

1990 No. 1273

LOCAL GOVERNMENT, ENGLAND AND WALES

**The Local Authorities (Capital Finance) (Amendment)
Regulations 1990**

<i>Made - - - -</i>	<i>19th June 1990</i>
<i>Laid before Parliament</i>	<i>20th June 1990</i>
<i>Coming into force</i>	<i>1st July 1990</i>

The Secretary of State for Wales, in exercise of the powers conferred on him by sections 57(1)(c) and 191(1) of the Local Government and Housing Act 1989(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Authorities (Capital Finance) (Amendment) Regulations 1990 and shall come into force on 1st July 1990.

(2) In these Regulations—

“the Act” means the Local Government and Housing Act 1989; and
“the principal Regulations” means the Local Authorities (Capital Finance) Regulations 1990(b).

Specified capital grants: Wales

2. In regulation 9(2) of the principal Regulations—

(a) in sub-paragraph (a), for the words “to (v)” there are substituted the words “, (iii) and (v)”; and

(b) after sub-paragraph (b) there is inserted—

“(c) contributions paid under section 132(1) to the extent that they are paid towards expenditure incurred by a local authority under Part VIII of the Act other than expenditure on —

- (i) a grant in respect of which the authority are under a duty under Part VIII of the Act to approve an application;
- (ii) a grant in so far as it relates to an application which, by virtue of section 112(4)(b) or 113(3)(b), is treated as an application under section 115; or
- (iii) a grant in so far as it relates to an application in respect of a dwelling or a building which is approved by the authority under section 114(4) at the same time as they approve an application under section 114(3) in respect of the same dwelling or building.”.

19th June 1990

David Hunt
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 57 of the Local Government and Housing Act 1989 ("the 1989 Act") empowers the Secretary of State to specify by regulations certain grants, contributions and subsidies paid to local authorities. Such grants etc. then become "specified capital grants" for the purposes of that section. Section 57 provides that if a local authority receive a specified capital grant their relevant credit approvals shall be reduced by deducting therefrom an amount equal to the specified capital grant received.

These Regulations amend the provisions relating to Wales in regulation 9 of the Local Authorities (Capital Finance) Regulations 1990. The effect of the amendments is to define the scope of "specified capital grants" as regards contributions paid by the Secretary of State towards local authority expenditure under Part VIII of the 1989 Act (local authority grants towards costs of housing improvements and repairs etc). The relevant provisions of Part VIII (insofar as they are not already in force) are being brought into force by Commencement Order on 1st July 1990.

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