



Enterprise and New Towns (Scotland) Act 1990

CHAPTER 35

ENTERPRISE AND NEW TOWNS (SCOTLAND) ACT 1990

PART I

SCOTTISH ENTERPRISE AND HIGHLANDS AND ISLANDS ENTERPRISE

Establishment and Functions

- 1 Scottish Enterprise and Highlands and Islands Enterprise.
- 2 Functions in relation to training for employment etc.
- 3 Monitoring of training for employment
- 4 Further provision as regards functions of Scottish Enterprise.
- 5 Further provision as regards functions of Highlands and Islands Enterprise.
- 6 Development and improvement of the environment.
- 7 Derelict land.

Powers

- 8 General and specific powers.
- 9 Powers of entry.
- 10 Power of Scottish Enterprise to obtain information.
- 11 Power of Highlands and Islands Enterprise to obtain information.
- 12 Further provision as regards obtaining information etc.
- 13 Restrictions on exercise of certain powers.
- 14 Power of Secretary of State to give directions.
- 14A Power of Ministers to confer or impose functions.
- 15 Industrial injuries benefit.

Status: Point in time view as at 02/12/1996.

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- 16 Courses of training etc.: duty to give preference to certain categories of disabled person.
- 17 Encouragement of women, members of minority racial groups and disabled persons to take advantage of opportunities for certain work etc.
- 18 Prohibition on discrimination in provision of certain facilities or services.

Delegation and Assistance

- 19 Delegation of certain functions and powers.
- 20 Assistance from local authorities and development corporations in carrying out certain functions.

Areas of operation

- 21 Areas of operation.

Vesting of property of the Scottish Development Agency in Scottish Enterprise and of the Highlands and Islands Development Board in Highlands and Islands Enterprise etc.

- 22 Transfer of property, rights and liabilities.

Dissolution of the Scottish Development Agency and of the Highlands and Islands Development Board: the Transitional Period

- 23 Dissolution of the Scottish Development Agency and of the Highlands and Islands Development Board.

Financial provisions

- 24 Financial duties of Scottish Enterprise.
- 25 Finances of Scottish Enterprise.
- 26 Finances of Highlands and Islands Enterprise.
- 27 Additional financing for Scottish Development Agency.

General

- 28 Application to Crown land.
- 29 Service of documents.
- 30 Accounts and annual reports.
- 31 Application and disapplication of certain provisions.
- 32 Registration of agreements etc.

PART II

NEW TOWNS

Winding up and dissolution of new town development corporations

- 33 Winding up and dissolution of new town development corporations.

Financial provisions

- 34 Grants by Secretary of State to development corporations.
- 35 Powers to effect financial reconstruction.

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PART III

MISCELLANEOUS AND GENERAL

- 36 Interpretation.
- 37 Finance.
- 38 Amendments and repeals.
- 39 Commencement.
- 40 Short title and extent.

SCHEDULES

SCHEDULE 1 — Constitution and Proceedings etc. of Scottish Enterprise and Highlands and Islands Enterprise

Incorporation

- 1 Each of the two bodies— (a) shall be a body...

Status

- 2 Each of the two bodies shall be a public body...
- 3 Neither of the two bodies shall— (a) be regarded as...
- 4 Scottish Enterprise shall be treated for all purposes of corporation...

Membership

- 5 The members of Scottish Enterprise shall be—
- 6 The members of Highlands and Islands Enterprise shall be—
- 7 The Secretary of State shall satisfy himself—
- 8 A person in respect of whom the Secretary of State...
- 9 Subject to the provisions of this paragraph and of paragraphs...
- 10 The Secretary of State may remove a member, other than...

Chairmen and Deputy Chairmen

- 11 (1) In respect of each of the bodies—

Remuneration, Allowances and Pensions

- 12 (1) Each of the bodies shall pay to its chairman,...
- 13 The Secretary of State may, with the consent of the...

Staff

- 14 In respect of each of the bodies, the Secretary of...
- 15 (1) Subject to paragraph 16 below, each of the bodies...
- 16 (1) Not later than such date as the Secretary of...
- 17 (1) Where a person becomes an employee of Scottish Enterprise...
- 18 (1) Any dispute as to whether an offer under sub-paragraph...

Proceedings

- 19 The quorum of each body, and the arrangements for its...
- 20 (1) A member of either body who is directly or...
- 21 The validity of any proceedings of either body shall not...

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Committees

- 22 (1) For or in connection with the discharge of its...

Execution of Documents

- 23

SCHEDULE 2 — Financial Provisions Relating To Scottish Enterprise

Financing of Scottish Enterprise

- 1 The Secretary of State may, out of money provided by...

Borrowing powers and government loans

- 2 (1) For the purpose of the exercise of any of...
3 Any loans made in pursuance of paragraph 2(1)(a) above shall...

Borrowing by wholly owned subsidiaries

- 4 It shall be the duty of Scottish Enterprise to secure...

Guarantees

- 5 (1) The Secretary of State may, with the consent of...

Payments by Scottish Enterprise

- 6 (1) The Secretary of State may from time to time,...

SCHEDULE 3 — Transitional Provisions and Savings

Constitution of the Scottish Development Agency

- 1 During the Scottish Development Agency's transitional period, section 1(2) of...

Vesting of existing bodies' foreign property in Scottish Enterprise or Highlands and Islands Enterprise

- 2 (1) It shall be the duty of each existing body...

Other property

- 3 The repeal by this Act of section 15(1) and (3)...

Delegation

- 4 Section 19 of this Act (in this paragraph referred to...

Assistance

- 5 Section 19 of the Scottish Development Agency Act 1975 shall...

Effect of, and interpretation of, agreements etc.

- 6 Any agreement made, transaction effected or other thing done by,...

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Pensions

- 7 Any arrangements made— (a) by the Scottish Development Agency under...

Compensation Payments

- 8 (1) Where any regulations made under paragraph 3 of Schedule...

Final reports and accounts of the existing bodies etc.

- 9 (1) Notwithstanding the repeal by this Act of section 3(1)(e)...

SCHEDULE 4 — Minor and Consequential Amendments

New Towns (Scotland) Act 1968 (c. 16.)

- 1 In the New Towns (Scotland) Act 1968—

Finance Act 1969 (c. 32.)

- 2 In section 58(4)(c) of the Finance Act 1969 (cases in...

Post Office Act 1969 (c. 48.)

- 3 In Schedule 4 to the Post Office Act 1969, in...

Pensions Increase Act 1971 (c. 56.)

- 4 In paragraph 38A of Part I of Schedule 2 to...

Offshore Petroleum Development (Scotland) Act 1975 (c. 8.)

- 5 In section 10 of the Offshore Petroleum Development (Scotland) Act...

House of Commons Disqualification Act 1975 (c. 24.)

- 6 In Part II of Schedule 1 to the House of...

Farriers Registration Act 1975 (c. 35.)

- 7 In Part I of Schedule 1 to the Farriers Registration...

Scottish Development Agency Act 1975 (c. 69.)

- 8 In section 20 of the Scottish Development Agency Act 1975...

Highlands and Islands Air Services (Scotland) Act 1980 (c. 19.)

- 9 In section 3 of the Highlands and Islands Air Services...

Agricultural Training Board Act 1982 (c. 9.)

- 10 In section 4(1)(f) of the Agricultural Training Board Act 1982...

Industrial Training Act 1982 (c. 10.)

- 11 In section 5(3)(e) of the Industrial Training Act 1982 (power...

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Civil Aviation Act 1982 (c. 16.)

12 In Schedule 2 to the Civil Aviation Act 1982, in...

Local Government and Planning (Scotland) Act 1982 (c. 43.)

13 In section 8 of the Local Government and Planning (Scotland)...

Gas Act 1986 (c. 44.)

14 In Schedule 7 to the Gas Act 1986—

Income and Corporation Taxes Act 1988 (c. 1.)

15 In paragraph (a) of section 127(1) of the Income and...

Employment Act 1988 (c. 19.)

16 In section 26(1) of the Employment Act 1988 (status of...

Electricity Act 1989 (c. 29.)

17 In Schedule 16 to the Electricity Act 1989—

Employment Act 1989 (c. 38.)

18 In section 8(1) of the Employment Act 1989 (power to...

SCHEDULE 5 — Repeals

Part I — REPEALS COMING INTO FORCE ON FIRST TRANSFER DATE

Part II — REPEALS COMING INTO FORCE ON DISSOLUTION OF SCOTTISH
DEVELOPMENT AGENCY

Part III — REPEALS COMING INTO FORCE ON SECOND TRANSFER DATE

Part IV — REPEALS COMING INTO FORCE ON DISSOLUTION OF
HIGHLANDS AND ISLANDS DEVELOPMENT BOARD

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