

Status: Point in time view as at 01/02/1991.

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SCHEDULES

[^{F1}SCHEDULE 12A

RELEVANT POPULATION]

Textual Amendments

F1 Sch. 12A inserted by Local Government and Housing Act 1989 (c. 42, SIF 81:1), s. 139, Sch. 5 para. 74

Population of area

- 1 (1) For the purposes of this paragraph and paragraphs 2 to 4 below each of the following is a relevant authority—
 - (a) an English charging authority;
 - (b) a Welsh district council;
 - (c) a Welsh county council.
- (2) For the purposes of paragraphs 2 to 4 below each of the following is a notifiable authority—
 - (a) a charging authority,
 - (b) a county council,
 - (c) a metropolitan county police authority,
 - (d) the Northumbria Police Authority,
 - (e) a metropolitan county fire and civil defence authority,
 - (f) the London Fire and Civil Defence Authority, and
 - (g) the Receiver for the Metropolitan Police District.
- 2 (1) The Secretary of State shall make a report containing rules for calculating the relevant population of the area of each relevant authority.
- (2) Before making the report the Secretary of State shall notify to such representatives of local government as appear to him to be appropriate the general nature of its intended contents.
- (3) The report shall be laid before the House of Commons.
- (4) As soon as is reasonably practicable after the report is laid before the House of Commons the Secretary of State shall send a copy of it to each notifiable authority.
- (5) After making the report the Secretary of State may make a further report or reports, and any such report—
 - (a) may replace any previous report under this paragraph, or
 - (b) may amend any previous report under this paragraph.

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- (6) A report under sub-paragraph (5)(a) above shall contain revised rules for calculating the relevant population of the area of each relevant authority.
- (7) A report under sub-paragraph (5)(b) above shall contain amendments to the rules contained in the report which it amends.
- (8) Sub-paragraphs (2) to (4) above shall apply to any report under sub-paragraph (5) above as they apply to one under sub-paragraph (1) above.
- (9) A report under this paragraph shall state the day on which it is to come into force and the first financial year for which it is to operate.
- 3 (1) This paragraph applies where in accordance with paragraph 2 above a report has been made and laid before the House of Commons.
- (2) If the report is approved by resolution of the House of Commons it shall come into force on the day stated in the report.
- (3) If the report is made under paragraph 2(1) or (5)(a), on and after the day it comes into force the rules it contains shall have effect for calculating the relevant population of the area of each relevant authority for all chargeable financial years beginning with the first financial year for which it states it is to operate; but this is subject to the effect of any subsequent report under paragraph 2(5).
- (4) If the report is made under paragraph 2(5)(b), on and after the day it comes into force the rules it amends read subject to the amendments shall have effect for calculating the relevant population of the area of each relevant authority for all chargeable financial years beginning with the first financial year for which it states it is to operate; but this is subject to the effect of any subsequent report under paragraph 2(5).
- 4 (1) As soon as is reasonably practicable after a revenue support grant report for a financial year has been approved by resolution of the House of Commons, the Secretary of State shall calculate the relevant population of the area of each relevant authority for the year in accordance with the rules for the time being effective (as regards the year) under paragraph 3 above.
- (2) If the Secretary of State decides that he will leave out of account information received by him after a particular date in making a calculation under sub-paragraph (1) above the calculation shall be made accordingly; and he may decide different dates for different kinds of information.
- (3) Sub-paragraph (2) above applies only if the Secretary of State informs each notifiable authority in writing of his decision and of the date (or the dates and kinds of information) concerned; but he may do this at any time before the calculation is made under this paragraph.
- (4) As soon as is reasonably practicable after making a calculation under sub-paragraph (1) above the Secretary of State shall—
- (a) inform each relevant authority of what he calculates as the relevant population of its area for the year;
 - (b) where the relevant authority is an English charging authority, inform each appropriate precepting authority of what he calculates as the relevant population of the area of the charging authority for the year.

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- (5) For the purposes of sub-paragraph (4) above an appropriate precepting authority, in relation to a charging authority, is a precepting authority which is a notifiable authority and which has power to issue a precept to the charging authority.
- 5 (1) The Secretary of State shall make regulations containing rules for calculating for chargeable financial years the relevant population of the area of each Welsh charging authority.
- (2) A Welsh charging authority shall calculate the relevant population of its area for a chargeable financial year in accordance with the rules for the time being effective (as regards the year) under the regulations.
- (3) The calculation shall be made as soon as is reasonably practicable after such date as is specified for the year in the regulations made under sub-paragraph (1) above.
- (4) As soon as is reasonably practicable after making a calculation under sub-paragraph (2) above a Welsh charging authority shall inform each appropriate precepting authority of what the charging authority calculates as the relevant population of the area of the charging authority for the year.
- (5) For the purposes of sub-paragraph (4) above an appropriate precepting authority, in relation to a charging authority, is a precepting authority which is a notifiable authority and which has power to issue a precept to the charging authority.

Population of part of area

- 6 (1) This paragraph applies where the relevant population of part of a charging authority's area needs to be found for the purposes of section 69 above.
- (2) The Secretary of State shall make regulations containing rules for calculating for chargeable financial years the relevant population of any such part.
- (3) The charging authority shall calculate the relevant population of the part for a chargeable financial year in accordance with the rules for the time being effective (as regards the year) under the regulations.
- (4) The calculation shall be made—
- (a) where the authority is English, as soon as is reasonably practicable after a revenue support grant report for the year has been approved by resolution of the House of Commons;
 - (b) where the authority is Welsh, as soon as is reasonably practicable after such date as is specified for the year in the regulations made under sub-paragraph (2) above.

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