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STATUTORY INSTRUMENTS

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**2009 No. 225**

**The Postponement of Local Elections  
(Northern Ireland) Order 2009**

**Transitional provisions: members of district councils in Northern Ireland**

**3.—**(1) The term of office of an existing member of a district council shall continue until the fourth day after the election day in 2011.

(2) A casual vacancy in a district council occurring on or after 1st January 2009 but before the coming into force of this Order—

- (a) is to be filled in accordance with section 11(4A) of the 1962 Act; and
- (b) is to be treated for the purposes of section 11(5) of that Act as having occurred on the day on which this Order comes into force.

(3) The term of office of a person elected or chosen after the coming into force of this Order but before 1st January 2011 to fill a casual vacancy in a district council expires on the fourth day after the election day in 2011 (and it is immaterial for this purpose when the vacancy arose).

(4) In relation to an existing member of a district council or a person mentioned in paragraph (3), the period mentioned in section 28(7) of the 1962 Act<sup>(1)</sup> (deemed continuation in force for qualification purposes of register in force when a person became a member of a district council) expires on the election day in 2011.

(5) In this article—

- (a) “casual vacancy” and “election day” have the same meaning as in section 11 of the 1962 Act; and
- (b) “existing member”, in relation to a district council, means a person who is a member of that council at the coming into force of this Order.

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<sup>(1)</sup> Subsections (1) to (6) of section 28 were repealed by the Elected Authorities (Northern Ireland) Act 1989 (c. 3) and subsection (7) was amended by the Electoral Law Act (Northern Ireland) 1971 (c. 4) and the Electoral Law (Northern Ireland) Order 1972 (S.I. 1972/1264) (N.I. 13).