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STATUTORY INSTRUMENTS

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**1995 No. 234**

**LOCAL GOVERNMENT, ENGLAND AND WALES  
FINANCE**

**The Local Authorities (Alteration of Requisite  
Calculations and Funds) Regulations 1995**

<i>Made</i>	- - - -	<i>2nd February 1995</i>
<i>Laid before Parliament</i>		<i>2nd February 1995</i>
<i>Coming into force</i>	- -	<i>3rd February 1995</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 32(9), 33(4), 43(7), 44(4) and 113 of the Local Government Finance Act 1992<sup>(1)</sup>, and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Local Authorities (Alteration of Requisite Calculations and Funds) Regulations 1995 and shall come into force on 3rd February 1995.

(2) In these Regulations “the 1992 Act” means the Local Government Finance Act 1992.

**Calculation of budget requirement by billing authorities**

2.—(1) In paragraph (a) of subsection (3) of section 32 of the 1992 Act, for the words from “or” to the end of that paragraph there shall be substituted “or relevant special grant or (in the case of the Common Council only) police grant;”<sup>(2)</sup>.

(2) After subsection (11) of that section there shall be inserted the following subsection—

“(12) In this section and section 33 below—

“police grant” means the grant payable in accordance with paragraphs 2 and 3 of the police grant report (Police Grant Report (England and Wales) 1995–96) made under section 31 of the Police Act 1964 and approved by a resolution of the House of Commons on 31st January 1995; and

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(1) 1992 c. 14.

(2) Section 32 of the 1992 Act was amended by the Local Authorities (Alteration of Requisite Calculations and Funds) Regulations 1994 (S.I.1994/246) and was prospectively amended by paragraph 4 of Schedule 12 to the Local Government (Wales) Act 1994 (c. 89).

“relevant special grant” means any of the following grants, that is to say—

- (i) the special grant payable in accordance with paragraphs 4 and 6 of the special grant report (Special Grant Report (No. 9)) approved by a resolution of the House of Commons pursuant to section 88B of the 1988 Act on 3rd February 1994;
- (ii) the special grant payable in accordance with paragraphs 4 and 6 of the special grant report (Special Grant Report (No. 12)) approved by such a resolution on 1st February 1995; and
- (iii) the special grant payable in accordance with paragraphs 5 and 7 of that special grant report.”(3).

### **Calculation of basic amount of tax by billing authorities**

3. In item P of section 33(1) of the 1992 Act, for the words from “or” to the end of that item there shall be substituted “or relevant special grant or (in the case of the Common Council only) police grant;”(4).

### **Calculation of budget requirement by major precepting authorities**

4.—(1) In paragraph (a) of subsection (3) of section 43 of the 1992 Act, for the words from “in respect of redistributed” to the end of that paragraph there shall be substituted—

- “(i) in respect of redistributed non-domestic rates, revenue support grant, additional grant, relevant special grant or police grant;
- (ii) in respect of any precept issued by it; or
- (iii) in pursuance of regulations under section 99(3) of the 1988 Act; and”(5)

(2) For subsection (6A) of that section there shall be substituted the following subsection—

- “(6A) In this section and section 44 below, “police grant” and “relevant special grant” have the meanings given by section 32(12) above.”.

### **Calculation of basic amount of tax by major precepting authorities**

5. In item P of section 44(1) of the 1992 Act, for the words from “or” to the end of that item there shall be substituted “, relevant special grant or police grant;”(6)

Signed by authority of the Secretary of State for the Environment.

2nd February 1995

*David Curry*  
Minister of State,  
Department of the Environment

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(3) 1964 c. 48. Section 31 was substituted by section 17 of the Police and Magistrates' Courts Act 1994, c. 29.  
(4) Section 33 was amended by the Billing Authorities (Alteration of Requisite Calculations) (England) Regulations 1992 (S.I. 1992/2429), the Billing Authorities (Alteration of Requisite Calculations and Transitional Reduction Scheme) (England) Regulations 1993 (S.I. 1993/401) and S.I. 1994/246 and was prospectively amended by paragraph 5 of Schedule 12 to the Local Government (Wales) Act 1994.  
(5) Section 43 was amended by S.I. 1994/246.  
(6) Section 44 was amended by S.I. 1994/246.

Signed by authority of the Secretary of State for Wales.

2nd February 1995

*Gwilym Jones*  
Parliamentary Under Secretary of State, Welsh  
Office

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

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## EXPLANATORY NOTE

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

Sections 32 and 43 of the Local Government Finance Act 1992 ( “the Act”) set out, respectively, how a billing authority and a major precepting authority are to calculate their budget requirements for a financial year.

Regulation 2 amends section 32 of the Act by requiring a billing authority not to take into account certain sums which it estimates will be payable into its general fund in respect of certain Special Grant and Police Grant.

Regulation 3 alters item “P” in section 33(1) of the Act which is relevant for the calculation of the basic amount of its council tax in consequence of the changes made to section 32.

Regulation 4 amends section 43 of the Local Government Finance Act 1992 by requiring a major precepting authority not to take account of certain payments which it estimates will be made to it in respect of certain Special Grant and Police Grant.

Section 44 of the Act sets out the calculations to be made by a major precepting authority in respect of the basic amount of its council tax. Regulation 5 makes alterations to those calculations as a consequence of the changes made to section 43.

Copies of the Special Grant Reports referred to in these Regulations may be obtained from HMSO as follows:

Special Grant Report approved on 3 February 1994 (No. 9)

ISBN 0 10 218094 6, price £3.40;

Special Grant Report approved on 1st February 1995 (No. 12)

ISBN 0 10 216295 6, price £4.10;

Police Grant Report approved on 31st January 1995

ISBN 0 10 216595 9, price £4.65.