

## SCHEDULES

### SCHEDULE 1

#### TEMPORARY PROVISION FOR GOVERNMENT OF NORTHERN IRELAND

##### *Legislative functions*

- 1 (1) During the interim period—
  - (a) no Measure shall be passed by the Assembly; and
  - (b) Her Majesty may by Order in Council make laws for Northern Ireland and, in particular, provision for any matter for which the Constitution Act authorises or requires provision to be made by Measure.
- (2) No recommendation shall be made to Her Majesty to make any Order in Council under this paragraph containing a provision in relation to which the Secretary of State would be precluded by section 5(1) of the Constitution Act from giving his consent if it were contained in a proposed Measure.
- (3) The power to make an Order in Council under this paragraph includes power to vary or revoke a previous Order made thereunder.
- (4) No recommendation shall be made to Her Majesty to make an Order in Council under this paragraph unless either—
  - (a) a draft of the Order has been approved by resolution of each House of Parliament; or
  - (b) the Order declares that it has been made to appear to Her Majesty that by reason of urgency the Order requires to be made without a draft having been so approved.
- (5) Any Order in Council under this paragraph, other than an Order of which a draft has been approved by resolution of each House of Parliament, shall be laid before Parliament after being made and, if at the end of the period of forty days after the date on which it is made the Order has not been, approved by resolution of each House, shall then cease to have effect (but without prejudice to anything previously done under the Order or to the making of a new Order).
- (6) In reckoning the period mentioned in sub-paragraph (5) above no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.
- (7) References to Measures in any enactment or instrument (whether passed or made before or after the passing of this Act) shall, so far as the context permits, be deemed to include references to Orders in Council under this paragraph.
- (8) Orders in Council under this paragraph may be omitted from any annual edition of statutory instruments required to be prepared under regulations made by virtue of section 8 of the Statutory Instruments Act 1946.