



# Industrial Development Act 1982

## 1982 CHAPTER 52

### PART IV

#### MISCELLANEOUS

##### *General assistance for industry*

#### **11 Advice for businesses.**

- (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.
- (3) In the application of this section to a financial year beginning before the commencement of this Act, the reference in subsection (2) above to the Secretary of State's powers under this section shall include a reference to his powers under section 18 of the <sup>M1</sup>Industry Act 1980.

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#### **Modifications etc. (not altering text)**

- C1** 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.
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#### **Marginal Citations**

- M1** 1980 c. 33.

#### **12 Powers to promote careers in industry etc.**

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

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- (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 <sup>M2</sup>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)**

- C2** 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.
- C3** S. 12: functions modified (1.7.1999) by S.I. 1999/672, art. 2, Sch. 1

**Marginal Citations**

- M2** 1968 c. 13.

**13 Improvement of basic services.**

- (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.

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**Modifications etc. (not altering text)**

- C4** 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.**
- C5** S. 13: functions modified (1.7.1999) by **S.I. 1999/672, art. 2, Sch. 1**

**14 Provision of premises and sites.**

- (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 <sup>F1</sup>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 <sup>M3</sup>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 <sup>M4</sup>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 <sup>M5</sup>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

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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.

- (6) Any person duly authorised in writing by the Secretary of State may, at any reasonable time, enter any land for the purpose of surveying it in connection with the exercise of the Secretary of State's powers under this section to acquire land; and [<sup>F2</sup>subsection (8) of section 324 and subsections (1) to (6), (8) and (9) of section 325 of the Town and Country Planning Act 1990] (which contain supplemental provision with respect to powers of entry) shall apply in relation to this subsection as they apply in relation to [<sup>F2</sup>the said section 324].

#### Textual Amendments

- F1** Words substituted by [Housing and Planning Act 1986 \(c. 63, SIF 123:1\)](#), ss. 49, 53, **Sch. 11 Pt. I para. 25(2)**
- F2** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, **Sch. 2 para. 57**

#### Marginal Citations

- M3** 1972 c. 5.
- M4** 1972 c. 5.
- M5** 1981 c. 67.

### [<sup>F3</sup>14A Meaning of “industrial buildings”.

- (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.

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(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

**F3** 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.**

- (1) For each financial year the Secretary of State shall prepare a report on the discharge of his functions—
  - (a) under Parts I to III and sections 13 and 14 of this Act,
  - [<sup>F4</sup>(b) under section 67(1) of the <sup>M6</sup>Town and Country Planning Act 1971 and section 65(1) of the <sup>M7</sup>Town and Country Planning (Scotland) Act 1972 (industrial development certificates),]
  - (c) under Part III of the <sup>M8</sup>Industry Act 1972 (including any functions in respect of guarantees given by him under section 7 of the <sup>M9</sup>Shipbuilding Industry Act 1967), and
  - (d) under the <sup>M10</sup>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, Part II, 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 <sup>M11</sup>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 <sup>M12</sup>Shipbuilding Industry Act 1967).
- (4) In the application of this section in relation to a financial year beginning before the commencement of this Act any reference in subsection (1) above to a provision of this Act shall include a reference to the enactment re-enacted in that provision.

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**Textual Amendments**

**F4** 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**

**Modifications etc. (not altering text)**

**C6** S. 15 modified (1.7.1999) by [S.I. 1999/672](#), arts. 2, 5, Sch. 1, **Sch. 2**

**Marginal Citations**

**M6** 1971 c. 78.

**M7** 1972 c. 52.

**M8** 1972 c. 63.

**M9** 1967 c. 40.

**M10** 1981 c. 13.

**M11** 1972 c. 63.

**M12** 1967 c. 40.

**16 Secretary of State’s accounts etc.**

- (1) . . . . .<sup>F5</sup>, 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 13 and 14 of this Act . . .<sup>F6</sup>, other than activities in respect of grants; . . .<sup>F7</sup>
  - (b) . . . . .<sup>F7</sup>
- (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.
- (4) In the application of this section in relation to a financial year beginning before the commencement of this Act, any reference in subsection (1) above to a provision of this Act shall include a reference to the enactment re-enacted in that provision.

**Textual Amendments**

**F5** Words repealed by [Industrial Development Act 1985 \(c. 25, SIF 64\)](#), **ss. 4(2)(a)**, 6(3), Sch.

**F6** Words repealed by [Industrial Development Act 1985 \(c. 25, SIF 64\)](#), **ss. 4(2)(b)**, 6(3), Sch.

**F7** 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.

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### *Supplemental*

#### **17 Supplemental.**

- (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 <sup>M13</sup>Local Employment Act 1972.

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#### **Marginal Citations**

**M13** 1972 c. 5.

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