STATUTORY INSTRUMENTS

1976 No. 648 (S. 57)

RATING AND VALUATION

The Rating of Transport and Electricity Authorities (Distribution among Local Authorities) (Scotland) Regulations 1976

Made - - - -	21*st April* 1976
Laid before Parliament	5*th May* 1976
Coming into Operation	26*th May* 1976

In exercise of the powers conferred on me by section 111(1) of the Local Government (Scotland) Act 1973**(a)** as read with section 100(3) of the Local Government Act 1948**(b)** as amended by paragraph 14 of Part II of Schedule 6 to the Local Government (Scotland) Act 1975**(c)** and of all other powers enabling me in that behalf, and after consultation with such associations of local authorities as appear to me to be concerned, I hereby make the following regulations:—

1. These regulations may be cited as the Rating of Transport and Electricity Authorities (Distribution among Local Authorities) (Scotland) Regulations 1976 and shall come into operation on 26th May 1976.

2.—(1) The Interpretation Act 1889**(d)** shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(2) References in these regulations to any enactment shall be construed as references to such enactment as amended or extended by or under any other enactment, order or regulations.

(3) In these regulations—

"the Act" means the Local Government Act 1948;

"the North of Scotland District" has the meaning assigned to it by section 144(7) of the Act;

"product of a rate of one penny in the pound" and "standard penny rate product" have the meanings assigned to them respectively by regulations 3 and 4 of the Local Government (Rate Product) (Scotland) Regulations 1975**(e)** and by section 9 of the Local Government (Financial Provisions) (Scotland) Act 1963**(f)**;

(a) 1973 c. 65.
(b) 1948 c. 26.
(c) 1975 c. 30.
(d) 1889 c. 63.
(e) S.I. 1975/652 (1975 I, p. 2346).
(f) 1963 c. 12.

"rate product" in relation to any area for any year means the product of a rate of one penny in the pound or the standard penny rate product, whichever is the greater, for that area for that year;

"year" means the financial year of a local authority.

3. For the year 1976–77 and subsequent years the sums falling to be paid to the Secretary of State under Part V of the Act shall be distributed by him among local authorities—

(*a*) in the case of sums paid by the British Railways Board throughout Scotland;

(*b*) in the case of sums paid by the South of Scotland Electricity Board, in that part of Scotland which is not included in the North of Scotland District; and

(*c*) in the case of sums paid by the North of Scotland Hydro-Electric Board, in the said District,

in accordance with regulation 4 below.

4.—(1) The said sums shall be allocated among regions and islands areas in accordance with the following formula:—

$$A \times \frac{P1}{P2}$$

A being the amount payable by a Board for a year;

P1 being the rate product for that year of a region, or part of a region, or an islands area; and

P2 being the aggregate of the rate products of the regions, parts of regions and islands areas within the area of the appropriate Board.

(2) Out of each of the sums allocated to a region under paragraph (1) above there shall be paid to each of the district councils within that region or relevant part thereof an amount calculated in accordance with the following formula:—

$$S \times \frac{D1}{D2 + R}$$

S being the sum allocated to the region;

D1 being the multiple of the rate product of that district or part of that district and the district rate poundage for the year;

D2 being the aggregate, for all the districts and parts of districts within the region or relevant part thereof, of the multiples of the rate product for each district or part of a district and the relevant district rate poundage for the year; and

R being the multiple of the rate product of the region or part of the region and the regional rate poundage for the year.

(3) Out of each of the sums allocated to a region under paragraph (1) above there shall be paid to the regional council the sum remaining after paying the sums determined under paragraph (2) above, and the whole of the sums allocated to an islands area under paragraph (1) above shall be paid to the islands council.

5. Where a region or district is partly within the North of Scotland District and partly outside that District the rate product of that region or that district shall, for the purposes of distributing the sums paid by the South of Scotland Electricity Board and the North of Scotland Hydro-Electric Board in accordance with regulation 4 above, be apportioned to the parts within and outside the North of Scotland District in the same proportions as the rateable values of all lands and heritages in the said parts bear to the rateable values of all lands and heritages in that region or that district.

Bruce Millan,
One of Her Majesty's Principal Secretaries of State.

New St. Andrew's House,
Edinburgh.

21st April 1976.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations prescribe for the year 1976–77 and subsequent years the method by which payments in lieu of rates by the British Railways Board, the South of Scotland Electricity Board and the North of Scotland Hydro-Electric Board shall be distributed among local authorities in Scotland.

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