SCOTTISH STATUTORY INSTRUMENTS

2004 No. 29

LOCAL GOVERNMENT

The Local Government Capital Expenditure Limits (Scotland) Regulations 2004

Made - - - -	*29th January 2004*
Laid before the Scottish Parliament - - - -	*30th January 2004*
Coming into force - -	*1st April 2004*

The Scottish Ministers in exercise of the powers conferred by section 35(2), (3) and (4) of the Local Government in Scotland Act 2003(**1**) and of all other powers enabling them in that behalf, and after consultation with such associations of local authorities and such other persons as they think fit in accordance with section 39(5) of that Act hereby make the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Local Government Capital Expenditure Limits (Scotland) Regulations 2004 and shall come into force on 1st April 2004.

Regard to be had to code of practice in determination and review of capital expenditure limits

2.—(1) In discharging its duty to determine and keep under review the maximum amount which it can afford to allocate to capital expenditure under section 35(1) of the Local Government in Scotland Act 2003 a local authority shall comply with paragraph (2).

(2) In arriving at the determination of the maximum amount which a local authority can afford to allocate to capital expenditure and in keeping that determination under review, the considerations to which that local authority must have regard shall include the Chartered Institute of Public Finance and Accountancy Prudential Code for Finance in Local Authorities(**2**) as amended or re-issued from time to time.

(**1**) 2003 asp 1.
(**2**) Published by CIPFA, 3 Robert Street London WC2N 6RL in 2003. ISBN 0 85299 989 5.