Water Supply

Armagh and Dungannon Waterworks Joint Board

ORDER, DATED 12TH JUNE, 1947, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTION SEVEN OF THE WATER SUPPLIES AND SEWERAGE ACT (NORTHERN IRELAND), 1945, WITH RESPECT TO THE WATER SUPPLY IN THE URBAN DISTRICT OF ARMAGH AND THE RURAL DISTRICTS OF ARMAGH AND DUNGANNON.

1947. No. 98

WHEREAS the Urban District of Armagh and the Rural Districts of Armagh and Dungannon (in this Order referred to as " the component districts ") are sanitary districts within the meaning of the Public Health (Ireland) Act, 1878 (in this Order referred to as " the Act of 1878 ") :

AND WHEREAS it appears to the Ministry of Health and Local Government for Northern Ireland (in this Order referred to as " the Ministry ") that it is expedient in the public interest to form, for the purposes of the Water Supplies and Sewerage Act (Northern Ireland), 1945 (in this Order referred to as " the Act of 1945 "), the component districts into a united district within the meaning of section twelve of the Act of 1878 :

AND WHEREAS the Ministry has, prior to the making of this Order, published and given the notices required by the First Schedule to the Act of 1945 to be published and given :

NOW, THEREFORE, the Ministry, in exercise of the powers conferred upon it by section seven of the Act of 1945 and of all other powers enabling it in that behalf, hereby orders as follows :—

General

1.—(1) This Order may be cited as the Armagh and Dungannon Waterworks Joint Board Order (Northern Ireland), 1947.

(2) In this Order, unless the context otherwise requires, the expression " appointed day " means the 12th day of June, 1947.

(3) The Interpretation Act, 1921, shall apply for the purpose of the interpretation of this Order in like manner as it applies for the interpretation of an Act of the Parliament of Northern Ireland.

Formation of district

2. The component districts shall be formed into a united district to be called the Armagh and Dungannon Waterworks Joint District (in this Order referred to as " the united district ") for the purpose of providing a supply of water for the component districts.

Constitution of governing body

3.—(1) The Joint Board which shall be the governing body of the united district shall consist of three ex-officio and nine elective members

and shall be called the Armagh and Dungannon Waterworks Joint Board (in this Order referred to as " the Joint Board ").

(2) The chairman for the time being of each of the councils of the component districts (which councils are in this Order referred to as " the component authorities ") shall be an ex-officio member of the Joint Board.

(3) Each component authority shall elect annually, from among its own members, elective members of the Joint Board as follows :—

The Council of the Urban District of Armagh — 5 members.

The Council of the Rural District of Armagh — 2 members.

The Council of the Rural District of Dungannon — 2 members.

Provided that the Ministry may, on the application of the Joint Board and with the consent of each of the component authorities, vary the number of members of the Joint Board or the number of members to be elected by a component authority.

Disqualification

4. Such of the provisions of Article 12 of the Schedule to the Local Government (Application of Enactments) Order, 1898, as relate to members of district councils and the provisions of paragraph (6) of Article 36 of the said Schedule shall, with the necessary modifications, apply to members of the Joint Board.

Date of first election

5.—(1) The first election of members of the Joint Board shall take place at a meeting of each of the component authorities to be held within six weeks after the appointed day or within such further time as the Ministry may allow.

(2) The clerk of each of the component authorities shall give or send to each member of the authority not less than seven days' previous notice in writing of the meeting.

(3) The persons elected in pursuance of this article shall come into office on such date as the Ministry may direct.

Notification to the Ministry of members at first election

6. The clerk of each of the component authorities shall notify to the Ministry in writing within seven days after the first election the name, address and occupation of each of the persons elected by such authority as a member of the Joint Board.

Annual election

7.—(1) The elective members of the Joint Board shall go out of office and their successors shall come into office on the first day of July in each year or on such date as the Ministry may from time to time appoint.

(2) After the first election, an annual election of elective members of the Joint Board by the component authorities shall take place at the annual meeting of each of the component authorities or at such meeting as the Ministry may appoint.

Continuance in office

8. Each elective member of the Joint Board shall continue in office until the expiration of the period for which he was elected a member of the Joint Board, or until he dies or resigns or vacates his seat for absence or becomes an ex-officio member of the Joint Board or becomes disqualified, whichever first happens.

Casual vacancies

9.—(1) Any vacancy occurring amongst the members of the Joint Board shall be filled by the component authority in whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring or within such further period as the Ministry may determine.

(2) The clerk of the component authority shall give or send to each member of the authority not less than seven days' previous notice in writing of the meeting.

(3) The clerk of the component authority shall forthwith notify in writing to the clerk of the Joint Board the name, address and occupation of any person elected under this article to fill a casual vacancy.

Proceedings at elections

10. Subject to the express provisions in that behalf contained in this Order the business at elections of members of the Joint Board shall be conducted and all questions shall be put and decided in the same manner as other business is conducted and other questions are put and decided at the meetings of the component authorities respectively.

Incorporation of Joint Board

11. The Joint Board constituted as aforesaid shall be a body corporate by the name of " The Armagh and Dungannon Waterworks Joint Board " and shall have perpetual succession and a common seal, with power to acquire and hold lands for the purposes in this Order mentioned.

Powers, rights, duties, etc. of Joint Board

12.—(1) For the purpose of providing a supply of water to the component authorities the Joint Board shall, subject as hereinafter provided, have all the powers, rights, duties, capacities, liabilities and obligations of a sanitary authority under the Public Health Acts (Northern Ireland), 1878 to 1946, and the Act of 1945,