# Regional Development Grants (Termination) Act 1988

**1988 CHAPTER 11**

An Act to preclude the making of grants under Part II of the Industrial Development Act 1982 after 31 March 1988 unless previously applied for and to restrict the payment of such grants in certain cases; and for connected purposes. [3rd May 1988]

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:—

Termination of regional development grants. 1982 c.52.

**1.**—(1) Subject to subsection (2) below, no regional development grant under Part II of the Industrial Development Act 1982 ("the 1982 Act") in respect of the carrying out of projects of investment to which that Part applies shall be made after 31 March 1988.

(2) Subsection (1) above shall not prevent the making of a grant in respect of a project if the application for approval of the project was received by the Secretary of State on or before 31 March 1988.

(3) For the purposes of this section an application received after 31 March 1988 shall nonetheless be treated as received on that date if the Secretary of State is satisfied that the application was posted by first-class letter before that date.

(4) The following powers shall cease to be exercisable—

(a) the power conferred by section 1(1) of the 1982 Act (specification of development areas), so far as exercisable for the purposes of Part II of that Act;

(b) the power conferred by section 1(2) of that Act (designation of special development areas for the purposes of Part II);

(c) the powers conferred by section 5(1) to (8) of that Act (powers with respect to the calculation of grant); and

1984 c. 57.

(d) the power conferred by section 7(1)(b), (2), (3) and (5) of the Co-operative Development Agency and Industrial Development Act 1984 (transitional provision in connection with the commencement of Part II of that Act).

Restriction of payments of grant.

**2.**—(1) Except in the case of projects commenced on or before 12 January 1988, grant under Part II of the 1982 Act in respect of a project for which an application for approval is received after that date shall only be payable in accordance with this section.

(2) In this section—

(a) any reference, in relation to a project, to the closing date for grant purposes, is a reference to the second anniversary of the date on which the project was approved; and

(b) any reference, in relation to a project, to the closing date for claim purposes is a reference to the third anniversary of the date on which the project was approved or, if the Secretary of State has specified an earlier date in the approval, the date so specified.

(3) As respects grant in respect of capital expenditure on the provision of an asset, grant shall, subject to subsection (5) below, only be payable—

(a) if the asset is provided before the closing date for grant purposes, or

(b) where the asset is not provided before that date if, and to the extent that, expenditure on its provision is defrayed before that date.

(4) As respects grant in respect of the provision of a job, grant shall, subject to subsection (5) below, only be payable if the job is provided before the closing date for grant purposes.

(5) Grant shall not be payable in respect of capital expenditure on the provision of assets or in respect of the provision of jobs unless a claim for its payment is received by the Secretary of State before the closing date for claim purposes.

(6) No adjustment shall be made under section 3(6) or (7) of the 1982 Act (revision of grant) which would have the effect of increasing the amount of grant beyond the amount payable on the basis of the determination made under subsection (4) of that section on the approval of the project and section 4 of that Act (calculation of grant) shall have effect accordingly.

(7) For the purposes of this section a project shall be treated as commencing when, under the project, the first asset or job is provided or, if earlier, expenditure is first defrayed on the provision of an asset.

(8) For the purposes of this section, an application received after 12 January 1988 shall nonetheless be treated as received on that date if the Secretary of State is satisfied that the application was posted by first-class or second-class letter not later than that date.

(9) Section 2(7) of the 1982 Act (which defines "asset", "expenditure", "jobs", "provision" and "provide" for the purposes of Part II of that Act) shall also apply for the purposes of this section.

**3.**—This Act may be cited as the Regional Development Grants (Termination) Act 1988. Short title.

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