



Northern Ireland (St Andrews Agreement) Act 2006

2006 CHAPTER 53

PART 2

AMENDMENTS OF THE NORTHERN IRELAND ACT 1998 ETC

Miscellaneous

13 Community designation

In section 4 of the 1998 Act (transferred, excepted and reserved matters), after subsection (5) insert—

“(5A) Standing orders of the Assembly shall provide that a member of the Assembly designated in accordance with the standing orders as a Nationalist, as a Unionist or as Other may change his designation only if—

- (a) (being a member of a political party) he becomes a member of a different political party or he ceases to be a member of any political party;
- (b) (not being a member of any political party) he becomes a member of a political party.”

Commencement Information

- II** [Part 2](#) (ss. 5-19) in force on 26.3.2007 if (and only if) the Secretary of State makes a restoration order by virtue of s. 2(2), see [s. 27\(4\)\(5\)](#)

14 Power of Executive Committee to call for witnesses and documents

After section 28B of the 1998 Act insert—

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (St Andrews Agreement) Act 2006, Cross Heading: Miscellaneous. (See end of Document for details)

“Executive Committee: further provisions

28C Power of Executive Committee to call for witnesses and documents

Section 44 applies to the Executive Committee as it applies to the Assembly, but as if—

- (a) in subsection (1), for “any person” there were substituted “ a senior officer of a Northern Ireland department (within the meaning given by Article 2(3) of the Departments (Northern Ireland) Order 1999) ”;
- (b) at the end of that subsection there were inserted “ but only in so far as they are matters in relation to which the Executive Committee's functions under section 20(3) or (4) are exercisable ”;
- (c) subsection (6) were omitted; and
- (d) in subsection (7), for “The Presiding Officer” there were substituted “ The First Minister and the deputy First Minister acting jointly ”.

Commencement Information

- I2** [Part 2](#) (ss. 5-19) in force on 26.3.2007 if (and only if) the Secretary of State makes a restoration order by virtue of s. 2(2), see [s. 27\(4\)\(5\)](#)

15 Strategies relating to Irish language and Ulster Scots language etc

After section 28C of the 1998 Act insert—

“28D Strategies relating to Irish language and Ulster Scots language etc

- (1) The Executive Committee shall adopt a strategy setting out how it proposes to enhance and protect the development of the Irish language.
- (2) The Executive Committee shall adopt a strategy setting out how it proposes to enhance and develop the Ulster Scots language, heritage and culture.
- (3) The Executive Committee—
 - (a) must keep under review each of the strategies; and
 - (b) may from time to time adopt a new strategy or revise a strategy.”

Commencement Information

- I3** [Part 2](#) (ss. 5-19) in force on 26.3.2007 if (and only if) the Secretary of State makes a restoration order by virtue of s. 2(2), see [s. 27\(4\)\(5\)](#)

16 Strategy relating to poverty, social exclusion etc

After section 28D of the 1998 Act insert—

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“28E Strategy relating to poverty, social exclusion etc

- (1) The Executive Committee shall adopt a strategy setting out how it proposes to tackle poverty, social exclusion and patterns of deprivation based on objective need.
- (2) The Executive Committee—
 - (a) must keep under review the strategy; and
 - (b) may from time to time adopt a new strategy or revise the strategy.”

Commencement Information

- I4** Part 2 (ss. 5-19) in force on 26.3.2007 if (and only if) the Secretary of State makes a restoration order by virtue of s. 2(2), see s. 27(4)(5)

17 Vacancy in the Assembly

In Schedule 6 to the 1998 Act (which makes certain provision about standing orders), after paragraph 4 insert—

“Votes in vacancy

- 5 The standing orders may include provision enabling a right to vote in the Assembly which could have been exercised but for a vacancy in the membership of the Assembly to be exercisable in such manner as is so provided.”

Commencement Information

- I5** Part 2 (ss. 5-19) in force on 26.3.2007 if (and only if) the Secretary of State makes a restoration order by virtue of s. 2(2), see s. 27(4)(5)

18 Report on progress towards devolution of policing and justice matters

- (1) The Northern Ireland Assembly must make a report to the Secretary of State before 27 March 2008—
 - (a) as to the preparations that the Assembly has made, and intends to make, having regard to paragraph 7 of the St Andrews Agreement, for or in connection with policing and justice matters ceasing to be reserved matters;
 - (b) as to which matters are likely to be the subject of any request under section 4(2A) of the 1998 Act that policing and justice matters should cease to be reserved matters;
 - (c) containing an assessment of whether the Assembly is likely to make such a request before 1 May 2008.
- (2) The Secretary of State must lay a copy of the report before each House of Parliament.
- (3) Paragraph 7 of the St Andrews Agreement says: “ Discussions on the devolution of policing and justice have progressed well in the Preparation for Government Committee. The Governments have requested the parties to continue these discussions

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so as to agree the necessary administrative arrangements to create a new policing and justice department. It is our view that implementation of the agreement published today should be sufficient to build the community confidence necessary for the Assembly to request the devolution of criminal justice and policing from the British Government by May 2008. ”

- (4) In this section “policing and justice matter” has the meaning given by section 4(6) of the 1998 Act (as inserted by section 16(5) of the Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33)) and “reserved matter” has the meaning given by section 4(1) of the 1998 Act.
- (5) In section 16(3) of the Northern Ireland (Miscellaneous Provisions) Act 2006, in the inserted section 4(2A) of the 1998 Act, for “devolved policing and justice matter” substitute “policing and justice matter”.
- (6) In section 16(5) of the Northern Ireland (Miscellaneous Provisions) Act 2006, in the inserted section 4(6) of the 1998 Act, for “ “devolved policing and justice matter”” substitute “policing and justice matter” .
- (7) In section 17(1) of the Northern Ireland (Miscellaneous Provisions) Act 2006, in the inserted section 21A(8)(b) of the 1998 Act, for “devolved policing and justice matter” substitute “policing and justice matter”.
- (8) The subject-matter of subsections (1) and (2) is to be treated as a reserved matter for the purposes of the 1998 Act.

Commencement Information

- 16** [Part 2](#) (ss. 5-19) in force on 26.3.2007 if (and only if) the Secretary of State makes a restoration order by virtue of s. 2(2), see [s. 27\(4\)\(5\)](#)

19 Minor and consequential amendments

Schedule 7 (minor and consequential amendments relating to Part 2) has effect.

Commencement Information

- 17** [Part 2](#) (ss. 5-19) in force on 26.3.2007 if (and only if) the Secretary of State makes a restoration order by virtue of s. 2(2), see [s. 27\(4\)\(5\)](#)

Changes to legislation:

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