

*These notes refer to the Disqualifications Act 2000 (c.42)
which received Royal Assent on 30th November 2000*

DISQUALIFICATIONS ACT 2000

EXPLANATORY NOTES

SUMMARY AND BACKGROUND

3. The Act amends existing legislation so as to allow members of the Irish legislature to sit in the House of Commons, the Scottish Parliament, the Northern Ireland Assembly and the National Assembly for Wales. This puts them in the same position as members of the legislatures of Commonwealth countries.
4. Currently members of the upper house (Seanad Eireann) of the Irish legislature may be members of the Northern Ireland Assembly by virtue of section 36(5) of the Northern Ireland Act 1998 (the “1998 Act”). The amendment effected by section 1 of the Act qualifies members of the lower house – the Dail – as well.
5. Irish nationals are already in the same position as Commonwealth citizens as regards standing for election to, or voting in, elections for the House of Commons, the Scottish Parliament, the Northern Ireland Assembly and the National Assembly for Wales.
6. The Act also amends the 1998 Act so as to disqualify for certain offices which may be held by members of the Northern Ireland Assembly persons who are or become Ministers of the Government of Ireland or chairman or deputy chairman of committees of the Irish legislature. The offices to which this disqualification relates are Ministerial office in Northern Ireland and those members of the Northern Ireland Policing Board drawn from the Northern Ireland Assembly.
7. In addition the Act amends the 1998 Act so as to provide that a member of the Assembly who is a Minister in the Government of Ireland or chairman or deputy chairman of committees of the Irish legislature may not be a chairman or deputy chairman of a statutory committee of the Northern Ireland Assembly or be appointed as a member of the Northern Ireland Assembly Commission (established by section 40 of the 1998 Act).