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**Changes to legislation:** Local Government Finance Act 1992, Part I is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 12

#### PAYMENTS TO LOCAL AUTHORITIES BY SECRETARY OF STATE: SCOTLAND

##### PART I

##### PAYMENTS TO LOCAL AUTHORITIES

###### *General*

- 1 (1) The local authorities—
    - (a) to which revenue support grant is payable; and
    - (b) among whom the distributable amount (within the meaning of paragraph 9 below) of non-domestic rate income is distributed,in respect of a financial year shall be such local authorities as are specified in an order made by the Secretary of State; and different provision may be made for the purposes of sub-paragraphs (a) and (b) of this paragraph in respect of the same authority.
  - (2) The amount of revenue support grant payable in respect of a financial year to a local authority so specified shall be such amount as is determined in relation to that authority by order made by the Secretary of State.
  - (3) The amount of non-domestic rate income distributed in respect of a financial year to a local authority so specified shall be such part of the distributable amount for that year as is determined in relation to that authority by order made by the Secretary of State.
  - (4) Subject to paragraph 4 below, the Secretary of State may at any time by order—
    - (a) make such amendments as he thinks fit to; or
    - (b) revoke; or
    - (c) revoke and replace with a different order,any order made under this paragraph; and any amount of revenue support grant or non-domestic rate income which has been paid and which, in consequence of anything done under this paragraph, falls to be repaid may be recovered by the Secretary of State whenever and however he thinks fit.
  - (5) An order under this paragraph shall be known as a local government finance order.
- 2 (1) A local government finance order shall be made only with the consent of the Treasury.
  - (2) Before making a local government finance order the Secretary of State shall consult such associations of local authorities as appear to him to be appropriate.
  - (3) A local government finance order together with a report of the considerations which led to its provisions shall be laid before the House of Commons but shall have no effect until approved by a resolution of that House.

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*Payment of revenue support grant and non-domestic rate income*

- 3 Revenue support grant and non-domestic rate income shall be paid to a local authority in such instalments and at such times as the Secretary of State may, with the consent of the Treasury, determine.
- 4 The Secretary of State may determine that the amount of revenue support grant or non-domestic rate income which has been paid to a local authority in respect of a financial year shall be final and, where he does so, he shall have no power to redetermine that amount.

*Secretary of State's power on local authority's failure to provide information*

- 5 Where under section 199 of the 1973 Act (which provides for reports and returns being made by local authorities and others) the Secretary of State requires a local authority to give information for the purposes of his functions in relation to revenue support grants or non-domestic rate income payable for the financial year 1993-94 or for any subsequent financial year, but that information is not given timeously—
- (a) he may make an estimate as regards any element of the required information; and
  - (b) without prejudice to section 211 of that Act (which makes general provision concerning failure by a local authority to do what is required of them), for the said purposes any such estimate shall be deemed to be information given by the local authority.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied (with modifications) by [S.I. 2010/875 reg. 16Sch. 2](#) (This amendment not applied to [legislation.gov.uk](#). The amending S.I. was revoked before ever coming into force by [S.I. 2010/1906, reg. 2](#))

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6(2)(ea) inserted by [2012 c. 17 s. 13\(1\)](#)