

SCHEDULES

SCHEDULE 1

POSITIONS OF RESPONSIBILITY

PART 4

GENERAL

Interpretation

16.—(1) In this Schedule—

“1962 Act” means the Electoral Law Act (Northern Ireland) 1962;

“2000 Act” means the Political Parties, Elections and Referendums Act 2000;

“local general election” has the same meaning as in the 1962 Act;

“nominating officer”, in relation to a party, means—

- (a) the person registered under the 2000 Act as the party’s nominating officer; or
- (b) a member of the council nominated by that person for the purposes of this Schedule;

“party” means a party registered under the 2000 Act in the Northern Ireland register (within the meaning of that Act);

“position of responsibility” means a position of responsibility mentioned in section 6(1);

“term” means the period between one annual meeting and another, subject to sub-paragraphs (6) to (8).

(2) References in this Part to a person who stood—

- (a) in the name of a party; or
- (b) in the name of two or more parties; or
- (c) as an independent,

when elected have the same meaning as in Part 3 of the 1962 Act by virtue of section 11 of that Act, subject to sub-paragraph (4).

(3) In this Part, in the case of a person who stood in the name of two or more parties when elected (“A”)—

- (a) references to the nominating officer are to be taken as references to the nominating officers of each of the parties acting jointly; and
 - (b) for the purposes of references to a person having stood in the name of a party when elected, A is to be treated as having stood in the name of a separate party, which is neither of the parties in whose name the person stood when elected.
- (4) A person who stood as an independent when elected is to be treated for the purposes of this Schedule—
- (a) as having stood in the name of a party when elected; and
 - (b) as being the nominating officer of that party and the sole member of the council who stood in the name of that party when elected.
- (5) In paragraph 3(3), in relation to a person who—
- (a) is a member of the council by virtue of having filled a casual vacancy in the seat of a member of the council; and
 - (b) is treated by virtue of sub-paragraph (3)(b) or (4)(b) as having stood in the name of a party which is different from the party in whose name the person (“X”) elected to that seat at the last local general election stood (or is treated as having stood),
- S is to be treated as equal to the number of first preference votes cast for the party in whose name X stood (or is treated as having stood) at the last local general election.
- (6) If during a term all the members of the council retire by virtue of section 11(2)(c) of the 1962 Act, the term ends when the members of the council so retire.
- (7) In this Schedule “term”, in relation to a member of a cabinet-style executive of the council, means the period beginning with the date of the meeting at which the member is nominated or elected, as the case may be, and ending when the members of the council retire by virtue of section 11(2)(c) of the 1962 Act.
- (8) Subject to sub-paragraph (6), in this Schedule “term”, in relation to an external representative of the council, means the period for which that representative is nominated or elected to serve.