
Changes to legislation: There are currently no known outstanding effects for the Local Government etc. (Scotland) Act 1994, Paragraph 176. (See end of Document for details)

SCHEDULE 13

MINOR AND CONSEQUENTIAL AMENDMENTS

The Local Government Finance Act 1992 (c.14)

- 176 (1) The Local Government Finance Act 1992 shall be amended in accordance with this paragraph.
- (2) In section 70 (council tax in respect of dwellings), for subsection (1)(a) substitute—
“(a) shall be known as the council tax of the council which set it;”.
- (3) In section 78 (basic amounts payable)—
(a) for “levying” substitute “local ”; and
(b) for the definition of “A” substitute—
““A” is the amount which, for the financial year in which the day falls and for dwellings in the valuation band listed for the dwelling, has been imposed by the local authority in whose area the dwelling is situated;”.
- (4) In section 80 (reduced amounts)—
(a) in subsections (1)(a) and (8)(c), for “levying” substitute “local ”; and
(b) for subsection (5)(c)(i) substitute—
“(i) relating to the local authority whose council tax constitutes the amount referred to in subsection (1) above;”.
- (5) In section 81 (appeal to valuation appeal committee), in subsections (1)(a) and (b) and (5), for “levying” substitute “local ”.
- (6) In section 84 (compilation and maintenance of valuation lists), for subsection (10) substitute—
“(10) In this Part “local assessor” means the assessor appointed under section 27 (appointment of assessors) of the Local Government etc. (Scotland) Act 1994 for each valuation area; and any depute assessor appointed under that section shall have all the functions of a local assessor under this Part.”.
- (7) In section 90 (information about properties), in subsection (8) for “levying” substitute “local ”.
- (8) In section 91 (information about lists), in subsections (2) and (3) for “levying” substitute “local ”.
- (9) In section 94 (substituted and reduced settings) in subsection (8), for “levying” substitute “local ”.
- (10) In section 97 (levying and collection of council tax)—
(a) for subsection (1) substitute—
“(1) A local authority shall levy and collect the council tax set by them in respect of their area.”; and
(b) subsection (2) shall cease to have effect.
- (11) In subsection (1) of section 98 (information required by Secretary of State), for “levying” substitute “local ”.

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- (12) In section 99 (interpretation of Part II)—
- (a) the definition of “levying authority” shall cease to have effect;
 - (b) for the definition of “local authority” substitute—
 - ““local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994; and “council” shall be construed accordingly;”;
 - (c) in the definition of “housing body”, paragraph (a) shall cease to have effect; and
 - (d) for the definition of “valuation appeal committee” substitute—
 - ““valuation appeal committee” means a valuation appeal committee established under section 29 of the Local Government etc. (Scotland) Act 1994;”.
- (13) In section 107 (water and sewerage charges)—
- (a) subsection (1) shall cease to have effect; and
 - (b) in subsection (2), for “that Schedule” substitute “ Schedule 11 to this Act ”.
- (14) In section 109(1) (council tax grants), for “levying” substitute “ local ”.
- (15) In section 111 (references to rateable values), after subsection (10) insert—
- “(10A) For the purposes of subsection (10) above, on and after 1st April 1996 the valuation roll which an assessor for a valuation area constituted under section 27 of the Local Government etc. (Scotland) Act 1994 is required to retain shall be the valuation roll for every valuation area existing before that date any part of which lies within his valuation area.”.
- (16) In Schedule 2 (administration)—
- (a) in paragraph 1(2), for “a levying” substitute “ , in Scotland, a local ”;
 - (b) in paragraph 12(1), for “levying” substitute “ local ”;
 - (c) in paragraph 13, for “levying”, in each place where it occurs, substitute “ local ”; and
 - (d) in paragraph 19—
 - (i) for “levying”, in each place where it occurs, substitute “ local ”; and
 - (ii) for sub-paragraph (3) substitute—
 - “(3) Arrangements made under this paragraph for the exercise of functions under Schedule 8 to this Act may not include arrangements for the exercise of functions under paragraph 2(1)(a) of that Schedule.”.
- (17) In Schedule 3, in paragraph 2, for “levying” in each place where it occurs, substitute “ local ”.
- (18) In Schedule 8 (enforcement: Scotland), in paragraphs 1, 2, 3, 4 and 6, for “levying”, in each place where it occurs, substitute “ local ”.
- (19) In Schedule 12 (payments to local authorities by Secretary of State: Scotland)—
- (a) in paragraph 10(1) for “levying” substitute “ local ”;
 - (b) in paragraph 10(3)(a)—
 - (i) for sub-head (i) substitute—

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- “(i) section 24A (lands and heritages partly unoccupied for a short time) of the ^{M1}Local Government (Scotland) Act 1966;” and
- (ii) for sub-head (ii) substitute—
- “(ii) section 25A (remission of rates on account of hardship) of that Act;”;
- (c) for paragraph 11(2) substitute—
- “(2) Before such date in relation to each financial year as the Secretary of State may direct, each relevant authority shall calculate the amount of their non-domestic rating contribution for that year, and shall inform the Secretary of State of the amount so calculated in respect of them; and, for the purposes of this paragraph, “relevant authority” means, in relation to any financial year prior to and including the financial year 1995-96, a regional or islands council and, in relation to financial years after that year, a local authority.”; and
- (d) in paragraph 11(3), for “notified to them” substitute “ notified by them ”.

Commencement Information

- II** Sch. 13 para. 176 wholly in force at 1.4.1996; Sch. 13. para. 176 not in force at Royal Assent see s. 184(2); Sch. 13. para. 176(1)(19)(c)(d) in force at 4.1.1995 by S.I. 1994/2850, art. 3(c)(xiii); Sch. 13 para. 176(1)(19)(b) in force at 31.12.1994 by S.I. 1994/3150, art. 2(a); Sch. 13 para. 176(2)(10)(12)(b)(16)(a)-(c) in force at 19.2.1996 by S.I. 1996/323, art. 2(1)(c); Sch. 13 para. 176 in force at 1.4.1996 insofar as not already in force by S.I. 1996/323, art. 4(1)(c)

Marginal Citations

- M1** 1966 c. 51.

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