



Local Government and Housing Act 1989

1989 CHAPTER 42

PART IX

MISCELLANEOUS AND GENERAL

Local Government Finance Act 1988, local finance (Scotland) and block grants

149 Statutory references to rating.

- (1) In the case of a provision which is made by or under any enactment and refers to a rate or a rateable value or any other factor connected with rating, the Secretary of State may make regulations—
- (a) providing that the reference shall instead be to some other factor (whether or not connected with rating); or
 - (b) providing for the factor to be amended (whether by limiting its operation or in any other way);

and this section shall have effect in place of section 119 of the ^{M1}Local Government Finance Act 1988.

- (2) Regulations under this section—
- (a) may make provision in such manner as the Secretary of State thinks fit (whether by amending provisions or otherwise);
 - (b) may provide for a factor expressed by reference to valuation, rent, a premium, the length of a lease, anything connected with rating, or any other matter whatever;
 - (c) may provide for a factor expressed by reference to a combination of matters (whether expressed in terms of a formula or otherwise);
 - (d) may provide for a factor which includes a method of adjustment (whether by reference to indexation or otherwise);
 - (e) may make provision with respect to the resolution of disputes (whether by a court or otherwise); and

Status: Point in time view as at 23/11/1995. This version of this provision has been superseded.

Changes to legislation: Local Government and Housing Act 1989, Section 149 is up to date with all changes known to be in force on or before 18 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (f) may contain such supplementary, incidental, consequential or transitional provisions as appear to the Secretary of State to be necessary or expedient.
- (3) A factor expressed by reference to rent may be by reference to ground rent, rent of premises at a market rate, rent as limited by law, or otherwise.
- (4) Nothing in this section shall be construed as limiting the power conferred by section 14 of the ^{M2} Interpretation Act 1978 to revoke, amend or vary regulations previously made under this section.
- (5) In this section “enactment” means an enactment contained in Schedule 10 to this Act, or in any other Act whether passed before or in the same Session as this Act; and for this purpose “Act” includes a private or local Act.
- (6) Without prejudice to the generality of the powers conferred by this section, section 37 of the ^{M3} Landlord and Tenant Act 1954 (which provides for compensation by reference to rateable values) shall be amended in accordance with Schedule 7 to this Act.

Marginal Citations

- M1** 1988 c. 41.
M2 1978 c. 30.
M3 1954 c. 56.

Status:

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