



2014 CHAPTER 8

PART 16

MISCELLANEOUS

Supplementary

Interpretation

126.—(1) In this Act—

“association” includes any body of persons, corporate or unincorporate;

“council” means a district council;

“councillor” means a member of a council;

“declaration” means declaration in writing;

“direction” means direction in writing;

“district” has the same meaning as in the Local Government Act (Northern Ireland) 1972;

“the Department” means the Department of the Environment;

“elected” includes appointed, nominated or otherwise selected or returned;

“external representative”, in relation to a council, has the meaning given by section 10(4);

“government department” means a Northern Ireland department or a department of the Government of the United Kingdom;

“joint committee” means a joint committee appointed under section 11(1);

“local elector” has the same meaning as in the Electoral Law Act (Northern Ireland) 1962;

“local government body” means a local government body within the meaning of Part 2 of the Local Government (Northern Ireland) Order 2005;

“notice” means notice in writing;

“owner” means the person for the time being receiving the rack rent of the land in connection with which the word is used, whether on that person’s own account or as agent or trustee for any other person, or who would so receive it if the land were let at a rack rent;

“prescribed” means prescribed by regulations;

“public body” means a body (other than a council) established by or under any statutory provision;

“qualified majority” has the meaning given by section 40;

“regulations”, except in sections 100, 124 and 127 means regulations made by the Department;

“statutory provision” has the meaning assigned to it by section 1(f) of the Interpretation Act (Northern Ireland) 1954.

(2) In this Act—

- (a) references to a district, council, chair or deputy chair include references to, respectively, a borough, borough council, mayor or deputy mayor;
- (b) references to a councillor, except in relation to the nomination or election of councillors, include references to an alderman, and
- (c) references to, or any references which are to be construed as references to, a borough, borough council, mayor or deputy mayor include references to, respectively, a city, city council, lord mayor or deputy lord mayor.

(3) References in this Act to the consent or approval of any authority are references to consent or approval in writing.

(4) For the purposes of this Act references to “publish” and “publication” are references to any communication, in whatever form, addressed to the public at large or to a section of the public.

Regulations and orders

127.—(1) Before a Northern Ireland department makes regulations or orders to which this subsection applies it must consult councils and—

- (a) such associations or bodies representative of councils;
- (b) such associations or bodies representative of officers of councils; and
- (c) such other persons or bodies,

as appear to it to be appropriate.

(2) Subsection (1) applies to any regulations and orders under this Act except regulations and orders under—

- (a) section 1(2);
- (b) section 30;
- (c) section 76;
- (d) section 100; or
- (e) section 129.

(3) Regulations and orders to which this subsection applies must not be made unless a draft of the regulations or order has been laid before, and approved by a resolution of, the Assembly.

(4) Subsection (3) applies to regulations and orders which include provisions under—

- (a) section 20;
- (b) section 21;
- (c) section 38;
- (d) section 40;
- (e) section 41;
- (f) section 48;
- (g) section 51;
- (h) section 76;
- (i) section 82;
- (j) section 86;
- (k) section 101;
- (l) section 109;
- (m) in Part 2 of Schedule 1, paragraph 11(3);
- (n) paragraph 5 of Schedule 2.

(5) Except where otherwise provided, any other regulations under this Act and any other orders under this Act other than orders under sections 67, 106 and 129 are subject to negative resolution.

(6) Regulations and orders under this Act may contain such incidental, supplementary, consequential, transitional, transitory or saving provisions as the Northern Ireland department making them thinks necessary or expedient.

Minor and consequential amendments and repeals

128.—(1) Schedule 9 (which contains minor and consequential amendments) has effect.

(2) The statutory provisions mentioned in the first column of Schedule 10 are repealed to the extent specified in the second column of that Schedule.

Commencement

129.—(1) Subject to subsection (2), this Act comes into operation on such day or days as the Department may by order appoint.

(2) The following provisions come into operation on the day after the day on which this Act receives Royal Assent—

- (a) this section;
- (b) section 130.

Short title

130. This Act may be cited as the Local Government Act (Northern Ireland) 2014.