
STATUTORY INSTRUMENTS

1995 No. 2889

The Local Government Changes for England (Collection Fund Surpluses and Deficits) Regulations 1995

PART II

Transitional provisions

Payments between relinquishing and acquiring authorities

10.—(1) This regulation applies where a billing authority which is an acquiring authority is required by directions made under sections 98(4) or (5) of the 1988 Act to make a transfer between its collection fund and its general fund of a proportion of a community charge difference and for the purposes of this regulation a “community charge difference” means either —

- (a) an estimate of the difference between amounts credited and amounts charged to the income and expenditure account in the collection fund of the relinquishing authority in respect of community charges for the immediately preceding year, or
- (b) the difference between amounts so credited and so charged as shown in the final audited accounts of that authority for that year.

(2) Where a community charge difference is a positive amount, each acquiring authority shall be entitled to receive a payment from the relinquishing authority, and where it is a negative amount, each acquiring authority shall be required to make a payment to the relinquishing authority, which payment shall be —

- (a) of an amount equal to the amount which the acquiring authority is required to transfer under the relevant direction in respect of the community charge difference, and
- (b) made at such time and in such manner as the relinquishing authority and the relevant acquiring authority may agree, and if no such agreement is reached by the date which is 5 days after the date on which the first such difference has been calculated, the time and manner of payment shall be determined by the relinquishing authority.