



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Status: Point in time view as at 19/08/2009.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, Section 24. (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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