
STATUTORY INSTRUMENTS

1998 No. 562

**The Income-related Benefits
(Subsidy to Authorities) Order 1998**

PART II

CLAIMS FOR AND PAYMENT OF SUBSIDY

Payment of subsidy for the relevant year

9.—(1) Subject to paragraphs (2) and (3) and to any subsidy withheld, reduced or deducted in accordance with sections 140B(4) or 140C(3), as the case may be, where he is satisfied that—

(a) the authority has submitted its final claim;

[^{F1}(aa) in the case of an authority in England, the report of factual findings has been properly completed;]

(b) [^{F2}in the case of an authority in Wales or Scotland,] the auditor has audited and certified that claim; and

(c) the conditions of this Part have been complied with,

the Secretary of State shall pay to that authority final subsidy calculated in accordance with Part III.

[^{F3}(2) Any payment pursuant to paragraph (1) shall only be in respect of the balance of subsidy due after the Secretary of State—

(a) has deducted any interim subsidy paid during or in respect of the relevant year; [^{F4}and]

(b) has added or deducted, as the case may be, any amount paid, recovered or withheld pursuant to article 8A in respect of the relevant year;

^{F5}(c)

^{F5}(d)]

(3) The Secretary of State may pay subsidy under paragraph (1) once that submission, audit or certification, as the case may be, has occurred [^{F6}or, as the case may be, once the report of factual findings has been sent to the Secretary of State], despite it occurring after the time required in this Part.

(4) In a case where the third or fourth condition, as the case may be, are not met in relation to any authority, the Secretary of State may pay such amount of subsidy as he is satisfied will be due when that condition is met.

[^{F7}(5) In paragraph (1), a reference to paying final subsidy calculated in accordance with Part III may also be a reference to deducting or withholding subsidy, as the case may be.]

Textual Amendments

- F1** Art. 9(1)(aa) inserted (with effect in accordance with art. 1(4) of the amending S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2018 \(S.I. 2018/985\)](#), arts. 1(1), **5(8)(a)(i)**
- F2** Words in art. 9(1)(b) inserted (with effect in accordance with art. 1(4) of the amending S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2018 \(S.I. 2018/985\)](#), arts. 1(1), **5(8)(a)(ii)**
- F3** Art. 9(2) substituted (with effect in accordance with art. 1(2) of the commencing S.I.) by [Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2006 \(S.I. 2006/54\)](#) , arts. 1(1) , **2(5)(a)**
- F4** Word in art. 9(2) inserted (with effect in accordance with art. 1(2) of the commencing S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2011 \(S.I. 2011/2957\)](#), arts. 1(1), **2(1)(b)(i)**
- F5** Art. 9(2)(c)(d) omitted (with effect in accordance with art. 1(2) of the commencing S.I.) by virtue of [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2011 \(S.I. 2011/2957\)](#), arts. 1(1), **2(1)(b)(ii)**
- F6** Words in art. 9(3) inserted (with effect in accordance with art. 1(4) of the amending S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2018 \(S.I. 2018/985\)](#), arts. 1(1), **5(8)(b)**
- F7** Art. 9(5) inserted (with effect in accordance with art. 1(2) of the commencing S.I.) by [Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2006 \(S.I. 2006/54\)](#) , arts. 1(1) , **2(5)(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Income-related Benefits (Subsidy to Authorities) Order 1998, Section 9.