

SCHEDULES

FIRST SCHEDULE N.I.

N.I.

INCORPORATION

- 1
- (1) The Council shall be a body corporate with perpetual succession and a common seal and with capacity to acquire and hold land ...<sup>F1</sup>, so however, that the Council shall not acquire any land (other than the May Street site) without the consent of the Ministry.

(2) The Council may, with the approval of the Ministry;—

(a) sell, lease, surrender, mortgage, charge, or otherwise deal with any land for the time being vested in the Council; and

(b) exchange any land for the time being vested in the Council;

and on any such exchange the Council may give or receive any money for equality of exchange.

(3) The Council may borrow, by way of temporary loan or overdraft from a bank or otherwise, any sum which it may temporarily require:—

(a) for the purpose of defraying expenses pending the receipt of revenues receivable by it;

(b) for the purpose of defraying, pending the raising of a loan on mortgage, expenses intended to be defrayed by means of the loan.

(4) The Council may accept donations and bequests and receive aid from public funds and apply the same for the purposes of the Council.

(5) The Council may erect buildings or reconstruct existing buildings and carry out such other works as the Council shall think fit.

F11960 c.20 (NI)

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The Council may sue and be sued in its own name.

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MEMBERSHIP

3

(1) The Council shall consist of not more than forty nor less than twenty-five members.

(2) The Lord Mayor of Belfast, the Mayor of Londonderry, the Vice-Chancellor of the Queen's University of Belfast and the Chairman of the Youth Committee for Northern Ireland for the time being shall be ex-officio members of the Council.

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- (3) Each of the following bodies shall be entitled from time to time to appoint the number of members of the Council set opposite the name of each body as representative or representatives of the body making the appointment, and to remove any person so appointed and to appoint another person in his place:—

The Ulster Association of County Councils:	One Person.
The Association of Municipal Authorities of Northern Ireland:	One Person.
The Association of Rural District Councils (Northern Ireland)	One Person.
The Association of Northern Ireland Education Committees:	One Person.
The Standing Conference of Youth Organisations in Northern Ireland:	Six Persons.
The Central Council of Physical Recreation, Northern Ireland Section:	Four Persons.
The Federal Council of Teachers in Northern Ireland:	One Person.
The Council for the Encouragement of Music and the Arts (Northern Ireland):	One Person.
The Northern Ireland Council of Social Service (Incorporated)	One Person.

In the event of any one or more of the said bodies ceasing to exist or failing to appoint a representative within three months of a vacancy occurring, the Council may appoint a person to fill the vacancy.

- (4) The Council when first established shall consist of the persons holding office or appointed under the provisions of sub-paragraphs (2) and (3) of this paragraph together with the following persons:—

*Residue specifies 14 persons*

- 4 The Council may from time to time appoint a Patron of the Council. The Council may also from time to time appoint a President and Vice-Presidents of the Council.
- 5 The Council may add to its members but so that the total number of members shall not at any time exceed forty and may, subject to the provisions of sub-paragraphs (2) and (3) of paragraph 3, appoint any members in place of persons who have died or otherwise ceased to be members.
- 6 A member of the Council who has—
  - (a) communicated in writing to the Council his wish to resign;
  - (b) not attended four consecutive meetings of the Council;
  - (c) ceased to be ordinarily resident in Northern Ireland;
  - (d) been convicted of any offence involving fraud or dishonesty;
  - (e) been adjudicated bankrupt; or
  - (f) become incapable of acting;

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shall cease to be a member.

- 7 The Council shall keep a membership book in which there shall be entered the names of the members, the dates of their respective appointments and the name of the appointing body, if any, and any extract from that book duly certified by the Chairman or deputy Chairman of the Council shall be evidence of any appointment to which it refers.
- 8 (1) The Chairman and deputy Chairman of the Council shall be such members as the members may elect and in the event of a tie shall be chosen by lot.
- (2) The Chairman and deputy Chairman shall hold office for such period, not being less than ten or more than fourteen months, as the Council may determine at the time of his election, but an outgoing Chairman or deputy Chairman may be re-elected.
- 9 (1) It shall be a condition of service of a member of the Council that he shall have no such financial or other interest as is likely to affect prejudicially the discharge by him of his function as a member and any person who is, or whom the Council proposes to appoint to be, a member shall, on request, furnish to the Council such information as the Council requires to satisfy the Council that this condition is being complied with.
- (2) A member who has any financial interest in any company or concern with which the Council proposes to make a contract or any financial interest in any such contract shall disclose to the Council the effect and nature of his interest and shall take no part in any deliberation or decision of the Council relating to the contract; and the disclosure shall be recorded in the minutes of the Council.

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#### SECRETARY

- 10 (1) The Council may appoint some fit person to act as Secretary of the Council and may employ such other person or persons to assist it in the administration, management, maintenance or cleaning of any premises vested in or managed by or on behalf of the Council or otherwise to assist the Council in the carrying out of its functions under this Act.
- (2) The Council may pay to its Secretary and to such other persons such remuneration as it may from time to time determine.

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#### MEETINGS OF THE COUNCIL

- 11 (1) At a meeting of the Council the Chairman shall, if present, be Chairman of the Meeting.
- (2) If the Chairman is absent the deputy Chairman shall be Chairman.
- (3) If neither the Chairman nor the deputy Chairman is present or if such offices are vacant, the members present shall elect one of their number to be Chairman of the meeting.
- 12 (1) The quorum for a meeting of the Council shall be seven or such greater number as the Council may from time to time determine.

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- (2) Every question at a meeting of the Council shall be decided by the votes of the majority of those present and voting, and, in case of an equal division of votes, the Chairman of the meeting shall have a second or casting vote.
  - (3) Subject to sub-paragraph (1), the Council may act notwithstanding vacancies in its membership.
  - (4) Subject to the provisions of this Schedule, the Council may, by standing orders or otherwise, regulate its procedure and business.
- 13      The Council shall hold general meetings at least twice in every year of which not less than one shall be held at the principal premises of the Council for the time being. The other meetings may be held at such premises as the Council may determine to be most convenient.
- 14      The Chairman or any two members of the Council may at any time summon a special meeting for any cause that seems to him or them sufficient.
- 15      Notice in writing of every meeting, whether general, special or adjourned, shall be delivered or sent through the post to each member of the Council by the Secretary, or by some other person acting under the direction of the Council, or, in the case of a special meeting, by or under the direction of the person or persons summoning the meeting, seven clear days at least before the date of the meeting, so far as in the case of an adjourned meeting the interval between the original and adjourned meetings will permit. Every notice of meeting shall state the place, day and hour of the meeting and every notice of a special meeting shall further state the matters to be considered thereat.
- 16      If a quorum shall not have assembled within half an hour after the time appointed for any meeting the member or members of the Council present, or the Secretary if no member of the Council be present, may adjourn the meeting. Any meeting may be adjourned by the Chairman upon the adoption of a resolution for its adjournment.

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#### COMMITTEES OF THE COUNCIL

- 17      The Council may, at any meeting, appoint two or more members to be a committee for making any enquiry or for superintending or transacting any business, subject to regulations to be imposed by the Council.
- 18      (1) The Council shall at least once in each year appoint a standing committee (herein referred to as “the management committee” ) consisting of not more than fifteen or less than nine persons. Not less than one-third of the members of the management committee and the Chairman thereof, who shall be appointed by the Council, shall be members of the Council. The remaining members of the management committee shall be persons representative of the youth and sports organisations using the Youth Centre erected in pursuance of the vesting agreement.
- (2) The Council may delegate any of its functions to the management committee with or without restrictions or conditions, as the Council thinks fit.
  - (3) The Secretary of the Council shall act as Secretary of the management committee.

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- (4) The quorum for a meeting of the management committee shall be such number of persons as the Council may from time to time specify, not being less than one-third of the total number of members of the management committee for the time being.
- (5) The provisions of paragraphs 11, 12(2), 12(3), 14, 15, 16 and 19 shall, mutatis mutandis, apply to meetings of the management committee, so however, that subject thereto the Council may by standing orders or otherwise, regulate the procedure and business of the management committee.

**N.I.**

#### MINUTES

- 19 A minute book shall be kept by the Council and minutes of the proceedings at meetings of the Council shall be entered therein and shall be signed by the Chairman at the next ensuing meeting, after they have been duly confirmed as a true and correct record.

**N.I.**

#### ACCOUNTS AND AUDIT

- 20 (1) Full accounts shall be kept, in proper books of account, by the Council of all moneys received and expended by it or on its behalf.
- (2) The Council shall prepare an annual statement of accounts in such form as the Council shall think proper.
- (3) The accounts for each year shall be audited by a person to be appointed by the Council.
- (4) The Council shall pay the fees of the auditor and the expenses of the audit.
- (5) The Ministry may at any time require that the Council shall submit to the Ministry the audited accounts for any year.
- (6) The accounts so submitted may be made available by the Ministry for inspection, during normal office hours, by any person who satisfies the Ministry that he has a bona fide interest in the affairs of the Council.
- (7) Such books and records of the Council as relate to the accounts of any year shall be open to inspection, at such times as the Ministry may direct, by an inspector of, or other person appointed by, the Ministry.

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#### BANK ACCOUNT

- 21 A banking account for the purposes of the Council shall be kept with some bank to be from time to time selected by the Council having its head office in the United Kingdom. Every sum of money received by the Council or its officers on account of the Council shall forthwith be paid to the credit of that account unless otherwise expressly ordered by the Council. All cheques and orders for the payment of money

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shall be signed by two of the members of the Council and countersigned by the Secretary.

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#### SEAL

- 22 (1) The seal of the Council shall, when applied to a document, be authenticated by the signature of two members of the Council and by the signature of the Secretary or other officer of the Council duly authorised by the Council to act in that behalf.
- (2) Judicial notice shall be taken of the seal of the Council and every document purporting to be an instrument made by the Council and to be sealed with the seal of the Council and to be attested in accordance with this paragraph shall, unless the contrary is shown, be received in evidence and be deemed to be such an instrument without further proof.

**N.I.**

#### SUPERANNUATION

- 23 The Council may with the approval of the Ministry<sup>F2</sup> give or award pensions, annuities, gratuities and superannuation or other allowances or benefits, or charitable aid to any persons who are or have been employed by or who are serving or have served the Council, and to the [<sup>F3</sup>spouses, surviving spouses, civil partners, surviving civil partners], children, and other relatives and dependants of such persons; and may make payments towards insurance for the provision of any such benefits; and may either alone or jointly with any other body or bodies set up, establish, support and maintain superannuation and other funds and schemes (whether contributory or non-contributory) for the benefit of any of such persons, and of their [<sup>F3</sup>spouses, surviving spouses, civil partners, surviving civil partners], children, and other relatives and dependants.

**F2** SR 1976/281

**F3** Words in [Sch. 1 para. 23](#) substituted (13.1.2020) by [The Marriage \(Same-sex Couples\) and Civil Partnership \(Opposite-sex Couples\) \(Northern Ireland\) Regulations 2019](#) (S.I. 2019/1514), regs. 1(2), [127\(2\)](#) (with [regs. 6-9](#))

**N.I.**

#### INVESTMENT

- 24 The Council may invest any money in its hands and not for the time being required for the furtherance of the objects of the Council, in any investment in which a trustee in England would by virtue of section one<sup>F4</sup> of the Trustee Act, 1925<sup>M1</sup>, as amended by section four of the Northern Ireland (Miscellaneous Provisions) Act, 1945<sup>M2</sup>, be entitled to invest in the absence of any direction to the contrary in the trust instrument, or in any investments for the time being authorised for the investment of trust money by a trustee in Northern Ireland.

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**F4** 1961 c.62

**Marginal Citations**

**M1** 1925 c. 19

**M2** 1945 c. 12

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