



Local Government and Housing Act 1989

1989 CHAPTER 42

^{F1}PART IV

REVENUE ACCOUNTS AND CAPITAL FINANCE OF LOCAL AUTHORITIES

Supplementary

66 Interpretation of Part IV.

- (1) In this Part—
- (a) “approved investments” means investments approved for the purposes of this Part by regulations made by the Secretary of State;
 - (b) “financial year” means the period of twelve months beginning on 1st April;
 - (c) “Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975; ^{F1} . . .
 - (d) “1980 Act receipt” has the meaning given by section 58(4) above. [^{F2} and
 - (e) “Structural Funds” has the same meaning as in Article 2(1) of Council Regulation (EC) No. 1260/1999.]
- (2) For the purposes of this Part, a local authority—
- (a) incur a liability in respect of a payment at the time when they become unconditionally liable to make the payment; and
 - (b) discharge a liability in respect of a payment at the time when they make the actual payment, whether or not they have at that time become unconditionally liable to do so.
- (3) In relation to a credit arrangement,—
- (a) any reference in this Part to consideration given or to be given by the local authority under the arrangement does not include a reference to any consideration which is given before the time the arrangement comes into being (as defined in section 48(3) above); and

Status: Point in time view as at 27/11/2003. This version of this provision has been superseded.

Changes to legislation: Local Government and Housing Act 1989, Section 66 is up to date with all changes known to be in force on or before 10 July 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)

- (b) any reference in this Part to a liability of the local authority under the arrangement does not include a reference to a liability which is met by the making of a payment before that time.
- (4) In relation to a local authority, references in this Part to proper practices are references to those accounting practices—
- (a) which the authority are required to follow by virtue of any enactment; or
 - (b) which, whether by reference to any generally recognised published code or otherwise, are regarded as proper accounting practices to be followed in the keeping of the accounts of local authorities, either generally or of the description concerned;
- but, in the event of any conflict in any respect between the practices falling within paragraph (a) above and those falling within paragraph (b) above, only those falling within paragraph (a) above are to be regarded as proper practices.
- (5) Subsection (4) above has effect not only for the purposes of this Act but also for the purposes of—
- (a) any enactment passed after or in the same Session as this Act; and
 - (b) ^{F3} . . . the ^{M2}Local Government Finance Act 1988.
- (6) If, under or by virtue of any enactment, all or any of the liabilities of an authority (in this subsection referred to as “the original authority”) in respect of a loan to or borrowing (or money borrowed) by the authority have become liabilities of another local authority (in this subsection referred to as “the current authority”) then, in so far as regulations made by the Secretary of State so provide,—
- (a) in relation to the current authority, any reference in this Part to a loan to or borrowing (or money borrowed) by that authority includes a reference to the loan to or borrowing (or money borrowed) by the original authority; and
 - (b) if the original authority is a local authority for the purposes of this Part, any reference to a loan to or borrowing (or money borrowed) by that authority excludes a reference to the loan, borrowing (or money borrowed) in respect of which the liabilities have become those of the current authority.
- (7) For the avoidance of doubt, except as provided by section 44(5) above, any reference in this Part to borrowing by a local authority does not include a reference to the temporary use by an authority of money forming part of a particular fund of the authority for a purpose other than that of the fund.

Textual Amendments

- F1** Word in s. 66(1)(c) omitted (1.4.2000) by virtue of [S.I. 2000/589, art. 2\(1\)\(5\)](#)
- F2** S. 66(1): words at the end of para. (d) inserted (1.4.2000) by [S.I. 2000/589, art. 2\(1\)\(5\)](#)
- F3** Words in s. 66(5)(b) repealed (11.9.1998) by [1998 c. 18, ss. 54\(1\)\(3\), 55\(2\), Sch. 3 para. 18\(2\), Sch. 5](#)

Modifications etc. (not altering text)

- C1** S. 66(1) modified (24.6.2003) by [The Uncertificated Securities \(Amendment\) \(Eligible Debt Securities\) Regulations 2003 \(S.I. 2003/1633\), reg. 1\(1\), Sch. 1 para. 23](#)
- C2** S. 66(6) extended (1.4.1995) by [S.I. 1995/798, reg. 9](#)

Marginal Citations

- M1** [1975 c. 26.](#)
- M2** [1988 c. 41.](#)

Status:

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