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*Changes to legislation: There are currently no known outstanding effects  
for the Industry Act 1972, SCHEDULE 1. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 1

#### ENFORCEMENT OF CONDITIONS ATTACHED TO REGIONAL DEVELOPMENT GRANTS AND GRANTS UNDER PART III

- 1 (1) The Secretary of State may by notice require any person who has received a grant under . . . <sup>F1</sup> Part III of this Act, and any person acting on his behalf, to furnish to the Secretary of State such information, or to produce for examination on behalf of the Secretary of State such books, records or other documents, as may be specified in the notice for the purpose of enabling the Secretary of State to determine whether any condition subject to which the grant is made is satisfied or is being complied with, or whether the grant has become repayable in whole or in part in accordance with any such condition.
- (2) A notice under this paragraph may require the information to which it relates to be furnished within such time as may be specified in the notice, and may require the documents to which it relates to be produced at such time and place as may be so specified:  
Provided that the time specified in such a notice for furnishing any information or producing any document shall not be earlier than the end of the period of twenty-eight days beginning with the service of the notice.
- (3) A notice under this paragraph may be served—
- (a) by delivering it to the person on whom it is to be served;
  - (b) by delivering it at the usual or last known place of abode of that person;
  - (c) by sending it in a prepaid registered letter, or by the recorded delivery service, addressed to that person at his usual or last known place of abode; or
  - (d) in the case of an incorporated company or body, by delivering it to the secretary or clerk of the company or body at their registered or principal office, or sending it in a prepaid registered letter, or by the recorded delivery service, addressed to the secretary or clerk of the company or body at that office.

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**Textual Amendments**

**F1** Words repealed by [Industrial Development Act 1982 \(c. 52, SIF 64\), Sch. 2 Pt. I, Sch. 3](#)

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F2

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**Textual Amendments**

**F2** [Sch. 1 paras. 2, 3\(3\)](#) repealed by [Industrial Development Act 1982 \(c. 52, SIF 64\), Sch. 2 Pt. I, Sch. 3](#)

- 3 (1) Any person who in purported compliance with a notice under paragraph 1 of this Schedule knowingly or recklessly makes any statement or produces any document

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which is false in a material particular shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400, or on conviction on indictment to a fine, or to imprisonment for a term not exceeding two years, or to both.

- (2) Any person who without reasonable excuse fails to comply with a notice under paragraph 1 of this Schedule shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400.
- (3) . . . . . F3

**Textual Amendments**

**F3** Sch. 1 paras. 2, 3(3) repealed by Industrial Development Act 1982 (c. 52, SIF 64), Sch. 2 Pt. I, Sch. 3

- 4 (1) Any person who without reasonable excuse fails to comply with any condition subject to which a grant was made to him under . . . F4 Part III of this Act requiring him to inform the Secretary of State of any event whereby the grant becomes repayable in whole or in part shall be guilty of an offence and liable on conviction to a fine which on summary conviction shall not exceed [F5level 5 on the standard scale].
- (2) . . . . . F6
- (3) Summary proceedings in Scotland for an offence under this paragraph shall not be commenced after the expiration of three years from the commission of the offence, but subject to the foregoing limitation and notwithstanding anything in [F7section 331 of the M1Criminal Procedure (Scotland) Act 1975], such proceedings may be commenced at any time within twelve months after the date on which evidence sufficient in the opinion of the Lord Advocate to justify the proceedings comes to his knowledge or, where such evidence was reported to him by the Secretary of State, within twelve months after the date on which it came to the knowledge of the Secretary of State; and [F7subsection (3) of the said section 331] shall apply for the purposes of this paragraph as it applies for the purposes of that section.
- (4) . . . . . F8
- (5) For the purposes of this paragraph, a certificate of the Secretary of State, . . . F9, the Lord Advocate . . . F10, as the case may be, as to the date on which such evidence as aforesaid came to his knowledge shall be conclusive evidence of that fact.

**Textual Amendments**

- F4** Words repealed by Industrial Development Act 1982 (c. 52, SIF 64), Sch. 2 Pt. I, Sch. 3
- F5** Words substituted by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), ss. 38, 46, (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), ss. 289F, 289G (as inserted by Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 54) and (N.I.) S.I. 1984/703 (N.I. 3), arts. 5, 6
- F6** Sch. 1 para. 4(2) repealed by Criminal Law Act 1977 (c. 45), Sch. 13
- F7** Words substituted by virtue of Criminal Procedure (Scotland) Act 1975 (c. 21), s. 460(1)(b)
- F8** Sch. 1 para. 4(4) repealed by S.I. 1980/704 (N.I. 6), Sch. 2
- F9** Words repealed by Criminal Law Act 1977 (c. 45), Sch. 13
- F10** Words repealed by S.I. 1980/704 (N.I. 6), Sch. 2

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**Marginal Citations**

**M1** 1975 c. 21.

- 5 (1) Where an offence under this Schedule committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (2) In this paragraph “director”, in relation to a body corporate established by or under any enactment for the purpose of carrying on under public ownership any industry or part of an industry or undertaking, being a body corporate whose affairs are managed by its members, means a member of that body corporate.

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