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STATUTORY INSTRUMENTS

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**2004 No.1158**

**LOCAL GOVERNMENT, ENGLAND**

**The Local Authorities (Functions and Responsibilities)  
(Amendment) (England) Regulations 2004**

<i>Made</i>	- - - -	<i>19th April 2004</i>
<i>Laid before Parliament</i>		<i>26th April 2004</i>
<i>Coming into force</i>	- -	<i>19th May 2004</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 13 and 105 of the Local Government Act 2000<sup>(1)</sup>, and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation, application and commencement**

1.—(1) These Regulations may be cited as the Local Authorities (Functions and Responsibilities) (Amendment) (England) Regulations 2004 and shall come into force on 19th May 2004.

(2) These Regulations apply in relation to local authorities in England.

**Amendment of Regulations**

2. In paragraph (1) of regulation 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (functions not to be the sole responsibility of an authority's executive)<sup>(2)</sup>, for sub-paragraph (b), there shall be substituted—

“(b) of formulating a plan or strategy for the control of the authority's borrowing, investments or capital expenditure; or.”

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(1) 2000 c. 22. For the application of sections 13 and 105 of the Local Government Act 2000 to Wales, see section 106 of that Act.  
(2) S.I. 2000/2853; amended by S.I. 2001/2212, there are other amendments not relevant to these Regulations.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Signed by authority of the First Secretary of State

19th April 2004

*Nick Raynsford*  
Minister of State,  
Office of the Deputy Prime Minister

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (“the 2000 Regulations”). They apply in relation to local authorities in England.

Regulation 4(1)(b) of the 2000 Regulations (functions not to be the sole responsibility of an authority’s executive) provides that, in connection with the discharge of the function of formulating a plan or strategy for the control of a local authority’s borrowing or capital expenditure, the actions designated by paragraph (3) of regulation 4 shall not be the responsibility of the local authority’s executive (where the local authority is operating executive arrangements). The designated actions include the giving of instructions requiring the executive to reconsider any draft plan or strategy submitted by the executive for the authority’s consideration, the amendment of any draft plan or strategy submitted by the executive for the authority’s consideration and the adoption (with or without modification) of the plan or strategy. **Regulation 2** of these Regulations amends regulation 4(1)(b) of the 2000 Regulations so that it also applies to the function of formulating a plan or strategy for the control of a local authority’s investments.

A full regulatory impact assessment has not been produced for this instrument, as it has no impact on the costs of businesses, charities or voluntary bodies.