I, THE RIGHT HONOURABLE BRIAN MAGINESS, Q.C., Minister of Finance for Northern Ireland, hereby signify my approval of the foregoing Order.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this twelfth day of May, one thousand, nine hundred and fifty-four.

Brian Maginess,
Minister.

Capital Grants to Industry

THE CAPITAL GRANTS TO INDUSTRY REGULATIONS (NORTHERN IRELAND), 1954, DATED 14TH DAY OF DECEMBER, 1954, MADE BY THE MINISTER OF COMMERCE FOR NORTHERN IRELAND UNDER THE CAPITAL GRANTS TO INDUSTRY ACT (NORTHERN IRELAND), 1954.

1954. No. 177

The Minister of Commerce in exercise of the powers conferred on him by section 9 of the Capital Grants to Industry Act (Northern Ireland), 1954 (a), and of every other power him thereunto enabling hereby makes the following Regulations:

1. Applications under the Act for grants shall be made by an undertaking in the form set out in the First Schedule to these Regulations and accompanied by such further documents as the Ministry of Commerce for Northern Ireland (in these Regulations referred to as " the Ministry ") may in any case require, and shall be submitted to the Ministry during the accounting period in such application mentioned or within three months thereafter. In no case shall the period covered by such application exceed one year.

2. The Ministry shall as soon as may be after the receipt of an application in accordance with Regulation 1 inform the undertaking in writing of the commencing date of the relevant year and whether the undertaking appears to the Ministry to be eligible or not for any grant, and, if so eligible, the nature of the grant or grants under the Act for that relevant year.

3.—(1) Where an undertaking has been so informed that it appears to be eligible for a grant for any relevant year, that grant shall not, except as provided in paragraph (2) of this Regulation, be paid unless, within twelve months from the end of that year, a claim for payment thereof, made in the form set out in the Second Schedule to these Regulations accompanied by a certificate duly completed by an auditor in the form set out in the Third Schedule to these Regulations and by a certificate duly completed by an Inspector of Taxes in the form set out in the Fourth Schedule to these Regulations and by such other vouchers and documents as the Ministry may direct, has been submitted in writing to the Ministry and unless such claim is thereafter approved by the Ministry.

(2) Where however the Ministry is satisfied that, by reason of exceptional circumstances, good reasons exist for delay in

(a) 1954 Ch. 15.

submitting any claim, payment of grant may, at the discretion of the Ministry, be made at such date as seems to it to be reasonable.

4. Where a grant has been paid under the Act, it shall, during the relevant year for which the grant is paid and during the three successive periods of twelve months next following the expiration of that year, be the duty of the undertaking to whom it is paid to make available to the Ministry on demand such information and documents as might reasonably be required for the purpose of ascertaining that the conditions applying to such payment have been and are being complied with and to permit the officers and servants of the Ministry at all reasonable times to enter on any industrial buildings or structures of the undertaking and to inspect any industrial plant and machinery in respect of which a grant has been paid.

5. Expenditure incurred by an undertaking in any relevant year may not be treated as approved capital expenditure under the Act for the purpose of the payment of grant, except in so far as—

(i) it entitles the undertaking to claim an investment allowance under sub-section (2), or sub-section (3), or sub-section (4), or sub-section (6) of Section 16 of the Finance Act, 1954 (a), or, if the expenditure was incurred before 7th April, 1954, would entitle the undertaking to claim such an allowance if the said provisions of Section 16 of the Finance Act, 1954, had taken effect as from the beginning of the relevant year; or

(ii) in the case of expenditure on second-hand plant or machinery, it entitles the undertaking to claim an initial allowance under Section 279 of the Income Tax Act, 1952 (b) or an allowance under Section 336 of the Income Tax Act, 1952, or, if the expenditure was allowed to be deducted in computing profits or gains, would entitle the undertaking to claim such an allowance if the expenditure had not been so deducted:

Provided that, for the purposes of this Regulation, the amount of the expenditure which qualifies or would qualify for any allowance shall not be deemed to be reduced on account of any grant payable under the Act or on account of the withdrawal or withholding of an investment allowance under the provisions of paragraph 1 of Part I of the Second Schedule to the Finance Act, 1954.

6.—(1) In addition to the conditions set out in section 3 of the Act, it shall be a condition of every grant under the Act that the undertaking to which the grant is paid shall comply in all respects with the provisions of these Regulations.

(a) 2 & 3 Eliz. 2. Ch. 44.

(b) 15 & 16 Geo. 6 & 1 Eliz. 2. Ch. 10.

(2) If this condition is not complied with, the Ministry may withhold payment of grant.

7.—(1) In these Regulations "the Act" means the Capital Grants to Industry Act (Northern Ireland), 1954, and other expressions in these Regulations shall have the same meanings as in the Act.

(2) The Interpretation Act, 1921 (a), applies to the interpretation of these Regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

(3) These Regulations may be cited as the Capital Grants to Industry Regulations (Northern Ireland), 1954.

Signed by the Minister of Commerce for Northern Ireland this fourteenth day of December, One thousand nine hundred and fifty-four, in the presence of: *Glentoran.*

J. A. McKeown,
Secretary to the Ministry of Commerce.

H. E. Jones,
An Assistant Secretary in the Ministry of Commerce.

(a) 12 Geo. 5 Ch. 4.