



# Local Government Act (Northern Ireland) 1972

## 1972 CHAPTER 9

### PART VII

#### MISCELLANEOUS FUNCTIONS

##### CONTRACTS

#### **99 Contracts of councils.**

- (1) Subject to the succeeding provisions of this section, a council may enter into contracts necessary for the discharge of any of its functions.
- (2) All contracts made by a council shall be made in accordance with the standing orders of the council and in the case of contracts for the supply of goods or materials or for the execution of works, the standing orders shall—
  - (a) require that, except as otherwise provided by or under the standing orders, notice of the intention of the council to enter into a contract shall be published and tenders invited; and
  - (b) regulate the manner in which such notice is to be published and tenders are to be invited.
- (3) Without prejudice to section 19(1)(a)(ii) of the Interpretation Act (Northern Ireland) 1954, a person entering into a contract with a council shall not be bound to enquire whether the standing orders of the council which apply to the contract have been complied with, and all contracts entered into by a council, if otherwise valid, shall, notwithstanding that the standing orders applicable thereto have not been complied with, have full force and effect.
- (4) Where any part of the expenditure to be incurred by a council on the foot of any contract proposed to be entered into by the council would fall to be defrayed by way

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

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of a grant from public funds, other than a grant in aid of the general expenditure of the council, the Ministry by which payment of the grant would be made or recommended may issue directions, either generally or in a particular case or cases, that the council shall not enter into the contract otherwise than by acceptance of a tender submitted after public notice inviting tenders has been duly given, without first obtaining the approval of that Ministry; and where any such direction has been issued it shall be the duty of the council to give effect thereto.

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

- C1** S. 99 applied (with modifications) by S.R. 2004/49, art. 6 (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** S. 99 applied (with modifications) (20.8.2008) by [Local Government \(Constituting a Joint Committee a Body Corporate\) Order \(Northern Ireland\) 2008 \(S.R. 2008/310\)](#), [art. 6](#)
- C3** Ss. 95-99 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, [5](#)
- C4** Ss. 95-99 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. 5](#)

## 100 Sealing of contracts

- (1) Any contract or instrument which if made or executed by a person not being a body corporate would not be required to be made<sup>[F1]</sup> by deed] may, if made by a council and if the subject matter thereof<sup>[F2]</sup> does not exceed £30,000 in value], be made or executed on behalf of the council by any person or persons generally or specially authorised by the council to act for that purpose.

[<sup>F2</sup>(1A) The Department may by order amend subsection (1) so as to increase the amount for the time being specified in that subsection.]

- (2) Nothing in this section shall be taken as preventing any contract or instrument from being made or executed by a council under its common seal.

**F1** 2005 NI 7

**F2** 1995 NI 5

**Changes to legislation:**

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