
 STATUTORY INSTRUMENTS

1986 No. 411 (S. 36)
RATING AND VALUATION
WATER SUPPLY, SCOTLAND
**The Rating (Timetable and Procedures) (Scotland) Regulations
1986**

<i>Made</i> - - - -	<i>4th March 1986</i>
<i>Laid before Parliament</i>	<i>11th March 1986</i>
<i>Coming into Operation</i>	<i>1st April 1986</i>

The Secretary of State, in exercise of the powers conferred on him by section 216 of the Local Government (Scotland) Act 1947(a), section 111(1) of the Local Government (Scotland) Act 1973(b) as read with sections 41(1), 60(3) and 85(3) of the Water (Scotland) Act 1980(c) and of all other powers enabling him in that behalf, and after consultation with such associations of local authorities as appear to him to be concerned, hereby makes the following regulations:-

1. These regulations may be cited as the Rating (Timetable and Procedures) (Scotland) Regulations 1986 and shall come into operation on 1st April 1986.

Interpretation

2. In these regulations, unless the context otherwise requires -

“the 1966 Act” means the Local Government (Scotland) Act 1966(d);

“the 1973 Act” means the Local Government (Scotland) Act 1973 and “river purification board” has the meaning assigned to it by section 135 of that Act;

“the 1980 Act” means the Water (Scotland) Act 1980;

“contributing authority”, “water authority” and “water development board” have the meaning assigned to them by section 109 of the 1980 Act;

and other words and expressions used have the same meaning as in the 1973 Act.

3. For the financial year 1987-88 and subsequent financial years the dates for the purposes set out in column 1 of the Schedule to these regulations shall be

(a) 1947 c.43; section 216 was amended by the Local Government (Scotland) Act 1973 (c.65), Schedule 9, paragraph 2, and was applied to river purification boards by section 135(9) of that Act.

(b) 1973 c.65; section 111(1) was amended by the Water (Scotland) Act 1980 (c.45), Schedule 10, Part II, the Local Government (Miscellaneous Provisions) (Scotland) Act 1981 (c.23), Schedule 3, paragraph 27, the Local Government and Planning (Scotland) Act 1982 (c.43), Schedule 3, paragraph 20 and by S.I. 1983/1074.

(c) 1980 c.45.

(d) 1966 c.51.

the dates in the previous financial year which are set out opposite to those purposes in column 2 of that Schedule.

4. Where a district council determine a lower rate under section 108A of the 1973 Act(a) or determine or are deemed to have determined a lower rate under section 5(4)(b) of the 1966 Act(b) the last date for that council to intimate that lower rate to the regional council shall be the second day after the day on which the said rate was determined or deemed to have been determined by the district council.

5.—(1) For the purposes of enabling each district council to determine a district rate for any financial year the regional council shall intimate to each district council within the region an estimate of the product of a rate of one penny in the pound in the area of that district for that year.

(2) For the purpose of enabling a water authority to make any such requisitions as they are required to make under section 60(2) of the 1980 Act each contributing authority shall intimate to the water authority estimates of such rate products as are necessary for the purposes of section 61 of the said 1980 Act.

6.—(1) The amount due by a regional council to a district council in respect of the district rate for any financial year shall be the product of a rate of one penny in the pound for the area of the district for that year multiplied by the number of pence in the pound of the district rate for that year.

(2) For the purposes of these regulations the product of a rate of one penny in the pound shall be calculated or estimated in accordance with the provisions of the Local Government (Rate Product) (Scotland) Regulations 1985(c).

7.—(1) Subject to paragraph (3) below, a regional council shall, during each financial year, by such instalments and at such intervals as the authorities concerned agree or, failing agreement as the Secretary of State may determine, pay to the council of each district which falls within their region the amount due on account of the district rate determined or deemed to be determined by that district council for that year.

(2) Subject to paragraph (3) below, any sum requisitioned from a local authority, water authority or contributing authority by a joint committee, joint board, river purification board, water development board or water authority to defray its expenses shall be payable by such instalments and at such intervals as the authorities concerned agree or, failing agreement as the Secretary of State may determine.

(3) The last instalment payable in respect of a district rate or a requisition shall be payable not later than the 15th March in the financial year to which that rate or requisition relates.

(a) Section 108A was inserted by the Local Government (Miscellaneous Provisions) (Scotland) Act 1981 (c.23), section 15, and was amended by the Local Government and Planning (Scotland) Act 1982 (c.43), Schedule 3, paragraph 19.

(b) Section 5(4) was inserted by section 1(c) of the Local Government and Planning (Scotland) Act 1982 (c.43).

(c) S.I. 1985/246.

8. The Rating (Timetable and Procedures) (Scotland) (No. 2) Regulations 1975(a) are hereby revoked.

Michael Ancram,
Parliamentary Under Secretary of State,
Scottish Office.

New St Andrew's House,
Edinburgh.
4th March 1986.

(a) S.I. 1975/2233, amended by S.I. 1979/1597, 1981/1046 and 1983/862.

SCHEDULE

Regulation 3

<i>Column 1</i>	<i>Column 2</i>
Last date for a resolution to be made by a water authority under section 41 of the 1980 Act.	1st February
Last date for regional council or islands council to send to district councils, joint committees, joint boards, river purification boards, water authorities and water development boards estimates of rate products.	8th February
Last date for water development boards to send requisitions to water authorities.	15th February
Last date for joint committees, joint boards, river purification boards and water authorities to send requisitions to local authorities or contributing authorities.	22nd February
Last date for determining rates (other than rates determined under section 108A of the 1973 Act or determined or deemed to have been determined under section 5(4)(b) of the 1966 Act).	5th March
Last date for district councils to intimate district rate (other than a district rate determined under section 108A of the 1973 Act or determined or deemed to have been determined under section 5(4)(b) of the 1966 Act) to regional council.	7th March

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations consolidate the Rating (Timetable and Procedures) Regulations. They prescribe for the year 1987-88 and subsequent years -

- (a) the dates for certain purposes in regard to the determining of rates, resolutions, requisitions and estimates (regulations 3 and 4 and the Schedule);
- (b) the estimates to be intimated to district councils and water authorities (regulation 5);
- (c) the manner in which the amount due by a regional council to a district council in respect of the district rate is to be ascertained (regulation 6);
- (d) the arrangements for the payment by instalments of amounts due on account of district rates and of sums requisitioned by joint bodies and water authorities (regulation 7).

The earlier regulations are revoked (regulation 8).

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