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STATUTORY INSTRUMENTS

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**1992 No. 810**

**The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992**

*Sanctions*

*Notice for purpose of getting information*

**14.**—(1) If it appears to the Department that in the financial year beginning in 1992 or in a subsequent financial year a council—

- (a) has entered into a contract to carry out work and has done so in contravention of Article 5,
- (b) has carried out work in circumstances where any of the 6 conditions required to be fulfilled as regards the work by Article 7 has not been fulfilled,
- (c) has carried out work in circumstances where Article 10 has not been complied with for the year concerned in relation to the defined activity within which the work falls or in relation to an account required by that Article to be kept for the year concerned as regards the activity,
- (d) has carried out work in circumstances where Article 11 has not been complied with for the year concerned in relation to the defined activity within which the work falls, or
- (e) has carried out work in circumstances where Article 12 has not been complied with for the year concerned in relation to the defined activity within which the work falls or in relation to a report required by that Article to be prepared for the year concerned as regards the activity, the Department may serve on the council a notice falling within paragraph (2).

(2) The notice is one which—

- (a) informs the council that it appears to the Department that in a financial year identified in the notice the council has acted as mentioned in one of the sub-paragraphs (so identified) of paragraph (1),
- (b) identifies the work concerned and states why it so appears, and
- (c) contains the requirement mentioned in paragraph (3).

(3) The requirement is that the council submit to the Department within such time as is specified in the notice a response which—

- (a) states that the council has not acted as mentioned in the sub-paragraph concerned of paragraph (1) and justifies the statement, or
- (b) states that the council has acted as so mentioned and gives reasons why the Department should not give a direction under Article 15.

(4) Where work is specified under Article 7(3) as a proportion of particular work, the reference in paragraph (2)(b) to work is to the work of which the proportion forms a part.

(5) The Department may serve on a council different notices under this Article identifying the same financial year and the same work, whether such notices identify the same sub-paragraph or different sub-paragraphs of paragraph (1).