

Changes to legislation: There are currently no known outstanding effects for the New Towns Act (Northern Ireland) 1965, SCHEDULE 4. (See end of Document for details)

SCHEDULES

SCHEDULE 4

Section 7(2)

NEW TOWN COMMISSIONS

Constitution

- 1 A new town commission (in this Schedule referred to as “the commission”) shall be a body corporate by the name specified in the order establishing the commission.
- 2 Section 19 of the Interpretation Act (Northern Ireland) 1954 shall apply to the commission, but not so as to enable the commission either to acquire any land otherwise than in accordance with the provisions of section 15 ^[F1] or to dispose of any land otherwise than in accordance with the provisions of section 16].

F1 1981 NI 13

- 3 The commission shall consist of not more than nine or less than five members appointed by the Minister, and, subject to paragraphs 5 and 6, they shall hold office for such period as the Minister may determine.
- 4 The Minister shall appoint one of the members of the commission to be Chairman of the commission, and may appoint a further member to be Vice-Chairman of the commission.
- 5 A member of the commission, the Chairman or Vice-Chairman may, by notice in writing under his hand given to the Minister, resign either his office as member, Chairman or Vice-Chairman or his offices as member and Chairman or member and Vice-Chairman.
- 6 Where the Minister is satisfied that a member of the commission—
- (a) has been adjudged bankrupt ^[F2] or is the subject of a bankruptcy restrictions order^[F3] or has had a debt relief order made in respect of him or is the subject of a debt relief restrictions order,] or made a composition or arrangement with his creditors; or
 - (b) is incapacitated by physical or mental illness; or
 - (c) has been absent from meetings of the commission for a period longer than two consecutive months without the permission of the commission; or
 - (d) is otherwise unable or unfit to discharge the functions of a member or is unsuitable to continue as a member,
- the Minister may remove him from his office as a member of the commission.

F2 Words in Sch. 4 para. 6(a) inserted (21.4.2015) by [The Insolvency \(Northern Ireland\) Order 2005 \(Consequential Amendments\) Order \(Northern Ireland\) 2015 \(S.R. 2015/159\)](#), art. 1, **Sch. para. 3**

F3 Words in Sch. 4 para. 6(a) inserted (7.3.2016) by [The Debt Relief Act \(Northern Ireland\) 2010 \(Consequential Amendments\) Order \(Northern Ireland\) 2016 \(S.R. 2016/108\)](#), art. 1, **Sch. para. 4**

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7 If the Chairman or Vice-Chairman ceases to be a member of the commission he shall also cease to be Chairman, or as the case may be, Vice-Chairman.

8 A person who ceases to be a member of the commission or to be Chairman or Vice-Chairman shall be eligible for re-appointment.

Remuneration

9 The commission shall pay to persons holding the office of Chairman, Vice-Chairman or member of the commission such remuneration, if any, in respect of any such office and such allowances in respect of expenses properly incurred in the performance of their duties as may be determined by the Ministry with the approval of the Ministry of Finance.

Proceedings

10 The Ministry may give directions to the commission as to their quorum and proceedings, and the right of the commission under section 19(1)(a)(v) of the Interpretation Act (Northern Ireland) 1954 to regulate their own procedure and business shall be exercised in accordance with such directions, if any.

11 The validity of the proceedings of the commission shall not be affected by any vacancy among their members or by any defect in the appointment of any of their members.

Officers and Servants

12 The commission—

- (a) shall, with the approval of the Ministry, appoint a general manager on such conditions as to remuneration or otherwise as the Ministry with the approval of the Ministry of Finance may determine; and
- (b) may with the approval of the Ministry appoint such other principal officers as the commission may determine, on such conditions as to remuneration or otherwise as the Ministry may direct; and
- (c) may, in accordance with any authorisation which the Ministry may give in writing, appoint such other officers and servants as the commission think fit.

Instruments and Contracts

13 The fixing of the seal of the commission shall be authenticated by the signature of—

- (a) the Chairman; or
- (b) another member authorised either generally or specially by the commission to act for that purpose; or
- (c) the general manager if authorised either generally or specially by the commission to act for that purpose.

14 Any contract or instrument which if made or executed by a person not being a body corporate would not be required to be under seal may, if the subject matter thereof does not exceed [^{F4} [^{F5} [^{F6} £15,000] in value] or such larger value as the Department may by order made subject to negative resolution determine], be made or executed on behalf of the commission by any person generally or specially authorised by them to act for that purpose.

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F4 [1976 NI 21](#)

F5 [SR 1980/283](#)

F6 [SR 1991/242](#)

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