

1999 No. 3435

LONDON GOVERNMENT

**The Greater London Authority Act 1999 (Transitional and
Consequential Finance Provisions) Order 1999**

Made - - - - - 21st December 1999
Laid before Parliament 22nd December 1999
Coming into force 12th January 2000

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred upon him by sections 405(2) and 406 of the Greater London Authority Act 1999(a), and of all other powers enabling him in that behalf(b), hereby makes the following Order:—

Citation and commencement

1.—(1) This Order may be cited as the Greater London Authority Act 1999 (Transitional and Consequential Finance Provisions) Order 1999.

(2) This Order shall come into force on 12th January 2000.

Transitional and consequential adaptations of the Local Government Finance Act 1988(c)

2. The provisions of the Local Government Finance Act 1988 set out in Column (1) of Table 1 below shall have effect in relation to—

(a) the financial year beginning on 1st April 2000, and

(b) the exercise of functions under those provisions,

subject to the adaptations set out in Column (2) of that Table.

TABLE 1

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Adaptation</i>
section 76(d)	After subsection (2) insert the following provision: “(2A) Where the Secretary of State is the receiving authority, in the period beginning on 1st April 2000 and ending with 2nd July 2000, references to grant being paid or payable to a receiving authority are to grant being allocated, or liable to be allocated, for payment by him in accordance with section 102 of the Greater London Authority Act 1999(e).”

(a) 1999 c. 29.

(b) See section 424(4) of the Greater London Authority Act 1999.

(c) 1988 c. 41.

(d) Subsection (2) was substituted for the original subsections (2) and (3) by the Local Government Finance Act 1992 (1992 c. 14), Schedule 10, paragraph 8.

(e) See the amendment to section 39(1) of the Local Government Finance Act 1992 made by section 82(2) of the Greater London Authority Act 1999 as amended by the Greater London Authority Act (Commencement No. 3 and Transitional Finance Provisions) Order 1999 (S.I. 1999 No. 3434 (C. 96)).

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Adaptation</i>
section 78A(a)	After subsection (2) insert the following subsection: “(2A) The local government finance report shall specify the basis of distribution of revenue support grant as if the Greater London Authority and functional bodies(b) were in existence for the entire year.”
section 82(c)	After subsection (1) insert the following subsection: “(1A) The sum payable to the Greater London Authority by way of revenue support grant shall be calculated as if the Greater London Authority and functional bodies were in existence for the entire year.”
section 83	After subsection (2) insert the following subsection: “(2A) Before 3rd July 2000 the instalments of the amount calculated as payable to the Greater London Authority shall be applied by the Secretary of State in accordance with section 102 of the Greater London Authority Act 1999 and subsequent instalments shall be paid to the Greater London Authority.”
Schedule 8(d), paragraph 8	After sub-paragraph (1) insert the following sub-paragraph: “(1A) Where the Secretary of State is the receiving authority, in the period beginning on 1st April 2000 and ending with 2nd July 2000, references to sums of the distributable amount being paid or payable to a receiving authority are to instalments of the amount calculated as the Greater London Authority’s share of the distributable amount being allocated, or liable to be allocated, for payment by him in accordance with section 102 of the Greater London Authority Act 1999.”
Schedule 8, paragraph 10	After sub-paragraph (1) insert the following sub-paragraph: “(1A) The local government finance report shall specify the basis of distribution of the distributable amount as if the Greater London Authority and functional bodies were in existence for the entire year.”
Schedule 8, paragraph 11	After sub-paragraph (3) insert the following sub-paragraph: “(3A) The sum payable to the Greater London Authority as its share of the distributable amount shall be calculated as if the Greater London Authority and functional bodies were in existence for the entire year.”
Schedule 8, paragraph 12	After sub-paragraph (2) insert the following sub-paragraph: “(2A) Before 3rd July 2000, any instalments of the amount calculated as payable to the Greater London Authority shall be applied by the Secretary of State in accordance with section 102 of the Greater London Authority Act 1999 and subsequent instalments shall be paid to the Greater London Authority.”

Transitional and consequential adaptations of the Local Government Finance Act 1992 relating to the Receiver for the Metropolitan Police District

3. The provisions of the Local Government Finance Act 1992 set out in Column (1) of Table 2 below shall have effect in relation to—

- (a) the financial year beginning on 1st April 2000, and
- (b) the exercise of functions under those provisions by the Receiver for the Metropolitan Police District,

subject to the adaptations set out in Column (2) of that Table.

(a) Section 78A was inserted by the Local Government Finance Act 1992, Schedule 10, paragraph 10.

(b) See section 424(1) of the Greater London Authority Act 1999 for the definition of a “functional body”.

(c) Section 82 was substituted by the Local Government Finance Act 1992, sections 104, 118(1) and Schedule 10, paragraph 13.

(d) Part III of Schedule 8 was substituted by the Local Government Finance Act 1992, sections 104, 118(1) and Schedule 10, paragraph 7.

TABLE 2

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Adaptation</i>
section 43(2)(a)	After “other than” insert “expenditure the authority estimates it will incur on or after 1st April 2000 and before 3rd July 2000 in performing transferred functions and”
section 43(2)(b)	After “year” add “but excluding any allowance the authority estimates will be appropriate for contingencies in relation to expenditure to be charged to a revenue account for the year and estimated to be incurred on or after 1st April 2000 and before 3rd July 2000 in performing transferred functions”
section 43(2)(d)	After “provided for” insert “but excluding such financial reserves as are sufficient to meet so much of the amount estimated by the authority to be a revenue account deficit for any earlier financial year, arising out of the performance of the transferred functions, as has not already been provided for.”
section 43(3)(a) (a)	For “1988 Act; and” substitute “1988 Act; or” After sub-paragraph (iii) insert the following sub-paragraph: (iv) in accordance with section 102 of the Greater London Authority Act 1999; and”
section 43(3)(b)	After “above” insert “ other than any financial reserves which the authority estimates that it will use in order to provide for the items mentioned in paragraphs (a) and (b) of subsection (2) above, in so far as they relate to the performance of transferred functions by the authority”
section 44(1)	In the definition of “P” delete “or police grant”
section 69(1)	After the definition of a “special levy” insert the following definition: “transferred functions” means those functions of the Receiver for the Metropolitan Police District which will be performed by the Metropolitan Police Authority, or the Transport for London after 2nd July 2000 in accordance with the Greater London Authority Act 1999;”

Further transitional and consequential adaptations of the Local Government Finance Act 1992

4.—(1) Section 65 of the Local Government Finance Act 1992 shall have effect in relation to the financial year beginning on 1st April 2000 subject to the following adaptation.

(2) After subsection (1) insert the following subsection:

“(1A) The relevant area, in the case of the Secretary of State, is Greater London.”

Consequential amendment to the Local Government Finance Act 1992

5. After section 39(4) add the following subsection:

“(5) In respect of the financial year beginning on 1st April 2000, and subsequent financial years, for the purposes of Chapter IV of this Part,

(a) the Receiver for the Metropolitan Police District’s area shall be the area of the Inner London boroughs;

(a) Section 43(3)(a) was amended by the Local Authorities (Alteration of Requisite Calculations and Funds) Regulations 1995 (S.I. 1995/234).

(b) the Receiver shall only issue precepts to the councils of the Inner London boroughs.”

Signed by authority of the Secretary of State for
the Environment, Transport and the Regions

Keith Hill
Parliamentary Under Secretary of State,
Department for the Environment, Transport
and the Regions

21st December 1999

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order adapts, in respect of the 2000/2001 financial year only, provisions in the Local Government Finance Act 1988 which govern the payment of revenue support grant, special grant, non-domestic rates and additional grant to local authorities. These adaptations take account of the Greater London Authority and its functional bodies.

Article 3 of this Order adapts the provisions in the Local Government Finance Act 1992 (“LGFA 1992”) which govern the calculation of budget requirements and the issue of precepts by the Receiver for the Metropolitan Police District (“the Receiver”). The Receiver’s police and taxi licensing (Public Carriage Office) functions will be performed by the Metropolitan Police Authority and Transport for London respectively from 3rd July 2000. The adaptations to the LGFA 1992 prevent council tax payers in London from paying twice for these “transferred functions” of the Receiver, since these functions will be paid for through the council tax calculated for the Greater London Authority.

Article 4 adapts section 65 of the LGFA 1992 to require the Secretary of State to consult representatives of business ratepayers in London about his expenditure proposals for the Greater London Authority and functional bodies.

Article 5 amends section 39 of the LGFA 1992 in respect of the 2000/2001 financial year onwards to ensure that the Receiver for the Metropolitan Police District only issues precepts to the billing authorities in whose areas he will continue to provide magistrates’ courts and probation services (i.e. the Inner London Boroughs) after the creation of the Metropolitan Police Authority.

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