

2017 No. 32

NORTHERN IRELAND

CONSTITUTIONAL LAW

**The Northern Ireland (Date of the Next Assembly Poll) Order
2017**

Made - - - - 19th January 2017

Coming into force - - 20th January 2017

At the Court at Sandringham, the 19th day of January 2017

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred by section 32(4) of the Northern Ireland Act 1998(a), is pleased, by and with the advice of Her Privy Council, to order as follows.

Under section 32(3)(b) of that Act, the Secretary of State has proposed 2nd March 2017 as the date for the poll for the election of the next Assembly.

Citation and commencement

1. This Order may be cited as the Northern Ireland (Date of the Next Assembly Poll) Order 2017 and comes into force on 20th January 2017.

Date of the next Assembly poll

2. It is directed that the date of the poll for the election of the next Assembly, instead of being determined in accordance with section 31(c) of the Northern Ireland Act 1998, is to be the date proposed by the Secretary of State under section 32(3) of that Act, namely 2nd March 2017.

(a) 1998 c. 47.

(b) Section 32(3) was substituted by section 8(2) of, and paragraph 4 of Schedule 5 to, the Northern Ireland (St Andrews Agreement) Act 2006 (c. 53).

(c) Section 31 was amended by section 1(2)(b) and (c) of the Northern Ireland Assembly Elections Act 2003 (c. 3), sections 2(1) and (4) and 3(1) of, and paragraph 2(2) of Schedule 3 to, the Northern Ireland (St Andrews Agreement) Act 2006, and section 7(1) of the Northern Ireland (Miscellaneous Provisions) Act 2014 (c. 13).

Dissolution of the Assembly

3. The Assembly is to be dissolved on 26th January 2017.

Richard Tilbrook
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

Under section 16B(3) of the Northern Ireland Act 1998 (c. 47), if the offices of First Minister and deputy First Minister become vacant at any time, they are to be filled by applying the process set out in section 16B within a period of seven days. Under section 32(3) of that Act, the Secretary of State must propose a date for the next Assembly election if that period ends without the offices of First Minister and deputy First Minister having been filled. The deputy First Minister resigned at 5pm on 9th January 2017 and the offices were not filled within the seven day period which expired at 5pm on 16th January.

The Secretary of State, having been informed by his ongoing dialogue with Northern Ireland's political leaders and having also consulted the Chief Electoral Officer for Northern Ireland on operational matters, has proposed that the next Assembly election take place on 2nd March 2017. Article 2 of this Order accordingly directs that the next Assembly election is to be on that date. Article 3 of this Order provides for the current Assembly to be dissolved on 26th January 2017 (so the last sitting day of the Assembly will be 25th January 2017).

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