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STATUTORY INSTRUMENTS

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**1996 No. 325**

**The Water Services Charges (Billing and Collection) (Scotland) Order 1996**

**Payments by local authorities to water authorities**

5.—(1) Subject to article 7 below, the East Dunbartonshire Council and the North Lanarkshire Council shall each pay to the West Authority the sum ascertained in accordance with the formula in article 3(1) above, under deduction of the sum payable by each to the East Authority in accordance with paragraph (2) below.

(2) The sum payable by the East Dunbartonshire Council and by the North Lanarkshire Council to the East Authority shall be ascertained in accordance with the following formula:—

$$(E - F) \times \frac{G}{G + H} \times \frac{96}{100}$$

Where—

E is the total amount paid to the Council in question as council tax or water services charges for the relevant year by persons liable to pay that tax or those charges in respect of dwellings situated in the relevant area;

F is any amount falling within the definition of E above which has been paid by a person and which—

- (a) has subsequently been repaid to him; or
- (b) has subsequently been credited against a liability of his to pay an amount which does not fall within that definition;

G is the total amount payable as water charges in respect of dwellings in the relevant area; and

H is the total amount payable as council tax and sewerage charges for the relevant year in respect of dwellings in that area.

(3) For the purposes of the definitions of G and H in paragraph (2) above, an amount is payable as water charges, sewerage charges or council tax if—

- (a) it has been demanded by the Council in question from a person appearing to that Council to be liable to pay it; and
- (b) it—
  - (i) has been paid;
  - (ii) remains payable; or
  - (iii) has been written off by that Council as irrecoverable.

(4) In paragraph (2) above, “the relevant area” means—

- (a) as regards the East Dunbartonshire Council, the third added area and that part of the second added area situated within the area of that Council;
- (b) as regards the North Lanarkshire Council, that part of the second added area situated within the area of that Council.