



# Local Government Finance Act 1992

## 1992 CHAPTER 14

### PART I

#### COUNCIL TAX: ENGLAND AND WALES

### CHAPTER VI

#### MISCELLANEOUS AND SUPPLEMENTAL

#### 65 Duty to consult ratepayers.

- (1) A relevant authority shall consult under this section persons or bodies appearing to it to be representative of persons subject to non-domestic rates under sections 43 and 45 of the 1988 Act as regards hereditaments situated in the authority's area.
- (2) Consultations must be made as to each financial year, and must be about the authority's proposals for expenditure (including capital expenditure) in that financial year; and the Secretary of State may by regulations prescribe matters which are to be treated as expenditure for this purpose.
- (3) In this section "relevant authority" means a billing authority or a major precepting authority<sup>[F1]</sup>, apart from a police and crime commissioner<sup>[F2]</sup> or a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004.<sup>[F3]</sup> . . . .
- (4) The duty to consult as to a financial year shall be performed—
  - (a) where the authority is a billing authority, before it makes calculations (otherwise than by way of substitute) in relation to the financial year under <sup>[F4]</sup>section 31A above or] section 32 above;
  - (b) where the authority is a precepting authority, before it issues the first precept to be issued by it for the financial year.
- (5) In performing the duty to consult, an authority shall have regard to any guidance issued by the Secretary of State concerning—

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**Changes to legislation:** Local Government Finance Act 1992, Section 65 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (a) persons or bodies to be regarded for the purposes of this section as representative of persons subject to non-domestic rates under sections 43 and 45 of the 1988 Act as regards hereditaments situated in the authority's area; and
  - (b) the timing and manner of consultations under this section.
- (6) An authority shall make available to persons or bodies it proposes to consult under this section such information as may be prescribed and is in its possession or control; and it shall do so in such form and manner, and at such time, as may be prescribed.

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#### Textual Amendments

- F1** Words in s. 65(3) inserted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 26\(3\)](#), 157(1); S.I. 2012/2892, art. 2(a)
- F2** Words in s. 65(3) inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 1 para. 71\(3\)](#); S.I. 2017/399, reg. 2, Sch. para. 38
- F3** Words in s. 65(3) repealed (1.1.2001) by 1999 c. 29, s. 423, [Sch. 34 Pt. I](#) (with Sch. 12 para. 9(1)); S.I. 2000/3379, [art. 2](#) (with [art. 3](#))
- F4** Words in s. 65(4)(a) inserted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 7 para. 28](#); S.I. 2011/2896, art. 2(i)

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#### Modifications etc. (not altering text)

- C1** S. 65 amended (28.11.1994) by S.I. 1994/2825, [reg. 50](#)
- C2** S. 65 modified (12.1.2000~~temp.~~ from 1.4.2000 until 31.3.2001) by S.I. 1999/3435, [art. 4](#)

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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\(1\)](#)