
STATUTORY INSTRUMENTS

1985 No. 1208

The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985

PART VII

**AMENDMENT AND REPEAL OF PROVISIONS
RELATING TO DISTRICT COUNCILS**

Miscellaneous amendments of the principal Act

Art. 23 rep. by 1995 NI 5

Payment of allowance to vice-chairman of council

24. ^{F1}

F1 Art. 24 repealed (1.4.2012) by Local Government Finance Act (Northern Ireland) 2011 (c. 10) , ss. 46, 47(2), Sch. 2 ; S.R. 2011/306, art. 2(3)
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Loans to officers for purchase of motor cars or motor cycles

25. After section 41A of the principal Act there shall be inserted the following section—

“Loans to officers for purchase of motor cars or motor cycles.

41B. A council may make loans to such of its officers and subject to such conditions as the Department, with the approval of the Department of Finance and Personnel, may determine to facilitate such officers in the purchase of motor cars or motor cycles essential to the efficient carrying out of their official duties.”

Delegation of functions to officers

26.—(1) After section 47 of the principal Act there shall be inserted the following section—

“Delegation of functions to officers.

47A.—(1) A council may arrange for the discharge of any of its functions, except the power of making a rate, or of borrowing money or of acquiring, holding or disposing of land, by an officer of the council and any transferred provision regulating the exercise of a function by a council shall also apply to regulate the exercise of that function by an officer of the council.

(2) Where any functions of a council may be discharged by a committee of the council, then, unless the council otherwise directs, the committee may arrange for the discharge of any of those functions by an officer of the council.

Changes to legislation: There are currently no known outstanding effects for the The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, Cross Heading: Miscellaneous amendments of the principal Act. (See end of Document for details)

(3) Where any functions of a council may be discharged by a sub-committee of the council, then, unless the council or the committee otherwise directs, the sub-committee may arrange for the discharge of any of those functions by an officer of the council.”.

(2) In Schedule 7 to the principal Act (provisions applied to joint committee) after the entry relating to section 47 of the principal Act there shall be inserted the following entry—

“47A. Delegation of functions to officers.”.

Custody and destruction of documents relating to securities created by a council

27. ^{F2}

F2 Art. 27 repealed (1.4.2012) by Local Government Finance Act (Northern Ireland) 2011 (c. 10), ss. 46, 47(2), Sch. 2; S.R. 2011/306, art. 2(3)

Powers of auditor in relation to unlawful items of account, amounts not accounted for, etc.

28. ^{F3}

F3 Art. 28 repealed (1.4.2006) by Local Government (Northern Ireland) Order 2005 (S.I. 2005/1968 (N.I. 18)), arts. 1, 28(8), Sch. 1; S.R. 2006/151, art. 2, Sch. 1 (with art. 4)

Regulations as to accounts and audit

29. ^{F4}

F4 Art. 29 repealed (1.4.2006) by Local Government (Northern Ireland) Order 2005 (S.I. 2005/1968 (N.I. 18)), arts. 1, 28(8), Sch. 1; S.R. 2006/151, art. 2, Sch. 1 (with art. 4)

Studies for improving economy, etc. of services of councils

30. ^{F5}

F5 Art. 30 repealed (1.4.2006) by Local Government (Northern Ireland) Order 2005 (S.I. 2005/1968 (N.I. 18)), arts. 1, 28(8), Sch. 1; S.R. 2006/151, art. 2, Sch. 1 (with art. 4)

Arrangements with specified bodies for supply of goods, services and staff

31. In section 105 of the principal Act (arrangements for supply of goods and services and interchange of staff) in subsections (1), (2) and (6) after the words “public body” wherever they occur there shall be inserted the words “, specified body” and at the end there shall be added the following subsection—

“(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—

- (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.” .

Mode of voting at council meeting

32. In Schedule 2 to the principal Act for paragraph 8 there shall be substituted the following paragraph—

“**8.**—(1) The mode of voting at meetings of the council shall, except as otherwise resolved by the council, be by show of hands.

(2) On the requisition of any councillor the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question.”.

Requisitioning of meetings of a council

33. In Schedule 2 to the principal Act in paragraph 2 for sub-paragraph (2) there shall be substituted the following sub-paragraphs—

“(2) If a requisition for a meeting of the council signed by five councillors or by one-fifth of the whole number of the councillors, whichever is the greater, is presented to the chairman of the council, he shall call a meeting of the council to be held within the period of fourteen days from the date of service of the requisition on him.

(2A) If the chairman—

(a) refuses to call a meeting of the council in accordance with sub-paragraph (2); or

(b) does not, within the period of seven days from the date of service of the requisition on him, call a meeting of the council in accordance with sub-paragraph (2),

any five councillors or one-fifth of the whole number of the councillors, whichever is the greater, may on that refusal or on the expiration of that period forthwith call a meeting of the council.”.

Changes to legislation:

There are currently no known outstanding effects for the The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, Cross Heading: Miscellaneous amendments of the principal Act.