
STATUTORY INSTRUMENTS

2004 No. 1164

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

Modification of section 51B of the 1998 Act (Secretary of State's powers in relation to reduction of financial assistance)

3.—(1) While section 1 of the 2000 Act is in force, section 51B(1) of the 1998 Act applies with the modifications set out in this Article.

(2) For section 51B(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 have required the passing by it of a resolution under section 51A(1), (2) or (3) in relation to a political party.”.

(3) For section 51B(2) there is substituted—

“(2) 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 51A(1), the Secretary of State may by direction provide that the whole or a specified part of any financial assistance payable for a specified period under the Financial Assistance for Political Parties Act (Northern Ireland) 2000 (c. 1 (N.I.)) to the political party concerned shall not be payable (subject to subsection (5)).”.

(4) For section 51B(3) there is substituted—

“(3) 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 51A(2) to extend the period by reference to which a reduction under section 51A(1) falls to be made, the Secretary of State may, before the end of the period, by direction extend that period (subject to subsection (5)).”.

(5) For section 51B(4) there is substituted—

“(4) 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 51A(3) to extend the period by reference to which provision for non-payability under subsection (2) applies, the Secretary of State may, before the end of the period, by direction extend that period (subject to subsection (5)).”.

(6) In section 51B(5)(b), omit the words “are or”.