STATUTORY INSTRUMENTS

1983 No. 1191

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Government (Prescribed Expenditure) (Wales) Regulations 1983

Made - - - -	*29th July* 1983
Laid before Parliament	*15th August* 1983
Coming into Operation	*5th September* 1983

The Secretary of State for Wales, in respect of Wales, in exercise of the powers conferred on him by section 84 of, and paragraph 4 of Schedule 12 to, the Local Government, Planning and Land Act 1980(**a**) and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Title and commencement

1. These regulations may be cited as the Local Government (Prescribed Expenditure) (Wales) Regulations 1983 and shall come into effect on 5th September 1983.

Expenditure not to be prescribed expenditure

2. Expenditure of any description mentioned in paragraph 1 of Schedule 12 to the Local Government, Planning and Land Act 1980 so far as it is met by a payment made by the Secretary of State for Wales under section 28B of the National Health Service Act 1977(**b**) to—

(a) a local social services authority in Wales towards expenditure incurred or to be incurred by them in connection with any function which, by virtue of section 2(1) or (2) of the Local Authority Social Services Act 1970(**c**), is to be performed through their social services committee, other than functions under section 3 of the Disabled Persons (Employment) Act 1958(**d**);

(b) a district council in Wales towards expenditure incurred or to be incurred by them in connection with their functions under section 8 of the Residential Homes Act 1980(**e**) or Part II of Schedule 9 to the

(**a**) 1980 c.65.
(**b**) 1977 c.49; section 28B was added by section 1 of the Health and Social Services and Social Security Adjudications Act 1983 (c.41).
(**c**) 1970 c.42.
(**d**) 1958 c.33.
(**e**) 1980 c.7.

Health and Social Services and Social Security Adjudications Act 1983(a) (meals and recreation for old people);

(c) an authority in Wales who are a local education authority for the purposes of the Education Acts 1944 to 1981, towards expenditure incurred or to be incurred by them in connection with their functions under those Acts, in so far as they perform those functions for the benefit of disabled persons; and

(d) an authority in Wales who are a local authority for the purposes of the Housing Act 1957(b), towards expenditure incurred or to be incurred by them in connection with their functions under Part V of that Act (provision of housing accommodation),

shall not be prescribed expenditure.

Signed by authority of the Secretary of State.

John Stradling Thomas,
Minister of State, Welsh Office.

29th July 1983.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

Paragraph 1 of Schedule 12 to the Local Government, Planning and Land Act 1980 defines "prescribed expenditure" (the expenditure to which Part VIII of the Act relates). Paragraph 4 of that Schedule permits the Secretary of State to make regulations exempting certain types of expenditure from this definition. The Local Government (Prescribed Expenditure) Regulations 1983 (S.I. 1983/296) specified certain items of expenditure which the Secretary of State had decided should not be prescribed expenditure.

Under the provisions of section 28B of the National Health Service Act 1977, as added by section 1 of the Health and Social Services and Social Security Adjudications Act 1983, the Secretary of State for Wales is able to make payments to local authorities in Wales towards expenditure for disabled people in the fields of education, housing and personal social services. Expenditure incurred by the local authorities in Wales will, to the extent of the said payments by the Secretary of State, add a further category, as respects local authorities in Wales, to those items of expenditure already excluded from the definition of "prescribed expenditure" by the 1983 Regulations.

(a) 1983 c.41.
(b) 1957 c.56.

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