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SCOTTISH STATUTORY INSTRUMENTS

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**2021 No. 119**

**The Local Authority (Capital Finance and Accounting)  
(Scotland) (Coronavirus) Amendment Regulations 2021**

**PART 2**

Further provision relating to local authority borrowing

**Amendment of the Local Authority (Capital Finance and Accounting) (Scotland) Regulations 2016**

**6.—(1)** The Local Authority (Capital Finance and Accounting) (Scotland) Regulations 2016 are amended as follows.

(2) After paragraph (2) of regulation 13 (loans fund advances) insert—

“(3) Except for an advance to which regulation 14 applies, a local authority must repay a loans fund advance in accordance with proper accounting practices.”.

(3) For regulation 14 (duty to make a statutory repayment of loans fund advances), substitute—

“**14.—(1)** This regulation applies to any loans fund advance made prior to 1 April <sup>[F1</sup>2023].

(2) A local authority may, if it considers it prudent to do so, vary—

- (a) the period over which the advance is to be repaid to the loans fund,
- (b) the amount of any of the statutory repayments it is due to make to the loans fund in each financial year in that period, or
- (c) both (a) and (b).

(3) Paragraph (2)—

- (a) applies whether the period or amount referred to in that paragraph was determined under these Regulations or prior to them, but
- (b) does not apply to any borrowing for which the consent of the Scottish Ministers was required, whether under regulation 2(2) or otherwise, to the extent that the Scottish Ministers have determined the period and the amount of repayment.”.

<sup>[F2</sup>(4) Regulation 14A (deferral of statutory repayments in 2020-21, 2021-22 or 2022-23) is revoked.]

**F1** Word in reg. 6(3) substituted (31.3.2022) by [The Local Authority \(Capital Finance and Accounting\) \(Scotland\) \(Coronavirus\) Amendment Regulations 2022 \(S.S.I. 2022/122\)](#), regs. 1(3), **4(3)**

**F2** Reg. 6(4) substituted (31.3.2022) by [The Local Authority \(Capital Finance and Accounting\) \(Scotland\) \(Coronavirus\) Amendment Regulations 2022 \(S.S.I. 2022/122\)](#), regs. 1(3), **4(4)**

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**Changes to legislation:** *There are currently no known outstanding effects for the The Local Authority (Capital Finance and Accounting) (Scotland) (Coronavirus) Amendment Regulations 2021, Section 6. (See end of Document for details)*

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**Commencement Information**

**11** [Reg. 6](#) in force at 1.4.2023, see [reg. 1\(3\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Local Authority (Capital Finance and Accounting) (Scotland) (Coronavirus) Amendment Regulations 2021, Section 6.