

Status: Point in time view as at 03/03/2015.

Changes to legislation: Local Government Act 2003, SCHEDULE 7 is up to date with all changes known to be in force on or before 01 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)

SCHEDULES

SCHEDULE 7

Section 127(1)

MINOR AND CONSEQUENTIAL AMENDMENTS

Fire Services Act 1947 (c. 41)

F11

Textual Amendments

- F1 Sch. 7 para. 1 repealed (1.10.2004 except in relation to W. otherwise 10.11.2004) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), s. 61, [Sch. 2](#); [S.I. 2004/2304](#), art. 2; [S.I. 2004/2917](#), art. 2

Commencement Information

- I1 Sch. 7 para. 1 in force at 18.11.2003 by [S.I. 2003/2938](#), [art. 2\(a\)](#) (with [art. 8](#), [Sch.](#))

Public Works Loans Act 1965 (c. 63)

- 2 In section 2 of the Public Works Loans Act 1965 (local loans)—
- (a) in subsection (3), for “section 43 of the Local Government and Housing Act 1989” there is substituted “ section 1 of the Local Government Act 2003 ”; and
 - (b) in subsection (5), for “section 47 of the Local Government and Housing Act 1989” there is substituted “ section 13 of the Local Government Act 2003 ”.

Commencement Information

- I2 [Sch. 7 para. 2](#) in force at 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004 by [S.I. 2003/3034](#), [art. 2](#), [Sch. 1 Pt. I](#)
- I3 [Sch. 7 para. 2](#) in force at 1.4.2004 for E. by [S.I. 2003/2938](#), [art. 7\(a\)](#) (with [art. 8](#), [Sch.](#))

Public Works Loans Act 1967 (c. 61)

- 3 In section 2(2) of the Public Works Loans Act 1967 (local loans), for “section 43 of the Local Government and Housing Act 1989” there is substituted “ section 1 of the Local Government Act 2003 ”.

Commencement Information

- I4 [Sch. 7 para. 3](#) in force at 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004 by [S.I. 2003/3034](#), [art. 2](#), [Sch. 1 Pt. I](#)
- I5 [Sch. 7 para. 3](#) in force at 1.4.2004 for E. by [S.I. 2003/2938](#), [art. 7\(a\)](#) (with [art. 8](#), [Sch.](#))

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Local Government Act 1972 (c. 70)

- 4 In section 137(3) of the Local Government Act 1972 (which permits local authorities to make contributions to certain charitable and other funds), after “subject” there is inserted “, in the case of a parish or community council, ”.

Commencement Information

- I6** Sch. 7 para. 4 in force at 1.4.2004 for E. by S.I. 2003/2938, art. 7(a) (with art. 8, Sch.)
I7 Sch. 7 para. 4 in force at 1.4.2004 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. II

Local Government Act 1974 (c. 7)

- 5 (1) Schedule 4 to the Local Government Act 1974 (the Commissions for Local Administration in England and in Wales) is amended as follows.

- ^{F2}(2)
- ^{F3}(3)
- ^{F4}(4)
- ^{F5}(5)

- (6) This paragraph applies in relation to the financial year beginning on 1st April 2004 and subsequent financial years.

Textual Amendments

- F2** Sch. 7 para. 5(2) repealed (1.4.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), s. 245(5), Sch. 18 Pt. 14; S.I. 2008/917, art. 2(v)(ii)
F3 Sch. 7 para. 5(3) repealed (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), s. 40, Sch. 7; S.I. 2005/2800, art. 5(1)(3)
F4 Sch. 7 para. 5(4) repealed (1.4.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), s. 245(5), Sch. 18 Pt. 14; S.I. 2008/917, art. 2(v)(ii)
F5 Sch. 7 para. 5(5) repealed (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), s. 40, Sch. 7; S.I. 2005/2800, art. 5(1)(3)

Commencement Information

- I8** Sch. 7 para. 5 in force at 27.11.2003 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. I

Stock Transfer Act 1982 (c. 41)

- 6 In section 1(3)(b) of the Stock Transfer Act 1982 (extension of powers relating to securities), the words from “section 43” to “powers)” are omitted.

Commencement Information

- I9** Sch. 7 para. 6 in force at 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004 by S.I. 2003/3034, art. 2, Sch. 1 Pt. I
I10 Sch. 7 para. 6 in force at 1.4.2004 for E. by S.I. 2003/2938, art. 7(a) (with art. 8, Sch.)

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Representation of the People Act 1985 (c. 50)

7 (1) Section 15 of the Representation of the People Act 1985 (combination of polls) shall have effect as if the following were inserted after subsection (5)—

“(5A) The power under subsection (5) above to make provision in connection with the combining under this section of polls at—

- (a) a local government election in England and Wales, and
- (b) the European Parliamentary general election in 2004,

includes power to make provision modifying, in relation to such elections, any enactment relating to election of members of the European Parliament or any instrument made under any such enactment or under the Representation of the People Acts.”

(2) The following shall extend to Gibraltar—

- (a) the power conferred by section 15(5) of the Representation of the People Act 1985 (c. 50), so far as extended by section 15(5A) of that Act, and
- (b) the Representation of the People Acts, so far as relating thereto.

Local Government Act 1988 (c. 9)

8 Section 33 of the Local Government Act 1988 (restrictions on contracts with local authority companies) ceases to have effect.

Commencement Information

I11 Sch. 7 para. 8 in force at 18.11.2003 for E. by S.I. 2003/2938, art. 3(a) (with art. 8, Sch.)

I12 Sch. 7 para. 8 in force at 27.11.2003 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. 1

Local Government Finance Act 1988 (c. 41)

9 (1) The Local Government Finance Act 1988 is amended as follows.

(2) Paragraphs 12 to 17 and 22 apply in relation to the financial year beginning on 1st April 2004 and subsequent financial years.

Commencement Information

I13 Sch. 7 para. 9 partly in force; Sch. 7 para. 9(1) in force at Royal Assent see s. 128(1)(b)

I14 Sch. 7 para. 9(2) in force at 27.11.2003 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. 1

10 In section 47 (discretionary relief), in subsections (1)(b) and (5), for “section 58” there is substituted “ section 57A or 58 ”.

Commencement Information

I15 Sch. 7 para. 10 in force at 25.11.2004 for E. by S.I. 2004/3132, art. 3(1)(e) (with art. 4)

11 In section 49 (reduction or remission of liability), in subsection (3), for “section 58” there is substituted “ section 57A or 58 ”.

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Commencement Information

I16 Sch. 7 para. 11 in force at 25.11.2004 for E. by S.I. 2004/3132, art. 3(1)(e) (with art. 4)

12 Section 76 shall become Chapter 1 of Part 5, entitled “General”.

Commencement Information

I17 Sch. 7 para. 12 in force at 27.11.2003 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. I

13 Sections 78 to 84C shall become Chapter 2 of Part 5, entitled “Revenue support grant: England”.

Commencement Information

I18 Sch. 7 para. 13 in force at 27.11.2003 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. I

14 In the Chapter 2 so formed, at the beginning there is inserted—

“Introductory

Application of Chapter 2

Application of Chapter 2

77A This Chapter applies only in relation to England.”

Commencement Information

I19 Sch. 7 para. 14 in force at 27.11.2003 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. I

15 In sections 78(1) and 78A(2) (which refer to revenue support grant being payable under the Part), for “Part” there is substituted “ Chapter ”.

Commencement Information

I20 Sch. 7 para. 15 in force at 27.11.2003 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. I

16 Section 85, together with the sections in Part 5 that follow that section, shall become Chapter 4 of that Part, entitled “Other grants”.

Commencement Information

I21 Sch. 7 para. 16 in force at 27.11.2003 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. I

^{F6}17

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Textual Amendments

F6 Sch. 7 para. 17 omitted (with effect in accordance with s. 3(13) of the amending Act) by virtue of [Local Government Finance Act 2012 \(c. 17\)](#), [s. 3\(12\)\(b\)](#)

18 In section 88 (transport grants: supplementary), in subsections (4) and (6), for the words from “expenditure for” to “1989” there is substituted “ capital expenditure for the purposes of Chapter 1 of Part 1 of the Local Government Act 2003 (capital finance) ”.

Commencement Information

I22 Sch. 7 para. 18 in force at 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004 by [S.I. 2003/3034](#), [art. 2](#), [Sch. 1 Pt. I](#)

I23 Sch. 7 para. 18 in force at 1.4.2004 for E. by [S.I. 2003/2938](#), [art. 7\(a\)](#) (with [art. 8](#), [Sch.](#))

19 In section 90 (payments to and from collection funds), in subsection (1)(d), for “or regulations” there is substituted “ , under regulations made for the purpose mentioned in paragraph 4(7) of that Schedule or under regulations ”.

Commencement Information

I24 Sch. 7 para. 19 in force at 18.11.2003 for E. by [S.I. 2003/2938](#), [art. 3\(a\)](#) (with [art. 8](#), [Sch.](#))

I25 Sch. 7 para. 19 in force at 27.11.2003 for W. by [S.I. 2003/3034](#), [art. 2](#), [Sch. 1 Pt. I](#)

20 In section 138 (judicial review), in subsection (2)(j), after “multiplier” there is inserted “ or small business non-domestic rating multiplier ”.

Commencement Information

I26 Sch. 7 para. 20 in force at 25.11.2004 by [S.I. 2004/3132](#), [art. 2\(d\)](#) (with [art. 4](#))

21 In section 139 (functions to be discharged only by authority), in subsection (2) (d), after “multiplier” there is inserted “ or small business non-domestic rating multiplier ”.

Commencement Information

I27 Sch. 7 para. 21 in force at 25.11.2004 by [S.I. 2004/3132](#), [art. 2\(d\)](#) (with [art. 4](#))

22 In section 140(2) (Parts 3 and 5 of the Act to apply, and be administered, separately in England and Wales)—

^{F7}(a)

(b) paragraph (d) is omitted, and

(c) in paragraph (e), the words “section 84A above or” are omitted.

Textual Amendments

F7 Sch. 7 para. 22(a) omitted (with effect in accordance with s. 5(3) of the amending Act) by virtue of [Local Government Finance Act 2012 \(c. 17\)](#), [Sch. 3 para. 34](#)

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Commencement Information

I28 Sch. 7 para. 22 in force at 27.11.2003 for W. by [S.I. 2003/3034](#), [art. 2](#), [Sch. 1 Pt. I](#)

- 23 In section 141 (payments to and from authorities), in subsection (7), after “below,” there is inserted “regulations made for the purpose mentioned in paragraph 4(7) of that Schedule, ”.

Commencement Information

I29 Sch. 7 para. 23 in force at 18.11.2003 for E. by [S.I. 2003/2938](#), [art. 3\(a\)](#) (with [art. 8](#), [Sch.](#))

I30 Sch. 7 para. 23 in force at 27.11.2003 for W. by [S.I. 2003/3034](#), [art. 2](#), [Sch. 1 Pt. I](#)

- 24 (1) Section 143 (orders and regulations) is amended as follows.

^{F8}(2)

(3) In subsection (4), for “58” there is substituted “ 57A ”.

(4) After that subsection there is inserted—

“(4A) As regards any power of the National Assembly for Wales to make an order or regulations under this Act, subsection (3) above shall have effect without the words from “subject to annulment” to the end.”

(5) After subsection (9A) there is inserted—

“(9AA) The power of the Secretary of State to make an order under paragraph 5G of Schedule 9 shall be exercisable by statutory instrument, and no such order shall be made by him unless a draft of it has been laid before and approved by resolution of each House of Parliament.”

Textual Amendments

F8 Sch. 7 para. 24(2) omitted (with effect in accordance with s. 1(6) of the amending Act) by virtue of [Local Government Finance Act 2012 \(c. 17\)](#), [s. 1\(5\)](#)

Commencement Information

I31 Sch. 7 para. 24(1)(2)(5) in force at Royal Assent see [s. 128\(1\)\(b\)](#)

I32 Sch. 7 para. 24(3) in force at 25.11.2004 for E. by [S.I. 2004/3132](#), [art. 3\(1\)\(e\)](#) (with [art. 4](#))

I33 Sch. 7 para. 24(4) in force at 27.11.2003 for W. by [S.I. 2003/3034](#), [art. 2](#), [Sch. 1 Pt. I](#)

- 25 (1) Schedule 7 (non-domestic rating multipliers) is amended as follows.

(2) In paragraph 5 (interpretation of definitions of “non-domestic rating multiplier”), after sub-paragraph (13) there is inserted—

“(14) Sub-paragraph (13) above does not apply to orders made by the National Assembly for Wales.

(15) An order made under sub-paragraph (3) above by the National Assembly for Wales (including an order amending or revoking another) is effective in relation to a particular financial year only if it is made—

(a) before 1 March in the preceding financial year, and

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- (b) at a time when no local government finance report for the year has been published by the Assembly.”
- (3) In paragraph 6 (calculation of non-domestic rating multiplier), after sub-paragraph (4) there is inserted—
- “(4A) Sub-paragraph (4) above does not apply to a calculation made by the National Assembly for Wales for a financial year beginning in or after 2004.
- (4B) A calculation made by the Assembly under this paragraph for a financial year beginning in or after 2004 is invalid unless one or both of the following conditions is fulfilled—
- (a) it is made after the Assembly has published the local government finance report for the year or, where the Assembly is publishing two local government finance reports for the year, it is made after the Assembly has published both of those reports;
- (b) it is made on or after 1 March in the preceding financial year.”
- (4) In paragraph 9 (special authority’s non-domestic rating multiplier), in sub-paragraph (4), in the definition of A, after “year” there is inserted “ so far as relating to England ”.
- (5) In paragraph 10 (substituted multiplier), for sub-paragraph (1) there is substituted—
- “(1) Where a special authority has set multipliers for a financial year (whether originally or by way of substitute) it may set multipliers in substitution if, and only if, they have been quashed.”
- (6) In paragraphs 10(2) and 11(1), after “9” there is inserted “ or 9A ”.

Commencement Information

- I34** Sch. 7 para. 25 partly in force; Sch. 7 para. 25(1) in force at Royal Assent see [s. 128\(1\)\(b\)](#)
- I35** Sch. 7 para. 25(2)(3) in force at 27.11.2003 for W. by [S.I. 2003/3034](#), [art. 2](#), [Sch. 1 Pt. I](#)
- I36** [Sch. 7 para. 25\(4\)-\(6\)](#) in force at 25.11.2004 by [S.I. 2004/3132](#), [art. 2\(d\)](#) (with [art. 4](#))

- 26 (1) Schedule 8 (non-domestic rating: pooling) is amended as follows.
- (2) In paragraph 2(2) (debits to the non-domestic rating account), in paragraph (a), after “(14) below” there is inserted “ , under regulations made for the purpose mentioned in paragraph 4(7) below ”.
- (3) In paragraph 4(3) (contributions by special authorities), for paragraph (a) there is substituted—
- “(a) the authority’s non-domestic rating multiplier and small business non-domestic rating multiplier for the year were equal respectively to the non-domestic rating multiplier and the small business non-domestic rating multiplier for the year, so far as relating to England, determined in accordance with Part 1 of Schedule 7 above, and.”

Commencement Information

- I37** [Sch. 7 para. 26\(1\)\(2\)](#) in force at 18.11.2003 for E. by [S.I. 2003/2938](#), [art. 3\(a\)](#) (with [art. 8](#), [Sch.](#))
- I38** [Sch. 7 para. 26\(1\)\(2\)](#) in force at 27.11.2003 for W. by [S.I. 2003/3034](#), [art. 2](#), [Sch. 1 Pt. I](#)

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I39 Sch. 7 para. 26(3) in force at 25.11.2004 by S.I. 2004/3132, **art. 2(d)** (with art. 4)

- 27 In Schedule 11 (valuation tribunals)—
- (a) in paragraph 1 (power to make regulations for establishment of tribunals), in sub-paragraph (2) (provision which the regulations may include), for the words from “in relation to” to the end there is substituted—
 - “(a) so far as relating to England, in relation to membership, procedure and other matters relating to tribunals, except staff, accommodation and equipment, and
 - (b) so far as relating to Wales, in relation to membership, staff, accommodation, equipment, procedure and other matters relating to tribunals.”;
 - (b) in paragraph 6(1) (staff), after “paragraph 1 above” there is inserted “, so far as relating to Wales, ”; and
 - (c) in paragraph 7(1) (accommodation and equipment), after “paragraph 1 above” there is inserted “, so far as relating to Wales, ”.

Commencement Information

I40 Sch. 7 para. 27 in force at 1.4.2004 by S.I. 2003/2938, **art. 6(d)(i)** (with art. 8, Sch.)

Local Government and Housing Act 1989 (c. 42)

- 28 The Local Government and Housing Act 1989 is amended as follows.
- 29 Part 4 (revenue accounts and capital finance of local authorities) ceases to have effect.

Commencement Information

- I41** Sch. 7 para. 29 in force at 18.11.2003 for specified purposes for E. by S.I. 2003/2938, **art. 3(h)** (with art. 8, Sch.)
- I42** Sch. 7 para. 29 in force at 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004 by S.I. 2003/3034, art. 2, **Sch. 1 Pt. I**
- I43** Sch. 7 para. 29 in force at 1.4.2004 for E. in so far as not already in force by S.I. 2003/2938, **art. 7(b)** (with art. 8, Sch.)

- 30 (1) Section 70 (requirements for companies under control or subject to influence of local authorities) is amended as follows.
- (2) In subsection (2), for “the provisions for the time being made by order under subsection (1) above” there is substituted “ any provisions made by order under subsection (1) above which are for the time being applicable to it ”.
 - (3) In subsection (3)—
 - (a) for “local authorities” there is substituted “ a local authority ”, and
 - (b) for “any” there is substituted “ the ”.
 - (4) In subsection (4), for the words from “every” to “prescribed” there is substituted “ a local authority to comply with any requirements for the time being applicable to it ”.

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Commencement Information

I44 Sch. 7 para. 30 in force at 18.11.2003 for E. by S.I. 2003/2938, art. 3(a) (with art. 8, Sch.)

I45 Sch. 7 para. 30 in force at 27.11.2003 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. I

31 For the second sentence of section 80A(4) (overpaid Housing Revenue Account subsidy may be recovered by withholding or reducing subsidy) there is substituted—

“(4A) Without prejudice to other methods of recovery, a sum recoverable under subsection (4) above may—

- (a) be recovered by withholding or reducing subsidy, and
- (b) if the sum is referable to housing benefit in respect of houses or other property within the authority’s Housing Revenue Account, be recovered by withholding or reducing rent rebate subsidy under Part 8 of the Social Security Administration Act 1992.”

Commencement Information

I46 Sch. 7 para. 31 in force at 18.11.2003 by S.I. 2003/2938, art. 2(a) (with art. 8, Sch.)

32 In section 88(1)(d) (construction of references in Part 6 to “proper practices”), for “section 66(4) above” there is substituted “ section 21 of the Local Government Act 2003 ”.

Commencement Information

I47 Sch. 7 para. 32 in force at 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004 by S.I. 2003/3034, art. 2, Sch. 1 Pt. I

I48 Sch. 7 para. 32 in force at 1.4.2004 for E. by S.I. 2003/2938, art. 7(a) (with art. 8, Sch.)

- 33 (1) Schedule 4 (keeping of the Housing Revenue Account) is amended as follows.
- (2) In Part 1 (credits to the Account), item 5 (housing benefit transfers) is omitted.
- (3) In that Part, for item 9 (sums directed by Secretary of State) there is substituted—

“Item 9: sums directed by Secretary of State or National Assembly for Wales

Any sums which for the year the authority is required, by reason of a direction given by the appropriate person, to carry to the credit of the account from some other revenue account of theirs.

A direction under this item may require the transfer of sums calculated in accordance with formulae specified in the direction, and any formula so specified may include variables framed (in whatever way the appropriate person considers appropriate) by reference to such matters as the appropriate person thinks fit.”

- (4) In Part 2 (debits to the Account), item 4 (rent rebates) is omitted.
- (5) In that Part, after item 9 there is inserted—

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“Item 10: sums directed by Secretary of State or National Assembly for Wales

Any sums which for the year the authority is required, by reason of a direction given by the appropriate person, to carry from the account to the credit of some other revenue account of theirs.

A direction under this item may require the transfer of sums calculated in accordance with formulae specified in the direction, and any formula so specified may include variables framed (in whatever way the appropriate person considers appropriate) by reference to such matters as the appropriate person thinks fit.

In giving a direction under this item, the appropriate person may (in particular) take into account the effect of such a direction on—

- (a) other revenue accounts in the authority’s relevant fund,
- (b) the amounts of council tax falling to be set by the authority under section 30 of the Local Government Finance Act 1992, and
- (c) the authority’s budget requirement under section 32(4) of that Act.

In this item the reference to the authority’s “relevant fund” is—

- (a) in relation to England, to the authority’s general fund within the meaning of section 91(2) of the Local Government Finance Act 1988, and
- (b) in relation to Wales, to the authority’s council fund within the meaning of section 38(1) of the Local Government (Wales) Act 1994.”

Commencement Information

- I49** Sch. 7 para. 33 partly in force; Sch. 7 para. 33(1) in force at Royal Assent see s. 128(1)(b)
- I50** Sch. 7 para. 33(2)(4) in force at 1.4.2004 by S.I. 2003/2938, art. 6(d)(i) (with art. 8, Sch.)
- I51** Sch. 7 para. 33(3)(5) in force at 18.11.2003 for E. by S.I. 2003/2938, art. 3(a) (with art. 8, Sch.)
- I52** Sch. 7 para. 33(3)(5) in force at 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004 by S.I. 2003/3034, art. 2, Sch. 1 Pt. I (with Sch. 2 para. 5)

Social Security Administration Act 1992 (c. 5)

- 34 The Social Security Administration Act 1992 is amended as follows.
- 35 (1) In section 134(2) (forms that may be taken by the rent rebates and allowances referred to since 1st April 1997 in subsections (1A) and (1B) instead of subsection (1)), for “subsection (1)” substitute “ subsections (1A) and (1B) ”.
- (2) Sub-paragraph (1) shall be deemed to have come into force on 1st April 1997.
- 36 In section 140B (calculation of rent rebate subsidy, rent allowance subsidy and council tax benefit subsidy), the following are omitted—
- (a) the second sentence of subsection (2) (Housing Revenue Account rebates paid by housing authority in England and Wales not relevant benefit for purpose of determining amount of subsidy), and
 - (b) subsection (7) (section not to be taken as implying that additions and deductions may not be determined by reference to certain matters).

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Commencement Information

I53 Sch. 7 para. 36 in force at 18.11.2003 by S.I. 2003/2938, art. 2(a) (with art. 8, Sch.)

- 37 In section 140C (payment of subsidy), after subsection (1) there is inserted—
- “(1A) Conditions under subsection (1) above may (in particular) be imposed to obtain information for the purposes of the carrying-out by the Secretary of State of any of his functions relating to subsidy.”

Commencement Information

I54 Sch. 7 para. 37 in force at 18.11.2003 by S.I. 2003/2938, art. 2(a) (with art. 8, Sch.)

- 38 In section 140D (rent rebate subsidy: accounting provisions), the following are omitted—
- (a) subsection (1)(c) (accounting for rent rebate subsidy by development corporation in England and Wales), and
 - (b) subsection (2) (treatment of Housing Revenue Account rebates).

Commencement Information

I55 Sch. 7 para. 38 in force at 18.11.2003 by S.I. 2003/2938, art. 2(a) (with art. 8, Sch.)

- 39 In section 140G (interpretation of Part 8), in the definition of “Housing Revenue Account”, paragraph (b) (definition of Housing Revenue Account rebate) is omitted.

Commencement Information

I56 Sch. 7 para. 39 in force at 18.11.2003 by S.I. 2003/2938, art. 2(a) (with art. 8, Sch.)

Local Government Finance Act 1992 (c. 14)

- 40 The Local Government Finance Act 1992 is amended as follows.
- 41 In section 11(2) (discounts), for “section 12” there is substituted “ sections 11A and 12 ”.
- 42 In section 13(3) (reduced amounts), after “section 11” there is inserted “ , 11A ”.
- 43 (1) In section 17 (completion of new dwellings), in subsection (4) (which defines the date to be taken as the completion date)—
- (a) in paragraph (a), for “an appeal” there is substituted “ no appeal ”, and
 - (b) in paragraph (b), for “no appeal” there is substituted “ an appeal ”.
- (2) This paragraph has effect in relation to any completion notice under Schedule 4A to the Local Government Finance Act 1988 (c. 41) (new buildings: completions days), as applied by section 17 of the Local Government Finance Act 1992 (c. 14), which—
- (a) is served on or after the day on which this paragraph comes into force, or
 - (b) becomes the subject of such an appeal on or after the day on which this paragraph comes into force.

Status: Point in time view as at 03/03/2015.

Changes to legislation: Local Government Act 2003, SCHEDULE 7 is up to date with all changes known to be in force on or before 01 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)

- 44 In section 21 (valuations for purposes of lists), in subsection (2) (basis of valuations), for “1st April 1991” there is substituted “ the appropriate date ” and after that subsection there is inserted—
- “(2A) For the purposes of subsection (2) above, the appropriate date is—
- (a) in relation to a list under section 22, 1st April 1991, and
 - (b) in relation to a list under section 22B, the later of—
 - (i) two years before the date on which the list falls to be compiled, and
 - (ii) such date, if any, within that two year period as may be specified by regulations.
- (2B) The power to make regulations under subsection (2A)(b)(ii) is exercisable—
- (a) in relation to a list to be compiled for a billing authority in England, by the Secretary of State, and
 - (b) in relation to a list to be compiled for a billing authority in Wales, by the National Assembly for Wales.”
- 45 In section 22(2) (when valuation list comes into force), for the words from “and” to the end there is substituted “ , shall come into force on that day and shall remain in force until a new list for the authority is compiled under section 22B below ”.
- 46 In section 24 (alteration of lists), in subsection (9)(b), for “or 22A(10)” there is substituted “ , 22A(10) or 22B(10) ”.
- 47 Section 25 (compilation and maintenance of new lists) ceases to have effect.
- 48 In section 28 (information about lists)—
- (a) in subsection (2)(a), for “or 22A(10)” there is substituted “ , 22A(10) or 22B(10) ”, and
 - (b) in subsection (3)(a), after “22(6)” there is inserted “ or 22B(8) ”.
- 49 In section 66(2) (matters subject only to judicial review), in paragraph (b) (determinations)—
- (a) after “8(2)” there is inserted “ , 11A ”, and
 - (b) for “12(1)” there is substituted “ 12 ”.

Commencement Information

I57 Sch. 7 para. 49 partly in force; Sch. 7 para. 49(a) in force at 18.11.2003 see [s. 128\(2\)\(e\)](#)

I58 Sch. 7 para. 49(b) in force at 27.11.2003 for W. by [S.I. 2003/3034](#), [art. 2](#), [Sch. 1 Pt. I](#)

- 50 In section 67 (functions to be discharged only by the authority), in subsection (2) (a) (making of determination)—
- (a) after “8(2)” there is inserted “ , 11A ”, and
 - (b) for “12(1)” there is substituted “ 12 ”.

Commencement Information

I59 Sch. 7 para. 50 partly in force; Sch. 7 para. 50(a) in force at 18.11.2003 see [s.128\(2\)\(e\)](#)

I60 Sch. 7 para. 50(b) in force at 27.11.2003 for W. by [S.I. 2003/3034](#), [art. 2](#), [Sch. 1 Pt. I](#)

- 51 (1) Section 69 (interpretation of Part 1) is amended as follows.

Status: Point in time view as at 03/03/2015.

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(2) In subsection (1), the definition of “revenue support grant” is omitted.

^{F9}(3)

Textual Amendments

F9 Sch. 7 para. 51(3) repealed (15.1.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 25 Pt. 13**; [S.I. 2012/57](#), art. 4(1)(ee)(iii)

Commencement Information

I61 Sch. 7 para. 51 partly in force; Sch. 7 para. 51(1) in force at Royal Assent see [s. 128\(1\)\(b\)](#)

I62 Sch. 7 para. 51(2) in force at 27.11.2003 for W. by [S.I. 2003/3034](#), art. 2, **Sch. 1 Pt. I**

I63 Sch. 7 para. 51(3) in force at 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004 by [S.I. 2003/3034](#), art. 2, **Sch. 1 Pt. I**

I64 Sch. 7 para. 51(3) in force at 1.4.2004 for E. by [S.I. 2003/2938](#), **art. 7(a)** (with [art. 8](#), [Sch.](#))

52 (1) Section 113 (orders and regulations) is amended as follows.

(2) In each of subsections (1) and (2) (powers to make regulations or orders under the Act include power to make differential and incidental etc. provision), for “or the Treasury” there is inserted “, the Treasury or the National Assembly for Wales”.

^{F10}(3)

^{F11}(4)

(5) After subsection (3) there is inserted—

“(4) Any power of the National Assembly for Wales under this Act to make orders or regulations shall be exercisable by statutory instrument.”

Textual Amendments

F10 Sch. 7 para. 52(3) repealed (15.1.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(1)(m), **Sch. 25 Pt. 14**

F11 Sch. 7 para. 52(4) repealed (30.3.2006) by [Council Tax \(New Valuation Lists for England\) Act 2006 \(c. 7\)](#), **s. 1(7)**

53 (1) Schedule 2 (administration) is amended as follows.

(2) In paragraph 8 (exempt dwellings etc.)—

(a) in sub-paragraph (1), after “22(5)(b)” there is inserted “, 22B(7)”, and

(b) in sub-paragraphs (2) and (3)—

(i) after “22(5)(b)” there is inserted “, 22B(7)”, and

(ii) after “22(7)”, in both places, there is inserted “, 22B(9)”.

(3) At the end there is inserted—

“21 (1) This paragraph applies where a billing authority exercises the power under section 13A(1) above by determining a class of case in which liability is to be reduced.

(2) Where the determination provides for liability to be reduced to nil, any dwelling in relation to which the reduction applies shall be treated for the purposes of this Schedule as an exempt dwelling.

Status: Point in time view as at 03/03/2015.

Changes to legislation: Local Government Act 2003, SCHEDULE 7 is up to date with all changes known to be in force on or before 01 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)

- (3) Where the determination provides for liability to be reduced otherwise than to nil, any amount in relation to which the reduction applies shall be treated for the purposes of this Schedule as subject to a discount equal to the amount of the reduction.”

54 In Schedule 4 (enforcement), at the end there is inserted—

“Interpretation

20 In this Schedule, except paragraph 6, “prescribed” means prescribed by regulations made—

- (a) in relation to England, by the Secretary of State, and
(b) in relation to Wales, by the National Assembly for Wales.”

55 In Schedule 13 (minor and consequential amendments), in paragraph 80 (amendments of section 143 of the Local Government Finance Act 1988)—

- (a) sub-paragraph (1) is omitted, and
(b) in sub-paragraph (2), for “that section” there is substituted “ section 143 of that Act (orders and regulations) ”.

Local Government (Wales) Act 1994 (c. 19)

56 The Local Government (Wales) Act 1994 is amended as follows.

Commencement Information

I65 Sch. 7 para. 56 in force at 27.11.2003 for W. by [S.I. 2003/3034](#), art. 2, **Sch. 1 Pt. I**

57 In section 51 (control of disposals and contracts), in subsection (2), in the definition of “capital contract”, for “for capital purposes” there is substituted “ which is capital expenditure for the purposes of Chapter 1 of Part 1 of the Local Government Act 2003 (capital finance) ”.

Commencement Information

I66 Sch. 7 para. 57 in force at 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004 by [S.I. 2003/3034](#), art. 2, **Sch. 1 Pt. I**

- 58 (1) Section 63 (regulations, orders and directions) is amended as follows.
- (2) In subsection (1) (regulations and orders to be made by statutory instrument), after “Secretary of State” there is inserted “, the National Assembly for Wales ”.
- (3) In subsection (2) (parliamentary procedure), after “other than one made” there is inserted “ by the Assembly or ”.
- (4) In subsection (5)(a) (power to make supplemental etc. provision), for “Secretary of State or (as the case may be) the Lord Chancellor” there is substituted “ person making the regulations or order ”.

Status: Point in time view as at 03/03/2015.

Changes to legislation: Local Government Act 2003, SCHEDULE 7 is up to date with all changes known to be in force on or before 01 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)

Commencement Information

I67 Sch. 7 para. 58 in force at 27.11.2003 for W. by [S.I. 2003/3034](#), art. 2, [Sch. 1 Pt. I](#)

Deregulation and Contracting Out Act 1994 (c. 40)

- 59 In section 71(3) of the Deregulation and Contracting Out Act 1994 (certain functions not excluded by section 71(1)(c)), after paragraph (e) there is inserted—
- “(ea) section 48 of the Local Government Act 2003 (administration etc of BID levy) if the function corresponds to any function falling within paragraph (e) above.”

Commencement Information

I68 Sch. 7 para. 59 in force at 18.11.2003 for E. by [S.I. 2003/2938](#), art. 3(a) (with art. 8, Sch.)

I69 Sch. 7 para. 59 in force at 27.11.2003 for W. by [S.I. 2003/3034](#), art. 2, [Sch. 1 Pt. I](#)

Housing Act 1996 (c. 52)

- 60 (1) In section 122(4) of the Housing Act 1996 (which makes provision about the determination of rent allowance subsidy under section 140B of the Social Security Administration Act 1992 (c. 5))—
- (a) in paragraph (b) (which refers to subsection (2) of section 140B), for “that subsection” there is substituted “ subsection (4) or (5) of that section ”, and
- (b) in paragraph (c) (which refers to subsection (4) of section 140B), for “(4)” there is substituted “ (5)(b) ”.
- (2) Sub-paragraph (1) shall be deemed to have come into force on 1st July 1997.

Justices of the Peace Act 1997 (c. 25)

- 61 The Justices of the Peace Act 1997 is amended as follows.

Commencement Information

I70 Sch. 7 para. 61 in force at 18.11.2003 for E. by [S.I. 2003/2938](#), art. 3(a) (with art. 8, Sch.)

I71 Sch. 7 para. 61 in force at 27.11.2003 for W. by [S.I. 2003/3034](#), art. 2, [Sch. 1 Pt. I](#)

- 62 In section 67 (justices not disqualified by reason of liability to local taxation)—
- (a) after paragraph (a) there is inserted—
- “(aa) BID levy (within the meaning of Part 4 of the Local Government Act 2003),” and
- (b) for “any charge, tax or rate falling within paragraphs (b)” there is substituted “ any levy, charge, tax or rate falling within paragraphs (aa) ”.

Commencement Information

I72 Sch. 7 para. 62 in force at 18.11.2003 for E. by [S.I. 2003/2938](#), art. 3(a) (with art. 8, Sch.)

I73 Sch. 7 para. 62 in force at 27.11.2003 for W. by [S.I. 2003/3034](#), art. 2, [Sch. 1 Pt. I](#)

Status: Point in time view as at 03/03/2015.

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- 63 In section 72(1) (interpretation), for the definition of “capital expenditure” there is substituted—

““capital expenditure” means expenditure which is capital expenditure for the purposes of Chapter 1 of Part 1 of the Local Government Act 2003 (capital finance);”.

Commencement Information

- I74** Sch. 7 para. 63 in force at 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004 by S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- I75** Sch. 7 para. 63 in force at 1.4.2004 for E. by S.I. 2003/2938, art. 7(a) (with art. 8, Sch.)

Local Government (Contracts) Act 1997 (c. 65)

- 64 In section 1(3) of the Local Government (Contracts) Act 1997 (local authorities for the purposes of the Act), in paragraph (a), for “Part IV of the Local Government and Housing Act 1989” there is substituted “ Chapter 1 of Part 1 of the Local Government Act 2003 (capital finance) ”.

Commencement Information

- I76** Sch. 7 para. 64 in force at 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004 by S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- I77** Sch. 7 para. 64 in force at 1.4.2004 for E. by S.I. 2003/2938, art. 7(a) (with art. 8, Sch.)

Audit Commission Act 1998 (c. 18)

- 65 In Schedule 1 to the Audit Commission Act 1998 (which makes provision about the Commission’s financial affairs)—
- (a) in paragraph 9(6), for “March” there is substituted “ June ”, and
 - (b) in paragraph 11(3), for “31st March” there is substituted “ 30th June ”.

Commencement Information

- I78** Sch. 7 para. 65 in force at 18.11.2003 by S.I. 2003/2938, art. 2(a) (with art. 8, Sch.)

School Standards and Framework Act 1998 (c. 31) and Education Act 2002 (c. 32)

- ^{F12}66

Textual Amendments

- F12** Sch. 7 para. 66 repealed (1.11.2005 for E., 1.4.2010 for W.) by Education Act 2005 (c. 18), s. 125(4), Sch. 19 Pt. 4; S.I. 2005/2034, art. 8; S.I. 2010/735, art. 2(f)

Government of Wales Act 1998 (c. 38)

- ^{F13}67

Status: Point in time view as at 03/03/2015.

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Textual Amendments

- F13** Sch. 7 para. 67 repealed by [Government of Wales Act 2006 \(c. 32\)](#), s. 163, [Sch. 12](#) (with [Sch. 11 para. 22](#)) coming into force immediately after “the 2007 election” (held on 3.5.2007) subject to s. 161(1)(4) (5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of “the initial period” (which ended with the day of the first appointment of a First Minister on 25.5.2007); see ss. 46, 161(4)(5) of the amending Act

Greater London Authority Act 1999 (c. 29)

68 The Greater London Authority Act 1999 is amended as follows.

Commencement Information

- I79** [Sch. 7 para. 68](#) in force at 18.11.2003 by [S.I. 2003/2938](#), [art. 2\(a\)](#) (with [art. 8](#), [Sch.](#))

69 (1) Section 52 (meetings of the London Assembly) is amended as follows.

(2) After subsection (4) there is inserted—

“(4A) There must be at least 21 clear days between a meeting under subsection (3) above and the last such meeting before it, but this does not apply to the gap between the first such meeting after an ordinary election and the last such meeting before that election.”

(3) In subsection (6)(b) (notice of meeting under subsection (3) to be given at least 28 clear days before meeting), for “28” there is substituted “ 14 ”.

(4) Subsection (7) (notice of meeting not to be given during currency of a notice already given) is omitted.

Commencement Information

- I80** [Sch. 7 para. 69](#) in force at 18.11.2003 by [S.I. 2003/2938](#), [art. 2\(a\)](#) (with [art. 8](#), [Sch.](#))

F1470

Textual Amendments

- F14** Sch. 7 para. 70 repealed (15.1.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 25 Pt. 13](#); [S.I. 2012/57](#), [art. 4\(1\)\(ee\)\(iii\)](#)

71 Sections 112 to 118 (credit approvals) cease to have effect.

Commencement Information

- I81** [Sch. 7 para. 71](#) in force at 1.1.2004 for specified purposes by [S.I. 2003/2938](#), [art. 4\(d\)\(ii\)](#) (with [art. 8](#), [Sch.](#))
- I82** [Sch. 7 para. 71](#) in force at 1.4.2004 for specified purposes by [S.I. 2003/2938](#), [art. 6\(d\)\(ii\)](#) (with [art. 8](#), [Sch.](#))

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- 72 (1) Section 119 (power to redistribute capital receipts of functional bodies) is amended as follows.
- (2) In subsection (2), for “expenditure for capital purposes” there is substituted “ capital expenditure ”.
- (3) In subsection (3)—
- (a) in paragraph (e), for “expenditure for capital purposes” there is substituted “ capital expenditure ”, and
- (b) for paragraph (f) there is substituted—
- “(f) for and in connection with treating the whole or a prescribed part of the relevant amount as added to the capital receipts of the assisted body, for the purposes of Chapter 1 of Part 1 of the Local Government Act 2003 (capital finance);”.

Commencement Information

183 Sch. 7 para. 72 in force at 1.4.2004 by S.I. 2003/2938, art. 6(d)(i) (with art. 8, Sch.)

- 73 In section 120 (capital grants between the Greater London Authority and functional bodies), for “expenditure for capital purposes”, in each place where it occurs, there is substituted “ capital expenditure ”.

Commencement Information

184 Sch. 7 para. 73 in force at 1.4.2004 by S.I. 2003/2938, art. 6(d)(i) (with art. 8, Sch.)

- 74 In section 121 (revenue grants between the Greater London Authority and functional bodies), for “expenditure for capital purposes”, in each place where it occurs, there is substituted “ capital expenditure ”.

Commencement Information

185 Sch. 7 para. 74 in force at 1.4.2004 by S.I. 2003/2938, art. 6(d)(i) (with art. 8, Sch.)

- 75 (1) Section 122 (Mayor’s capital spending plan for each functional body) is amended as follows.
- (2) In subsection (3)(c), for “usable part of the body’s capital receipts is” there is substituted “ body’s capital receipts are ”.
- (3) In subsection (4) (content of section B of the plan), for paragraphs (b) to (d) there is substituted—
- “(b) the total of the amounts which the Mayor expects the body—
- (i) to borrow in the year, or
- (ii) to be treated as borrowing in the year because of section 8(2) of the Local Government Act 2003 (under which entry into, or variation of, a credit arrangement is treated as a form of borrowing).”
- (4) In subsection (5) (content of section C of the plan)—

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- (a) in paragraph (a), for “expenditure for capital purposes” there is substituted “capital expenditure”, and
- (b) for paragraph (b) there is substituted—
 - “(b) the total of the amounts which the Mayor expects the body to be treated as borrowing in the year because of section 8(2) of the Local Government Act 2003;”.

- (5) In subsection (6) (content of section D of the plan), for paragraph (c) there is substituted—
 - “(c) the amount which he expects the body to meet by borrowing or entering into or varying credit arrangements;”.

Commencement Information

I86 Sch. 7 para. 75 in force at 1.1.2004 by S.I. 2003/2938, art. 4(d)(i) (with art. 8, Sch.)

- 76 In section 123 (preparation of capital spending plan), for subsection (1) there is substituted—
 - “(1) For each financial year, the Mayor shall prepare a draft of the capital spending plan for the year.”

Commencement Information

I87 Sch. 7 para. 76 in force at 1.1.2004 by S.I. 2003/2938, art. 4(d)(i) (with art. 8, Sch.)

- 77 (1) Section 124 (admissible factors in preparing capital spending plan etc.) is amended as follows.
 - (2) In subsection (2), for paragraph (b) there is substituted—
 - “(b) the amounts to be transferred to the body under section 32(5) of the Local Government Act 2003 (Mayor’s power to transfer expenditure grant);”.
 - (3) In subsection (4)—
 - (a) after paragraph (a) there is inserted—
 - “(aa) the amount met out of grants under section 31 of the Local Government Act 2003 (expenditure grant) made to the body;”, and
 - (b) for paragraph (c) there is substituted—
 - “(c) the amount met by borrowing or entering into or varying credit arrangements;”.

Commencement Information

I88 Sch. 7 para. 77 in force at 1.1.2004 by S.I. 2003/2938, art. 4(d)(i) (with art. 8, Sch.)

- 78 (1) Section 126 (interpretation of Chapter 4) is amended as follows.
 - (2) For subsection (1) there is substituted—
 - “(1) In this Chapter—

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“capital expenditure” and “capital receipt” have the same meaning as in Chapter 1 of Part 1 of the Local Government Act 2003 (capital finance);

“capital spending plan” means a capital spending plan under section 122 above.”

(3) In subsection (2), for the words from “Part IV” to “section 48” there is substituted “Chapter 1 of Part 1 of the Local Government Act 2003 (see section 7”.

Commencement Information

I89 Sch. 7 para. 78 in force at 1.4.2004 for specified purposes by S.I. 2003/2938, art. 6(d)(i) (with art. 8, Sch.)

National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672)

79 In Schedule 1 to the National Assembly for Wales (Transfer of Functions Order) 1999, in the entry relating to the Local Government and Housing Act 1989 (c. 42), the sentence relating to section 80 of that Act is omitted.

Commencement Information

I90 Sch. 7 para. 79 in force at 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004 by S.I. 2003/3034, art. 2, Sch. 1 Pt. I

F1580

Textual Amendments

F15 Sch. 7 para. 80 and cross-heading repealed (4.5.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 25 Pt. 4; S.I. 2012/1008, art. 4(c)

Homelessness Act 2002 (c. 7)

81 In section 3(9) of the Homelessness Act 2002 (public’s rights to inspect each document published under section 3 and to obtain copies)—
(a) in paragraph (a), for “each document published under” there is substituted “everything published under section 1 or”, and
(b) in paragraph (b), for “a document” there is substituted “anything”.

Status:

Point in time view as at 03/03/2015.

Changes to legislation:

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