
STATUTORY INSTRUMENTS

2004 No. 3055

**The Local Authorities (Capital Finance and Accounting)
(Amendment) (England) (No. 2) Regulations 2004**

Use of amounts set aside under the Local Government and Housing Act 1989

7. In regulation 33 of the Principal Regulations (use of amounts set aside under the Local Government and Housing Act 1989)—

(a) in paragraph (1)—

(i) at the beginning, there shall be inserted “Subject to paragraph (4),”; and

(ii) after “may treat”, there shall be inserted “the whole or part of”;

and

(b) at the end, there shall be added—

“(4) Any decision to treat the whole or part of the amount specified in paragraph (2) as if it were a capital receipt, by virtue of paragraph (1), shall be made by the local authority before 1st October 2005.

(5) Any amount treated as if it were a capital receipt, by virtue of paragraph (1), shall be treated as if it were received during the financial year beginning on 1st April 2004.”.