

*Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Act 1998, PART 6. (See end of Document for details)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 6A

#### EU WITHDRAWAL: DEMOCRATIC CONSENT PROCESS

##### Textual Amendments

- F1** Sch. 6A inserted (10.12.2020) by [The Protocol on Ireland/Northern Ireland \(Democratic Consent Process\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1500\)](#), regs. 1(2), 2(3)

### PART 6

#### INDEPENDENT REVIEW

##### *Independent review into the functioning of the Protocol*

21. (1) This paragraph applies where the Presiding Officer notifies the Secretary of State that the Assembly has passed a consent resolution by a majority of the members voting but not with cross-community support.
- (2) [<sup>F2</sup>Within one month of receiving the notification, the] Secretary of State must commission an independent review into the functioning of the Protocol in accordance with paragraphs 7 to 9 of the unilateral Declaration.
- [ The review may include consideration of any effect of the Windsor Framework in <sup>F3</sup>(2A) the withdrawal agreement on—
- (a) the constitutional status of Northern Ireland, and
  - (b) the operation of the single market in goods and services between Northern Ireland and the rest of the United Kingdom.
- (2B) The person commissioned by the Secretary of State to carry out the review must provide to the Secretary of State a report of its conclusions no later than six months after having been commissioned.
- (2C) Upon receipt of a report by the Secretary of State in accordance with sub-paragraph (2B), a Minister of the Crown must—
- (a) lay a copy of that report before Parliament, and
  - (b) transmit a copy of that report to the Presiding Officer.
- (2D) The Presiding Officer must lay before the Assembly a copy of any report received in accordance with sub-paragraph (2C)(b).
- (2E) A Minister of the Crown must raise in the Joint Committee any issues raised or recommendations made by a report received by the Secretary of State in accordance with sub-paragraph (2B).

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- (2F) No later than six months after receiving the report, the Secretary of State must publish a written response to any recommendations made by that report.
- (2G) A response published in accordance with sub-paragraph (2F) must contain information about the Secretary of State’s response to any representations made about the report—
- (a) by either House of Parliament or a committee thereof, or
  - (b) by the Assembly.]
- (3) The reference in [<sup>F4</sup>sub-paragraph (1)] to the Presiding Officer has effect as a reference to the interim Presiding Officer if a person is holding that office in accordance with paragraph 16.

[ In this paragraph, “Joint Committee” has the same meaning as in the European Union <sup>F5</sup>(4) (Withdrawal) Act 2018.]]

#### Textual Amendments

- F2** Words in Sch. 6A para. 21(2) substituted (20.2.2024) by [The Windsor Framework \(Constitutional Status of Northern Ireland\) Regulations 2024 \(S.I. 2024/164\)](#), regs. 1(2), **4(2)(a)**
- F3** Sch. 6A para. 21(2A)-(2G) inserted (20.2.2024) by [The Windsor Framework \(Constitutional Status of Northern Ireland\) Regulations 2024 \(S.I. 2024/164\)](#), regs. 1(2), **4(2)(b)**
- F4** Words in Sch. 6A para. 21(3) substituted (20.2.2024) by [The Windsor Framework \(Constitutional Status of Northern Ireland\) Regulations 2024 \(S.I. 2024/164\)](#), regs. 1(2), **4(2)(c)**
- F5** Sch. 6A para. 21(4) inserted (20.2.2024) by [The Windsor Framework \(Constitutional Status of Northern Ireland\) Regulations 2024 \(S.I. 2024/164\)](#), regs. 1(2), **4(2)(d)**

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