



Local Government and Housing Act 1989

1989 CHAPTER 42

^{F1}PART IV

REVENUE ACCOUNTS AND CAPITAL FINANCE OF LOCAL AUTHORITIES

Charge of expenditure to revenue accounts

42 Expenditure excluded from section 41(1).

- (1) Expenditure falling within subsection (2) below is excluded from the obligation in section 41(1) above but, if it is consistent with proper practices and the authority so wish, any such expenditure may be charged to a revenue account of the authority for the financial year in which it is incurred or an earlier or later financial year.
- (2) Subject to subsection (4) below, the expenditure referred to in subsection (1) above is as follows—
 - (a) expenditure arising from the discharge of any liability of the authority under a credit arrangement, other than an arrangement excluded by regulations under paragraph 11 of Schedule 3 to this Act;
 - (b) expenditure arising from the discharge of any liability of the authority in respect of money borrowed by the authority, other than a liability in respect of interest;
 - (c) expenditure which, in reliance on a credit approval, the authority have determined under section 56(1)(a) below is not to be chargeable to a revenue account of the authority;
 - (d) expenditure on making approved investments;
 - (e) expenditure consisting of the application or payment of capital receipts as mentioned in subsections (7) to (9) of section 59 below;
 - (f) expenditure which is met out of the usable part of capital receipts, in accordance with section 60(2) below;
 - (g) expenditure for capital purposes which the authority determine is, or is to be, reimbursed or met out of money provided, or to be provided, by

Status: Point in time view as at 01/04/2000. This version of this provision has been superseded.

Changes to legislation: Local Government and Housing Act 1989, Section 42 is up to date with all changes known to be in force on or before 07 October 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)

- anyother person, excluding grants from a Community institution [^{F1}other than contributions from any of the Structural Funds];
- (h) expenditure in respect of payments out of a superannuation fund which the authority are required to keep by virtue of the ^{M1}Superannuation Act 1972; and
- (i) expenditure in respect of payments out of a trust fund which is held for charitable purposes and of which the authority are a trustee.
- (3) A determination under subsection (2)(g) above may not be made later than 30th September in the financial year following that in which the expenditure in question is incurred.
- (4) Regulations made by the Secretary of State may amend subsection (2)above—
- (a) by adding a description of expenditure specified in the regulations to the expenditure falling within that subsection; or
- (b) by removing a description of expenditure specified in the regulations from the expenditure falling within that subsection (whether the expenditure so specified was within that subsection as originally enacted or was added by virtue of this subsection).
- (5) Where, by virtue of subsection (1) above, expenditure of any description is excluded from the obligation in section 41(1) above, it shall also be excluded from any requirement arising under any enactment (including an enactment in Part VI of this Act) under which the expenditure is required to be charged to a revenue account or any particular revenue account; but if—
- (a) an authority decide that expenditure of that description should be charged to a revenue account as mentioned in subsection (1) above, and
- (b) under any such requirement that expenditure (apart from this subsection) would have to be charged to a particular revenue account,
- that expenditure may be charged only to that revenue account.

Textual Amendments

F1 Words in s. 42(2)(g) inserted (1.4.2000) by S.I. 2000/589, art. 2(1)(2)

Modifications etc. (not altering text)

C1 S. 42(2) modified by S.I. 1990/432, reg. 4

Marginal Citations

M1 1972 c.11.

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