
STATUTORY INSTRUMENTS

2005 No. 1968

The Local Government (Northern Ireland) Order 2005

PART III

MISCELLANEOUS

Powers of district councils in relation to emergencies

29.—(1) A council may make arrangements, or enter into arrangements with other bodies or persons, for—

- (a) preventing the occurrence of an emergency;
- (b) reducing, controlling or mitigating the effects of any emergency which may occur.

(2) Those arrangements may in particular include—

- (a) arrangements for co-operation with other bodies or persons; and
- (b) arrangements for the co-ordination of the activities of the council with those of other bodies or persons.

(3) Where an emergency occurs—

- (a) a council may give effect to any arrangements made under paragraph (1); and
- (b) take any other steps which it thinks appropriate for reducing, controlling or mitigating the effects of the emergency.

(4) In carrying out its functions under paragraphs (1) to (3), a council shall have regard to any guidance issued by the Department.

(5) Before issuing any guidance under paragraph (4) the Department shall consult councils and—

- (a) such associations or bodies representative of councils;
- (b) such associations or bodies representative of officers of councils; and
- (c) such other persons or bodies,

as appear to it to be appropriate.

(6) A Northern Ireland department may by order confer or impose on district councils other functions relating to emergencies.

(7) An order under this Article—

- (a) may include supplementary, incidental, consequential or transitional provisions; and
- (b) shall not be made unless a draft of the order has been laid before, and approved by a resolution of, the Assembly.

(8) In carrying out any functions conferred or imposed on it by an order under paragraph (6), a council shall have regard to any guidance issued by the Northern Ireland department which made the order.

(9) Before issuing any guidance under paragraph (8), a Northern Ireland department shall consult councils and—

- (a) such associations or bodies representative of councils;
- (b) such associations or bodies representative of officers of councils; and
- (c) such other persons or bodies,

as appear to it to be appropriate.

(10) The Department may make grants to district councils or other persons for the purpose of, or in connection with, arrangements made or entered into under paragraph (1).

(11) A grant under paragraph (10) shall be—

- (a) of such amount, and
- (b) made subject to such conditions,

as the Department may determine.

(12) Grants shall not be made under paragraph (10) without the consent of the Department of Finance and Personnel.

(13) In this Article—

“emergency”, in relation to a council, means an emergency affecting the whole or part of the district of the council or all or some of its inhabitants;

“other bodies or persons” includes other councils.