



Northern Ireland Act 1998

1998 CHAPTER 47

PART III

EXECUTIVE AUTHORITIES

^{F1}Power to refer Ministerial decision to Executive Committee

Textual Amendments

- F1** S. 28B and preceding cross-heading inserted (8.5.2007) by [Northern Ireland \(St Andrews Agreement\) Act 2006 \(c. 53\)](#), ss. 2(2), 6, 27(4)(5) (as amended by [Northern Ireland \(St Andrews Agreement\) Act 2007 \(c. 4\)](#), s. 1(1)) (with s. 1(3)); S.I. 2007/1397, art. 2

28B Power to refer Ministerial decision to Executive Committee

- (1) This section applies if 30 members petition the Assembly expressing concern that a decision taken by a Minister or junior Minister (“the Ministerial decision”)—
 - (a) may have been taken in contravention of section 28A(1); or
 - (b) relates to a matter of public importance.
- (2) But this section does not apply if the Ministerial decision has previously been the subject of a reference under this section.
- (3) If the Presiding Officer, after consulting the political parties whose members hold seats in the Assembly, certifies that the Ministerial decision relates to a matter of public importance, he shall refer the decision to the Executive Committee for its consideration.
- (4) Having considered the reference, the Executive Committee shall notify the Presiding Officer—
 - (a) whether or not the decision was, in its view, taken in contravention of section 28A(1);

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Act 1998,
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- (b) whether or not the decision relates, in its view, to a significant or controversial matter; and
 - (c) as to any action that the Executive Committee proposes to take, or has taken, in relation to the decision.
- (5) No reference may be made under this section after the end of the period of seven days beginning with—
 - (a) the day on which the Ministerial decision was taken; or
 - (b) if appropriate, the day on which the decision was notified to the Assembly.
- (6) Any consideration by the Executive Committee of a Ministerial decision under this section must be completed before the end of the period of seven days beginning with the day on which the reference is made.
- (7) Standing orders shall make provision with respect to the procedure to be followed—
 - (a) in petitioning the Assembly under subsection (1); and
 - (b) in making a reference under this section.
- (8) The periods mentioned in subsections (5) and (6) shall be computed by reference only to days on which the Assembly sits.]

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