

2007 No. 1016

NORTHERN IRELAND

CONSTITUTIONAL LAW

**The Northern Ireland Act 2000 (Restoration of Devolved
Government) Order 2007**

Made - - - - *25th March 2007*

Coming into force - - *26th March 2007*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 2(2) and 7(2) of the Northern Ireland Act 2000(a).

This Order is made in accordance with the duty imposed by section 2(2) of the Northern Ireland (St Andrews Agreement) Act 2006(b).

1. This Order may be cited as the Northern Ireland Act 2000 (Restoration of Devolved Government) Order 2007 and shall come into force on 26th March 2007.

2. Section 1 of the Northern Ireland Act 2000 shall cease to have effect on 26th March 2007.

3. The Northern Ireland Act 2000 (Suspension of Devolved Government) Order 2002(c) is revoked.

4.—(1) This article applies to any member of the Northern Ireland Assembly who took his seat in the Transitional Assembly after 7th March 2007 by signing the Roll of Membership in accordance with the Transitional Assembly’s standing orders.

(2) The member shall be treated as having signed the Roll of Membership of, and taken his seat in, the Northern Ireland Assembly at the time of commencement in accordance with the Northern Ireland Assembly’s standing orders.

(3) The member’s designation of identity in the Transitional Assembly immediately before the time of commencement shall be treated as his designation of identity in the Northern Ireland Assembly as from that time, until that designation is changed in accordance with the Northern Ireland Assembly’s standing orders.

(4) In this article—

(a) 2000 c.1 The provision that may be made by section 7(2) is extended by paragraph 4(1) of Schedule 2 to the Northern Ireland (St Andrews Agreement) Act 2006 (c.53) (“the 2006 Act”).
(b) Section 2(7) of the 2006 Act provides that section 7(4) to (7) of the Northern Ireland Act 2000 (affirmative resolution etc procedure) does not apply in relation to an order made by virtue of section 2(2) of the 2006 Act.
(c) S.I. 2002/2574.

“designation of identity”, in relation to the Transitional Assembly or the Northern Ireland Assembly, means designation as Nationalist, Unionist or Other in accordance with the standing orders of that Assembly;

“the time of commencement” means the time at which this Order comes into force;

“the Transitional Assembly” means the Assembly established under section 1 of the Northern Ireland (St Andrews Agreement) Act 2006.

Northern Ireland Office
25th March 2007

Peter Hain
One of Her Majesty’s Principal Secretaries of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order ends the suspension of the Northern Ireland Assembly imposed by section 1 of the Northern Ireland Act 2000 that has been in place since 15th October 2002. Article 4 is a transitional provision, included to enable signature of the Roll of Membership and designation of identity in the Transitional Assembly to remain in place for the purposes of the Northern Ireland Assembly following the restoration of devolved government.

Section 2 of the Northern Ireland (St Andrews Agreement) Act 2006 provides for Schedule 2 to that Act to come into force on the same day as this Order. Paragraph 2(1) of that Schedule disapplies section 3(2) to (7) of the Northern Ireland Act 2000, and makes alternative provision in relation to the filling of Ministerial offices on restoration of the Northern Ireland Assembly.

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