

STATUTORY INSTRUMENTS

1986 No. 128 (C.6)

INDUSTRIAL DEVELOPMENT

The Co-operative Development Agency and Industrial Development Act (Commencement) (Amendment) Order 1986

Made - - - - - 29th January 1986

The Secretary of State, in exercise of his powers under section 7(1)(b), (2), (3) and (5) of the Co-operative Development Agency and Industrial Development Act 1984(a) hereby makes the following Order:—

Citation

1. This Order may be cited as the Co-operative Development Agency and Industrial Development Act (Commencement) (Amendment) Order 1986.

Interpretation

2. In this Order “the Principal Order” means the Co-operative Development Agency and Industrial Development Act (Commencement) Order 1984(b).

Amendments to the Principal Order

3.— (1) The Principal Order shall be amended as follows—

- (a) in Article 4(1) the words “subject to paragraph (2) below” shall be omitted, after the words “financial assistance under” there shall be inserted the words “section 7 or 8 of the Industry Act 1972(c),” and for the words “(but not (c))” there shall be substituted the words “or (c)”;
- (b) in Article 4(2) there shall be inserted at the beginning the words “subject to paragraph (1) above”;
- (c) in Article 5(c) the words “if the amended offer so specifies for the purposes of this paragraph” shall be omitted;
- (d) for Article 8 there shall be substituted the following Article—

“8. Where—

- (a) grant is paid in accordance with Part II of the 1982 Act towards expenditure incurred in providing an asset on or after the appointed day; and

(a) 1984 c.57.
(b) S.I. 1984/1845.
(c) 1972 c.63.

(b) that expenditure is incurred in providing an asset comprised in a project in respect of which an application for approval of that project for grant under Part II of the amended Act of 1982 is made to the Secretary of State,

then no grant shall be paid under Part II of the amended Act of 1982 towards any expenditure referred to in paragraph (a) above or in respect of any jobs which are attributable to that expenditure.”

(2) The amendments made by paragraph (1) above shall be made so as to have effect as from 29th November 1984.

Peter Morrison,
Minister of State,
Department of Trade and Industry.

29th January 1986.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the transitional provisions dealing with the change from the old to the new scheme of regional development grants contained in the Co-operative Development Agency and Industrial Development Act (Commencement) Order 1984 as follows:

- (i) Article 3(1)(a) corrects an error in Article 4(1)(c) of the 1984 Order. Article 4(1)(c) enables grant to be paid under the old scheme towards expenditure on an asset provided as part of a project for which certain other financial assistance was offered before 29th November 1984. Article 3(1)(a) extends this to the case where the other assistance was offered under section 7 or 8 of the Industry Act 1972;
- (ii) Article 3(1)(a) and (b) amend Article 4 of the 1984 Order. Article 4(1) prohibits the payment of grant in respect of an asset under the new scheme where grant is paid in accordance with Article 4(1) under the old scheme. Article 3(1)(a) and (b) ensure that the prohibition applies in every case where grant is paid in accordance with Article 4(1)(c);
- (iii) Article 3(1)(c) amends Article 5(c) of the 1984 Order. Article 4(2) of the 1984 Order prohibits, in certain cases, payment of grant under the new scheme where an offer of other financial assistance was made before 29th November 1984 under the provisions mentioned in Article 4(1)(c) of the 1984 Order. Article 5(c) of the 1984 Order stipulates that the provisions of Article 4(1)(c) and Article 4(2) apply where the offer of other financial assistance has been amended provided that the amendment so specifies. Article 3(1)(c) removes the proviso;
- (iv) Article 3(1)(d) substitutes a new Article 8 of the 1984 Order. Article 8 prohibits the payment of grant under the new scheme in respect of both assets and jobs. It applies to the case where grant is paid under the old scheme towards expenditure incurred in providing an asset within the year beginning 29th November 1984 and where that expenditure is incurred for the purposes of a project in respect of which an application is made for grant under the new scheme and where the project began within that year. Article 3(1)(d) extends the prohibition to cases where the asset is provided after 28th November 1985 and where the project began before 29th November 1984. It also restricts the prohibition to cases where the asset is comprised in the new scheme project.

In accordance with section 7(5) of the Co-operative Development Agency and Industrial Development Act 1984 the amendments are made so as to have effect from 29th November 1984.

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