



# Northern Ireland Act 1974

## 1974 CHAPTER 28

### **1 Dissolution and prorogation of existing Assembly and temporary provision for government of Northern Ireland.**

- (1) Her Majesty may by Order in Council dissolve the Assembly elected under the Northern Ireland Assembly Act 1973 ; and subsection (7) of section 27 of the Northern Ireland Constitution Act 1973 (power to appoint day for new elections etc.) shall have effect on the dissolution of that Assembly under this section as if it had been dissolved by Her Majesty under subsection (5) of that section.
- (2) Unless previously recalled by Her Majesty, that Assembly shall continue prorogued until dissolved under this section.
- (3) The provisions of Schedule 1 to this Act shall have effect with respect to the exercise of legislative, executive and other functions in relation to Northern Ireland during the interim period specified by or under subsection (4) below.
- (4) The interim period shall be the period of one year beginning with the passing of this Act but the Secretary of State may by order direct that it shall continue until a date after, or end on a date earlier than, the date on which it would otherwise expire (whether by virtue of this subsection or of a previous order thereunder).
- (5) No order under subsection (4) above shall provide for the interim period to continue until a date more than one year after the date on which it would otherwise expire.
- (6) The power to make an order under subsection (4) above shall be exercisable by statutory instrument; and no order shall be made under that subsection unless a draft of it has been approved by resolution of each House of Parliament.

### **2 Constitutional Convention on future government of Northern Ireland.**

- (1) There shall be elected and held in Northern Ireland a Convention for the purpose of considering what provision for the government of Northern Ireland is likely to command the most widespread acceptance throughout the community there.
- (2) The Convention shall transmit to the Secretary of State a report or reports on its conclusions and the Secretary of State shall lay any such report before Parliament.

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*Status: This is the original version (as it was originally enacted).*

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- (3) The Secretary of State may by order direct the holding of a poll or polls for the purpose of obtaining the views of the people of Northern Ireland on any matter contained in or arising out of a report of the Convention or otherwise concerned with the future government of Northern Ireland.
- (4) No order shall be made under subsection (3) above after the expiration of the period of six months from the dissolution of the Convention.
- (5) Any order under subsection (3) above directing the holding of a poll shall make provision as to the persons entitled to vote on the poll and may make such other provision in connection with the poll as appears to the Secretary of State to be expedient, including provision applying, with or without modifications, any enactment or statutory provision with respect to Parliamentary elections or elections to the Northern Ireland Assembly.
- (6) The power to make orders under subsection (3) above includes power to vary or revoke a previous order and shall be exercisable by statutory instrument but no such order shall be made unless a draft of the order has been approved by resolution of each House of Parliament.
- (7) Nothing in subsections (3) to (6) above shall be construed as authorising the Secretary of State to direct the holding of a poll otherwise than in accordance with Schedule 1 to the Northern Ireland Constitution Act 1973 in relation to the matters dealt with in section 1 of that Act (status of Northern Ireland as part of United Kingdom).
- (8) Schedule 2 to this Act shall have effect as respects the composition, election, proceedings and duration of the Convention.
- (9) Any costs incurred by a government department (including a Northern Ireland department) in connection with the election of the Convention or any poll under subsection (3) above shall be paid out of the Consolidated Fund of the United Kingdom: and any forfeited deposit or other sum received by such a department in connection with that election shall be paid into that Consolidated Fund.
- (10) Subject to subsection (9) above, any expenses of the Secretary of State in connection with the Convention shall be defrayed out of moneys provided by Parliament.

### **3 Short title.**

This Act may be cited as the Northern Ireland Act 1974.