



Local Government Act 1985

1985 CHAPTER 51

PART VIII

FINANCIAL PROVISIONS

Residuary bodies

^{F1}74

Textual Amendments

F1 S. 74 repealed (21.8.1991) by [S.I. 1991/1730, art. 2\(1\)](#).

75^{F2}

Textual Amendments

F2 S. 75 repealed (with savings in [S.I. 1990/431, Sch. 1 para. 1\(a\)](#)) by [Local Government and Housing Act 1989 \(c.42, SIF 81:1\)](#), ss. 194(2), [Sch. 12 Pt. I](#)

76^{F3}

Textual Amendments

F3 S. 76 repealed by [Local Government and Housing Act 1989 \(c.42, SIF 81:1\)](#), s. 194(2), [Sch. 12 Pt. I](#)

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1985, Cross Heading: Residuary bodies. (See end of Document for details)

77 Treatment and distribution of capital and other money.

- (1) The Secretary of State may by order provide—
 - (a) ^{F4}
 - (b) for the payment by a residuary body to [^{F5}any authority to which this subsection applies] of such part (if any) of any capital money received by that body as is specified in the order.
- (2) Subsection (1) above applies to any [^{F6}billing authority] in the area for which the residuary body in question is established and to any new authority established for (or for an area which includes or is included in) that area.
- (3) An order under subsection (1) above may—
 - (a) apply only to capital money of a particular description or make different provision in relation to capital money of different descriptions;
 - (b) apply only to some of the authorities to which that subsection applies or make different provision in relation to different authorities; . . . ^{F7}
 - (c) ^{F7}
- (4) A residuary body may in any financial year distribute among [^{F6}the billing authorities] in the area for which it is established any money (other than capital money) for the time being in the hands of that body; and any such distribution shall be in the same proportions as those that would apply to a levy made by it on those authorities in respect of that year.
- (5) In this section “capital money” means money of such description as may be specified for the purposes of this section by an order made by the Secretary of State [^{F6}and references in this section to a billing authority shall be construed as references to an authority, other than the Council of the Isles of Scilly, which is a billing authority for the purposes of Part I of the Local Government Finance Act 1992.].

Textual Amendments

F4 S. 77(1)(a) repealed by [Local Government and Housing Act 1989 \(c.42, SIF 81:1\)](#), s. 194(2), **Sch. 12 Pt. I**

F5 Words substituted by [S.I. 1990/776, art. 8, Sch. 3 para. 26](#)

F6 Words in s. 77(2)(4)(5) substituted (1.4.1993) by [S.I. 1993/616, art. 3, Sch. 2 Pt. I para. 5](#).

F7 S. 77(3)(c) and word immediately preceding it repealed by [Local Government and Housing Act 1989 \(c.42, SIF 81:1\)](#), s. 194(2), **Sch. 12 Pt. I**

Modifications etc. (not altering text)

C1 S. 77 amended by [S.I. 1985/1884, art. 9\(1\)](#)

C2 S. 77 modified by [Education Reform Act 1988 \(c.40, SIF 41:1\)](#), **ss. 185(8)**, 231(7), 235(6)

C3 S. 77 restricted by [Education Reform Act 1988 \(c.40, SIF 41:1\)](#), **ss. 185(9)**, 231(7), 235(6)

^{F8}78 Accounts.

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Textual Amendments

F8 S. 78 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 10** Group 3

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1985, Cross Heading: Residuary bodies. (See end of Document for details)

F⁹79 Audit.

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Textual Amendments

F9 S. 79 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 10** Group 3

Modifications etc. (not altering text)

C4 S. 79: certain functions transferred by S.I. 1991/517, arts. 2(d), 3(a)

C5 S. 79: certain functions transferred by S.I. 1989/814, **art. 11(a)**

C6 S. 79: certain functions transferred by S.I. 1989/1359, **reg. 11(a)**

C7 S. 79: certain functions transferred by S.I. 1989/2470, **art. 12(a)**

C8 S. 79 excluded by Local Government and Housing Act 1989 (c.42, SIF 81:1, 2), **s. 11(1)(4)**

C9 S. 79 amended by S.I. 1989/1815, art. 2, **Sch. 1 para. 7(3)**

Changes to legislation:

There are currently no known outstanding effects for the Local Government Act 1985, Cross
Heading: Residuary bodies.