

## SCHEDULES

### SCHEDULE 1

Article 3(1) to (3).

#### CONSTITUTION AND PROCEEDINGS OF THE DRAINAGE COUNCIL

1. The Drainage Council shall consist of eighteen persons appointed by the Minister of whom—
  - (a) ten shall be appointed in accordance with paragraph 2 and shall represent district councils;
  - (b) one shall be an officer of the Ministry, who shall represent drainage and navigational interests;
  - (c) <sup>F1</sup> one shall be an officer of the Ministry of Finance nominated by the Minister of Finance;
  - (d) one shall represent agricultural interests;
  - (e) one shall represent fishery interests;
  - (f) two shall be appointed after consultation with the Minister of Commerce, one to represent industrial interests and one to represent tourist interests;
  - (g) one shall be appointed after consultation with the Minister of Development<sup>F2</sup> and shall represent conservation interests;
  - (h) one shall be specially qualified to advise on drainage matters.

**F1** functions transf. by 1982 NI 6

**F2** Now Head of D/Env., SRO (NI) 1973/504; 1976 NI 6

2. Where a body which the Minister is satisfied represents the interests of district councils comes into being, the persons to be appointed under paragraph 1( a) shall be appointed after consultation with that body and, until then, those persons shall be appointed after consultation with persons who, in his opinion, are representative of district councils.

3.—(1) The members of the Council shall be appointed in [<sup>F3</sup>the year 2011] and in every fourth year thereafter and shall be appointed as soon as possible after the date on which a local general election is held in that year under section 11(2) of the Electoral Law Act (Northern Ireland) 1962, and—

- (a) persons appointed to the Council shall become members of the Council from such date as shall be specified in their appointment;
- (b) subject to sub-paragraph (2), the appointments shall cease to have effect after the day preceding that from which the next subsequent appointments made under this paragraph are effective.

(2) Where a person appointed under paragraph 1( a) is a member of a district council at the date of his appointment to the Drainage Council, he shall, if he ceases to be a member of the district council, cease to be a member of the Drainage Council, but no such cessation shall take effect until that person's successor is appointed.

(3) A member whose term of office has expired may be re-appointed.

**Status:** Point in time view as at 12/12/2013.

**Changes to legislation:** There are currently no known outstanding effects for the Drainage (Northern Ireland) Order 1973, SCHEDULE 1. (See end of Document for details)

**F3** Words in Sch. 1 para. 3(1) substituted (12.2.2009) by [Postponement of Local Elections \(Northern Ireland\) Order 2009 \(S.I. 2009/225\)](#), arts. 1(1), **4(2)**

**Modifications etc. (not altering text)**

**C1** [Sch. 1 para. 3\(1\)](#) applied (with modifications) (12.12.2013) by [The Local Elections \(Northern Ireland\) Order 2013 \(S.I. 2013/3156\)](#), arts. 1(1), **7**

**4.** The chairman of the Drainage Council shall be such one of the members thereof as the Council may elect.

**5.** A casual vacancy occurring in the membership of the Drainage Council shall be filled by a person appointed by the Minister, being a person of the category and appointed in the manner specified in such one of sub-paragraph (a) to (h) of paragraph 1 to which the member being replaced belonged, and that person shall hold office for the residue of the term of office of that member.

**6.** A member of the Drainage Council may resign his membership by giving notice in writing to the Minister.

**7.** The quorum of the Drainage Council shall be five and, subject thereto, the Council may, with the approval of the Ministry, make rules regulating the procedure of the Council.

**8.** The Ministry, after consultation with the Ministry of Finance<sup>F4</sup>, shall appoint a fit and proper person to be secretary of the Drainage Council and may assign for service under the Council such officers, clerks and servants as the Ministry, with the approval of the Ministry of Finance<sup>F4</sup>, may consider necessary.

**F4** Now D/CS, SR 1976/281

**Status:**

Point in time view as at 12/12/2013.

**Changes to legislation:**

There are currently no known outstanding effects for the Drainage (Northern Ireland) Order 1973, SCHEDULE 1.