

SCHEDULES

SCHEDULE 14

Section 100(1).

TRANSITIONAL PROVISIONS AND SAVINGS

Human rights

- 1 In relation to any time before the Human Rights Act 1998 is fully in force, sections 6(2)(c), 24(1) and 71 and Schedule 10 shall have effect as if that Act were so in force.

First Minister and deputy First Minister

- 2 Any election of the First Minister and the deputy First Minister held before the appointed day shall on and after that day have effect as if it had been held under section 16.

Ministerial offices

- 3 Any determination of—
- (a) the number of Ministerial offices to be held by Northern Ireland Ministers; and
 - (b) the functions to be exercisable by the holder of each such office,
- made and approved before the appointed day shall on and after that day have effect as if it had been made and approved under section 17.

Northern Ireland Ministers

- 4 Any nomination of a person to hold a Ministerial office made before the appointed day shall on and after that day have effect as if it had been made under section 18.

Junior Ministers

- 5 Any of the following made and approved before the appointed day—
- (a) a determination of the number of junior Ministers to be appointed;
 - (b) a determination of the functions to be exercised by the holder of each junior Ministerial office; and
 - (c) an appointment of a junior Minister,
- shall have effect on and after that day as if it had been made and approved under section 19.

Department of First Minister and deputy First Minister

- 6 Any Northern Ireland department established before the appointed day under the charge of the First Minister and deputy First Minister acting jointly shall be treated

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on and after that day as if it had been established by an Act of the Assembly under section 21.

Prerogative orders

- 7 Any prerogative order made by the Secretary of State under the Letters Patent of Her Majesty dated 20th December 1973 before the appointed day shall on and after that day have effect as if it had been validly made under section 23(3) by the First Minister and the deputy First Minister acting jointly.

Agency arrangements

- 8 Any arrangements made under section 11 of the Northern Ireland Constitution Act 1973 before the appointed day shall on and after that day have effect as if they had been made under section 28.

Statutory committees

- 9 (1) Any committee of the Assembly established before the appointed day to advise and assist a Northern Ireland Minister in the formulation of policy with respect to his responsibilities as a Minister shall be treated on and after that day as if it had been established by standing orders under section 29.
- (2) Any appointment of a member, or the chairman or deputy chairman, of such a committee made before the appointed day shall have effect on and after that day as if it had been made under section 29.

Elections of members

- 10 Any order made under section 2(5) of the Northern Ireland (Elections) Act 1998 before the appointed day shall on and after that day have effect, with any necessary modifications, as if it had been made under section 34(4).

Vacancies

- 11 Any order made under section 3 of the Northern Ireland (Elections) Act 1998 before the appointed day shall on and after that day have effect, with any necessary modifications, as if it had been made under section 35.

Disqualification

- 12 A person elected on 25th June 1998 shall not be disqualified from membership of the Assembly by virtue of section 36 if he was not disqualified from such membership under section 4 of the Northern Ireland (Elections) Act 1998.

Presiding Officer and deputy

- 13 Any person appointed or elected under paragraph 3 of the Schedule to the Northern Ireland (Elections) Act 1998 who holds office immediately before the appointed day shall on and after that day hold office as Presiding Officer or, as the case may be, deputy Presiding Officer as if he had been elected by the Assembly under section 39.

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Standing orders

- 14 Any standing orders made by the Secretary of State under paragraph 10 to the Schedule to the Northern Ireland (Elections) Act 1998 before the appointed day shall on and after that day have effect as if they had been made by the Assembly under section 41.

Civic Forum

- 15 Any such arrangements as are mentioned in subsection (1) of section 56 which are made and approved before the commencement of that section shall have effect, after that commencement, as if they had been made and approved under that section.

Comptroller and Auditor General for Northern Ireland

- 16 Any appointment made by Her Majesty under section 36(1)(d) of the Northern Ireland Constitution Act 1973 before the appointed day shall on and after that day have effect as if it had been an appointment made by Her Majesty on the nomination of the Assembly under section 65.

Social security and child support

- 17 Any regulations made under any enactment repealed by virtue of section 87 shall have effect, with any necessary modifications as if they had been made under subsection (4) or, as the case may require, subsection (5) of that section.

Certificates by Secretary of State

- 18 Section 90 shall have effect—
- (a) in relation to any act done before the appointed day, as if the reference to section 24 were a reference to section 19 of the Northern Ireland Constitution Act 1973 so far as relating to a member of the Northern Ireland Executive or other person appointed under section 8 of that Act or a Northern Ireland department;
 - (b) in relation to any act done before the commencement of section 76, as if the reference to that section were a reference to section 19 of that Act so far as relating otherwise than as mentioned in sub-paragraph (a); and
 - (c) in relation to any such act as is mentioned in sub-paragraph (a) or (b), as if—
 - (i) the reference in subsection (1)(b) to a certificate were a reference to a certificate purporting to be signed by or on behalf of the Secretary of State and certifying that an act specified in the certificate was done for the purpose of safeguarding national security; and
 - (ii) subsection (3)(b) were omitted.

Devolution issues

- 19 In relation to any time before the first appointment of the Advocate General for Scotland, paragraphs 22, 23, 33 and 34 of Schedule 10 shall have effect as if references to him were references to the Lord Advocate.

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Relations with Republic of Ireland

- 20 The repeal effected by this Act of section 12 of the Northern Ireland Constitution Act 1973 shall not affect the operation of any agreement or arrangement made under that section.

Discrimination in legislation

- 21 The repeals effected by this Act shall not affect the operation of sections 17 and 18 of the Northern Ireland Constitution Act 1973 (read with section 23 of that Act) in relation to—
- (a) Acts of the Parliament of Northern Ireland;
 - (b) Measures of the Northern Ireland Assembly established under section 1 of the Northern Ireland Assembly Act 1973;
 - (c) Orders in Council under Schedule 1 to the Northern Ireland Act 1974; and
 - (d) relevant subordinate instruments (within the meaning of section 17 of the Northern Ireland Constitution Act 1973) made before the appointed day.

Discrimination by public bodies

- 22 The repeals effected by this Act shall not affect the operation of section 19 of the Northern Ireland Constitution Act 1973 (read with section 23 of that Act)—
- (a) so far as section 19 relates to a member of the Northern Ireland Executive or other person appointed under section 8 of that Act or a Northern Ireland department, in relation to any act done before the appointed day;
 - (b) so far as section 19 relates otherwise than as mentioned in subparagraph (a), in relation to any act done before the commencement of section 76.

Members' Pensions

- 23 The repeals effected by this Act shall not affect the operation of the Ministerial Offices Act Northern Ireland) 1952, the Ministerial Salaries and Members' Pensions Act Northern Ireland) 1965 or the Members' Pensions (Northern Ireland) Order 1976 in relation to service completed before the appointed day.