

EXPLANATORY MEMORANDUM TO
THE NORTHERN IRELAND ASSEMBLY (MINIMUM PERIOD) ORDER
2010

2010 No. 2944

1. This explanatory memorandum has been prepared by the Northern Ireland Office (NIO) and is laid before Parliament by Command of Her Majesty.
2. **Purpose of the instrument**
 - 2.1 This Order sets a minimum period of 26 days for the dissolution of the Northern Ireland Assembly prior to an Assembly election. The Assembly must be dissolved at the beginning of this period.
3. **Matters of special interest to the Joint Committee on Statutory Instruments**
 - 3.1 None.
4. **Legislative Context**
 - 4.1 Section 31 of the Northern Ireland Act 1998 makes provision for general elections to the Northern Ireland Assembly and when a predecessor Assembly is dissolved ahead of those elections. That period is referred to as the minimum period and is set by order by the Secretary of State. The minimum period ends with the date of the poll, which is the first Thursday in May every four years (the next being in 2011).
 - 4.2 This Order makes provision for the determination of the minimum period which is to be 26 days. Days are to be counted in accordance with rule 2 of the Assembly Elections Rules contained in the Northern Ireland Assembly (Elections) Order 2001 which makes provision for days that are to be disregarded. Essentially therefore, weekends and bank and public holidays are not counted.
5. **Territorial Extent and Application**
 - 5.1 This instrument applies to Northern Ireland only.
6. **European Convention on Human Rights**
 - 6.1 None.

7. Policy background

7.1 By setting the minimum period as 26 days the date of dissolution will be the same date as the last date on which the notice of election for the Assembly elections may be published. This will therefore allow the Assembly to maximise the time available to complete its legislative programme.

8. Consultation outcome

8.1 The First and deputy First Minister for Northern Ireland and the Speaker of the Northern Ireland Assembly were consulted during the preparation of this Order.

9. Guidance

9.1 This Order is not accompanied by any guidance.

10. Impact

10.1 There is no impact on business, charities or voluntary bodies.

10.2 There is no impact on the public sector.

10.3 An impact assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 This Order will be kept under review and updated as required in the light of consultation and discussion with the Speaker of the Northern Ireland Assembly and the Office of the First and deputy First Minister for Northern Ireland.

13. Contact

Bilal Zahid, Northern Ireland Office Tel: 028 9052 7947 or email: Bilal.Zahid@nio.x.gsi.gov.uk can answer any queries regarding the instrument.

Northern Ireland Office

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