



Local Government Finance Act 2012

2012 CHAPTER 17

Non-domestic rating

1 Local retention of non-domestic rates

- (1) The LGFA 1988 is amended in accordance with subsections (2) to (4).
- (2) After section 59 insert—

“59A Local retention of non-domestic rates

Schedule 7B (local retention of non-domestic rates) has effect.”

- (3) In section 143 (orders and regulations)—
 - (a) in subsection (3) (application of negative Parliamentary procedure to orders and regulations under the Act), for “(9AA)” substitute “(9E)”, and
 - (b) before subsection (10) insert—

“(9C) Any power to make regulations conferred by Schedule 7B (local retention of non-domestic rates) is exercisable by statutory instrument.
- (9D) A statutory instrument containing regulations under any of the following provisions of that Schedule (whether alone or with other provision) may not be made unless a draft of the instrument has been laid before and approved by resolution of each House of Parliament—
 - (a) paragraph 9 (regulations about payments by billing authorities to major precepting authorities);
 - (b) paragraph 11 (regulations about payments by billing authorities to major precepting authorities out of deductions from central share payments);
 - (c) paragraph 22 (regulations about calculation of levy payments);
 - (d) paragraph 25 (regulations about calculation of safety net payments);

Changes to legislation: There are currently no known outstanding effects for the Local Government Finance Act 2012, Section 1. (See end of Document for details)

- (e) paragraph 30 (regulations about distribution of remaining balance);
 - (f) paragraph 39 or 40 (regulations about designated areas or classes of hereditament), if the regulations contain provision within paragraph 41 (payments to relevant authorities).
- (9E) Any other statutory instrument containing regulations under that Schedule is subject to annulment in pursuance of a resolution of either House of Parliament.”
- (4) Schedule 1 (which sets out the Schedule to be inserted as Schedule 7B to the LGFA 1988) has effect.
 - (5) In consequence of the amendment made by subsection (3)(a), in Schedule 7 to the Local Government Act 2003 omit paragraph 24(2).
 - (6) The amendments made by this section and Schedule 1 have effect in relation to the financial year beginning with 1 April 2013 and subsequent financial years.
 - (7) But the Secretary of State may by order made by statutory instrument amend subsection (6) by substituting a later financial year.

Changes to legislation:

There are currently no known outstanding effects for the Local Government Finance Act 2012, Section 1.