

1989 No. 2305

LOCAL GOVERNMENT, ENGLAND AND WALES

FINANCE

The Charging Authorities (Notification of Precept
Population) (Wales) Regulations 1989

<i>Made - - - -</i>	<i>5th December 1989</i>
<i>Laid before Parliament</i>	<i>8th December 1989</i>
<i>Coming into force</i>	<i>29th December 1989</i>

The Secretary of State for Wales, in exercise of the powers conferred on him by sections 73(1) and 140(4) of the Local Government Finance Act 1988(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations—

Citation, commencement and application

1. These Regulations may be cited as the Charging Authorities (Notification of Precept Population) (Wales) Regulations 1989, and shall come into force on 29th December 1989. They apply to Wales only.

Interpretation

2. In these Regulations—

“the Act” means the Local Government Finance Act 1988;

“the principal regulations” means the Charging Authorities (Population for Precepts) (Wales) Regulations 1989(b);

“appropriate precepting authority”, in relation to a charging authority, means the county council which has power to issue a precept to the charging authority for any chargeable financial year;

“appropriate community council”, in relation to a charging authority, means a community council which has power to issue a precept to the charging authority for any chargeable financial year;

“appropriate levying body” means a levying body which has power to issue to the appropriate precepting authority a levy in respect of the chargeable financial year;

“the chargeable financial year” means the chargeable financial year for which a precept is to be issued under section 68 of the Act;

“the relevant day”, in relation to the chargeable financial year beginning in 1990, means 29th December 1989, and in relation to any other chargeable financial year means 1st November in the financial year immediately preceding that year.

3. As soon as is reasonably practicable after making a calculation under regulation 3 of the principal regulations of the relevant population of its area for the chargeable financial year, a charging authority shall inform the appropriate precepting authority of the sum estimated by the charging authority, in accordance with regulation 3(2) of the principal regulations, for the purpose of making that calculation.

(a) 1988 c.41.

(b) S.I. 1989/2268.

4. If a charging authority has calculated the relevant population of part of its area under regulation 7 of the principal regulations (because it needed to be found for the purposes of section 69 of the Act) it shall, as soon as is reasonably practicable after making that calculation—

- (a) if the relevant population so calculated is the relevant population of that part of the charging authority's area in which an appropriate levying body carries out functions, inform the appropriate precepting authority of what the charging authority calculates as the relevant population of that part of its area;
- (b) if the relevant population so calculated is the relevant population of the area of an appropriate community council, inform that council of what the authority calculates as the relevant population of the council's area.

5. As soon as is reasonably practicable after the relevant day the charging authority shall inform each appropriate community council, other than one to which regulation 4 applies, of what the authority calculates would, under regulation 7 of the principal regulations, be the relevant population of that council's area for the chargeable financial year if it needed to be found for the purposes of section 69 of the Act.

5th December 1989

Peter Walker
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply only to Wales.

By virtue of the provisions of section 73 of the Local Government Finance Act 1988 ("the Act"), these Regulations require information relating to population calculations to be supplied to Welsh precepting authorities (county councils and community councils) by their appropriate charging authorities.

Regulation 3 requires the charging authority to notify its county council of its estimate of its community charge income used in the calculation of its relevant population for a financial year required by regulation 3 of the Charging Authorities (Population for Precepts) (Wales) Regulations 1989 ("the principal regulations").

Regulation 4 requires that if a calculation of the relevant population of part of a charging authority's area has been calculated for a financial year under regulation 7 of the principal regulations, and that part consists of the area of a community council or the area, within the district, of a levying body, the charging authority shall notify the result for that body or council.

Regulation 5 requires a charging authority to inform (within a prescribed period) all other community councils of the figure which would be their relevant population for a financial year if it had been calculated under regulation 7 of the principal regulations.