

SCHEDULES

SCHEDULE 5

Section 36.

MEETINGS AND PROCEEDINGS

Annual meetings

- 1.—(1) A council must hold an annual meeting in June every year unless it is a local election year.
- (2) In a local election year the annual meeting must be held within 21 days from the election day.
- (3) The council may fix the time and the place at which the annual meeting is to be held.
- (4) If the council does not fix a time, the annual meeting must be held at twelve noon.
- (5) If the council does not fix a place, the annual meeting must be held at the offices of the council.

Other meetings for transaction of general business

2. The council may hold such other meetings as the council thinks necessary for the transaction of general business.

Convening meetings

3. The chair may call a meeting of the council at any time.

Requisition for meeting

- 4.—(1) If a requisition from not less than five members of the council is served on the chair, the chair must call a meeting of the council to be held within 14 days from the date on which the requisition is served.
- (2) If the chair—
 - (a) refuses to call a meeting of the council; or
 - (b) does not call a meeting of the council within seven days from the date on which the requisition is served,

not less than five members of the council may on that refusal or on the expiration of those seven days call a meeting of the council.

Notice of meeting and summons to attend

- 5.—(1) At least three days before a meeting of the council—
- (a) notice of the time and place of the intended meeting must be published at the offices of the council; and
 - (b) a summons to attend the meeting must be served on every member of the council.
- (2) If the meeting is called by members of the council, the notice under sub-paragraph (1)(a) must—
- (a) be signed by them; and
 - (b) specify the business proposed to be transacted at the meeting.
- (3) A summons under sub-paragraph (1)(b) must—
- (a) be signed by the clerk of the council; and
 - (b) specify the business proposed to be transacted at the meeting.
- (4) Failure to serve a summons under sub-paragraph (1)(b) does not affect the validity of a meeting.

Who presides at meetings

- 6.—(1) The chair of the council, if present, must preside.
- (2) If the chair of the council is absent, the deputy chair, if present, must preside.
- (3) If neither the chair nor the deputy chair is present, a member of the council chosen by the members who are present must preside.
- (4) No member of a council executive may preside at a meeting of the council.
- (5) Sub-paragraphs (1) to (3) are subject to sub-paragraph (4).

Quorum

- 7.—(1) Subject to sub-paragraph (2), no business may be transacted at a meeting of the council unless at least one-quarter of the whole number of members are present.
- (2) Where more than one-quarter of the members become disqualified at the same time, then, until the number of members in office is increased to not less than three-quarters of the whole number of members, the quorum of the council is determined by reference to the number remaining qualified instead of by reference to the whole number of members.

Status: This is the original version (as it was originally enacted).

Names of members present to be recorded

8. The names of the members present at a meeting of the council must be recorded.

Person authorised by the Department may attend meetings

9. A person who is authorised in writing by the Department to do so is entitled at the request or with the agreement of the council to attend any meeting of the council and take part in the proceedings at the meeting but may not vote.

Minutes

10.—(1) Minutes of the proceedings of a meeting of the council must be signed at the same or the next suitable meeting of the council by the person presiding at that meeting if approved by the meeting at which they fall to be signed.

(2) Any minute purporting to be signed as mentioned in sub-paragraph (1) must be received in evidence without further proof.

(3) Until the contrary is proved—

- (a) a meeting of a council in respect of the proceedings of which a minute has been made and signed as mentioned in sub-paragraph (1) must be taken to have been duly convened and held; and
- (b) all the members present at the meeting must be taken to have been duly qualified.

Vacancies, etc., not to invalidate proceedings

11. The proceedings of a council are not invalidated by—

- (a) any vacancy among its number; or
- (b) any defect in the election or qualification of any of its members.

Committees, sub-committees and joint committees

12. Paragraphs 8 to 11 apply to a committee or sub-committee of a council and to a joint committee as they apply to the council but in relation to proceedings of a committee or sub-committee or of a joint committee paragraph 10(3) as applied by this paragraph has effect as if there were added—

““; and

- (c) where the proceedings are proceedings of a committee or sub-committee or of a joint committee, the committee or sub-committee or the joint committee must be taken to have been duly constituted and to have had power to deal with the matters referred to in the minutes.”.

Interpretation

13. In this Schedule—

“election day”; and

“local election year”,

have the same meanings as in the Electoral Law Act (Northern Ireland) 1962; and “election” is to be construed in accordance with the definition of “elected” in the Local Government Act (Northern Ireland) 1972.