



# Northern Ireland Act 2000

## 2000 CHAPTER 1

**U.K.**

An Act to make provision for the suspension of devolved government in Northern Ireland and the exercise of certain functions conferred by or under Part V of the Northern Ireland Act 1998; and for connected purposes. [10th February 2000]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### [<sup>F1F2</sup>1] **Suspension of devolved government in Northern Ireland.** **U.K.**

- (1) While this section is in force, the Northern Ireland Assembly is suspended and the following provisions of this section have effect.
- (2) No Act is to be passed by the Assembly.
- (3) Neither the Assembly nor any committee of the Assembly is to hold a meeting or conduct any business.
- (4) No person is to continue to hold office or be <sup>F3</sup>... nominated or appointed as a Minister or junior Minister, [<sup>F4</sup>as Attorney General for Northern Ireland] or as a chairman or deputy chairman of a statutory committee.
- (5) The functions conferred by [<sup>F5</sup>section 52A, 52B]<sup>F5</sup> or 53 of the <sup>M1</sup>Northern Ireland Act 1998 (North-South Ministerial Council and British-Irish Council) are not to be exercised.
- (6) The functions conferred by section 54 of that Act (British-Irish Intergovernmental Conference) are not to be exercised.
- (7) No functions are to be conferred under section 55(2)(b) of that Act (implementation bodies).

**Status:** Point in time view as at 10/02/2000. This version of this Act contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Northern Ireland Act 2000 (repealed). (See end of Document for details)

- (8) The Schedule to this Act makes further provision in connection with that made by this section.]

#### Textual Amendments

- F1** S. 1 ceased to have effect (30.5.2000) by virtue of S.I. 2000/1445, **art. 2** (which S.I. was revoked (23.9.2001) by S.I. 2001/2884, **art. 2**)
- F2** S. 1 ceased to have effect (23.9.2001) by virtue of S.I. 2001/3231, **art. 2** (which S.I. was revoked (15.10.2002) by S.I. 2002/2574, **art. 2**)
- F3** Word in s. 1(4) omitted (8.5.2007) by virtue of Northern Ireland (St Andrews Agreement) Act 2006 (c. 53), ss. 2(2), 27(4)(5) (as amended by 2007 c. 4, s. 1(1)), {Sch. 5 para. 7}; S.I. 2007/1397, **art. 2**
- F4** Words in s. 1(4) inserted (*prosp.*) by 2002 c. 26, ss. 85, 87, **Sch. 12 para. 77**
- F5** Words in s. 1(5) substituted (8.5.2007) by Northern Ireland (St Andrews Agreement) Act 2006 (c. 53), ss. 2(2), 27(4)(5) (as amended by 2007 c. 4, s. 1(1)), {Sch. 7 para. 6}; S.I. 2007/1397, **art. 2**

#### Modifications etc. (not altering text)

- C1** Section 1(4) restricted (8.5.2006) by Northern Ireland Act 2006 (c. 17), s. 2(7)(a)

#### Marginal Citations

- M1** 1998 c. 47.

VALID FROM 12/02/2000

## 2 Ending suspension. **U.K.**

- (1) As soon as is reasonably practicable after section 1 comes into force, the Secretary of State must take steps to initiate a review under the Validation, Implementation and Review section of the Belfast Agreement.
- (2) The Secretary of State may by order (“a restoration order”) provide that section 1 is to cease to have effect on the date specified in the order.
- (3) Before making a restoration order, the Secretary of State must take into account the result of the review conducted as a result of subsection (1).

#### Modifications etc. (not altering text)

- C2** S. 2(3) excluded (8.5.2007) by Northern Ireland (St Andrews Agreement) Act 2006 (c. 53), s. 2(2) (as amended by 2007 c. 4, s. 1(1)), 27(1), {Sch. 2 para. 4(2)}; S.I. 2007/1397, **art. 2**

## 3 Effect of restoration. **U.K.**

- (1) This section applies when a restoration order is made.
- (2) If, on the date on which the restoration order comes into force (“the effective date”)—
  - (a) the person who held office as First Minister immediately before the date on which section 1 came into force, and
  - (b) the person who held office as deputy First Minister at that time,

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remain eligible to hold office, they resume office on the effective date and section 16 of the 1998 Act does not apply.

(3) If either of those persons is no longer eligible on the effective date, that section applies—

- (a) with the omission of subsection (1); and
- (b) as if the person who is no longer eligible ceased to hold office on the effective date.

(4) Subsection (5) applies if the office of First Minister or deputy First Minister was vacant on the date on which section 1 came into force.

(5) On the effective date, section 16 of the 1998 Act applies—

- (a) with the omission of subsection (1); and
- (b) as if the office had been vacated on the effective date.

(6) If any person who held office as—

- (a) a Northern Ireland Minister,
- (b) a junior Minister, or
- (c) chairman or deputy chairman of a statutory committee,

immediately before the date on which section 1 came into force remains eligible to hold that office, he resumes office on the effective date.

(7) If, after the application of subsection (6), there are vacancies in the offices mentioned there, they are to be filled—

- (a) in the case of Northern Ireland Ministers, in accordance with section 18(10) of the 1998 Act,
- (b) in the case of junior Ministers, in accordance with the provision for the filling of vacancies made by virtue of section 19(3)(a) of that Act, and
- (c) in the case of chairmen or deputy chairmen of statutory committees, in accordance with standing orders made as a result of section 29(8) of that Act,

as if the vacancies occurred on the effective date.

[<sup>F6</sup>(8) The Assembly may not make a determination under section 47 of the 1998 Act in respect of any period when section 1 was in force.

(9) No instrument made during any period when section 1 was in force shall be liable to annulment or capable of being revoked in pursuance of a resolution, motion or address of the Assembly.

(10) A restoration order shall not affect the operation of any Order in Council made under paragraph 1(1) of the Schedule during any period when section 1 was in force.]

[<sup>F7</sup>(11) On the effective date, any direction made by the Secretary of State under section 47B or section 51B of the 1998 Act while section 1 was in force shall cease to have effect.]

[<sup>F8F7</sup>(8) If the period of appointment of the person who held office as Attorney General for Northern Ireland immediately before the date on which section 1 came into force has not expired, he resumes office on the effective date.]

#### Textual Amendments

F6 S. 3(8)(9)(10) inserted (30.5.2000) S.I. 2000/1446, art. 2(2)

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- F7** S. 3(11) inserted (21.4.2004) by [The Northern Ireland Act 1998 and Northern Ireland Act 2000 \(Modification\) Order 2004 \(S.I. 2004/1164\)](#), [art. 4](#)
- F8** By 2002 c. 26, ss. 85, 87, [Sch. 12 para. 78](#) it is provided (*prosp.*) that s. 3(8) is inserted at the end of s. 3

**Modifications etc. (not altering text)**

- C3** S. 3(2)-(7) excluded (8.5.2007) by [Northern Ireland \(St Andrews Agreement\) Act 2006 \(c. 53\)](#), s. 2(2) (as amended by 2007 c. 4, s. 1(1)), 27(1), {Sch. 2 para. 2(1)}; S.I. 2007/1397, [art. 2](#)

VALID FROM 12/02/2000

**4 Further suspension by order. U.K.**

The effect of an order made by the Secretary of State revoking a restoration order is that section 1 comes into force again.

VALID FROM 12/02/2000

**5 Implementation bodies. U.K.**

- (1) If, while section 1 is in force, arrangements made under an agreement between Her Majesty's Government in the United Kingdom and the Government of Ireland require any functions of an implementation body, so far as they relate to Northern Ireland, to be transferred to a Northern Ireland department, the Secretary of State must by order transfer those functions to the department.
- (2) If, when a restoration order is made, arrangements made under such an agreement require any functions of a Northern Ireland department to be transferred to an implementation body, the Secretary of State must by order transfer those functions to the body.

VALID FROM 12/02/2000

**6 Power to make consequential provision etc. U.K.**

The Secretary of State may by order make such modifications of enactments as appear to him to be necessary or expedient in consequence of any provision made by, or under, this Act.

VALID FROM 12/02/2000

**7 Orders made under this Act: supplemental provision. U.K.**

- (1) Any power of the Secretary of State to make an order under this Act ("an order") is exercisable by statutory instrument.

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- (2) An order may make such consequential, supplemental or transitional provision as appears to the Secretary of State to be necessary or expedient.
- (3) An order under paragraph 12(4)(b) of the Schedule shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) Any other order (except one under section 9(2)) may not be made unless a draft of the order has been approved by a resolution of each House of Parliament.
- (5) Except in the case of an order made under paragraph 1(4) of the Schedule, subsection (4) does not apply if the order declares that the Secretary of State considers it expedient for the order to be made without that approval.
- (6) An order containing a declaration under subsection (5)—
  - (a) must be laid before Parliament after being made; and
  - (b) ceases to have effect if it is not approved by a resolution of each House of Parliament before the end of the period of 40 days beginning with the date on which it is made.
- (7) Subsection (6)(b) does not prejudice—
  - (a) anything done as a result of the order before it ceased to have effect; or
  - (b) the making of a new order.

#### Modifications etc. (not altering text)

- C4** S. 7(2) modified (8.5.2007) by Northern Ireland (St Andrews Agreement) Act 2006 (c. 53), s. 2(2) (as amended by 2007 c. 4, s. 1(1)), 27(1), {Sch. 2 para. 4(2)}; S.I. 2007/1397, art. 2
- C5** S. 7(4)-(7) excluded (22.11.2006) by Northern Ireland (St Andrews Agreement) Act 2006 (c. 53), s. 2(7)

VALID FROM 12/02/2000

## 8 Interpretation etc. **U.K.**

- (1) In this Act—
  - “the 1998 Act” means the <sup>M2</sup>Northern Ireland Act 1998;
  - “enactment” includes—
    - (a) a provision of an Act (including this Act);
    - (b) a provision of, or of any instrument made under, Northern Ireland legislation; and
    - (c) a provision of subordinate legislation;
  - “implementation body” has the same meaning as in section 55 of the 1998 Act;
  - “restoration order” has the meaning given in section 2(2); and
  - “statutory committee” means a committee established by standing orders made as a result of section 29 of the 1998 Act.
- (2) Expressions which are used in this Act and in the 1998 Act have the same meaning as in that Act.

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- (3) In calculating the period of 40 days mentioned in section 7(6)(b) and in paragraph 2(2)(b) of Schedule 1, no account is to be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.

#### Marginal Citations

**M2** 1998 c. 47.

## 9 Short title, commencement and consequential amendment. **U.K.**

- (1) This Act may be cited as the Northern Ireland Act 2000.
- (2) This Act (apart from subsection (1) and this subsection) comes into force on such day as the Secretary of State may by order appoint.
- (3) In section 44 of the 1998 Act (power of Assembly to call for witnesses and documents), in subsection (4), at the end insert “ or during a period when section 1 of the Northern Ireland Act 2000 was in force ”.

#### Subordinate Legislation Made

**P1** [S. 9\(2\)](#) power fully exercised: 12.2.2000 appointed by [S.I. 2000/396](#), [art. 2](#)

#### Commencement Information

**I1** [S. 9](#) wholly in force at 12.2.2001; [s.9\(1\)](#) and (2) in force at Royal Assent, see [s.9\(2\)](#); [s. 9](#) in force at 12.2.2000 insofar as not already in force by [S.I. 2000/396](#), [art. 2](#)

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