

Northern Ireland (Ministers, Elections and Petitions of Concern) Bill

AMENDMENT TO BE MOVED ON REPORT

After Clause 2

LORD EMPEY

Insert the following new Clause—

“Appointment of First Minister and deputy First Minister

For sections 16A to 16C of the Northern Ireland Act 1998 substitute—

“16A First Minister and deputy First Minister

- (1) Each Assembly shall, within a period of six weeks beginning with its first meeting, elect from among its members the First Minister and the deputy First Minister.
- (2) Each candidate for either office must stand for election jointly with a candidate for the other office.
- (3) Two candidates standing jointly shall not be elected to the two offices without the support of a majority of the members voting in the election, a majority of the designated Nationalists voting and a majority of the designated Unionists voting.
- (4) The First Minister and the deputy First Minister—
 - (a) shall not take up office until each of them has affirmed the terms of the pledge of office; and
 - (b) subject to the provisions of this Part, shall hold office until the conclusion of the next election for First Minister and deputy First Minister.
- (5) The holder of the office of First Minister or deputy First Minister may by notice in writing to the Presiding Officer designate a Northern Ireland Minister to exercise the functions of that office—
 - (a) during any absence or incapacity of the holder; or
 - (b) during any vacancy in that office arising otherwise than under subsection (7)(a);but a person shall not have power to act by virtue of paragraph (a) for a continuous period exceeding 6 weeks.
- (6) The First Minister or the deputy First Minister—
 - (a) may at any time resign by notice in writing to the Presiding Officer; and

After Clause 2 - continued

- (b) shall cease to hold office if he or she ceases to be a member of the Assembly otherwise than by virtue of a dissolution.
- (7) If either the First Minister or the deputy First Minister ceases to hold office at any time, whether by resignation or otherwise, the other –
 - (a) shall also cease to hold office at that time; but
 - (b) may continue to exercise the functions of the office until the election required by subsection (8).
- (8) Where the offices of the First Minister and the deputy First Minister become vacant at any time an election shall be held under this section to fill the vacancies within a period of six weeks beginning with that time.
- (9) Standing orders may make provision with respect to the holding of elections under this section.
- (10) In this Act “the pledge of office” means the pledge of office which, together with the code of conduct to which it refers, is set out in Annex A to Strand One of the Belfast Agreement (the text of which Annex is reproduced in Schedule 4).”

Member’s explanatory statement

This amendment would re-insert the text of section 16 of the Northern Ireland Act 1998, which has been replaced by sections 16A to 16C, and so re-instate the original provision relating to the appointment of the First Minister and deputy First Minister, which received endorsement by the Referendum held in 1998.

Northern Ireland (Ministers, Elections and Petitions of Concern) Bill

AMENDMENT
TO BE MOVED
ON REPORT

13 January 2022
