
STATUTORY INSTRUMENTS

1992 No. 502

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Authorities (Capital Finance)
(Amendment) Regulations 1992

<i>Made</i>	- - - -	<i>5th March 1992</i>
<i>Laid before Parliament</i>		<i>6th March 1992</i>
<i>Coming into force</i>	- -	<i>30th March 1992</i>

The Secretary of State for Wales, in exercise of the powers conferred on him by sections 57(1)(c), 190 and 191(1) of the Local Government and Housing Act 1989⁽¹⁾, 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 1992 and shall come into force on 30th March 1992.

(2) In these Regulations, “the principal Regulations” means the Local Authorities (Capital Finance) Regulations 1990⁽²⁾.

Specified capital grants: Wales

2. In regulation 9 of the principal Regulations—

(a) in paragraph (1) after “England” there is inserted “and, subject to paragraph (2) below, in respect of local authorities in Wales”;

(b) for paragraph (2) there are substituted the following paragraphs—

“(2) Paragraph (1) shall not apply to the grants, contributions and subsidies referred to in that paragraph insofar as they are paid in aid of any expenditure (including administrative expenses) incurred by a local authority in Wales under—

(a) Part XV of the Housing Act 1985, or

(b) Part VIII of the Act on—

(i) a grant in respect of which the authority are under a duty under Part VIII of the Act to approve an application;

(1) 1989 c. 42.

(2) S.I. 1990/432, amended by S.I. 1990/1273 and 1991/500.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (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,

where the expenditure is incurred before 1st April 1992.

(3) For the purposes of paragraph (2), a local authority are deemed to incur all their expenditure on a grant—

- (a) if the grant is paid in one payment, at the time of the payment, or
- (b) if the grant is paid by instalments, at the time of the payment of the final instalment.”

5th March 1992

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 redefine the scope of “specified capital grants” as regards contributions paid by the Secretary of State towards local authority expenditure under—

- (a) Part XV of the Housing Act 1985 (c. 68) (in respect of (a) grants for works of improvement, repair and conversion, and (b) grants for thermal insulation and payments in respect of administrative expenses) where such expenditure is still being incurred under this legislation (which has been repealed with savings by the 1989 Act, section 194 and Schedule 12); and
- (b) Part VIII of the 1989 Act (in respect of grants towards costs of housing improvements and repairs etc.).

From 1st April onwards, contributions paid to Welsh local authorities in aid of their expenditure under the above provisions will, in general, come within the scope of “specified capital grants”.