

2003 No. 2752

NORTHERN IRELAND

**The Northern Ireland Assembly (Elections and Periods of
Suspension) Act 2003 (Consequential Modifications No. 2)
Order 2003**

Approved by both Houses of Parliament

<i>Made - - - - -</i>	<i>28th October 2003</i>
<i>Laid before Parliament</i>	<i>29th October 2003</i>
<i>Coming into force - -</i>	<i>30th October 2003</i>

Whereas the Secretary of State considers it expedient to make the modification of the enactment set out below in connection with provision made by section 1 of the Northern Ireland Assembly (Elections and Periods of Suspension) Act 2003(a);

And whereas the Secretary of State considers it expedient for this Order to be made without a draft having been approved by resolution of each House of Parliament;

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 6 of the Northern Ireland Assembly (Elections and Periods of Suspension) Act 2003, hereby makes the following Order:

1. This Order may be cited as the Northern Ireland Assembly (Elections and Periods of Suspension) Act 2003 (Consequential Modifications No. 2) Order 2003 and shall come into force on 30th October 2003.

2.—(1) In relation to the election of the Assembly the poll for which is to take place on 26th November 2003(b), Schedule 1 to the Northern Ireland Assembly (Elections) Order 2001(c) (application with modifications of statutory provisions relating to elections) shall be amended as follows.

(2) For the entry in the right-hand column in respect of section 118A (meaning of candidate) of the Representation of the People Act 1983(d) substitute—

“For subsection (2)(a) substitute “(a) on 30th October 2003 if on or before that date he is declared by himself or by others to be a candidate at the election,””.

Northern Ireland Office
28th October 2003

Paul Murphy
One of Her Majesty’s Principal Secretaries of State

(a) 2003 c. 12.
(b) 26th November 2003 is the date specified by order of the Secretary of State (S.I. 2003/2697) as the date of the poll for the next election of the Northern Ireland Assembly.
(c) S.I. 2001/2599.
(d) 1983 c. 2; section 118A was inserted by section 135(2) of the Political Parties, Elections and Referendums Act 2000 (c. 41).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order modifies section 118A(2) of the Representation of the People Act 1983, as it is applied to Northern Ireland Assembly elections by the Northern Ireland Assembly (Elections) Order 2001 (S.I. 2001/2599) in connection with provision made by section 1 of the Northern Ireland Assembly (Elections and Periods of Suspension) Act 2003. Section 1 of the 2003 Act postponed the date of the poll for the next Assembly election from 29th May 2003 to a date to be specified in an order made by the Secretary of State. Article 2 of this Order substitutes a new section 118A(2)(a) in the 1983 Act in relation only to the poll to be held on 26th November 2003. The effect of the modification is that a person becomes a candidate for the 26th November poll on 30th October if on or before that date he declares himself or has been declared a candidate at the election. By virtue of section 118A(2)(b) of the 1983 Act, if there has been no such declaration by that date, he becomes a candidate on the date when he so declares himself or is declared by others or is nominated as a candidate, whichever is the earlier.

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