
STATUTORY INSTRUMENTS

2017 No. 611

The Combined Authorities (Finance) Order 2017

PART 5

Transitional provisions

Disapplication of power to issue precepts for the financial year 2017/2018 and subsequent years in certain cases

12.—(1) Subject to article 13, the costs of a mayor for the area of a combined authority that are incurred in, or in connection with, the exercise of mayoral functions in the financial year commencing on 1st April 2017 are not to be met from precepts issued by the authority under section 40 of the 1992 Act (issue of precepts by major precepting authorities).

(2) The costs of a mayor for the area of a combined authority that are incurred in, or in connection with, the exercise of mayoral functions in a financial year commencing on or after 1st April 2018 (“the relevant year”) are not to be met from precepts issued by the authority under section 40 of the 1992 Act if the first election of a mayor for the area of the combined authority occurs during the relevant year.

(3) The costs of a mayor for the area of a combined authority that are incurred in, or in connection with, the exercise of mayoral functions in the financial year that immediately follows the relevant year are not to be met from precepts issued by the authority under section 40 of the 1992 Act if the first election of a mayor for the area of the combined authority occurs after 23rd January in the relevant year.

Commencement Information

II Art. 12 in force at 27.4.2017, see [art. 1](#)

Transitional provision relating to the Greater Manchester Combined Authority

13.—(1) This article applies in relation to—

- (a) the Greater Manchester Combined Authority⁽¹⁾;
- (b) a billing authority⁽²⁾ whose area is within the area of the Greater Manchester Combined Authority; and
- (c) the financial year commencing on 1st April 2017 (“the relevant year”).

(2) The costs of the mayor that are incurred in, or in connection with, the exercise of mayoral functions in the relevant year shall be met—

⁽¹⁾ The Greater Manchester Combined Authority was established by article 3 of the Greater Manchester Combined Authority Order 2011 (S.I. 2011/908).

⁽²⁾ See section 1(2) of the Local Government Finance Act 1992 for meaning of “billing authority”.

- (a) in the case of the mayor’s PCC functions, from precepts issued by the Police and Crime Commissioner for Greater Manchester under section 40 of the 1992 Act (issue of precepts by major precepting authorities); and
- (b) in the case of the mayor’s fire and rescue functions, from precepts issued by the Greater Manchester Fire and Rescue Authority under section 40 of that Act.

(3) A billing authority that has been issued with a precept by the Police and Crime Commissioner for Greater Manchester in respect of the relevant year must, on and after 8th May 2017, pay to the mayor out of its collection fund⁽³⁾ the amounts owing in respect of that precept in accordance with the Local Authorities (Funds) (England) Regulations 1992⁽⁴⁾.

(4) A billing authority that has been issued with a precept by the Greater Manchester Fire and Rescue Authority in respect of the relevant year must, on and after 8th May 2017, pay to the combined authority out of its collection fund the amounts owing in respect of that precept in accordance with the Local Authorities (Funds) (England) Regulations 1992.

(5) A billing authority that is required to make payments out of its collection fund to the Greater Manchester Fire and Rescue Authority in respect of the relevant year must, on and after 8th May 2017 pay those amounts to the combined authority in accordance with the Non-Domestic Rating (Rates Retention) Regulations 2013⁽⁵⁾.

(6) In paragraph (2)(b), “fire and rescue functions” means the functions conferred on the combined authority as a fire and rescue authority and exercisable by the Mayor in accordance with an order under sections 105A (other public authority functions) and 107D (functions of mayors: general) of the 2009 Act.

Commencement Information

I2 Art. 13 in force at 27.4.2017, see [art. 1](#)

(3) See section 89 of the Local Government Finance Act 1988 (c. 41) for requirement for a billing authority to maintain a collection fund and section 90(2)(a) of that Act for the obligation to make payments out of that fund in respect of a precept issued by a major precepting authority.

(4) S.I. 1992/2428.

(5) S.I. 2013/452.

Changes to legislation:

There are currently no known outstanding effects for the The Combined Authorities (Finance) Order 2017, PART 5.