



# Northern Ireland Act 1998

## 1998 CHAPTER 47

### PART III

#### EXECUTIVE AUTHORITIES

##### *Functions*

#### **23 Prerogative and executive powers.**

- (1) The executive power in Northern Ireland shall continue to be vested in Her Majesty.
- (2) As respects transferred matters, the prerogative and other executive powers of Her Majesty in relation to Northern Ireland shall, subject to [<sup>F1</sup>subsections (2A) and (3)] , be exercisable on Her Majesty's behalf by any Minister or Northern Ireland department.

[<sup>F2</sup>(2A) So far as the Royal prerogative of mercy is exercisable on Her Majesty's behalf under subsection (2), it is exercisable only by the Minister in charge of the Department of Justice.]

- (3) As respects the Northern Ireland Civil Service and the Commissioner for Public Appointments for Northern Ireland, the prerogative and other executive powers of Her Majesty in relation to Northern Ireland shall be exercisable on Her Majesty's behalf by the First Minister and the deputy First Minister acting jointly.
- (4) The First Minister and deputy First Minister acting jointly may by prerogative order under subsection (3) direct that such of the powers mentioned in that subsection as are specified in the order shall be exercisable on Her Majesty's behalf by a Northern Ireland Minister or Northern Ireland department so specified.

#### **Textual Amendments**

- F1** Words in s. 23(2) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), **24(2)** (with arts. 25, 28-31)

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*Status: Point in time view as at 22/03/2021.*

*Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 23. (See end of Document for details)*

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**F2** S. 23(2A) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), **24(3)** (with arts. 25, 28-31)

**Modifications etc. (not altering text)**

**C1** S. 23(3) modified (22.3.2021) by [Functioning of Government \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2021 \(c. 3\)](#), **ss. 3(3)**, 14(2)

**Status:**

Point in time view as at 22/03/2021.

**Changes to legislation:**

There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 23.