



Local Government Finance Act 1992

1992 CHAPTER 14

PART I

COUNCIL TAX: ENGLAND AND WALES

CHAPTER IV

PRECEPTS

Calculations by major precepting authorities

43 Calculation of budget requirement.

- (1) In relation to each financial year a major precepting authority shall make the calculations required by this section.
- (2) The authority must calculate the aggregate of—
 - (a) the expenditure the authority estimates it will incur in the year in performing its functions and will charge to a revenue account for the year, other than expenditure which it estimates will be so incurred in pursuance of regulations under section 99(3) of the 1988 Act;
 - (b) such allowance as the authority estimates will be appropriate for contingencies in relation to expenditure to be charged to a revenue account for the year;
 - (c) the financial reserves which the authority estimates it will be appropriate to raise in the year for meeting its estimated future expenditure; and
 - (d) such financial reserves as are sufficient to meet so much of the amount estimated by the authority to be a revenue account deficit for any earlier financial year as has not already been provided for.
- (3) The authority must calculate the aggregate of—

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- (a) the sums which it estimates will be payable to it for the year and in respect of which amounts will be credited to a revenue account for the year, other than sums which it estimates will be so payable
 - [^{F1}(i) in respect of redistributed non-domestic rates, revenue support grant, additional grant, relevant special grant or police grant;
 - (ii) in respect of any precept issued by it; or
 - (iii) in pursuance of regulations under section 99(3) of the 1988 Act; and]
 - (b) the amount of the financial reserves which the authority estimates that it will use in order to provide for the items mentioned in paragraphs (a) and (b) of subsection (2) above.
- (4) If the aggregate calculated under subsection (2) above exceeds that calculated under subsection (3) above, the authority must calculate the amount equal to the difference; and the amount so calculated shall be its budget requirement for the year.
- (5) In estimating under subsection (2)(a) above an authority which is a county council shall take into account the amount of any levy issued to it for the year but (except as provided by regulations under section 74 of the 1988 Act) shall not anticipate a levy not issued.
- ^{F2}(5A)
- (6) For the purposes of subsection (2)(c) above an authority’s estimated future expenditure is—
- (a) that which the authority estimates it will incur in the financial year following the year in question, will charge to a revenue account for the year and will have to defray in the year before the following sums are sufficiently available, namely, sums—
 - (i) which will be payable to it for the year; and
 - (ii) in respect of which amounts will be credited to a revenue account for the year; and
 - (b) that which the authority estimates it will incur in the financial year referred to in paragraph (a) above or any subsequent financial year in performing its functions and which will be charged to a revenue account for that or any other year.
- [^{F3}(6A) [^{F4}Subject to subsections (6B) and (6C) below, in]this section and section 44 below, “police grant” and “relevant special grant” have the meanings given by section 32(12) above.]
- [^{F5}(6B) Subsection (6A) above does not apply in relation to a major precepting authority in Wales.
- [In relation to a major precepting authority in Wales in this section and section 44 below
- ^{F6}(6C) “police grant” means the total amount of grant payable to that authority in accordance with the relevant police grant report.]
- [In subsection (6C) above “the relevant police grant report” means for a financial year
- ^{F7}(6D) commencing on or after 1st April 2000 the police grant report for that year approved by a resolution of the House of Commons pursuant to section 46 of the Police Act 1996 ^{M1}.]]
- (7) The Secretary of State may by regulations do one or both of the following—
- (a) alter the constituents of any calculation to be made under subsection (2) or (3) above (whether by adding, deleting or amending items);

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- (b) alter the rules governing the making of any calculation under subsection (2) or (3) above (whether by deleting or amending subsections (5)^{F8} . . . and (6) above, or either of them, or by adding other provisions, or by a combination of those methods).

(8)^{F9}

Textual Amendments

- F1** S. 43(3)(a)(i)(ii)(iii) substituted for words in s. 43(3)(a) (3.2.1995) by S.I. 1995/234, **reg. 4(1)**
F2 S. 43(5A) repealed (1.8.2001) by 2001 c. 16, s. 137, **Sch. 7 Pt. 5(1)**; S.I. 2001/2223, **art. 3(1)(i)**
F3 S. 43(6A) substituted (3.2.1995) by S.I. 1995/234, **art. 4(2)**
F4 Words in s. 43(6A) substituted (16.2.1999) by S.I. 1999/296, **reg. 3(2)**
F5 S. 43(6B)-(6D) inserted (16.2.1999) by S.I. 1999/296, **reg. 3(3)**
F6 S. 43(6C) substituted (W.) (29.2.2000) by S.I. 2000/717, **reg. 3(2)**
F7 S. 43(6D) substituted (W.) (29.2.2000) by S.I. 2000/717, **reg. 3(3)**
F8 Words in s. 43(7)(b) repealed (1.7.2005) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 174, 178, **Sch. 17 Pt. 2**; S.I. 2005/ 1521, {art. 3}
F9 S. 43(8) repealed (27.11.2003 for W. and 1.4.2004 for E.) by Local Government Act 2003 (c. 26), ss. 127(2), 128, **Sch. 8 Pt. 1**; S. I. 2003/3034, **art. 2(1)(4)**, Sch. 1 Pt. 1; S.I. 2003/2938, **art. 7**

Modifications etc. (not altering text)

- C1** S. 43 excluded (12.1.2000 subject to the transitional provisions set out in Schedule 1 Table 1, of the commencing S.I.) by 1999 c. 29, s. 85(1) (with Sch. 12 para. 9(1)); S.I. 1999/3434, **art. 2**
C2 S. 43 modified (W.) (28.2.2007 with application as mentioned in reg. 1(3) of the amending S.I.) by The Local Authorities (Alteration of Requisite Calculations) (Wales) Regulations 2007 (S.I. 2007/571), **reg. 4**
C3 S. 43 modified (E.) (6.2.2007 with application as mentioned in reg. 1(2)(3) of the amending S.I.) by The Local Authorities (Alteration of Requisite Calculations) (England) Regulations 2007 (S.I. 2007/227), **reg. 5**
C4 Pt. I Chs. III-IV (ss. 30-52) modified (E.) (1.2.1993) by S.I. 1993/22, **art. 4(2)**
S. 43 modified (12.1.2000 (temp.) from 1.4.2000 until 31.3.2001) by S.I. 1999/3435, **art. 3**, Table 2
S. 43 modified (E.) (7.2.2003) by The Local Authorities (Alteration of Requisite Calculations) (England) Regulations 2003 (S.I. 2003/195), **reg. 4**
S. 43 modified (7.2.2004) by The Local Authorities (Alteration of Requisite Calculations) (England) Regulations 2004 (S.I. 2002/243), **reg. 4**
S. 43 modified (E.) (5.2.2005) by The Local Authorities (Alteration of Requisite Calculations) (England) Regulations 2005 (No. 190) (S.I. 2005/190), {reg. 4}
C5 Ss. 40, 43 restricted (1.11.1994 for the purposes of any financial year beginning on or after 1.4.1995) by 1994 c. 29, s. 28(1)(b); S.I. 1994/2025, **art. 7(2)(c)**(subject to arts. 7(3)(4))
C6 S. 43 restricted (22.8.1996) by 1996 c. 16, ss 19(1)(b), 104(1)
C7 Power to modify s. 43 conferred (25.6.1997) by 1997 c. 50, ss. 62(4)(b); S.I. 1997/1377, **art. 2(2)(e)**
C8 S. 43 modified (E.) (8.2.2006 with effect as mentioned in reg. 1(3)) by The Local Authorities (Alteration of Requisite Calculations) (England) Regulations (S.I. 2006/247), {reg. 4}
S. 43 modified (W.) (15.2.2006 with effect as mentioned in reg. 1(3)) by The Local Authorities (Alteration of Requisite Calculations) (Wales) Regulations (S.I. 2006/344), {reg. 4}
C9 S. 43 modified (E.) (12.2.2008) (with application in accordance with reg. 1(3) of the amending S.I.) by Local Authorities (Alteration of Requisite Calculations) (England) Regulations 2008 (S.I. 2008/227), regs. 1(1)(b), 5
C10 S. 43 modified (W.) (27.2.2008) (with application in accordance with reg. 1(3) of the amending S.I.) by The Local Authorities (Alteration of Requisite Calculations) (Wales) Regulations 2008 (S.I. 2008/476), regs. 1(1), 4

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- C11** S. 43 modified (E.) (10.2.2009) (with application in accordance with reg. 1(3) of the amending S.I.) by [Local Authorities \(Alteration of Requisite Calculations\) \(England\) Regulations 2009 \(S.I. 2009/206\)](#), regs. 1(1)(b), **5**
- C12** S. 43(2) modified (E.) (6.2.1999) by [S.I. 1999/228](#), regs. 4, 6, **Sch.**
 S. 43(2) modified (5.2.2000) by [S.I. 2000/213](#), **reg. 4**
 S. 43(2)(a) modified (2.2.2001 with effect as mentioned in reg. 1(3)) by [S.I. 2001/216](#), **reg. 4**
- C13** S. 43(2)(a) amended (30.11.1995) by [S.I. 1995/2889](#), **reg. 11(2)**
- C14** S. 43(3)(a)(i) amended (E.) (1.2.2002 with application as mentioned in reg. 1(2)) by [The Local Authorities \(Alteration of Requisite Calculations\) \(England\) Regulations 2002 \(S.I. 2002/155\)](#), **reg. 4(a)**
 S. 43(3)(a)(i) modified (W.) (25.2.2004) by [The Local Authorities \(Alteration of Requisite Calculations\) \(Wales\) Regulations 2004 \(S.I. 2004/451\)](#), **reg. 2**
- C15** S. 43(a)(iii) amended (30.11.1995) by [S.I. 1995/2889](#), **reg. 11(2)**
- C16** S. 43(6A) amended (E.) (1.2.2002 with application as mentioned in reg. 1(2)) by [The Local Authorities \(Alteration of Requisite Calculations\) \(England\) Regulations 2002 \(S.I. 2002/155\)](#), **reg. 4(b)**
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Marginal Citations

- M1** 1996. c.16.

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