



Local Government Finance Act 1992

1992 CHAPTER 14

PART I

COUNCIL TAX: ENGLAND AND WALES

[^{F1}CHAPTER IVZA

REFERENDUMS RELATING TO COUNCIL TAX INCREASES

Directions that referendum provisions are not to apply

[^{F1}52ZR Direction that referendum provisions are not to apply

- (1) The Secretary of State may give a direction under this section to an authority other than the Greater London Authority if it appears to the Secretary of State that, unless the authority's council tax calculations are such as to produce a relevant basic amount of council tax that is excessive by reference to the principles determined by the Secretary of State for the year—
 - (a) the authority will be unable to discharge its functions in an effective manner, or
 - (b) the authority will be unable to meet its financial obligations.
- (2) The Secretary of State may give a direction under this section to the Greater London Authority if it appears to the Secretary of State that, unless the Authority's council tax calculations are such as to produce a relevant basic amount of council tax that is excessive by reference to the principles determined by the Secretary of State for the year—
 - (a) one or more of the Authority's constituent bodies will be unable to discharge its functions in an effective manner, or
 - (b) one or more of those bodies will be unable to meet its financial obligations.

Changes to legislation: Local Government Finance Act 1992, Section 52ZR is up to date with all changes known to be in force on or before 17 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

- (3) The effect of a direction under this section is that the referendum provisions do not apply for the financial year to, and no further step is to be taken for the financial year under the referendum provisions by—
- (a) the authority to whom it is made, and
 - (b) where that authority is a precepting authority, a billing authority as a result of any notification under section 52ZK or 52ZM above by the precepting authority.
- (4) A direction under this section may be given to an authority other than the Greater London Authority—
- (a) whether or not the authority has carried out its council tax calculations for the financial year, and
 - (b) in the case of a billing authority, whether or not the authority has set an amount of council tax for the financial year under section 30 above.
- (5) A direction under this section may be given to the Greater London Authority only if it has carried out its council tax calculations for the financial year.
- (6) But a direction under this section may not be given to an authority if—
- (a) a referendum has been held relating to the authority's relevant basic amount of council tax for the financial year, and
 - (b) that amount has not been approved as mentioned in section 52ZH above (where the authority is a billing authority) or section 52ZO above (where the authority is a precepting authority).
- (7) The following sections make further provision about the effect of a direction under this section—
- (a) for a billing authority: section 52ZS below;
 - (b) for a major precepting authority other than the Greater London Authority: section 52ZT below;
 - (c) for the Greater London Authority: section 52ZU below;
 - (d) for a local precepting authority: section 52ZV below.
- (8) In this Part—
- “constituent body” means—
- (a) the Mayor of London,
 - (b) the London Assembly, or
 - (c) a functional body within the meaning of section 424 of the Greater London Authority Act 1999;
- “council tax calculations” means—
- (a) in relation to a billing authority, calculations under sections 31A, 31B and 34 to 36 above,
 - (b) in relation to a major precepting authority other than the Greater London Authority, calculations under sections 42A, 42B and 45 to 48 above,
 - (c) in relation to the Greater London Authority, calculations under sections 85 to 90 of the Greater London Authority Act 1999 and sections 47 and 48 above, and
 - (d) in the case of a local precepting authority, calculations under section 49A above;
- “the referendum provisions” means—

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- (a) where the direction is given to a billing authority, sections 52ZB and 52ZF to 52ZI above,
- (b) where the direction is given to a major precepting authority, sections 52ZB, 52ZJ, 52ZK and 52ZN to 52ZP above, and
- (c) where the direction is given to a local precepting authority, sections 52ZB and 52ZL to 52ZP above.]

Textual Amendments

F1 Pt. 1 Ch. 4ZA inserted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), ss. 72(1), 240(2), [Sch. 5](#); S.I. 2011/2896, art. 2(g) (with art. 3(1)(2))

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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\(1\)](#)