1965. No. 191 [NC]

PUBLIC HEALTH

Water Supply

Limavady Regional Water Board

ORDER, DATED 23RD SEPTEMBER, 1965, MADE BY THE MINISTRY OF DEVELOPMENT UNDER SECTION 7 OF THE WATER SUPPLIES AND SEWERAGE ACT (NORTHERN IRELAND) 1945, WITH RESPECT TO THE WATER SUPPLY IN THE URBAN DISTRICT OF LIMAVADY AND THE RURAL DISTRICT OF LIMAVADY.

Whereas the Urban District of Limavady and the Rural District of Limavady (in this Order referred to as "the respective districts") are sanitary districts within the meaning of the Public Health (Ireland) Act 1878(a) (in this Order referred to as "the Act of 1878"):

And whereas it appears to the Ministry that it is expedient in the public interest to form, for the purposes of the Water Supplies and Sewerage Act (Northern Ireland) 1945(b) (in this Order referred to as "the Act of 1945") the respective districts into a united district within the meaning of section 12 of the Act of 1878:

And whereas the Ministry has, prior to the making of this Order, published and given the notices required by the First Schedule to the Act of 1945 to be published and given:

Now, therefore, the Ministry, in exercise of the powers conferred upon it by section 7 of the Act of 1945 and of all other powers enabling it in that behalf, hereby orders as follows:—

General

1. This Order may be cited as the Limavady Regional Water Board Order (Northern Ireland) 1965.

Formation of district

2. The respective districts shall be formed into a united district to be called the Limavady Water District (in this Order referred to as "the united district") for the purpose of providing a supply of water for the respective districts.

Constitution of governing body

3.—(1) The board which shall be the governing body of the united district shall consist of two ex-officio and ten elective members and shall be called the Limavady Regional Water Board (in this Order referred to as "the Board").

(2) The chairman for the time being of each of the councils of the respective districts (which councils are in this Order referred to as "the respective authorities") shall be an ex-officio member of the Board.

(3) Five elective members shall be elected annually by each of the respective authorities and the said members shall be chosen by each of the respective authorities from among its own members.

Provided that the Ministry may, on the application of the Board and with the consent of each of the respective authorities, vary the number of members of the Board or the number of members to be elected by a respective authority.

(a) 41 & 42 Vict. c. 52. (b) 1945. c. 17.

Disqualification

4. Such of the provisions of Article 12 of the Schedule to the Local Government (Application of Enactments) Order 1898(a) as relate to members of district councils and the provisions of Article 36(6) of the said Schedule shall, with the necessary modifications, apply to members of the Board.

Date of first election

5.—(1) The first election of members of the Board shall take place at a meeting of each of the respective authorities to be held within six weeks after the 1st day of October, 1965 or within such further time as the Ministry may allow.

(2) The Clerk of each of the respective authorities shall give or send to each member of the authority not less than seven days' notice in writing of the meeting.

(3) The persons elected in pursuance of this article shall come into office on such date as the Ministry may direct.

Notification to the Ministry of members at first election

6. The Clerk of each of the respective authorities shall notify to the Ministry in writing within seven days after the first election the name, address and occupation of each of the persons elected by such authority as a member of the Board.

Annual Election

7.—(1) The elective members of the Board shall go out of office and their successors shall come into office on the 1st day of July in each year or on such date as the Ministry may from time to time appoint.

(2) After the first election, an annual election of elective members of the Board by the respective authorities shall take place at the annual meeting of each of the respective authorities or at such meeting as the Ministry may appoint.

Continuance in office

8. Each elective member of the Board shall continue in office until the expiration of the period for which he was elected a member of the Board, or until he dies or resigns or vacates his seat for absence or becomes an ex-officio member of the Board or becomes disqualified, whichever first happens.

Casual vacancies

9.—(1) Any vacancy occurring amongst the members of the Board shall be filled by the respective authority in whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring or within such further period as the Ministry may determine.

(2) The Clerk of the respective authority shall give or send to each member of the authority not less than seven days' notice in writing of the meeting.

(3) The Clerk of the respective authority shall forthwith notify in writing to the Engineer/Manager of the Board, the name, address and occupation of any person elected under this article to fill a casual vacancy.

Proceedings at Elections

10. Subject to the express provisions in that behalf contained in this Order the business at elections of members of the Board shall be conducted and all

(a) S.R. & O. 1898, No. 1120.

questions shall be put and decided in the same manner as other business is conducted and other questions are put and decided at the meetings of the respective authorities respectively.

Incorporation of Board

11. The Board constituted as aforesaid shall be a body corporate by the name of "The Limavady Regional Water Board" and shall have perpetual succession and a common seal, with power to acquire and hold lands for the purposes in this Order mentioned.

Powers, rights, duties, etc., of Board

12. For the purpose of providing a supply of water the Board shall have all the powers, rights, duties, capacities, liabilities and obligations of a sanitary authority under the Public Health Acts (Northern Ireland) 1878 to 1962 and the Act of 1945.

Expenses of Board

13. The expenses to be incurred by the Board in the execution of this Order shall be defrayed out of a common fund to be contributed by the respective authorities in such proportions as the respective authorities may from time to time by agreement determine or, in default of such agreement, as the Ministry may fix.

Meetings of Board

14.—(1) The first meeting of the Board shall be held at such time and at such place as may be directed by the Ministry.

(2) An annual meeting of the Board shall take place in every year during the month of July or at such other time as the Ministry may from time to time appoint, and the ordinary meetings of the Board shall take place at such times as the Board may decide.

(3) The Engineer/Manager of the Board shall summon a meeting of the Board on being required by the Ministry so to do.

Chairman and Vice-Chairman of Board

15.—(1) At the annual meeting of the Board the members shall elect one of their number chairman and another vice-chairman of the Board.

(2) Such chairman and vice-chairman shall hold office until the next annual appointment of a chairman and vice-chairman unless such chairman or vice-chairman dies, resigns or ceases to be a member of the Board.

(3) In the event of the death or resignation of such chairman or vice-chairman or of his ceasing to be a member of the Board, the Board at the next meeting after such vacancy has taken place shall appoint another member of the Board to fill the vacancy.

Conduct of business at meetings of Board

16. At all meetings of the Board the chairman or, in his absence, the vice-chairman, shall preside and if, at the commencement of any meeting, the chairman and vice-chairman are both absent, the members of the Board present shall elect one of their number to preside at such meeting until the chairman or vice-chairman takes the chair.

Questions to be decided by a majority of votes

17. Every question at any meeting of the Board shall be determined by a majority of the votes of the members present and voting, and in any case in which there is an equality of votes on any question the chairman shall have

an additional or casting vote; provided that where there is an equality of votes at the election of the chairman or vice-chairman of the Board or the chairman of a meeting it shall be determined by lot which of the persons receiving an equal number of votes shall be chairman or vice-chairman of the Board or the chairman of the meeting as the case may be.

Quorum of Board

18. No act at any meeting of the Board shall be valid unless five members at least are present.

Appointment of officers, etc.

19.—(1) The Board may, with the approval of the Ministry, appoint an engineer/manager and may appoint such other persons as the Board may deem necessary.

(2) The Board may pay to the engineer/manager and such other persons appointed as aforesaid such remuneration as the Ministry shall approve.

Audit of accounts of Board

20.—(1) The accounts of the Board shall be made up in such form and to such days in each year as may be appointed by the Ministry and shall be audited by such local government auditor as may from time to time be appointed by the Ministry for that purpose.

(2) The auditor so appointed shall, with respect to the accounts of the Board, have the like powers and be subject to the like obligations in every respect as in the case of an audit of the accounts of a district council under the Local Government Acts (Northern Ireland) 1898 to 1964 and the Local Government (Application of Enactments) Order 1898, and any person aggrieved by the decision of the auditor shall have the like rights and remedies as in the case of such last-mentioned audit.

(3) If upon any audit of the accounts of the Board it is ascertained that the Board have a surplus of receipts over expenditure such surplus shall be dealt with in such manner as the Ministry may direct.

(4) The proportion of the salary of the auditor to be paid by the Board shall be determined by the Ministry and shall be paid accordingly to such bank or person as the Ministry may direct.

(5) The Engineer/Manager of the Board shall forward to the Ministry so many copies of the abstract of the accounts of the Board when duly audited as the Ministry may require.

(6) The Board shall be and be deemed to be a public body within the meaning of the Local Government Acts (Northern Ireland) 1898 to 1964.

Sealed with the Official Seal of the Ministry of Development for Northern Ireland this Twenty-third day of September, One thousand, nine hundred and sixty-five.

(L.S.)

Wm. Craig,
Minister of Development.