1973. No. 26 **[C]**

LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1972

Date of Commencement and Temporary Modifications

ORDER, DATED 3RD FEBRUARY 1973, MADE BY THE SECRETARY OF STATE UNDER SECTIONS 134 AND 150(2) OF THE LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1972.

In exercise of the powers conferred on me by sections 134 and 150(2) of the Local Government Act (Northern Ireland) 1972(a) (hereinafter referred to as "the Act") and by section 1(1) of the Northern Ireland (Temporary Provisions) Act 1972(b) and of all other powers enabling me in that behalf I hereby order as follows:—

Citation

1. This Order may be cited as the Local Government Act (Date of Commencement and Temporary Modifications) Order (Northern Ireland) 1973.

Date of commencement

2. The following provisions of the Act shall come into operation on the date of the making of this Order:—

(*a*) Sections 1 to 5, 10, 22, 36, 41, 42, 44, 53, 77, 87, 97, 143, 144 and 148 (in so far as it applies to the interpretation of the provisions brought into operation by this order); and

(*b*) Schedules 2 and 6.

Temporary modifications

3. The provisions of the Act mentioned in paragraph (*a*), (*b*), (*c*), (*d*), (*e*) or (*f*), shall, until the date mentioned in that paragraph, have effect subject to the modifications there specified.

(*a*) In section 4(1)(*a*), until 30th September, 1973, after the words "other council" there shall be inserted the words "or of any existing local authority (as defined in section 131(4)) other than as a teacher employed in a grant-aided school or institution within the meaning of the Education Act (Northern Ireland) 1947(c) or otherwise under section 29(3A) of that Act".

(*b*) In section 4(1)(*c*), until 30th September 1978, after the words "local government auditor" there shall be inserted the words "(including such an auditor within the meaning of section 14(1) of the Local Government Act (Northern Ireland) 1934"(d).

(*c*) In section 4(1)(*d*), until 30th September 1978, after the words "section 31" there shall be inserted the words "or section 11 of the Local Government (Members and Officers) Act (Northern Ireland) 1964"(e).

(*d*) In section 10(*a*), until 30th September 1973, after the words "section 31" there shall be inserted the words "or section 11 of the Local Government (Members and Officers) Act (Northern Ireland) 1964".

(a) 1972. c. 9 (N.I.).
(b) 1972. c. 22.
(c) 1947. c. 3.
(d) 24 & 25 Geo. 5. c. 22 (N.I.).
(e) 1964. c. 14 (N.I.).

(*e*) In section 42(1), until 30th September 1974, after the word "councillor" there shall be inserted the words "or a member of an existing local authority (as defined in section 131(4))".

(*f*) In section 44(2), until the date of the establishment of the Staff Commission the words "Staff Commission" shall be deleted and the words "Interim Staff Commission" inserted.

Dated this 3rd day of February 1973.

W. S. I. Whitelaw,
One of Her Majesty's Principal Secretaries of State.

EXPLANATORY NOTE

(*This note is not part of the Order, but is intended to indicate its general purport.*)

This Order brings certain provisions of the Local Government Act (Northern Ireland) 1972 into force, with effect from the date of making of the order. These provisions are required either in connection with the first elections to the new district councils or to enable necessary subordinate legislation to be made. The order also makes temporary modifications of the Act for the purposes of linking disqualifications of councillors and officers under the Act with corresponding disqualifications under the law relating to existing local authorities, and of extending the functions of the Interim Staff Commission pending the establishment under the Act of the Local Government Staff Commission for Northern Ireland.

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This Order has been exempted from printing by the Statutory Rules Act (Northern Ireland) 1958. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading PUBLIC HEALTH.