
 STATUTORY INSTRUMENTS

1988 No. 2153

TRANSPORT

The London Regional Transport Levy (General Rate Act 1967) (Modification) Order 1988

<i>Made - - - -</i>	<i>8th December 1988</i>
<i>Laid before Parliament</i>	<i>16th December 1988</i>
<i>Coming into force</i>	<i>6th January 1989</i>

The Secretary of State for Transport in exercise of the powers conferred by section 147(1) and (2) of the Local Government Finance Act 1988(a) ("the Act of 1988"), and of all other enabling powers, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the London Regional Transport Levy (General Rate Act 1967) (Modification) Order 1988 and shall come into force on the 6th January 1989.

Modification of the General Rate Act 1967

2. The provisions of the General Rate Act 1967(b) ("the Act of 1967") and rules having effect thereunder, as applied by section 14 of the London Regional Transport Act 1984(c) ("the Act of 1984"), which by virtue of the provision made at the end of Part III of Schedule 13 to the Act of 1988 continue in force in relation to levies under section 13 of the Act of 1984 made before the date specified in section 127(1) of the Act of 1988 for the abolition of the power to make such levies, shall have effect after that date in relation to any levy made before that date subject to the following modifications—

- (i) Any balance payable to the Secretary of State under section 12(7)(a) of the Act of 1967 as so applied in relation to a levy in respect of the year ending on the date specified in the said section 127(1) or in respect of earlier years shall be paid to the Secretary of State not later than 31st March 1991.
- (ii) The Secretary of State shall pay to a rating authority not later than 31st March 1991 an amount equal to any balance which he would, but for the said section 127(1), be required by section 12(7)(b) of the Act of 1967 as so applied to have set off against a levy made on that authority in respect of the year following the date specified in the said section 127(1).

Signed by authority of the Secretary of State

8th December 1988

Michael Portillo
 Minister of State,
 Department of Transport

(a) 1988 c.41.

(b) 1967 c.9.

(c) 1984 c.32.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 13 of the London Regional Transport Act 1984 provides that the Secretary of State may, in respect of any year, make a levy on the rating authorities for all the rating areas in Greater London to recover a contribution from Greater London ratepayers towards his estimated expenditure in that year on grants to London Regional Transport, and for the purpose of raising the levy the Secretary of State may issue a demand for payments to the rating authorities. Such a demand shall require the rating authorities to levy as part, or as an additional item of the rate, a rate of an amount in the pound specified by Order in respect of the year to which the demand relates.

Section 14 of that Act applied certain provisions of the General Rate Act 1967 to such levies.

Section 127(1) of the Local Government Finance Act 1988 prohibits the making of any levy in respect of any time after 31st March 1990 and section 149 of, and Part III of Schedule 13 to, that Act repeals sections 13 and 14 of the London Regional Transport Act 1984 but subject to the continuance in force of section 14 in relation to levies made before that date. This Order modifies the provisions of the Act of 1967, as applied by section 14 and so continued in force, to take account of the abolition of the powers of section 13 to make such levies. Outstanding balances on account of levies made before April 1990 are to be settled not later than 31st March 1991.