



# Local Government Act (Northern Ireland) 1966

## 1966 CHAPTER 38

An Act to make further provision respecting local government areas and functions, including provision with regard to rating, water supplies and sewerage, the purchase and appropriation of land for local government purposes, and provision regarding local government contracts and superannuation; to amend the law with respect to the payment of certain grants by and to local authorities and with respect to certain matters of local government administration; to amend section 34 of and Schedule 4 to the New Towns Act (Northern Ireland) 1965; and for purposes connected with the matters aforesaid.

[22nd November 1966]

### Modifications etc. (not altering text)

- C1 [Act: transfer of functions \(8.5.2016\) by The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\), Sch. 3 Pt. 1 \(with art. 9\(2\)\)](#)

## LOCAL GOVERNMENT AREAS

*Ss. 1,2 rep. by 1972 c.9 (NI)*

### 3 Provisions as to officers.

*Subs.(1) rep. by 1972 c.9 (NI)*

- (2) The Ministry with the approval of the Ministry of Finance shall by regulations make provision for the payment, on such terms and subject to such conditions as may be specified in the regulations, of compensation to any officer or servant of a district or county council who in consequence of a transfer order suffers loss of employment or loss or diminution of emoluments.

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*Changes to legislation: There are currently no known outstanding effects for the Local Government Act (Northern Ireland) 1966. (See end of Document for details)*

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- (3) Regulations under this section may include provisions as to—
- (a) the funds out of which and the authorities by whom compensation is to be defrayed;
  - (b) the manner in which and the time within which and the person to whom any claim for compensation is to be made; and
  - (c) the determination of questions arising under the regulations.
- (4) Regulations under this section shall be subject to negative resolution.

*S. 4 rep. by 1972 c.9 (NI)*

*Ss. 5#8 rep. by 1972 NI 16*

*Ss. 9,10 rep. by 1973 NI 2*

*S. 11 rep. by 1972 c.9 (NI)*

## CONTRACTS

### 12 <sup>F2</sup> **Contracts of [<sup>F1</sup>the Northern Ireland Fire and Rescue Service Board] .**

- (1) Subject to the succeeding provisions of this section a local authority may enter into contracts necessary for the discharge of any of their functions.
- (2) All contracts made by a local authority or by a committee thereof shall be made in accordance with the standing orders of the local authority and in the case of contracts for the supply of goods or materials or for the execution of works, the standing orders shall—
- (a) require that, except as otherwise provided by or under the standing orders, notice of the intention of the authority or a committee of the authority to enter into the contract shall be published and tenders invited; and
  - (b) regulate the manner in which such notice shall be published and tenders invited.
- (3) A person entering into a contract with a local authority shall not be bound to inquire whether the standing orders of the authority which apply to the contract have been complied with, and all contracts entered into by a local authority, if otherwise valid, shall, notwithstanding that the standing orders applicable thereto have not been complied with, have full force and effect.

*Subs.(4) rep. by SRO (NI) 1973/285*

- (5) Where any part of the expenditure to be incurred by a local authority on foot of any contract proposed to be entered into by them would fall to be defrayed by way of a grant from public funds other than the General Exchequer Contribution payable to or for the benefit of the authority under the Local Government (Finance) Acts (Northern Ireland) 1929 to 1958, the Ministry by whom payment of such grant would be made or recommended may issue directions, either generally or in a particular case or cases, that the authority shall not enter into the contract otherwise than by acceptance of a tender submitted after public notice inviting tenders has been duly given, without first obtaining the written approval of that Ministry; and where any such direction has been issued it shall be the duty of the authority to give effect thereto.

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*Subs.(6) rep. by SRO (NI) 1973/285*

<sup>F3</sup>(7) In this section the words “local authority” shall be construed as meaning [<sup>F4</sup>the Northern Ireland Fire and Rescue Service Board].]

- F1** Words in heading to s. 12 substituted (1.7.2006) by [Fire and Rescue Services \(Northern Ireland\) Order 2006 \(S.I. 2006/1254 \(N.I. 9\)\)](#), arts. 1(3), 63(1), **Sch. 3 para. 6** (with arts. 49, 62); S.R. 2006/257, art. {2(d)}
- F2** [1972 c.9 \(NI\)](#)
- F3** SRO (NI) 1973/285
- F4** Words in s. 12(7) substituted (1.7.2006) by [Fire and Rescue Services \(Northern Ireland\) Order 2006 \(S.I. 2006/1254 \(N.I. 9\)\)](#), arts. 1(3), 63(1), **Sch. 3 para. 6** (with arts. 49, 62); S.R. 2006/257, art. {2(d)}

### 13 Sealing of contracts, etc. by new town commissions.

*Subs.(1)(2) rep. by 1972 c.9 (NI)*

*Subs.(3) rep. by 1976 NI 21*

(4) Nothing in this section shall be taken as preventing a contract or instrument from being made or executed under seal ...<sup>F5</sup> by or on behalf of a new town commission.

- F5** [1972 c.9 \(NI\)](#)

*Ss. 14,15 rep. (from 1.5.1981) by 1972 NI 10; SR 1981/96*

## GRANTS

### 16 Grants to district councils for acquisition of open spaces, etc.

- (1) Where a [<sup>F6</sup> district council] acquire under any enactment any land with the approval of the Ministry for the purpose of a public park, open space, pleasure ground, recreation ground[<sup>F7</sup>, nature reserve] or public walk the Ministry with the approval of the Ministry of Finance may, subject to such conditions as it thinks fit, pay to the [<sup>F6</sup> district council] a grant not exceeding seventy-five per cent. of the expenditure which the Ministry is satisfied was reasonably and properly incurred by the [<sup>F6</sup> council] in acquiring the land or any part thereof.
- (2) Where, with the approval of the Ministry, a [<sup>F6</sup> district council] acting in pursuance of any statutory power exercisable by them in that behalf appropriate, for any of the purposes mentioned in subsection (1), any land vested in them, the Ministry with the approval of the Ministry of Finance may, subject to such conditions as it thinks fit, pay to the [<sup>F6</sup> district council] a grant of such amount as the Ministry considers proper, having regard to all the circumstances, but the amount of any such grant shall not exceed the amount of grant which the Ministry would have had power to pay under subsection (1) if the [<sup>F6</sup> council] had acquired the land on the date on which they appropriated it.
- (3) A grant shall not be paid under this section in respect of any expenditure in respect of which a grant is paid by the Ministry of Education under section 2 of the Youth Welfare, Physical Training and Recreation Act (Northern Ireland) 1962<sup>F8</sup>.

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**F6** SRO (NI) 1973/285

**F7** 1985 NI 1

**F8** 1973 NI 12

*S. 17 rep. by SRO (NI) 1973/285*

## ADMINISTRATIVE POWERS AND PROVISIONS

### 18 District council powers respecting arts and entertainment.

- (1) Subject to subsection (2), and without prejudice to any other powers exercisable by them, a [<sup>F9</sup> district council] may do, or arrange for the doing of, or contribute towards the expenses of the doing of, anything necessary or expedient for any of the following purposes, that is to say—
  - (a) the promotion of the arts in Northern Ireland, whether by contributions to the Arts Council of Northern Ireland or by other means;
  - (b) the provision of an entertainment of any nature;
  - (c) the provision of a theatre, concert hall, or other premises suitable for the giving of such entertainments;
  - (d) the maintenance of a band or orchestra;
  - (e) any purpose incidental to the matters aforesaid, including the provision, in connection with the giving of any such entertainment, of refreshments or programmes and the advertising of any such entertainment.
- (2) The powers conferred on a [<sup>F9</sup> district council] by paragraphs ( b ) to ( e ) of subsection (1) shall not be exercised in relation to any entertainment held in any place outside the area of that [<sup>F9</sup> council], or in relation to a theatre, concert hall, or other premises situate in any place outside that area, unless—
  - (a) that place is convenient for residents in the area of that [<sup>F9</sup> council];
  - (b) the [<sup>F9</sup> district council] for the area within which that place is situate consent.
- (3) Without prejudice to the generality of the foregoing provisions of this section, a [<sup>F9</sup> district council]—
  - (a) may for the purposes authorised by those provisions enclose or set apart any part of a park or pleasure ground belonging to the [<sup>F9</sup> council] or under their control not exceeding one acre or one-tenth of the area of the park or pleasure ground whichever is the greater;
  - (b) may permit any theatre, concert hall, or other premises provided by them for any of the purposes mentioned in subsection (1) and any part of a park or pleasure ground enclosed or set apart as aforesaid, to be used for any such purpose by any other person, on such terms as to payment or otherwise as the [<sup>F9</sup> council] think fit, and may authorise that other person to make charges for admission thereto;
  - (c) may themselves make charges for admission to any entertainment held by them and for any refreshment or programmes supplied at any such entertainment.
- (4) Nothing in this section shall authorise any [<sup>F9</sup> district council] to fail to observe and perform any covenant or condition subject to which a gift or lease of a public park or

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pleasure ground has been accepted or made without the consent of the donor, grantor, lessor or other person entitled in law to the benefit of the covenant or condition.

- (5) Nothing in this section shall affect the provisions of any enactment by virtue of which a licence is required for the public performance of a stage play or the public exhibition of cinematograph films, or for boxing or wrestling entertainments or for public music, or for the sale of intoxicating liquor.

**F9** SRO (NI) 1973/285

*Ss.19#21 rep. by 1972 c.9 (NI)*

*S. 22 rep. (from 1.5.1981) by SR 1981/96*

*S. 23 rep. by 1972 c.9 (NI)*

*S. 24 amends s.110 of 1878 c.52*

*S.25(1) rep. by SRO (NI) 1973/285; subs.(2) adds s.34(3) to 1965 c.13 (NI)*

*S. 26 rep. by SLR 1976*

## **27 Interpretation.**

- (1) In this Act—

*Definitions rep. by 1972 NI 16; SRO (NI) 1973/285*

“Ministry” has the meaning assigned to it by section 1(1)<sup>F10</sup>;

*Definitions rep. by 1972 NI 16*

“transfer order”<sup>F11</sup> has the meaning assigned to it by section 1(1);

*Definition rep. by SRO (NI) 1973/285*

*Subs.(2) rep. by 1972 NI 16*

**F10** SRO (NI) 1973/504; [1976 NI 6](#)

**F11** i.e. an order made by M/Dev. which transf. certain loc. govt. functions

*S. 28 rep. by SLR 1973*

## **29 Short title, citation and construction.**

- (1) This Act may be cited as the Local Government Act (Northern Ireland) 1966.

*Subs.(2) rep. by SRO (NI) 1973/285*

*Subs.(3) rep. by 1972 NI 10*

- (4) This subsection and section 24 shall be construed as one with the Public Health Acts (Northern Ireland) 1878 to 1962, and may be cited together with those Acts as the Public Health Acts (Northern Ireland) 1878 to 1966.

- (5) This subsection, section 13(3), section 13(4) (so far as it applies to a new town commission) and section 25 shall be construed as one with the New Towns Act (Northern Ireland) 1965, and may be cited together with that Act as the New Towns Acts (Northern Ireland) 1965 and 1966.

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(6) The provisions of this Act, other than those mentioned in the four last-foregoing subsections, shall be construed as one with the Local Government Acts (Northern Ireland) 1898 to 1964 and may be cited together with those Acts as the Local Government Acts (Northern Ireland) 1898 to 1966.

(7) *Commencement*

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*Schedules 1-3 rep. by 1972 c.9 (NI)*

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