

*These notes refer to the Northern Ireland (Miscellaneous Provisions) Act (c.13) which received Royal Assent on 13 March 2014 (c.13) which received Royal Assent on 13 March 2014*

# **NORTHERN IRELAND (MISCELLANEOUS PROVISIONS) ACT (C.13) WHICH RECEIVED ROYAL ASSENT ON 13 MARCH 2014**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 9: Reappointment of Other Northern Ireland Ministers in Certain Cases***

61. This section deals with the procedures to be followed in the event that the Justice Minister position becomes vacant. The new paragraph 3E means that if a new Justice Minister is appointed and the effect is to create a change in the total number of Ministerial offices held by members of a political party, then all Ministers will cease to hold office, and the d'Hondt procedure will be re-run again after a new Justice Minister has been appointed. This is to ensure that any potential anomaly in the number of Ministerial offices held by a political party is avoided.
62. The effect of new paragraph 3E(4) is that if the Justice Minister is dismissed by the Nominating Officer of his party, and there is an eligible member of that party who could fill the position but does not do so, either because the Nominating Officer does not consent to the nomination, or the potential replacement fails to take up the position, then all the other Ministers will remain in office and d'Hondt will not be re-run. Should the party fail to replace a dismissed Justice Minister with an eligible member from their ranks, then no steps will be taken to redress any imbalance in Ministerial seats which may result.