

## 1979 No. 1642

## INDUSTRIAL DEVELOPMENT

## The Assisted Areas (Amendment) Order 1979

<i>Made - - - -</i>	<i>7th December 1979</i>
<i>Laid before Parliament</i>	<i>11th December 1979</i>
<i>Coming into Operation</i>	<i>12th December 1979</i>

The Secretary of State, in exercise of his powers under sections 1(1) and (4) and 18(1) of the Local Employment Act 1972(a), sections 1(4) and 5(3) of the Industry Act 1972(b) and paragraph 2 of Schedule 2 thereto, hereby makes the following Order:—

1. This Order may be cited as the Assisted Areas (Amendment) Order 1979 and shall come into operation on 12th December 1979.

2. In this Order—

“the Principal Order” means the Assisted Areas Order 1979(c);

“Broughton and Saltney” means that part of the Shotton employment office area which until June 1978 was part of the Chester employment office area.

3. The Principal Order shall be amended as follows:

- (i) there shall be included amongst the special development areas listed in Part I of Schedule 2 and amongst those in Wales in Schedule 3 the employment office areas of Flint, Holywell, Mold and Shotton;
- (ii) there shall be included amongst the development areas listed in Part II of Schedule 2 and (under a new subheading “East Midlands Region”) in Schedule 4 the employment office area of Corby;
- (iii) the reference in Article 4(1)(b) to areas which were development areas under the Orders revoked by the Principal Order, in so far as it refers to Shotton, shall be a reference to the employment office area of Shotton as it is now (which includes Broughton and Saltney);
- (iv) the reference in Article 4(1)(c) to areas which were intermediate areas under the Orders revoked by the Principal Order, in so far as it refers to Chester, shall be a reference to the employment office area of Chester as it is now (which excludes Broughton and Saltney);
- (v) in Article 5(1) for the words “no grant at the rate appropriate to a special development area may be made under Part I of the Industry

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(a) 1972 c. 5.

(b) 1972 c. 63.

(c) S.I. 1979/837.

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Act 1972” there shall be substituted the words “grant may only be made under Part I of the Industry Act 1972 at the rate appropriate to a development area which is not a special development area”;

- (vi) in Article 5(2) before the words “paragraph (4)” there shall be inserted the words “sub-paragraphs (b) and (d) of”;
- (vii) there shall be inserted after Article 5 Articles 5A and 5B as set out in the Schedule hereto; and
- (viii) the word “Manchester” shall be substituted for the words “Manchester City” where they appear in the list of employment office areas in the North West Region in Schedule 8.

*Sir Keith Joseph,*  
Secretary of State.  
Department of Industry.

7th December 1979.

## THE SCHEDULE

*Article 3(vii)*

*Articles 5A and 5B of the Assisted Areas Order 1979 as inserted by this Order.*

5A.—(1) Article 5 above does not apply to the employment office areas of Flint, Holywell, Mold, Shotton and Corby.

(2) Notwithstanding that the employment office areas of Flint, Holywell, Mold and Shotton are special development areas and subject, in the case of Broughton and Saltney, to paragraph (3) below, grant may only be made under Part I of the Industry Act 1972 at the rate appropriate to a development area which is not a special development area to any person towards expenditure incurred by him in providing an asset as part of, on or for use in qualifying premises in any of those areas if either of the conditions specified in paragraph (5) below applies.

(3) Notwithstanding that the employment office area of Shotton is a development area no grant may be made under Part I of the Industry Act 1972 to any person towards expenditure incurred by him in providing plant or machinery for use in qualifying premises in Broughton and Saltney if either of the conditions specified in paragraph (5) below applies.

(4) Notwithstanding that the employment office area of Corby is a development area no grant may be made under Part I of the Industry Act 1972 to a person towards expenditure incurred by him in providing an asset as part of, on or for use in qualifying premises in that area if either of the conditions specified in paragraph (5) below applies.

(5) The conditions mentioned in paragraphs (2), (3) and (4) above are—

(a) that the expenditure was defrayed before the date on which this Order comes into operation; and

(b) that, subject to the provisions of paragraph (6) below, a project is being or is to be carried out (either in whole or in part) on the qualifying premises in question and that project is a project in respect of which an offer of financial assistance exceeding £20,000 under Part II of the Industry Act 1972 has, before that date, been accepted, whether by the person who has incurred the expenditure or by any other person.

(6) For the purpose of determining whether the condition referred to in sub-paragraph (5)(b) above or in sub-paragraph (2)(b) of Article 5B below is fulfilled any offer of financial assistance shall be disregarded if—

(a) the acceptance of that offer has been withdrawn and any moneys paid in pursuance of it have been agreed to be repaid; or

(b) when the asset in question is provided the project to which the offer related has been completed or no further progress with the project is intended to be made.

5B.—(1) No grant may be made under Part I of the Industry Act 1972 to any person towards expenditure incurred by him in providing plant or machinery for use in qualifying premises in any of the areas referred to in paragraph (2) of Article 5A above if either of the conditions specified in paragraph (2) below applies.

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- (2) The conditions mentioned in paragraph (1) above are:—
- (a) that the expenditure was defrayed before 14th April 1977, and
  - (b) that, subject to the provisions of paragraph (6) of Article 5A above, a project is or was being or is to be carried out (either in whole or in part) on the qualifying premises in question and that project is or was a project in respect of which an offer of financial assistance under Part II of the Industry Act 1972 has or had, before that date, been accepted, whether by the person who has incurred the expenditure or by any other person.
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#### EXPLANATORY NOTE

*(This Note is not part of the Order.)*

1. The Order amends the Assisted Areas Order 1979 referred to as “the Principal Order”.
2. As from 12th December 1979 the employment office areas of Flint, Holywell, Mold and Shotton are upgraded from development areas (or, in the case of a certain part of the Shotton employment office area, from intermediate area) to special development areas and the employment office area of Corby (which was previously not an assisted area) is made a development area. Appropriate transitional provisions are made.
3. The employment office area of Manchester is specified as such and not as Manchester City.
4. On an upgrading of an area from an ordinary development area to a special development area eligibility for grant at the rate appropriate to a development area is preserved in those cases where grant at the rate appropriate to a special development area is not available.

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