STATUTORY RULES OF NORTHERN IRELAND

2007 No. 505

LOCAL GOVERNMENT

The Local Government (Constituting a Joint Committee a Body Corporate) (Amendment) Order (Northern Ireland) 2007

Made - - - -	*17th December 2007*
Coming into operation	*28th January 2008*

The Department of the Environment, in exercise of the powers, conferred on it by section 19(9) of the Local Government Act (Northern Ireland) 1972(**1**) makes the following order:

Citation and commencement

1. This Order may be cited as the Local Government (Constituting a Joint Committee a Body Corporate) (Amendment) Order (Northern Ireland) 2007 and shall come into operation on 28 January 2008.

Amendment of the Local Government (Constituting a Joint Committee a Body Corporate) Order (Northern Ireland) 2004

2.—(1) The Local Government (Constituting a Joint Committee a Body Corporate) Order (Northern Ireland) 2004 is amended as follows.

(2) In Article 2 (Interpretation)—

(a) for the definition of "waste management plan" substitute—

> "" waste management plan" means the sub-regional waste management plan, jointly determined by the participant councils, pursuant to Article 23 of the Waste and Contaminated Land (Northern Ireland) Order 1997(**2**) which sets out the proposals of the participant councils as to how they would collectively deal with their waste arising over the term covered by the plan and references to the waste management plan shall be construed as references to the plan as revised or replaced from time to time;" and

(b) for the definition of "the Agreement" substitute—

> "" the Agreement" means the Agreement entered into by the participant councils to form a joint committee to implement the waste management plan, and

(**1**) 1972 c9(N.I.)
(**2**) S.I. 1997/2778 (N.I.19)

references to the Agreement shall be construed as references to the Agreement as amended from time to time;".

(3) For Article 3 (Constitution of a joint committee as a body corporate) substitute—

"**Constitution of a joint committee as a body corporate**

3.—(1) The joint committee shall be constituted a body corporate with perpetual succession to which section 19 of the Interpretation Act (Northern Ireland) 1954((**3**) shall apply.

(2) The joint committee shall be known as arc21.

(3) Part V of the Local Government Act (Northern Ireland) 1972 (Financial Provisions) shall apply to arc21 as it applies to a council as if—

(a) reference to a council included a reference to arc21;

(b) reference to the chief financial officer included a reference to the chief executive;

(c) reference to the district fund included a reference to general reserves;

(d) reference to the clerk included a reference to the chief executive.".

(4) For Article 4 (Functions of Arc21) substitute—

"**Functions of arc21**

4. arc21 shall be established for the purposes of undertaking the functions outlined in the Agreement. ".

(5) After Article 4 (Functions of arc21) insert—

"**Power of acquiring, holding or disposing of land**

5. Sections 95 to 98 of the Local Government Act (Northern Ireland) 1972 (Miscellaneous Functions, Land) shall apply to arc21 as they apply to a council.

Miscellaneous functions

6. Section 99 of the Local Government Act (Northern Ireland) 1972 (Contracts of councils) shall apply to arc21 as it applies to a council and any reference to standing orders shall include a reference to the Agreement.

7. Sections 104 to 106, 109, and 111 to 113A of the Local Government Act (Northern Ireland) 1972 (Miscellaneous Functions) shall apply to arc21 as they apply to a council.

Power to establish or participate in companies

8. The Local Government Companies (Best Value) Order (Northern Ireland) 2006(**4**) shall apply to arc21 as it applies to a council as if reference to a council included a reference to arc21.

Indemnification of members and officers

9. Section 33 of the Local Government (Northern Ireland) Order 2005(**5**) shall apply to arc21 as it applies to councils and any reference to members and officers of councils shall include a reference to members and officers of arc21."

(**3**) 1954c33(N.I.)
(**4**) S.R. 2006 No. 500
(**5**) S.I. 2005/1968 (N.I. 18)