



Local Government Act 1948

1948 CHAPTER 26

PART VII

MISCELLANEOUS.

121 Provisions as to precepts for expenses of Metropolitan Police.

- (1) No warrant under section twenty-three of the Metropolitan Police Act, 1829, shall be issued by the Commissioner of Police in respect of any period beginning on or after the first day of April, nineteen hundred and forty-eight, but, for the purpose of providing money for meeting such expenses as may be authorised by or under any enactment or by the Secretary of State to be paid out of the Metropolitan Police Fund, being expenses for which provision is not otherwise made, the Receiver for the Metropolitan Police District, may with the consent of the Secretary of State, issue precepts to rating authorities in accordance with the subsequent provisions of this section.
- (2) Except in relation to the expenses mentioned in the next succeeding subsection, precepts issued under this section shall be issued to all rating authorities with areas falling wholly or partly within the Metropolitan Police District, but where the area of a rating authority is only partly within that District, the precepts shall be so issued as to secure that the rate is levied only on that part of the area which is within that District.
- (3) In relation to expenses of and incidental to the metropolitan police courts and the probation system within the metropolitan police court area respectively, precepts issued under this section shall be issued to all rating authorities with areas falling wholly or partly within the metropolitan police court area :

Provided that where only part of the area of a rating authority is within the metropolitan police court area, the precepts shall, except in any case where the Minister, on the application of the rating authority, by order directs that this proviso shall not apply, be so issued as to secure that the rate is levied only on that part.

- (4) Subsections (2), (4) and (5) of section nine of the Rating and Valuation Act, 1925 (which relate to precepts by county councils), shall, both within and outside London,

Status: This is the original version (as it was originally enacted).

apply in relation to any such precept, but with the following modifications, that is to say—

- (a) for any reference to councils of counties there shall be substituted a reference to the Receiver ; and
 - (b) in subsection (2), for the words " twenty-nine " there shall be substituted the words " forty-eight "; and
 - (c) sub-paragraph (ii) of paragraph (b) of the said subsection - (2) shall be deemed to be omitted; and
 - (d) the reference in paragraph (a) of subsection (4) to section eleven of that Act shall, in relation to rating authorities with areas in London, be construed as a reference to sections three and four of the Poor Rate Assessment and Collection Act, 1869.
- (5) Notwithstanding anything in the preceding provisions of this section, one precept may be issued in respect of all the expenses mentioned in subsection (1) of this section, including as separate items contributions to each of the classes of expenses mentioned in subsections (2) and (3) of this section, and the preceding provisions of this section and the provisions of section nine of the Rating and Valuation Act, 1925, shall, with the necessary adaptations, have effect accordingly.
- (6) The receipts of and incidental to the metropolitan police courts and the probation system within the metropolitan police court area respectively shall enure for the benefit of the rating authorities mentioned in subsection (3) of this section to the exclusion of those not so mentioned, and the precepts to be issued under this section shall be issued accordingly.
- (7) Where the receipts of and incidental to the metropolitan police courts or the probation system within the metropolitan police court area respectively exceed the expenses of those courts or, as the case may be, of that system, effect may, notwithstanding subsection (2) of section nine of the Rating and Valuation Act, 1925, be given to the provisions of the last preceding subsection by means of the issue of a precept under this section requiring a rate to be levied in the areas mentioned in the said subsection (3) or in a part of such an area of a lower amount in the pound than in the areas not so mentioned, or as the case may be, than in the other parts of that area.
- (8) In respect of the year 1948-49, this section shall have effect as if in subsection (2) thereof the words "Except in relation to the expenses mentioned in the next succeeding subsection ", subsection (3) thereof and the three last preceding subsections were omitted.
- (9) In this section the expression " metropolitan police court area " means the area consisting of the police court divisions for the time being constituted under the Metropolitan Police Courts Acts, 1839 and 1840.