1973. No. 309 **[C]**

LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1972

Temporary Modification

ORDER, DATED 5TH SEPTEMBER 1973, MADE BY THE SECRETARY OF STATE UNDER SECTION 134 OF THE LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1972.

In exercise of the powers conferred on me by section 134 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 (Temporary Modification) Order (Northern Ireland) 1973.

Temporary modification

2. Section 129 of the Act shall, until the first chairman of every council has been elected, have effect with the following addition:—

"(4) Subject to subsection (5), if the Ministry is satisfied that by reason of the failure of a council to elect a first chairman the council is unable to exercise any of its functions, the Ministry may by order empower an officer or officers of the Ministry to exercise, or procure the exercise of, all or any of those functions on behalf of and in the name of the council, and such other functions as may be necessary for the effectual exercise of those functions, until such time as the first chairman is elected.

(5) The functions exercisable by virtue of an order under subsection (4) shall not include the election of a chairman or vice-chairman, the appointment of any person to a public body or the nomination of any person for such an appointment."

Dated this 5th day of September 1973.

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

(**a**) 1972. c. 9 (N.I.). (**b**) 1972. c. 22.

EXPLANATORY NOTE

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

This Order enables provision to be made for the exercise of functions of a district council by officers of the Ministry of Development until the first chairman of the council has been elected by the councillors.