PART II

1. The Diploma of Associateship of the Royal College of Art.

2. The London University Diploma in Fine Art.

3. A Pass either in the Minister's Examination in Drawing or in the Minister's Intermediate Examination in Arts and Crafts, together with the National Diploma in Design, or a Pass in the Final Examination of the Royal Institute of British Architects in Architecture, or a Pass in the Minister's Examination in Painting, Modelling, Pictorial Design, Industrial Design or Illustration.

Given under the Official Seal of the Minister of Education this 10th day of March, 1959.

(L.S.) *Geoffrey Lloyd,*
Minister of Education.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations replace the provisions of the Training of Teachers Grant Regulations, 1955 (and amendments) applicable to training colleges, and art schools providing training for teachers, maintained by local education authorities. They reproduce the effect of those provisions other than those authorising grant, the only modifications of any substance being—

(*a*) the regulations extend to all institutions providing for the training of teachers of technical subjects in establishments of further education ; and

(*b*) specific requirements in relation to premises and accommodation are now laid down (regulation 8).

1959 No. 525

The Rate-deficiency Grants Regulations, 1959

Made - - - -	23*rd March,* 1959
Laid before Parliament	26*th March,* 1959
Coming into Operation	31*st March,* 1959

The Minister of Housing and Local Government, in exercise of his powers under section 15 of the Local Government Act, 1948(**a**), as extended by section 16 of the Local Government Act, 1958(**b**), and of all other powers enabling him in that behalf and, with respect to the times at which payments in respect of Rate-deficiency Grants are to be made, with the consent of the Treasury, hereby makes the following regulations :—

Citation, commencement and application

1. These regulations may be cited as the Rate-deficiency Grants Regulations, 1959, and shall come into operation on the 31st day of March, 1959.

2. Regulations 3 to 15 shall apply in relation to Rate-deficiency Grants for the year 1959-60 and any subsequent year.

(**a**) 11 & 12 Geo. 6. c. 26. (**b**) 6 & 7 Eliz. 2. c. 55.

Interpretation

3.—(1) The Interpretation Act, 1889(a), applies to the interpretation of these regulations as it applies to the intepretation of an Act of Parliament.

(2) In these regulations—

" the Act of 1948 " means the Local Government Act, 1948 ;

" the Minister " means the Minister of Housing and Local Government ;

" council " means a council to whom Rate-deficiency Grants may become payable ;

" year " means a period of twelve months beginning with the 1st day of April ;

" payment date " shall be construed in accordance with paragraph (6) of regulation 12 ; and

references to a general rate fund include references to the general rate of the City of London.

Submission of information

4.—(1) Each council shall, as required from time to time, submit to the Minister, in relation to each year, information as to the matters specified in the Schedule to these regulations.

(2) Any such information shall be submitted on or before such date as the Minister may specify in respect of such information.

5. If it appears to the Minister that the information submitted to him is inadequate for the purpose for which it is required the council shall submit such further information as the Minister may require for that purpose.

6.—(1) The Minister may make such adjustment of the information submitted under regulations 4 and 5 as may be necessary—

(*a*) to secure that proper allowance is made for any alteration made by the council in the year in their method of, or practice in, accounting for income or expenditure, or in their practice in making transfers between the county fund or the general rate fund, as the case may be, and subsidiary accounts or funds or the funds of trading undertakings ;

(*b*) to compensate for the inclusion in or omission from the council's accounts of items of income or expenditure in any case in which those accounts do not properly represent the council's transactions for a period of twelve months ; and

(*c*) to correct any other abnormal treatment of income and expenditure in the council's accounts for the year.

(2) Before making any adjustment in pursuance of this regulation the Minister shall give notice of his intention to the council and shall afford them an opportunity to submit representations thereon.

7. A council shall give the district auditor such access to their accounts and records as he may deem necessary for the examination of any information submitted by them under regulation 4 or 5.

Estimates and conclusive calculations

8.—(1) The Minister shall, before the beginning of each year, estimate, upon the best information available, and notify to each council the amount

(a) 52 & 53 Vict. c. 63.

of the Rate-deficiency Grant (if any) which will become payable for that year to the council, and may make and notify to the council such further estimates of the said grant, taking into account information not previously available, as he may think fit.

(2) As soon as practicable after he has received what appears to him to be sufficient information for the purpose the Minister shall make a conclusive calculation of the said grant and notify the result thereof to the council.

(3) The estimates made by the Minister in January, 1959, of the amounts of the Rate-deficiency Grants which will become payable for the year 1959-60 shall have effect as if they had been made under paragraph (1) of this regulation.

Estimates of population

9. In the conclusive calculations under paragraph (2) of the last preceding regulation the population of any area in any year shall be taken as estimated by the Registrar General for England and Wales as at the 30th day of June in the year and certified to the Minister. In any such estimate, any area forming part of an administrative county but lying within the extent of a county borough shall, unless the Minister otherwise directs, be treated as forming part of the county borough.

Subsidiary funds and accounts

10.—(1) Where a fund or account subsidiary to the county fund or the general rate fund (hereinafter referred to as "the subsidiary fund") is established in pursuance of a public general or local Act, a provisional order or an order made or confirmed in accordance with the Statutory Orders (Special Procedure) Act, 1945(a), payments as between the county fund or the general rate fund and the subsidiary fund shall be treated as expenditure or income of the council but other payments from or to the subsidiary fund shall not be so treated.

(2) Where the subsidiary fund is not established as aforesaid payments as between the county fund or the general rate fund and the subsidiary fund shall not be treated as expenditure or income of the council but other payments from or to the subsidiary fund shall be so treated.

Limitation of grant to normal expenditure

11. In any estimate under paragraph (1) of regulation 8 it shall not be obligatory for account to be taken of section 6 of the Local Government Act, 1958 (which limits Rate-deficiency Grant to normal expenditure).

Payment of grants

12.—(1) Subject to the provisions of regulations 13 to 15 any Rate-deficiency Grant shall be paid in accordance with the following paragraphs of this regulation.

(2) Approximately ninety per centum of the grant as first estimated and notified to the council under paragraph (1) of regulation 8 shall be paid to the council in approximately equal instalments on the payment dates in the year for which the grant is payable:

Provided that where a further estimate of the grant is so notified before or during the said year any instalments falling to be paid later in that year

(a) 9 & 10 Geo. 6. c. 18.

shall, if the notification so provides, be so adjusted as to secure, as far as possible, that there will be paid in that year approximately ninety per centum of the grant as last estimated and so notified.

(3) Any balance appearing to be due to the council at the end of any year, having regard to the estimate of the grant last notified to them, shall be paid in approximately equal instalments on the payment dates in the subsequent year :

Provided that—

(*a*) Where a further estimate of the grant is notified to the council during the said subsequent year any instalments falling to be paid later in that year shall, if the notification so provides, be so adjusted as to secure, as far as possible, that the amount paid to the council in that year will correspond to the balance due to them in accordance with such further estimate ; and

(*b*) No payment need be made under this paragraph to the council if it appears to the Minister that no Rate-deficiency Grant is payable to them for the said subsequent year.

(4) Nothing in paragraphs (2) and (3) of this regulation shall preclude the Minister, if, having regard to the smallness of the amount, he thinks it fit to do so, from paying the whole of the grant as first estimated and notified to the council under paragraph (1) of regulation 8 on the first payment date in the year for which the grant is payable, or from adjusting the amount on any further estimate of the grant under the said paragraph by a single payment made on the payment date next ensuing after the notification of the result of the estimate to the council.

(5) Any balance shown by the conclusive calculation of the grant to be payable to the council shall be paid on the payment date next ensuing after the notification of the result of the calculation to the council.

(6) Instalments shall be payable under this regulation in successive months on or about the 25th day thereof, and " payment dates " in this regulation and in regulations 13 and 14 shall be construed accordingly.

13. Where at the end of any year it appears from the last estimate of the grant notified to the council that sums in excess of the amount of the estimate have already been paid on account of the grant, the Minister may make such deductions, of approximately equal amounts, from the instalments falling to be paid to the council on account of any grant for the subsequent year as will serve to offset the amount of the excess or as much thereof as possible, and any part of such excess which is not so recoverable shall be paid by the council to the Minister in approximately equal instalments on the payment dates in the said year, or, if the council so desire and the Minister so agrees, by a single payment on or about the 25th day of September in that year :

Provided that where there appears, from any estimate of any Rate-deficiency Grant notified to the council during the said year, to be a variation either in the amount of the said excess then outstanding or in the amount of the instalments thereafter falling to be paid to the council on account of any Rate-deficiency Grant in that year, this regulation shall apply afresh to the altered circumstances, but with the substitution of references to the instalments falling to be paid in the remainder of the year and to payment dates within such remainder for references to instalments falling to be paid in the subsequent year and to payment dates within such year.

14. Where it appears from the conclusive calculation of the grant that sums in excess of the amount of the calculation have already been paid on account of the grant to the council the amount of the excess shall be recoverable by the Minister, as far as possible, by deductions from any payments falling to be made to the council on account of any Rate-deficiency Grant during the year then current on the next ensuing payment date, and any part of such excess which is not so recoverable shall be paid by the council to the Minister on the payment date next ensuing after a demand therefor.

15. The making of any payment by way of Rate-deficiency Grant shall be conditional on the provision by Parliament of the necessary moneys.

Revocation of existing regulations

16.—(1) The following regulations—

The Local Government (Grants and Payments) Regulations, 1949(**a**);

The Local Government (Payments of Grants, etc.) Regulations, 1949(**b**);

The Local Government (Grants and Payments) (Calculation of Population) Regulations, 1949(**c**);

are hereby revoked, except in so far as they apply to—

(*a*) Exchequer Equalisation Grants for the year 1958-59 or any earlier year;

(*b*) the scheme made by the Minister of Health under section 10 of the Act of 1948 on the 5th day of August, 1958;

(*c*) the payments to be made by the British Transport Commission under Part V of the Act of 1948; and

(*d*) the payments to be made by the Electricity Council under the said Part V for the year 1958-59 or any earlier year.

(2) The Local Government (Grants and Payments) (Alteration of Boundaries, etc.) Regulations, 1951(**d**), are hereby revoked.

SCHEDULE

MATTERS ON WHICH INFORMATION IS TO BE SUPPLIED

1. In the case of a rating authority, the product of a rate of a penny in the pound in the area as ascertained under the Rate-product Rules, 1959(**e**), or the Rate-product (County Boroughs) Rules, 1959(**f**), or in the case of the Isles of Scilly as ascertained or estimated by the district auditor in accordance with the principles for the time being applicable to the ascertainment and estimation of the product of a penny rate for the purposes of section 9 of the Rating and Valuation Act, 1925(**g**).

2. Contributions by rating authority to county council, or income of county council from rating authorities, under precepts—

(*a*) for general county purposes (with particulars of any amounts referable to expenditure for special county purposes which, for administrative convenience, have been included in the precepts for general county purposes);

(*b*) for special county purposes (with separate particulars of amounts referable to police expenditure, if included).

3. Expenditure and income for special county purposes.

4. Repayments by county council of amounts raised in any county district, or corresponding income of district council.

(**a**) S.I. 1949/2401 (1949 I, p. 2453). (**b**) S.I. 1949/488 (1949 I, p. 2472).
(**c**) S.I. 1949/902 (1949 I, p. 2476). (**d**) S.I. 1951/514 (1951 I, p. 1250).
(**e**) S.I. 1959/258 (Pt. II, p. 2288, of this vol.). (**f**) S.I. 1959/259 (Pt I, p. 1602, of this vol.).
(**g**) 15 & 16 Geo. 5. c. 90.

5. Income from the general rate, or in the case of the City of London the general rate and the poor rate, including any amount levied together with, and as an additional item of, the general rate.

6. Costs of rate collection.

7. Income (or expenditure) in respect of Rate-deficiency Grant or Exchequer Equalisation Grant.

8. Income (or expenditure) under section 100 of the Act of 1948.

9. Contributions under section 15 of the Local Government Act, 1958.

10. Expenditure and income under any scheme under section 10 of the Act of 1948 and section 31 of the London County Council (General Powers) Act, 1951(a).

11. Expenditure and income for police purposes.

12. Expenditure in pursuance of section 25 of the Land Drainage Act, 1930(b).

13. Contributions as between the county fund or the general rate fund and subsidiary funds.

14. Expenditure and income of funds and accounts subsidiary to the county fund or the general rate fund.

15. Capital expenditure in relation to any project in excess of the amount of the product of a rate of a penny in the pound in the area as defined in item 1 met from revenue.

16. Expenditure in excess of the amount of the product of a rate of a penny in the pound in the area as defined in item 1 incurred in the premature redemption of any debt.

17. All other expenditure and income of the council accounted for in Table A of the statutory Epitome of Accounts.

18. Adjustments of expenditure which appear to the council to be required by regulation 6.

19. Any other particulars necessary for the purpose of calculating Rate-deficiency Grants.

Given under the official seal of the Minister of Housing and Local Government this twenty-third day of March, nineteen hundred and fifty-nine.

(L.S.) *Henry Brooke,*
Minister of Housing and Local Government.

We consent to these Regulations in so far as they relate to the times at which payments in respect of Rate-deficiency Grants are to be made.

Martin Redmayne,
Michael Hughes-Young,
Two of the Lords Commissioners of Her Majesty's Treasury.

The twenty-third day of March, nineteen hundred and fifty-nine.

(a) 14 & 15 Geo. 6. c. xli. (b) 20 & 21 Geo. 5. c. 44.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations, which replace existing ones, taking into account the provisions of the Local Government Act, 1958, provide for the submission of information, estimates and conclusive calculations, times of payment, etc. in relation to the Rate-deficiency Grants under section 2 of the Local Government Act, 1948, and sections 5 to 7 of the Act of 1958 for 1959-60 and subsequent years.

1959 No. 259

The Rate-product (County Boroughs) Rules, 1959

Made - - - - 13*th February*, 1959
Coming into Operation 23*rd February*, 1959

The Minister of Housing and Local Government, in exercise of his powers under section 16 of the Local Government Act, 1958(a), and of all other powers enabling him in that behalf, hereby makes the following rules:—

1. These rules may be cited as the Rate-product (County Boroughs) Rules, 1959, and shall come into operation on the 23rd day of February, 1959.

2. These rules shall apply in relation to general grants and to Rate-deficiency Grants for the year 1959-60 and any subsequent year.

3.—(1) The Interpretation Act, 1889(b), applies to the interpretation of these rules as it applies to the interpretation of an Act of Parliament.

(2) In these rules—

"year" means a period of twelve months beginning with the 1st day of April;

"rate" means a general rate, including any amount levied together with, and as an additional item of, a general rate;

"gas hereditament" means a hereditament which a Gas Board is, under section 6 of the Rating and Valuation (Miscellaneous Provisions) Act, 1955(c), to be treated as occupying in the county borough;

"electricity hereditament" means a hereditament which an Electricity Board is, under section 12 of the Local Government Act, 1958, to be treated as occupying in the county borough;

"gross rate income", in relation to any area and to any year, means the total of the gross amounts appearing in the rate book as assessed in respect of hereditaments in the area by the rates made in respect of the year, or any portion thereof, increased by—

(i) (*a*) the amounts which under statutory provision fall to be taken into account for the purpose of ascertaining the proceeds of any rate for the year in respect of contributions in aid of rates;

(a) 6 & 7 Eliz. 2. c. 55. (b) 52 & 53 Vict. c. 63. (c) 4 & 5 Eliz. 2. c. 9.