STATUTORY INSTRUMENTS

1984 No. 1822 (N.I. 12)

The General Consumer Council (Northern Ireland) Order 1984

22nd November
- - - - - - 1984

Title and commencement

1.—(1) This Order may be cited as the General Consumer Council (Northern Ireland) Order 1984.

(2) This Article, Articles 2 and 3 and Schedule 1 shall come into operation on the fourteenth day after the day on which this Order is made and the remaining provisions of this Order shall come into operation on 1st April 1985.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 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 Council" means the General Consumer Council for Northern Ireland;

"the Department" means the Department of Economic Development.

Establishment of General Consumer Council for Northern Ireland

3.—(1) There shall be established a body to be called the General Consumer Council for Northern Ireland.

(2) Schedule 1 shall have effect in relation to the Council.

General functions of the Council

4.—(1) The functions of the Council shall be—

(a) to promote and safeguard the interests of consumers in Northern Ireland;

(b) without prejudice to the generality of sub-paragraph (a), to exercise such specific functions as are conferred on it by Articles 5,[F1]. . . and 7.

(2) Without prejudice to the generality of paragraph (1), in the exercise of its functions under this Order, the Council may—

(a) consider any complaint made to it relating to consumer affairs and, where it appears to the Council to be appropriate having regard to any other remedy which may be available to the complainant, investigate the complaint and take such further action in relation thereto as the Council may determine;

(b) carry out, or assist in the carrying out of, inquiries and research into matters relating to consumer affairs;

(c) promote discussion of, and the dissemination of information relating to, consumer affairs;

(d) report to a Northern Ireland department on any matter relating to consumer affairs which is referred to the Council by that department.

F1 1992 NI 1

Modifications etc. (not altering text)

C1 Art. 4 excluded (1.4.2007) by Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)), arts. 1(2), **45(8)** (with arts. 8(8), 121(3), 307); S.R. 2007/194, **art. 2(2)**, Sch. 1 Pt. II (subject to art. 3, Sch. 2)

Functions of the Council in relation to transport

5.—(1) The Council shall consider and, where it appears to it to be desirable, make recommendations with respect to any matter affecting road or railway passenger transport services and facilities in Northern Ireland and services and facilities provided for passengers travelling to and from Northern Ireland.

(2) The Transport Users' Committee established under section 1 of the Transport Act (Northern Ireland) 1967 is hereby abolished and the Council shall exercise the functions heretofore exercisable by the Transport Users' Committee under sections 6(2) and (3), 59(1) and (2) and 60(2) of that Act.
Para.(3)—Amendments

Art.6 rep. by 1992 NI 1

Functions of the Council in relation to agricultural marketing schemes

7. F2 . . . . . .

F2 Art. 7 repealed (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), ss. 105, 107(8)(c), Sch. 11 para. 106, **Sch. 12**; S.I. 2006/2541, **art. 2** (with art. 3)

Article 8—Repeals

SCHEDULES

SCHEDULE 1

Article 3(2).

THE GENERAL CONSUMER COUNCIL FOR NORTHERN IRELAND

Incorporation and status

1.—(1) The Council shall be a body corporate with perpetual succession to which, subject to the provisions of this Schedule, section 19 of the Interpretation Act (Northern Ireland) 1954 shall apply.

(2) The Council shall not be regarded as the servant or agent of the Crown or as enjoying any status, privilege or immunity of the Crown and the Council's property shall not be regarded as property of, or property held on behalf of, the Crown.

Appointment and tenure of office of members

2.—(1) The Council shall be appointed by the Head of the Department and shall consist of—

(a) a chairman;

(b) a deputy chairman; and

(c) not more than sixteen other members.

(2) Before making any appointment under sub-paragraph (1)(c) the Head of the Department shall consult with such bodies as he considers appropriate.

(3) The Department may by order subject to negative resolution amend sub-paragraph (1)(c) so as to substitute for the number of other members there mentioned such other number as is specified in the order.

3.—(1) Subject to sub-paragraphs (2) to (6), a member of the Council shall hold and vacate office in accordance with the terms of his appointment.

(2) A member may resign his office by giving to the Head of the Department a signed notice in writing to that effect.

(3) The Head of the Department may by notice in writing remove a member from office.

(4) A member who ceases to hold office shall be eligible for re-appointment to the Council.

(5) Where a member becomes or ceases to be the chairman or deputy chairman the Head of the Department may vary the terms of the instrument appointing him a member.

(6) If the chairman or deputy chairman ceases to be a member he shall cease to be chairman or deputy chairman as the case may be.

4. The Department may appoint a person in relation to the Council and any group established by the Council under paragraph 10 and a person so appointed shall be entitled to receive notice of, and to attend and speak at, meetings of the Council and of such groups, but shall not be entitled to vote at any such meeting.

Remuneration and allowances of members

5. The Council may pay—

(a) to the chairman and deputy chairman of the Council such remuneration, allowances and expenses; and

(b) to the other members of the Council and the members of groups appointed under paragraph 10(4) such allowances and expenses,

as the Department may, with the consent of the Department of Finance and Personnel, determine.

Disqualification for the Assembly

6. In Part III of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 there shall be inserted at the appropriate place in alphabetical order—
"Chairman and deputy chairman of the General Consumer Council for Northern Ireland".

Staff

7.—(1) The Council may employ such officers and servants on such terms and conditions as the Council may, with the approval of the Department and the Department of Finance and Personnel, determine.

(2) The Council may, in accordance with arrangements determined by the Department with the approval of the Department of Finance and Personnel, make provision for the payment on death or retirement of pensions, gratuities or other like benefits to or in respect of officers and servants of the Council.

Proceedings

8.—(1) Subject to the provisions of this Schedule, the arrangements relating to meetings of the Council shall be such as the Council may determine.

(2) The quorum of the Council shall be determined by the Council at a meeting of not less than eight members of the Council, including the chairman or deputy chairman.

9. The validity of any proceedings of the Council shall not be affected by any vacancy among the members or by any defect in the appointment of a member.

Appointment and functions of groups

10.—(1) The Council shall establish—

(a) a group in connection with the exercise of its functions in relation to transport;

(b) a group in connection with the exercise of its functions in relation to food;

[F3(bb) a group in connection with the exercise of its functions in relation to energy.**]**

[F4(bbb) a group in connection with the exercise of its functions under Chapter III of Part III of the Water and Sewerage Services (Northern Ireland) Order 2006. **]**

Head (c) rep. by 1992 NI 1

Head (d) rep. by 2003 NI 6

(2) The Council may establish, in connection with the exercise of any of its other functions, such other groups as appear to it to be appropriate.

(3) Subject to sub-paragraphs (4) and (5), the composition of any group established under sub-paragraph (1) or (2) shall be determined by the Council.

(4) Persons who are not members of the Council may be appointed to a group established under sub-paragraph (1) or (2) but—

(a) the number of persons appointed under this sub-paragraph shall be less than the number of members of the Council appointed to the group;