



Miscellaneous Financial Provisions Act 1983

1983 CHAPTER 29

An Act to establish a Development Commission in place of the Commissioners appointed under the Development and Road Improvement Funds Act 1909; to authorise the making of grants by the Secretary of State to bodies promoting industrial or commercial development in areas in England; to extinguish liability in respect of certain guarantees given under the Colonial Loans Act 1949; to amend certain enactments authorising the Treasury to give guarantees; to extend the power of the Crown Estate Commissioners to grant leases; to make provision for the redemption of certain annuities and allowances which have been payable out of public funds since before 1874; to amend section 173A of the Local Government Act 1972; and for connected purposes. [13th May 1983]

^{X1}Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Editorial Information

- X1** The text of the whole Act was taken from S.I.F. Group 99:1 (Public Finance and Economic Controls: Government Finance and Accounting) and the text of ss. 1, 2, 8, 9, 10(1)–(3), 11 and Schs. 1, 3 was also taken from S.I.F. Group 64 (Industrial Development)

1 The Development Commission.

^{F1}(1)

^{F1}(2)

- (3) The Development Commission shall keep under review and advise the Secretary of State upon all matters relating to the economic and social development of rural areas

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in England and may carry out or assist others to carry out measures likely to further such development.

(4) Subject to subsections (7) and (8) below, the Commission may do anything which is conducive or incidental to the discharge of its functions and in particular (but without prejudice to the generality of the foregoing) may—

- (a) make grants and loans and give guarantees and any other form of financial assistance;
- (b) acquire land and other property;
- (c) provide or facilitate the provision of premises for occupation by industrial or commercial undertakings;
- (d) form, and hold controlling or other interests in, bodies corporate;
- (e) act alone or with other persons, either in partnership or otherwise.

^{F1}(5)

^{F1}(6)

(7) The Commission shall not give financial assistance to any person except in accordance with arrangements approved by the Secretary of State and the Treasury.

(8) The Secretary of State may give the Commission general directions as to the exercise of its functions, and the Commission shall comply with any such directions.

^{F1}(9)

Textual Amendments
F1 [S. 1\(1\)\(2\)\(5\)\(6\)\(9\)](#) repealed (1.7.2000) by [S.I. 2000/1505, art. 5](#)

Modifications etc. (not altering text)
C1 [S. 1\(3\)](#): Functions of the Secretary of State transferred (1.4.1999) to the Countryside Agency by [S.I. 1999/416, arts. 4, 5\(4\), 6 - 8](#)
C2 [S. 1\(3\)](#): Powers of the Secretary of State transferred (1.4.1999) to the Countryside Agency by [S.I. 1999/416, arts. 5, 6 - 8](#)

2 Grants to regional development organisations.

(1) The Secretary of State may out of money provided by Parliament make grants to any body within subsection (2) below for the purpose of assisting it to promote industrial or commercial development in the area with which it is concerned.

(2) The bodies referred to in subsection (1) above are—

- (a) the Devon and Cornwall Development Bureau;
- (b) the North of England Development Council;
- (c) the North West Industrial Development Association;
- (d) the Yorkshire and Humberside Development Association;
- (e) any other body, whether corporate or unincorporate, whose principal object appears to the Secretary of State to be the promotion of industrial or commercial development in an area in England.

(3) The Secretary of State shall obtain the consent of the Treasury before making a grant under this section to any body other than one named in subsection (2)(a) to (d) above.

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- (4) In making a grant under this section the Secretary of State may impose such conditions as he thinks fit, including in particular—
- (a) a condition requiring the recipient to keep proper accounts and records in respect of the application of the grant;
 - (b) a condition requiring the recipient to submit to the Secretary of State such periodic statements of accounts and reports relating to the application of the grant as the Secretary of State may direct; and
 - (c) a condition requiring the recipient to repay the whole or any part of the grant if any condition of the grant is not complied with.
- (5) The Secretary of State shall lay before each House of Parliament a copy of every statement and report submitted to him in compliance with a condition of the kind described in subsection (4)(b) above.

3 F2

Textual Amendments

F2 S. 3 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), Sch. 1 Pt. I

4 Treasury guarantees.

- (1) In the enactments mentioned in Schedule 2 to this Act (which enable the Treasury to guarantee the repayment of the principal of, and the payment of interest on, sums borrowed by the bodies mentioned in the third column of that Schedule) for the words “and the payment of interest on” or “and the payment of any interest on” there shall be substituted the words “the payment of interest on and the discharge of any other financial obligation in connection with”.

F3(2)

(3) F4

- (4) In section 8 of the ^{M1}Overseas Development and Co-operation Act 1980 (Treasury guarantees in respect of certain loans made by the International Bank)—

- (a) in subsection (1), for the words “and the payment of the interest on and other charges in respect of” there shall be substituted the words “the payment of interest on and the discharge of any other financial obligation in connection with”;
- (b) in subsection (5)(d)(i), for the words “charges in respect of” there shall be substituted the words “payments in discharge of financial obligations in connection with”;
- (c) in subsection (6), for the words “other charges in respect of” there shall be substituted the words “the discharge of any other financial obligation in connection with”.

- (5) In section 62(1) of the ^{M2}New Towns Act 1981 (Treasury guarantees in respect of sums borrowed by a development corporation or the Commission for the New Towns) for paragraphs (a) and (b) there shall be substituted the words “the repayment of the principal of, the payment of interest on and the discharge of any other financial obligation in connection with”.

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Textual Amendments

- F3** S. 4(2) repealed (27.7.1999) by 1999 c. 20, s. 27, **Sch. 4** (with s. 15)
F4 S. 4(3) repealed by **Electricity Act 1989** (c. 29, SIF 44:1), s. 112(3)(4), **Sch. 17** para. 35(1), **Sch. 18**

Marginal Citations

- M1** 1980 c. 63.
M2 1981 c. 64.

5 Power of Crown Estate Commissioners to grant leases.

In section 3(2) of the ^{M3}Crown Estate Act 1961 (restriction on term for which a lease may be granted by Crown Estate Commissioners) for the words “one hundred years” there shall be substituted the words “one hundred and fifty years”.

Marginal Citations

- M3** 1961 c. 55.

6 Redemption of certain annuities.

- (1) If the Treasury, in respect of an annuity to which this subsection applies—
- (a) by notice in writing inform the person appearing to them to be entitled for the time being to receive the annuity that they propose to redeem it on a date specified in the notice (“the redemption date”), and
 - (b) tender to that person, not later than the redemption date, a payment calculated in accordance with subsection (7) below,
- the annuity shall cease to be payable on the redemption date.
- (2) Subsection (1) above applies to any annuity not exceeding £2,000 a year for the redemption of which the Treasury may contract under section 2 of the ^{M4}Consolidated Fund (Permanent Charges Redemption) Act 1873 (and does not apply to an annuity first payable after the passing of that Act).
- (3) Where a person entitled by virtue of any hereditary office to receive an annuity to which subsection (1) above applies has the right, as holder of the office, to nominate another person to an office which carries an allowance charged on the Consolidated Fund, the amount of the annuity shall, for the purpose of calculating the payment referred to in that subsection, be taken to be increased by the amount of the allowance; and the allowance shall cease to be payable when the annuity ceases to be payable.
- (4) The redemption date specified in a notice given under subsection (1) above shall not be later than fourteen days after the date on which the notice is served; and the notice may be served by post or in any other way.
- (5) If, in respect of an annuity payable by virtue of any of the enactments specified in the first column of the table below, the Treasury pay and the person specified (in relation to that enactment) in the second column of the table accepts a sum calculated in accordance with subsection (7) below, the annuity shall cease to be payable.

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TABLE

<i>Enactment by virtue of which annuity is payable</i>	<i>Person to whom payment is to be made</i>
Section 1 of the Prisage and Butlerage Act 1803 (c.156).	The Receiver General of the Duchy of Lancaster.
Section 3 of the Tin Duties Act 1838 (c.120).	The Receiver General of the Duchy of Cornwall.
Section 9 of the Greenwich Hospital Act 1869 (c.44).	The Secretary of State.

- (6) Any payment accepted by the Secretary of State under subsection (5) above shall be credited to the Greenwich Hospital capital account with the Paymaster General.
- (7) The sum to be paid in respect of an annuity under subsection (1) or (5) above shall be such as would, according to the average price of undated government stock at the end of the relevant day, purchase an amount of such stock yielding annual dividends equal to the amount of the annuity; and in this subsection—
- “the relevant day”, in relation to subsection (1) above, means a day specified in the notice given under that subsection, being a day not more than seven days earlier than that on which the notice is served; and in relation to subsection (5) above, means a day agreed between the Treasury and the person to whom the payment is to be made; and
- “undated government stock” means government stock, within the meaning of section 15(1) of the ^{M5}National Debt Act 1972, issued on terms which do not specify a date on or before which the stock is to be redeemed.
- (8) Payments under this section shall be charged on and paid out of the Consolidated Fund.

Marginal Citations

- M4** 1873 c. 57.
M5 1972 c. 65.

7 Local government allowances.

- (1) Section 173A of the ^{M6}Local Government Act 1972 (which enables councillors to give notices opting for financial loss allowance instead of attendance allowance) shall be amended as follows.
- (2) In subsection (3) (notices given within four weeks from election)—
- (a) for the words “four weeks from” there shall be substituted the words “one month beginning with the day of”; and
- (b) after the words “of the authority” there shall be inserted the words “then, subject to subsection (4A) below”.
- (3) For subsections (4) to (6) (later notices, and notices of withdrawal) there shall be substituted—

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“(4) If a councillor gives a financial loss allowance notice to the local authority otherwise than in accordance with subsection (3) above, then, subject to subsection (4A) below, he shall be entitled to receive financial loss allowance for the performance of any approved duty after the end of the period of one month beginning with the day on which the notice is given.

(4A) If a councillor who has given a local authority a financial loss allowance notice gives them notice in writing that he withdraws that notice, it shall not have effect in relation to any duty performed after the day on which the notice of withdrawal is given.”.

Marginal Citations

M6 1972 c. 70.

8 Repeals.

The enactments mentioned in Schedule 3 to this Act are hereby repealed to the extent specified in the third column of that Schedule.

9 Commencement.

- (1) Sections 1 and 8 above (and Schedules 1 and 3) shall come into force on such day as the Secretary of State may appoint by order made by statutory instrument; and an order under this subsection may appoint different days for different purposes.
- (2) Except as provided in subsection (1) above this Act shall come into force at the end of the period of two months beginning with the day on which it is passed.

Modifications etc. (not altering text)

C3 Power of appointment conferred by s. 9(1) fully exercised: 1.4.1984 appointed by [S.I. 1983/1338](#), [art. 2](#)

10 Extent.

- (1) Sections 1 and 2 above, and Schedule 1 to this Act (except paragraph 12), shall not extend to Northern Ireland.
- (2) Any amendment or repeal by section 4, 7 or 8 above of an enactment which does not extend throughout the United Kingdom shall extend only to the part of the United Kingdom to which the enactment amended or repealed extends.
- (3) Subject to subsections (1) and (2) above, this Act extends to Northern Ireland.
- (4) Section 5 of this Act extends to the Isle of Man so far as is material to any powers or duties of the Crown Estate Commissioners in the Isle of Man.

11 Short title.

This Act may be cited as the Miscellaneous Financial Provisions Act 1983.

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SCHEDULES

^{F5}SCHEDULE 1

Section 1.

Textual Amendments

F5 [Sch. 1](#) repealed (1.7.2000) by [S.I. 2000/1505](#), [art. 5](#)

SCHEDULE 2

Section 4.

TREASURY GUARANTEES

Act	Provision amended	Borrowers
The Coal Industry Nationalisation Act 1946 (c. 59).	Section 27(4).	The National Coal Board.
The Electricity Act 1957 (c. 48).	Section 17(1).	The Electricity Council, the Central Electricity Generating Board and Area Boards.
The Transport Act 1962 (c. 46).	Section 21(1).	The British Railways Board, the British Transport Docks Board, the British Waterways Board, [^{F7} the National Bus Company][^{F8} and the Scottish Transport Group].
The New Towns (Scotland) Act 1968 (c. 16).	Section 38A(1).	New town development corporations.
F9	F9	F9
...
F10	F10	F10
...
F11	F11	F11
...
F12	F12	F12
...
F13	F13	F13
...

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F14	F14	F14
...
The Welsh Development Agency Act 1975 (c. 70).	Schedule 3, paragraph 6(1).	The Welsh Development Agency.
...
F15	F15	F15
The Airports Authority Act 1975 (c. 78).	Section 7(1).	The British Airports Authority.
F16	F16	F16
...
The Aircraft and Shipbuilding Industries Act 1977 (c. 3).	Section 13(1).	British Shipbuilders.
The British Airways Board Act 1977 (c. 13).	Section 11(1).	The British Airways Board.
F17	Schedule 21, paragraph 2(1).	The Land Authority for Wales.
...
The Local Government, Planning and Land Act 1980 (c. 65).	Schedule 31, paragraph 5(1).	Urban development corporations.
Act	Provision amended	Borrowers
The English Industrial Estates Corporation Act 1981 (c. 13).	Section 5(1).	The English Industrial Estates Corporation.
The British Telecommunications Act 1981 (c. 38).	Section 29(1).	British Telecommunications.
The Civil Aviation Act 1982 (c. 16).	Section 14(1).	The Civil Aviation Authority.
...
F18	F18	F18
[^{F19} The Local Government Finance Act 1982 (c. 32).]	[^{F19} Schedule 3, paragraph 11(1).]	[^{F19} The Audit Commission for Local Authorities in England and Wales.]

Textual Amendments

- F7** In Sch. 2, words in entry relating to the Transport Act 1962 repealed (G.B.) (01.04.1991) by [S.I. 1991/510, art. 5, Sch.](#)
- F8** Words in entry relating to the Transport Act 1962 in Sch. 2 repealed (S.) (7.6.2002) by [S.S.I. 2002/263, art. 5\(2\), Sch.](#)
- F9** Entry in Sch. 2 repealed (26.3.2001) by [2000 c. 26, s. 127\(6\), Sch. 9](#); [S.I. 2001/1148, art. 2, Sch.](#) (subject to [arts. 3-42](#)) (with art. 34)
- F10** Entry repealed by [Gas Act 1986 \(c. 44, SIF 44:2\), s. 67\(4\), Sch. 9 Pt. II](#)
- F11** Entry repealed by [Water Act 1989 \(c. 15, SIF 130\), s. 190\(3\)\(4\), Sch. 27 Pt. I](#)

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- F12** Entry repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 3, **Sch. 1 Pt. I**
- F13** [Sch. 2](#): entry relating to the [Industry Act 1975](#) repealed (06.01.1992) by [British Technology Group Act 1991 \(c. 66, SIF 64\)](#), s. 17(2), **Sch. 2 Pt. I**; S.I. 1991/2721, **art. 2**
- F14** Entry repealed (1.4.1991) by [Enterprise and New Towns \(Scotland\) Act 1990 \(c. 35, SIF 64\)](#), s. 38(2), **Sch. 5 Pt. I**
- F15** Entry repealed by [Oil and Pipelines Act 1985 \(c. 62, SIF 86\)](#), s. 7, **Sch. 4 Pt. I**
- F16** Entry in [Sch. 2](#) repealed (1.10.1998) by 1998 c. 38, s. 152, **Sch. 18 Pt. IV** (with ss. 137(1), 139(2), 143(2)); S.I. 1998/2244, **art. 4**
- F17** Entry in [Sch. 2](#) repealed (1.10.1998) by 1998 c. 38, s. 152, **Sch. 18 Pt. V** (with ss. 137(1), 139(2), 143(2)); S.I. 1998/2244, **art. 4**
- F18** Entry repealed by [British Steel Act 1988 \(c. 35, SIF 70\)](#), s. 16(3), **Sch. 2 Pt. I**
- F19** Entry in [Sch. 2](#) repealed (E.W.) (11.9.1998) by 1998 c. 18, ss. 54(3), 55(2), **Sch. 5**

SCHEDULE 3

Section 8.

ENACTMENTS REPEALED

Chapter	Short title	Extent of repeal
1 & 2 Vict. c. 120.	The Tin Duties Act 1838.	The whole Act.
32 & 33 Vict. c. 44.	The Greenwich Hospital Act 1869.	Section 9.
9 Edw. 7. c. 47.	The Development and Road Improvement Funds Act 1909.	Part I. Section 19. The Schedule.
10 Edw. 7 & 1 Geo. 5. c. 7.	The Development and Road Improvement Funds Act 1910.	The whole Act.
1 & 2 Geo. 5. c. 49.	The Small Landholders (Scotland) Act 1911.	In Schedule 1, the reference to the Development and Road Improvement Funds Acts 1909 and 1910.
6 & 7 Geo. 5. c. 38.	The Small Holding Colonies Act 1916.	In section 3, the words “or the Development and Road Improvement Funds Act, 1909,”. In section 5(1), the words “or to be acquired”.
9 & 10 Geo. 6. c. 49.	The Acquisition of Land (Authorisation Procedure) Act 1946.	In Schedule 4, the entries relating to the Development and Road Improvement Funds Act 1909.

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9 & 10 Eliz. 2. c. 33.	The Land Compensation Act 1961.	Section 8(7)(b).
1963 c. 51.	The Land Compensation (Scotland) Act 1963.	Section 15(7)(b).
1972 c. 11.	The Superannuation Act 1972.	In Schedule 6, paragraph 4.
1975 c. 24.	The House of Commons Disqualification Act 1975.	In Part II of Schedule 1, in the entry relating to the Development Commission, the words “established under the Development and Road Improvement Funds Act 1909”.
1981 c. 13.	The English Industrial Estates Corporation Act 1981.	Section 3(a).

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