

Changes to legislation: Local Government Act (Northern Ireland) 1972, SCHEDULE 3 is up to date with all changes known to be in force on or before 05 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 3

Section 40.

THE STAFF COMMISSION

MEMBERS

- 1 Section 18(2) of the Interpretation Act (Northern Ireland) 1954 (except, in relation to members other than the chairman, so much of that section as relates to remuneration) shall apply to the appointment of members of the Staff Commission.

ALLOWANCES

- 2 The Staff Commission may pay—
- (a) to its chairman such remuneration; and
 - (b) to its chairman and its other members such reasonable 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^{F1}.

F1 SR 1976/281

- [^{F2}2A The Staff Commission may make payments to its members for, or in relation to anything done in connection with, service as members of the Staff Commission and such payments shall be of an amount or rate to be determined by the Department with the approval of the Department of Finance and Personnel but not exceeding the amount or rate [^{F3}determined by the Department under section 31(2) of the Local Government Finance Act (Northern Ireland) 2011].]

F2 1992 NI 6

F3 Words in Sch. 3 para. 2A substituted (1.4.2012) by Local Government Finance Act (Northern Ireland) 2011 (c. 10), ss. 45, 47(2), Sch. 1 para. 4; S.R. 2011/306, art. 2(3)

EXPENSES

- 3 Before the commencement of each financial year the Staff Commission shall prepare an estimate of the amount of its total expenditure for that year.
- 4 In preparing the estimate mentioned in paragraph 3, the Staff Commission shall take into account any surplus or deficit accruing from previous years or estimated

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to accrue in the current year, and may also include such additional amount as is, in the opinion of the Staff Commission, required to meet contingencies.

- 5 The Staff Commission shall, with the approval of the Ministry, apportion the amount estimated in accordance with paragraphs 3 and 4 between expenditure arising from matters directly concerning councils [^{F4}, expenditure arising from matters directly concerning the Executive] and other expenditure.

F4 1981 NI 3

- 6 Any question arising in connection with an apportionment under paragraph 5 shall be referred to and determined by the Ministry of Finance^{F5}.

F5 SR 1976/281

- 7 The amount apportioned under paragraph 5 as arising from matters directly concerning councils shall be further apportioned between all the councils in Northern Ireland rateably in proportion to the rateable value of the hereditaments in their districts, and the amount that is so further apportioned to each council shall be paid by that council to the Staff Commission at such time and in such manner as the Staff Commission directs.

- [^{F6}7A The amount apportioned under paragraph 5 as arising from matters directly concerning the Executive shall be paid to the Staff Commission by the Executive at such time and in such manner as the Staff Commission directs.]

F6 1981 NI 3

- 8 Any sum which is payable by a council [^{F7} or, as the case may be, by the Executive] to the Staff Commission under paragraph 7 [^{F7} or paragraph 7A] shall be a debt recoverable from the council [^{F7} or the Executive] by the Staff Commission.

F7 1981 NI 3

- 9 The amount apportioned under paragraph 5 as other expenditure shall be defrayed as expenses of the Ministry.

BORROWING

- 10 The Staff Commission may borrow, by way of temporary loan or overdraft from a bank or otherwise, any sum which the Staff Commission temporarily requires for the purpose of defraying expenses pending the receipt of revenues receivable by it.

ACCOUNTS, ETC., AND AUDIT

- 11 The Staff Commission shall keep such accounts and records as the Ministry directs.
- 12 The accounts of the Staff Commission shall be audited annually by [^{F8}the local] government auditor, and the provisions of [^{F9}Part II of the Local Government

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(Northern Ireland) Order 2005] with respect to audit shall apply to that audit subject to such modifications as the Ministry directs.

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| F8 | Words in Sch. 3 para. 12 substituted (2.6.2014) by Local Government Act (Northern Ireland) 2014 (c. 8) , ss. 110(3) , 129 (with s. 124(4)); S.R. 2014/153 , art. 2 , Sch. 1 |
| F9 | Words in Sch. 3 para. 12 substituted (1.4.2006) by Local Government (Northern Ireland) Order 2005 (S.I. 2005/1968 (N.I. 18)) , arts. 1(2) , 28(5) ; S.R. 2006/151 , art. 2 , Sch. (with art. 4) |

INFORMATION, REPORTS AND RETURNS

- 13 The Staff Commission shall—
- (a) make such reports and returns, and
 - (b) give such information with respect to the exercise of its functions, to the Ministry, within such period, as the Ministry directs.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(1)(ea) inserted by [2022 c. 37 Sch. 5 para. 3](#)
- s. 10(1) s. 10 renumbered as s. 10(1) by [2022 c. 37 Sch. 10 para. 3\(3\)\(a\)](#)
- s. 10(1)(a) words inserted by [2022 c. 37 Sch. 10 para. 3\(3\)\(b\)](#)
- s. 10(2) inserted by [2022 c. 37 Sch. 10 para. 3\(3\)\(c\)](#)
- Sch. 8 para. 1 repealed by [2010 c. 23 Sch. 2](#) (Amendment could not be applied - affected provision (Sch. 8) not available on [legislation.gov.uk](#))
- Sch. 8 para. 3 repealed by [2010 c. 23 Sch. 2](#) (Amendment could not be applied - affected provision (Sch. 8) not available on [legislation.gov.uk](#))