



# Northern Ireland Act 1998

## 1998 CHAPTER 47

### PART IV

#### THE NORTHERN IRELAND ASSEMBLY

##### *Presiding Officer and Commission*

#### **40 Commission.**

- (1) There shall be a body corporate, to be known as the Northern Ireland Assembly Commission (“the Commission”), to perform—
  - (a) the functions conferred on the Commission by virtue of any enactment; and
  - (b) any functions conferred on the Commission by resolution of the Assembly.
- (2) The members of the Commission shall be—
  - (a) the Presiding Officer; and
  - (b) the prescribed number of members of the Assembly appointed in accordance with standing orders.
- (3) In subsection (2) “the prescribed number” means 5 or such other number as may be prescribed by standing orders.

[<sup>F1</sup>(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
  - (iii) a joint committee of the Oireachtas (National Parliament of Ireland),may not be appointed as a member of the Commission.]

- (4) The Commission shall provide the Assembly, or ensure that the Assembly is provided, with the property, staff and services required for the Assembly’s purposes.

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*Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 40. (See end of Document for details)*

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- (5) The Assembly may give special or general directions to the Commission for the purpose of or in connection with the exercise of the Commission's functions.
- (6) Proceedings by or against the Assembly (other than proceedings on the Crown side of the Queen's Bench Division) shall be instituted by or against the Commission on behalf of the Assembly.
- (7) Any property or liabilities acquired or incurred in relation to matters within the general responsibility of the Commission to which (apart from this subsection) the Assembly would be entitled or subject shall be treated for all purposes as property or liabilities of the Commission.
- (8) Any expenses of the Commission shall be defrayed out of money appropriated by Act of the Assembly.
- (9) Any sums received by the Commission shall be paid into the Consolidated Fund of Northern Ireland, subject to any provision made by Act of the Assembly for the disposal of or accounting for such sums.
- (10) Schedule 5 (which makes further provision about the Commission) shall have effect.

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#### **Textual Amendments**

**F1** S. 40(3A) inserted (30.11.2000) by [2000 c. 42, s. 3\(2\)](#)

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#### **Commencement Information**

**II** S. 40 wholly in force at 2.12.1999; s. 40 not in force at Royal Assent see s. 101(3); s. 40(10) in force for specified purposes at 28.10.1999 by [S.I. 1999/2936, art. 2](#); s. 40(1)-(9) in force and s. 40(10) in force at 2.12.1999 insofar as not already in force by [S.I. 1999/3209, art. 2, Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 40.