



Local Government Act (Northern Ireland) 1972

1972 CHAPTER 9

PART VII

MISCELLANEOUS FUNCTIONS

OTHER MISCELLANEOUS FUNCTIONS

111 Subscriptions.

A council may pay reasonable subscriptions, whether annually or otherwise, to the funds of—

- (a) associations of councils or officers or members of councils formed for the purpose of consultation upon and discussion of matters relating to the common interests of councils or matters relating to local government;
- (b) voluntary bodies established for scientific, technical or professional purposes the objects of which are ancillary to any of the functions of the council.

Modifications etc. (not altering text)

- C1** Ss. 111 - 113A applied (with modifications) by S.R. 2004/49, art. 7 (as inserted (28.1.2008) by [Local Government \(Constituting a Joint Committee a Body Corporate\) \(Amendment\) Order \(Northern Ireland\) 2007 \(S.R. 2007/505\)](#), **art. 2(5)**)
- C2** Ss. 111-113A applied (20.8.2008) by [Local Government \(Constituting a Joint Committee a Body Corporate\) Order \(Northern Ireland\) 2008 \(S.R. 2008/310\)](#), **art. 7**

112 Insurance.

A council may—

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- (a) insure any property in which it has an insurable interest;
- (b) insure against any contingency which may result in the imposition of any liability on or loss to the council.

Modifications etc. (not altering text)

- C3** Ss. 111 - 113A applied (with modifications) by S.R. 2004/49, art. 7 (as inserted (28.1.2008) by Local Government (Constituting a Joint Committee a Body Corporate) (Amendment) Order (Northern Ireland) 2007 (S.R. 2007/505), **art. 2(5)**)
- C4** Ss. 111-113A applied (20.8.2008) by Local Government (Constituting a Joint Committee a Body Corporate) Order (Northern Ireland) 2008 (S.R. 2008/310), **art. 7**

113 Exercise of certain functions outside district.

- (1) Where any function of a council is not required by a statutory provision to be exercised in the district of the council, the council may exercise the function at a place outside its district—
- (a) if the council for the district within which that place is situated consents; and
 - (b) if the function is exercised in accordance with—
 - (i) any conditions reasonably imposed by the last-mentioned council, and
 - (ii) any statutory provision regulating the exercise of the function; and
 - (c) where the function is exercisable for the purpose of providing amenities or facilities for persons who are resident in the district of the council, if that place is convenient for those persons.
- (2) Consent under subsection (1)(a) shall not be withheld unreasonably, and any question arising as to whether a consent is unreasonably withheld or whether any conditions are reasonably imposed shall be referred to and determined by the Ministry.

Modifications etc. (not altering text)

- C5** Ss. 111 - 113A applied (with modifications) by S.R. 2004/49, art. 7 (as inserted (28.1.2008) by Local Government (Constituting a Joint Committee a Body Corporate) (Amendment) Order (Northern Ireland) 2007 (S.R. 2007/505), **art. 2(5)**)
- C6** Ss. 111-113A applied (20.8.2008) by Local Government (Constituting a Joint Committee a Body Corporate) Order (Northern Ireland) 2008 (S.R. 2008/310), **art. 7**

[^{F1}113A Power to provide advice and assistance.

- (1) Subject to subsections (3) to (6), a council may provide advice and assistance as respects any matter in which it has skill and experience to a body engaged outside the United Kingdom in the carrying on of any of the activities of local government.
- (2) In relation to any place outside the United Kingdom, activities shall be taken for the purposes of this section to be activities of local government wherever they are the equivalent of, or are comparable to, any activities which in Northern Ireland are carried on by councils.

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- (3) The power conferred by subsection (1) shall not be exercised except with the consent of the Department or in accordance with a general authorisation given by the Department.
- (4) Before giving any general authorisation under subsection (3), the Department shall consult with such persons appearing to it to represent councils as the Department thinks appropriate.
- (5) A consent or authorisation under subsection (3) may be given subject to such conditions as the Department thinks fit.
- (6) Nothing in this section authorises a council to provide any financial assistance by—
 - (a) making a grant or loan,
 - (b) giving a guarantee or indemnity, or
 - (c) investing by acquiring share or loan capital.
- (7) The Department shall provide councils with such guidance about the exercise of their powers under this section as it thinks appropriate.]

F1 1995 NI 5

Modifications etc. (not altering text)

- C7** Ss. 111 - 113A applied (with modifications) by S.R. 2004/49, art. 7 (as inserted (28.1.2008) by [Local Government \(Constituting a Joint Committee a Body Corporate\) \(Amendment\) Order \(Northern Ireland\) 2007 \(S.R. 2007/505\)](#), **art. 2(5)**)
- C8** Ss. 111-113A applied (20.8.2008) by [Local Government \(Constituting a Joint Committee a Body Corporate\) Order \(Northern Ireland\) 2008 \(S.R. 2008/310\)](#), **art. 7**

114 Acceptance of gifts.

- (1) Subject to the provisions of this section a council may accept, hold and administer any gift of property, whether real or personal—
 - (a) for any local public purpose, or
 - (b) for the benefit of the inhabitants of its district or of any part of its district, and may provide and maintain any works, facility, amenity, equipment or thing incidental to or consequential on the exercise of the powers conferred by this section.
- (2) This section shall not authorise the acceptance by a council of property which, when accepted, would be held in trust for an ecclesiastical charity or an eleemosynary charity.

115 Expenditure for special purposes.

- (1) Subject to^{F2} subsections (2) to (5)], a council may make any payment for any purpose which in its opinion is in the interests^{F3} of, and will bring direct benefit to]
 - (a) ^{F3} . . . the council;
 - (b) ^{F3} . . . its district or^{F3} . . . any part of its district;
 - (c) ^{F3} . . . the inhabitants of its district or^{F3} . . . any part of its district.

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- [^{F2}(1A) Subject to subsection (2), a council may make payments to any fund which is raised in connection with a particular event directly affecting persons resident in the United Kingdom on behalf of whom a public appeal for contributions has been made—
- (a) by the chairman of a council; or
 - (b) by a committee of which the chairman of a council is a member; or
 - (c) by such a person or body as is referred to in section 137(3)(c) of the Local Government Act 1972; or
 - (d) by such a person or body as is referred to in section 83(3)(c) of the Local Government (Scotland) Act 1973.]
- (2) The total payments made under this section by a council in any one financial year shall not [^{F4} exceed the aggregate of—
- (a) the product of a rate of [^{F5} 0.0596p] in the pound on the rateable value of all hereditaments [^{F6}in a NAV list] in the district ^{F7}. . . ; and
 - (b) the product of a rate of [^{F8}0.00082p] in the pound on the rateable [^{F9}capital] value of all ^{F10}. . . hereditaments [^{F11}in a capital value list] in the district.]
- [^{F12}(2A) Regulations may amend paragraph (b) of subsection (2) by substituting for “ [^{F13}0.00082p]” (or such amount as is for the time being specified therein by virtue of this subsection) such other amount as is prescribed.
- (2B) Regulations shall not be made under subsection (2A) unless a draft of the regulations has been laid before, and approved by resolution of, the Assembly.]
- (3) A council shall not make any payment under [^{F2} subsection (1)]
- [^{F3}(a)] for a purpose for which the council is, either unconditionally or subject to any limitation or to the satisfaction of any condition, authorised or required under any other statutory provision to make any payment [^{F3} or]
 - [^{F3}(b)] unless the direct benefit accruing to its district or any part of its district or to the inhabitants of its district will be commensurate with the payments to be made.]
- [^{F3}(4) In any case where—
- (a) by virtue of paragraph (a) of subsection (3) a council is prohibited from making any payment for a particular purpose; and
 - (b) the power or duty of the council to make any payment for that purpose is in any respect limited or conditional (whether by being restricted to a particular group of persons or in any other way),
- the prohibition in that paragraph shall extend to all payments to which that power or duty would apply if it were not subject to any limitation or condition.
- (5) A council may make a payment under subsection (1) on publicity only by way of assistance to a public body or a voluntary body where the publicity is incidental to the main purpose for which the assistance is given.]
- [^{F14}(6) For the purposes of this section—
- (a) “capital value” means capital value for the purposes of the Rates (Northern Ireland) Order 1977 and shall be construed in accordance with Article 39 of that Order;
 - (b) “NAV list” has the meaning given by Article 40(1)(a) of the Rates (Northern Ireland) Order 1977.]

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- F2** 1995 NI 5
- F3** 1992 NI 6
- F4** SR 1997/144
- F5** SR 2003/73
- F6** Words in s. 115(2)(a) inserted (1.4.2007) by Rates (Consequential Provisions) Order (Northern Ireland) 2007 (S.R. 2007/192), art. 2(1), **Sch. 1 para. 3(a)(i)(aa)**
- F7** Words in s. 115(2)(a) omitted (1.4.2007) by virtue of Rates (Consequential Provisions) Order (Northern Ireland) 2007 (S.R. 2007/192), art. 2(1), **Sch. 1 para. 3(a)(i)(bb)**
- F8** Word in s. 115(2)(b) substituted (1.4.2007) by Rates (Consequential Provisions) Order (Northern Ireland) 2007 (S.R. 2007/192), art. 2(1), **Sch. 1 para. 3(a)(ii)(aa)**
- F9** Word in s. 115(2)(b) inserted (1.4.2007) by Rates (Consequential Provisions) Order (Northern Ireland) 2007 (S.R. 2007/192), art. 2(1), **Sch. 1 para. 3(a)(ii)(bb)**
- F10** Word in s. 115(2)(b) omitted (1.4.2007) by virtue of Rates (Consequential Provisions) Order (Northern Ireland) 2007 (S.R. 2007/192), art. 2(1), **Sch. 1 para. 3(a)(ii)(cc)**
- F11** Words in s. 115(2)(b) inserted (1.4.2007) by Rates (Consequential Provisions) Order (Northern Ireland) 2007 (S.R. 2007/192), art. 2(1), **Sch. 1 para. 3(a)(ii)(dd)**
- F12** 2005 NI 18
- F13** Word in s. 115(2A) substituted (1.4.2007) by Rates (Consequential Provisions) Order (Northern Ireland) 2007 (S.R. 2007/192), art. 2(1), **Sch. 1 para. 3(b)**
- F14** S. 115(6) inserted (1.4.2007) by Rates (Consequential Provisions) Order (Northern Ireland) 2007 (S.R. 2007/192), art. 2(1), **Sch. 1 para. 3(c)**

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