
STATUTORY INSTRUMENTS

1994 No. 2825

The Local Government Changes for
England (Finance) Regulations 1994

PART III

TRANSITIONAL PROVISIONS

Commutation of, and interest on, periodic payments of grants etc.

42.—(1) Where in relation to an abolished authority—

- (a) before the reorganisation date, the Secretary of State has determined to commute any annual or other periodic payment under section 157 of the 1989 Act (commutation of, and interest on, periodic payments of grants etc.); and
- (b) on that date, the whole or any part of the commuted payment has not been paid,

the payment made by the Secretary of State on or after the reorganisation date shall be made to the designated authority or, if he thinks it appropriate, to the Public Works Loans Commissioners.

(2) Where, after the reorganisation date, it appears to the Secretary of State that a commuted payment made to an abolished authority or, by reference to that authority, to the Public Works Loans Commissioners on or before that date was smaller or greater than it should have been he may on or after the reorganisation date, as the case may require—

- (a) make a payment to the designated authority or to those Commissioners; or
- (b) require a payment to him by the designated authority of such sum as he may direct.

(3) For the purposes of any determination under section 157 of the 1989 Act which may be made on or after the reorganisation date—

- (a) the reference in subsection (1) of that section to expenditure incurred by the local authority shall, in the case of a designated authority, include expenditure incurred by the abolished authority; and
- (b) the reference in subsection (1)(b) of that section to debt of the authority shall, in the case of a designated authority, include debt of the abolished authority.