



# Local Employment Act 1972

## CHAPTER 5

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## ELIZABETH II



# Local Employment Act 1972

## 1972 CHAPTER 5

An Act to consolidate, with certain exceptions, the provisions of the Local Employment Acts 1960 to 1971. [10th February 1972]

**B**E 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:—

### *Development areas and intermediate areas*

1.—(1) For the purposes of this Act the Secretary of State may by order specify any area of Great Britain as—

Designation  
of development  
areas and  
intermediate  
areas.

(a) a development area ; or  
(b) an intermediate area.

(2) The areas to be specified under this section as development areas shall be areas where, in the opinion of the Secretary of State, special measures are necessary for the purpose of encouraging the growth and proper distribution of industry ; and, in exercising his power to specify areas as aforesaid, the Secretary of State shall have regard to all the circumstances actual and expected, including the state of employment and unemployment, population changes, migration and the objectives of regional policies.

(3) The areas to be specified under this section as intermediate areas shall be areas where, in the opinion of the Secretary of State—

- (a) special measures are necessary for the purpose of encouraging the growth and proper distribution of industry ; but  
(b) the economic problems are not so acute that the powers conferred by this Act in relation to development areas

only (in addition to those conferred in relation to both development areas and intermediate areas) need to be available for that purpose to be achieved.

1948 c. 46.

(4) An order under this section may describe a development area or intermediate area by reference to employment exchange areas, that is to say, areas for which an employment exchange has been established for the purposes of the Employment and Training Act 1948; and any reference in such an order to a named employment exchange area shall be construed as a reference to that area as it exists on the date on which the order comes into force.

(5) In this Act any reference to a development area shall have effect as if there were included in the development area any relevant locality outside that area as respects which the Secretary of State and the Treasury are satisfied that it ought to be treated as if it were so included by reason of the fact that—

(a) its population will be, or is being, increased by migration from one or more specific places in the development area; and

(b) the increase will be substantial in relation to the original population of the locality;

and the Secretary of State shall give notice in such manner as appears to him appropriate of the localities as respects which he and the Treasury are for the time being satisfied as aforesaid.

(6) The localities relevant for the purposes of subsection (5) of this section are—

1965 c. 59.

1968 c. 16.

(a) any area which has been designated under the New Towns Act 1965 or the New Towns (Scotland) Act 1968, or any enactment repealed by either of those Acts, as the site of a new town;

1952 c. 54.

1961 c. 65.

(b) any locality which, in relation to the development area or to that area and any other place, is a receiving district within the meaning of the Town Development Act 1952 or falls to be treated as such a receiving district by virtue of an order under section 34 of the Housing Act 1961;

1957 c. 38.

(c) any burgh or county the council of which are, in relation to the development area or to that area and any other place, a receiving authority within the meaning of Part II of the Housing and Town Development (Scotland) Act 1957.

(7) Where, by an order under this section, the Secretary of State specifies as an intermediate area an area which, immediately before the order was made, was a development area in which any locality fell to be included by virtue of subsection (5) of this section, that locality shall be treated for the purposes of this Act as included in the specified area.

*Powers for provision of employment*

2.—(1) The powers conferred by sections 3 to 6 of this Act shall be exercisable, with due regard to the proper diversification of industry, for the purpose of providing for the benefit of any area in relation to which the powers are exercisable employment appropriate (having regard to the circumstances of the area generally and of any particular description of persons therein) to the needs of the area.

Purpose for which powers exercisable and advisory committee.

(2) In determining whether and in what manner to exercise his powers under sections 3, 4 and 5 of this Act for the benefit of any area in relation to which the powers are exercisable, the Secretary of State shall have regard—

- (a) to the relation between the expenditure involved and the employment likely to be provided; and
- (b) to any consequential effect on employment in any other part of that area and in any other development area or intermediate area.

(3) For the purposes of this Act there shall be an advisory committee appointed by the Secretary of State; and the Secretary of State may pay to the members of the committee such allowances as he may with the consent of the Minister for the Civil Service determine.

3.—(1) For the purpose mentioned in section 2(1) of this Act the Secretary of State may, with the consent of the Treasury and after consultation, if he sees fit, with the advisory committee, make grants to persons carrying on, or proposing to carry on, undertakings in any development area or intermediate area towards the cost of providing in the area buildings or extensions of buildings to be occupied by the undertakings.

Building grants.

(2) The amount of any grant to be made towards the cost of providing a building or an extension of a building under this section shall be the appropriate proportion, as stated in the following provisions of this section, of the relevant expenditure; and that expenditure shall be so much of the expenditure incurred in providing the building or extension as the Secretary of State may approve for the purposes of the grant:

Provided that the grant may be of an amount less than that proportion in any case where it appears to the Secretary of State that the employment likely to be provided as a result of the expenditure so incurred and any associated expenditure does not justify a grant equal to the appropriate proportion.

(3) The appropriate proportion for this purpose is—

- (a) twenty-five per cent. of the relevant expenditure in the case of a building or extension in an intermediate area; and

(b) thirty-five per cent. of the relevant expenditure in the case of a building or extension in a development area, plus, in either case, a further ten per cent. of the relevant expenditure, where it appears to the Secretary of State that the application for the grant is made for the purpose of setting up an undertaking in the area in circumstances which justify the giving of special assistance under this section.

(4) In this section, references to buildings include references to structures; and, for the purposes of this section, a building may be provided by the adaptation of an existing one, and a building or extension of a building by the purchase of a new one, that is to say, one not previously occupied.

(5) Where a building or extension of a building constructed with a view to being let to another person includes special features at the request of that person, and he is required to pay a capital sum in consideration thereof, this section shall have effect as if that sum were expenditure incurred by him in providing the building or extension.

(6) Where at any time a development area becomes an intermediate area, it shall be treated as if it were still a development area for the purpose of determining the amount of any grant to be made under this section on an application received by the Secretary of State before that time, or in respect of expenditure any part of which was incurred by the applicant under a contract entered into before that time; and where at any time an intermediate area becomes a development area, it shall be treated as if it were still an intermediate area for the purpose of determining the amount of a grant under this section in the following circumstances—

- (a) in the case of a grant in respect of the provision of a building or extension by purchase, if the contract to purchase was entered into before that time, or if before that time any work on providing the building or extension was done on the site with a view to occupation by the applicant for the grant or, if the applicant is a member of a group, by any other member of that group;
- (b) in the case of a grant made by virtue of subsection (5) of this section, if any work on including the special features in the building or extension was done before that time; and
- (c) in the case of any other grant, if any work on providing the building or extension was done on the site before that time by or on behalf of the applicant for the

grant or, if the applicant is a member of a group, by or on behalf of any other member of that group.

(7) For the purposes of subsection (6) of this section, a group consists of a body corporate together with all other bodies corporate which are its subsidiaries within the meaning of section 154 of the Companies Act 1948; and in that subsection references to development areas and intermediate areas include references to parts of development areas and intermediate areas. 1948 c. 38.

(8) In making a grant under this section the Secretary of State shall impose such conditions (which may include conditions for repayment in specified circumstances) as he thinks fit for securing that the building or extension will continue to serve the purpose mentioned in section 2(1) of this Act.

4.—(1) Where, in accordance with recommendations of the advisory committee, the Secretary of State is satisfied as respects any undertaking carried on, or proposed to be carried on, in a development area— General power to make loans and grants and to acquire shares.

(a) that it is expedient for the purpose mentioned in section 2(1) of this Act to exercise his powers under this section; and

(b) that there are good prospects of the undertaking ultimately being able to be carried on successfully without further assistance under this section,

the Secretary of State may agree with the person carrying on, or proposing to carry on, the undertaking to give assistance under this section for the purposes of the undertaking.

(2) Assistance under this section may be given—

(a) where the person carrying on, or proposing to carry on, the undertaking is a company incorporated in the United Kingdom—

(i) by making loans or grants;

(ii) by subscribing for or otherwise acquiring shares or stock in the company;

(iii) by a combination of the methods mentioned in sub-paragraphs (i) and (ii) of this paragraph;

(b) in any other case, by making loans or grants.

(3) A grant may be made under this section in respect of expenditure incurred outside a development area in connection with the transference of any undertaking to a development area.

(4) Assistance under this section shall be of such amounts and shall be given on such terms and conditions as may be recommended by the advisory committee and specified in the agree-

ment made with the person to whom the assistance is given ; and those terms and conditions may include—

- (a) in the case of a grant, conditions for repayment in specified circumstances ;
- (b) in the case of a loan to a company incorporated in the United Kingdom, terms providing for the indebtedness to the Secretary of State to be discharged by the issue of shares or stock in the company.

(5) In recommending the terms and conditions on which assistance under this section should be given, the advisory committee shall act in accordance with general directions given to them by the Secretary of State with the consent of the Treasury.

**5.—**(1) For the purpose mentioned in section 2(1) of this Act 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 this section any buildings other than industrial buildings except for redevelopment or as part of a larger property which in the opinion of the Secretary of State would be incomplete without them.

**6.—**(1) Subsection (2) of this section shall have effect for assisting the transfer of persons from employment in an undertaking, wherever carried on, to employment in an undertaking (in this section referred to as “ the new undertaking ”) which is being established in a development area or intermediate area by way of extension of or in connection with, or by way of transfer of the whole or part of, the first-mentioned undertaking or which, having been so established, is being extended in the development area or intermediate area in question.

Provision  
of premises  
and sites.

Removal and  
resettlement  
of workers.



(2) If on an application in that behalf as respects any person the Secretary of State is satisfied that it is expedient for the purpose mentioned in section 2(1) of this Act to exercise his powers under this subsection, and that the exercise thereof will facilitate the establishment or extension of the new undertaking, he may for the purposes of section 5 of the Employment and Training Act 1948 (payments towards cost of removal and resettlement of workers and their dependants and towards their maintenance and welfare in the course of their removal pending their resettlement) treat—

- (a) the said person's becoming employed in the new undertaking as if it were the obtaining of employment; and
- (b) the said person's ceasing to be employed in the new undertaking as if it were the coming to an end of employment, notwithstanding that he ceases to be so employed in order that he may continue in employment elsewhere.

#### *Powers for contributing to development of industry*

7.—(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.

Improvement  
of basic  
services.

(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.

8.—(1) Where in the case of any land in a development area or intermediate area—

Derelict land.

- (a) it appears to the appropriate Minister that the land is derelict, neglected or unsightly; and
- (b) it appears to the Secretary of State for Trade and Industry that it is expedient with a view to contributing to the development of industry in that area that steps should be taken for the purpose of enabling the land (in

this section referred to as "the derelict land") to be brought into use or of improving its appearance, the powers conferred by subsections (2) and (3) of this section shall be exercisable by the Secretary of State for Trade and Industry and the appropriate Minister respectively.

(2) The Secretary of State for Trade and Industry may acquire by agreement or, if so authorised, compulsorily the derelict land and any other land the acquisition of which is reasonably required for the purpose mentioned in subsection (1)(b) of this section, and carry out on the derelict land and any other land such work as appears to him expedient for that purpose.

(3) The appropriate Minister may with the consent of the Treasury make grants, in such manner as appears to him to be requisite for the purpose mentioned in subsection (1)(b) of this section, to the council of the county, county borough or county district in which the land in question is situated—

- (a) towards the cost of the exercise of any power of the council to acquire the derelict land or any other land ;
- (b) towards the cost of the carrying out by the council for that purpose of any work on the derelict land or on any other land.

(4) In this section—

"the appropriate Minister" means, as respects land in England, in Scotland or in Wales, the Secretary of State for the time being having general responsibility in planning matters in relation to those countries respectively ;

"land" includes land covered with water.

(5) In the application of subsection (3) of this section to Scotland for any reference to the council of the county, county borough or county district in which the land in question is situated there shall be substituted a reference to any local authority, as defined for the purposes of the Local Government (Scotland) Act 1947, within whose area the land in question is situated.

(6) Where the Secretary of State for Trade and Industry is of opinion, with respect to any locality in Great Britain, that the economic situation in the locality is such that the exercise, in relation to land therein, of the powers conferred by the foregoing provisions of this section would be particularly appropriate with a view to contributing to the development of industry in the locality, he may by order specify it as a derelict land

clearance area, and those provisions shall have effect in relation to land in a derelict land clearance area as they have effect in relation to land in a development area or intermediate area.

(7) Section 1(4) of this Act shall apply, subject to the necessary modifications, to any order under subsection (6) of this section.

9.—(1) Where, in the case of land in an intermediate area or derelict land clearance area—

- Grants for improvement work on derelict land begun before 5th March 1970.
- (a) the council of the county, county borough or county district in which the land is situated have carried out work on the land for the purpose of enabling it to be brought into use or of improving its appearance; and
  - (b) it appears to the appropriate Minister that, before the work was begun, the land was derelict, neglected or unsightly; and
  - (c) it appears to the Secretary of State for Trade and Industry that bringing the land into use or improving its appearance has contributed or is likely to contribute to the development of industry in the area,

then, provided that the work was begun on the land after 24th April 1969 and before 5th March 1970, the appropriate Minister may with the consent of the Treasury make grants to the council—

- (i) towards any cost incurred by the council in acquiring the land, and any other land acquired by the council for the purpose of enabling the first-mentioned land to be brought into use or of improving its appearance;
- (ii) towards the cost of the carrying out by the council for that purpose of any work on the first-mentioned land or on any other land.

(2) In this section “the appropriate Minister” and “land” have the same meanings as in section 8 of this Act, and subsection (5) of that section shall apply to subsection (1) of this section as it applies to subsection (3) of that section.

### *Industrial estates corporations*

10.—(1) There shall continue to be three corporations (being the corporations established by section 8 of the Local Employment Act 1960) named the English Industrial Estates Corporation, the Scottish Industrial Estates Corporation and the Welsh Industrial Estates Corporation which shall be charged as respects England, Scotland and Wales respectively with the exercise of the functions conferred on them by the following provisions of this Act.

Constitution of the corporations. 1960 c. 18.

(2) Each of the corporations (in this Act referred to as an "industrial estates corporation") shall consist of a chairman and four other members appointed by the Secretary of State, and the members shall include a person appearing to the Secretary of State to have adequate experience of industrial matters, a person appearing to him to have adequate experience in the organisation of workers, and one or more persons appearing to him to have adequate experience in accountancy, building or estate management.

(3) The Secretary of State may by regulations make provision with respect to the appointment, tenure of office and removal of members of an industrial estates corporation, the manner of execution of instruments and of entering into contracts by it and on its behalf, and the proof of documents executed by it or on its behalf.

(4) The provisions of Schedule 1 to this Act shall have effect in relation to the industrial estates corporations.

Functions  
of the  
corporations.  
1960 c. 18.

**11.—**(1) It shall be the duty of the industrial estates corporations to manage land leased to them under this Act by the Secretary of State or vested in them by the Local Employment Act 1960 (whether or not situated in a development area or intermediate area) and, in accordance with directions of the Secretary of State in that behalf, to do anything which is required—

- (a) in order to develop the land by the erection or extension of buildings and the carrying out of works ;
- (b) in order to provide (by letting or otherwise) premises for the occupation of undertakings or for otherwise meeting the requirements of undertakings (including requirements arising from the needs of persons employed or to be employed therein) ; or
- (c) in order to provide means of access, services or other facilities for meeting those requirements.

(2) The power of the corporations to provide services or other facilities for meeting the requirements of any undertaking shall be exercisable whether or not the undertaking is carried on on land leased from the corporations.

(3) A direction may be given under subsection (1) of this section that a corporation shall not provide services or facilities except with the consent of, and in such manner as may be determined by, the Secretary of State ; but this subsection shall not apply to the provision of heat, light, power or water, or the disposal of sewage and refuse, for meeting the requirements of an undertaking carried on on land leased from the corporation.

(4) Each of the corporations shall have power to provide, or assist in the provision of, advisory services in relation to the building of factories or the development or management of industrial estates, but shall not exercise that power except with the consent of, and in such manner as may be determined by, the Secretary of State.

(5) If it appears to the Secretary of State that an undertaking is to be set up in a development area or intermediate area in circumstances which justify the giving of special assistance, the Secretary of State may authorise any of the corporations to provide premises for the occupation of the undertaking free of rent for such period as the Secretary of State thinks appropriate.

(6) Where the Secretary of State is disposing of his interest in any land of which an industrial estates corporation is a tenant, the corporation shall comply with any direction of the Secretary of State as to the assignment or surrender of the corporation's interest.

(7) Without prejudice to the foregoing provisions of this section, the Secretary of State may give general directions to an industrial estates corporation as to the exercise of its functions, and in particular as to the location of head or branch offices of the corporation.

(8) All receipts of an industrial estates corporation other than—

- (a) receipts determined by the corporation in accordance with any directions of the Secretary of State to be required to be retained for meeting expenses properly payable out of income; and
- (b) receipts of the Scottish Industrial Estates Corporation on behalf of the Highlands and Islands Development Board when acting as agent for that Board under section 5(5) of the Highlands and Islands Development 1965 c. 46. (Scotland) Act 1965,

shall be paid over to the Secretary of State.

(9) The expenses of an industrial estates corporation incurred in the exercise of its functions under the foregoing provisions of this section shall, except in so far as they are met out of receipts of the corporation, be defrayed by the Secretary of State.

(10) Without prejudice to section 5(5) of the said Act of 1965, an industrial estates corporation may act as agent—

- (a) for the Secretary of State, or for any other industrial estates corporation, in the carrying out of any functions of the Secretary of State or corporation under this Act;

- (b) for the Development Commissioners in the carrying out of the functions of the Commissioners in relation to applications for advances under Part I of the Development and Road Improvement Funds Act 1909 and in relation to the framing of schemes with respect to any of the matters for which such advances may be made; or
- (c) for the Secretary of State in the execution of any work in respect of which such an advance as aforesaid is made to the Secretary of State.

1909 c. 47.

Accounts and reports of the corporations.

**12.**—(1) An industrial estates corporation shall keep proper accounts and proper records in relation to the accounts, and shall prepare in respect of each financial year of the corporation a statement of accounts in such form as the Secretary of State, with the consent of the Treasury, may direct, being a form conforming with the best commercial standards.

(2) The accounts of an industrial estates corporation shall be audited by auditors to be appointed annually by the Secretary of State.

(3) No person shall be qualified to be appointed under subsection (2) of this section unless he is a member of one or more of the following bodies:—

- (a) the Institute of Chartered Accountants in England and Wales;
- (b) the Institute of Chartered Accountants of Scotland;
- (c) the Association of Certified Accountants;
- (d) the Institute of Chartered Accountants in Ireland;
- (e) any other body of accountants established in the United Kingdom and for the time being recognised by the Secretary of State for the purposes of section 161(1)(a) of the Companies Act 1948.

1948 c. 38.

(4) So soon as the accounts of an industrial estates corporation for any financial year have been audited, the corporation shall send to the Secretary of State a report on the discharge of its functions during that year and that report shall include a copy of the statement of accounts for that year together with a copy of any report made by the auditors on the accounts.

#### *Miscellaneous powers*

**13.**—(1) Where land acquired by the Secretary of State under this Act, or vested in him in consequence of Part I of the Local Employment Act 1960, is situated in a locality which is not a development area or intermediate area, the Secretary

Powers in relation to Secretary of State's land.  
1960 c. 18.

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).

(2) The Secretary of State may modernise, adapt or reconstruct any buildings or other works on land acquired by him under this Act, or vested in him in consequence of Part I of the Local Employment Act 1960, 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 or vested in the Secretary of State as aforesaid, for the purpose of providing premises for the occupation of that undertaking or of otherwise meeting its requirements. 1960 c. 18.

(3) The foregoing provisions of this section shall not apply to land acquired by the Secretary of State under section 8 of this Act so far as applicable to derelict land clearance areas, but where land so acquired is situated in a locality which is not a derelict land clearance area the Secretary of State shall have power, so long as he owns the land, to carry out thereon such work as appears to him expedient for the purpose of enabling so much of the land as appears to him to be derelict, neglected or unsightly to be brought into use or of improving its appearance, with a view to contributing to the development of industry in the locality in which it is situated.

14.—(1) Where at any time a locality ceases to be a development area, intermediate area or derelict land clearance area, the fact that it is no longer such an area shall not prejudice— Powers where locality ceases to be development area,

- (a) the completion by the Secretary of State of buildings or works begun before that time in the locality under section 5 or 8 of this Act, or the exercise by the Secretary of State in relation to land in that locality of his powers under either of those sections so far as may be intermediate area or derelict land clearance area.

necessary for the purpose of fulfilling any agreement entered into by the Secretary of State before that time ;

- (b) the making under this Act of any grant or loan or the giving of assistance under section 4 of this Act in any case in which an application for the grant, loan or assistance was received by the Secretary of State (or the appropriate Minister for the purpose of section 8) before that time ; or
- (c) the continued operation of any agreement relating to any such grant, loan or assistance as is mentioned in paragraph (b) of this section or of any other agreement relating to grants or loans entered into under this Act.

(2) In subsection (1) of this section " grant " does not include a grant under section 3 of this Act but where at any time a development area ceases to be such without becoming an intermediate area, or an intermediate area ceases to be such without becoming a development area, it shall be treated as continuing to be a development area or, as the case may be, intermediate area—

- (a) for the purpose of enabling grants to be made under that section on applications received by the Secretary of State before that time, or in respect of expenditure any part of which was incurred by the applicant under a contract entered into before that time ; and
- (b) for the purpose of the continued operation of any agreement relating to any grant under that section.

In this subsection, references to development areas and intermediate areas include references to parts of development areas and intermediate areas.

Additional powers for safeguarding loans.

**15.**—(1) Where in the case of any undertaking a loan has been made under this Act and the Secretary of State is satisfied, in accordance with recommendations of the advisory committee, that with a view to enabling all or part of the moneys lent to be recovered it is expedient to provide further financial assistance for the purposes of the undertaking, the Secretary of State may provide such further assistance of such amount and on such terms and conditions as may be recommended by the committee.

(2) Section 4(5) of this Act shall apply in relation to recommendations under this section.

#### *Supplementary provisions*

Compulsory purchase.

1946 c. 49.

1947 c. 42.

**16.**—(1) Section 1 of the Acquisition of Land (Authorisation Procedure) Act 1946 and section 1 of the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 (procedure for compulsory purchase by local authorities and certain Ministers)



shall apply in relation to the compulsory purchase of land by the Secretary of State under this Act.

(2) Notwithstanding anything in this Act, where at the time of publication in accordance with the provisions of the said Act of 1946 or the said Act of 1947 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.

(3) 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 Act to acquire land; and—

(a) subsection (9) of section 280 and subsections (1) to (4) and (6) of section 281 of the Town and Country Planning Act 1971 c. 78; and

(b) subsections (4) to (7) and (9) of section 99 of the Town and Country Planning (Scotland) Act 1947,

(which provide for the giving of notice and the production of authority to enter, for cases of obstruction, for safeguarding information as to manufacturing processes and trade secrets, for compensation for damage and for defining powers of survey) shall apply in relation to this subsection as they apply in relation to the said section 280 and the said section 99 respectively.

17.—(1) In the light of the statements furnished to him under section 12(4) of this Act, the Secretary of State shall prepare a statement of accounts, in such form as the Treasury may direct, showing the financial results for each financial year as respects—

Secretary of State's accounts and reports.

(a) the activities of the Secretary of State in the execution of this Act, other than activities in respect of grants; and

(b) the activities of all the industrial estates corporations.

(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; and copies of every statement of accounts of the Secretary of State, together with the report of the Comptroller and Auditor General thereon, shall be laid by the Secretary of State before Parliament.

1947 c. 43. (3) As soon as may be after 31st March in each year the Secretary of State shall prepare a report on the discharge of his functions under this Act and under section 12(4) of the Town and Country Planning (Scotland) Act 1947 and section 67(1) of the Town and Country Planning Act 1971 and shall lay the report before Parliament.

Orders and regulations. **18.**—(1) Any power conferred by this Act to make orders includes power to vary or revoke any order previously made in the exercise of that power.

(2) Any power conferred by this Act to make orders or regulations shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

Transitional provisions. **19.** The provisions of Schedule 2 to this Act shall have effect in relation to the matters there dealt with and, in so far as they relate to section 3 of this Act, that section shall have effect subject to those provisions.

Expenses and receipts. **20.** Any expenses incurred by any Minister under this Act shall be defrayed out of moneys provided by Parliament, and any receipts of any Minister under this Act shall be paid into the Consolidated Fund.

Interpretation. **21.**—(1) In this Act—

- “the advisory committee” means the committee mentioned in section 2(3) of this Act;
- “derelict land clearance area” means an area specified as such by an order under section 8(6) of this Act;
- “development area” means, subject to subsection (5) of section 1 of this Act, an area specified as such by an order under that section;
- “financial year” means the period of twelve months beginning with 1st April;
- “industrial building”, as respects England and Wales, has the meaning assigned to it by section 66 of the Town and Country Planning Act 1971 and, as respects Scotland, has the meaning assigned to it by section 21 of the Local Employment Act 1960 and section 25 of the Industrial Development Act 1966;
- “industrial estates corporation” has the meaning assigned to it by section 10(2) of this Act;
- “intermediate area” means, subject to subsection (7) of section 1 of this Act, an area specified as such by an order under that section;

1960 c. 18.  
1966 c. 34.

“undertaking” means any trade or business, or any other activity providing employment.

(2) For the purposes of this Act Monmouthshire shall be deemed to be part of Wales.

(3) Except where the context otherwise requires, in this Act any reference to any enactment shall be construed as a reference to that enactment as amended, and as including a reference thereto as extended or applied, by any other enactment.

22.—(1) The enactments specified in Schedule 3 to this Act shall have effect subject to the amendments there specified.

Consequential amendments, repeals and savings.

(2) The enactments specified in Schedule 4 to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(3) The repeal by this Act of any enactment shall not affect the validity of any order, regulations, determination, appointment, consent, approval, direction, recommendation, agreement, application or any other thing made, given or done under that enactment, but any such thing shall be deemed for the purposes of this Act to have been made, given or done under the corresponding provision of this Act; and anything begun under any such enactment may be continued under the corresponding provision of this Act.

(4) Without prejudice to subsection (1) of this section, any reference in any document to an enactment repealed by this Act shall, except where the context otherwise requires, be construed as, or as including, a reference to this Act or the corresponding provision of this Act.

(5) Nothing in this section shall be construed as affecting the general application of section 38 of the Interpretation Act 1889 c. 63. 1889 with respect to the effect of repeals.

23.—(1) This Act may be cited as the Local Employment Act 1972.

Short title, commencement and extent.

(2) This Act shall come into force at the expiration of the period of one month beginning with the day on which it is passed.

(3) This Act does not extend to Northern Ireland.

## SCHEDULES

## SCHEDULE 1

## INDUSTRIAL ESTATES CORPORATIONS

*Incorporation*

1. Each corporation shall be a body corporate with perpetual succession and a common seal.

*Members*

2. Each corporation—

(a) shall pay to each of its members, in respect of his office as such, such remuneration (whether by way of salary or fees) and such allowances as the Secretary of State may with the approval of the Minister for the Civil Service determine in the case of that member; and

(b) in the case of any such member as the Secretary of State may with the approval of the Minister for the Civil Service determine, shall pay such pension or make such payments towards the provision of pensions to or in respect of him as the Secretary of State may with the approval of the Minister for the Civil Service determine.

3. The Secretary of State shall lay before each House of Parliament a statement of the remuneration and allowances that are or will be payable to members of the corporations under paragraph 2 of this Schedule; and, if any subsequent determination by the Secretary of State under that paragraph involves any departure from the terms of the said statement or if a determination by the Secretary of State under that paragraph relates to the payment of, or to payments towards the provision of, a pension to or in respect of any member of any of the corporations, the Secretary of State shall, as soon as possible after the determination, lay a statement thereof before each House of Parliament.

*Staff*

4. Each corporation may, subject to any limit of numbers which may be determined by the Secretary of State, employ such officers and servants as appear to the corporation expedient for the exercise of its functions.

5. Each corporation shall—

(a) pay to its officers and servants such remuneration as the corporation may, subject to any directions of the Secretary of State, determine; and

(b) as regards any officer or servant in whose case it may be determined by the corporation with the approval of the Secretary of State so to do, pay to or in respect of him such pension, or provide and maintain for him such pension scheme (whether contributory or not), as may be so determined.

6. Where any officer or servant of any of the corporations, being a participant in any pension scheme applicable to his office or employment, becomes a member of the corporation, he may be treated for the purposes of the pension scheme as if his service as a member of the corporation were service as an officer or servant of the corporation, and his rights under the scheme shall not be affected by any provision of this Act which requires that the pensions to be paid, or payments towards the provision of pensions to be made, in the case of members of any of the corporations shall be determined by the Secretary of State with the approval of the Minister for the Civil Service.

SCH. 1

### *Proceedings*

7. The procedure of each corporation (including quorum) shall be such as the corporation may determine.

8. No act of any of the corporations shall be invalid by reason only of any vacancy among the members or any defect in the appointment of a member.

### *Interpretation*

9. In this Schedule "pension", in relation to a person, means a pension, whether contributory or not, of any kind whatsoever payable to or in respect of him, and includes a gratuity so payable and a return of contributions, with or without interest thereon or any other addition thereto.

## SCHEDULE 2

Section 19.

### TRANSITIONAL PROVISIONS

#### PART I

#### PROVISIONS RELATING TO COMING INTO FORCE OF LOCAL EMPLOYMENT ACT 1960

1960 c. 18

#### *Pension schemes of industrial estates companies*

1.—(1) The following provisions of this paragraph shall have effect as respects any pension, superannuation or life-assurance scheme or fund in force on 1st April 1960 for the benefit of persons in the employment or former employment of any of the following companies, that is to say—

North Eastern Trading Estates Limited

Wales and Monmouthshire Industrial Estates Limited

The West Cumberland Industrial Development Company  
Limited

Scottish Industrial Estates Limited

North Western Industrial Estates Limited.

(2) Anything authorised or required to be done for the purposes of the scheme or fund on or after 1st April 1960 which, apart from this paragraph, would fall to be done by, with or to the company or its directors shall be treated as falling to be done by, with or

SCH. 2 to the industrial estates corporation acting for the part of Great Britain in which the company exercised its functions.

(3) For the purposes of the scheme or fund, employment on or after 1st April 1960 by the said corporation shall be treated as equivalent to employment by the company, and employment on or after that date by the company shall be disregarded.

(4) Any requirement to do anything for the said purposes at the registered office of the company shall be treated, in relation to things falling to be done on or after 1st April 1960, as a requirement to do that thing at the head office of the said industrial estates corporation.

(5) References in any deed, rules or other document to the company shall be construed as, or as including, references to the said industrial estates corporation as may be required for giving effect to, or in consequence of, the foregoing provisions of this paragraph.

*Land acquired under Distribution of Industry Acts 1945 to 1958*

2. The Secretary of State shall have the like powers under this Act in relation to land acquired by the Board of Trade under, or vested in the Board by, the Distribution of Industry Acts 1945 to 1958 as he has in relation to land acquired by him under this Act or vested in him in consequence of the Local Employment Act 1960.

1960 c. 18.

*Loans and grants under Distribution of Industry Acts 1945 to 1958*

3.—(1) In section 15(1) of this Act the reference to any loan made under this Act shall include a reference to any loan made under section 4 of the Distribution of Industry Act 1945 or that section as extended by the Distribution of Industry (Industrial Finance) Act 1958.

1945 c. 36.

1958 c. 41.

(2) The continued operation of any agreement relating to loans or grants entered into under the Distribution of Industry Acts 1945 to 1958 shall not be affected by the repeal of those Acts, but, in the case of any agreement to make loans or grants entered into by the Treasury under the provisions mentioned in sub-paragraph (1) of this paragraph, the Secretary of State shall be substituted for the Treasury.

(3) Where before 1st April 1960 a Minister of the Crown has paid any instalment of a grant under section 3 of the said Act of 1945, the repeal of the said section 3 by section 28 of the Local Employment Act 1960 shall be without prejudice to the payment by him of further instalments of the grant in pursuance of arrangements made by him before that date.

1950 c. 8.

(4) Where the Board of Trade have agreed to make to any housing association grants under section 3(2) of the Distribution of Industry Act 1950 to further the provision of any dwellings, the repeal of the said Act of 1950 by section 28 of the Local Employment Act 1960 shall be without prejudice to the continued payment of the grant in respect of such of the dwellings as have been provided before 1st April 1960.

(5) In the application of this paragraph to Scotland the following provision shall have effect for the purposes of sub-paragraph (2), that is to say, where any agreement in which the Secretary of State is by virtue of that sub-paragraph substituted for the Treasury provides that the person to whom the loan or grant is made shall, if required to do so, grant such security as may be specified in the agreement in favour of the Solicitor for the affairs of Her Majesty's Treasury, but the person has not before the commencement of this Act been so required, the Secretary of State shall be substituted for the said Solicitor.

SCH. 2

## PART II

PROVISIONS RELATING TO COMING INTO FORCE OF  
PART II OF INDUSTRIAL DEVELOPMENT ACT 1966

1966 c. 34.

*Development districts which did not become development areas*

4.—(1) This paragraph applies to any locality which was a development district within the meaning of the Local Employment Act 1960, or was by virtue of section 1(4) of that Act treated as if it formed part of such a district, immediately before 19th August 1966 and did not on that date become a development area. 1960 c. 18.

(2) The Secretary of State may complete under section 5 of this Act, buildings or works in the locality begun by the Board of Trade before that date under section 2 of the said Act of 1960 and may exercise, in relation to land in that locality, his powers under the said section 5 so far as may be necessary for the purpose of fulfilling any agreement entered into by the Board before that date.

(3) Any Minister may make a grant or loan under any provision of this Act as if the locality were a development area in any case in which an application for a grant or loan under the corresponding provision of the said Act of 1960 was received by the Board of Trade or the Minister concerned before 19th August 1966.

(4) The fact that any locality which was, or was treated as forming part of, a development district immediately before 19th August 1966 did not on that date become a development area shall not prejudice the continued operation of any agreement relating to grants or loans entered into under the said Act of 1960.

*Re-naming of industrial estates corporations*

5. In any enactment or instrument passed or made before 19th August 1966, for any reference to an industrial estates corporation by its original name (that is, the name given to it by section 8 of the Local Employment Act 1960) there shall be substituted a reference to that corporation by the new name given to it by section 19(1) of the Industrial Development Act 1966 (that is, the appropriate name specified in section 10(1) of this Act). 1966 c. 34.

SCH 2

## PART III

1970 c. 7.

PROVISIONS RELATING TO COMING INTO FORCE OF LOCAL  
EMPLOYMENT ACT 1970

6. No grant shall be made under section 3 of this Act towards expenditure incurred in providing a building or extension in an intermediate area in a case where any work on providing that building or extension (being work undertaken by or on behalf of the applicant) was done on the site before 25th June 1969 ; nor, where any work on providing a building or extension intended for occupation by an undertaking was so done, shall a grant be made under that section, so far as applicable to intermediate areas, in respect of a purchase of that building or extension for occupation by that undertaking.

## PART IV

1971 c. 51.

PROVISIONS RELATING TO COMING INTO FORCE OF INVESTMENT  
AND BUILDING GRANTS ACT 1971*Building grants where contract or work was before  
27th October 1970*

7.—(1) In the following circumstances the percentage in section 3(3)(b) of this Act shall be twenty-five per cent. instead of thirty-five per cent.—

- (a) in the case of a grant in respect of the provision of a building or extension by purchase, if the contract to purchase was entered into before 27th October 1970, or if before that date any work on providing the building or extension was done on the site with a view to occupation by the applicant for the grant or, if the applicant is a member of a group, by any other member of that group ;
- (b) in the case of a grant made by virtue of section 3(5) of this Act, if any work on including the special features in the building or extension was done before the said 27th October ; and
- (c) in the case of any other grant, if any work on providing the building or extension was done on the site before the said 27th October by or on behalf of the applicant for the grant or, if the applicant is a member of a group, by or on behalf of any other member of that group :

Provided that the Secretary of State may determine that paragraph (c) above shall not have effect in any case the special circumstances of which appear to him to justify such a determination.

(2) In this paragraph "group" has the meaning given in section 3(7) of this Act.



*Building grants offered or made before 27th July 1971*

SCH. 2

8.—(1) The provisions of this Act relating to building grants shall not affect any grant under section 3 of the Local Employment Act 1960 c. 18. 1960 offered or made before 27th July 1971; and that section, section 2 of the Local Employment Act 1963 and sections 17 and 1963 c. 19. 21(4) of the Industrial Development Act 1966 shall continue to 1966 c. 34. have effect in relation to any such grant as they had effect immediately before their repeal by this Act or, as the case may be, the Invest- 1971 c. 51. ment and Building Grants Act 1971.

(2) In the case of any such grant as aforesaid in respect of expenditure incurred in relation to a development area, the Secretary of State may, if he thinks fit, re-determine the amount of the grant as if, in relation to the expenditure in question or that expenditure so far as relating to any particular building or extension—

- (a) section 2(1) of the said Act of 1963 had prescribed a rate of thirty-five per cent. instead of a rate of twenty-five per cent. ; and
- (b) section 17(1) of the said Act of 1966 had substituted a rate of forty-five per cent. in the circumstances there mentioned ;

and may make such revised offer or, as the case may require, additional payment under the said section 3 as is consequential on the re-determination.

## PART V

## OTHER PROVISIONS

9. Any document executed before 23rd October 1969 by the Board of Trade in connection with the exercise of their powers under section 4 of the Local Employment Act 1960 as extended by section 18 of the Industrial Development Act 1966 shall be deemed to have been validly executed if executed by the President of the Board, any Minister of State with duties concerning the affairs of the Board, any secretary, under-secretary or assistant secretary of the Board or any person authorised in that behalf by the President.

10. As respects any time before the coming into force of the Town 1971 c. 78. and Country Planning Act 1971 this Act shall have effect as if—

- (a) in section 16(3) for the reference to the provisions of that Act there were substituted a reference to section 211(6) and 212(1) to (4) and (6) of the Town and Country 1962 c. 38. Planning Act 1962 ;
- (b) in section 17(3) for the reference to section 67(1) of the said Act of 1971 there were substituted a reference to section 38(1) of the said Act of 1962 ; and
- (c) in section 21(1), in the definition of “ industrial building ”, the words from “ as respects England ” to “ Scotland ” were omitted.

Section 22(1).

## SCHEDULE 3

## CONSEQUENTIAL AMENDMENTS

## THE LANDLORD AND TENANT ACT 1954

1954 c. 56.

In subsection (1) of section 60 of the Landlord and Tenant Act 1954, as amended by the Schedule to the Local Employment Act 1970—

1970 c. 7.

- (a) for the words “ section 15(6) of the Industrial Development Act 1966 ” there shall be substituted the words “ section 1(5) of the Local Employment Act 1972 ”;
- (b) for the words “ section 1(5) of the Local Employment Act 1970 ” there shall be substituted the words “ section 1(7) of that Act ”;
- (c) for the words “ the purposes for which the powers conferred by Part I of the Local Employment Act 1960 are exercisable under section 1(1) of that Act ” there shall be substituted the words “ the purpose mentioned in section 2(1) of the said Act of 1972 ”;

In subsection (3) of the said section 60, added by the Schedule to the Local Employment Act 1970—

- (a) for the words “ under section 15 of the Industrial Development Act 1966 ” there shall be substituted the words “ by an order made or having effect under section 1 of the Local Employment Act 1972 ”;
- (b) for the words “ under section 1 of the Local Employment Act 1970 ” there shall be substituted the words “ by an order made or having effect under that section ”.

## THE LOCAL EMPLOYMENT ACT 1960

1960 c. 18.

At the end of section 17 of the Local Employment Act 1960 there shall be added the following subsection—

“(2) In this section “ development areas ” means the areas specified as such by orders made or having effect under section 1 of the Local Employment Act 1972 and any locality treated by virtue of subsection (5) of that section as included in a development area ”.

In section 22(1) of the said Act of 1960 for the words “ section two, five or fourteen of this Act ” there shall be substituted the words “ section 5, 8, 13(1) or 14 of the Local Employment Act 1972. ”

## THE TOWN AND COUNTRY PLANNING ACT 1962

1962 c. 38.

In section 38(6) of the Town and Country Planning Act 1962, as amended by section 26 of the Industrial Development Act 1966, for the words from “ development area ” onwards there shall be substituted the words “ ‘ development areas ’ means the areas specified as such by orders made or having effect under section 1 of the Local Employment Act 1972 and any locality treated by virtue of subsection (5) of that section as included in a development area. ”

1966 c. 34.

In section 79(8) of the said Act of 1962 for the words "section two, section five or section fourteen of the Local Employment Act 1960" there shall be substituted the words "section 5, 8, 13(1) or 14 of the Local Employment Act 1972". SCH. 3

THE HIGHLANDS AND ISLANDS DEVELOPMENT (SCOTLAND)  
ACT 1965 1965 c. 46

In section 13(6) of the Highlands and Islands Development (Scotland) Act 1965 for the words "section 10 of the Local Employment Act 1960 (which relates to accounts of Management Corporations)" there shall be substituted the words "section 12 of the Local Employment Act 1972 (which relates to the accounts of the industrial estates corporations)".

THE BUILDING CONTROL ACT 1966 1966 c. 27

In section 4(5) of the Building Control Act 1966, as substituted by Schedule 3 to the Industrial Development Act 1966, for the words "under section 15 of the Industrial Development Act 1966" there shall be substituted the words "by an order made or having effect under section 1 of the Local Employment Act 1972".

THE INDUSTRIAL DEVELOPMENT ACT 1966 1966 c. 34.

In paragraph 5(1) of Schedule 1 to the Industrial Development Act 1966—

- (a) for the words "under Part II of this Act" there shall be substituted the words "by an order made or having effect under section 1 of the Local Employment Act 1972";
- (b) for the words "the said Part II" there shall be substituted the words "the said Act of 1972".

THE FINANCE ACT 1967 1967 c. 54.

In section 26(6)(a) of the Finance Act 1967 for the words "under section 15(2) of the Industrial Development Act 1966" and "section 15(6) of that Act" there shall be substituted respectively the words "by an order made or having effect under section 1 of the Local Employment Act 1972" and "section 1(5) of that Act".

THE DEVELOPMENT OF TOURISM ACT 1969 1969 c. 51.

In section 11(3) of the Development of Tourism Act 1969 for the words "under subsection (2) of section 15 of the Industrial Development Act 1966" and "subsection (6) of that section" there shall be substituted respectively the words "by an order made or having effect under section 1 of the Local Employment Act 1972" and "subsection (5) of that section".

THE FINANCE ACT 1970 1970 c. 24.

For subsection (3) of section 15 of the Finance Act 1970 there shall be substituted the following subsection—

- "(3) For the purposes of subsection (2) above "development area" and "intermediate area" have the same meaning as in the Local Employment Act 1972."

## SCH. 3

1971 c. 68

## THE FINANCE ACT 1971

In sections 42(6) and 52(1) of the Finance Act 1971 for the words "Part I of the Local Employment Act 1960" there shall be substituted the words "the Local Employment Act 1972".

1971 c. 76.

## THE HOUSING ACT 1971

In section 1(4) of the Housing Act 1971—

- (a) for the words "under section 15(2) of the Industrial Development Act 1966" and "section 15(6) of that Act" there shall be substituted respectively the words "by an order made or having effect under section 1 of the Local Employment Act 1972" and "subsection (5) of that section";
- (b) for the words "under section 1 of the Local Employment Act 1970" and "subsection (5) of that section" there shall be substituted respectively the words "by an order made or having effect under section 1 of that Act" and "subsection (7) of that section".

1971 c. 78.

## THE TOWN AND COUNTRY PLANNING ACT 1971

In section 67(7) of the Town and Country Planning Act 1971 for the definition of "development area" there shall be substituted "development area" means any area specified as such by an order made or having effect under section 1 of the Local Employment Act 1972 and any locality treated by virtue of subsection (5) of that section as included in a development area."

In section 124(8) of the Town and Country Planning Act 1971 the words "in section 2 or 14 of the Local Employment Act 1960" shall be omitted and for the words "section 20 or 21(4) of the Industrial Development Act 1966" there shall be substituted the words "section 5, 8, 13(1) or 14 of the Local Employment Act 1972".

Section 22(2).

## SCHEDULE 4

## REPEALS

Chapter	Short Title	Extent of Repeal
8 & 9 Eliz. 2. c. 18.	The Local Employment Act 1960.	Section 1(1) and (5). Section 2. Section 3. Section 4. Sections 6 to 10. Section 12(1) and (6). Section 13. Section 14(2) and (3). Section 15. Section 23. Section 27. Section 28(1) to (4) and (6) to (8). Schedules 1, 2 and 3.

Chapter	Short Title	Extent of Repeal
1965 c. 46.	The Highlands and Islands Development (Scotland) Act 1965.	Section 5(5)(b).
1966 c. 34.	The Industrial Development Act 1966.	Section 15. Sections 18 and 19. Section 20(1) to (5). Section 21(1) to (4) and, in subsection (5), the words from the beginning to "effect, and". Section 31(2). In Schedule 3, in Part II, the entries relating to the Local Employment Act 1960 except that relating to section 17.
1968 c. 14.	The Public Expenditure and Receipts Act 1968.	Section 6.
1970 c. 7.	The Local Employment Act 1970.	Sections 1 to 4. Section 6. Section 8(1). Section 9(2) and (4). The Schedule except as respects section 60 of the Landlord and Tenant Act 1954.
1971 c. 51.	The Investment and Building Grants Act 1971.	Section 2. In section 3 the words from "and section 2" onwards.
1971 c. 78.	The Town and Country Planning Act 1971.	In Schedule 23 the entry relating to the Local Employment Act 1960.

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