



2014 CHAPTER 8

PART 12

PERFORMANCE IMPROVEMENT

Supplementary

Power to modify statutory provisions and confer new powers

101.—(1) If the Department thinks that a statutory provision prevents or obstructs compliance by councils with their duty under section 84, the Department may by order make provision modifying or excluding the application of the provision in relation to councils.

(2) The Department may by order make provision conferring on councils any power which the Department considers necessary or expedient to permit or facilitate compliance with the duty under section 84.

(3) In exercising a power conferred under subsection (2) a council must have regard to any guidance issued by the Department.

(4) An order under this section may—

- (a) impose conditions on the exercise of any power conferred by the order (including conditions about consultation or approval);
- (b) amend a statutory provision;
- (c) include supplementary, incidental, consequential and transitional provisions.

Application of certain local government audit provisions

102. —In Part 2 of the Local Government (Northern Ireland) Order 2005 (local government audit)—

- (a) in Article 5 (code of audit practice) and Article 7 (auditor’s right to documents and information), references to that Part include references to this Part;
- (b) in Article 7(7), references to the audit of the accounts of any body include references to an audit under section 93, an assessment under section 94 and a special inspection in respect of a council; and
- (c) in Article 8 (audit fees), the reference to every body whose accounts are audited includes a reference to every council which is subject to such an audit, assessment or inspection.