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STATUTORY RULES OF NORTHERN IRELAND

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**2014 No. 153 (C. 8)**

**LOCAL GOVERNMENT**

**The Local Government (2014 Act) (Commencement  
No. 2) Order (Northern Ireland) 2014**

*Made* - - - - *2nd June 2014*

The Department of the Environment, in exercise of the powers conferred by section 129 of the Local Government Act (Northern Ireland) 2014<sup>(1)</sup>, makes the following Order.

**Citation and interpretation**

**1.**—(1) This Order may be cited as the Local Government (2014 Act) (Commencement No. 2) Order (Northern Ireland) 2014.

(2) In this Order—

“the Act” means the Local Government Act (Northern Ireland) 2014;

“new council” means a district council constituted under section 1 (district councils) of the Local Government Act (Northern Ireland) 1972<sup>(2)</sup> as amended by section 3(1) of the Local Government (Boundaries) Act (Northern Ireland) 2008<sup>(3)</sup>; and

“existing council” means a district council constituted under section 1 of the Local Government Act (Northern Ireland) 1972 as in force immediately prior to the making of the Local Government (Boundaries) (2008 Act) (Commencement, Transitional Provision and Savings) Order (Northern Ireland) 2013<sup>(4)</sup>.

(3) In this Order any reference to a numbered section is a reference to a section of the Act.

**Provisions of the Act coming into operation on 2nd June 2014**

**2.** The day appointed for the coming into operation of the provisions of the Act listed in Schedule 1 is 2nd June 2014.

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(1) 2014 c. 8 (N.I.).  
(2) 1972 c. 9 (N.I.); section 1 was amended by S.I. 1985/454.  
(3) 2008 c. 7 (N.I.).  
(4) 2013 No. 238 (C. 15).

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**Provisions of the Act coming into operation on 2nd June 2014 in relation to new councils**

3. The day appointed for the coming into operation of the provisions of the Act listed in Schedule 2 in relation to new councils is 2nd June 2014.

Sealed with the Official Seal of the Department of the Environment on 2nd June 2014.

(L.S.)

*Ian Maye*  
A senior officer of the Department of the  
Environment

## SCHEDULES

### SCHEDULE 1

Article 2

Provisions of the Act coming into operation on 2nd June 2014

<i>Section/ Schedule</i>	<i>Title</i>
Section 5(2)	Disqualification of holders of prescribed offices and employments
Section 16	Declaration required of persons who are not members of council
Section 54	Guidance
Section 55	Investigations
Section 56	Investigations: further provisions
Section 57	Reports, etc.
Section 58	Interim reports
Section 59	Decision following report
Section 60	Decisions on interim reports
Section 61	Recommendations
Section 62	Disclosure and registration of councillors' interests, etc.
Section 63	Extension of 1996 Order
Section 64	Expenditure of Commissioner under this Act
Section 65	Interpretation
Section 108	The local government auditor
Section 109	Power to repeal provisions relating to surcharge, etc.
Section 110	Minor and consequential amendments
Section 111	Guidance
Section 112	Transitional rate relief in consequence of changes in local government district
Section 113	Commencement of the Local Government (Boundaries) Order (Northern Ireland) 2012
Section 114	Transferred functions grant
Section 116	Control of disposals and contracts of existing councils and their finances
Section 120	Power to dissolve the Local Government Staff Commission for Northern Ireland
Section 122	Schemes for transfers of assets and liabilities
Section 123	Compensation for loss of office or diminution of emoluments

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<i>Section/ Schedule</i>	<i>Title</i>
Section 125	Council websites
Section 126	Interpretation
Section 128(1)	Minor and consequential amendments
Schedule 3	Declaration on appointment to committee of person who is not a councillor
Schedule 7	Minor and consequential amendments relating to local government audit
Schedule 8	Transfer schemes
Schedule 9,	paragraphs 1,4,5,6,7 and 8

## SCHEDULE 2

Article 3

Provisions of the Act coming into operation on 2nd June 2014 in relation to new councils

<i>Section/ Schedule</i>	<i>Title</i>
Section 1	Names of councils
Section 2(1)	Constitutions of councils
Section 6	Positions of responsibility
Section 7	Arrangements for discharge of functions of council
Section 8	Arrangements by one council for discharge of functions by another council
Section 9	Arrangements for discharge of functions by councils jointly
Section 10	Exercise of functions not prevented by arrangements under this Part
Section 11	Appointment of committees etc. for the purpose of discharging functions
Section 12	Appointment of committee to advise on discharge of functions
Section 13	Appointment of councillors to committees, etc.
Section 14	Joint committees: further provisions
Section 15	Disqualification for membership of committees
Section 17	Voting rights of persons who are not members of council
Section 18	Termination of membership on ceasing to be member of council
Section 19	Permitted forms of governance
Section 20	Power to prescribe additional permitted governance arrangements
Section 21	Council executives
Section 22	Functions which are the responsibility of an executive
Section 23	Functions of an executive: further provision
Section 24	Allocation and discharge of functions
Section 25	Discharge of functions of and by another council

<i>Section/ Schedule</i>	<i>Title</i>
Section 26	Joint exercise of functions
Section 27	Overview and scrutiny committees: functions
Section 28	Overview and scrutiny committees: supplementary provision
Section 29	Scrutiny officers
Section 30	Reference of matters to overview and scrutiny committee etc.
Section 31	Dealing with references under section 30(1)(c)
Section 32	Duty of council or executive to respond to overview and scrutiny committee
Section 33	Publication etc. of reports, recommendations and responses: confidential and exempt information
Section 34	Meetings and access to information etc.
Section 35	Meetings and access to information etc.: further provisions and regulations
Section 36	Meetings and proceedings
Section 37	Standing orders
Section 39	Simple majority
Section 40	Qualified majority
Section 41	Power to require decisions to be reconsidered
Section 42	Admission to meetings of councils
Section 43	Access to agenda and connected reports
<i>Section</i>	<i>Title</i>
Section 44	Inspection of minutes and other documents after meetings
Section 45	Inspection of background papers
Section 46	Application to committees and sub-committees
Section 47	Audio recording of meetings
Section 48	Additional rights of access to documents for members of councils
Section 49	Councils to publish additional information
Section 50	Supplemental provisions and offences
Section 51	Exempt information and power to vary Schedule 6
Section 52	Interpretation and application of this Part
Section 67	Community planning partners
Section 74	Guidance
Section 78	Interpretation
Section 103	Partnership Panel
Section 118	Persons ceasing to hold office
Section 119	Validity of acts done by unqualified person

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<i>Section</i>	<i>Title</i>
Section 121	Insurance against accidents to councillors
Schedule 1	Positions of responsibility
Schedule 2	Appointment of councillors to committees, etc.
Schedule 4	Overview and scrutiny committees: voting right of co-opted members
Schedule 5	Meetings and proceedings
Schedule 6	Access to information: exempt information

### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order brings into operation provisions of the Local Government Act (Northern Ireland) 2014. Article 2, together with Schedule 1 lists the provisions of the Local Government Act (Northern Ireland) 2014 that will come into operation on 2nd June 2014, in respect of both existing and new councils.

Article 3, together with Schedule 2, brings provisions of the Local Government Act (Northern Ireland) 2014 into operation on 2nd June 2014 in respect of new councils.

### **NOTE AS TO EARLIER COMMENCEMENT ORDERS**

*(This note is not part of the Order)*

The following provisions of the Local Government Act (Northern Ireland) 2014 have been brought into operation by a Commencement Order made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Sections 38, 53, 124 and 127	20th May 2014	<a href="#">2014 No. 142 (C.7)</a>