

SCHEDULE 1

MODIFICATIONS OF ENACTMENTS

Local Government Finance Act 1988

40.—(1) Schedule 8 (non-domestic rating: pooling) is amended as follows.

(2) In paragraph 1 (accounts), after sub-paragraph (3) insert—

“(4) The Auditor General for Wales shall examine, certify and report on any account of which copies are sent to him under sub-paragraph (2) and shall lay copies of the account and of his report before the Assembly.”.

(3) In paragraph 5(6)(ba) (non-domestic rating contributions)(1), for “National Assembly for Wales” substitute “Welsh Ministers”.

(4) In paragraph 8 (interpretation)(2) after sub-paragraph (2) insert—

“(3) In this Part of this Schedule “the Assembly” means the National Assembly for Wales.

(4) For the purposes of this Part of this Schedule—

(a) references to the laying of a local government finance report (or amending report) before the House of Commons are, in relation to Wales, to be read as references to the laying of a report before the Assembly, and

(b) references to the approval of a local government finance report (or amending report) by resolution of the House of Commons are, in relation to Wales, to be read as references to the approval of a local government finance report (or amending report) by resolution of the Assembly.”.

(5) In paragraph 9A (years where two local government finance reports prepared for Wales)(3)—

(a) in sub-paragraph (1)—

(i) for “National Assembly for Wales publishes” substitute “Welsh Ministers make”,

(ii) in sub-paragraph (b), for “Assembly” substitute “Welsh Ministers”,

(b) in sub-paragraph (2)—

(i) for “Assembly decides” substitute “Welsh Ministers decide”,

(ii) in sub-paragraph (a), for “Assembly” substitute “Welsh Ministers”, and

(c) in sub-paragraph (3), for “Assembly decides” substitute “Welsh Ministers decide”.

(6) In paragraph 11A (distribution: local government finance reports)(4)—

(a) in sub-paragraph (1)—

(i) for “National Assembly proposes to publish” substitute “Welsh Ministers propose to make”,

(ii) for “decides” substitute “decide”,

(iii) for “the Assembly shall” substitute “the Welsh Ministers shall”,

(iv) in sub-paragraph (c), for “Assembly proposes” substitute “Welsh Ministers propose”,

(1) Paragraph 5(6)(ba) of Schedule 8 was inserted by section 70(2)(a) of the Local Government Act 2003 (c.26).

(2) Part III of Schedule 8 was substituted by the Local Government Finance Act 1992 (c.14), Schedule 10, paragraph 7. Paragraph 8 was amended by the Local Government Act 2003 (c.26), Schedule 2, paragraphs 2(1) and (2).

(3) Paragraph 9A was inserted by the Local Government Act 2003 (c.26), Schedule 2, paragraphs 2(1) and (4).

(4) Paragraph 11A was inserted by the Local Government Act 2003 (c.26), Schedule 2, paragraphs 2(1) and (6).

- (b) in sub-paragraph (2), for “Assembly” in both places substitute “Welsh Ministers”.
- (7) In paragraph 11B (distribution: local government finance reports)(**5**)—
 - (a) for sub-paragraph (1) substitute—
 - “(1) This paragraph applies where—
 - (a) the Assembly approves by resolution a local government finance report that is one of two being made by the Welsh Ministers for a particular financial year, and
 - (b) as respects that year the Welsh Ministers decide as mentioned in paragraph 9A(1)(b)(ii) above.”,
 - (b) in sub-paragraph (3), for “after the report is published, the Assembly shall calculate” substitute “after the report is approved by the Assembly, the Welsh Ministers shall calculate”,
 - (c) in sub-paragraphs (5) and (7), for “Assembly” substitute “Welsh Ministers”, and
 - (d) in sub-paragraph (6), for the words from “publishes” to the end substitute “approves by resolution an amending report made by the Welsh Ministers under paragraph 13 below.”.
- (8) In paragraph 11C (distribution: local government finance reports)(**6**)—
 - (a) in sub-paragraph (1)—
 - (i) for “National Assembly for Wales” substitute “Welsh Ministers”, and
 - (ii) for “it” substitute “them”,
 - (b) in sub-paragraph (3), for “Assembly informs” substitute “Welsh Ministers inform”, and
 - (c) in sub-paragraph (5), for “Assembly” substitute “Welsh Ministers”.
- (9) In paragraph 14A (distribution: amending reports)(**7**)—
 - (a) in sub-paragraph (1)(a), for “National Assembly for Wales publishes” substitute “Welsh Ministers make”,
 - (b) in sub-paragraph (1)(b), for “Assembly decides” substitute “Welsh Ministers decide”,
 - (c) in sub-paragraph (2)—
 - (i) for “published by” substitute “approved by resolution of”,
 - (ii) for “the Assembly shall calculate” substitute “the Welsh Ministers shall calculate”, and
 - (d) in sub-paragraph (4)—
 - (i) for “Assembly may carry out” substitute “Welsh Ministers may carry out”, and
 - (ii) in sub-paragraph (b), for “publishes” substitute “approves by resolution”.

(5) Paragraph 11B was inserted by the Local Government Act 2003 (c.26), Schedule 2, paragraphs 2(1) and (6).

(6) Paragraph 11C was inserted by the Local Government Act 2003 (c.26), Schedule 2, paragraphs 2(1) and (6).

(7) Paragraph 14A was inserted by the Local Government Act 2003 (c.26), Schedule 2, paragraphs 2(1) and (9).