

*Status: Point in time view as at 01/01/2006.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government Act (Northern Ireland) 1972, PART II. (See end of Document for details)*

## SCHEDULES

### <sup>F1</sup>SCHEDULE 4

#### LOCAL GOVERNMENT BOUNDARIES COMMISSIONER

**F1** Sch. 4 substituted (17.5.2006) by Local Government (Boundaries) (Northern Ireland) Order 2006 (S.I. 2006/1253 (N.I. 8)), arts. 1(2), 4(2), Sch. 1

#### PART II

#### PROCEDURE

- 1 As soon as possible after his appointment the Commissioner shall—
  - (a) make a public announcement to the effect that he has commenced his task; and
  - (b) invite proposals (including, where he is appointed under section 50(2), proposals for modifying the proposals he has been appointed to consider) from councils, political parties, associations, organisations and individual members of the public.
  
- 2 Where the Commissioner has been appointed under section 50(1) and has provisionally determined to make recommendations with respect to a district or the wards within a district, or where he has been appointed under section 50(2) to consider any proposals affecting a district or such wards he shall publish in at least two newspapers circulating in the district a notice—
  - (a) setting out the provisional recommendations or the proposals or specifying places and times at which copies of the provisional recommendations or the proposals may be inspected; and
  - (b) stating that representations in writing with respect to the provisional recommendations or the proposals may within one month<sup>F1</sup>, or such longer period as the Commissioner may determine, being a period not exceeding 2 months,] from the date of the last publication of the notice be made to the Commissioner in the manner specified in the notice;and the Commissioner shall take into consideration any representations made in accordance with that notice.

**F1** 1992 NI 6

- 3 (1) Where a notice under paragraph 2 has been published with respect to any district and the period specified in that notice for the receipt of representations has elapsed the

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Commissioner may, after giving public notice thereof, cause to be held in that district a public hearing in respect of the boundary and name of the district and the number, boundaries and names of the wards within that district (or such of those matters as are affected by the review or proposals in question).

(2) Where, on publication of a notice under paragraph 2 with respect to any district, the Commissioner receives any representations duly made in accordance with the notice objecting to the recommendations he has provisionally determined to make or, as the case may be, the proposals he has been appointed to consider—

- (a) from the council of the district, or
- (b) from not less than one hundred local electors registered by virtue of a qualifying address in the district,

the Commissioner shall not make the recommendations or recommend the implementation of the proposals, unless, since the publication of the notice, a public hearing such as is mentioned in sub-paragraph (1) has been held in the district.

4 The Commissioner may cause additional hearings to be held in such manner as he directs.

5 The Commissioner may direct any hearing under paragraph 3 or 4 to be held before an Assistant Commissioner.

6 The Commissioner, after taking into consideration the representations, if any, made in accordance with a notice published under paragraph 2 or made at a hearing under paragraph 3 or 4, may revise any provisional recommendations or, where he has been appointed to consider any proposals, may provisionally determine to recommend modifications of the proposals, and where he does so he shall comply again with paragraph 2 but shall not be required to hold a public hearing following any representations he may receive with respect to those recommendations as revised or proposals as provisionally modified.

7 Subject to the foregoing provisions of this Part, the Commissioner shall have power to regulate his own procedure.

8 Every document purporting to be an instrument made or issued by the Commissioner and to be signed by the secretary or any person authorised by the Commissioner to act in that behalf shall be received in evidence and shall, until the contrary is proved, be deemed to be an instrument made or issued by the Commissioner.

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