



Northern Ireland (Monitoring Commission etc.) Act 2003

2003 CHAPTER 25

Monitoring Commission

1 The Monitoring Commission

[^{F1}(1) In this Act, “ the Monitoring Commission ” means an independent organisation established, by an agreement made in connection with the affairs of Northern Ireland between Her Majesty’s Government in the United Kingdom and the Government of Ireland, to carry out functions which include—

- (a) monitoring activity by paramilitary groups,
- (b) monitoring security normalisation, and
- (c) reporting on claims relating to commitment to the observing of terms of the pledge of office set out in Schedule 4 to the Northern Ireland Act 1998 (c. 47).

(2) The Secretary of State may by order—

- (a) confer on the Monitoring Commission the legal capacities of a body corporate;
- (b) confer on the Monitoring Commission, in such cases, to such extent and with such modifications as the order may specify, any of the privileges and immunities set out in Part 1 of Schedule 1 to the International Organisations Act 1968 (c. 48);
- (c) confer on members and servants of the Monitoring Commission and members of their families who form part of their households, in such cases, to such extent and with such modifications as the order may specify, any of the privileges and immunities set out in Parts 2, 3 and 5 of that Schedule;
- (d) make provision about the waiver of privileges and immunities.

(3) The reference in subsection (2)(c) to servants of the Monitoring Commission includes agents of, and persons carrying out work for or giving advice to, the Monitoring Commission.

(4) An order under subsection (2)—

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Monitoring Commission etc.) Act 2003, Cross Heading: Monitoring Commission. (See end of Document for details)

- (a) may make different provision for different cases (including different provision for different persons), and
 - (b) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) The Secretary of State—
- (a) may make payments to the Monitoring Commission or to members of the Monitoring Commission, and
 - (b) may provide for the Monitoring Commission such premises and facilities, and the services of such staff, as he thinks appropriate.]

Textual Amendments

F1 Ss. 1-3 cease to have effect (31.3.2011 at the end of the day) by [Northern Ireland \(Monitoring Commission etc.\) Act 2003 \(c. 25\), s. 12\(2\)\(3\)](#); S.I. 2011/978, art. 2 (with art. 3)

2 Commission's duty to avoid prejudicial effects

- [^{F1}(1) The Monitoring Commission shall not do anything in carrying out its functions which might—
- (a) prejudice the national security interests of the United Kingdom or Ireland,
 - (b) put at risk the safety or life of any person, or
 - (c) have a prejudicial effect on any present or future legal proceedings.
- (2) The duty under subsection (1) is owed to Her Majesty's Government in the United Kingdom.]

Textual Amendments

F1 Ss. 1-3 cease to have effect (31.3.2011 at the end of the day) by [Northern Ireland \(Monitoring Commission etc.\) Act 2003 \(c. 25\), s. 12\(2\)\(3\)](#); S.I. 2011/978, art. 2 (with art. 3)

3 Laying of Commission reports before Parliament

[^{F1}Where a report of the Monitoring Commission, or a report made by members of the Commission under the agreement establishing the Commission, is delivered by the Commission, or by members of the Commission, to Her Majesty's Government in the United Kingdom, the Secretary of State shall lay a copy of the report before each House of Parliament.]

Textual Amendments

F1 Ss. 1-3 cease to have effect (31.3.2011 at the end of the day) by [Northern Ireland \(Monitoring Commission etc.\) Act 2003 \(c. 25\), s. 12\(2\)\(3\)](#); S.I. 2011/978, art. 2 (with art. 3)

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