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STATUTORY INSTRUMENTS

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**2011 No. 978**

**The Northern Ireland (Monitoring Commission  
etc.) Act 2003 (Cessation of Provisions) Order 2011**

**Consequential and transitional provision**

5. The following amendments are made to the 1998 Act—
- (a) in section 16C (sections 16A and 16B appointment of Ministers: supplementary)(1)—
    - (i) omit subsection (8);
    - (ii) in subsection (9) in paragraph (a) omit “or a direction of the Secretary of State under section 30A(5)”;
    - (iii) in subsection (9) in paragraph (b) omit “or 30A(5)”;
    - (iv) in subsection (9), in the words following paragraph (b), omit “(unless any period of exclusion of the party under the other provision has not come to an end)”;
    - (v) omit subsection (10);
    - (vi) in subsection (12) omit “under any provision” and “under that provision”;
  - (b) in section 18 (which provides for the filling of Ministerial offices)(2)—
    - (i) in subsection (1) omit paragraph (d);
    - (ii) in subsection (1) in paragraph (da) omit “or 30A(5)”(3);
    - (iii) omit subsections (12A) and (12B);
    - (iv) in subsection (14) omit “under any provision” and “under that provision”;
  - (c) in section 30 (exclusion of Ministers from office by resolution of the Assembly)(4)—
    - (i) in subsection (1A) omit “or section 30A(2)”;
    - (ii) in subsection (3) omit “or section 30A(5)”;
    - (iii) in subsection (7)—
      - (aa) in the opening words after “account” insert “each of the following”;
      - (bb) omit “and” at the end of paragraph (d);
      - (cc) omit paragraph (e);
  - (d) in section 30B (Secretary of State’s powers of exclusion in exceptional circumstances)(5)—
    - (i) in subsection (1) omit “Notwithstanding the provisions of section 30A,”;
    - (ii) in subsection (2) omit paragraph (a) (including the word “or” at the end of it);
    - (iii) in subsection (3) omit paragraph (a) (including the word “and” at the end of it);

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(1) Section 16C of the 1998 Act was inserted by section 8(1) of the Northern Ireland (St Andrews Agreement) Act 2006 (c. 53).  
(2) Section 18 of the 1998 Act has been amended by various enactments. Relevant amendments were made by sections 5(2) to (4) and 10(2) of the 2003 Act.  
(3) Section 30A of the 1998 Act was inserted by section 5(1) of the 2003 Act.  
(4) Section 30 of the 1998 Act has been amended by sections 4 and 5(6) of the 2003 Act.  
(5) Section 30B of the 1998 Act was inserted by section 6 of the 2003 Act.

- (e) in section 47A (resolutions about reduction of remuneration)(**6**)—
  - (i) omit subsection (4);
  - (ii) in subsection (10) omit paragraph (b) (and the word “or” preceding it);
- (f) in section 47C (sections 47A and 47B: specified periods and extensions)(**7**)—
  - (i) in subsection (1) omit “or 47B(2) or (5)”;
  - (ii) in subsection (2) omit “or (4) or 47B(3) or (6)” and (in both places) the words “or direction”;
  - (iii) in the title for ‘Sections 47A and 47B’ substitute “Section 47A”;
- (g) in section 48 (pensions of members) in subsection (2A)(**8**) for “either or both of sections 47A and 47B” substitute “section 47A”;
- (h) in section 51A (resolutions about reduction of financial assistance)(**9**)—
  - (i) omit subsection (3);
  - (ii) in subsection (9) omit paragraph (b) (and the word “or” preceding it);
- (i) in section 51C (sections 51A and 51B: specified periods and extensions)(**10**)—
  - (i) in subsection (1) omit “or 51B(2)”;
  - (ii) in subsection (2) omit “or (3) or 51B(3) or (4)” and (in both places) the words “or direction”;
  - (iii) in the title for “Sections 51A and 51B” substitute “Section 51A”;
- (j) section 95A (directions under sections 30A, 47B and 51B)(**11**) and Schedule 12A (effect of application of section 95A(6) or (7))(**12**) are repealed;
- (k) in Schedule 4A (department with policing and justice functions)(**13**)—
  - (i) in paragraph 3(**14**)—
    - (aa) omit sub-paragraph (12);
    - (bb) in sub-paragraph (13) omit “under any provision” and “under that provision”;
  - (ii) in paragraph 3D(**15**)—
    - (aa) in sub-paragraph (2) omit paragraph (c);
    - (bb) in sub-paragraph (2) in paragraph (d) omit “or 30A(5)” and “(otherwise than by virtue of section 95A(6) or (7))”;
    - (cc) omit sub-paragraph (16);
    - (dd) in sub-paragraph (17) omit “under any provision” and “under that provision”;

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(6) Section 47A of the 1998 Act was inserted by section 7(1) of the 2003 Act.

(7) Section 47C of the 1998 Act was inserted by section 7(1) of the 2003 Act.

(8) Section 48(2A) of the 1998 Act was inserted by section 7(2) of the 2003 Act.

(9) Section 51A of the 1998 Act was inserted by section 8 of the 2003 Act.

(10) Section 51C of the 1998 Act was inserted by section 8 of the 2003 Act.

(11) Section 95A of the 1998 Act was inserted by section 10(1) of the 2003 Act.

(12) Schedule 12A to the 1998 Act was inserted by section 10(3) of the 2003 Act.

(13) Schedule 4A to the 1998 Act was inserted by section 17(2) of, and Schedule 2 to, the Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33).

(14) Paragraph 3 of Schedule 4A to the 1998 Act was inserted by section 17(2) of, and Schedule 2 to, the Northern Ireland (Miscellaneous Provisions) Act 2006. It has been amended by various enactments but none of those amendments is relevant to this Order.

(15) Paragraph 3D of Schedule 4A to the 1998 Act was inserted by section 1 of, and paragraph 4 of Schedule 1 to, the Northern Ireland Act 2009 (c. 3).

- (iii) in paragraph 7(**16**)—
  - (aa) omit sub-paragraph (12);
  - (bb) in sub-paragraph (13) omit “under any provision” and “under that provision”;
- (iv) in paragraph 11(**17**)—
  - (aa) omit sub-paragraph (13);
  - (bb) in sub-paragraph (14) omit “under any provision” and “under that provision”;
- (v) in paragraph 11F(**18**)—
  - (aa) omit sub-paragraph (3);
  - (bb) in sub-paragraph (4) omit “under any provision” and “under that provision”.

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(16) Paragraph 7 of Schedule 4A to the 1998 Act was inserted by section 17(2) of, and Schedule 2 to, the Northern Ireland (Miscellaneous Provisions) Act 2006. It has been amended by various enactments but none of those amendments is relevant to this Order.

(17) Paragraph 11 of Schedule 4A to the 1998 Act was inserted by section 17(2) of, and Schedule 2 to, the Northern Ireland (Miscellaneous Provisions) Act 2006. It has been amended by various enactments but none of those amendments is relevant to this Order.

(18) Paragraph 11F of Schedule 4A to the 1998 Act was inserted by section 17(2) of, and Schedule 2 to, the Northern Ireland (Miscellaneous Provisions) Act 2006 as amended by section 44(8) of, and paragraphs 1 and 2 of Schedule 5 to, the Justice and Security (Northern Ireland) Act 2007 (c. 6).