



## 2014 CHAPTER 8

### PART 4

#### DISCHARGE OF FUNCTIONS

##### *Supplementary*

##### **Joint committees: further provisions**

**14.—(1)** The councils which appoint a joint committee must pay its expenses—

- (a) in such proportions as they may agree upon; or
- (b) if they fail to agree, as may be determined by the Department.

(2) The Department, on the application of the councils which appoint a joint committee, may by order make provision for the purpose of—

- (a) constituting the joint committee a body corporate by the name specified in the order;
- (b) fixing the functions of the body corporate so constituted;
- (c) applying to that body any statutory provision, subject to the modifications (if any) specified in the order;
- (d) providing for the winding-up and dissolution of any body corporate so constituted.

(3) A member of a joint committee or a sub-committee of a joint committee who is not a member of a council has the same exemption from personal liability as a member of a council.

**Disqualification for membership of committees**

**15.—**(1) A person who is disqualified for being elected or being a member of a council is disqualified for being—

- (a) a member of any committee or sub-committee of that council;
- (b) a representative of that council on any joint committee; and
- (c) a member of a sub-committee of a joint committee on which that council is represented.

(2) Section 6 of the Local Government Act (Northern Ireland) 1972 (penalties for acting while disqualified) applies to members of a committee or sub-committee of a council who are not councillors as it applies to councillors.

(3) Subsection (1) applies whether the committee or joint committee is appointed under this Part or otherwise.

**Declaration required of persons who are not members of council**

**16.—**(1) A person who—

- (a) is a member of a committee appointed under section 11 or 12; but
- (b) is not a member of the council which appointed that committee,

must not act as a member of that committee until the person has made, and served on the clerk of the council, a declaration in the form set out in Schedule 3.

(2) This section applies to a joint committee and a sub-committee appointed under section 11 or 12 as it applies to a committee appointed under section 11 or 12 except that in relation to a joint committee—

- (a) the reference in subsection (1)(b) to the council which appointed that committee is to be taken as a reference to one of the councils which appointed that joint committee; and
- (b) the reference in subsection (1) to the clerk of the council is to be taken as a reference to the clerk of every council which appointed that joint committee.

**Voting rights of persons who are not members of council**

**17.—**(1) A person who—

- (a) is a member of a committee appointed under section 11 or 12; but
- (b) is not a member of the council which appointed that committee,

must for all purposes be treated as a non-voting member of that committee.

(2) A person treated by virtue of this section as a non-voting member of any committee, is not entitled to vote at any meeting of the committee on any question which falls to be decided at that meeting.

(3) In this section any reference to voting includes a reference to making use of a casting vote.

(4) This section applies to a joint committee and a sub-committee appointed under section 11 or 12 as it applies to a committee appointed under section 11 or 12 except that in relation to a joint committee the reference in subsection (1) (b) to the council which appointed that committee is to be taken as a reference to one of the councils which appointed that joint committee.

#### **Termination of membership on ceasing to be member of council**

**18.—**(1) Every member of a committee appointed under this Act who at the time of the appointment was a member of the appointing council, or one of the appointing councils, upon ceasing to be a member of that council also ceases to be a member of the committee.

(2) For the purposes of this section a member of a council is not to be deemed to have ceased to be a member of the council by reason of retirement if re-elected a member of the council not later than the day of that retirement.

(3) Subsection (1) is subject to subsection (2).