



Business Rate Supplements Act 2009

2009 CHAPTER 7

Intervention by appropriate national authority

24 Power to cancel a BRS

- (1) This section applies if the appropriate national authority thinks that a levying authority has, in relation to a BRS imposed by it, acted in a way that is materially inconsistent with information provided by it.
- (2) The information referred to in subsection (1) includes information provided—
 - (a) in the final prospectus for the BRS;
 - (b) in a document published for the purposes of section 10(2)(d) about a proposal to vary the BRS;
 - (c) in the course of consultation on the proposal for the imposition of the BRS or on a proposal to vary the BRS;
 - (d) in connection with the holding of a ballot on the imposition of the BRS or on a proposal to vary the BRS.
- (3) The appropriate national authority—
 - (a) may direct the levying authority to cancel the imposition of the BRS,
 - (b) may direct the levying authority to refund the sums received by it in respect of the BRS or, where the levying authority is not a billing authority, direct it to return to a billing authority that is a lower-tier authority in relation to it sums transferred to it by the billing authority,
 - (c) may direct a billing authority that is a lower-tier authority in relation to the levying authority to refund the sums collected by it in respect of the BRS but not transferred to the levying authority,
 - (d) may direct a functional body to transfer to the Greater London Authority sums received by the body in respect of the BRS but not used by it, and
 - (e) may take such other steps as the appropriate national authority thinks appropriate.
- (4) Where the appropriate national authority gives a direction to a billing authority which is not a levying authority, the appropriate national authority may direct the levying

Status: Point in time view as at 19/08/2009.

Changes to legislation: There are currently no known outstanding effects for the Business Rate Supplements Act 2009, Cross Heading: Intervention by appropriate national authority. (See end of Document for details)

authority to meet the expenses incurred by the billing authority in complying with the direction.

- (5) The appropriate national authority may, in connection with the exercise or proposed exercise of a power under this section, require—
- (a) the levying authority,
 - (b) a billing authority that is a lower-tier authority in relation to it, or
 - (c) a functional body,
- to provide such information relating to a BRS as the appropriate national authority may specify.
- (6) A levying authority, a billing authority or a functional body must comply with a direction given to it, or a requirement imposed on it, under this section.
- (7) Section 21(3) does not apply where the imposition of a BRS comes to an end as a result of this section.

Commencement Information

II S. 24 in force at 19.8.2009 for E. by S.I. 2009/2202, art. 2

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