



Local Government and Housing Act 1989

1989 CHAPTER 42

^{F1F1} PART IV

REVENUE ACCOUNTS AND CAPITAL FINANCE OF LOCAL AUTHORITIES

Amounts set aside to meet credit liabilities

64 Use of amounts set aside to meet credit liabilities.

- (1) Amounts for the time being set aside by a local authority (whether voluntarily or pursuant to a requirement under this Part) as provision to meet credit liabilities may, subject to subsection (2) below, be applied only for one or more of the following purposes—
 - (a) to meet any liability of the authority in respect of money borrowed by the authority, other than a liability in respect of interest;
 - (b) to meet any liability of the authority in respect of credit arrangements, other than those excluded by regulations under paragraph 11 of Schedule 3 to this Act; and
 - (c) where a credit approval has been used as authority not to charge particular expenditure to a revenue account, to meet that expenditure.
- (2) Subject to the following provisions of this section if, on the date which is the relevant date for any financial year, a local authority's credit ceiling, as determined under Part III of Schedule 3 to this Act, is a negative amount, any such amount as is referred to in subsection (1) above may in that financial year—
 - (a) be applied for purposes specified by regulations made by the Secretary of State; or
 - (b) be transferred to a body so specified.
- (3) The aggregate of the amounts which may be applied by a local authority in accordance with subsection (2) above in any financial year shall not exceed the amount by which the authority's credit ceiling on the relevant date is less than nil.

Status: Point in time view as at 18/11/2003. This version of this provision has been superseded.

Changes to legislation: Local Government and Housing Act 1989, Section 64 is up to date with all changes known to be in force on or before 04 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)

- (4) References in subsections (2) and (3) above to the relevant date shall be construed as follows—
- (a) for the financial year beginning on 1st April 1990, the relevant date is that date; and
 - (b) for any subsequent financial year, the relevant date is the last day of the preceding financial year.
- (5) Regulations under subsection (2) above may specify conditions with which a local authority must comply in applying or transferring any amount as mentioned in that subsection and with respect to any amount so applied or transferred; and an amount shall not be taken to be applied or transferred under that subsection unless any such conditions are complied with.

Modifications etc. (not altering text)

C1 S. 64 excluded (20.7.1993) by [1993 c. 28, s. 136\(8\)](#)

Status:

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