



Local Government Finance Act 1992

1992 CHAPTER 14

PART I

COUNCIL TAX: ENGLAND AND WALES

[^{F1}CHAPTER IVA

LIMITATION OF COUNCIL TAX AND PRECEPTS

[^{F1} Nomination

Textual Amendments

- F1** Chapter 4A (ss. 52A-52Z) inserted (27.7.1999 with effect as mentioned in [s. 30\(2\)](#) of the amending Act.) by [1999 c. 27, s. 30\(1\)](#), [Sch. 1 para. 1](#)

52L Nomination.

- (1) This section applies if the [^{F2}Welsh Ministers nominate] an authority under section 52D(2)(b) above.
- (2) [^{F3}They] shall notify the authority in writing of—
 - (a) the nomination;
 - (b) the set of principles determined for the authority under section 52B above;
 - (c) the category in which the authority falls (if [^{F4}they determine] categories under section 52B above);
 - (d) the amount which [^{F5}they] would have proposed as the target amount for the year under consideration if [^{F5}they] had designated the authority as regards that year under section 52D(2)(a) above.
- (3) A nomination under section 52D(2)(b) above —

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- (a) is invalid unless subsection (2) above is complied with;
 - (b) shall be treated as made at the beginning of the day on which the authority receives a notification under that subsection.
- (4) After nominating all the authorities [^{F6}they intend] to nominate the [^{F7}Welsh Ministers] —
- (a) shall decide, in the case of each authority nominated, whether to proceed under section 52M or under section 52N below in relation to it;
 - (b) may decide to proceed under different sections in relation to different authorities.

Textual Amendments

- F2** Words in s. 52L(1) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 6 para. 15\(2\)](#); [S.I. 2011/2896](#), art. 2(i)
- F3** Word in s. 52L(2) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 6 para. 15\(3\)\(a\)](#); [S.I. 2011/2896](#), art. 2(i)
- F4** Words in s. 52L(2)(c) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 6 para. 15\(3\)\(b\)](#); [S.I. 2011/2896](#), art. 2(i)
- F5** Word in s. 52L(2)(d) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 6 para. 15\(3\)\(c\)](#); [S.I. 2011/2896](#), art. 2(i)
- F6** Words in s. 52L(4) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 6 para. 15\(4\)\(a\)](#); [S.I. 2011/2896](#), art. 2(i)
- F7** Words in s. 52L(4) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 6 para. 15\(4\)\(b\)](#); [S.I. 2011/2896](#), art. 2(i)

52M Designation after nomination.

- (1) This section applies if the [^{F8}Welsh Ministers] —
- (a) [^{F9}nominate] an authority under section 52D(2)(b) above, and
 - (b) [^{F10}decide] to proceed under this section in relation to the authority.
- (2) [^{F11}They] shall—
- (a) designate the authority as regards the financial year immediately following the year under consideration;
 - (b) determine an amount which [^{F12}they propose] should be the maximum for the amount calculated by the authority as its budget requirement for the year as regards which the designation is made;
 - (c) determine the target amount for the year as regards which the designation is made, that is, the maximum amount which [^{F13}they propose] the authority could calculate as its budget requirement for the year without the amount calculated being excessive.
- (3) In making the determinations under subsection (2) above [^{F14}they] shall take into account—
- (a) the amount which [^{F15}they] would have proposed as the target amount for the year under consideration if [^{F15}they] had designated the authority as regards that year under section 52D(2)(a) above, and
 - (b) any information [^{F16}they think] is relevant.
- (4) [^{F17}They] shall notify the authority in writing of—

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- (a) the designation;
 - (b) the amount determined under subsection (2)(b) above;
 - (c) the target amount determined under subsection (2)(c) above;
 - (d) any information taken into account under subsection (3)(b) above;
 - (e) the financial year as regards which [^{F18}they expect] the amount calculated by the authority as its budget requirement for that year to be equal to or less than the target amount for that year (assuming one to be determined for that year);
 - (f) the period within which the authority may inform the [^{F19}Welsh Ministers] that it challenges or accepts the amount stated under paragraph (b) above.
- (5) A designation under this section—
- (a) is invalid unless subsection (4) above is complied with;
 - (b) shall be treated as made at the beginning of the day on which the authority receives a notification under that subsection.
- (6) If an authority has been designated under this section as regards a financial year the [^{F20}Welsh Ministers] may not designate it under section 52D(2)(a) above as regards that year.
- (7) If—
- (a) an authority has been designated under this section as regards a financial year, and
 - (b) after the designation is made the authority makes calculations or substitute calculations in relation to the year,
- the calculations (or substitute calculations) shall be invalid unless they are made in accordance with section 52T or 52U below (as the case may be).
- (8) Before the end of the period notified under subsection (4)(f) above an authority may inform the [^{F21}Welsh Ministers] by notice in writing that—
- (a) for reasons stated in the notice, it believes the maximum amount stated under subsection (4)(b) above should be such as the authority states in its notice, or
 - (b) it accepts the maximum amount stated under subsection (4)(b) above.
- (9) The period notified under subsection (4)(f) above must be a period of at least 21 days beginning with the day the authority receives the notification under subsection (4) above.

Textual Amendments

- F8** Words in s. 52M(1) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 16\(2\)\(a\)](#); [S.I. 2011/2896, art. 2\(i\)](#)
- F9** Word in s. 52M(1)(a) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 16\(2\)\(b\)](#); [S.I. 2011/2896, art. 2\(i\)](#)
- F10** Word in s. 52M(1)(b) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 16\(2\)\(c\)](#); [S.I. 2011/2896, art. 2\(i\)](#)
- F11** Word in s. 52M(2) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 16\(3\)\(a\)](#); [S.I. 2011/2896, art. 2\(i\)](#)
- F12** Words in s. 52M(2)(b) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 16\(3\)\(b\)](#); [S.I. 2011/2896, art. 2\(i\)](#)
- F13** Words in s. 52M(2)(c) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 16\(3\)\(c\)](#); [S.I. 2011/2896, art. 2\(i\)](#)

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- F14** Word in s. 52M(3) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 6 para. 16\(4\)\(a\)](#); [S.I. 2011/2896](#), art. 2(i)
- F15** Word in s. 52M(3)(a) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 6 para. 16\(4\)\(b\)](#); [S.I. 2011/2896](#), art. 2(i)
- F16** Words in s. 52M(3)(b) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 6 para. 16\(4\)\(c\)](#); [S.I. 2011/2896](#), art. 2(i)
- F17** Word in s. 52M(4) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 6 para. 16\(5\)\(a\)](#); [S.I. 2011/2896](#), art. 2(i)
- F18** Words in s. 52M(4)(e) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 6 para. 16\(5\)\(b\)](#); [S.I. 2011/2896](#), art. 2(i)
- F19** Words in s. 52M(4)(f) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 6 para. 16\(5\)\(c\)](#); [S.I. 2011/2896](#), art. 2(i)
- F20** Words in s. 52M(6) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 6 para. 16\(6\)](#); [S.I. 2011/2896](#), art. 2(i)
- F21** Words in s. 52M(8) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 6 para. 16\(7\)](#); [S.I. 2011/2896](#), art. 2(i)

52N No designation after nomination.

- (1) This section applies if the [^{F22}Welsh Ministers] —
 - (a) [^{F23}nominate] an authority under section 52D(2)(b) above, and
 - (b) [^{F24}decide] to proceed under this section in relation to the authority.
- (2) [^{F25}They] shall determine an amount which [^{F26}they propose] should be the notional amount calculated by the authority as its budget requirement for the year under consideration.
- (3) In making the determination [^{F27}they] shall take into account—
 - (a) the amount which [^{F28}they] would have proposed as the maximum for the amount calculated by the authority as its budget requirement for the year under consideration if [^{F28}they] had designated it as regards that year under section 52D(2)(a) above, and
 - (b) any information [^{F29}they think] is relevant.
- (4) [^{F30}They] shall notify the authority in writing of—
 - (a) the amount determined under subsection (2) above;
 - (b) the amount mentioned in subsection (3)(a) above;
 - (c) any information taken into account under subsection (3)(b) above.
- (5) Before the end of the period of 21 days beginning with the day it receives a notification under subsection (4) above an authority may inform the [^{F31}Welsh Ministers] by notice in writing that, for reasons stated in the notice, it believes the notional amount stated under subsection (4)(a) above should be such as the authority states in its notice.
- (6) After the end of the period mentioned in subsection (5) above the [^{F32}Welsh Ministers] —
 - (a) shall, if [^{F33}they receive] a notice under subsection (5) above, reconsider [^{F34}their] determination under subsection (2) above (taking the notice into account);
 - (b) shall notify the authority in writing of the amount which is to be the notional amount calculated by the authority as its budget requirement for the year under consideration.

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- (7) A notification under subsection (6) above shall be treated as made at the beginning of the day on which the authority receives it.
- (8) In applying this Chapter at any time after a notification is made under subsection (6) above of the amount which is to be the notional amount calculated by the authority as its budget requirement for a financial year, the amount calculated by the authority as its budget requirement for that year shall be taken to be the notional amount notified.]

Textual Amendments

- F22** Words in s. 52N(1) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 17\(2\)\(a\); S.I. 2011/2896, art. 2\(i\)](#)
- F23** Word in s. 52N(1)(a) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 17\(2\)\(b\); S.I. 2011/2896, art. 2\(i\)](#)
- F24** Word in s. 52N(1)(b) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 17\(2\)\(c\); S.I. 2011/2896, art. 2\(i\)](#)
- F25** Word in s. 52N(2) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 17\(3\)\(a\); S.I. 2011/2896, art. 2\(i\)](#)
- F26** Words in s. 52N(2) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 17\(3\)\(b\); S.I. 2011/2896, art. 2\(i\)](#)
- F27** Word in s. 52N(3) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 17\(4\)\(a\); S.I. 2011/2896, art. 2\(i\)](#)
- F28** Word in s. 52N(3)(a) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 17\(4\)\(b\); S.I. 2011/2896, art. 2\(i\)](#)
- F29** Words in s. 52N(3)(b) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 17\(4\)\(c\); S.I. 2011/2896, art. 2\(i\)](#)
- F30** Word in s. 52N(4) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 17\(5\); S.I. 2011/2896, art. 2\(i\)](#)
- F31** Words in s. 52N(5) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 17\(6\); S.I. 2011/2896, art. 2\(i\)](#)
- F32** Words in s. 52N(6) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 17\(7\)\(a\); S.I. 2011/2896, art. 2\(i\)](#)
- F33** Words in s. 52N(6)(a) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 17\(7\)\(b\)\(i\); S.I. 2011/2896, art. 2\(i\)](#)
- F34** Word in s. 52N(6)(a) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 6 para. 17\(7\)\(b\)\(ii\); S.I. 2011/2896, art. 2\(i\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2010/875 reg. 16Sch. 2](#) (This amendment not applied to legislation.gov.uk. The amending S.I. was revoked before ever coming into force by S.I. 2010/1906, reg. 2)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6(2)(ea) inserted by [2012 c. 17 s. 13\(1\)](#)