



# Local Government etc. (Scotland) Act 1994

## 1994 CHAPTER 39

### PART IV

#### MISCELLANEOUS

##### *Finance*

#### **164 Calculation of limits on spending**

(1) Section 83 of the 1973 Act (power of local authorities to incur expenditure not otherwise authorised) shall be amended in accordance with this section.

(2) In subsection (1)—

- (a) after the words “in the interests of” there shall be inserted the words “and will bring direct benefit to”;
- (b) after the words “incur any expenditure” there shall be inserted “(a)”; and
- (c) at the end there shall be added the words—

“nor

- (b) unless the direct benefit accruing to their area or any part of it or to all or some of the inhabitants of their area will be commensurate with the expenditure to be incurred.”

(3) Subsection (3A) shall cease to have effect.

(4) For subsection (4) substitute—

“(4) The expenditure of a local authority under this section in any financial year shall not exceed the amount produced by multiplying—

- (a) £3.80, or such other sum as may from time to time be specified in an order made by the Secretary of State; by

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*Status: This is the original version (as it was originally enacted).*

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(b) the relevant population of the authority's area.

(4AA) For the purposes of subsection (4)(b) above the relevant population of a local authority's area shall be determined in accordance with regulations made by the Secretary of State.”.

(5) For subsections (5) and (6) substitute—

“(5) A statutory instrument containing an order or regulations made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.”.