



# Northern Ireland Act 1998

## 1998 CHAPTER 47

### PART II

#### LEGISLATIVE POWERS

##### *Royal Assent*

#### **14 Submission by Secretary of State.**

- (1) It shall be the Secretary of State who submits Bills for Royal Assent.
- (2) The Secretary of State shall not submit a Bill for Royal Assent at any time when—
  - (a) [<sup>F1</sup>the Advocate General for Northern Ireland or] the Attorney General for Northern Ireland is entitled to make a reference in relation to a provision of the Bill under section 11; or
  - (b) any such reference has been made but has not been decided or otherwise disposed of by the [<sup>F2</sup>Supreme Court] .
- (3) If—
  - (a) the [<sup>F3</sup>Supreme Court has] decided that any provision of a Bill would not be within the legislative competence of the Assembly; or
  - (b) a reference made in relation to a provision of the Bill under section 11 has been withdrawn following a request for withdrawal under section 12,the Secretary of State shall not submit the Bill in its unamended form for Royal Assent.

[<sup>F4</sup>(3A) The Secretary of State shall not submit a Bill for Royal Assent if the Assembly has passed the Bill in contravention of section 7A (cross-community support required for Bill altering size of Assembly).]

- (4) The Secretary of State may, unless he consents to it, decide not to submit for Royal Assent a Bill containing a provision—
  - (a) which the Secretary of State considers deals with an excepted matter and is ancillary to other provisions (whether in the Bill or previously enacted) dealing with reserved or transferred matters; or

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- (b) which the Secretary of State considers deals with a reserved matter, if the Bill has not been referred to him under subsection (2) of section 10 (whether by virtue of subsection (3)(a) of that section or otherwise) before the Assembly enters on its final stage.
- (5) The Secretary of State may decide not to submit for Royal Assent a Bill which contains a provision which he considers—
- (a) would be incompatible with any international obligations, with the interests of defence or national security or with the protection of public safety or public order; or
  - (b) would have an adverse effect on the operation of the single market in goods and services within the United Kingdom.

#### Textual Amendments

- F1** Words in s. 14(2)(a) inserted (12.4.2010) by [Justice \(Northern Ireland\) Act 2002 \(c. 26\), s. 87\(1\), Sch. 7 para. 1\(4\)](#); S.R. 2010/113, art. 2, Sch. para. 19(a)
- F2** Words in s. 14(2)(b) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 40, 148, Sch. 9 para. 112\(a\)](#); S.I. 2009/1604, art. 2(a)(d)
- F3** Words in s. 14(3)(a) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 40, 148, Sch. 9 para. 112\(b\)](#); S.I. 2009/1604, art. 2(a)(d)
- F4** S. 14(3A) inserted (13.5.2014) by [Northern Ireland \(Miscellaneous Provisions\) Act 2014 \(c. 13\), ss. 6\(4\), 28\(4\)](#)

## 15 Parliamentary control where consent given.

- (1) Subject to subsections (2) and (3), a Bill to which the Secretary of State has consented under this Part shall not be submitted by him for Royal Assent unless he has first laid it before Parliament and either—
- (a) the period of 20 days beginning with the date on which it is laid has expired without notice having been given in either House of a motion that the Bill shall not be submitted for Royal Assent; or
  - (b) if notice of such a motion is given within that period, the motion has been rejected or withdrawn.
- (2) Subsection (1) shall not apply to a Bill if the Secretary of State considers that it contains no provision which deals with an excepted or reserved matter except a provision which is ancillary to other provisions (whether in the Bill or previously enacted) dealing with transferred matters only.
- (3) Subsection (1) shall not apply to a Bill if the Secretary of State considers that by reason of urgency it should be submitted for Royal Assent without first being laid before Parliament.
- (4) Any Bill submitted by virtue of subsection (3) shall, if given Royal Assent, be laid before Parliament by the Secretary of State after Royal Assent, and if—
- (a) within the period of 20 days beginning with the date on which it is laid notice is given in either House of a motion praying that the Act of the Assembly shall cease to have effect; and
  - (b) that motion is carried,

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Her Majesty may by Order in Council repeal that Act with effect from such date as may be specified in the Order.

- (5) An Order in Council under subsection (4) may make such consequential and transitional provisions and such savings in connection with the repeal as appear to Her Majesty to be necessary or expedient.
- (6) Any notice of motion for the purposes of subsection (1) or (4) must be signed by not less than 20 members of the House in which it is given; and the period mentioned in that subsection shall be computed, in relation to each House, by reference only to days on which that House sits.

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