

1967 No. 541

LOCAL GOVERNMENT, ENGLAND AND WALES

The Rate Product (Amendment of Enactments) Regulations 1967

<i>Made</i> - - -	3rd April 1967
<i>Laid before Parliament</i>	7th April 1967
<i>Coming into Operation</i>	8th April 1967

The Minister of Housing and Local Government, in exercise of his powers under section 5(3) of the Local Government Act 1966(a) and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation, commencement and interpretation

1. These regulations may be cited as the Rate Product (Amendment of Enactments) Regulations 1967 and shall come into operation on 8th April 1967.

2.—(1) The Interpretation Act 1889(b) applies for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(2) In these regulations—

“the appropriate factor” for any year means a number from time to time notified to a local authority by the Minister with his notification of the amount (or estimated amount) of the resources element of rate support grant payable for that year; the said number being—

(a) in the case of an authority not qualifying for a payment of the resources element for that year (or not appearing to the Minister so to qualify when he estimates and notifies to the authority the amount of that element payable for that year), one; and

(b) in the case of an authority qualifying for a payment of the resources element for that year (or appearing to the Minister so to qualify when he estimates and notifies to the authority the amount of that element payable for that year) the number produced by dividing the amount (or estimated amount) of the expenditure of the authority for that year for the purposes of Part II of Schedule 1 to the Local Government Act 1966 by the difference between that amount (or estimated amount) and the amount (or estimated amount) of the resources element payable to the authority for that year; disregarding, in the case of any estimate made to an authority before the commencement of the year for which the estimate is made, any adjustment of the amount of the resources element under paragraph 10 of the said Part II;

“the Minister” means the Minister of Housing and Local Government;

“year” means a period of twelve months beginning with the first day of April;

“the year 1967–68” means the year ending on 31st March 1968.

Amendment of the Housing Act 1961

3. In respect of dwellings completed on or after 1st April 1968 paragraph 2(3) of Part I of Schedule 1 to the Housing Act 1961(a), as applied to such dwellings by paragraph 3(2) of Part I of the said Schedule, shall have effect subject to the following amendments—

- (a) for the words “section five of the Local Government Act 1958 (which authorises the payment of Rate-deficiency Grants)” there shall be substituted the words “paragraph 3 of Part II of Schedule 1 to the Local Government Act 1966 (which deals with calculation of standard penny rate product for the purposes of the resources element of rate support grant)”;
- (b) for the words “Rate-deficiency Grants” in the second place in which those words occur, there shall be substituted the words “the resources elements”;
- (c) for the words “the said section five” in the first place in which those words occur, there shall be substituted the words “the said paragraph 3”;
- (d) for the words “Rate-deficiency Grant which the Minister, in accordance with regulations made under the Local Government Act 1948(b), for the purposes of the said section five” there shall be substituted the words “the resources element which the Minister, in accordance with regulations made under section 5(1) of the Local Government Act 1966”.

Amendment of other enactments and instruments referring to standard penny rate product

4. For the purposes of any precept, calculation or other matter in respect of the year 1967–68 and subsequent years, the enactments and other instruments specified in the following regulations (being enactments and other instruments in which reference is made, in various terms, to the standard penny rate product for an area as ascertained for the purposes of section 5 of the Local Government Act 1958(c)) shall have effect subject to the amendments therein specified.

Amendment of the Water Resources Act 1963

5. In the Water Resources Act 1963(d)—

- (a) in section 87—
 - (i) in subsection (9), for the words from “whichever is the greater” to the end of paragraph (b), there shall be substituted the words “the actual penny rate product for the relevant area of the council for that year, multiplied by the appropriate factor, as defined by regulations for the time being in force under section 5(3) of the Local Government Act 1966, for that year as notified to the council with the notification of the conclusive calculation (under regulations for the time being in force under section 5(1) of the Local Government Act 1966) of the amount (if any) of the resources element of rate support grant payable to the council for that year”;
 - (ii) subsection (10) shall be omitted;
- (b) in section 121—
 - (i) for subsection (3) there shall be substituted the following subsection:—

“(3) The appropriate penny rate product for the relevant area of the council for the relevant year shall be the product of a rate of one penny in the pound for that area for that year as estimated in accordance with subsection (2) of this section, multiplied by

(a) 9 & 10 Eliz. 2. c. 65.
(c) 6 & 7 Eliz. 2. c. 55.

(b) 11 & 12 Geo. 6. c. 26.
(d) 1963 c. 38.

the appropriate factor (as defined by regulations for the time being in force under section 5(3) of the Local Government Act 1966) for that year as last notified to the council”;

- (ii) subsection (4) shall be omitted;
- (iii) in subsection (7), for the words from “the standard penny rate product” to “Local Government Act 1958,” there shall be substituted the words “the appropriate factor for any year as last notified is a reference to that factor as”.

Amendment of Local Act

6. The Isle of Wight River and Water Authority Act 1964(a) shall be amended as follows:—

- (a) in section 25 (which deals with apportionment of deficiency) there shall be substituted for subsection (3) the following subsection:—

“(3) For the purpose of this section “the appropriate penny rate product” for any constituent district means the product of a rate of a penny in the pound for the year in respect of which a deficiency is to be apportioned as estimated for the purpose of section 12 of the General Rate Act 1967(b) (which provides for the making of estimates of a rate of a penny in the pound), multiplied by the appropriate factor, as defined by regulations for the time being in force under section 5(3) of the Local Government Act 1966, for the said year as last notified to the constituent council”;

- (b) in section 26 (which relates to precepts in respect of water functions), in subsection (3), for the words from “the greater of the following amounts” to the end of the subsection, there shall be substituted the following—

“the actual product of a rate of a penny in the pound for that constituent district for that year, multiplied by the appropriate factor, as defined by regulations for the time being in force under section 5(3) of the Local Government Act 1966, for that year as notified to the constituent council with the notification of the conclusive calculation (under regulations for the time being in force under section 5(1) of the Local Government Act 1966) of the amount (if any) of the resources element of rate support grant payable to that council for that year; and the Authority shall pay to or, as the case may require, recover from the council concerned the amount shown by the Authority’s calculation to have been overpaid or underpaid by that council”.

Amendment of Water Orders

7. The instruments specified in Part I of the Schedule to these regulations shall be amended as follows:—

- (a) in the respective sections relating to apportionment of deficiency, for the definition of “the appropriate penny rate product” there shall be substituted the following:—

“‘the appropriate penny rate product’ for any constituent district means the product of a rate of a penny in the pound for that district for the year in respect of which a deficiency is to be apportioned, as estimated for the purposes of section 12 of the General Rate Act 1967 (which provides for the making of estimates of a rate of one penny in the pound), multiplied by the appropriate factor, as defined by

regulations for the time being in force under section 5(3) of the Local Government Act 1966, for the said year as last notified to the constituent council”;

- (b) in the respective sections relating to precepts, for the words from “the greater of the following amounts” to the end of the respective subsections in which those words occur and in the case of the Eryri Water Board (Bwrdd Dwr Eryri) Order 1966(a) to the end of the next following subsection, there shall be substituted the following:—

“the actual product of a rate of a penny in the pound for that constituent district for that year, multiplied by the appropriate factor, as defined by regulations for the time being in force under section 5(3) of the Local Government Act 1966, for that year as notified to the constituent council with the notification of the conclusive calculation (under regulations for the time being in force under section 5(1) of the Local Government Act 1966) of the amount (if any) of the resources element of rate support grant payable to that council for that year and the Board shall pay to or, as the case may require, recover from the council concerned the amount shown by the Board’s calculation to have been overpaid or underpaid by that council”;

- (c) the last preceding paragraph of this regulation shall apply in relation to the North and Mid Cornwall Water Order 1965(b) as if for the reference to the conclusive calculation of the amount of the resources element payable to a constituent council there was substituted a reference to the third estimate made and notified to the council by the Minister of the amount of the resources element payable to the council.

8. The instruments specified in Part II of the Schedule to these regulations shall be amended as follows:—

- (a) in the respective sections relating to apportionment of deficiency, for the definition of “the appropriate penny rate product” there shall be substituted the following:—

“the appropriate penny rate product’ for any constituent district means the product of a rate of a penny in the pound for that district for the year in respect of which a deficiency is to be apportioned, multiplied by the appropriate factor, as defined by regulations for the time being in force under section 5(3) of the Local Government Act 1966, for the said year as last notified to the constituent council. For the purposes of this subsection, the product of a rate of a penny in the pound for any year shall—

- (i) in the case of a constituent district which is the whole of the district of a constituent council, be taken as estimated for the purposes of section 12 of the General Rate Act 1967 (which provides for the making of estimates of a rate of a penny in the pound); or
- (ii) in the case of a constituent district which is not the whole of the district of a constituent council and for which no estimate is made for the purposes of the said section 12, be taken as estimated by the constituent council (or, failing the provision of an estimate by the council, by the Board) in accordance with the principles of rules made by the Minister and for the time being in force for the purposes of the said section 12.”;

- (b) in the application of the preceding paragraph of this regulation to the

South West Devon Water Board Order 1963(a), there shall be inserted after the word "means" in the substituted definition, the words "save as the context otherwise requires";

- (c) in the respective sections relating to precepts, in the instruments other than the South West Devon Water Board Order 1963, for the words from "the greater of the following amounts" and, in the South West Devon Water Board Order 1963, for the words from "(a) the actual product of a rate", in both cases to the end of the respective subsections in which those words occur and in the Middle Thames Water Board Order 1966(b) to the end of the next following subsection, there shall be substituted the following:—

"the actual product of a rate of a penny in the pound for that constituent district for that year, multiplied by the appropriate factor, as defined by regulations for the time being in force under section 5(3) of the Local Government Act 1966, for that year as notified to the constituent council with the notification of the conclusive calculation (under regulations for the time being in force under section 5(1) of the Local Government Act 1966) of the amount (if any) of the resources element of rate support grant payable to that council for that year and the Board shall pay to or, as the case may require, recover from the council concerned the amount shown by the Board's calculation to have been overpaid or underpaid by that council".

9. The instruments specified in Part III of the Schedule to these regulations shall be amended as follows:—

- (a) in the respective sections relating to apportionment of deficiency, for the definition of "the appropriate penny rate product" there shall be substituted the following:—

" 'the appropriate penny rate product' for any constituent district means the product of a rate of a penny in the pound for that district for the year in respect of which a deficiency is to be apportioned, multiplied by the appropriate factor, as defined by regulations for the time being in force under section 5(3) of the Local Government Act 1966, for the said year as last notified to the constituent council. For the purposes of this subsection, the product of a rate of a penny in the pound for any year shall—

- (i) in the case of a constituent district not being a county borough or part of the district of a constituent council, be taken as estimated for the purposes of section 12 of the General Rate Act 1967 (which provides for the making of estimates of a rate of a penny in the pound); or
- (ii) in the case of a constituent district which is a county borough or part of the district of a constituent council and for which no estimate is made for the purposes of the said section 12, be taken as estimated by the constituent council (or, failing provision of an estimate by the council, by the Board) in accordance with the principles of rules made by the Minister and for the time being in force for the purposes of the said section 12.";
- (b) in the respective sections relating to precepts, for the words from "the greater of the following amounts" to the words "bears to the said product for the whole district", there shall be substituted the following:—

“the actual product of a rate of a penny in the pound for that constituent district for that year, multiplied by the appropriate factor, as defined by regulations for the time being in force under section 5(3) of the Local Government Act 1966, for that year as notified to the constituent council with the notification of the conclusive calculation (under regulations for the time being in force under section 5(1) of the Local Government Act 1966) of the amount (if any) of the resources element of rate support grant payable to that council for that year and the Board shall pay to or, as the case may require, recover from the council concerned, the amount shown by the Board’s calculation to have been overpaid or underpaid by that council”.

10. The Taf Fechan Water Board Order 1964(a) shall be amended as follows:—

(a) in section 30 (which relates to an apportionment of deficiency) for subsection (6) there shall be substituted the following:—

“(6) For the purpose of this section ‘the product of a penny rate’ means the product of a penny in the pound estimated as follows:—

- (i) in any case not falling within paragraph (ii) of this subsection, as estimated for the purpose of section 12 of the General Rate Act 1967 (which provides for the making of estimates of a rate of a penny in the pound); or
- (ii) in the case of Merthyr Tydfil County Borough Council or any constituent district which is not the whole of the district of a constituent council and for which no estimate is made for the purposes of the said section 12, as estimated by the constituent council (or failing the provision of an estimate by the council, by the Board) in accordance with the principles of rules made by the Minister and for the time being in force for the purpose of the said section 12.”;

(b) in section 31 (which relates to precepts), in subsection (3), for the words “the greater of the following amounts” to the end of the subsection, there shall be substituted the following:—

“the actual product of a rate of a penny in the pound for that constituent district for that year, multiplied by the appropriate factor, as defined by regulations for the time being in force under section 5(3) of the Local Government Act 1966, for that year as notified to the constituent council with the notification of the conclusive calculation (under regulations for the time being in force in section 5(1) of the Local Government Act 1966) of the amount (if any) of the resources element of rate support grant payable to that council for that year and the Board shall pay to or, as the case may require, recover from the council concerned the amount shown by the Board’s calculation to have been overpaid or underpaid by that council”.

Amendment of Main Drainage Orders

11. The Upper Tame Main Drainage Authority Order 1966(b) shall be amended as follows:—

(a) in article 39 (which relates to apportionment of estimated deficiency), for paragraph (4) there shall be substituted the following:—

“(4) For the purposes of this article ‘the appropriate penny rate product’ for any constituent district means the product of a rate of

a penny in the pound for the year in respect of which a deficiency is to be apportioned, multiplied by the appropriate factor, as defined by regulations for the time being in force under section 5(3) of the Local Government Act 1966, for the said year as last notified to the constituent authority. For the purposes of this paragraph, the product of a rate of a penny in the pound for any year shall—

- (i) in the case of a constituent district, being the whole of the district of a constituent authority and not being a county borough, be taken as estimated for the purposes of section 12 of the General Rate Act 1967 (which provides for the making of estimates of a rate of a penny in the pound); or
 - (ii) in the case of a constituent district which is the whole or part of a county borough or part of the district of a constituent authority other than a county borough council, and for which no estimate is made for the purposes of the said section 12, be taken as estimated by the constituent authority (or, failing provision of an estimate by the constituent authority, by the Authority), in accordance with the principles of rules made by the Minister and for the time being in force for the purposes of the said section 12.”;
- (b) in article 40 (which relates to precepts) for the words from “the greater of the following amounts” in paragraph (3) to the end of paragraph (4), there shall be substituted the following:—

“the actual product of a rate of a penny in the pound for that constituent district for that year, multiplied by the appropriate factor, as defined by regulations for the time being in force under section 5(3) of the Local Government Act 1966, for that year as last notified to the constituent authority for that district during the next following year, and the Authority shall pay to or, as the case may require, recover from the authority concerned, the amount shown by the Authority’s calculation to have been overpaid or underpaid by that authority.”

12. The Upper Stour Main Drainage Authority Order 1966(a) shall be amended as follows:—

- (a) in article 37 (which relates to apportionment of estimated deficiency) for the words from the beginning of paragraph (4) to the words “whichever is the greater” there shall be substituted the following:—

“For the purposes of this article ‘the appropriate penny rate product’ for any constituent district means the product of a rate of a penny in the pound for the year in respect of which the deficiency is to be apportioned—

- (i) in the case of the boroughs of Halesowen and Stourbridge, as estimated for the purpose of section 12 of the General Rate Act 1967 (which provides for the making of estimates of a rate of a penny in the pound); and
- (ii) in the case of each of the other constituent districts, as estimated by the constituent authority (or, failing the provision of an estimate by the constituent authority, by the Authority), in accordance with the principles of rules made by the Minister and for the time being in force for the purposes of the said section 12;

multiplied by the appropriate factor, as defined by regulations for the

time being in force under section 5(3) of the Local Government Act 1966, for the said year as last notified to the constituent authority:";

(b) in article 38 (which relates to precepts)—

(i) in paragraph (3), for the words from "greater of the following amounts" to the end of the paragraph, there shall be substituted the following:—

"the relevant amount, that is to say, the actual product of a rate of a penny in the pound for that constituent district for that year, multiplied by the appropriate factor, as defined by regulations for the time being in force under section 5(3) of the Local Government Act 1966, for that year as last notified to the constituent authority for that district during the next following year; and the Authority shall pay to or, as the case may require, recover from the authority concerned the amount shown by the Authority's calculation to have been overpaid or underpaid by that authority:

Provided that during the period of five years beginning on the appointed day, the relevant amount referred to in the foregoing provisions of this paragraph shall, in the case of the borough of Halesowen and of the borough of Stourbridge, be reduced for the purposes of this paragraph by 20 per cent.";

(ii) paragraph (4) shall be omitted.

Amendment of Thames and Lee Conservancy Orders

13. The Thames Conservancy (New Functions of River Authorities in Thames Catchment Area) Order 1964(a) shall be amended as follows:—

(a) sections 87 and 121 of the Water Resources Act 1963, as applied within the Thames catchment area by article 3(1) of and Schedule 1 to the said order, shall apply as amended by regulations for the time being in force under section 5(3) of the Local Government Act 1966;

(b) in article 8, there shall be substituted for paragraph (2) the following paragraph:—

"(2) For the purposes of section 87(9) of the Act of 1963, as amended by regulations for the time being in force under section 5(3) of the Local Government Act 1966 and as applied by this order, the amount of the actual product of a rate of a penny in the pound for the relevant area of a county, county borough or London borough council for any financial year shall be taken to be the actual product of a rate of a penny in the pound for the relevant area of the council for the relevant year and the appropriate factor for any financial year shall be taken to be the appropriate factor for the relevant year as notified to the council with the notification of the conclusive calculation of the amount (if any) of the resources element of rate support grant payable to the council for the relevant year. In this paragraph 'the relevant year' means, in relation to any financial year, the year beginning on 1st April in that financial year."

14. Sections 87 and 121 of the Water Resources Act 1963, as applied within the Lee catchment area by article 3(1) of and Schedule 1 to the Lee Conservancy Catchment Board (New Functions of River Authorities) Order 1965(b), shall apply as amended by regulations for the time being in force under section 5(3) of the Local Government Act 1966.

(a) S.I. 1964/1251.

(b) S.I. 1965/701.

Amendment of Police Amalgamation Orders

15. The Mid-Anglia Police Amalgamation Scheme 1965 (set out in the Appendix to the Mid-Anglia Police (Amalgamation) Order 1965(a)) shall be amended by the substitution for paragraph 3(3) of Schedule 2 (which deals with the Mid-Anglia police fund) of the following:—

“(3) The rate product for a constituent area referred to in the preceding sub-paragraph is the product of a rate of a penny in the pound, as ascertained for the purposes of section 12 of the General Rate Act 1967, for that area for the financial year in question, multiplied by the appropriate factor, as defined by regulations for the time being in force under section 5(3) of the Local Government Act 1966, for that year as last notified to the council concerned during the next following financial year.”

16. The West Midlands Police Amalgamation Scheme 1966 (set out in the Appendix to the West Midlands Police (Amalgamation) Order 1966(b)) shall be amended by the substitution for paragraph 3(3) of Schedule 2 (which deals with the West Midlands police fund) of the following:—

“(3) The rate product for a constituent area referred to in the preceding sub-paragraph is the estimated product of a rate of a penny in the pound for that area for the financial year in question, multiplied by the appropriate factor, as defined by regulations for the time being in force under section 5(3) of the Local Government Act 1966, for that area for that year in both cases as last notified to the council concerned by the Minister during the next following financial year.”

17. The Devon and Exeter Police Amalgamation Scheme 1966 (set out in the Appendix to the Devon and Exeter Police (Amalgamation) Order 1966(c)) shall be amended by the substitution for paragraph 2(4) of Schedule 2 (which deals with contributions to police fund) of the following:—

“(4) The rate product for a constituent area referred to in the preceding sub-paragraph is the actual product of a rate of a penny in the pound for that area for the financial year in question, multiplied by the appropriate factor, as defined in regulations for the time being in force under section 5(3) of the Local Government Act 1966, for that year as last notified to the council concerned during the next following financial year; and for the purposes of the said sub-paragraph the population of an area shall be that population as estimated by the Registrar General of Births, Deaths and Marriages as at 30th June in the financial year in question.”

18. The Somerset and Bath Police Amalgamation Scheme 1966 (set out in the Appendix to the Somerset and Bath Police (Amalgamation) Order 1966(d)) shall be amended by the substitution for paragraph 6(3) of Schedule 2 (which deals with contributions to police fund) of the following:—

“(3) The rate product for a constituent area, referred to in the preceding sub-paragraph, is the product of a rate of a penny in the pound, ascertained in like manner as for the purposes of section 12 of the General Rate Act 1967, for that area for the financial year in question, multiplied by the appropriate factor, as defined by regulations for the time being in force under section 5(3) of the Local Government Act 1966, for that year as last notified to the council concerned during the next following financial year.”

(a) S.I. 1965/294.

(c) S.I. 1966/204.

(b) S.I. 1966/62.

(d) S.I. 1966/1299.

19. The Leicester and Rutland Police Amalgamation Scheme 1966 (set out in the Appendix to the Leicester and Rutland Police (Amalgamation) Order 1966(a)) shall be amended by the substitution for paragraph 3(3) of Schedule 2 (which deals with the Leicester and Rutland police fund) of the following:—

“(3) The rate product for a constituent area referred to in the preceding sub-paragraph is the actual product of a rate of a penny in the pound for that area for the financial year in question, as certified by the district auditor, multiplied by the appropriate factor, as defined by regulations for the time being in force under section 5(3) of the Local Government Act 1966, for that year as last notified to the council concerned during the next following financial year; and for the purposes of the said sub-paragraph, the population of an area shall be that population as estimated by the Registrar General of Births, Deaths and Marriages as at 30th June in the financial year in question.”

THE SCHEDULE

WATER ORDERS

Name of Order	Statutory Instrument number	Number of section relating to apportionment of deficiency and of subsection amended	Number of section relating to precepts and of subsection amended
PART I			
The Cardiganshire Water Board Order 1962 ...	1962/270	31(4)	32(3)
The Pembrokeshire Water Board Order 1962...	1962/389	32(5)	33(4)
The Ely, Mildenhall and Newmarket Water Board Order 1962	1962/503	35(4)	36(3)
The East Lincolnshire Water Board Order 1963	1963/1159	35(4)	36(3)
The West Suffolk Water Board Order 1963 ...	1963/1622	28(4)	29(3)
The West Shropshire Water Board Order 1963	1964/21	29(4)	30(3)
The Merioneth Water Board Order 1964 ...	1964/308	33(4)	34(3)
The West Denbighshire and West Flintshire Water Board Order 1964	1964/2097	43(4)	44(3)
The Radnorshire and North Breconshire Water Board Order 1965	1965/1290	32(5)	33(3)
The North and Mid Cornwall Water Board Order 1965	1965/2197	45(3)	46(3)
The Eryri Water Board (Bwrdd Dwr Eryri) Order 1966	1966/1490	32(4)	33(3) & (4)
PART II			
The Nene and Ouse Water Board Order 1961	1961/2328	28(4)	29(3)
The Northallerton and the Dales Water Board Order 1962	1963/261	29(4)	30(4)
The South West Devon Water Board Order 1963	1963/793	31(5)	32(4)
The Central Flintshire Water Board Order 1964	1964/242	43(4)	44(3)
The Conway Valley Water Board Order 1964...	1964/1673	30(4)	31(3)
The Middle Thames Water Board Order 1966	1966/214	44(4)	45(4) & (5)
The South Wilts Water Board Order 1966 ...	1966/1425	31(4)	32(3)
PART III			
The Calder Water Board Order 1962	1962/1939	31(4)	32(3)
The East Devon Water (Regrouping) Order 1963	1964/418	18(4)	19(3)
The North West Gloucestershire Water Board Order 1964	1964/1895	32(4)	33(3)
The Mid Calder Water Board Order 1965 ...	1965/2006	31(4)	32(4)
The West Glamorgan Water Board Order 1966	1966/1096	30(4)	31(3)

Given under the official seal of the Minister of Housing and Local Government on 3rd April 1967.

(L.S.)

Anthony Greenwood,
Minister of Housing and Local Government.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations amend certain enactments and instruments which provide for apportioning the expenses of a joint authority (such as a river authority, joint water board, or combined police authority) among constituent authorities on the basis of whichever is the greater of—

- (a) their actual or estimated product of a penny rate; or
- (b) their actual or estimated standard penny rate product.

In this formula, the standard penny rate product meant the national average penny rate product per head of population multiplied by the population of the area. The effect of the formula, except as stated below, was for each constituent authority to be able to levy a rate at the same poundage to meet the apportioned expenses of the joint authority, whether or not the constituent authority qualified for Rate-deficiency Grant under the Local Government Act 1958.

The Rating Act 1966 altered the relation between (a) and (b) in the apportionment formula; (a) but not (b) being reduced by the effect of the rate rebates granted under that Act. As a result, authorities contributing on the basis of (b) (i.e. those entitled to the Rate-deficiency Grant) might have to levy a larger rate poundage to meet the precept of the joint authority than authorities contributing on the basis of (a). The Rating (Interim Relief) Act 1964 had produced a similar, though smaller, effect.

The operation of the formula is further affected by the Local Government Act 1966, which replaces Rate-deficiency Grant by the resources element of rate support grant. The difference between actual or estimated penny rate product and actual or estimated standard penny rate product no longer necessarily represents the proportion of grant (i.e. resources element) payable to a qualifying authority because the grant may have been scaled up or down to make the aggregate amount of the resources element payable to all local authorities in England and Wales conform with that aggregate amount as fixed for the year in question by the relevant rate support grant order.

The amendments made by these regulations restore and retain for the future the original effect of the apportionment formula. They substitute for the reference to the standard penny rate product, a reference to the actual or estimated product of a penny rate multiplied by the appropriate factor, which is the ratio representing the increase in a local authority's rate resources resulting from their estimated or actual entitlement (if any) to a payment of the resources element.

Regulation 3 of these regulations amends Schedule 1 to the Housing Act 1961. This Schedule provides for the taking into account of Rate-deficiency Grant in the determination of the amount of supplemental payments to certain housing subsidies payable under that Act. As a result of Rate-deficiency Grant ceasing to be payable for the financial year 1967-68 and subsequent years, there are substituted references to the resources element of rate support grant.