



Elected Authorities (Northern Ireland) Act 1989

1989 CHAPTER 3

General

10 Interpretation.

(1) In this Act—

“citizen of the Union” shall be construed in accordance with [^{F1}Article 101(1) of the Treaty on the Functioning of the European Union] (as amended by Title II of the Treaty on European Union), and “relevant citizen of the Union” means such a citizen who is not a Commonwealth citizen or a citizen of the Republic of Ireland;

“district council” has the meaning given by section 44 of the ^{M1}Interpretation Act (Northern Ireland) 1954,

“legal incapacity” includes (in addition to any incapacity by virtue of age ^{F2} . . .) any disqualification imposed by any statutory provision,

“local election”, “local elector” and “local general election” have the same meaning as in the ^{M2}Electoral Law Act (Northern Ireland) 1962, and

“statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954.

(2) Any reference in any statutory provision to any provision repealed or revoked by this Act is to be read as a reference to the corresponding provision of this Act or of the Representation of the ^{M3}People Act 1983 as applied by section 2 of this Act.

Textual Amendments

F1 Words in s. 10(1) substituted (1.8.2012) by [The Treaty of Lisbon \(Changes in Terminology or Numbering\) Order 2012 \(S.I. 2012/1809\)](#), art. 2(1), **Sch. Pt. 1** (with art. 2(2))

F2 Words in s. 10(1) repealed (1.7.2008) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 73(3), 74(2), **Sch. 2**; S.I. 2008/1316, **arts. 2(3), 5(g)(iii)**

Changes to legislation: Elected Authorities (Northern Ireland) Act 1989, Cross Heading: General is up to date with all changes known to be in force on or before 29 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Marginal Citations

- M1** 1954 c. 33 (N.I).
M2 1962 c. 14 (N.I).
M3 1983 c. 2.

11 Minor and consequential amendments and repeals.

- ^{F3}(1)
- (2) In section 14B of the Electoral Law Act (Northern Ireland) 1962, for the words from “travelling”, where it first occurs, to the end there is substituted “and to persons appointed, or to whom functions are delegated, under section 14A travelling and subsistence allowances at such rates as the Secretary of State, with the approval of the Treasury, may determine”.
- (3) In section 29(8) of the Electoral Law Act (Northern Ireland) 1962, for “any provision of section thirty-one” there is substituted “section 1(3) of the Elected Authorities (Northern Ireland) Act 1989”.
- (4) In section 130(1) of the Electoral Law Act (Northern Ireland) 1962—
- (a) for the definition of “legal incapacity” there is substituted—
- ““legal incapacity” has the same meaning as in the Elected Authorities (Northern Ireland) Act 1989”, and
- (b) for the definition of “polling district” there is substituted—
- ““polling district” means a ward”.
- (5) In section 3(1) of the ^{M4}Local Government Act (Northern Ireland) 1972, for the words from “a person to whom” to “applies” there is substituted “a citizen of the Republic of Ireland”.
- (6) In section 148(1) of the Local Government Act (Northern Ireland) 1972, for the definition of “local elector” there is substituted—
- ““local elector” has the same meaning as in the Electoral Law Act (Northern Ireland) 1962”,
- (7) In Article 7(7) of the ^{M5}Electoral Law (Northern Ireland) Order 1972, for “those expenses” there is substituted “all expenses properly incurred in connection with the registration of local electors”.
- ^{F4}(8)
- (9) The Northern Ireland legislation specified in Part I of Schedule 3 to this Act and the subordinate legislation specified in Part II of that Schedule is repealed or revoked to the extent specified in the third column.

Textual Amendments

- F3** S. 11(1) repealed (29.1.2001 for specified purposes otherwise 16.2.2001) by 2000 c. 2, s. 15, **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)(2)**
- F4** S. 11(8) repealed (29.1.2001 for specified purposes otherwise 16.2.2001) by 2000 c. 2, s. 15, **Sch. 7 Pt. I**; S.I. 2001/116, **art. 2(1)(2)**

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Marginal Citations

M4 1972 c. 9 (N.I.).

M5 S.I.1972/1264 (N.I. 13).

12 Expenses.

- (1) There shall be paid out of money provided by Parliament—
 - (a) any increase attributable to the provisions of this Act in the sums so payable under any other enactment, and
 - (b) any expenses incurred under section 14A(4) or 14B of the Electoral Law Act (Northern Ireland) 1962.
- (2) There shall be paid into the Consolidated Fund any increase attributable to the provisions of this Act in the sums so payable under any other enactment.

13 Short title, commencement, transitional provision and extent.

- (1) This Act may be cited as the Elected Authorities (Northern Ireland) Act 1989.
- (2) The following provisions of this Act—
 - (a) section 1(2) and Schedule 1, except so far as that Schedule relates to sections 3 and 4 of the Representation of the ^{M6}People Act 1983, and
 - (b) sections 5 and 8(2),shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint, and different days may be appointed for different provisions and for different purposes.
- (3) Subsection (4) below applies to any local election held—
 - (a) on or after the day which, under section 11 of the Electoral Law Act (Northern Ireland) 1962, is the election day in 1989, but
 - (b) before the earliest day on which the first register of local electors prepared under the Representation of the People Act 1983 as applied by section 2 of this Act would be used for an election.
- (4) A person is not entitled to vote as an elector at a local election to which this subsection applies in any district electoral area unless—
 - (a) he is registered there in the register of parliamentary electors prepared under the Representation of the People Acts and the date by reference to which it was prepared is the qualifying date for the local election, or
 - (b) he is a peer and is registered there in the register of electors prepared under the ^{M7}Electoral Law Act (Northern Ireland) 1962 by reference to the qualifying date for the local election.
- (5) For the purposes of a local election to which subsection (4) above applies, section 49(2) to (5) and 50 of the Representation of the ^{M8}People Act 1983 shall have effect—
 - (a) with the modifications specified in Part II of Schedule 1 to this Act, except paragraph 4, and
 - (b) as if references to the register of parliamentary electors or the register of local government electors and references to persons registered as parliamentary or local government electors were references respectively to the register

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mentioned in paragraph (a) or, in the case of peers, paragraph (b) of subsection (4) above and to persons registered in that register.

(6) Nothing in this Act affects the law relating to registration for local elections, in its application to peers, for the purposes of a local election to which subsection (4) above applies.

(7) This Act ^{F5} . . . extends to Northern Ireland only.

Textual Amendments

F5 Words in s. 13(7) repealed (29.1.2001 for specified purposes and otherwise 16.2.2001) by 2000 c. 2, s. 15, Sch. 7 Pt. I; S.I. 2001/116, art. 2(1)(2)

Marginal Citations

M6 1983 c. 2.

M7 1962 c. 14 (N.I.).

M8 1983 c. 2.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 1 Pt. 2 para. 11A11B inserted by [2022 c. 37 Sch. 8 para. 9\(5\)\(c\)](#)
- Sch. 1 Pt. 2 para. 7A substituted by [2022 c. 37 Sch. 8 para. 9\(5\)\(b\)](#)
- Sch. 1 Pt. 2 para. 12(b) substituted by [2022 c. 37 Sch. 8 para. 9\(5\)\(d\)](#)
- Sch. 1 Pt. 2 para. 7 words inserted by [2022 c. 37 Sch. 8 para. 9\(5\)\(a\)](#)