

2004 No. 2505

NORTHERN IRELAND

CONSTITUTIONAL LAW

**The Northern Ireland Act 2000 (Modification) (No. 2) Order
2004**

Made - - - - - *19th September 2004*
Coming into force - - - - - *20th September 2004*

Whereas a draft of this Order has been approved by resolution of each House of Parliament:

Now, therefore, the Secretary of State, in exercise of the powers conferred upon him by paragraph 1(4) of the Schedule to the Northern Ireland Act 2000(a) hereby makes the following Order:

1.—(1) This Order may be cited as the Northern Ireland Act 2000 (Modification) (No. 2) Order 2004 and shall come into force on the day after the day on which it is made.

(2) In article 2 “the current suspension period” means the period during which section 1 of the Northern Ireland Act 2000 continues to be in force, that period having commenced on 15th October 2002(b).

2. In relation to the current suspension period, paragraph 1(3) of the Schedule to the Northern Ireland Act 2000, as previously modified under paragraph 1(4) of that Schedule(c), is to have effect as if the number of months mentioned there were increased by six months.

Northern Ireland Office
19th September 2004

Paul Murphy
One of Her Majesty’s Principal Secretaries of State

(a) 2000 c. 1.

(b) Section 1 of the Northern Ireland Act 2000 was brought into force again on 15th October 2002 by S.I. 2002/2574.

(c) S.I. 2003/1155 modified paragraph 1(3) of the Schedule so that the number of months mentioned was increased by six months. S.I. 2003/2592 and S.I. 2004/1105 modified paragraph 1(3) of the Schedule so that the number of months was increased by two further periods of six months.

EXPLANATORY NOTE

(This note is not part of the Order)

While section 1 of the Northern Ireland Act 2000 (“the 2000 Act”) is in force, with the effect that the Northern Ireland Assembly is suspended, paragraph 1 of the Schedule to the 2000 Act allows legislation by Order in Council for any matter for which the Assembly may legislate under the terms of the Northern Ireland Act 1998. This power to legislate by Order in Council is limited to the first six months of any period during which section 1 of the 2000 Act is in force but may be extended by Order for a further period of up to six months at a time.

Section 1 of the 2000 Act was brought into force again by the Northern Ireland Act (Suspension of Devolved Government) Order 2002 (S.I. 2002/2574) on 15th October 2002. The six month period beginning on 15th October 2002 has been extended by three further six month periods by the Northern Ireland Act 2000 (Modification) Order 2003 (S.I. 2003/1155), the Northern Ireland Act 2000 (Modification) (No. 2) Order 2003 (S.I. 2003/2592) and the Northern Ireland Act 2000 (Modification) Order 2004 (S.I. 2004/1105). This Order extends the period which would, apart from this Order, expire at the end of 14th October 2004 by a further six months i.e. until the end of 14th April 2005. The power to legislate by Order in Council will, however, lapse if the Assembly is restored before that date.

£3.00

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under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.

E1306 9/2004 141306T 19585

ISBN 0-11-049860-7



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