

These notes refer to the Northern Ireland (Monitoring Commission etc.) Act 2003 (c.25) which received Royal Assent on 18th September 2003

NORTHERN IRELAND (MONITORING COMMISSION ETC.) ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 8: Reduction of financial assistance

New section 51B - Secretary of State's powers in relation to the reduction of financial assistance.

42. New section 51B(1) enables the Secretary of State to direct that for a specified period the whole or a specified part of any financial assistance payable under the 2000 Act to a particular political party shall not be payable because either of the conditions set out at paragraph 1919 above is met.
43. New section 51B(1) provides that the Secretary of State may only exercise his power to provide for the non-payability of financial assistance if :
 - The Commission makes a report under the terms of the Treaty which contains a recommendation about the steps that the Assembly might consider taking; and
 - The taking of those steps requires the Assembly to pass a resolution under section 51A(1),(2) or (3); and
 - The first motion for a resolution to take those recommended steps does not attract cross-community support.
44. Provision is made for the Secretary of State, by direction, to impose a period of reduced financial assistance (new section 51B(2)) and to extend a period of reduced financial assistance that the Assembly has imposed under new section 51A(1) (new section 51B(3)) or that he has imposed under new section 51B(2) (new section 51B(4)). The exercise of these powers by the Secretary of State is subject to the same 12 months maximum time limit as applies when the Assembly reduces financial assistance (new section 51C).