



# Wales Act 2014

## 2014 CHAPTER 29

### PART 3

#### MISCELLANEOUS

#### **24 Local housing authorities: limits on housing revenue account debt**

- (1) Part 6 of the Local Government and Housing Act 1989 (housing finance) is amended as follows.
- (2) After section 76 insert—

##### **“76A Limits on indebtedness**

- (1) The Treasury may from time to time make a determination providing for the maximum amount of housing debt that may be held, in aggregate, by local housing authorities in Wales that keep a Housing Revenue Account.
- (2) The Welsh Ministers may from time to time make a determination providing for the calculation in relation to each such authority of—
  - (a) the amount of housing debt that, at such time and on such assumptions as the Welsh Ministers may determine, is to be treated as held by the authority, and
  - (b) the maximum amount of such housing debt that the authority may hold.
- (3) The Welsh Ministers must make a determination under subsection (2) in relation to each authority within the period of 6 months beginning immediately after the day on which the Treasury makes a determination under subsection (1).
- (4) The aggregate of the amounts determined under subsection (2)(b) must not exceed the amount determined under subsection (1).

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*Status: This is the original version (as it was originally enacted).*

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- (5) A local housing authority may not hold debt in contravention of a determination under subsection (2)(b).
- (6) A determination under this section may, in particular, provide for all or part of an amount to be calculated in accordance with a formula or formulae.
- (7) A determination under this section may provide for assumptions to be made in making a calculation whether or not those assumptions are, or are likely to be, borne out by events.
- (8) As soon as practicable after making a determination under subsection (1), the Treasury must—
  - (a) send a copy of it to the Welsh Ministers, and
  - (b) lay a copy of it before the House of Commons.
- (9) For the purposes of this section a debt is a “housing debt”, in relation to a local housing authority, if—
  - (a) the debt is held by the authority in connection with the exercise of its functions relating to houses and other property within its Housing Revenue Account, and
  - (b) interest and other charges in respect of the debt are required to be carried to the debit of that account.

#### **76B Power to obtain information**

- (1) A local housing authority in Wales, and any officer or employee of a local housing authority in Wales concerned with their housing functions, must supply the Welsh Ministers with such information as the Welsh Ministers may specify, either generally or in any particular case, for the purpose of enabling the Welsh Ministers to exercise their functions under section 76A.
- (2) A local housing authority must supply the Welsh Ministers with such certificates supporting the information required by them as they may specify.
- (3) If a local housing authority, or any officer or employee of a local housing authority concerned with their housing functions, fails to comply with subsection (1) or (2) before the end of such period as the Welsh Ministers may specify, the Welsh Ministers may exercise their functions under section 76A on the basis of such assumptions and estimates as they see fit.”
- (3) Section 87 (determinations and directions) is amended as follows.
- (4) For “the Secretary of State” (in each place) substitute “the appropriate person”.
- (5) After subsection (1) insert—
  - “(1A) Subsection (1)(b) does not apply to determinations under section 76A(2).”
- (6) In subsection (2)—
  - (a) for “him” substitute “that person”;
  - (b) for “he” substitute “the appropriate person”.