Northern Ireland Act 1998

CHAPTER 47

NORTHERN IRELAND ACT 1998

PART I
PRELIMINARY

1 Status of Northern Ireland.
2 Previous enactments.
3 Devolution order.
4 Transferred, excepted and reserved matters.

PART II
LEGISLATIVE POWERS

General

5 Acts of the Northern Ireland Assembly.
6 Legislative competence.
6A Restriction relating to retained EU law
7 Entrenched enactments.
7A Cross-community support required for Bill altering size of Assembly
8 Consent of Secretary of State required in certain cases.

Scrutiny and stages of Bills

9 Scrutiny by Ministers.
10 Scrutiny by Presiding Officer.
11 Scrutiny by the Supreme Court.
12 Reconsideration where reference made to ECJ.
13 Stages of Bills.
Royal Assent

14 Submission by Secretary of State.
15 Parliamentary control where consent given.

PART III
EXECUTIVE AUTHORITIES

Authorities

16 First Minister and deputy First Minister.
16A Appointment of First Minister, deputy First Minister and Northern Ireland Ministers following Assembly election
16B Vacancies in the office of First Minister or deputy First Minister
16C Sections 16A and 16B: supplementary
17 Ministerial offices.
18 Northern Ireland Ministers.
19 Junior Ministers.
19A Disqualification for certain offices which may be held by members of the Assembly.
20 The Executive Committee.
21 Northern Ireland departments.
21A Northern Ireland department with policing and justice functions
21B Section 21A(5A) and (7C): transitional provision
21C Section 21A(5A) and (7C): power of Assembly to secure retention or abolition of deputy Ministerial office

Functions

22 Statutory functions.
23 Prerogative and executive powers.
24 EU law, Convention rights etc.
25 Excepted and reserved matters.
26 International obligations.
27 Quotas for purposes of international etc obligations.
28 Agency arrangements between UK and NI departments.

Ministerial Code

28A Ministerial Code

Power to refer Ministerial decision to Executive Committee

28B Power to refer Ministerial decision to Executive Committee

Executive Committee: further provisions

28C Power of Executive Committee to call for witnesses and documents
28D Strategies relating to Irish language and Ulster Scots language etc
28E Strategy relating to poverty, social exclusion etc

Miscellaneous

29 Statutory committees.
29A Committee to review functioning of Assembly and Executive Committee
29B  Review of operation of sections 16A to 16C
29C  Review of functions relating to judicial appointments and removals
30A  Secretary of State’s powers in relation to exclusion
30B  Secretary of State’s powers in exceptional circumstances

PART IV

THE NORTHERN IRELAND ASSEMBLY

Elections etc
31  Dates of elections and dissolutions.
32  Extraordinary elections.
33  Constituencies and numbers of members.
34  Elections and franchise.
35  Vacancies.

Disqualification
36  Disqualification.
37  Effect of disqualification and provision for relief.
38  Disqualification: judicial proceedings.

Presiding Officer and Commission
39  Presiding Officer.
40  Commission.

Proceedings etc.
40A  Undertaking by members
41  Standing orders.
42  Petitions of concern.
43  Members’ interests.
44  Power to call for witnesses and documents.
45  Witnesses and documents: offences.
46  Witnesses: oaths.

Remuneration and pensions
47  Remuneration of members.
47A  Resolutions about reduction of remuneration
47B  Secretary of State’s powers in relation to reduction of remuneration
47C  Section 47A: specified periods and extensions
48  Pensions of members.

Miscellaneous
49  Letters Patent etc.
50  Privilege.
51  Resignation of members.
51A  Resolutions about reduction of financial assistance
51B  Secretary of State’s powers in relation to reduction of financial assistance
51C  Section 51A: specified periods and extensions
51D  Censure resolutions
 PART V
NSMC, BIC, BIIC ETC.

52 North-South Ministerial Council and British-Irish Council.
52A North-South Ministerial Council and British-Irish Council
52B Section 52A: duty to attend Council meetings etc
52C Sections 52A and 52B: supplementary
53 Agreements etc. by persons participating in Councils.
54 British-Irish Intergovernmental Conference.
55 Implementation bodies.
56 Civic Forum.

PART 5A
EU WITHDRAWAL: DEMOCRATIC CONSENT PROCESS

56A Democratic consent process

PART VI
FINANCIAL PROVISIONS

Consolidated Fund

57 Consolidated Fund of Northern Ireland.
58 Payments into the Fund.
59 Payments out of Fund without appropriation Act.
60 Financial control, accounts and audit.

Advances

61 Advances by Secretary of State.
62 Accounts.

Miscellaneous

63 Financial acts of the Assembly.
64 Draft budgets.
65 Audit.
66 Expenses of Northern Ireland Audit Office.
67 Provision of information to Treasury.

PART VII
HUMAN RIGHTS AND EQUAL OPPORTUNITIES

Human rights

68 The Northern Ireland Human Rights Commission.
69 The Commission’s functions.
69A Investigations: evidence
69B Investigations: national security
69C Investigations: places of detention
69D Investigations: terms of reference
70 Assistance by Commission.
71 Restrictions on application of rights.
72 Standing Advisory Commission on Human Rights: dissolution.
Equality of opportunity
73 The Equality Commission for Northern Ireland.
74 The Commission’s principal functions.
75 Statutory duty on public authorities.
76 Discrimination by public authorities.
77 Unlawful oaths etc.
78 Removal of restrictions on investigation into maladministration.

PART VIII
MISCELLANEOUS

Judicial scrutiny
79 Devolution issues.
80 Legislative power to remedy ultra vires acts.
81 Powers of courts or tribunals to vary retrospective decisions.
82 The Judicial Committee.
83 Interpretation of Acts of the Assembly etc.

Power to make provision by Order in Council
84 Provision with respect to certain matters relating to Northern Ireland.
85 Provision dealing with certain reserved matters.
86 Provision for purposes consequential on Act etc.
86A Provision for transfer of functions relating to extradition etc.
86B Provision for entrenching enactments

Social security, child support and pensions
87 Consultation and co-ordination.
88 The Joint Authority.
89 Industrial Injuries Advisory Council.

Discrimination: certificates by Secretary of State
90 Effect of certificates.
91 The Tribunal.
92 Appeals from the Tribunal.

Miscellaneous
93 Parliament Buildings etc.
94 Land purchase annuities etc.

PART IX
SUPPLEMENTAL
95 Savings for existing laws.
95A Directions under sections 30A, 47B and 51B
96 Orders and regulations.
96A Explanatory statements in relation to certain regulations
97 Financial provision.
98 Interpretation.
99 Minor and consequential amendments.
100 Transitional provisions, savings and repeals.
101 Short title and commencement.

SCHEDULES

SCHEDULE 1 — Polls for the purposes of section 1
1 The Secretary of State may by order direct the holding...
2 Subject to paragraph 3, the Secretary of State shall exercise...
3 The Secretary of State shall not make an order under...
4 (1) An order under this Schedule directing the holding of...

SCHEDULE 2 — Excepted matters
1 The Crown, including the succession to the Crown and a...
2 The Parliament of the United Kingdom; parliamentary elections, including the...
3 International relations, including relations with territories outside the United Kingdom,...
4 The defence of the realm; trading with the enemy; the...
5 Control of nuclear, biological and chemical weapons and other weapons...
6 Dignities and titles of honour.
7 Treason but not powers of arrest or criminal procedure.
8 Nationality; immigration, including asylum and the status and capacity of...
9 The following matters— (a) taxes or duties under any law...
9A Child Trust Funds.
9C The operation of the Small Charitable Donations Act 2012.
9D Bonuses under the Savings (Government Contributions) Act 2017.
10 The following matters— (a) national insurance contributions;
10A Tax credits under Part 1 of the Tax Credits Act...
10B Health in pregnancy grant, Child benefit and guardian’s allowance.
10C The operation of the Childcare Payments Act 2014.
11 The determination of the remuneration, superannuation and other terms and...
11A The Supreme Court, but not rights of appeal to...
12 (1) Elections, including the franchise, in respect of the Northern...
13 The subject-matter of the Political Parties, Elections and Referendums Act...
14 Coinage, legal tender and bank notes.
15 The National Savings Bank.
16 The subject-matter of the Protection of Trading Interests Act 1980....
17 National security (including the Security Service, the Secret Intelligence Service...
18 Nuclear energy and nuclear installations, including nuclear safety, security and...
19 Regulation of sea fishing outside the Northern Ireland zone (except...
20 Regulation of activities in outer space.
20A Regulation of activities in Antarctica (which for these purposes has...
21 Any matter with which a provision of the Northern Ireland...
21A The office and functions of the Advocate General for Northern...
22 Any matter with which a provision of this Act falling...

SCHEDULE 3 — Reserved matters
1. The conferral of functions in relation to Northern Ireland on...
2. Property belonging to Her Majesty in right of the Crown...
3. Navigation, including merchant shipping, but not harbours or inland waters....
4. Civil aviation but not aerodromes.
5. The foreshore and the sea bed and subsoil and their...
6. Domicile.
7. The subject-matter of the Postal Services Act 2000. This paragraph...
7A. The alteration of the number of members of the Assembly...
8. Disqualification for membership of the Assembly; privileges, powers and immunities...
9. (1) The following matters— (a) the subject-matter of Parts 2...
9A. . . . . . . . . . . . . . .
10. (1) The subject-matter of the Public Processions (Northern Ireland) Act...
11. The operation of the temporary provisions, as defined in section...
11A. . . . . . . . . . . . . .
12. (1) Items for the time being specified in Article 45(1)...
13. Civil defence.
14. The subject-matter of Part 2 of the Civil Contingencies Act...
14A. . . . . . . . . . . . . .
15. Reserved matters
15A. . . . . . . . . . . . . .
16. The ... Civil Service Commissioners for Northern Ireland.
17. Reserved matters
18. The subject-matter of sections 149 to 151 of and Schedules...
19. The subject-matter of the Vaccine Damage Payment Scheme.
20. Import and export controls and trade with any place outside...
22. The subject-matter of the following provisions of the Pension Schemes...
23. The following matters— (a) financial services, including investment business, banking...
24. The subject-matter of— (a) the Building Societies Act 1986;
25. The subject-matter of the Money Laundering, Terrorist Financing and Transfer...
25A. The subject-matter of the Transfer of Funds (Information on the...
26. Regulation of anti-competitive practices and agreements; abuse of dominant position;...
27. Intellectual property but not the subject-matter of Parts I and...
28. Units of measurement and United Kingdom primary standards.
29. Telecommunications; wireless telegraphy; the provision of programme services (within the...
30. The National Lottery (except in so far as any matter...
31. Xenotransplantation.
32. Surrogacy arrangements, within the meaning of the Surrogacy Arrangements Act...
33. The subject-matter of the Human Fertilisation and Embryology Act 1990....
34. Human genetics.
35. Research Councils within the meaning of the Science and Technology...
35A. United Kingdom Research and Innovation.
36. Areas in which industry may qualify for assistance under Part...
37  Consumer safety in relation to goods.
38  Technical standards and requirements in relation to products in
pursuance...
39  The subject-matter of section 3(5) to (7) of the Environmental...
40  The subject-matter of— (a) the Data Protection Act 1984;
41  Oaths and declarations (including all undertakings and affirmations, by
whatever...
41A (1) The division of local government districts into areas (“district...
42  Any matter with which a provision of this Act falling...

SCHEDULE 4 — Annex A to Strand One of Belfast Agreement
Pledge of Office
To pledge: (a) to discharge in good faith all the...
Code of Conduct

SCHEDULE 4A — Department with policing and justice functions
Part 1 — DEPARTMENT IN THE CHARGE OF MINISTER APPROVED BY
RESOLUTION OF ASSEMBLY BY VIRTUE OF SECTION 21A(3)

Introduction
1  (1) This Part of this Schedule has effect in relation...

Modification of section 16A
1A Section 16A(3) shall have effect as if, for paragraph (b)...

Section 18 not to apply to relevant Minister
2  (1) Section 18 (Northern Ireland Ministers) shall not apply in...

Provisions relating to relevant Minister
3  (1) Where any of the conditions in paragraphs (b) to...
Part 1A — DEPARTMENT IN THE CHARGE OF MINISTER APPROVED BY
RESOLUTION OF THE ASSEMBLY BY VIRTUE OF SECTION 21A(3A)
3A Introduction
3B Modification of section 16A
3C Section 18 not to apply to relevant Minister
3D Provisions relating to relevant Minister
3E Reappointment of other Northern Ireland Ministers in certain cases
Part 2 — DEPARTMENT IN THE CHARGE OF TWO MINISTERS

Introduction
4  (1) This Part of this Schedule has effect in relation...

Modification of section 16A
4A Section 16A(3) shall have effect as if, for paragraph (b)...

Modifications of section 17
5  (1) Section 17 (Ministerial offices) has effect subject to the...
Section 18 not to apply to relevant Ministers

6 (1) Section 18 (Northern Ireland Ministers) shall not apply in...

Provisions relating to relevant Ministers

7 (1) Where any of the conditions in paragraphs (b) to...

Part 3 — DEPARTMENT WITH ROTATION BETWEEN MINISTER AND JUNIOR MINISTER

Introduction

8 (1) This Part of this Schedule has effect in relation...

Modification of section 16A

8A Section 16A(3) shall have effect as if, for paragraph (b)...

Section 18 not to apply to relevant Minister

9 (1) Section 18 (Northern Ireland Ministers) shall not apply in...

Certain provisions of section 19 not to apply to relevant junior Minister

10 (1) The provisions of section 19 (junior Ministers) specified in...

Provisions relating to relevant Minister and relevant junior Minister

11 (1) Where any of the conditions in paragraphs (b) to...

Part 3A — DEPARTMENT IN THE CHARGE OF MINISTER AND DEPUTY MINISTER

11A Introduction
11B Modification of section 16A
11C Section 18 not to apply to relevant Minister
11D Section 19 not to apply to deputy Minister
11E Provisions relating to relevant Minister and deputy Minister
11F Eligibility to become relevant Minister or deputy Minister
11G Change in number of Ministerial offices held by members of a political party
11H Interpretation

Part 4 — POWER TO MAKE FURTHER MODIFICATIONS

12 (1) Her Majesty may by Order in Council make such...
13 Paragraphs 3(10), 3D(14), 7(10), 11(10) and (11) and 11E(10) of...

SCHEDULE 5 — Northern Ireland Assembly Commission

Membership

1 A person appointed under standing orders made under section 40(2) (b)...

Staff

2 (1) The Commission may appoint staff. (2) The persons appointed...

Powers

3 (1) Subject to sub-paragraph (4), the Commission may do anything...
Delegation

4 The Commission may delegate any of its functions to the...

Proceedings and business

5 (1) The validity of any acts of the Commission shall...

Crown status

6 (1) Her Majesty may by Order in Council provide for...

SCHEDULE 6 — Standing orders: further provision

Preservation of order

1 (1) The standing orders shall include provision for preserving order...

Proceedings to be in public

2 (1) The standing orders shall include provision requiring the proceedings...

Reporting and publishing proceedings

3 The standing orders shall include provision for reporting the proceedings...

Committees

4 (1) The standing orders shall include provision for ensuring that,...

Votes in vacancy

5 The standing orders may include provision enabling a right to...

SCHEDULE 6A — EU WITHDRAWAL: DEMOCRATIC CONSENT PROCESS

PART 1 — GENERAL

1 Introduction

2 Meaning of “consent resolution” and effect if consent resolution rejected

3 Meaning of “continuation period”, “current period” etc

PART 2 — DUTY OF SECRETARY OF STATE TO INITIATE THE DEMOCRATIC CONSENT PROCESS

4 Duty to give notification of the start of the democratic consent process

PART 3 — DEFAULT DEMOCRATIC CONSENT PROCESS

5 Application

6 Giving the notification of the start of the democratic consent process

7 Presiding Officer to inform members of the Assembly

8 Consent resolution: motion by First Minister and deputy First Minister

9 Consent resolution: motion by any member of the Assembly

10 Consent resolution: consideration of motion

PART 4 — ALTERNATIVE DEMOCRATIC CONSENT PROCESS

11 Application

12 Giving the notification of the start of the democratic consent process

13 Presiding Officer to inform members of the Assembly

14 Consent resolution: motion by a member of the Assembly
15 Consent resolution: requirement to consider motion
16 Election of an interim Presiding Officer
   PART 5 — PROCEDURAL MATTERS AND OUTCOME
17 Application
18 Procedural matters relating to motions for consent resolutions
19 Outcome of process: Presiding Officer to notify Secretary of State
20 Outcome of process: Secretary of State to notify European Commission
   PART 6 — INDEPENDENT REVIEW
21 Independent review into the functioning of the Protocol

SCHEDULE 7 — The Northern Ireland Human Rights Commission

   Introductory
1 In this Schedule “the Commission” means the Northern Ireland Human...

   Commissioners’ tenure
2 (1) Subject to the provisions of this Schedule, a Commissioner...

   Commissioners’ salary etc.
3 (1) The Commission shall pay to or in respect of...

   Staff
4 (1) The Commission may employ staff subject to the approval...

   Annual report
5 (1) The Commission shall, as soon as reasonably practicable after...

   Money
6 The Secretary of State may make grants to the Commission...
7 (1) The Commission shall keep proper accounts and financial records....

   Procedure
8 (1) In determining its own procedure the Commission may, in...

   Disqualification
9 In Part III of Schedule 1 to the House of...
10 In Part III of Schedule 1 to the Northern Ireland...

   Status
11 The Commission shall not be regarded as the servant or...

SCHEDULE 8 — The Equality Commission for Northern Ireland

   Introductory
1 In this Schedule “the Commission” means the Equality Commission for...
Commissioners’ tenure

2 (1) Subject to the provisions of this Schedule, a Commissioner...

Commissioners’ salary etc.

3 The Department of Economic Development may with the approval of...

Additional Commissioners

3A (1) Paragraph 2(1) and (2) shall apply to additional Commissioners...

Staff

4 (1) The Commission may with the approval of the Department...

Annual report

5 (1) The Commission shall, as soon as reasonably practicable after...

Money

6 (1) Expenditure incurred by the Commission may be defrayed as...
7 (1) The Commission shall keep accounts and financial records in...

Procedure

8 (1) In determining its own procedure the Commission may, in...

Disqualification

9 In Part II of Schedule 1 to the House of...
10 In Part II of Schedule 1 to the Northern Ireland...

The Northern Ireland Commissioner for Complaints

11 . . . . . . . . . ....

Status

12 The Commission shall not be regarded as the servant or...

SCHEDULE 9 — Equality: enforcement of duties

The Equality Commission

1 The Equality Commission for Northern Ireland shall—

Equality schemes

2 (1) A public authority to which this sub-paragraph applies shall,....
3 (1) Where it thinks appropriate, the Commission may—
4 (1) A scheme shall show how the public authority proposes...
5 Before submitting a scheme a public authority shall consult, in...
6 (1) On receipt of a scheme the Commission shall—
7 (1) Where a scheme is referred to the Secretary of...
8 (1) If a public authority wishes to revise a scheme...
Duties arising out of equality schemes

9 (1) In publishing the results of such an assessment as...

Complaints

10 (1) If the Commission receives a complaint made in accordance...

Investigations

11 (1) This paragraph applies to— (a) investigations required by paragraph...

Government departments

12 (1) Paragraphs 6, 7 and 11(2)(b) and (3) do not...

SCHEDULE 10 — Devolution issues

Part I — PRELIMINARY

1 In this Schedule “devolution issue” means— (a) a question whether...

2 A devolution issue shall not be taken to arise in...

Part II — PROCEEDINGS IN NORTHERN IRELAND

Application of Part II

3 This Part of this Schedule applies in relation to devolution...

Institution of proceedings

4 (1) Proceedings for the determination of a devolution issue may...

Notice of devolution issue

5 A court or tribunal shall order notice of any devolution...

6 A person to whom notice is given in pursuance of...

Reference of devolution issue to Court of Appeal

7 A court, other than the Supreme Court or the Court...

8 A tribunal from which there is no appeal shall refer...

References from Court of Appeal to Supreme Court

9 The Court of Appeal in Northern Ireland may refer any...

Appeals from Court of Appeal to Supreme Court

10 An appeal against a determination of a devolution issue by...

Part III — PROCEEDINGS IN ENGLAND AND WALES

Application of Part III

11 This Part of this Schedule applies in relation to devolution...

Institution of proceedings

12 (1) Proceedings for the determination of a devolution issue may...
Notice of devolution issue

13 A court or tribunal shall order notice of any devolution issue...
14 A person to whom notice is given in pursuance of...

Reference of devolution issue to High Court or Court of Appeal

15 A magistrates’ court may refer any devolution issue which arises...
16 (1) A court may refer any devolution issue which arises...
17 A tribunal from which there is no appeal shall refer...
18 A court, other than the Supreme Court or the Court...

References from Court of Appeal to Supreme Court

19 The Court of Appeal may refer any devolution issue which...

Appeals from superior courts to Supreme Court

20 An appeal against a determination of a devolution issue by...

Part IV — PROCEEDINGS IN SCOTLAND

Application of Part IV

21 This Part of this Schedule applies in relation to devolution...

Institution of proceedings

22 (1) Proceedings for the determination of a devolution issue may...

Intimation of devolution issue

23 Intimation of any devolution issue which arises in any proceedings...
24 A person to whom intimation is given in pursuance of...

Reference of devolution issue to higher court

25 A court, other than the Supreme Court or any court...
26 A tribunal from which there is no appeal shall refer...
27 A court, other than any court consisting of two or...

References from superior courts to Supreme Court

28 Any court consisting of three or more judges of the...
29 Any court consisting of two or more judges of the...

Appeals from superior courts to Supreme Court

30 An appeal against a determination of a devolution issue by...
31 An appeal against a determination of a devolution issue by—....

Part V — GENERAL

Direct references to Supreme Court

32 .................................................................
33 The Attorney General, the Advocate General for Northern Ireland, the...
34 The Attorney General, the Advocate General for Northern Ireland, the...
35 (1) This paragraph applies where a reference is made under...

Delegation by First Ministers

36 The First Minister and the deputy First Minister acting jointly...

Expenses

37 (1) A court or tribunal before which any proceedings take...

Procedure of courts and tribunals

38 Any power to make provision for regulating the procedure before...

Bail and legal aid in criminal proceedings

39 (1) Sub-paragraph (3) applies where a devolution issue arises in...
40 Where a devolution issue arises as mentioned in sub-paragraph (1)...

Interpretation

41 Any duty or power conferred by this Schedule to refer...

SCHEDULE 11 — Tribunal established under section 91

Introductory

1 In this Schedule “the Tribunal” means the tribunal established under...

Members

2 (1) The Tribunal shall consist of such number of members...
2A (1) The Lord Chancellor may only appoint persons to the...

Chairman

3 (1) The Lord Chancellor shall appoint one of the members...

Payments to members

4 (1) The Lord Chancellor may pay to the members of...

Proceedings

5 (1) The Tribunal shall sit at such times and in...
6 The Tribunal shall be deemed to be duly constituted if...
7 The chairman or, in his absence, the deputy chairman, shall...

Staff

8 The Lord Chancellor may appoint such officers and servants for...

Expenses

9 The Lord Chancellor shall defray the remuneration of persons appointed...
Disqualification of Tribunal Members

10 In Part II of Schedule 1 to the House of...
11 In Part II of Schedule 1 to the Northern Ireland...

SCHEDULE 12 — Construction of references in existing laws

Preliminary

1 (1) Enactments and instruments shall, except where the context otherwise...

The Parliament and the old Assembly

2 (1) References to the Parliament of Northern Ireland shall be...

Legislation etc of the Parliament or the old Assembly

3 (1) A reference to an Act or enactment of the...
4 (1) A reference to a resolution or other decision of...
5 A reference to laying a document before, or presenting it...
6 Paragraphs 2 to 5 apply to enactments and instruments passed...

Money

7 (1) A reference to— (a) money provided by the Parliament...

Office-holders and Ministers

8 (1) A reference to— (a) the Governor of Northern Ireland;...
9 (1) A reference to— (a) the Prime Minister of Northern...
10 (1) A reference to— (a) a particular Ministry of Northern...
11 (1) A reference to— (a) an unspecified Minister of Northern...

Courts

12 (1) A reference to the Supreme Court of Judicature in...

Equal opportunity bodies

13 (1) A reference to— (a) the Fair Employment Commission for...

SCHEDULE 12A — Effect of application of section 95A(6) or (7)

Directions under section 30A(5): Northern Ireland Ministers and junior Ministers

1 Effect of application of section 95A(6) or (7)
2 Effect of application of section 95A(6) or (7)
3 Effect of application of section 95A(6) or (7)
4 Effect of application of section 95A(6) or (7)

Directions under section 30A(2) or (5): the First Minister and deputy First Minister

5 Effect of application of section 95A(6) or (7)
6 Effect of application of section 95A(6) or (7)
7 Effect of application of section 95A(6) or (7)
8 Effect of application of section 95A(6) or (7)
Directions under section 47B or 51B

9 Effect of application of section 95A(6) or (7)

General

10 Effect of application of section 95A(6) or (7)

SCHEDULE 13 — Minor and consequential amendments

Fair Employment (Northern Ireland) Act 1976 (c.25)

1 ........................................

Sex Discrimination (Northern Ireland) Order 1976 (S.I. 1976/1042 (N.I. 15))

2 (1) The Sex Discrimination (Northern Ireland) Order 1976 shall be...

Interpretation Act 1978 (c.30)

3 In section 24(5) of the Interpretation Act 1978 (meaning of...

Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I.12))

4 In Part II of Schedule 1 to the Statutory Rules...

Mental Health Act 1983 (c.20)

5 (1) The Mental Health Act 1983 shall be amended as...

Insolvency Act 1986 (c.45)

6 In section 427 of the Insolvency Act 1986 (members of...

Audit (Northern Ireland) Order 1987 (S.I. 1987/460 (N.I.5))

7 In Article 6(2) of the Audit (Northern Ireland) Order 1987...

Copyright, Designs and Patents Act 1988 (c.48)

8 (1) The Copyright, Designs and Patents Act 1988 shall be...

Official Secrets Act 1989 (c.6)

9 (1) Section 12 of the Official Secrets Act 1989 (interpretation)... 

Fair Employment (Northern Ireland) Act 1989 (c.32)

10 ........................................

Social Security Administration Act 1992 (c.5)

11 In section 189 of the Social Security Administration Act 1992...

Social Security Administration (Northern Ireland) Act 1992 (c.8)

12 In section 165 of the Social Security Administration (Northern Ireland)...
Environment and Safety Information (Northern Ireland) Order 1993 (S.I. 1993/3159 (N.I.14))

13 In the second column of Schedule 1 to the Environment...

Civil Service (Management Functions) (Northern Ireland) Order 1994 (S.I. 1994/1894 (N.I.9))

14 In Article 3(1) of the Civil Service (Management Functions) (Northern...

Olympic Symbol etc. Protection Act 1995 (c.32)

15 In section 4(16) of the Olympic Symbol etc. Protection Act...

Disability Discrimination Act 1995 (c.50)

16 ................................................

Commissioner for Complaints (Northern Ireland) Order 1996 (S.I. 1996/1297 (N.I.7))

17 .............

Ombudsman (Northern Ireland) Order 1996 (S.I. 1996/1298 (N.I.8))

18 In Article 10(3) of the Ombudsman (Northern Ireland) Order 1996...

Race Relations (Northern Ireland) Order 1997 (S.I. 1997/869 (N.I.6))

19 (1) The Race Relations (Northern Ireland) Order 1997 shall be...

Northern Ireland (Elections) Act 1998 (c.12)

20 In Schedule 1 to the Northern Ireland (Elections) Act 1998...

Data Protection Act 1998 (c.29)

21 (1) In paragraph 4 of Schedule 7 to the Data...

SCHEDULE 14 — Transitional provisions and savings

Human rights

1 In relation to any time before the Human Rights Act...

First Minister and deputy First Minister

2 Any election of the First Minister and the deputy First...

Ministerial offices

3 Any determination of— (a) the number of Ministerial offices to...

Northern Ireland Ministers

4 Any nomination of a person to hold a Ministerial office...

Junior Ministers

5 Any of the following made and approved before the appointed...
Department of First Minister and deputy First Minister

6 Any Northern Ireland department established before the appointed day under...

Prerogative orders

7 Any prerogative order made by the Secretary of State under...

Agency arrangements

8 Any arrangements made under section 11 of the Northern Ireland...

Statutory committees

9 (1) Any committee of the Assembly established before the appointed...

Elections of members

10 Any order made under section 2(5) of the Northern Ireland...

Vacancies

11 Any order made under section 3 of the Northern Ireland...

Disqualification

12 A person elected on 25th June 1998 shall not be...

Presiding Officer and deputy

13 Any person appointed or elected under paragraph 3 of the...

Standing orders

14 Any standing orders made by the Secretary of State under...

Civic Forum

15 Any such arrangements as are mentioned in subsection (1) of...

Comptroller and Auditor General for Northern Ireland

16 Any appointment made by Her Majesty under section 36(1)(d) of...

Social security and child support

17 Any regulations made under any enactment repealed by virtue of...

Certificates by Secretary of State

18 Section 90 shall have effect— (a) in relation to any...

Devolution issues

19 In relation to any time before the first appointment of...

Relations with Republic of Ireland

20 The repeal effected by this Act of section 12 of...
Discrimination in legislation

21 The repeals effected by this Act shall not affect the...

Discrimination by public bodies

22 The repeals effected by this Act shall not affect the...

Members’ Pensions

23 The repeals effected by this Act shall not affect the...

SCHEDULE 15 — Repeals
Changes to legislation:
There are outstanding changes not yet made by the legislation.gov.uk editorial team to Northern Ireland Act 1998. Any changes that have already been made by the team appear in the content and are referenced with annotations.

View outstanding changes

Changes and effects yet to be applied to:

- s. 24 heading words inserted by 2018 c. 16 Sch. 3 para. 55(b)
- s. 24 heading words omitted by 2018 c. 16 Sch. 3 para. 55(a)
- s. 6 applied by Regulation (EC) No. 1907/2006, Annex 17 point 1(2) (as inserted) by S.I. 2019/758 Sch. 3 para. 13
- s. 6 applied by Regulation (EC) No. 1907/2006, Art. 129(9) (as inserted) by S.I. 2019/758 Sch. 1 para. 89(1)
- s. 6 applied by Regulation (EC) No. 1907/2006, Art. 4A(7) (as inserted) by S.I. 2019/758 Sch. 1 para. 5
- s. 6(2)(d) words substituted by 2018 c. 16 Sch. 3 para. 55(b)
- s. 6A excluded by 2020 c. 27 Sch. 1 para. 51(6)(c)
- s. 6A excluded by 2020 c. 27 Sch. 1 para. 54(6)(c)
- s. 7(1) words substituted by 2018 c. 16 Sch. 3 para. 51(2)(a) (This amendment is superseded by the substitution of words by 2020 c. 1, Sch. 5 para. 24(2) on 23.1.2020)
- s. 7(1)(a) omitted by 2018 c. 16 Sch. 3 para. 51(2)(b)
- s. 7(1)(d) word omitted by 2020 c. 27 Sch. 1 para. 54(3)(a)
- s. 7(2) omitted by 2018 c. 16 Sch. 3 para. 51(3)
- s. 12 omitted by 2018 c. 16 Sch. 3 para. 52
- s. 13(5)(b) omitted by 2018 c. 16 Sch. 3 para. 53
- s. 14(3)(b) and word omitted by 2018 c. 16 Sch. 3 para. 54
- s. 16(1) excluded (cond.) by 2006 c. 17 Sch. 2 para. 2(4) (This amendment not applied to legislation.gov.uk. Conditional amendment never in force)
- s. 18(1) excluded (cond.) by 2006 c. 17 Sch. 2 para. 2(4) (This amendment not applied to legislation.gov.uk. Conditional amendment never in force)
- s. 24(1)(b) omitted by 2018 c. 16 Sch. 3 para. 3(a)
- s. 24(1)(b) restricted by 2020 c. 29 Sch. 6 para. 12
- s. 27(1)(a) words substituted by 2018 c. 16 Sch. 3 para. 56(2)
- s. 27(2) words substituted by 2018 c. 16 Sch. 3 para. 56(3)
- s. 27(4) words omitted by 2018 c. 16 Sch. 3 para. 56(4)
- s. 31(1) words substituted (cond.) by 2006 c. 17 Sch. 3 para. 2(2) (This amendment not applied to legislation.gov.uk. Conditional amendment never in force)
- s. 31(1) words substituted (cond.) by 2006 c. 53 Sch. 3 para. 2(2) (This amendment not applied to legislation.gov.uk. It is a conditional amendment that was never brought into force. Sch. 3 repealed (10.5.2007) by Northern Ireland (St Andrews Agreement) Act 2006 (c. 53), s. 2(5) (as amended by 2007 c. 4, s. 1(1)), Sch. 4 para. 3 (with s. 1(3)); S.I. 2007/1397, art. 2)
- s. 31(2) substituted (cond.) by 2006 c. 17 Sch. 2 para. 4(1) (This amendment not applied to legislation.gov.uk. Conditional amendment never in force)
- s. 33(3)(a) substituted by 2020 c. 25 Sch. 12(2)
- s. 39(1) modified (cond.) by 2006 c. 17 Sch. 2 para. 2(6)(7) (This amendment not applied to legislation.gov.uk. Conditional amendment never in force)
- s. 44(1) excluded by 2017 c. 30 Sch. 99(9)(a)
- s. 44(2) excluded by 2017 c. 30 Sch. 99(9)(b)
- s. 44(3) excluded by 2017 c. 30 Sch. 99(9)(b)
- s. 44(4) amendment continued (cond.) by 2006 c. 17 Sch. 2 para. 3(9) (This amendment not applied to legislation.gov.uk. Conditional amendment never in force)
- s. 44(5)(b) excluded by 2017 c. 30 Sch. 99(9)(b)
- s. 47 restricted (cond.) by 2006 c. 17 Sch. 2 para. 3(2) (This amendment not applied to legislation.gov.uk. Conditional amendment never in force)
- s. 65(4) by 2001 c. 6 (N.I.) Sch. 1 para. 6
Northern Ireland Act 1998 (c. 47)

– s. 96(1) words substituted (cond.) by 2006 c. 17 Sch. 3 para. 3(2) (This amendment not applied to legislation.gov.uk. Conditional amendment never in force)
– s. 96(2) words repealed (cond.) by 2006 c. 17 Sch. 2 para. 4(2)(a) (This amendment not applied to legislation.gov.uk. Conditional amendment never in force)
– s. 96(2A)-(2D) repealed (cond.) by 2006 c. 17 Sch. 2 para. 4(2)(b) (This amendment not applied to legislation.gov.uk. Conditional repeal never in force)
– s. 98(1) words omitted by 2018 c. 16 Sch. 3 para. 59(a)
– s. 98(1) words omitted by 2018 c. 16 Sch. 3 para. 59(b)
– Sch. 2 para. 12(1) words omitted by 2018 c. 16 Sch. 3 para. 60(3)
– Sch. 2 para. 3(c) words substituted by 2018 c. 16 Sch. 3 para. 60(2)
– Sch. 3 para. 38 words substituted by 2018 c. 16 Sch. 3 para. 61
– Sch. 3 para. 38 words substituted by 2020 c. 1 Sch. 5 para. 26
– Sch. 10 para. 39(4)-(6) repealed by S.I. 2003/435 (N.I.) Sch. 5
– Sch. 10 para. 1(c) words omitted by 2018 c. 16 Sch. 3 para. 62

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
– Act modified (cond.) by 2006 c. 17 Sch. 2 para. 2(5) (This amendment not applied to legislation.gov.uk. Conditional amendment never in force)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):
– s. 6(2)(ca) inserted by 2020 c. 1 Sch. 3 para. 2
– s. 7(1)(f) and word inserted by 2020 c. 27 s. 54(3)(b)
– s. 24(1)(aa) inserted by 2020 c. 1 Sch. 3 para. 3
– s. 24(4)(b)(ii) word omitted by 2020 c. 29 Sch. 6 para. 2
– s. 24(4)(b)(iv) and word inserted by 2020 c. 29 Sch. 6 para. 2
– s. 27(4A) inserted by 2018 c. 16 Sch. 3 para. 56(5)
– s. 31(2)-(2D) substituted for s. 31(2) (cond.) by 2006 c. 17 Sch. 3 para. 2(1) (This amendment not applied to legislation.gov.uk. Conditional amendment never in force)
– s. 31(2)-(2D) substituted for s. 31(2) (cond.) by 2006 c. 53 Sch. 3 para. 2(1) (This amendment not applied to legislation.gov.uk to legislation.gov.uk. It is a conditional amendment that was never brought into force. Sch. 3 repealed (10.5.2007) by Northern Ireland (St Andrews Agreement) Act 2006 (c. 53), s. 2(5) (as amended by 2007 c. 4, s. 1(1), Sch. 4 para. 3 (with s. 1(3)); S.I. 2007/1397, art. 2)
– s. 31(2E) inserted (cond.) by 2006 c. 17 Sch. 3 para. 3(1) (This amendment not applied to legislation.gov.uk. Conditional amendment never in force)
– s. 33(4) inserted by 2020 c. 25 s. 12(3)
– s. 69(10A) inserted by 2020 c. 1 Sch. 3 para. 4
– s. 74(7) inserted by 2020 c. 1 Sch. 3 para. 6
– s. 78A-78E and cross-heading inserted by 2020 c. 1 Sch. 3 para. 7
– Sch. 2 para. 9B inserted by 2009 c. 8 s. 27 (This amendment not applied to legislation.gov.uk. The amending provision was repealed (16.2.2011) without ever being in force by 2010 c. 36, ss. 2(1), 4(2))
– Sch. 2 para. 16A inserted by 2020 c. 27 s. 52(2)
– Sch. 3 para. 42(ba) inserted by 2020 c. 1 Sch. 3 para. 8