
STATUTORY INSTRUMENTS

2004 No. 1164

**The Northern Ireland Act 1998 and Northern
Ireland Act 2000 (Modification) Order 2004**

Modification of section 47B of the 1998 Act (Secretary of State's powers in relation to reduction of remuneration)

2.—(1) While section 1 of the 2000 Act is in force, section 47B(1) of the 1998 Act applies with the modifications set out in this Article.

(2) For section 47B(1) there is substituted—

“(1) This section applies if—

- (a) the Monitoring Commission has, or members of the Commission have under the agreement establishing it, made a report containing a recommendation about steps which are steps the Assembly might consider taking were section 1 of the Northern Ireland Act 2000 (c. 1) not in force; and
- (b) the taking of those steps by the Assembly would require the passing by it of a resolution under section 47A(2), (3) or (4) in relation to a political party.”.

(3) Section 47B(2), 47B(3) and 47B(4) are omitted.

(4) For section 47B(5) there is substituted—

“(5) Where this section applies in circumstances in which the taking of the steps concerned by the Assembly would have required the passing by it of a resolution under section 47A(2), the Secretary of State may, in relation to the salaries payable under section 47 to members of the Assembly who are members of the political party concerned, by direction provide that the whole or a specified part of the salaries payable for a specified period shall not be payable (subject to subsection (7)).”.

(5) For section 47B(6) there is substituted—

“(6) Where this section applies in circumstances in which the taking of the steps concerned by the Assembly would have required—

- (a) the passing by it of a resolution under section 47A(3) to extend a period by reference to which a reduction under section 47A(2) falls to be made, or
- (b) the passing by it of a resolution under section 47A(4) to extend a period by reference to which provision for non-payability under subsection (5) applies,

the Secretary of State may, before the end of that period, by direction extend that period (subject to subsection (7)).”.

(6) In section 47B(7)(b), omit the words “are or”.

(7) In section 47B(8), omit the words “(2) or”.

(8) In section 47B(10)—

- (a) in paragraph (a), omit the words “(2) or”; and

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(b) in paragraph (b), for “47A(1) or (2)” substitute “47A(2)”.