
STATUTORY INSTRUMENTS

1985 No. 32**LOCAL GOVERNMENT, ENGLAND AND WALES****The Rate Limitation (Non-uniform Rates and Precepts) (Limits)
Order 1985**

Made - - - - - 15th January 1985

*Laid before the
House of Commons* - 23rd January 1985

Coming into Operation 14th February 1985

The Secretary of State for the Environment, in exercise of his powers under section 6(3) of the Rates Act 1984(a), and of all other powers enabling him in that behalf, hereby makes the following order:—

Title and commencement

1. This order may be cited as the Rate Limitation (Non-uniform Rates and Precepts) (Limits) Order 1985 and shall come into operation on 14th February 1985.

Interpretation

2. In this order:—

“the Act” means the Rates Act 1984;

“limit” in relation to the relevant part of the precept or rate means the maximum expressed as an amount in the pound in accordance with section 6 of the Act;

“maximum” means the maximum prescribed for a precept or rate under section 1 of the Act; and

“rate or precept” means any rate or precept or part of a rate or precept in relation to which a maximum is prescribed.

Application of the limit

3. Where—

- (a) a maximum is prescribed for the rate or precept of an authority for any year, and
- (b) the rate or precept of that authority falls to be levied otherwise than at a uniform amount in the pound,

(a) 1984 c. 33.

that maximum shall not be taken to be exceeded provided that the estimated product of the rate or precept actually issued does not exceed the estimated product of a rate or precept levied at a uniform amount in the pound equal to the maximum.

Patrick Jenkin,
Secretary of State for the Environment.

15th January 1985.

EXPLANATORY NOTE

(This Note is not part of the Order.)

Section 1 of the Rates Act 1984 enables the Secretary of State to prescribe a maximum for the rate made or precept issued for any financial year by an authority designated by him in accordance with the provisions of that Act.

Section 6 of the Act empowers the Secretary of State to provide, by order, for the application of the limit in cases where the rate or precept or the relevant part of the rate or precept falls to be levied otherwise than at a uniform rate in the pound.

This order provides that in such cases it is lawful to levy a rate in excess of the prescribed maximum on some hereditaments provided that the estimated product of the rate or precept actually issued does not exceed the estimated product of a rate or precept levied at a uniform amount in the pound equal to the maximum.

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