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*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, Cross Heading: Loan charges. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 3

#### PREMISES FORMERLY USED FOR BUSINESS OF ABOLISHED COURTS

##### *Loan charges*

- 4 (1) Where any premises were, up to the appointed day, being used exclusively for business of the abolished courts, the appropriate Minister shall pay to the local authority an amount equal to the interest element in any loan charge paid by the local authority in respect of the premises, being a loan charge falling due in the period in which the premises are made available under paragraph 1 of this Schedule.
- (2) If the premises were not exclusively so used, the appropriate Minister shall pay to the local authority such proportion of the amount payable under sub-paragraph (1) above as is just having regard to the extent to which the premises were so used respectively for business of the abolished courts, and for other purposes (and this sub-paragraph shall be applied without regard to any direction under paragraph 1(3) of this Schedule requiring the premises to be made available to an extent greater than that required under paragraph 1(2)).
- 5 (1) Where the Secretary of State acquires from a local authority, whether compulsorily or by agreement, any premises which, up to the appointed day, were being used exclusively for business of the abolished courts, the appropriate Minister shall pay to the authority—
- (a) a sum equal to any loan charge paid by the local authority in respect of the premises, being a loan charge falling due in the period from the beginning of April 1970 to the relevant date, together with
- (b) the principal sum outstanding at the relevant date,
- but adjusting the payment so as to prevent any amount being paid to the local authority both under this paragraph and under the last preceding paragraph.
- In this sub-paragraph “the relevant date” means the date of acquisition or such other date as may be agreed by the appropriate Minister and the local authority.
- (2) If the premises were not exclusively so used, the appropriate Minister shall pay to the local authority such proportion of the amount payable under sub-paragraph (1) above as is just having regard to the extent to which the building was so used respectively for business of the abolished courts, and for other purposes.
- 6 (1) For the purposes of this Schedule “loan charge” means any sum due by way of repayment of capital, or payment of interest, in respect of a liability incurred to meet capital expenditure in acquiring, providing, reconstructing or altering the premises in question.

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- (2) If the Treasury so direct, the provisions of this Schedule about loan charges shall be applied in any case where, in the opinion of the Treasury, the financial arrangements made by a local authority in connection with any capital expenditure are equivalent to the incurring of a capital liability and the discharge of that liability by paying loan charges.
- (3) The two last preceding paragraphs, and this paragraph, shall apply in relation to any loan charge in respect of any fittings, or furniture, office or other equipment or other chattels, made available under this Schedule, or acquired by the Secretary of State, as they apply to premises so made available or acquired, but subject to any necessary modifications.

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