Industrial Development Act 1982

1982 CHAPTER 52

E+W+S

An Act to consolidate, with certain exceptions, the Local Employment Act 1972, Parts I and II of the the Industry Act 1972, section 18 of the Industry Act 1980, section 6 of the Industry Act 1981 and related enactments.] [28th October 1982]

Modifications etc. (not altering text)

C1 Act functions in part made exercisable concurrently or jointly with the Welsh Ministers by 2006 c. 32, Sch. 3A para. 1 (as inserted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 4 para. 1** (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(p))

Modifications etc. (not altering text)

C2 Act (with the exceptions of ss. 1, 8(5) and (7), 10, 15 and 16): functions modified (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**

C3 Act (with exceptions in ss. 1, 8(5)(7), 10, 15, 16): functions modified (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**

Commencement Information

I1 Act wholly in force at 29.1.83; see s. 20(2)

PART I E+W+S

ASSISTED AREAS

1 Development areas, special development areas and intermediate areas. E+W+S

(1) For the purposes of this Act, and of any other enactment referring to development areas or intermediate areas under this Act, the Secretary of State may by order specify any area of Great Britain as—

(a) a development area; or

(b) an intermediate area.

[F1](2) . . . . . .

(3) In exercising his powers under the preceding provisions of this section the Secretary of State shall have regard to all the circumstances actual and expected, including the state of employment and unemployment, population changes, migration and the objectives of regional policies.

[[F2](4) An order under this section may describe a development area, intermediate area [F3]... by reference to any of the following kinds of area or any combination of those areas, that is to say—

(a) wards;

(b) travel to work areas (being areas by reference to which the Secretary of State publishes unemployment statistics);

(c) any other area which has been created by, or exists or existed for the purposes of, any Act or statutory instrument (whenever passed or made);

and any order under this section may provide for any reference in the order to any named area or combination of areas to be construed as a reference to that area or combination of areas as it or they existed on a date specified in the order.**]**

[F4](5) . . . . . .

[F5](6) . . . . . .

(7) An order under this section shall be contained in a statutory instrument which, subject to subsection (8) below, shall be subject to annulment in pursuance of a resolution of either House of Parliament[F6]....

[F7](8) . . . . . .

Textual Amendments

F1 S. 1(2) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 16** Group 2

F2 S. 1(4) substituted (with saving) by Co-operative Development Agency and Industrial Development Act 1984 (c. 57, SIF 64), **ss. 4**, 7(1)(*b*)

F3 Words in s. 1(4) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 16** Group 2

F4 S. 1(5) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 16** Group 2

F5 S. 1(6) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 16** Group 2

F6 Words in s. 1(7) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 16** Group 2

F7 S. 1(8) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 16** Group 2

Modifications etc. (not altering text)

C4 S. 1(1) restricted by Regional Development Grants (Termination) Act 1988 (c. 11, SIF 64), **s. 1(4)(a)**

C5 S. 1(2) restricted by Regional Development Grants (Termination) Act 1988 (c. 11, SIF 64), **s. 1(4)(b)**

[F8] PART II E+W+S

REGIONAL DEVELOPMENT GRANTS

Textual Amendments

F8 Pt. II repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 16** Group 2

2 Grants for projects of investment in development areas. E+W+S

. . . . . .

3 Approval of projects by Secretary of State. E+W+S

. . . . . .

4 Amount and payment of grants. E+W+S

. . . . . .

5 Provisions supplementary to ss. 3 and 4. E+W+S

. . . . . .

6 Conditions. E+W+S

. . . . . .

PART III U.K.

FINANCIAL ASSISTANCE FOR INDUSTRY

7 Selective financial assistance for industry in assisted areas. U.K.

(1) For the purposes set out in the following provisions of this section the Secretary of State may, with the consent of the Treasury, provide financial assistance where, in his opinion—

(a) the financial assistance is likely to provide, maintain or safeguard employment in any part of the assisted areas; and

(b) the undertakings for which the assistance is provided are or will be wholly or mainly in the assisted areas.

(2) The purposes mentioned in subsection (1) above are—

(a) to promote the development or modernisation of an industry;

(b) to promote the efficiency of an industry;

(c) to create, expand or sustain productive capacity in an industry, or in undertakings in an industry;

(d) to promote the reconstruction, reorganisation or conversion of an industry or of undertakings in an industry;

(e) to encourage the growth of, or the proper distribution of undertakings in, an industry;

(f) to encourage arrangements for ensuring that any contraction of an industry proceeds in an orderly way.

(3) Subject to the following provisions of this section, financial assistance under this section may be given on any terms or conditions, and by any description of investment or lending or guarantee, or by making grants, and may, in particular, be—

(a) investment by acquisition of loan or share capital in any company, including an acquisition effected by the Secretary of State through another company, being a company formed for the purpose of giving financial assistance under this Part of this Act or Part II of the [M1]Industry Act 1972,

(b) investment by the acquisition of any undertaking or of any assets,

(c) a loan, whether secured or unsecured, and whether or not carrying interest, or interest at a commercial rate,

(d) any form of insurance or guarantee to meet any contingency, and in particular to meet default on payment of a loan, or of interest on a loan, or non-fulfilment of a contract.

(4) Financial assistance shall not be given under this section in the way described in subsection (3)(a) above unless the Secretary of State is satisfied that it cannot, or cannot appropriately, be so given in any other way; and the Secretary of State, in giving financial assistance in the way so described, shall not acquire any shares or stock in a company without the consent of that company.

[[F9](4A) The Scottish Ministers may, to such extent and subject to such conditions as they think appropriate, delegate their function under subsection (1) to such persons as they may determine.

(4B) Where the Scottish Ministers make a delegation under subsection (4A) to a person, they may also delegate to that person their function of being satisfied as mentioned in subsection (4).

(4C) Where the Scottish Ministers make a delegation under subsection (4A), the reference in subsection (3)(a) to a company formed for the purpose of giving financial assistance is to be construed as a reference to a company formed by the person to whom the function is delegated under subsection (4A).

(4D) A delegation under subsection (4A) or (4B) does not affect the ability of the Scottish Ministers to carry out the function delegated.

(4E) A delegation under subsection (4A) or (4B) may be varied or revoked at any time.**]**

(5) In this section "industry", unless the context otherwise requires, includes any description of commercial activity, and references to an industry include references to any section of an industry.

(6) In this section "the assisted areas" means the development areas, the intermediate areas and Northern Ireland.

Textual Amendments

F9 S. 7(4A)-(4E) inserted (S.) (1.8.2010) by Public Services Reform (Scotland) Act 2010 (asp 8), **ss. 9**, 134(7); S.S.I. 2010/221, art. 3(2), Sch.

Modifications etc. (not altering text)

C6 S. 7: functions transferred (1.7.1999) by 1998 c. 46, **ss. 53**, 56(1)(h) (with ss. 54, 126(3)-(11), Sch. 4 Pt. III paras. 12-14); S.I. 1998/3178, **art. 3**.
S. 7: functions modified (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**

C7 S. 7: certain functions made exercisable concurrently by the Scottish Ministers and a Minister of the Crown (27.6.2002) by The Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2002 (S.I. 2002/1630), art. 2, **Sch.**

Marginal Citations

M1 1972 c. 63.

8 Selective financial assistance: general powers. U.K.

(1) For the purposes set out in subsection (2) of section 7 above the Secretary of State may, with the consent of the Treasury, provide financial assistance where, in his opinion—

(a) the financial assistance is likely to benefit the economy of the United Kingdom, or of any part or area of the United Kingdom; and

(b) it is in the national interest that the financial assistance should be provided on the scale, and in the form and manner, proposed; and

(c) the financial assistance cannot, or cannot appropriately, be so provided otherwise than by the Secretary of State.

(2) Financial assistance under this section may, subject to the following provisions of this section, be given in any of the ways set out in subsection (3) of section 7 above; but the Secretary of State shall not under this section use any money for the acquisition or assistance of banks or insurance companies.

(3) Financial assistance shall not be given under this section in the way described in subsection (3)(a) of section 7 above unless the Secretary of State is satisfied that it cannot, or cannot appropriately, be so given in any other way; and the Secretary of State, in giving financial assistance in the way so described, shall not acquire any shares or stock in a company without the consent of that company.

(4) The aggregate of—

(a) the sums paid by the Secretary of State under this section or section 8 of the [M2]Industry Act 1972, other than sums paid in respect of foreign currency guarantees, and

(b) the liabilities of the Secretary of State under any guarantees given by him under this section or that section, (exclusive of any liability in respect of interest on a principal sum so guaranteed and of any liability under a foreign currency guarantee),

less any sum received by the Secretary of State by way of repayment of loans under this section or that section, or repayment of principal sums paid to meet a guarantee under this section or that section (other than a foreign currency guarantee), shall not at any time exceed the limit specified in subsection (5) below.

[[F10](5) The limit shall be £12,000 million, but the Secretary of State may, on not more than four occasions, by order made with the consent of the Treasury increase or further increase that limit by a sum specified in the order, being a sum not exceeding £1,000 million.**]**

(6) Subject to section 9 below, the aggregate of—

(a) the liabilities of the Secretary of State under foreign currency guarantees (exclusive of any liability in respect of interest on a principal sum guaranteed by him under this section or section 8 of the [M3]Industry Act 1972), and

(b) any sums paid by the Secretary of State in respect of foreign currency guarantees,

less any sums received by the Secretary of State by way of repayment of principal sums paid to meet foreign currency guarantees, shall not at any time exceed the limit specified in subsection (7) below.

(7) The said limit shall be 1,000 million special drawing rights, but the Secretary of State may, on not more than four occasions, by order made with the consent of the Treasury increase or further increase that limit by an amount specified in the order, being an amount not exceeding 500 million special drawing rights.

(8) Subject to subsection (9) below, the sums which **[**[F11]are paid, or undertaken to be paid,**]** by way of financial assistance under this section in respect of any one project, excluding sums paid or to be paid in respect of foreign currency guarantees, shall not exceed £10 million **[**[F12]in the case of payments made, or undertakings given by, the Scottish Ministers, or £30 million in any other case**]**, except so far as any excess over the said sum of £10 million **[**[F13]or £30 million**]** has been authorised by a resolution of the Commons House of Parliament.

(9) Subsection (8) above shall not apply where the Secretary of State is satisfied that the payment or undertaking is urgently needed at a time when it is impracticable to obtain the approval of the Commons House of Parliament; and in that case the Secretary of State shall lay a statement concerning the financial assistance before each House of Parliament.

(10) An order under subsection (5) or (7) above shall be contained in a statutory instrument; and such an order shall not be made unless a draft of the order has been approved by a resolution of the Commons House of Parliament.

(11) In this section—

"foreign currency" means any currency other than sterling, including special drawing rights;

"foreign currency guarantee" means a guarantee given under that section or section 8 of the [M4]Industry Act 1972 by the Secretary of State under which his liability is measured in a foreign currency, whether or not it is to be discharged in a foreign currency, and for this purpose—

(a) a liability measured in sterling but expressed to be subject to a limit in a foreign currency shall be taken to be measured in foreign currency, and

(b) a liability measured in foreign currency but expressed to be subject to a limit in sterling shall be taken to be measured in sterling;

"guarantee" includes any form of insurance.

Textual Amendments

F10 S. 8(5) substituted (21.5.2009) by Industry and Exports (Financial Support) Act 2009 (c. 5), **ss. 1(1)**, 3(2)

F11 Words in s. 8(8) substituted (4.7.2016) by Enterprise Act 2016 (c. 12), **ss. 34(a)**, 44(2)(f)

F12 Words in s. 8(8) inserted (4.7.2016) by Enterprise Act 2016 (c. 12), **ss. 34(b)**, 44(2)(f)

F13 Words in s. 8(8) inserted (4.7.2016) by Enterprise Act 2016 (c. 12), **ss. 34(c)**, 44(2)(f)

Modifications etc. (not altering text)

C8 S. 8: functions transferred (1.7.1999) by 1998 c. 46, **ss. 53**, 56(1)(h) (with ss. 54, 126(3)-(11), Sch. 4 Pt. III paras. 12-14); S.I. 1998/3178, **art. 3**.

C9 S. 8 modified (W.) (1.7.1999) by S.I. 1999/672, art. 5, **Sch. 2**

C10 S. 8 (except subsections (5) and (7)): functions modified (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**

C11 S. 8(1): certain functions made exercisable concurrently by the Scottish Ministers and a Minister of the Crown (27.6.2002) by The Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2002 (S.I. 2002/1630), art. 2, **Sch.**

C12 S. 8(4)(5) modified (25.3.2020) by Coronavirus Act 2020 (c. 7), **ss. 75(1)**, 87(1)

C13 S. 8(5)(7): functions modified (1.7.1999) by S.I. 1999/672, art. 5, **Sch. 2**

Marginal Citations

M2 1972 c. 63.

M3 1972 c. 63.

M4 1972 c. 63.

9 Limit on foreign currency liabilities: supplementary provisions. U.K.

(1) The amount to be taken into account under section 8(6) above at any time in respect of a liability of the Secretary of State shall, if the amount of the liability is not expressed in special drawing rights, be the equivalent at that time in special drawing rights of the amount of the liability.

(2) The equivalent in special drawing rights of the amount of a liability shall be determined by the Secretary of State—

(a) by reference to the day on which the guarantee is given, and

(b) by reference to the last day of each quarter at the end of which the guarantee remains in force,

and shall be so determined having regard to what appears to him to be the appropriate rate of exchange.

(3) A determination made under subsection (2)(a) above shall take effect as from the day by reference to which it is made and (unless it ceases to be required at an earlier date) shall remain in force until the end of the quarter in which the guarantee is given.

(4) A determination made by reference to the last day of the quarter under subsection (2)(b) above shall take effect as from the end of that quarter and (unless it ceases to be required at an earlier date) shall remain in force throughout the next succeeding quarter.

(5) The amount to be taken into account under section 8(6) above in respect of a sum paid or received by the Secretary of State otherwise than in special drawing rights shall be an amount determined by him, by reference to the day of payment or receipt and

having regard to what appears to him to be the appropriate rate of exchange, as being the equivalent in special drawing rights of that sum.

(6) The limit imposed by section 8(6) above may be exceeded if the excess is attributable only to, or to a combination of—

(a) a quarterly revaluation;

(b) the Secretary of State's liability under a guarantee given in pursuance of a previous undertaking of his, so far as the amount to be taken into account for the purposes of the limit in respect of the liability exceeds what it would have been if determined by reference to the day on which the undertaking was given;

(c) a payment made by the Secretary of State under a guarantee, so far as the amount to be taken into account for the purposes of the limit in respect of the payment exceeds what it would have been if determined by reference to the day on which the guarantee was given.

(7) In this section—

"guarantee" has the same meaning as in section 8 above;

"quarter" means a quarter ending with 31st March, 30th June, 30th September or 31st December in any year;

"quarterly revaluation" means a determination made, or (in relation to any time in the quarter current at the commencement of this Act) having effect as if made, under subsection (2)(b) above.

Modifications etc. (not altering text)

C14 S. 9: functions transferred (1.7.1999) by 1998 c. 46, **ss. 53**, 56(1)(h) (with ss. 54, 126(3)-(11), Sch. 4 Pt. III paras. 12-14); S.I. 1998/3178, **art. 3**.

10 Industrial Development Advisory Board. U.K.

(1) There shall continue to be a board called the Industrial Development Advisory Board appointed by the Secretary of State to advise him with respect to the exercise of his functions under sections 7 and 8 above.

(2) The Board shall consist of a chairman and not less than six nor more than twelve other members.

(3) The members of the Board shall include persons who appear to the Secretary of State to have wide experience of, and to have shown capacity in, industry, banking, accounting and finance.

(4) If the Board make a recommendation with respect to any matter at the request of the Secretary of State and the Secretary of State exercises his functions under sections 7 and 8 above contrary to their recommendation, he shall, if the Board so request, lay a statement as to the matter before Parliament.

Modifications etc. (not altering text)

C15 S. 10: Functions of Minister of the Crown transferred (1.7.1999) to Scottish Ministers by 1998 c. 46, **ss. 53**, 56(1)(h) (with ss. 54, 126(3)-(11), Sch. 4 Pt. III paras. 12-14); S.I. 1998/3178, **art. 3**.

PART IV U.K.

MISCELLANEOUS

General assistance for industry

11 Advice for businesses. U.K.

(1) The Secretary of State may make provision for the giving of advice (whether free of charge or otherwise) to persons carrying on or proposing to carry on a business.

(2) Not later than six months after the end of any financial year in which this power is used the Secretary of State shall prepare and lay before Parliament a report on the exercise during the year of his powers under this section.

[F14](3) . . . . . .

Textual Amendments

F14 S. 11(3) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 16** Group 2

Modifications etc. (not altering text)

C16 S. 11: functions transferred (1.7.1999) by 1998 c. 46, **ss. 53**, 56(1)(h) (with ss. 54, 126(3)-(11), Sch. 4 Pt. III paras. 12-14); S.I. 1998/3178, **art. 3**.

12 Powers to promote careers in industry etc. U.K.

(1) The Secretary of State may make such grants or loans to any body as he considers appropriate for the purpose of assisting in—

(a) the promotion of the practice of engineering;

(b) the encouragement and improvement of links between industry, or any part of industry, and bodies or individuals concerned with education;

(c) the encouragement of young persons and others to take up careers in industry, or in any part of industry, and to pursue appropriate educational courses.

(2) Any grants under this section may be made on such conditions, and any loans under this section may be made at such rates of interest, as the Secretary of State may with the approval of the Treasury determine.

(3) The Secretary of State shall not determine a rate of interest in respect of a loan under this section which is lower than the lowest rate for the time being determined by the Treasury under section 5 of the [M5]National Loans Act 1968 in respect of comparable loans out of the National Loans Fund.

(4) The Secretary of State may, with the approval of the Treasury, guarantee obligations (arising out of loans) incurred by any body which falls within subsection (5) below and which in his opinion is concerned with promoting the practice of engineering.

(5) A body falls within this subsection if—

(a) it is established by Royal Charter; and

(b) its members are for the time being appointed by the Secretary of State.

Modifications etc. (not altering text)

C17 S. 12: functions transferred (1.7.1999) by 1998 c. 46, **ss. 53**, 56(1)(h) (with ss. 54, 126(3)-(11), Sch. 4 Pt. III paras. 12-14); S.I. 1998/3178, **art. 3**.

C18 S. 12: functions modified (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**

Marginal Citations

M5 1968 c. 13.

13 Improvement of basic services [F15in development areas and intermediate areas]. E+W+S

(1) Where it appears to the Minister in charge of any government department that adequate provision has not been made for the needs of any development area or intermediate area in respect of a basic service for which the department is responsible, and that it is expedient with a view to contributing to the development of industry in that area that the service should be improved, he may with the consent of the Treasury make grants or loans towards the cost of improving it to such persons and in such manner as appear to him appropriate.

(2) In this section "basic service" means the provision of facilities for transport (whether by road, rail, water or air) or of power, lighting, heating, water, or sewerage, and sewage disposal facilities, or any other service or facility on which the development of the area in question, and in particular of industrial undertakings therein, depends.

(3) The powers conferred by this section are in addition to any other powers of a Minister of the Crown to make grants or loans.

Textual Amendments

F15 Words in s. 13 heading inserted (4.7.2016) by Enterprise Act 2016 (c. 12), **ss. 35(2)**, 44(2)(f)

Modifications etc. (not altering text)

C19 S. 13: functions transferred (1.7.1999) by 1998 c. 46, **ss. 53**, 56(1)(h) (with ss. 54, 126(3)-(11), Sch. 4 Pt. III paras. 12-14); S.I. 1998/3178, **art. 3**.

C20 S. 13: functions modified (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**

[F16 13A Improvement of electronic communications networks and services etc U.K.

(1) This section applies if it appears to the Secretary of State that adequate provision has not been made for an area in respect of electronic communications facilities.

(2) The Secretary of State may, with the consent of the Treasury, make a grant or loan towards the cost of improving an electronic communications facility if—

(a) the Secretary of State considers that doing so is likely to contribute to the development of industry in the area, or

(b) the Secretary of State considers that doing so is likely to benefit the area in any other way (for example, by improving social or economic inclusion), and the grant or loan is made to an undertaking that is, or is to be, carried on in the area.

(3) In this section—

(a) "area" means the United Kingdom or a part or area of the United Kingdom;

(b) "electronic communications facility" means an electronic communications network, electronic communications service or associated facility, as defined by section 32 of the Communications Act 2003.

(4) The power conferred by this section is in addition to any other powers of the Secretary of State to make grants or loans.**]**

Textual Amendments

F16 S. 13A inserted (4.7.2016) by Enterprise Act 2016 (c. 12), **ss. 35(3)**, 44(2)(f)

14 Provision of premises and sites. E+W

(1) The Secretary of State shall have power, in order to provide or facilitate the provision of premises in any development area or intermediate area for occupation by undertakings carried on or to be carried on there or for otherwise meeting the requirements of such undertakings (including requirements arising from the needs of persons employed or to be employed therein)—

(a) to acquire land by agreement or, if so authorised, compulsorily;

(b) to erect buildings and carry out works on land belonging to the Secretary of State;

(c) by agreement with the persons interested in any other land, to erect buildings and carry out works on the land on such terms (including terms as to repayment of expenditure incurred by the Secretary of State) as may be specified in the agreement.

(2) The Secretary of State shall not acquire under subsection (1) above any buildings other than industrial buildings (as defined in **[**[F17]section 14A of this Act**]**) except for redevelopment or as part of a larger property which in the opinion of the Secretary of State would be incomplete without them.

(3) The Secretary of State may modernise, adapt or reconstruct any buildings or other works on land acquired by him under this section or the [M6]Local Employment Act 1972 and, where the execution of that work will interrupt the use of the buildings or works by any undertaking, acquire other land by agreement, and erect buildings and carry out works on that other land, or on land previously acquired by the Secretary of State as aforesaid, for the purpose of providing premises for the occupation of that undertaking or of otherwise meeting its requirements.

(4) Where land acquired by the Secretary of State under this section or the [M7]Local Employment Act 1972 is situated in a locality which is not a development area or intermediate area, the Secretary of State may exercise in relation to the land the following powers, that is to say—

(a) power to preserve and maintain the land and any buildings or works on it, and to erect buildings and carry out works on it;

(b) where there are buildings on the land, power to acquire by agreement other land contiguous or adjacent to it for the purpose of erecting thereon extensions to those buildings or of erecting thereon other buildings to be used with the first-mentioned buildings as part of a single undertaking;

(c) power to provide means of access, services and other facilities for meeting the requirements of undertakings carried on, or to be carried on, on the land (including requirements arising from the needs of persons employed or to be employed therein).

(5) The [M8]Acquisition of Land Act 1981 shall apply in relation to the compulsory purchase of land by the Secretary of State under this section; but, notwithstanding anything in this section, where at the time of publication in accordance with the provisions of that Act of notice of the preparation of a draft of a compulsory purchase order—

(a) land is in use for the purposes of any undertaking, and

(b) that undertaking provides employment which is substantial having regard to the extent of the land used for its purposes and the nature of the undertaking,

the Secretary of State shall not be authorised to acquire compulsorily the interest of the person carrying on the undertaking.

[F18](6) . . . . . .

Textual Amendments

F17 Words substituted by Housing and Planning Act 1986 (c. 63, SIF 123:1), ss. 49, 53, **Sch. 11 Pt. I para. 25(2)**

F18 S. 14(6) omitted (13.7.2016) by virtue of Housing and Planning Act 2016 (c. 22), s. 216(3), **Sch. 14 para. 15**; S.I. 2016/733, reg. 3(h) (with reg. 6)

Marginal Citations

M6 1972 c. 5.

M7 1972 c. 5.

M8 1981 c. 67.

[F19 14A Meaning of "industrial buildings". E+W+S

(1) In section 14(2) of this Act " industrial building " means a building which is used or designed for use for carrying on, in the course of a trade or business, a process for or incidental to any of the following purposes—

(a) the making of any article or part of any article,

(b) the altering, repairing, ornamenting, finishing, cleaning, washing, freezing, packing or canning, or adapting for sale, or breaking up or demolition, of any article, or

(c) the getting, dressing or preparation for sale of minerals or the extraction or preparation for sale of oil or brine,

or which is used or designed for use for carrying on, in the course of a trade or business, scientific research.

(2) For the purposes of subsection (1) premises which—

(a) are used or designed for use for providing services or facilities ancillary to the use of other premises for the carrying on of any such process or research as is mentioned in that subsection, and

(b) are or are to be comprised in the same building or the same curtilage as those other premises,

shall themselves be treated as used or designed for use for the carrying on of such a process or, as the case may be, of such research.

(3) In this section—

" article " means an article of any description, including a ship or vessel;

" building " includes part of a building;

" minerals " includes all minerals and substances in or under land of a kind ordinarily worked for removal by underground or surface working, except that it does not include peat cut for purposes other than sale;

" scientific research " means any activity in the fields of natural or applied science for the extension of knowledge". **]**

Textual Amendments

F19 S. 14A inserted by Housing and Planning Act 1986 (c. 63, SIF 123:1), ss. 49, 53, **Sch. 11 Pt. I para. 25(3)**

Reports and accounts

15 Annual reports. U.K.

(1) For each financial year the Secretary of State shall prepare a report on the discharge of his functions—

(a) **[**[F20]under Parts 1 and 3**]** and sections 13 and 14 of this Act,

[[F21](b) under section 67(1) of the [M9] Town and Country Planning Act 1971 and section 65(1) of the [M10] Town and Country Planning (Scotland) Act 1972 (industrial development certificates), **]**

(c) under Part III of the [M11]Industry Act 1972 (including any functions in respect of guarantees given by him under section 7 of the [M12]Shipbuilding Industry Act 1967), and

(d) under the [M13]English Industrial Estates Corporation Act 1981,

and shall lay the report before Parliament not later than six months after the end of the financial year to which it relates.

(2) The Secretary of State may discharge his duty under this section in any year by making a report on his functions under Part I, [F22]... Part III or sections 13 and 14 of this Act, or under the other enactments mentioned in subsection (1) above and one or more separate reports on the remaining functions.

(3) A report under this section relating to Part III of this Act or Part III of the [M14]Industry Act 1972 shall contain a statement showing the total amount of the liabilities of the Secretary of State (exclusive of any liability in respect of interest on a principal sum) under guarantees given by him under Part III of this Act or Part II of that Act or, as the case may be, under Part III of that Act (and in the latter case shall include liabilities under guarantees given under section 7 of the [M15]Shipbuilding Industry Act 1967).

[F23](4) . . . . . .

Textual Amendments

F20 Words in s. 15(1)(a) substituted (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 2 para. 14**

F21 S. 15(1)(*b*) repealed (E.W.) by Housing and Planning Act 1986 (c. 63, SIF 123:1), s. 49(2), **Sch. 12 Pt. III**, and (S.) by Housing and Planning Act 1986 (c. 63, SIF 123:2), s. 53(2), **Sch. 12 Pt. IV**

F22 Words in s. 15(2) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 16** Group 2

F23 Words in s. 15(4) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 16** Group 2

Text here

Modifications etc. (not altering text)

C21 S. 15 modified (1.7.1999) by S.I. 1999/672, arts. 2, 5, Sch. 1, **Sch. 2**

Marginal Citations

M9 1971 c. 78.

M10 1972 c. 52.

M11 1972 c. 63.

M12 1967 c. 40.

M13 1981 c. 13.

M14 1972 c. 63.

M15 1967 c. 40.

16 Secretary of State's accounts etc. E+W+S

(1) . . . . . [F24], the Secretary of State shall, for each financial year, prepare a statement of accounts in such form as the Treasury may direct, showing the financial results for the financial year as respects—

(a) the activities of the Secretary of State in the execution of sections **[**[F25]13 to 14**]** of this Act . . . [F26], other than activities in respect of grants; . . . [F27]

(b) . . . . . [F27]

(2) The Secretary of State shall on or before 30th November in each year transmit to the Comptroller and Auditor General the statement of accounts prepared by the Secretary of State for the financial year last ended for examination and certification by him.

(3) Copies of every statement of accounts of the Secretary of State under this section, together with the report of the Comptroller and Auditor General thereon, shall be laid by the Secretary of State before Parliament.

[F28](4) . . . . . .

Textual Amendments

F24 Words repealed by Industrial Development Act 1985 (c. 25, SIF 64), **ss. 4(2)**(*a*), 6(3), Sch.

F25 Words in s. 16(1)(a) substituted (4.7.2016) by Enterprise Act 2016 (c. 12), **ss. 35(4)**, 44(2)(f)

F26 Words repealed by Industrial Development Act 1985 (c. 25, SIF 64), **ss. 4(2)**(*b*), 6(3), Sch.

F27 S. 16(1)(*b* and the word "and" immediately preceding it repealed by Industrial Development Act 1985 (c. 25, SIF64), **ss. 4(2)**(*c*), 6(3), Sch.

F28 S. 16(4) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 16** Group 2

Supplemental

17 Supplemental. E+W+S

(1) In this Part of this Act "land" includes messuages, tenements and hereditaments, houses and buildings of any tenure.

(2) In this Part of this Act "undertaking" means any trade or business or any other activity providing employment.

(3) Where at any time a locality ceases to be a development area or intermediate area, the fact that it is no longer such an area shall not prejudice—

(a) the completion by the Secretary of State of buildings or works begun before that time in the locality under subsection (1) of section 14 above, or the exercise by the Secretary of State in relation to land in that locality of his powers under that subsection so far as may be necessary for the purpose of fulfilling any agreement entered into by the Secretary of State before that time;

(b) the making under this Part of this Act of any grant or loan in any case in which an application for the grant or loan was received by the Secretary of State before that time; or

(c) the continued operation of any agreement relating to such grant or loan as is mentioned in paragraph (b) above or of any other agreement relating to grants or loans entered into under this Part of this Act or corresponding provisions of the [M16]Local Employment Act 1972.

Marginal Citations

M16 1972 c. 5.

PART V U.K.

GENERAL

18 Interpretation. E+W+S

(1) In this Act "development area"[F29]... and "intermediate area" mean an area for the time being specified or designated by an order made, or having effect as if made, under section 1 above, as the case may be, as a development area[F29]... or as an intermediate area.

(2) . . . . . [F30]

Textual Amendments

F29 Words in s. 18(1) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 16** Group 2

F30 S. 18(2) repealed by Co-operative Development Agency and Industrial Development Act 1984 (c. 57, SIF 64), s. 6, **Sch. 2 Pt. III**

19 Consequential provisions etc. and repeals. U.K.

(1) Schedule 2 to this Act (which contains amendments consequential on the provisions of this Act, transitional provisions and savings) shall have effect; and the provisions of that Schedule are without prejudice to sections 16 and 17 of the [M17]Interpretation Act 1978 (which relate to repeals).

(2) Subject to the provisions of Schedule 2 to this Act, the enactments and instruments specified in Schedule 3 to this Act are hereby repealed or, as the case may be, revoked to the extent specified in the third column of Schedule 3.

Marginal Citations

M17 1978 c. 30.

20 Short title, commencement and extent. U.K.

(1) This Act may be cited as the Industrial Development Act 1982.

(2) This Act shall come into force on the expiration of the period of three months beginning with its passing.

(3) This Act extends to England and Wales and, except for section 14, to Scotland; but only the following provisions of this Act extend to Northern Ireland, that is to say, Part III, sections 11**[**[F31], 12 and 13A**]**, and this section and (so far as they relate to enactments which extend to Northern Ireland) sections 15**[**[F32], 16**]** and 19 and Schedules 2 and 3.

Textual Amendments

F31 Words in s. 20(3) substituted (4.7.2016) by Enterprise Act 2016 (c. 12), **ss. 35(5)(a)**, 44(2)(f)

F32 Word in s. 20(3) inserted (4.7.2016) by Enterprise Act 2016 (c. 12), **ss. 35(5)(b)**, 44(2)(f)

SCHEDULES

[F33]SCHEDULE 1 E+W+S

Section 5.

. . . . . .

Textual Amendments

F33 Sch. 1 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 16** Group 2

SCHEDULE 2 U.K.

Section 19.

CONSEQUENTIAL AMENDMENTS, TRANSITIONAL PROVISIONS AND SAVINGS

[F34]PART I U.K.

OLD CASES ETC.

Textual Amendments

F34 Sch. 2 Pt. I repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 16** Group 2

1 . . . . . .

2 . . . . . .

PART II U.K.

MISCELLANEOUS

The Distribution of Industry Acts 1945 to 1958

1 The repeal by this Act of paragraph 3 of Schedule 2 to the [M18]Local Employment Act 1972 shall be without prejudice to—

(a) the continued operation as mentioned in that paragraph of any agreement relating to loans or grants entered into under the Distribution of Industry Acts 1945 to 1958;

(b) the payment of further instalments of a grant under section 3 of the [M19]Distribution of Industry Act 1945 in pursuance of arrangements made before 1st April 1960;

(c) the continued payment to a housing association of grants under section 3(2) of the [M20]Distribution of Industry Act 1950 in respect of dwellings provided

before 1st April 1960, being grants which the Board of Trade agreed to make.

Marginal Citations

M18 1972 c. 5.
M19 1945 c. 36.
M20 1950 c. 8.

The Landlord and Tenant Act 1954

2 In section 60 of the [M21]Landlord and Tenant Act 1954—

(a) the application by subsection (1) of section 2(1) of the [M22]Local Employment Act 1972 shall continue to have effect notwithstanding the repeal by this Act of Part I of Schedule 4 to the [M23]Industry Act 1972; and

[X1](b) for subsection (3) there shall be substituted the following subsection—

"(3) In this section "development area" and "intermediate area" mean an area for the time being specified as a development area or, as the case may be, as an intermediate area by an order made, or having effect as if made, under section 1 of the Industrial Development Act 1982."

Editorial Information

X1 The text of Sch. 2 Pt. II paras. 2(b), 3, 5, 6, 7(1), 10, 11, 13, 15, 17, 19 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M21 1954 c. 56.
M22 1972 c. 5.
M23 1972 c. 63.

[M24] The Building Control Act 1966

Marginal Citations

M24 1966 c. 27.

[X2]3 In section 4(5) of the Building Control Act 1966, for the words from " by an order" to " the Local Employment Act 1972" there shall be substituted the words " by an order made, or having effect as if made under section 1 of the Industrial Development Act 1982 or, in relation to a time before the commencement of that Act, under the Local Employment Act 1972".

Editorial Information

X2 The text of Sch. 2 Pt. II paras. 2(b), 3, 5, 6, 7(1), 10, 11, 13, 15, 17, 19 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The Capital Allowances Act 1968

4 . . . . . [F35]

Textual Amendments

F35 Sch. 2 Pt. II para. 4 repealed by Capital Allowances Act 1990 (c. 1, SIF 63:1), **ss. 82**, 164(4) (5), Sch. 2

[M25]The Development of Tourism Act 1969

Marginal Citations

M25 1969 c. 51.

[F36]5 . . . . . .

Textual Amendments

F36 Sch. 2 Pt. II para. 5 repealed (19.11.1998) by 1998 c. 43, ss. 1(1), 2(3), **Sch. 1 Pt. IV** Group 3.

[M26]The Finance Act 1971

Marginal Citations

M26 1971 c. 68.

[F37]6 . . . . . .

Textual Amendments

F37 Sch. 2 para. 6 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 16** Group 2

[M27]The Town and Country Planning Act 1971

Marginal Citations

M27 1971 c. 78.

7 [[F38X3](1) In section 67(7) of the Town and Country Planning Act 1971, for the definition of "development area" there shall be substituted the following definition:—

""development area" means any area specified as such by an order made, or having effect as if made, under section 1 of the Industrial Development Act 1982."]

(2) . . . . . [F39]

Editorial Information

X3 The text of Sch. 2 Pt. II paras. 2(b), 3, 5, 6, 7(1), 10, 11, 13, 15, 17, 19 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

F38 Sch. 2 Pt. II para. 7(1) repealed (E.W.) by Housing and Planning Act 1986 (c. 63, SIF 123:1), s. 49(2), **Sch. 12 Pt. III**

F39 Sch. 2 Pt. II para. 7(2) repealed by Planning (Consequential Provisions) Act 1990 (c.11, SIF 123:1, 2), ss. 3, 5, Sch. 1 Pt. I, **Sch. 3**

[M28]The Local Employment Act 1972

Marginal Citations

M28 1972 c. 63.

8 The repeal by this Act of paragraph 3 of Schedule 2 to the [M29]Industry Act 1972 shall not affect any liability by virtue of that paragraph (savings for repeals of provisions of the Local Employment Act 1972) for any offence committed before the cmmencement of this Act.

Marginal Citations

M29 1972 c. 5

[F40]9 . . . . . .

Textual Amendments

F40 Sch. 2 para. 9 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 16** Group 2

The [M30] Town and Country Planning (Scotland) Act 1972

Marginal Citations

M30 1972 c. 52.

[[F41X4]10 In section 65(6) of the Town and Country Planning (Scotland) Act 1972, for the definition of " development area" there shall be substituted the following definition:

— " "development area" means any area specified as such by an order made, or having effect as if made, under section 1 of the Industrial Development Act 1982. "]

Editorial Information

X4 The text of Sch. 2 Pt. II paras. 2(b), 3, 5, 6, 7(1), 10, 11, 13, 15, 17, 19 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

F41 Sch. 2 Pt. II para. 10 repealed (S.) by Housing and Planning Act 1986 (c. 63, SIF 123:2), s. 53(2), **Sch. 12 Pt. IV**

The [M31] House of Commons Disqualification Act 1975

Marginal Citations

M31 1975 c. 24.

[X5]11 In Part III of Schedule 1 to the House of Commons Disqualification Act 1975, for the words " or Part II of the Industry Act 1972" there shall be substituted the words " Part II of the Industry Act 1972 or Part III or section 13 of the Industrial Development Act 1982".

Editorial Information

X5 The text of Sch. 2 Pt. II paras. 2(b), 3, 5, 6, 7(1), 10, 11, 13, 15, 17, 19 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The Industry Act 1975

12 . . . . . [F42]

Textual Amendments

F42 Sch. 2 Pt. II paras. 12, 14 repealed by Co-operative Development Agency and Industrial Development Act 1984 (c. 57, SIF 64), s. 6, **Sch. 2 Pt. III**

Advisory Boards in Scotland and Wales

[X6]13 In section 20 of the [M32] Scottish Development Agency Act 1975 and in section 13 of the [M33] Welsh Development Agency Act 1975, for the words " the Industry Act 1972", wherever occurring, there shall be substituted the words " the Industrial Development Act 1982".

Editorial Information

X6 The text of Sch. 2 Pt. II paras. 2(b), 3, 5, 6, 7(1), 10, 11, 13, 15, 17, 19 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M32 1975 c. 69.
M33 1975 c. 70.

The [M34] Energy Act 1976

Marginal Citations

M34 1976 c. 76.

14 . . . . . [F43]

Textual Amendments

F43 Sch. 2 Pt. II paras. 12, 14 repealed by Co-operative Development Agency and Industrial Development Act 1984 (c. 57, SIF 64), s. 6, **Sch. 2 Pt. III**

The [M35] British Aerospace Act 1980

Marginal Citations

M35 1980 c. 26.

[X7]15 In paragraph 3 of Schedule 1 to the British Aerospace Act 1980—

(a) in sub-paragraph (1), after the words " the Industry Act 1972" there shall be inserted the words " and Part II of the Industrial Development Act 1982" and for the words " of that Act" there shall be substituted " of the said Act of 1972"; and

(b) in sub-paragraph (2), for the words from " and" onwards there shall be substituted the words " or Part II of the Industrial Development Act 1982 and " approved capital expenditure" has the same meaning as it has for the purposes of the provisions relating to regional development grant".

Editorial Information

X7 The text of Sch. 2 Pt. II paras. 2(b), 3, 5, 6, 7(1), 10, 11, 13, 15, 17, 19 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The [M36] Finance Act 1980

Marginal Citations
M36 1980 c. 48.

16 . . . . . [F44]

Textual Amendments
F44 Sch. 2 Pt. II paras. 16, 18 repealed by Income and Corporation Taxes Act 1988 (c.1, SIF 63:1), s. 844, **Sch. 31**

The [M37] English Industrial Estates Corporation Act 1981

Marginal Citations
M37 1981 c. 13.

17 (1) In section 2(6) of the English Industrial Estates Corporation Act 1981, for the words " the [M38] Local Employment Act 1972" there shall be inserted the words " section 14(1) of the Industrial Development Act 1982".

(2) In section 8 of that Act, for the words " section 5 of the Local Employment Act 1972" there shall be substituted the words " section 14(1) of the Industrial Development Act 1982".

Modifications etc. (not altering text)
C22 The text of Sch. 2 Pt. II paras. 2(*b*), 3, 5, 6, 7(1), 10, 11, 13, 15, 17, 19 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations
M38 1972 c. 5.

18 . . . . . [F45]

Textual Amendments
F45 Sch. 2 Pt. II paras. 16, 18 repealed by Income and Corporation Taxes Act 1988 (c.1, SIF 63:1), s. 844, **Sch. 31**

The Derelict Land Act 1982

[X8]19 In subsection 1 of the [M39] Derelict Land Act 1982—

(a) in subsection (10), for the words " the Local Employment Act 1972" there shall be substituted the words " the Industrial Development Act 1982" ; and

(b) in subsection (11), in the definition of " development area", for the words from " made" to " 1972" there shall be substituted the words " made, or having effect as if made, under section 1 of the Industrial Development Act 1982".

Editorial Information

X8 The text of Sch. 2 Pt. II paras. 2(b), 3, 5, 6, 7(1), 10, 11, 13, 15, 17, 19 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M39 1982 c. 42.

[X9]SCHEDULE 3 U.K.

Section 19.

REPEALS AND REVOCATIONS

Editorial Information

X9 The text of Sch. 2 Pt. II paras. 2(b), 3, 5, 6, 7(1), 10, 11, 13, 15, 17, 19 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Chapter or number	Short title	Extent of repeal or revocation
1972 c. 5.	The Local Employment Act 1972.	Section 1.
		Section 5.
		Sections 7 and 9.
		Sections 13 and 14.
		Sections 16 to 18.
		Section 20.
		Section 21(1).
		Section 22(3) and (4).
		In Schedule 2, paragraphs 3, 4, 8, 9 and 10.
		Schedule 3, except the entries relating to the Industrial Development Act 1966 and the Finance Act 1970.

1972 c. 52.	The Town and Country Planning (Scotland) Act 1972.	In section 114(7), the words from " or in" onwards.
		In Part II of Schedule 21, the entry relating to the Local Employment Act 1972.
1972 c. 63.	The Industry Act 1972.	Parts I and II.
		Sections 13 to 16.
		In section 17(1), the words " Part II or".
		In section 18, in subsection (1) the words " Part II and" and subsection (3).
		In section 19(2), the words " Schedule 2 and".
		In Schedule 1, in paragraph 1(1) the words " Part I or" paragraphs 2 and 3(3) and in paragraph 4(1) the words " Part I or".
		Schedule 2.
		Part I of Schedule 4.
1973 c. 50.	The Employment and Training Act 1973.	In section 14(1), the words from " but" onwards.
		In Schedule 3, paragraphs 12 and 15.
1973 c. 65.	The Local Government (Scotland) Act 1973.	In Schedule 23, paragraph 14.
1974 c. 39.	The Consumer Credit Act 1974.	In Schedule 4, paragraph 33.
1975 c. 68.	The Industry Act 1975.	Section 22.
		Section 39(2).
		In Schedule 4, Part I.
		Schedule 7.
1980 c. 33.	The Industry Act 1980.	Sections 16 to 18.
		Schedule 1.
1981 c. 6.	The Industry Act 1981.	Section 6.
1981 c. 13.	The English Industrial Estates Corporation Act 1981.	Section 9(2).
		Section 10(4)(a).

1981 c. 57.	The Employment and Training Act 1981.	In Schedule 2, paragraphs 6 and 7.
1981 c. 67.	The Acquisition of Land Act 1981.	In Schedule 4, paragraph 22.
1982 c. 18.	The Industry Act 1982.	The whole Act.
S.I. 1973/243.	The Regional Development Grants (Qualifying Activities) Order 1973.	The whole order.
S.I. 1976/1573.	The Regional Development Grants (Qualifying Activities) Order 1976.	The whole order.

Changes to legislation:
There are currently no known outstanding effects for the Industrial Development Act 1982.