

1990 No. 1846

**LOCAL GOVERNMENT, ENGLAND AND WALES**

**The Isles of Scilly (Variation) Order 1990**

*Made* - - - - *5th September 1990*

*Coming into force* - *26th September 1990*

The Secretary of State for the Environment, in exercise of the powers conferred upon him by sections 265(2) and (3) and 266(2) of the Local Government Act 1972(a), and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Isles of Scilly (Variation) Order 1990 and shall come into force on 26th September 1990.

**Variation of the Isles of Scilly Order 1978**

2. The Isles of Scilly Order 1978(b) is hereby varied by the insertion, after paragraph (2) of article 6, of the following paragraph—

“(2A) Section 137(4AA) of the Act shall apply as if the Council were a metropolitan district council.”(c).

5th September 1990

*Chris Patten*  
Secretary of State for the Environment

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(a) 1972 c.70.

(b) S.I. 1978/1844, amended by the Coroners Act 1988 (c.13), Schedule 4.

(c) Section 137(4AA) was inserted by the Local Government and Housing Act 1989 (c.42), section 36(7).

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

The annual limit on the amount of expenditure which a local authority may incur for purposes not otherwise authorised is determined under section 137(4) of the Local Government Act 1972 by reference to the sum appropriate to that authority by virtue of section 137(4AA) of that Act.

Section 137 of the 1972 Act applies to the Council of the Isles of Scilly by virtue of section 265 of that Act and the Isles of Scilly Order 1978.

This Order varies the 1978 Order. The effect of the variation is that, for the purposes of the application to the Council of the Isles of Scilly of section 137(4AA) of the 1972 Act, the Council is treated as if it were a metropolitan district council.

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