



New Towns Act (Northern Ireland) 1965

1965 CHAPTER 13

MUNICIPAL FUNCTIONS OF NEW TOWN COMMISSIONS

30 General provisions with respect to municipal functions of new town commissions.

- (1) Where a municipal functions order is made [^{F1} with respect to a new town commission], then, subject to any provision of the order, for the purposes of any transferred provision (including any transferred provision coming into force after the commencement of this Act) relating generally to ...^{F2} districts or their councils or the officers of such councils ...^{F2} (excluding any such provision relating to the constitution of [^{F1} a district council], or its meetings or procedure, or the election or tenure of office of its members, but including, without prejudice to the generality of the foregoing provisions of this subsection, any such provision relating to the register of electors ...^{F2}), and for the purposes of any local Act or order in force in the area to which the municipal functions order applies—
- (a) the area in relation to which the new town commission are authorised to exercise their municipal functions shall be deemed to be [^{F1} a] district;
 - (b) the new town commission shall for the purposes of their municipal functions be deemed to be [^{F1} a district council] acting for that district;
 - (c) the chairman, any vice-chairman, and the members of the new town commission shall for the purposes of the said functions be deemed to be respectively the chairman, vice-chairman and members of such a council; and
 - (d) the general manager, his deputy, if any, and any other officers appointed by the new town commission and acting on behalf of the new town commission for the purposes of any municipal function of the new town commission shall be deemed to be respectively the clerk, [^{F1} deputy clerk] and, subject as the new town commission may direct, other officers of [^{F1} a district council].

Subs. (1A) rep. by SRO (NI) 1973/285

- (2) The Ministry may, by either a municipal functions order or an order made under this section, make such adaptations of or modifications in any transferred provision (including any local Act or order) as appear to be necessary or desirable to meet the

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circumstances of a new town commission or for the full and effectual discharge of the statutory functions of a new town commission or otherwise for the purpose of giving full effect to this Act, and upon such an order being made the provision to which it relates shall, in relation to the new town commission and any area in relation to which the new town commission are authorised to exercise their municipal functions, have effect subject to the adaptations thereof and the modifications therein made by the order.

- (3) Where any local Act or order in force at the commencement of this Act contains provisions that appear to be similar to or inconsistent with any provision made by or under this Act, the Ministry may by either a municipal functions order or an order made under this section (in this subsection referred to as “the order”) declare that the provisions of the local Act or order specified in the order shall not apply in or in relation to a specified area, and upon the order being made the provisions so specified shall not apply in or in relation to that area.
- (4) Where a municipal functions order or an order made under this section makes any provision such as is described in subsection (2) or (3) with respect to a local Act or a local order that, in either case, confers powers or privileges on any person for his own pecuniary benefit, and where, by reason of the provisions of the municipal functions order, any such benefit is diminished, the Ministry shall pay compensation to that person, and any question of disputed compensation shall be referred to and determined by the Lands Tribunal for Northern Ireland.
- (5) An order made under this section shall be subject to affirmative resolution.

F1 SRO (NI) 1973/285

F2 SRO (NI) 1973/285

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