1973. No. 302

LOCAL GOVERNMENT

EDUCATION

Local Government (Modifications and Repeals of Education etc. Legislation) Order (Northern Ireland) 1973

Made . . . . . *4th September* 1973

Coming into operation . . *1st October* 1973

To be laid before the Parliament of the United Kingdom under paragraph 4(5)(*b*) *of the Schedule to the Northern Ireland* (*Temporary Provisions*) *Act* 1972.

The Ministry of Education, on behalf of the Secretary of State and in exercise of the powers conferred on it by section 134 of the Local Government Act (Northern Ireland) 1972(a) and of every other power enabling it in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Local Government (Modifications and Repeals of Education etc. Legislation) Order (Northern Ireland) 1973 and shall come into operation on 1st October 1973.

2. The transferred provisions mentioned in columns 1 to 3 of the Schedule shall have effect subject to the modifications and repeals specified in column 4.

3. All assets either held by the council of a county or to which such a council was entitled immediately before 1st October 1973 solely in connection with a museum or art gallery established under the Public Libraries Act (Northern Ireland) 1924(b) and every liability attaching to such a council immediately before that date solely in connection with such a museum or art gallery, shall on that date be transferred to the district council of the district in which the museum or art gallery is situated; and accordingly as from that date by virtue of this Order and without any further conveyance, deed or transfer, assignment, notice or other instrument

(*a*) the said assets shall vest in the district council, and

(*b*) the said liabilities shall become liabilities of the district council.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 4th day of September 1973.

(L.S.)

J. Finney,
Deputy Secretary.

(a) 1972. c. 9 (N.I.).

(b) 14 & 15 Geo. 5 c. 10 (N.I.).

SCHEDULE

Modifications and repeals

Column 1 *Chapter*	Column 2 *Act*	Column 3 *Relevant provision*	Column 4 *Modification or repeal*
18 & 19 Vict. c. 40	Public Libraries Act (Ireland) 1855	Section 3	For this section so far as it applies to museums and art galleries substitute— "Interpretation. **3.** In this Act "district council" means a council established under the Local Government Act (Northern Ireland) 1972.".
		Sections 5 to 7	Repealed so far as they apply to museums and art galleries.
		Section 9	For this section, so far as it applies to museums and art galleries, substitute— "Provision, etc. of museums and art galleries. **9.**—(1) A district council may, with the approval of the Ministry of Education, provide and maintain museums or art galleries. (2) In this section "provide" and "maintain" have the meanings assigned by section 147 of the Local Government Act (Northern Ireland) 1972.".
		Sections 10 and 11	Repealed so far as they apply to museums and art galleries.
		Section 12	So far as they apply to museums and art galleries for the words from the beginning to "dismiss the same, and" substitute "The district council may"; and after "museums", where last occurring, insert "and art galleries".
		Section 13	Repealed so far as it applies to museums and art galleries.
		Section 15	After "museums" insert "and art galleries".

Column 1 *Chapter*	Column 2 *Act*	Column 3 *Relevant provision*	Column 4 *Modification or repeal*
18 & 19 Vict. c. 40	Public Libraries Act (Ireland) 1855 *(contd.)*	Section 16	Repealed so far as it applies to museums and art galleries.
40 & 41 Vict. c. 15	Public Libraries (Ireland) Amendment Act 1877	The whole Act	Repealed so far as it applies to museums and art galleries.
47 & 48 Vict. c. 37	Public Libraries Act 1884	Section 2	Repealed so far as it applies to museums and art galleries.
54 & 55 Vict. c. 22	Museums and Gymnasiums Act 1891	The whole Act	For any reference to an urban authority substitute a reference to a district council.
		Section 9	Repealed.
		Section 10	In sub-section (2) for the words from "as part of" onwards substitute "out of the district fund".
		Section 11	Sub-section (1) repealed.
		Section 14	For section 14 substitute— "**14.** In this Act "district council" and "district fund" mean respectively a council and a district fund established under the Local Government Act (Northern Ireland) 1972.".
		Section 15	Sub-sections (1) and (2) repealed.
57 & 58 Vict. c. 38	Public Libraries (Ireland) Act 1894	The whole Act	So far as it applies to museums and art galleries for any reference to an urban authority substitute a reference to a district council and for any reference to an urban district substitute a reference to a district of a district council and for any reference to a voter substitute a reference to a local elector.
		Sections 3 and 9	Repealed so far as they apply to museums and art galleries.

Column 1 *Chapter*	Column 2 *Act*	Column 3 *Relevant provision*	Column 4 *Modification or repeal*
57 & 58 Vict. c. 38	Public Libraries (Ireland) Act 1894 (*contd.*)	Section 12	So far as they apply to museums and art galleries for the words from "The expression" where first occurring to "freeman thereof:" substitute "The expression "district council" means a district council established under the Local Government Act (Northern Ireland) 1972: The expression "district" means the district of such a council: The expression "local elector" has the meaning assigned to it by section 148(1) of the Local Government Act (Northern Ireland) 1972:".
1 Edw. 7 c. 19	Public Libraries Act 1901	Section 3	Sub-sections (2) and (3) repealed so far as they apply to museums and art galleries.
2 Edw. 7 c. 20	Public Libraries (Ireland) Act 1902	Section 8	In sub-section (1) so far as it applies to museums and art galleries for the words from "and of sections two hundred and nineteen" onwards, substitute "and with the substitution of a district council established under the Local Government Act (Northern Ireland) 1972 for a library authority.".
14 & 15 Geo. 5 c. 10 (N.I.)	Public Libraries Act (Northern Ireland) 1924	The whole Act	Repealed so far as it applies to museums and art galleries.
1961. c. 13	Museum Act (Northern Ireland) 1961	Section 4	In sub-section (4) for the word "Corporation" substitute "Council of the City of Belfast".
1966. c. 4 (N.I.)	New Universities (Acquisition of Land) Act (Northern Ireland) 1966	Sections 1(1) and 2	For any reference to a local authority substitute a reference to a district council and for any reference to the area of a local authority substitute a reference to the district of a district council.

Column 1 *Chapter*	Column 2 *Act*	Column 3 *Relevant provision*	Column 4 *Modification or repeal*
1966. c. 4 (N.I.)	New Universities (Acquisition of Land) Act (Northern Ireland) 1966 (*contd.*)	Section 1	For sub-section (2) substitute— "(2) A district council may acquire land otherwise than by agreement for the purposes of this Act.". Sub-section (3) is repealed.
		Section 3	Repealed.
		Section 5	The definition of "local authority" is repealed.
1967. c. 13 (N.I.)	Ulster Folk Museum (Amendment) Act (Northern Ireland) 1967	Section 1	In sub-section (4) for the word "Corporation" substitute "Council of the City of Belfast".
S.I. 1972, No. 1263 (N.I. 12)	Education and Libraries (Northern Ireland) Order 1972	Schedule 15	In the amendment to the Industrial Training Act (Northern Ireland) 1964 after the words " "by a" " insert "to "1947" ".

EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Order provides for modifications and repeals of certain transferred provisions consequential on—

(*a*) the Local Government Act (Northern Ireland) 1972 and the Local Government (Transfer of Functions) Order (Northern Ireland) 1973;

(*b*) the Education and Libraries (Northern Ireland) Order 1972; and

(*c*) the Rates (Northern Ireland) Order 1972.