



# Local Government Finance Act 1992

## 1992 CHAPTER 14

### PART I

#### COUNCIL TAX: ENGLAND AND WALES

### CHAPTER V

#### LIMITATION OF COUNCIL TAX AND PRECEPTS

##### *Maximum amounts*

#### **57 Challenge of maximum amount.**

- (1) This section applies where a designated authority informs the Secretary of State by notice in writing under section 56(4)(a) above.
- (2) After considering any information he thinks is relevant the Secretary of State shall (subject to subsection (5) below) make an order stating the amount which the amount calculated by the authority as its budget requirement for the year is not to exceed.
- (3) Subject to subsection (4) below, the amount stated under subsection (2) above may be the same as, or greater or smaller than, that stated in the notice under section 56(1)(c) above.
- (4) The amount stated under subsection (2) above may not exceed the amount already calculated by the authority as its budget requirement for the year unless, in the Secretary of State's opinion, the authority failed to comply with section 32 or (as the case may be) section 43 above in making the calculation.
- (5) No order under this section shall be made unless a draft of it has been laid before and approved by resolution of the House of Commons.
- (6) An order under this section may relate to two or more authorities.

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*Status: Point in time view as at 01/10/1995. This version of this provision has been superseded.*

*Changes to legislation: Local Government Finance Act 1992, Section 57 is up to date with all changes known to be in force on or before 20 June 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)*

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- (7) As soon as is reasonably practicable after an order under this section is made the Secretary of State shall serve on the authority (or each authority) a notice stating the amount stated in the case of the authority in the order.
- (8) When he serves a notice under subsection (7) above on a precepting authority the Secretary of State shall also serve a copy of it on each billing authority to which the precepting authority has power to issue a precept.
- (9) In construing subsection (4) above any calculation for which another has been substituted at the time of designation shall be ignored.

**Status:**

Point in time view as at 01/10/1995. This version of this provision has been superseded.

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