



Northern Ireland Constitution Act 1973

1973 CHAPTER 36

PART IV

THE NORTHERN IRELAND ASSEMBLY

27 Dissolution and prorogation

- (1) The Assembly elected under the Northern Ireland Assembly Act 1973 shall by virtue of this subsection be dissolved—
 - (a) if an Order in Council is made under section 2 above before 30th March 1974, on the fourth anniversary of the appointed day;
 - (b) if no Order in Council is so made, on 30th March 1974.
- (2) Any Assembly elected after that mentioned in subsection (1) above shall by virtue of this subsection be dissolved—
 - (a) except where paragraph (b) below applies, on the fourth anniversary of the dissolution of its predecessor;
 - (b) if its predecessor was dissolved by virtue of paragraph (b) of subsection (1) above and no Order in Council is made under section 2 above before the expiration of the period of six months beginning with the day on which it was elected, at the expiration of that period.
- (3) If, apart from this subsection, the date of dissolution under subsection (1)(a) or (2) above would fall on a Saturday, Sunday or public holiday it shall fall on the next subsequent day which is not a Saturday, Sunday or public holiday.
- (4) The Secretary of State may by order direct that any date of dissolution under paragraph (a) of subsection (1) or (2) above shall, instead of being determined in accordance with that paragraph and subsection (3) above, be a date specified in the order, being a date falling not more than two months before or after the date so determined.
- (5) If it appears to Her Majesty that the composition of the Assembly is such that it is not possible for the Secretary of State to make appointments under section 8 above which comply with the requirements of subsection (4) of that section and that it is in

Status: This is the original version (as it was originally enacted).

the public interest that the Assembly should be dissolved, Her Majesty, after taking into account any vote or resolution of the Assembly which appears to Her Majesty to be relevant, may by Order in Council direct that the date of dissolution for the Assembly, instead of being determined in accordance with the foregoing provisions of this section, shall be such earlier date as may be specified in the Order.

- (6) In any case in which an Order could be made under subsection (5) above Her Majesty may, instead of or before making an Order under that subsection, by Order in Council prorogue or further prorogue the Assembly.
- (7) If the Assembly is dissolved in accordance with subsection (1)(b) or (5) above Her Majesty may by Order in Council appoint a day for the election of members of a new Assembly; and the first meeting of the new Assembly shall be held on such day as the Secretary of State may by order direct.
- (8) An Order in Council under this section may be varied or revoked by a subsequent Order and, except in the case of an Order proroguing the Assembly for a period of four months or less and not extending a previous period of prorogation, no recommendation shall be made to Her Majesty to make an Order under this section unless a draft of it has been approved by resolution of each House of Parliament.
- (9) Any power of the Secretary of State to make an order under subsection (4) or (7) above includes power to vary or revoke a previous order and, in the case of an order under subsection (4), shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.
- (10) An Order in Council under this section proroguing the Assembly shall specify the period of prorogation and the Assembly shall meet at the expiration of that period but without prejudice to the power of Her Majesty to recall it earlier and subject to any further prorogation or any dissolution by or under this section before the expiration of that period.