

1976 No. 1573

INDUSTRIAL DEVELOPMENT

The Regional Development Grants (Qualifying Activities)
Order 1976

<i>Made - - - -</i>	<i>23rd September 1976</i>
<i>Laid before Parliament</i>	<i>4th October 1976</i>
<i>Coming into Operation</i>	<i>1st November 1976</i>

The Secretary of State in exercise of his powers under sections 3(2) and 5(4) of the Industry Act 1972(a) and with the consent of the Treasury hereby makes the following Order:—

Citation, Commencement and Interpretation

1.—(1) This Order may be cited as the Regional Development Grants (Qualifying Activities) Order 1976.

(2) This Order shall come into operation on 1st November 1976.

(3) (a) In this Order—

“the Act” means the Industry Act 1972;

“grant” means regional development grant payable under Part I of the Act;

(b) The Interpretation Act 1889(b) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Redesignation of Qualifying Activities

2.—(1) For the purposes of Part I of the Act the description of qualifying activities in subsection (2) of section 2 of the Act shall be varied as follows:—

(a) in paragraph (a), for the words “Orders II to XX” there shall be substituted the words “Orders III to XIX”, and the words “mining and construction” shall be omitted;

(b) in paragraph (d) the words “or mining” and “or in any activity described in heading 500 of the Standard Industrial Classification (construction of buildings, roads and bridges)” shall be omitted;

(c) after paragraph (d) there shall be inserted the following new paragraph:—

“(dd) any repair or maintenance carried out on premises used for any other qualifying activity of any building on those premises, and”;

and

(d) in paragraph (e) the words “and 500 (buildings, roads and bridges)” shall be omitted.

(a) 1972 c. 63.

(b) 1889 c. 63.

(2) In subsection (4) of section 2 of the Act there shall be substituted for the words “(d) and (e)” the words “(d), (dd) and (e)”.

Eligibility for grant in respect of certain expenditure

3. Notwithstanding that, by reason of the provisions of Article 2 above, premises cease to be or do not become qualifying premises, a grant may be made to a person towards expenditure incurred by him in providing an asset as part of, or on, or for use in those premises if either—

(a) the asset is provided by him before 1st April 1977; or

(b) the expenditure was defrayed by him before 6th August 1976.

Conditions for the repayment of grant

4. Notwithstanding any conditions for repayment of grant imposed by virtue of section 4 of the Act, no grant paid in respect of an asset provided before 1st April 1977 and no part of such a grant shall be repayable solely on the ground that, by reason of the provisions of Article 2 above, premises cease to be or do not become qualifying premises.

We consent to the making of this Order.

22nd September 1976.

David Stoddart,
T. E. Graham,
Lords Commissioners of
Her Majesty's Treasury.

23rd September 1976.

Alan Williams,
Minister of State,
Department of Industry.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order removes mining and quarrying activities from the qualifying activities listed in section 2(2) of the Industry Act 1972. It also removes construction activities from that list, except for any repair or maintenance carried out on premises used for any other qualifying activity of any building on those premises.

As a result expenditure incurred in providing assets on or after 1st November 1976 in relation to the activities removed from the list will cease to be eligible for regional development grant under heads 1 and 2(1) of the Table in section 1 of the Industry Act 1972. However, as a transitional provision, the Order permits grants to be paid in respect of such expenditure if the asset is provided before 1st April 1977 or if the expenditure was defrayed before 6th August 1976. Furthermore the Order provides that grant paid in respect of an asset provided before 1st April 1977 shall not be repayable, under any conditions for repayment, merely because by reason of the Order premises either cease to be qualifying premises or do not become qualifying premises.

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