



# Science and Technology Act 1965

## 1965 CHAPTER 4

### 5 Further powers of Secretary of State and Minister of Technology.

- (1) The [<sup>F1</sup>Secretary of State][<sup>F2</sup>or the Minister of Agriculture, Fisheries and Food], . . .  
<sup>F3</sup> may defray out of moneys provided by Parliament any expenses which, with the consent of the Treasury, they may respectively incur—
- (a) in carrying on or supporting scientific research or the dissemination of the results of scientific research;
  - <sup>F4</sup>[(b) in furthering the practical application of the results of scientific research;]
  - (c) in making payments in respect of remuneration, allowances or pension benefits payable to or in respect of members of any advisory body established for the purpose of assisting the Secretary of State [<sup>F5</sup>or, as the case may be, the Minister of Agriculture, Fisheries and Food]. . .in matters connected with scientific research.
- [<sup>F6</sup>(1ZA) The power to give financial support under subsection (1)(a) includes, in particular, power to make a grant, loan or other payment, on such terms and conditions as the relevant authority considers appropriate.
- (1ZB) The terms and conditions may, in particular—
- (a) enable the relevant authority to require the repayment, in whole or in part, of sums paid by it if any of the terms and conditions subject to which the sums were paid is not complied with,
  - (b) require the payment of interest in respect of any period during which a sum due to the relevant authority in accordance with any of the terms and conditions remains unpaid, and
  - (c) require a person to whom financial support is given to provide the relevant authority with any information it requests for the purpose of the exercise of any of its functions.
- (1ZC) In subsections (1ZA) and (1ZB), “the relevant authority” means—
- (a) in the case of the power of the Secretary of State to give financial support under subsection (1)(a), the Secretary of State;
  - (b) in the case of the power of the Welsh Ministers to give financial support under subsection (1)(a), the Welsh Ministers;

*Changes to legislation: There are currently no known outstanding effects for the Science and Technology Act 1965, Section 5. (See end of Document for details)*

- (c) in the case of the power of the Scottish Ministers to give financial support under subsection (1)(a), the Scottish Ministers.]

[<sup>F7</sup>(1A) The Scottish Ministers may, to such extent and subject to such conditions as they think appropriate, delegate their power to undertake any activity as mentioned in paragraphs (a) to (c) of subsection (1) above to such persons as they consider appropriate; and any expenses which such persons incur in undertaking such activities are to be met out of the expenses the Scottish Ministers may defray by virtue of subsection (1) above.

(1B) Where power to undertake the activity as mentioned in paragraph (c) of subsection (1) above is delegated under subsection (1A), that paragraph applies as if for the words “Secretary of State” there were substituted “ person to whom the power is delegated under subsection (1A) below ” .

(1C) A delegation under subsection (1A) does not affect the ability of the Scottish Ministers to exercise the power delegated.

(1D) A person to whom a function is delegated under subsection (1A) may, subject to any conditions as mentioned in that subsection, exercise the function in the same way and to the same extent as the Scottish Ministers notwithstanding any restrictions or limitations on the exercise of the person's functions which would, apart from this subsection, prevent them from exercising the function in that way or to that extent.]

(2) . . . . . F8

(3) . . . . . F9

#### Textual Amendments

- F1** Words in s. 5(1) substituted (1.1.1996) by S.I. 1995/2985, art. 5(1), **Sch. para. 1(2)(a)**  
**F2** Words in s. 5(1) inserted (15.11.1999) by S.I. 1999/2785, **art. 2(2)(a)**  
**F3** Words repealed by S.I. 1971/719, **Sch. para. 7**  
**F4** S. 5(1)(b) substituted (6.7.1992) by S.I. 1992/1296, art. 6(1), **Sch. para. 2(3)**  
**F5** Words in s. 5(1)(c) inserted (15.11.1999) by S.I. 1999/2785, **art. 2(2)(b)**  
**F6** S. 5(1ZA)-(1ZC) inserted (27.6.2017) by Higher Education and Research Act 2017 (c. 29), **ss. 110(1), 124(4)**  
**F7** S. 5(1A)-(1D) inserted (S.) (1.8.2010) by Public Services Reform (Scotland) Act 2010 (asp 8), **ss. 10, 134(7); S.S.I. 2010/221, art. 3(2), Sch.**  
**F8** S. 5(2) repealed by S.I. 1969/1498, **Sch. 2**  
**F9** S. 5(3) repealed by Radiological Protection Act 1970 (c. 46), **Sch. 2**

#### Modifications etc. (not altering text)

- C1** S. 5 amended (E.W.S.) by Electricity Act 1989 (c. 29, SIF 44:1), **ss. 99(1), 112(3), Sch. 17 para. 35(1)**  
**C2** S. 5: certain functions exercisable concurrently (1.7.1999) by S.I. 1999/672, **arts. 1(2), 2, Sch. 1**  
**C3** S. 5 modified (N.I.) (1.4.1992) by S.I. 1992/231, **art. 60, S.R. 1992/117, art. 3(1)**  
**C4** S. 5: functions transferred (1.7.1999) by virtue of 1998 c. 46, **ss. 53, 56(1)(d); S.I. 1998/3178, art. 2(1)**  
**C5** S. 5 functions made exercisable concurrently or jointly with the Welsh Ministers by 2006 c. 32, Sch. 3A para. 1 (as inserted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 4 para. 1** (with Sch. 7 paras. 1, 6); S.I. 2017/1179, **reg. 3(p)**)  
**C6** S. 5(1): Functions transferred (15.11.1999) by S.I. 1999/2785, **art. 2(1)**  
**C7** S. 5(1): Certain functions of the Secretary of State made exercisable concurrently (6.7.1992) by S.I. 1992/1296, **arts. 2(2)(a), 3**  
**C8** S. 5(1)(b): Certain functions of the Secretary of State made exercisable concurrently (6.7.1992) by S.I. 1992/1296, **arts. 2(2)(b), 3**

**Changes to legislation:**

There are currently no known outstanding effects for the Science and Technology Act 1965, Section 5.