STATUTORY INSTRUMENTS

1995 No. 1622 (N.I. 7)

The Armagh Observatory and Planetarium (Northern Ireland) Order 1995 [F1]

- - - - - - *28th June 1995*

F1 functions transf. by SR 1999/481

Title and commencement

1.—(1) This Order may be cited as the Armagh Observatory and Planetarium (Northern Ireland) Order 1995.

(2) This Order shall come into operation on the expiration of two months from the day on which it is made.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954[F2] shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

"the Act of 1791" means the Act passed by the Irish Parliament in the session held in the thirty-first year of the reign of His Majesty King George the Third, chapter forty-six, intituled, An Act for settling and preserving a Public Observatory and Museum in the City of Armagh for ever;

"facilities" includes land and equipment;

"relevant trusts" means the trusts mentioned in the Act of 1791;

"the Department" means the Department of Education;

"the Governors" has the meaning assigned by Article 3(2).

F2 1954 c. 33 (N.I.)

The Governors of the Armagh Observatory and Planetarium

3.—(1) The corporation created by section 2 of the Act of 1791 shall continue in being but shall hereafter be known as "the Governors of the Armagh Observatory and Planetarium" and the observatory, museum and other facilities for the time being vested in that corporation shall hereafter be known as "the Armagh Observatory and Planetarium".

(2) That corporation is hereafter in this Order referred to as "the Governors".

(3) Schedule 1 shall have effect in relation to the Governors.

Functions of the Governors

4.—(1) The Governors shall, for the purpose of developing and improving the knowledge, appreciation and practice of astronomy and related sciences, maintain and manage the Armagh Observatory and Planetarium and may take such other action as the Governors may think proper for the purpose of acquiring or disseminating knowledge relating to astronomy and related sciences.

(2) Without prejudice to the generality of paragraph (1), the Governors may for the purposes of their functions under that paragraph—

(a) exercise any power heretofore exercisable by them by virtue of the Act of 1791 or any relevant trusts;

(b) provide, maintain and manage such facilities as appear to them to be complementary or ancillary to, or otherwise appropriate to be provided in association with, any facilities for the time being maintained and managed by them;

(c) accept gifts or bequests and execute any lawful trust having objects similar to the objects of the Governors or incidental or conducive to the attainment or furtherance of any of those objects;

(d) give assistance (including financial assistance) to bodies having objects similar to those of the Governors;

(e) make charges for goods and services provided by them;

(f) carry out, or assist in the carrying out of, research;

(g) provide information and advice;

(h) do all such other acts as appear to the Governors to be necessary or expedient for the performance of those functions or as are incidental to the carrying out of those functions.

(3) The Governors may allow premises owned or occupied by them to be used by other persons (for payment or otherwise) for purposes not connected with the functions of the Governors if the Governors are satisfied that to do so would not conflict unduly with those functions.

(4) Any property or right which but for this Order would have been held or exercisable by, or for the benefit of, the person holding the office referred to in the Act of 1791 as keeper (or astronomer and keeper) of the observatory and museum shall be held or exercisable by, or for the benefit of, the Governors for the purposes of their functions under this Order.

Byelaws

5.—(1) The Governors may make byelaws—

(a) regulating admission (including the making of charges) to premises owned or occupied by the Governors for the purposes of their functions under this Order ("relevant premises");

(b) regulating the conduct of persons on relevant premises;

(c) for the protection of property vested in the Governors or in their custody ("relevant property"); and

(d) otherwise securing the efficient administration of relevant property or relevant premises.

(2) Byelaws made under this Article may authorise persons employed by the Governors to exercise such powers and perform such duties as the Governors may consider necessary for the enforcement of the byelaws and in particular any person so authorised may, after due warning, remove or exclude from relevant premises a person who contravenes or whom he reasonably suspects of contravening the byelaws.

(3) Byelaws under this Article shall not come into operation until approved by the Department.

(4) A person who contravenes any byelaw made under this Article or who obstructs any person authorised in accordance with paragraph (2) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Grants to the Governors

6.—(1) The Department may, on such terms and conditions as it thinks fit, pay to the Governors for the purposes of their functions under this Order such sums as the Department thinks fit.

(2) The Governors may borrow or invest money on such terms and conditions and for such purposes as the Department may approve.

(3) The Governors shall be a public body for the purposes of Schedule 1 to the Financial Provisions (Northern Ireland) Order 1983[F3].

F3 1983 NI 1

Annual report

7. The Governors shall, in respect of each financial year, prepare and submit to the Department a report on the exercise by the Governors of their functions under this Order and the Department shall lay a copy of that report before the Assembly.

[F4Accounts and audit

8.—(1) The Governors shall—

(a) keep proper accounts and proper records in relation to the accounts; and

(b) prepare a statement of accounts in respect of each financial year.

(2) The statement of accounts shall—

(a) be in such form; and

(b) contain such information,

as the Department may, with the approval of the Department of Finance and Personnel, direct.

(3) The Governors shall, within such period after the end of each financial year as the Department may direct, send copies of the statement of accounts relating to that year to—

(a) the Department; and

(b) the Comptroller and Auditor General for Northern Ireland.

(4) The Comptroller and Auditor General shall—

(a) examine, certify and report on every statement of accounts sent to him by the Governors under this Article; and

(b) send a copy of his report to the Department.

(5) The Department shall lay a copy of the statement of accounts and of the Comptroller and Auditor General's report before the Assembly.**]**

F4 2003 NI 5

Disposal of land by the Governors

9.—(1) The Governors may, with the consent in writing of the Department, dispose of any land held by them.

(2) Where the Department grants consent under this Article in relation to any disposal of land, it may give such directions—

(a) in relation to that disposal; and

(b) for securing the investment of any moneys arising from that disposal,

as it thinks fit.

(3) The Governors shall comply with any directions under paragraph (2).

(4) This Article applies notwithstanding anything in the terms of any relevant trusts.

Article 10—Repeals