



Industrial Organisation and Development Act 1947

1947 CHAPTER 40 10 and 11 Geo 6

Miscellaneous

9 Levies for certain purposes for industries for which there is no development council.

- (1) If it appears to any of the authorities named in subsection (2) of section one of this Act that it is expedient that funds should be made available for any of the following purposes in connection with an industry for which there is [^{F1}neither a development council nor a relevant board], that is to say—
- (a) scientific research,
 - (b) promotion of export trade, or
 - (c) the improvement of design,

and that there is, or is to be brought into being, a body capable of carrying out that purpose satisfactorily, the authority may, subject to the provisions of this section, make an order imposing on persons carrying on business in the industry, or on persons carrying on any business consisting wholly or partly in the production of, or dealing in, any of the materials of the industry, such charges as may be specified in the order, and providing for the recovery thereof by or on behalf of that authority in such manner and through such channels, if any, as may be specified in the order.

[^{F2}(1A) “Relevant board” means a board established under Chapter 2 of Part 8 of the Natural Environment and Rural Communities Act 2006.]

- (2) Before making an order imposing charges under this section the authority making the order shall satisfy themselves or himself that the incidence of the charges as between different classes of undertakings in the industry will be in accordance with a fair principle.
- (3) Sums recovered in respect of charges imposed by an order under this section shall be paid into such public fund or account as may be specified in the order, and shall

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be issued thereout to the body mentioned in subsection (1) of this section to meet expenses incurred by them for any of the purposes therein mentioned.

- (4) The authority making an order under this section shall, as respects each financial year, prepare, in such form and manner as the Treasury may direct, an account of sums recovered under the order and of the disposal thereof by the authority, and any account prepared under this subsection shall, on or before the thirtieth day of November next following the expiration of the financial year in question, be transmitted to the Comptroller and Auditor General, who shall examine and certify the account and lay copies thereof, together with his report thereon, before Parliament.
- (5) A body to whom sums are issued under this section shall prepare and transmit to the authority making the order annually a statement of their accounts for their financial year last completed, in such form as the authority may direct, as soon as their accounts for that year have been audited, together with a copy of any report made by the auditors on the accounts, and a copy of each such statement, and of any such report, shall be laid before Parliament by the authority.
- (6) An order under this section may make provision for such matters as are dealt with by subsection (4) of section four of this Act, and by section six of this Act so far as it relates to the matters dealt with by the said subsection (4).
- (7) An order under this section may be amended or revoked by an order made by the authority making the original order.
- (8) Before making an order under this section the authority shall consult any organisations, consultation with which would be required by virtue of subsection (3) of section one of this Act, before the making of a development council order in relation to the industry.
- (9) An order under this section shall not be made until a draft thereof has been approved by a resolution of each House of Parliament.
- (10) Where sums have been recovered under an order under this section, and it is ascertained after any revocation of the order that there is an excess of the sums recovered over the amount which has been issued as mentioned in subsection (3) of this section, sums not exceeding in the aggregate the amount of the excess may be paid, out of the public fund or account into which the sums recovered were paid,—
 - (a) if there is then a development council for an industry consisting of, or comprising the whole or a substantial part of, the industry in relation to which the order was made, to the council; or
 - (b) if there is not, but the authority making the order is satisfied that there is, or is to be brought into being, a body capable of carrying out satisfactorily purposes for which it appears to the authority to be expedient to make funds available in connection with the industry in relation to which the order was made, to that body subject to such provision for securing the disposal of the sums for those purposes as it appears to the authority to be practicable and expedient to make.

Textual Amendments

- F1** Words in s. 9(1) substituted (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\), s. 107, Sch. 11 para. 5\(2\)](#); S.I. 2006/2541, art. 2 (with Sch.)
- F2** S. 9(1A) inserted (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\), s. 107, Sch. 11 para. 5\(3\)](#); S.I. 2006/2541, art. 2 (with Sch.)

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Modifications etc. (not altering text)

- C1** S. 9: Functions transferred (1.7.1999) by virtue of 1998 c. 46, **ss. 53, 56(1)(c)** (with s. 126(3)-(11)); S.I. 1998/3178, **art. 2(1)**.
- C2** Functions of Board of Trade under s. 9 now exercisable by Secretary of State: S.I. 1969/1498, **art. 3(1), Sch. 1 para. 1** and 1970/1537, art. 2(2) Sch. 1 Pt. II
- C3** S. 9 and so much of ss. 1(2)(3), 4(4), 6, 12-14, 15(2)(3) and 17(2) as relates to s. 9 extended (N.I.) by S.I. 1962/2602
- C4** S. 9(4): transfer of certain functions (1.7.1999) by S.I. 1999/672, **art. 2, Sch. 1**
S. 9(4): modified (1.7.1999) by S.I. 1999/672, **art. 2, Sch. 1**
- C5** S. 9(4) applied (with modifications) (E.W.) (24.5.2018) by **The Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644), arts. 1(1), 3(2)(a)**

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Textual Amendments

- F3** S. 10 repealed by **Statute Law (Repeals) Act 1978 (c. 45), Sch. 1 Pt. IX**

11 Grants to the Council of Industrial Design and to design centres.

The Board of Trade may, with the approval of the Treasury, make grants out of moneys provided by Parliament—

- (a) to the Council of Industrial Design;
- (b) to any association or body, corporate or unincorporate, the objects of which include promoting the improvement of design in any industry or activities appearing to the Board to be conducive thereto, and as to which the Board is satisfied that it does not carry on any business for the purpose of making a profit.

Modifications etc. (not altering text)

- C6** S. 11: modified (1.7.1999) by S.I. 1999/672, **art. 2, Sch. 1**
- C7** S. 11 functions 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)**)
- C8** S. 11 functions transferred (E.W.) (24.5.2018) by **The Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644), arts. 1(1), 3(2)(b)**

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