



Local Government Act (Northern Ireland) 1972

1972 CHAPTER 9

PART X

GENERAL

146 Interpretation: pecuniary interests.

^{F1}(1) Subject as hereafter provided in this section, a person shall be treated for the purposes of this Act as having a pecuniary interest in a contract or proposed contract or in any other matter if—

- (a) he has himself or by or with or through another, an interest in the outcome thereof or in any commission, advantage or benefit arising or accruing therefrom;
- (b) he or any nominee of his is a member of a company or other body with which that contract is made or is proposed to be made or which has a direct pecuniary interest in that other matter; or
- (c) he is a partner or is in the employment of a person with whom that contract is made or is proposed to be made or who has a direct pecuniary interest in that other matter;

but shall not be so treated—

- (i) if the pecuniary interest arises in relation to a contract or proposed contract for the supply of services, facilities or goods to the public and the terms of the contract are offered to the public at large and he has, fairly, openly and without qualification, accepted those terms upon the same conditions as those on which they are open to acceptance by any member of the public; or
- (ii) if the pecuniary interest is of such a general nature or is so insignificant or trivial, or is so indirectly or remotely related to that contract, proposed contract or other matter that the judgment of the person is not likely to be affected or influenced thereby; or
- (iii) by reason only of his being a member or an officer of any public body; or

Changes to legislation: Local Government Act (Northern Ireland) 1972, Section 146 is up to date with all changes known to be in force on or before 04 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

(iv) by reason only of his being a member of any company or other body if he proves he has no beneficial interest in the shares therein or in the profits thereof.

(2) For the purposes of this section and sections 28 to 33 and 46, the interest of one of two spouses^[F2] or civil partners] living together shall be deemed to be the interest of the other of those spouses^[F2] or civil partners] unless that other spouse^[F2] or civil partner] proves he or she was unaware of, and had no reasonable grounds for being aware of, the interest of his or her spouse^[F2] or civil partner], and in this section and those sections—

“council” includes a committee and a sub-committee of a council;

“councillor” includes a member of such a committee or sub-committee, whether he is a member of the council or not;

“matter” includes any relevant transaction (not being a contract) within the meaning of section 31 and any other matter whatsoever;

“public body” means a body established by or under any statutory provision; and

“shares” includes stock and “share capital” shall be construed accordingly.

F1 1965 c.13 (NI), 1970 c.9 (NI), 1972 NI 14, 1981 NI 3

F2 2004 c.33

Modifications etc. (not altering text)

- C1** S. 146 applied (with modifications) (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\)](#), ss. 7(2), 34(3), **Sch. 1 para. 11(1)** (with Sch. 1 para. 11(2)); S.R. 2009/114, **art. 2**
- C2** S. 146 applied (with modifications) (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\)](#), ss. 7(2), 34(3), **Sch. 2 para. 11(1)** (with Sch. 2 para. 11(2)); S.R. 2009/114, **art. 2**
- C3** S. 146 applied (with modifications) (1.4.2012) by [Justice Act \(Northern Ireland\) 2011 \(c. 24\)](#), s. 111(3), **Sch. 2 para. 20** (with s. 106(4)); S.R. 2012/142, art. 2(a)
- C4** S. 146 applied (with modifications) (1.4.2012) by [Justice Act \(Northern Ireland\) 2011 \(c. 24\)](#), s. 111(3), **Sch. 1 para. 20** (with s. 106(4)); S.R. 2012/142, art. 2(a)

Changes to legislation:

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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](#))