authority in question.
- (5) The power to make an order under subsection (4) 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,
- (6) An order under subsection (4) above may relate to two or more authorities.