



Local Government Finance Act 1988

1988 CHAPTER 41

PART XI

MISCELLANEOUS AND GENERAL

General

141 Payments to and from authorities

- (1) The Secretary of State may make regulations in relation to any case where—
 - (a) he is liable to pay to a receiving authority at any time an amount or amounts under one or more of the first relevant provisions, and
 - (b) the authority is liable to pay to him at the same time an amount or amounts under one or more of the second relevant provisions.
- (2) The regulations may provide that if the total of the amount or amounts mentioned in subsection (1)(a) above exceeds the total of the amount or amounts mentioned in subsection (1)(b) above, he may set off the latter in paying the former.
- (3) The regulations may provide that if the total of the amount or amounts mentioned in subsection (1)(b) above exceeds the total of the amount or amounts mentioned in subsection (1)(a) above, the authority shall set off the latter in paying the former.
- (4) The regulations may provide that if the total of the amount or amounts mentioned in subsection (1)(a) above is the same as the total of the amount or amounts mentioned in subsection (1)(b) above no payment need be made in respect of the former or the latter.
- (5) Without prejudice to section 143(2) below, the regulations may include provision—
 - (a) treating any liability mentioned in subsection (1) above as discharged accordingly;
 - (b) requiring prescribed provisions of this Act (such as sections 79(2) and 86(2)) to be read subject to the regulations;

Status: This is the original version (as it was originally enacted).

- (c) requiring prescribed provisions of this Act (such as paragraph 2 of Schedule 8) to be read as if references to sums received or payments made were to sums or payments which would have been received or made apart from the regulations.
- (6) Each of the following is a receiving authority—
 - (a) a charging authority, and
 - (b) in the application of this section to Wales, a county council.
- (7) The first relevant provisions are sections 83 and 86 above, paragraph 5(10) of Schedule 8 below, regulations made under paragraph 6(5) of that Schedule, and paragraphs 9, 12 and 13 of that Schedule.
- (8) The second relevant provisions are section 83 above and paragraph 5 of Schedule 8 below.