
STATUTORY INSTRUMENTS

1992 No. 1618

LOCAL GOVERNMENT, ENGLAND AND WALES

**The Local Authorities (Capital Finance)
(Amendment) (No. 2) Regulations 1992**

<i>Made</i>	- - - -	<i>2nd July 1992</i>
<i>Laid before Parliament</i>		<i>10th July 1992</i>
<i>Coming into force</i>	- -	<i>31st July 1992</i>

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 40(5), 64(2) and (5), 190(1) of the Local Government and Housing Act 1989⁽¹⁾, and of all other powers enabling them in that behalf, hereby make the following Regulations:

1. These Regulations may be cited as the Local Authorities (Capital Finance) (Amendment) (No. 2) Regulations 1992 and shall come into force on 31st July 1992.

2. The Local Authorities (Capital Finance) Regulations 1990⁽²⁾ shall be amended in regulation 2 by the addition after paragraph (6) of the following paragraph—

“(7) Where a local authority—

- (a) have at any time received a grant or any other financial assistance from a Minister of the Crown or Community institution towards expenditure incurred by the authority for capital purposes, and
- (b) subsequently are required to repay the grant or assistance or make a payment in respect of it,

then the expenditure of the authority incurred in making that repayment or payment shall be expenditure for capital purposes.”.

3.—(1) The Local Authorities (Capital Finance) (Amendment) Regulations 1992 made by the Secretary of State for the Environment on 13th March 1992⁽³⁾ (“the Amendment Regulations”) are hereby revoked.

(2) Notwithstanding the revocation above, the Part VIIIA inserted by regulation 2 of the Amendment Regulations in the Local Authorities (Capital Finance) Regulations 1990 shall remain in force as Part VIIIA of those Regulations.

(1) 1989 c. 42.

(2) S.I. 1990/432; amended by S.I. 1990/1273, 1991/500 and 1992/502 and 738.

(3) S.I. 1992/738.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

2nd July 1992

Michael Howard
Secretary of State for the Environment

2nd July 1992

David Hunt
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Local Authorities (Capital Finance) Regulations 1990. Regulation 2 of those Regulations is amended to provide that, when a local authority make a repayment of, or a payment in respect of, a grant or financial assistance which the authority received from a Minister of the Crown or a Community institution towards expenditure for capital purposes, then that repayment or payment by the authority is expenditure for capital purposes.

Two statutory instruments were made, one on 5th March 1992 (S.I. [1992/502](#)), the other on 13th March 1992 (S.I. [1992/738](#)), with the title of “The Local Authorities (Capital Finance) (Amendment) Regulations 1992.” Regulation 3 of these Regulations revokes the second of those instruments but continues in force the substantive amendments which it made to the Local Authorities (Capital Finance) Regulations 1990.