
STATUTORY INSTRUMENTS

1992 No. 810

The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992

Sanctions

Directions in respect of work carried out in contravention of this Part

- 15.**—(1) Paragraph (2) applies where—
- (a) the Department has served a notice on a council under Article 14,
 - (b) the time specified in the notice has expired (whether or not the Department has received a written response to the notice), and
 - (c) it still appears to the Department that the council has acted as mentioned in the paragraph concerned of Article 14.
- (2) Without prejudice to Article 25, the Department may direct that with effect from such date as is specified in the direction the council—
- (a) shall not carry out any work falling within the appropriate activity,
 - (b) shall not carry out such work falling within that activity as is identified in the direction,
 - (c) may only carry out work falling within that activity if such conditions as are specified in the direction are fulfilled, or
 - (d) as regards such work falling within that activity as is identified in the direction, may only carry it out if such conditions as are specified in the direction are fulfilled.
- (3) Where the Department has given a direction under paragraph (2) or this paragraph (the previous direction) the Department may give a direction (a new direction) that with effect from such date as is specified in the new direction—
- (a) any prohibition applying by virtue of the previous direction (whether the prohibition applies outright or if conditions are not fulfilled) shall cease to apply,
 - (b) any outright prohibition applying by virtue of the previous direction is replaced by a prohibition applying (as regards the same work) if conditions specified in the new direction are not fulfilled, or
 - (c) any prohibition applying as regards work by virtue of the previous direction (whether the prohibition applies outright or if conditions are not fulfilled) is replaced by a prohibition which applies only to such of that work as is identified in the new direction but which is otherwise in the same terms as the prohibition in the previous direction.
- (4) If the Department directs under this Article that a council shall not carry out work, or may only carry out work if certain conditions are fulfilled, the direction shall have effect notwithstanding any statutory provision under which the council is required or authorised to do the work or (as the case may be) to do it without the need for the conditions to be fulfilled.
- (5) In this Article “the appropriate activity” means the defined activity within which the work identified in the notice concerned falls.