



Northern Ireland Act 1998

1998 CHAPTER 47

PART III

EXECUTIVE AUTHORITIES

Authorities

[^{F1}16A Appointment of First Minister, deputy First Minister and Northern Ireland Ministers following Assembly election

- (1) This section applies where an Assembly is elected under section 31 or 32.
- (2) All Northern Ireland Ministers shall cease to hold office.
- (3) Within a period of [^{F2}14 days] beginning with the first meeting of the Assembly—
 - (a) the offices of First Minister and deputy First Minister shall be filled by applying subsections (4) to (7); and
 - (b) the Ministerial offices to be held by Northern Ireland Ministers shall be filled by applying section 18(2) to (6).
- (4) The nominating officer of the largest political party of the largest political designation shall nominate a member of the Assembly to be the First Minister.
- (5) The nominating officer of the largest political party of the second largest political designation shall nominate a member of the Assembly to be the deputy First Minister.
- (6) If the persons nominated do not take up office within a period specified in standing orders, further nominations shall be made under subsections (4) and (5).
- (7) Subsections (4) to (6) shall be applied as many times as may be necessary to secure that the offices of First Minister and deputy First Minister are filled.
- (8) But no person may take up office as First Minister, deputy First Minister or Northern Ireland Minister by virtue of this section after the end of the period mentioned in subsection (3) (see further section 32(3)).

Status: Point in time view as at 27/04/2017. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 16A. (See end of Document for details)

- (9) The persons nominated under subsections (4) and (5) shall not take up office until each of them has affirmed the terms of the pledge of office.
- (10) Subject to the provisions of this Part, the First Minister and the deputy First Minister shall hold office until immediately before those offices are next filled by virtue of this section.
- (11) The holder of the office of First Minister or deputy First Minister may by notice in writing to the Presiding Officer designate a Northern Ireland Minister to exercise the functions of that office—
- (a) during any absence or incapacity of the holder; or
 - (b) during any vacancy in that office arising otherwise than under section 16B(2), but a person shall not have power to act by virtue of paragraph (a) for a continuous period exceeding six weeks.
- (12) This section shall be construed in accordance with, and is subject to, section 16C.]

Textual Amendments

- F1** Ss. 16A-16C substituted (8.5.2007) for s. 16 by Northern Ireland (St Andrews Agreement) Act 2006 (c. 53), **ss. 8(1), 27(4)(5)** (as amended by Northern Ireland (St Andrews Agreement) Act 2007 (c. 4), s. 1(1)) (with s. 1(3)): S.I. 2007/1397, **art. 2**
- F2** Words in s. 16A(3) substituted (4.5.2016) by Northern Ireland (Stormont Agreement and Implementation Plan) Act 2016 (c. 13), **ss. 6(1), 11(2)**

Modifications etc. (not altering text)

- C1** S. 16A excluded (8.5.2007) by Northern Ireland (St Andrews Agreement) Act 2006 (c. 53), **ss. 2(2)** (as amended by Northern Ireland (St Andrews Agreement) Act 2007 (c. 4), s. 1(1)), 27(1), {Sch. 2 para. 2(2)}; S.I. 2007/1397, **art. 2**
- C2** S. 16A(3) modified (retrospective to 2.3.2017) by Northern Ireland (Executive Formation and Exercise of Functions) Act 2018 (c. 28), **s. 1(1)(2)**
- C3** S. 16A(3) modified (N.I.) (27.4.2017) by Northern Ireland (Minsiterial Appointments and Regional Rates) Act 2017 (c. 24), **ss. 1(1), 3(2)** (with s. 1(2))
- C4** S. 16A(3)(aa)(b) continued (4.5.2016) by Northern Ireland (Stormont Agreement and Implementation Plan) Act 2016 (c. 13), s. 11(2), **Sch. 1 para. 2(2)**; (to find section 16A(3)(aa), see the modification of section 16A by paragraph 3B of Schedule 4A of this Act)
- C5** S. 16A(8) excluded (12.3.2009 temp. until 30.4.2012) by Northern Ireland Act 2009, (c. 3), ss. 1, 5, {Sch. 1 para. 7(3)(a)}

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 16A.