Miscellaneous and General

13—15. Annual Estimates and Payments by Councils.
16. Accounts of Authority.
17. Audit of Accounts.
18—20. Contracts.
21. Annual Report.

REGULATIONS, DATED THE 7TH DAY OF MARCH, 1946, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER THE PUBLIC HEALTH (TUBERCULOSIS) ACT (NORTHERN IRELAND), 1946.

1946. No. 26

The Ministry of Health and Local Government for Northern Ireland, in exercise of the powers conferred on it by the Public Health (Tuberculosis) Act (Northern Ireland), 1946, hereby makes the following Regulations :—

Short Title and Interpretation

1. These Regulations may be cited as the Public Health (Tuberculosis) Regulations (Northern Ireland), 1946.

2. In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them, that is to say :—

(*a*) " The Act " means the Public Health (Tuberculosis) Act (Northern Ireland), 1946 ;
(*b*) " The Ministry " means the Ministry of Health and Local Government for Northern Ireland ;
(*c*) " The Authority " means the Northern Ireland Tuberculosis Authority ;
(*d*) " council " means the council of a county or of a county borough ;
(*e*) " financial year " means the period of twelve months ending on the thirty-first day of March.

3. The Interpretation Act, 1921, shall apply for the purpose of the interpretation of these Regulations in like manner as it applies for the interpretation of an Act of the Parliament of Northern Ireland.

PROCEDURE OF AUTHORITY

Meetings to be held

4.—(1) The time and place of holding of the first meeting of the Authority shall be fixed by the Ministry and arrangements shall be

made by the Ministry for the summoning to such meeting of all persons nominated to be the first members of the Authority.

(2) Subsequent to the holding of the first meeting of the Authority there shall be held in each year thereafter a meeting to be known as the annual meeting of the Authority.

(3) The Authority shall, for the proper execution of their functions under the Act, hold ordinary meetings at least once in each month on such date and at such time as they may by standing order determine, and they may also hold special meetings.

Appointment of Chairman and Vice-Chairman

5. At the first meeting and at the annual meeting the Authority shall appoint one of their members to be Chairman and another to be Vice-Chairman until the next annual meeting, when, and at every subsequent annual meeting, the Authority shall in like manner appoint a Chairman and Vice-Chairman for the ensuing year ; and in case the Chairman or Vice-Chairman shall die, or resign, or cease to be a member of the Authority, the members present at the meeting held next after the occurrence of such vacancy shall choose some other member of the Authority to fill such vacancy, and the Chairman or Vice-Chairman so elected shall continue in office only so long as the person in whose place he was elected would have been entitled to continue as Chairman or Vice-Chairman.

Calling Meetings and Summons to Attend

6.—(1) The Chairman may at any time call a special meeting of the Authority.

(2) If the Chairman refuses to call a special meeting after a requisition for that purpose, signed by six members of the Authority, has been presented to him, any six members of the Authority may forthwith, on that refusal, call a special meeting. If the Chairman (without so refusing) does not within seven days after such presentation call a special meeting, any six members of the Authority may, on the expiration of those seven days, call a special meeting.

7. Three clear days at least before any meeting of the Authority, a summons to attend the meeting, specifying the business proposed to be transacted thereat, and signed by the Secretary of the Authority or by some person authorised by the Authority to act in his stead in that behalf, shall be left, or sent in a prepaid letter addressed to him, at the usual place of abode of each member of the Authority.

Conduct of Business at Meetings

8. At every meeting of the Authority the Chairman, if present, shall be chairman. If the Chairman is absent, then the Vice-Chairman shall be chairman. If both the Chairman and the Vice-Chairman are absent,

then such member of the Authority as the members then present choose shall be chairman.

9.—(1) All acts of the Authority, and all questions coming or arising before the Authority may be done and decided by the majority of such members of the Authority as are present and vote at a meeting of the Authority, the whole number present at the meeting, whether voting or not, not being less than nine, which number shall be the quorum of the Authority.

(2) Such majority as aforesaid shall be determined either by a show of hands or by voices, unless a division is demanded by not less than three members present.

(3) In case of equality of votes the chairman of the meeting shall have a second or casting vote, provided that when there shall be an equality of votes at the election of Chairman or Vice-Chairman or 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 or chairman of the meeting, as the case may be.

Minutes of Proceedings

10.—(1) Minutes of the proceedings of every meeting of the Authority shall be drawn up and shall record a true account of all matters and things discussed by the Authority and all acts done by them at such meeting.

(2) Minutes drawn up as aforesaid shall include :—

(*a*) copies of the minutes of every meeting of every committee of the Authority ;

(*b*) copies of any reports made or submitted by the Director of Tuberculosis Services and by the Secretary ;

(*c*) details of all books and accounts produced and examined ;

(*d*) details of all appointments made by the Authority and the terms of such appointments ; and

(*e*) references to all communications received from the Ministry, including reports by the inspectors of the Ministry and the designated local government auditor ;

and all directions given by the Authority thereon.

(3) The names of the members present at a meeting shall be recorded in the minutes of that meeting and in every case where a division is taken the names of those voting for, voting against, or abstaining from voting on, the question shall be separately recorded.

(4) Minutes shall be signed at the same or the next ensuing ordinary meeting by the Chairman or the member of the Authority presiding as chairman at the meeting at which the minutes are signed.

(5) Copies of the minutes of proceedings of every meeting of the Authority shall be furnished to the Ministry as soon as possible after

the meeting to which the minutes relate and in any event not later than 14 days after such meeting.

Appointment of Committees

11.—(1) For the purpose of more effectually and expeditiously carrying out their functions under the Act the Authority may appoint :—

(*a*) a standing committee or committees with such functions as may be specified in the standing orders of the Authority and which committee or committees shall hold office until the next following annual meeting of the Authority ; and

(*b*) from time to time such other committee or committees as they think necessary or desirable every such committee to hold office for a period not exceeding six months but without prejudice to the power of the Authority to re-appoint any such committee for a further period.

(2) Any committee appointed by the Authority in accordance with the terms of this Regulation may include persons (not being members of the Authority) having special knowledge, experience or interest in the work of the Authority, so however that at least two-thirds of the members of every committee shall be members of the Authority.

(3) Any committee appointed by the Authority may appoint such and so many sub-committees, consisting wholly of members of the committee, as the committee think fit.

Standing Orders

12. Subject to the provision of the foregoing Regulations and of such other Regulations as may from time to time be made by the Ministry the Authority shall make such Standing Orders regulating their procedure as they think fit, and may vary or revoke the same.

MISCELLANEOUS AND GENERAL

Annual Estimates and Payments by Councils

13. The estimate of income and expenditure of the Authority required to be submitted to the Ministry under the provisions of sub-section 2 of section five of the Act shall be in such form as to show in respect of each financial year :—

(i) (*a*) the total estimated income of the Authority (exclusive of sums due to be received from councils and from the Ministry, and of receipts of capital moneys under paragraph (ii) of this Regulation), and the source or sources from which such income is expected to be derived, and the amount expected to be derived from each source ;

(*b*) the total estimated expenditure of the Authority and the several categories under which the said expenditure is

expected to be disbursed and the amount expected to be disbursed in each such category but excluding any estimated expenditure for capital purposes ; and

(*c*) the total estimated net expenditure of the Authority being the difference between the amounts calculated in accordance with sub-paragraphs (*a*) and (*b*) of this paragraph ; and

(ii) (*a*) the total estimated receipts of the Authority of capital moneys (exclusive of sums due to be received from the Ministry) and the source or sources from which such receipts are expected to be derived, and the amount expected to be derived from each source ;

(*b*) the total estimated payments of the Authority out of capital moneys and the several categories under which the said payments are expected to be disbursed and the amount expected to be disbursed in each such category ; and

(*c*) the total estimated net expenditure of the Authority of capital moneys being the difference between the amounts calculated in accordance with sub-paragraphs (*a*) and (*b*) of this paragraph.

14. The estimate of income and expenditure in respect of each financial year, prepared and calculated as in Regulation 13 of these Regulations, shall be submitted to the Ministry for approval not later than the 30th day of November in the preceding financial year : provided that the Ministry may from time to time assent to any departure from the provisions of this Regulation.

15.—(1) As soon as may be after the Ministry has indicated its approval to the estimate of income and expenditure submitted by the Authority (which approval may be given subject to such modifications or additions and to such conditions as the Ministry sees fit), the Authority shall furnish to each council a copy of the said estimate as approved by the Ministry and a statement sealed with the seal of the Authority indicating the amount which will be demanded from such council.

(2) Any sum so demanded shall be paid by the council to the Authority in four equal instalments on the first day of June, the first day of September, the first day of December and the first day of March in each financial year : provided that in the financial year in which is held the first meeting of the Authority the Ministry may assent to any departure from the provisions of this Regulation.

Accounts of Authority

16. The provisions of the Union Accounts Order, 1905, as amended by any subsequent Order shall, so far as may be applicable, apply, with the necessary modifications, to the Authority, subject to the provisions

of these Regulations and to such alterations, additions and omissions as the Ministry may from time to time direct.

Audit of Accounts

17. The accounts of the Authority shall be made up yearly to the 31st day of March and shall be audited as soon as may be thereafter by such local government auditor as the Ministry may from time to time designate in like manner as the accounts of county councils, and the provisions of any enactments applicable to the audit of accounts of county councils (including provisions which impose penalties or provide for the payment of sums) shall apply accordingly to the audit of the accounts of the Authority.

Contracts

18. All contracts made by the Authority shall be made in accordance with the standing orders of the Authority, and in the case of contracts for the supply of goods or materials or for the execution of works the standing orders shall provide that—

(*a*) except as otherwise provided by standing orders, notice of the intention of the Authority to enter into the contract shall be published and tenders invited ; and

(*b*) such notice shall be published and tenders invited in a specified manner ; and

(*c*) the contract shall specify the work, materials, matters or things to be furnished, had, or done, the price to be paid and the time or times within which the contract is to be performed, and shall specify some pecuniary penalty to be paid in case the terms of the contract are not duly performed ; and

(*d*) the lowest tender or quotation received shall be accepted by the Authority unless some good reason (which shall be recorded) exists for the acceptance of a tender or quotation which is not the lowest.

19. The standing orders of the Authority shall also provide that before contracting for the execution of any works the Authority shall obtain from a competent person an estimate in writing, as well of the probable expense of executing the work in a substantial manner as of the annual expense of repairing the same and also a report as to the most advantageous mode of contracting, that is to say, whether by contracting only for the execution of the work, or for executing and also maintaining the same in repair during a term of years or otherwise.

20. A person entering into a contract with the Authority shall not be bound to inquire whether the standing orders of the Authority which apply to the contract have been complied with, and all contracts entered

into by the Authority, if otherwise valid, shall have full force and effect notwithstanding that the standing orders applicable thereto have not been complied with.

Annual Report

21. The Authority shall submit to the Ministry, not later than the 30th day of June in each year, a report of their operations during the year ended on the 31st day of December prior to the date of such submission.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this 7th day of March, 1946, in the presence of

(L.S.) *Thos. Elwood,*
Assistant Secretary.

PUBLIC HEALTH AND LOCAL GOVERNMENT (ADMINISTRATIVE PROVISIONS)

Appointed Day.

REGULATIONS, DATED THE 13TH DAY OF SEPTEMBER, 1946, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER THE PUBLIC HEALTH AND LOCAL GOVERNMENT (ADMINISTRATIVE PROVISIONS) ACT (NORTHERN IRELAND), 1946.

1946. No. 141

The Ministry of Health and Local Government for Northern Ireland, in exercise of the powers conferred on it by the Public Health and Local Government (Administrative Provisions) Act (Northern Ireland), 1946 (hereinafter called "the Act") hereby makes the following Regulations :—

1.—(1) These Regulations may be cited as the Public Health and Local Government (Administrative Provisions) (Appointed Day) Regulations (Northern Ireland), 1946.

(2) The Interpretation Act, 1921, shall apply for the purpose of the interpretation of these Regulations in like manner as it applies for the interpretation of an Act of the Parliament of Northern Ireland.

2. The provisions of the Act specified in the Schedule hereto shall come into operation on the date of these Regulations.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this 13th day of September, 1946, in the presence of

(L.S.) *Thos. Elwood,*
Assistant Secretary.