
STATUTORY INSTRUMENTS

2012 No. 20

**The Local Government (Structural Changes)
(Finance) (Amendment) Regulations 2012**

Citation and commencement

1.—(1) These Regulations may be cited as the Local Government (Structural Changes) (Finance) (Amendment) Regulations 2012.

(2) These Regulations come into force on 25th January 2012.

Amendment of the Local Government (Structural Changes) (Finance) Regulations 2008

2. The Local Government (Structural Changes) (Finance) Regulations 2008(1) are amended as follows.

Regulation 3

3. In regulation 3 (responsibility for functions exercised by a shadow council), for paragraph (3) (a) substitute—

“(a) any of sections 31A, 31B(2), 34 to 36A(3) and 52ZF(4) of the 1992 Act.”.

Regulation 4

4. In regulation 4 (responsibility for functions exercised by a preparing council), for paragraph (3) (a) substitute—

“(a) any of sections 31A, 31B, 34 to 36A and 52ZF of the 1992 Act.”.

Regulation 12

5. In regulation 12(1) (interpretation)—

(a) in the definition of “preceding year council tax” for “section 33(1) (basic amount of council tax)” substitute “section 31B(1) (calculation of basic amount of tax by authorities in England)”;

(b) in the definition of “uniform amount of council tax”, for “33(1)” substitute “31B(1)”; and

(c) in paragraph (3), for “11 to 13” substitute “8 to 10”.

Regulation 15

6. In regulation 15 (different basic amounts of council tax for the predecessor areas)—

(1) [S.I. 2008/3022](#).

(2) Sections 31A and 31B were inserted into the Local Government Finance Act [1992 \(c.14\)](#) by section 74 of the Localism Act [2011 \(c.20\)](#).

(3) Section 36A was inserted into the Local Government Finance Act 1992 by paragraph 15 of Schedule 7 to the Localism Act 2011.

(4) Section 52ZF was inserted into the Local Government Finance Act 1992 by Schedule 5 to the Localism Act 2011.

- (a) in paragraph (2)(a), for “32 to 36” substitute “31A, 31B and 34 to 36”; and
- (b) in paragraph (6)(a), before “the” insert “Chapters 3 (setting of council tax) and 6 (miscellaneous and supplemental) of Part 1 of”.

New regulation 15A

7. After regulation 15 insert—

“Modifications to Chapters 4ZA and 6 of Part 1 of the Local Government Finance Act 1992

15A.—(1) In relation to the first year and a reorganised area, Chapters 4ZA (referendums relating to council tax increases) and 6 of Part 1 of the 1992 Act⁽⁵⁾ shall have effect with the modifications specified in Part 1 of Schedule 3 to these Regulations.

(2) In relation to each of the second, the third, the fourth and the fifth years and a reorganised area, Chapters 4ZA and 6 of Part 1 of the 1992 Act shall have effect with the modifications specified in Part 2 of Schedule 3 to these Regulations if an appropriate authority made a determination under regulation 15(1) for the financial year preceding that year.

(3) In relation to the sixth year and a reorganised area, Chapter 4ZA of Part 1 of the 1992 Act shall have effect with the modifications specified in Part 3 of Schedule 3 to these Regulations if the authority made a determination under regulation 15(1) for the fifth year.”.

Regulation 16

8. In regulation 16 (limitation on council tax requirement), in the definition of item T for “33(1)” substitute “31B(1)”.

Schedule 1

9. In Schedule 1 (procedure for exercise by preparing councils of certain functions relating to council tax)—

- (a) omit paragraph 1(3); and
- (b) in paragraph 2 (interpretation) in the definition of “relevant provisions”, for “32 to 37” substitute “31A, 31B, 34 to 36A and 52ZF”.

Schedule 2

10. For Schedule 2 substitute the Schedule in Schedule 1 to these Regulations.

New Schedule 3

11. After Schedule 2 insert the Schedule in Schedule 2 to these Regulations.

(5) Chapter 4ZA was inserted into Part 1 of the Local Government Finance Act 1992 by Schedule 5 to the Localism Act 2011.

Signed by authority of the Secretary of State for Communities and Local Government

6th January 2012

Bob Neill
Parliamentary Under Secretary of State
Department for Communities and Local
Government