



Elected Authorities (Northern Ireland) Act 1989

1989 CHAPTER 3

Disqualification for breach of declaration against terrorism or in consequence of imprisonment or detention

6 Breach of terms of declaration.

- (1) A person who has made a declaration required for the purposes of section 3, 4 or 5 of this Act in connection with a local election, an election to the Northern Ireland Assembly or the filling of a casual vacancy in a district council acts in breach of the terms of the declaration if at any time after he is declared to be elected at that election or is ^[F1]declared to be returned] to fill that vacancy and while he remains a member of the district council or of the Assembly—
 - (a) he expresses support for or approval of—
 - (i) a proscribed organisation, or
 - (ii) acts of terrorism (that is to say, violence for political ends) connected with the affairs of Northern Ireland, and
 - (b) he does so—
 - (i) at a public meeting, or
 - (ii) knowing, or in such circumstances that he can reasonably be expected to know, that the fact that he has made that expression of support or approval is likely to become known to the public.
- (2) For the purposes of subsection (1) above a person shall be taken to express support for, or approval of, any matter if his words or actions could reasonably be understood as expressing support for, or approval of, it.
- (3) It is immaterial for the purposes of subsection (1) above—
 - (a) whether the expression of support or approval is made by spoken or written words, by the display of written matter or by other behaviour, and
 - (b) whether it is made in the United Kingdom or elsewhere.

Changes to legislation: Elected Authorities (Northern Ireland) Act 1989, Section 6 is up to date with all changes known to be in force on or before 09 December 2023. 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

(4) This section has effect notwithstanding section 26(1) of the ^{M1}Northern Ireland Constitution Act 1973 (privileges of the Northern Ireland Assembly).

(5) In this section—

“proscribed organisation” has the same meaning as in [^{F2}section 3 of the Terrorism Act 2000],

“public meeting” includes—

- (a) any meeting in a public place,
- (b) any meeting which the public or any section of the public is permitted to attend, whether on payment or otherwise, and
- (c) any meeting of the Northern Ireland Assembly, a district council or any committee or sub-committee of the Assembly or such a council (whether or not a meeting which the public is permitted to attend), and

“public place” means—

- (a) any highway, and
- (b) any place to which at the material time the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.

Textual Amendments

- F1** Words in s. 6(1) substituted (1.4.2010) by [The Electoral Law Act \(Northern Ireland\) 1962 \(Amendment\) Order 2010 \(S.I. 2010/1178\)](#), arts. 1(2), **5(7)**
- F2** Words in definition of “proscribed organisation” in s. 6(5) substituted (19.2.2001) by [2000 c. 11, s. 125, Sch. 15 para. 7\(2\)](#); [S.I. 2001/421](#), art. 2

Modifications etc. (not altering text)

- C1** S. 6 applied (with modifications) (4.9.2007) by [Police \(Northern Ireland\) Act 2000 \(c. 32\), Sch. 3A para. 7\(3\)\(4\)](#) (as inserted by [Police \(Northern Ireland\) Act 2003 \(c.6\), s. 19, Sch. 1 para. 13](#)); [S.R. 2007/371](#), art. 2
- C2** S. 6 applied (with modifications) (1.4.2012) by [Justice Act \(Northern Ireland\) 2011 \(c. 24\), s. 111\(3\), Sch. 2 para. 8\(3\)Sch. 2 para. 8\(4\)](#); [S.R. 2012/142](#), art. 2(a)

Marginal Citations

- M1** 1973 c. 36.

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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\(5\)\(a\)](#)