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STATUTORY INSTRUMENTS

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**2003 No. 2696**

**NORTHERN IRELAND**

**The Northern Ireland Assembly (Elections  
and Periods of Suspension) Act 2003  
(Consequential Modifications) Order 2003**

*Approved by both Houses of Parliament*

<i>Made</i>	- - - -	<i>21st October 2003</i>
<i>Laid before Parliament</i>		<i>22nd October 2003</i>
<i>Coming into force</i>	- -	<i>22nd October 2003</i>

Whereas the Secretary of State considers it expedient to make the modifications of enactments set out below in connection with provision made under the amendments made by sections 1(2) and 4 of the Northern Ireland Assembly (Elections and Periods of Suspension) Act 2003(1);

And whereas the Secretary of State considers it expedient for this Order to be made without a draft having been approved by resolution of each House of Parliament;

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 6 of the Northern Ireland Assembly (Elections and Periods of Suspension) Act 2003, hereby makes the following Order:

**1.—(1)** This Order may be cited as the Northern Ireland Assembly (Elections and Periods of Suspension) Act 2003 (Consequential Modifications) Order 2003 and shall come into force on the day after the day on which it is made.

(2) In this Order “1983 Act” means the Representation of the People Act 1983(2).

**2.** In relation to the canvass conducted for 2003 by the Chief Electoral Officer for Northern Ireland, as registration officer, under section 10 (maintenance of registers: annual canvass) of the 1983 Act(3), section 13(1)(a) of the 1983 Act (publication of registers)(4) shall have effect as if the date mentioned there were 1st February 2004.

**3.** In relation to the revised version of the registers to be published by 1st February 2004 by virtue of the modification made by article 2—

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(1) 2003 c. 12.

(2) 1983 c. 2.

(3) Section 10 was substituted by the Representation of the People Act 2000, section 8 and paragraphs 1 and 4 of Schedule 1.

(4) Section 13 and section 13A were substituted by the Representation of the People Act 2000, section 8 and paragraphs 1 and 6 of Schedule 1.

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- (a) any reference in any enactment to the publication of revised versions of the registers under section 13(1) of the 1983 Act shall be construed as a reference to publication in accordance with that provision as modified by article 2; and
  - (b) section 13A(3)(b) of the 1983 Act shall have effect as if the reference to “either of the two months” were a reference to “any of the four months”.
4. In section 1 of the Allowances to Members of the Assembly Act (Northern Ireland) 2000<sup>(5)</sup> (resettlement allowance) after subsection (1) insert—
- “(1A) Subsection (1) does not apply to a person who has given a termination notice under paragraph 1 of the Northern Ireland Assembly (Members' Salaries, Pensions and Allowances) Determination 2003<sup>(6)</sup>.”.

One of Her Majesty's Principal Secretaries of  
State  
21st October 2003

*Paul Murphy*  
Northern Ireland Office

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<sup>(5)</sup> 2000 c. 3 (N.I.).  
<sup>(6)</sup> This determination was made by the Secretary of State on 5th July 2003 under sections 47 and 48 of the Northern Ireland Act 1998 by virtue of paragraph 9 of the Schedule to the Northern Ireland Act 2000 (as read with section 4 of the Northern Ireland Assembly (Elections and Periods of Suspension) Act 2003).

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order modifies the Representation of the People Act 1983 (“the 1983 Act”) in connection with provision made under the amendment made by section 1(2) of the Northern Ireland Assembly (Elections and Periods of Suspension) Act 2003 (“the 2003 Act”). The provision in question is the Order made by the Secretary of State specifying the date for the next Assembly election as 26th November 2003. The Order also modifies section 1 of the Allowances to Members of the Assembly Act (Northern Ireland) 2000 in connection with provision made under the amendment made by section 4 of the 2003 Act. The provision in question is a determination made by the Secretary of State under sections 47 and 48 of the Northern Ireland Act 1998 by virtue of section 4 of the 2003 Act.

Article 2 of the Order provides that the last date for publication of the registers as provided for in section 13(1) of the 1983 Act, following the annual canvass in October 2003, shall be 1st February 2004 instead of 1st December 2003. Article 3(a) provides that in relation to the versions of the registers to be published on 1st February 2004, references in any enactment to the date of publication in section 13(1) of the 1983 Act will be to that provision as modified in article 2. The effect of article 3(b) is that no notice of alteration of the register is required to be published during the period of four months prior to 1st February 2004.

Article 4 provides that a resettlement allowance shall not be payable to a person under section 1 of the Allowances to Members of the Assembly Act (Northern Ireland) 2000 if he has given a termination notice under a determination made by the Secretary of State under sections 47 and 48 of the Northern Ireland Act 1998 by virtue of section 4 of the 2003 Act. Persons who gave such a notice became entitled to a payment equivalent to resettlement allowance.