



# Local Government Act (Northern Ireland) 1972

## 1972 CHAPTER 9

### PART VII

#### MISCELLANEOUS FUNCTIONS

#### [<sup>F1</sup>PUBLICITY

**F1** 1992 NI 6

#### **115A Publicity Prohibition of political publicity.**

- (1) A council shall not publish any material which, in whole or in part, appears to be designed to affect public support for a political party.
- (2) In determining whether material falls within the prohibition regard shall be had to the content and style of the material, the time and other circumstances of publication and the likely effect on those to whom it is directed and, in particular, to the following matters—
  - (a) whether the material refers to a political party or to persons identified with a political party or promotes or opposes a point of view on a question of political controversy which is identifiable as the view of one political party and not of another;
  - (b) where the material is part of a campaign, the effect which the campaign appears to be designed to achieve.
- (3) A council shall not give financial or other assistance to a person for the publication of material which the council is prohibited by this section from publishing itself.

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

- C1** S. 115A applied (with mods) (2.7.2013) by [The Local Government \(Statutory Transition Committees\) Regulations \(Northern Ireland\) 2013 \(S.R. 2013/179\)](#), regs. 1(1), 22, [Sch. 2](#)

**115B Codes of recommended practice as regards publicity.**

- (1) The Department may issue one or more codes of recommended practice as regards the content, style, distribution and cost of council publicity, and such other related matters as it thinks appropriate, and councils shall have regard to the provisions of any such code in coming to any decision on publicity.
- (2) The Department may revise or withdraw a code issued under this section.
- (3) The Department shall before issuing, revising or withdrawing a code consult such councils, such associations or bodies representative of councils and such other associations or public bodies, as appear to the Department to be desirable.
- (4) A code shall not be issued or revised unless a draft of it has been laid before and approved by a resolution of the Assembly.

**115C Separate account of expenditure on publicity.**

- (1) A council shall keep a separate account of its expenditure on publicity.
- (2) Any person interested may at any reasonable time and without payment inspect the account and make copies of it or any part of it.
- (3) A person having custody of the account who intentionally obstructs a person in the exercise of the rights conferred by subsection (2) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (4) The Department may by order provide that subsection (1) does not apply to publicity or expenditure of a prescribed description.
- (5) Before making an order under subsection (4) the Department shall consult such councils, such associations or bodies representative of councils and such other associations or public bodies as appear to the Department to be desirable.

**115D Sections 115A to 115C: supplementary provisions.**

- (1) Sections 115A to 115C apply to any publicity expressly or impliedly authorised by any statutory provision, including sections 107 to 110 and [<sup>F2</sup>section 37 of the Local Government Finance Act (Northern Ireland) 2011].
- (2) Nothing in sections 115A to 115C shall be construed as applying to anything done by a council in the discharge of its duties under sections 23 to 27.]

- F2** Words in s. 115D(1) substituted (1.4.2012) by [Local Government Finance Act \(Northern Ireland\) 2011 \(c. 10\)](#), ss. 45, 47(2), [Sch. 1 para. 3](#); S.R. 2011/306, [art. 2\(3\)](#)

**Changes to legislation:**

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