



Local Government Act (Northern Ireland) 1972

1972 CHAPTER 9

PART VII

MISCELLANEOUS FUNCTIONS

CO-OPERATION WITH OTHER COUNCILS, PUBLIC BODIES AND GOVERNMENT DEPARTMENTS

104 Agency arrangements

- (1) A council may make arrangements with ^{F1}... any public body or government department for the exercise of any functions—
 - (a) by the council on behalf of ^{F1}..., as the case may be, the public body or department, or
 - (b) by ^{F1}..., as the case may be, the public body or department on behalf of the council,on such terms as may be provided for by the arrangements.
- (2) A public body or government department which proposes to make arrangements under subsection (1) shall have power to make the arrangements and carry them into effect if, apart from the provisions of this subsection, it would not have power to do so, except that a public body shall not make any such arrangements in pursuance of this subsection without the consent of the Ministry concerned.
- (3) Arrangements made under this section shall not diminish in any respect the responsibility of any council, public body or department by which the arrangements are made.

F1 Words in s. 104(1) repealed (1.4.2015) by [Local Government Act \(Northern Ireland\) 2014 \(c. 8\)](#), s. 129, [Sch. 10](#) (with s. 124(4)); S.R. 2015/209, art. 2, Sch. 1

Changes to legislation: There are currently no known outstanding effects for the Local Government Act (Northern Ireland) 1972. (See end of Document for details)

Modifications etc. (not altering text)

- C1** Ss. 104 - 106 applied (with modifications) by S.R. 2004/49, art. 7 (as inserted (28.1.2008) by [Local Government \(Constituting a Joint Committee a Body Corporate\) \(Amendment\) Order \(Northern Ireland\) 2007 \(S.R. 2007/505\)](#), **art. 2(5)**)
- C2** Ss. 104-106 applied (20.8.2008) by [Local Government \(Constituting a Joint Committee a Body Corporate\) Order \(Northern Ireland\) 2008 \(S.R. 2008/310\)](#), **art. 7**
- C3** Ss. 104-106 applied with modifications (2.4.2012) by [The Local Government \(Constituting Joint Committees as Bodies Corporate\) Order \(Northern Ireland\) 2012 \(S.R. 2012/10\)](#), arts. 1, **6**
- C4** Ss. 104-106 applied (1.4.2015) by [The Local Government \(Constituting a Joint Committee a Body Corporate\) Order \(Northern Ireland\) 2015 \(S.R. 2015/183\)](#), art. 1, **reg. 6**

105 Arrangements for the supply of goods and services or interchange of staff.

- (1) A council may make arrangements with any other council or any public body^[F2, specified body] or government department for—
- (a) the supply by one party to the arrangements to the other of any goods;
 - (b) the provision by one party to the arrangements for the other of any administrative, professional or technical services;
 - (c) the use by one party to the arrangements of any vehicle, plant or apparatus belonging to the other and (without prejudice to paragraph (b)) the placing at the disposal of the first-mentioned party of the services of any person employed in connection with the vehicle, plant or apparatus in question;
 - (d) the provision or maintenance by one party to the arrangements of any works, facility, amenity, equipment or thing for the provision or maintenance of which the other is responsible;
- on such terms as may be provided for by the arrangements.
- (2) A council may make arrangements with any other council or any public body^[F2, specified body] or government department for the permanent or temporary transfer of officers, with their consent, between the councils or between the council and the body or department.
- (3) A public body or government department which proposes to make arrangements under subsection (1) or (2) shall have power to make the arrangements and carry them into effect if, apart from the provisions of this subsection, it would not have power to do so, except that a public body shall not make arrangements under subsection (2) without the consent of the Ministry concerned.
- (4) A council, public body or government department may purchase and store any goods which in its opinion it may require for the purposes of subsection (1)(a).
- (5) For the avoidance of doubt it is hereby declared that for superannuation purposes services rendered by an officer with respect to whose temporary transfer arrangements under subsection (2) are in force is service rendered to the council, body or department by which he was employed before the transfer.
- (6) Arrangements made under this section shall not diminish in any respect the responsibility of any council, public body^[F2, specified body] or department by which the arrangements are made.
- ^[F2](7) In this section “specified body” means a body which is specified, or is of a description specified, in regulations and any such regulations may contain provisions—

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- (a) for restricting the arrangements which may by virtue of the regulations be entered into by a specified body under subsection (1) or (2) ; and
- (b) for securing the inclusion in any such arrangements made by virtue of the regulations of terms imposing restrictions.]

F2 1985 NI 15

Modifications etc. (not altering text)

- C3** Ss. 104-106 applied with modifications (2.4.2012) by [The Local Government \(Constituting Joint Committees as Bodies Corporate\) Order \(Northern Ireland\) 2012 \(S.R. 2012/10\)](#), arts. 1, **6**
- C4** Ss. 104-106 applied (1.4.2015) by [The Local Government \(Constituting a Joint Committee a Body Corporate\) Order \(Northern Ireland\) 2015 \(S.R. 2015/183\)](#), art. 1, **reg. 6**
- C5** Ss. 104 - 106 applied (with modifications) by S.R 2004/49, art. 7 (as inserted (28.1.2008) by [Local Government \(Constituting a Joint Committee a Body Corporate\) \(Amendment\) Order \(Northern Ireland\) 2007 \(S.R. 2007/505\)](#), **art. 2(5)**)
- C6** Ss. 104-106 applied (20.8.2008) by [Local Government \(Constituting a Joint Committee a Body Corporate\) Order \(Northern Ireland\) 2008 \(S.R. 2008/310\)](#), **art. 7**

106 Contribution to other councils, etc.

A council may contribute towards expenses incurred by another council or any public body or government department in providing or maintaining any work, facility, amenity, equipment or thing that the contributing council has power to provide or maintain—

- (a) within the district of the contributing council, or
- (b) at a place where it will benefit any of the inhabitants of that district.

Modifications etc. (not altering text)

- C3** Ss. 104-106 applied with modifications (2.4.2012) by [The Local Government \(Constituting Joint Committees as Bodies Corporate\) Order \(Northern Ireland\) 2012 \(S.R. 2012/10\)](#), arts. 1, **6**
- C4** Ss. 104-106 applied (1.4.2015) by [The Local Government \(Constituting a Joint Committee a Body Corporate\) Order \(Northern Ireland\) 2015 \(S.R. 2015/183\)](#), art. 1, **reg. 6**
- C7** Ss. 104 - 106 applied (with modifications) by S.R 2004/49, art. 7 (as inserted (28.1.2008) by [Local Government \(Constituting a Joint Committee a Body Corporate\) \(Amendment\) Order \(Northern Ireland\) 2007 \(S.R. 2007/505\)](#), **art. 2(5)**)
- C8** Ss. 104-106 applied (20.8.2008) by [Local Government \(Constituting a Joint Committee a Body Corporate\) Order \(Northern Ireland\) 2008 \(S.R. 2008/310\)](#), **art. 7**

Changes to legislation:

There are currently no known outstanding effects for the Local Government Act (Northern Ireland) 1972.