



Local Government Act (Northern Ireland) 1972

1972 CHAPTER 9

PART II

MEMBERS, MEETINGS AND PROCEDURE

COMMITTEES

18 Power to appoint committees and sub-committees.

- (1) A council may appoint a committee for any such general or special purpose as in the opinion of the council would be better regulated and managed by means of a committee, and may delegate to a committee so appointed, with or without restrictions or conditions, as the council thinks fit, any functions exercisable by the council with respect to either the whole or a part of the district of the council, except the power of making a rate, or of borrowing money or of acquiring, holding or disposing of land, and any transferred provision regulating the exercise of a function by a council shall also apply to regulate the exercise of that function by a committee.
- (2) The number of members of a committee appointed under this section, their term of office, and the area, if any, with respect to which the committee is to exercise its functions shall be fixed by the council.
- (3) A committee appointed under this section may include persons who are not councillors, but at least two-thirds of the members of every committee shall be councillors.
- (4) A committee appointed under this section may, subject to any directions of the council, appoint a sub-committee for the exercise of any function which in the opinion of the council or the committee would be better exercised by a sub-committee, and may if so authorised by the council delegate to such sub-committee with or without restrictions

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or conditions as the committee think fit any functions of the council delegated to the committee under subsection (1).

- (5) A sub-committee appointed under subsection (4) may include persons who are not councillors, but the majority of the members of every sub-committee shall be councillors.
- (6) Every member of a committee or sub-committee appointed under this section who was a councillor at the time of his appointment shall, upon ceasing to be a councillor, cease to be a member of the committee or sub-committee.
- (7) A council which appoints a committee, or a committee which appoints a sub-committee, may revoke any appointment made under this section and, in the case of a council, may revoke or vary anything delegated, or any restriction or condition imposed, under subsection (1) or anything fixed under subsection (2).
- (8) A member of a committee or sub-committee who is not a councillor shall have the same exemption from personal liability as if he were a councillor.

Modifications etc. (not altering text)

- C1** S. 18 excluded (1.4.2006) by [Local Government \(Northern Ireland\) Order 2005 \(S.I. 2005/1968 \(N.I. 18\)\)](#), arts. 1(2), 12(7); [S.R. 2006/151](#), **art. 2**, Sch. (with art. 3)

19 Joint committees.

- (1) A council may concur with any one or more than one other council in appointing a committee of those councils (in this Act referred to as a “joint committee”) for any purpose in which they are jointly interested, and may delegate to the joint committee, with or without restrictions or conditions as the council thinks fit, any functions of the council relating to the purpose for which the joint committee is formed, except the power of making a rate, or (except where the joint committee is constituted as a body corporate by an order under subsection (9) and power in that behalf is conferred by the order) the power of borrowing money, or of acquiring, holding or disposing of land, and any transferred provision regulating the exercise of a function by a council shall also apply to regulate the exercise of that function by a joint committee.
- (2) Subject to the provisions of this section, the number of members of a joint committee, their term of office and the area, if any, with respect to which the joint committee is to exercise its functions shall be fixed by the appointing councils.
- (3) The persons appointed by a council to a joint committee may include persons who are not councillors, but at least two-thirds of the members of the joint committee who are so appointed shall be councillors.
- (4) A joint committee may appoint a sub-committee for the exercise of any function which in the opinion of the joint committee would be better exercised by a sub-committee.
- (5) A sub-committee appointed under subsection (4) may include persons who are not councillors, but the majority of the members of every sub-committee shall be councillors of the councils which appointed the joint committee.
- (6) Every member of a joint committee or sub-committee who at the time of his appointment was a member of a council which concurred in appointing the joint

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committee shall, upon ceasing to be a member of that council, also cease to be a member of the joint committee or sub-committee.

- (7) A member of a joint committee, unless his term of office earlier expires, shall continue in office until the day after the first meeting of the council by which he was appointed that is held after an election of councillors (other than an election to fill a casual vacancy), and at that first meeting the council shall appoint the members of the joint committee whom it is entitled to appoint.
- (8) A council which appoints members of a joint committee, or a joint committee which appoints a sub-committee, may revoke any appointment made under this section, and councils which concur in delegating any function, or imposing any restriction or condition, under subsection (1), or in fixing anything under subsection (2), may concur in revoking or varying anything so delegated, imposed or fixed.
- (9) The Ministry concerned, on the application of all the councils concerned, may by order make provision for the purpose of—
 - (a) constituting a joint committee a body corporate with perpetual succession by the name specified in the order;
 - (b) fixing the functions of the body corporate so constituted;
 - (c) applying to that body any transferred provision, subject to the modifications (if any) specified in the order;
 - (d) providing for the winding-up and dissolution of any body corporate so constituted.
- (10) A member of a joint committee or sub-committee who is not a councillor shall have the same exemption from personal liability as if he were a councillor.

Modifications etc. (not altering text)

C2 S. 19 excluded (1.4.2006) by [Local Government \(Northern Ireland\) Order 2005 \(S.I. 2005/1968 \(N.I. 18\)\)](#), arts. 1(2), 12(7); [S.R. 2006/151](#), [art. 2](#), Sch. (with art. 3)

[^{F1}19A Voting rights of members of committees, sub-committees and joint committees.

- (1) A person who—
 - (a) is a member of a committee appointed under section 18(1) by a council and is not a member of that council; or
 - (b) is a member of a joint committee appointed under section 19(1) by 2 or more councils and is not a member of any of those councils; or
 - (c) is a member of a sub-committee appointed under section 18(4) or 19(4) by such a committee as is mentioned in paragraph (a) or (b) and is not a member of the council, or one of the councils, which appointed that committee,shall for all purposes be treated as a non-voting member of that committee, joint committee or, as the case may be, sub-committee.
- (2) Where a person is treated by virtue of this section as a non-voting member of any committee, joint committee or sub-committee, he shall not be entitled to vote at any meeting of the committee, joint committee or sub-committee on any question which falls to be decided at that meeting.

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- (3) In this section any reference to voting includes a reference to making use of a casting vote.]

F1 [1992 NI 6](#)

20 Expenses of joint committees.

The expenses incurred by a joint committee shall be defrayed by the councils by whom the joint committee is appointed in such proportions as they may agree upon, or in the case of disagreement as may be determined by the Ministry.

21 Disqualification for membership of committees.

- (1) A person who is disqualified for being elected or being a member of a council shall be disqualified for being a member of any committee or sub-committee of that council, or for being a representative of that council on any joint committee, or for being a member of a sub-committee of a joint committee on which that council is represented.
- (2) Section 6 shall apply to members of a committee or sub-committee of a council who are not councillors as it applies to councillors.

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