



**AN BILLE UM DHEONTAIS INFHEISTIOCHTA LOINGIS,
1968
SHIPPING INVESTMENT GRANTS BILL, 1968**

*Mar a tugadh isteach
As introduced*

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AN BILLE UM DHEONTAIS INFHEISTIOCHTA LOINGIS,
1968
SHIPPING INVESTMENT GRANTS BILL, 1968

BILL

entitled

5

AN ACT TO PROVIDE FOR THE MAKING BY THE
MINISTER FOR TRANSPORT AND POWER OF GRANTS
TOWARDS CAPITAL EXPENDITURE INCURRED IN
PROVIDING CERTAIN NEW SHIPS OR PARTS OR
EQUIPMENT THEREFOR, AND TO PROVIDE FOR 10
MATTERS CONNECTED WITH THE MATTERS AFORE-
SAID.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

Definitions.

1.—In this Act—

“approved capital expenditure” means expenditure which in the 15
opinion of the Minister is of a capital nature and which has been
approved by him for the purposes of a grant under this Act;

“asset” means any ship, part of a ship or equipment for a ship, in
respect of which a grant under this Act has been made;

“the Minister” means the Minister for Transport and Power. 20

Grants
towards capital
expenditure
incurred in
providing
ships, etc.

2.—(1) The Minister may, subject to this Act and to such condi-
tions as may be imposed by the Minister after consultation with the
Minister for Finance, make to a person carrying on or proposing to
carry on a business in the State a grant towards approved capital
expenditure incurred in providing, for use for the purposes of that 25
business, a new ship or a new part or equipment for a ship, or in
converting a ship for such use.

(2) The reference in *subsection (1)* to providing a ship does not
include a reference to providing it by chartering it from another
person. 30

(3) Grants under this Act shall be paid out of moneys provided by
the Oireachtas.

Restriction
on making of
grants under
this Act.

3.—(1) No grant shall be made under this Act to—

(a) an individual who is not both a citizen of and ordinarily
resident in the State, 35

(b) a body corporate which is not both incorporated and resident
in the State, or

(c) a partnership, if any of the members thereof is either an
individual who is not both a citizen of and ordinarily
resident in the State or a body corporate which is not 40
both incorporated and resident in the State.

(2) No grant shall be made under this Act in respect of a ship or the provision of a part of, or equipment for, a ship, which—

(a) is not registered in the State under Part II of the Mercantile Marine Act, 1955,

1955, No. 29.

5 (b) is of less than 100 tons gross tonnage, or

(c) is not self-propelled.

(3) No grant shall be made under this Act in respect of—

(a) a fishing vessel,

(b) a tug, or

10 (c) a vessel (including a dredger) used primarily as a floating platform for working machinery and not employed in normal shipping operations.

4.—The amount of a grant under this Act shall be determined from time to time by the Minister with the consent of the Minister for Finance, but shall not in any case exceed twenty-five per cent. of the approved capital expenditure towards which it is made.

Determination and maximum amount of grant under this Act.

5.—(1) A grant under this Act may be made towards—

(a) approved capital expenditure incurred on or after the 1st day of April, 1967, and

Miscellaneous provisions regarding grants under this Act.

20 (b) approved capital expenditure incurred before that date in so far as it consists of any sum paid after that date.

(2) A grant under this Act may be made towards approved capital expenditure in respect of a ship in the course of construction if it appears to the Minister that the provisions of this Act will be satisfied in relation to the ship when it is completed.

6.—(1) In making a grant under this Act the Minister shall impose such conditions as he thinks fit for securing that any asset in respect of which a grant has been, or is proposed to be, made will continue to be used as required by those conditions and for restricting the chartering of any ship concerned, and such conditions may require the repayment in specified circumstances of the grant or part thereof.

Conditions imposed in making of grant under this Act.

(2) The Minister may by notice in writing require any person who has received a grant under this Act, and any person acting on that person's behalf, to furnish to the Minister such information, or to produce for examination on behalf of the Minister, such books, records or other documents as may be specified in the notice for the purpose of enabling the Minister to determine whether any condition subject to which the grant was made has been satisfied or is being complied with or whether the grant has become repayable in whole or in part in accordance with any such condition.

(3) A notice under subsection (2) may require the information to which it relates to be furnished within such time as may be specified in the notice and may require documents to be produced at such time and place as may be so specified.

45 7.—(1) Any person duly authorised in writing by the Minister may, for the purposes of section 6 (2) and at all reasonable times, enter and inspect any premises where any asset in respect of which a grant under this Act has been made is, (or, in accordance with any condition attached to that grant, should be) and may require any person

Power to enter and inspect premises and assets.

appearing to him to have charge of those premises to produce or identify the asset for inspection.

(2) Every person duly authorised under this section shall be furnished with a certificate of his authorisation and, when exercising any of the powers conferred on him by this section shall, if so required, produce the said certificate to the person appearing to him to have charge of the premises. 5

Offences.

8.—(1) Any person who, in purported compliance with a notice under *section 6*, knowingly or recklessly makes any statement or produces any document which is false in a material particular shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment, or, on conviction on indictment, to a fine not exceeding one thousand pounds or to imprisonment for a term not exceeding two years, or to both such fine and such imprisonment. 10 15

(2) Any person who without reasonable excuse fails to comply with a notice under *section 6* shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty pounds or, on a second or subsequent conviction, one hundred pounds. 20

(3) Any person who wilfully obstructs a person in the exercise of a right of entry and inspection under *section 7* or who without reasonable excuse fails to comply with a requirement under that section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty pounds. 25

(4) Any person who without reasonable excuse fails to comply with any condition subject to which a grant under this Act was made to him, being a condition requiring him to inform the Minister of any event whereby the grant becomes repayable in whole or in part, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one hundred pounds or, on conviction on indictment, to a fine not exceeding one thousand pounds or three times the amount so repayable, whichever is the greater. 30

Fraudulent applications for grants under this Act.

9.—Any person who, for the purpose of obtaining a grant under this Act, knowingly or recklessly makes any statement or produces any document which is false in any material particular shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment or, on conviction on indictment, to a fine not exceeding one thousand pounds or to imprisonment for a term not exceeding two years, or to both such fine and such imprisonment. 35 40

Offences by bodies corporate.

10.—Where an offence under this Act 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. 45 50

Expenses of Minister.

11.—The expenses incurred by the Minister in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

Short title and commencement.

12.—(1) This Act may be cited as the Shipping Investment Grants Act, 1968.

(2) This Act shall come into operation on such day as the Minister shall by order appoint. 55

BILLE

(*mar a tugadh isteach*)

dá ngairtear

Acht do dhéanamh socrú chun an tAire Iompair agus Cumhachta do thabhairt deontas faoi chomhair caiteachais chaipitil a thabhoífar ag soláthar long nua áirithe nó páirteanna nó trealamh don chéanna, agus do dhéanamh socrú i dtaobh nithe a bhaineann leis na nithe réamhráite.

*An tAire Iompair agus Cumhachta a thug
isteach*

*Ordáíodh ag Dáil Éireann a chlóbhualadh,
23 Deireadh Fómhair, 1968*

BAILE ÁTHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR.

Le ceannach díreach ón Oifig Díolta Foilseachán Rialtais,
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BILL

(*as introduced*)

entitled

An Act to provide for the making by the Minister for Transport and Power of grants towards capital expenditure incurred in providing certain new ships or parts or equipment therefor, and to provide for matters connected with the matters aforesaid.

*Introduced by the Minister for Transport and
Power*

*Ordered by Dáil Éireann to be printed,
23rd October, 1968*

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