

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government Act (Northern Ireland) 1972, SCHEDULE 2. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 2

Section 22.

#### MEETINGS AND PROCEEDINGS OF COUNCILS AND COMMITTEES

##### HOLDING OF MEETINGS

- 1 (1) The council shall in every year hold an annual meeting and such other meetings as the council thinks necessary for the transaction of general business.
- (2) Subject to sub-paragraph (3) the annual meeting shall be held in the month of June in every year.
- (3) In any year (<sup>F1</sup> including 1973) which is a local election year, the annual meeting shall be held within the twenty-one days immediately following the election day at twelve noon, or at such other time as the council may fix, at the offices of the council or at such other place as the Ministry may direct.

*Sub-paras.(4)(5) rep. by SLR 1980*

**F1** 1972 NI 21

##### CONVENING MEETINGS

- 2 (1) The chairman of the council may call a meeting of the council at any time.
- <sup>F2</sup>(2) If a requisition for a meeting of the council signed by five councillors or by one-fifth of the whole number of the councillors, whichever is the greater, is presented to the chairman of the council, he shall call a meeting of the council to be held within the period of fourteen days from the date of service of the requisition on him.
- (2A) If the chairman—
  - (a) refuses to call a meeting of the council in accordance with sub-paragraph (2);  
or
  - (b) does not, within the period of seven days from the date of service of the requisition on him, call a meeting of the council in accordance with sub-paragraph (2),any five councillors or one-fifth of the whole number of the councillors, whichever is the greater, may on that refusal or on the expiration of that period forthwith call a meeting of the council.]
- (3) Three days at least before a meeting of the council—

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- (a) notice of the time and place of the intended meeting shall be published at the offices of the council, and where the meeting is called by councillors the notice shall be signed by them and shall specify the business proposed to be transacted thereat; and
  - (b) a summons to attend the meeting, specifying the business proposed to be transacted thereat and signed by the clerk of the council, shall be left at or sent by ordinary post to the usual place of residence of every councillor.
- (4) Want of service of a summons under sub-paragraph (3)( b) shall not affect the validity of a meeting.

**F2** 1985 NI 15

#### CHAIRMAN OF MEETING

- 3
- (1) At a meeting of the council the chairman of the council, if present, shall preside.
  - (2) If the chairman of the council is absent from a meeting of the council, the vice-chairman of the council, if present, shall preside.
  - (3) If both the chairman and the vice-chairman of the council are absent from a meeting of the council, such councillor as the councillors present may choose shall preside.
  - [<sup>F3</sup>(4) Nothing in this paragraph shall authorise any councillor to preside at so much of any meeting of the council during which the business of the election of a chairman or of a vice-chairman is transacted where that councillor is a candidate for election to the office of chairman or, as the case may be, of vice-chairman.]

**F3** 1992 NI 6

#### QUORUM

- 4
- (1) Subject to sub-paragraph (2), no business shall be transacted at a meeting of the council unless at least one-quarter of the whole number of councillors are present.
  - (2) Where more than one-quarter of the councillors become disqualified at the same time, then, until the number of councillors in office is increased to not less than three-quarters of the whole number of councillors, the quorum of the council shall be determined by reference to the number of councillors remaining qualified instead of by reference to the whole number of councillors.

#### NAMES OF COUNCILLORS PRESENT TO BE RECORDED

- 5
- The names of the councillors present at a meeting of a council shall be recorded by the clerk of the council.

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#### PERSON AUTHORISED BY MINISTRY MAY ATTEND MEETINGS

- 6 A person authorised in writing by the Ministry in that behalf shall, at the request or with the agreement of the council, be entitled to attend any meeting of the council and to take part in the proceedings at the meeting, but not to vote.

#### DECISION ON QUESTIONS

- 7 (1) Subject to any statutory provision, all acts of a council and all questions coming or arising before a council shall be done and decided by a majority of the councillors present and voting thereon at a meeting of the council.
- (2) In the case of an equality of votes the person presiding at the meeting shall have a second or casting vote.

#### MODE OF VOTING

- [<sup>F4</sup>8 (1) The mode of voting at meetings of the council shall, except as otherwise resolved by the council, be by show of hands.
- (2) On the requisition of any councillor the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question.]

F4 1985 NI 15

#### MINUTES

- 9 (1) Minutes of the proceedings of a meeting of a council, or of a committee or sub-committee thereof, shall be drawn up and entered in a bound book, or on loose leaves consecutively numbered, kept for that purpose, and shall be signed at the same or the next ensuing meeting of the council or, as the case may be, at the same or any subsequent meeting of the committee or sub-committee by the person presiding thereat, if approved by the meeting at which they fall to be signed.
- (2) Any minute purporting to be signed as mentioned in sub-paragraph (1) shall be received in evidence without further proof.
- (3) Until the contrary is proved, a meeting of a council or of a committee or sub-committee thereof in respect of the proceedings of which a minute has been so made and signed shall be deemed to have been duly convened and held, and all the members present at the meeting shall be deemed to have been duly qualified, and where the proceedings are proceedings of a committee or sub-committee, the committee or sub-committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

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#### STANDING ORDERS

- 10 Subject to the provisions of this Act, a council may make standing orders for the regulation of the proceedings of the council and business, and may vary or revoke any such orders.

#### VACANCIES, ETC., NOT TO INVALIDATE PROCEEDINGS

- 11 The proceedings of a council or of a committee or sub-committee thereof shall not be invalidated by any vacancy among its number or by any defect in the election or qualification of any of its members.

#### PROCEEDINGS OF COMMITTEES

- 12 (1) A council appointing a committee, and councils who concur in appointing a joint committee, may make, vary and revoke standing orders respecting the quorum, proceedings and place of meeting of the committee or joint committee, but subject to any such standing orders<sup>F5</sup> and to section 22(2) to (4)] the quorum, proceedings and place of meeting shall be such as the committee or joint committee may determine.
- (2) The person presiding at a meeting of any committee or joint committee shall, in the case of an equality of votes, have a second or casting vote.

**F5** 1992 NI 6

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