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STATUTORY INSTRUMENTS

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**1992 No. 810**

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

**PART V**

**AMENDMENT AND REPEAL OF PROVISIONS  
RELATING TO DISTRICT COUNCILS**

*Miscellaneous amendments of other statutory provisions*

*Burial grounds*

**46.** In section 172 of the Public Health (Ireland) Act 1878(1) (meeting to determine whether burial ground shall be provided) the word “special” shall cease to have effect.

*Term of office of members of district councils and casual vacancies*

**47.**—(1) Section 11 of the Electoral Law Act (Northern Ireland) 1962 (2) (election and term of office of members of district councils) shall have effect subject to the following provisions of this Article.

(2) In subsection (2)(b) and (c) for “day next after” there shall be substituted “fourth day after”.

(3) For subsection (5) there shall be substituted—

“(5) A casual vacancy shall be deemed to have occurred—

- (a) if it is a vacancy to which subsection (4)(a) or (b) applies, when and so soon as the Chief Electoral Officer is satisfied that the vacancy exists; or
- (b) if it is a vacancy to which subsection (4)(c) applies, on the date of the determination;

and it shall be the duty of the clerk of a district council within 7 days of any matter concerning a casual vacancy coming to his knowledge to report it to the Chief Electoral Officer.”.

*Consultation with other associations*

**48.** At the end of Article 4 of the Local Government &c. (Northern Ireland) Order 1972(3) there shall be added—

“(5) Before exercising its powers under paragraph (3) the Department may consult any other association or any public body with whom consultation appears to the Department to be desirable.”.

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(1) 1978 c. 52  
(2) 1962 c. 14 (N.I.)  
(3) 1972 NI 22

*Grants for specific purposes*

**49.** After Article 5 of the Local Government &c. (Northern Ireland) Order 1972<sup>(4)</sup> there shall be inserted—

“Grants for specific purposes

**5A.**—(1) Without prejudice to the amount of any General Grant payable to district councils under this Order, the Department may, with the approval of the Department of Finance and Personnel, make grants to district councils for such purposes as may be specified by the Department.

(2) Any grant made to a district council under this Article shall be in respect of a financial year and shall be subject to such conditions as the Department may determine.”.

*Physiotherapists and chiropodists practising acupuncture*

**50.**—(1) Article 13 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985<sup>(5)</sup> (acupuncture) shall have effect subject to the provisions of this Article.

(2) In paragraph (8) after “dentist” there shall be inserted “or a chartered physiotherapist or a state registered physiotherapist or a state registered chiropodist”.

(3) At the end of paragraph (8) there shall be added—

“(9) In this Article—

“chartered physiotherapist” means a member of the Chartered Society of Physiotherapy;

“state registered physiotherapist” means a person registered as a physiotherapist under section 2 of the Professions Supplementary to Medicine Act 1960;

“state registered chiropodist” means a person registered as a chiropodist under section 2 of that Act of 1960.”.

*Supply of computer software*

**51.**—(1) Article 20 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 (use of spare capacity of computers of council) shall have effect subject to the following provisions of this Article.

(2) After paragraph (1) there shall be inserted—

“(1A) If a council has developed software for the purpose mentioned in paragraph (1) the council may enter into agreements with other persons for the supply by the council of the software.”.

(3) In paragraph (2) after “services” shall be inserted “or supply the software”.

(4) In paragraph (3) at the end there shall be added “and

“software” means instructions required by a computer to perform intended tasks.”.

*Entertainments licence*

**52.**—(1) Schedule 1 to the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 (licensing of places of entertainment) shall have effect subject to the provisions of this Article.

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(4) 1972 NI 22

(5) 1985 NI 15

(2) After paragraph 7 there shall be inserted—

“**7A.** An applicant for the variation of the terms, conditions or restrictions on or subject to which an entertainments licence is held shall pay such fee as the Department may determine.”.

(3) In paragraph 10(4)(a) for “Registration of Clubs Act (Northern Ireland) 1967” there shall be substituted “Registration of Clubs (Northern Ireland) Order 1987”.