



# Northern Ireland Constitution Act 1973

## 1973 CHAPTER 36

### PART II

#### LEGISLATIVE POWERS AND EXECUTIVE AUTHORITIES

##### *Executive authorities*

#### **8 The Northern Ireland Executive**

- (1) The Northern Ireland Executive shall consist of—
  - (a) the chief executive member ;
  - (b) the persons who are for the time being heads of the Northern Ireland departments ; and
  - (c) any other person appointed under subsection (3) below to be a member of the Executive.
- (2) The chief executive member shall preside over the Executive and act as Leader of the Assembly.
- (3) The chief executive member and the heads of the Northern Ireland departments shall be appointed by the Secretary of State on behalf of Her Majesty and the Secretary of State may likewise appoint such number of additional persons (if any) as he thinks fit to discharge, whether as members of the Executive or otherwise, such functions as he may determine; but the total number of persons at any time holding appointments under this section shall not exceed twelve.
- (4) Subject to subsections (5) and (6) below, appointments under this section shall be from among persons who are members of the Assembly and shall be such as will in the opinion of the Secretary of State secure that the Executive has the character mentioned in section 2(1)(b) above.
- (5) Two of the persons at any time holding appointments under this section (other than the chief executive member) may be persons who were not appointed from among

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*Status: This is the original version (as it was originally enacted).*

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members of the Assembly but not more than one of them shall be the head of a Northern Ireland department.

- (6) If at any time after the appointed day it appears to the Secretary of State that it is not possible to make an appointment which complies with the requirements of subsection (4) above he may make an appointment which does not comply with those requirements but any person so appointed shall not hold office for more than six months.
- (7) Before making any appointment under this section (otherwise than by virtue of subsection (6)) the Secretary of State shall so far as practicable consult with the parties represented in the Assembly.
- (8) Persons appointed under this section shall hold office at Her Majesty's pleasure; and a person who is required by this section to be appointed from among members of the Assembly shall not continue in office for more than six months after ceasing to be a member of the Assembly.
- (9) A person appointed under this section who is not a member of the Assembly shall be entitled to sit and speak in the Assembly but not to vote.
- (10) Every person appointed under this section shall, on appointment, take the oath or make the affirmation set out in Schedule 4 to this Act.