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STATUTORY INSTRUMENTS

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**1993 No. 61**

**The National Rivers Authority (Levies) Regulations 1993**

**Substituted levies**

**8.**—(1) Subject to the following provisions of this regulation, if the NRA has issued a levy in respect of a district for a financial year under these Regulations (originally or by way of substitute) it may issue a levy in substitution.

(2) No levy may be issued in substitution if its amount would be greater than the amount of the levy for which it is substituted, except as provided by paragraph (3) below.

(3) The amount of a levy issued in substitution (in this regulation called “the new levy”) may be greater than the amount of that for which it is substituted (in this regulation called “the old levy”) if the old levy has been quashed because of a failure to fulfil the requirements of regulation 6, but only so much as is required to enable those requirements to be fulfilled.

(4) Where the NRA issues a new levy, anything paid to it by reference to the old levy shall be treated as paid by reference to the new levy.

(5) But if the amount of the old levy exceeds that of the new levy—

- (a) the amount in excess shall be repaid if the local council by whom it was paid so requires;
- (b) in any other case, the amount in excess shall (as the NRA determines) either be repaid or be credited against any subsequent liability of the local council in respect of any levy issued by the NRA.