

**Changes to legislation:** There are currently no known outstanding effects for the Northern Ireland (St Andrews Agreement) Act 2006, Paragraph 3. (See end of Document for details)

## SCHEDULES

### SCHEDULE 6

#### DEPARTMENT WITH POLICING AND JUSTICE FUNCTIONS: NOMINATION ETC OF MINISTERS

##### Commencement Information

- II** [Sch. 6](#) in force on 26.3.2007 if (and only if) the Secretary of State makes a restoration order by virtue of s. 2(2), see [s. 27\(4\)\(5\)](#)

##### *Department in the charge of two Ministers*

- 3 (1) Paragraph 7 (provisions relating to relevant Ministers) is amended as follows.
- (2) After sub-paragraph (3) insert—
- “(3A) But a member of the Assembly who is a member of a political party may not be nominated unless the nominating officer of the party consents to his nomination within a period specified in standing orders.”
- (3) In sub-paragraph (9), at the end insert “; or
- (d) where consent to his nomination was required under sub-paragraph (3A), he is dismissed by the nominating officer who consented (or that officer's successor) and the Presiding Officer is notified of his dismissal.”
- (4) After sub-paragraph (10) insert—
- “(10A) If, as a result of the relevant Ministers (“the former Ministers”) ceasing to hold office and the relevant Ministerial offices being filled by virtue of sub-paragraph (10)(b),—
- (a) the total number of Ministerial offices held by members of a political party increases; or
- (b) the total number of Ministerial offices held by members of a political party decreases,
- all other Northern Ireland Ministers shall cease to hold office and those Ministerial offices shall be filled by applying section 18(2) to (6) within a period specified in standing orders.
- (10B) But sub-paragraph (10A) shall not apply if—
- (a) either of the former Ministers ceased to hold office by virtue of being dismissed by a nominating officer under sub-paragraph (9)(d); and
- (b) before the relevant Ministerial offices were filled, either of the conditions in sub-paragraph (10C) was satisfied in relation to each member of the Assembly who was a member of the political party of the nominating officer concerned.

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(10C) The conditions are that—

- (a) the First Minister and the deputy First Minister sought to nominate the member under sub-paragraph (3) for one of the relevant Ministerial offices but consent to his nomination was not given in accordance with sub-paragraph (3A); or
- (b) the member was nominated under sub-paragraph (3) for one of the relevant Ministerial offices and the nomination took effect within the period specified in standing orders by virtue of sub-paragraph (5) (a), but the member did not take up the office within that period.”

(5) After sub-paragraph (13) insert—

- “(14) In this paragraph “nominating officer” has the same meaning as in section 18.”

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