

ELIZABETH II

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Disqualifications Act 2000

2000 CHAPTER 42

An Act to remove the disqualification for membership of the House of Commons and the Northern Ireland Assembly of persons who are members of the legislature of Ireland (the Oireachtas); to disqualify for certain offices which may be held by members of the Northern Ireland Assembly persons who are or become Ministers of the Government of Ireland or chairmen or deputy chairmen of committees of the Dáil Éireann or the Seanad Éireann or of joint committees of the Oireachtas; and to make provision with respect to who may be chairman or deputy chairman of a statutory committee of the Assembly or a member of the Northern Ireland Assembly Commission.

[30th November 2000]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Section 1(1)(e) of the House of Commons Disqualification Act 1975 and section 1(1)(e) of the Northern Ireland Assembly Disqualification Act 1975 (disqualification of member of the legislature of any country or territory outside the Commonwealth) are amended as follows.

Amendment of section 1(1)(e) of the Disqualification Acts.

1975 c. 24.

1975 c. 25.

(2) After “Commonwealth” insert “(other than Ireland)”.

2. In the Northern Ireland Act 1998, after section 19, insert—

Disqualification for certain offices which may be held by members of the Northern Ireland Assembly.

1998 c. 47.

“Disqualification for certain offices which may be held by members of the Assembly.

19A.—(1) No person may—

- (a) stand for election as First Minister or as deputy First Minister, or be elected as such,
- (b) be nominated to hold a Ministerial office,
- (c) be appointed as a junior Minister, or

- (d) be nominated under paragraph 7 of Schedule 1 to the Police (Northern Ireland) Act 2000 (members of the Northern Ireland Policing Board drawn from the Northern Ireland Assembly),

if he is the holder of a disqualifying office.

(2) A Minister or junior Minister ceases to hold that office on becoming the holder of a disqualifying office.

(3) A person holding office as a member of the Northern Ireland Policing Board in accordance with paragraph 7 of Schedule 1 to the Police (Northern Ireland) Act 2000 ceases to hold that office on becoming the holder of a disqualifying office.

(4) In this section “disqualifying office” means—

- (a) Minister of the Government of Ireland; or
- (b) chairman or deputy chairman of—
- (i) a committee of the Dáil Éireann (House of Representatives of Ireland);
 - (ii) a committee of the Seanad Éireann (Senate of Ireland); or
 - (iii) a joint committee of the Oireachtas (National Parliament of Ireland).”

Disqualification
for certain
Assembly offices.
1998 c. 47.

3.—(1) In section 29 of the Northern Ireland Act 1998 (statutory committees), after subsection (5) insert—

“(5A) A member of the Assembly who is—

- (a) a Minister of the Government of Ireland, or
- (b) chairman or deputy chairman of—
- (i) a committee of the Dáil Éireann (House of Representatives of Ireland),
 - (ii) a committee of the Seanad Éireann (Senate of Ireland), or
 - (iii) a joint committee of the Oireachtas (National Parliament of Ireland),

may not be the chairman or deputy chairman of a statutory committee.”

(2) In section 40 of the Northern Ireland Act 1998 (which makes provision as to the Northern Ireland Assembly Commission), after subsection (3) insert—

“(3A) A member of the Assembly who is—

- (a) a Minister of the Government of Ireland, or
- (b) chairman or deputy chairman of—
- (i) a committee of the Dáil Éireann (House of Representatives of Ireland),
 - (ii) a committee of the Seanad Éireann (Senate of Ireland), or

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(iii) a joint committee of the Oireachtas (National Parliament of Ireland),
may not be appointed as a member of the Commission.”

4. Section 36(5) of the Northern Ireland Act 1998 (which has the effect of allowing a member of Seanad Éireann to be a member of the Northern Ireland Assembly) is repealed. Consequential repeal.
1998 c. 47.

5. This Act may be cited as the Disqualifications Act 2000. Short title.

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