

SCHEDULE 1

MODIFICATIONS OF ENACTMENTS

Local Government Finance Act 1988

38. After section 88B insert—

“88C Special grants: Wales

(1) The Welsh Ministers may pay a grant (in this section referred to as a special grant) in accordance with this section to a receiving authority in Wales.

(2) Where the Welsh Ministers propose to make one special grant they shall, before making the grant, make a determination stating with respect to the grant—

- (a) to which authority it is to be paid,
- (b) the purpose for which it is to be paid, and
- (c) the amount of the grant or the manner in which the amount is to be calculated.

(3) Where the Welsh Ministers propose to make two or more special grants to different authorities they shall, before making the grants, make a determination stating with respect to the grants—

- (a) to which authorities they are to be paid,
- (b) the purpose for which they are to be paid, and
- (c) either—
 - (i) the amount of the grant which they propose to pay to each authority or the manner in which the amount is to be calculated, or
 - (ii) the total amount which they propose to distribute among the authorities by way of special grants and the basis on which they propose to distribute that amount.

(4) A determination under subsection (2) or (3) above shall be specified in a report (to be called a special grant report) which shall contain such explanation as the Welsh Ministers consider desirable of the main features of the determination.

(5) A special grant report shall be laid before the Assembly and, as soon as is reasonably practicable after the report has been so laid, the Welsh Ministers shall send a copy of it to any receiving authority to whom a special grant is proposed to be paid in accordance with the determination in the report.

(6) No special grant shall be paid unless the special grant report containing the determination relating to the grant has been approved by a resolution of the Assembly.

(7) A special grant report may specify conditions which the Welsh Ministers intend to impose on the payment of (or of any instalment of) special grant to which the report relates; and the conditions may—

- (a) require the provision of returns or other information before a payment is made to the receiving authority concerned, or
- (b) relate to the use of the amount paid, or to the repayment in specified circumstances of all or part of the amount paid, or otherwise.

(8) Without prejudice to compliance with any conditions imposed as mentioned in subsection (7) above, a special grant shall be paid at such time or in instalments of such amounts and at such times as the Welsh Ministers may determine.”