



# Northern Ireland Assembly Act 1973

## 1973 CHAPTER 17

An Act to establish a Northern Ireland Assembly and to provide for election to that Assembly. [3rd May 1973]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### **1 The Northern Ireland Assembly**

- (1) There shall be a Northern Ireland Assembly which shall consist of 78 members.
- (2) Those members shall be returned for the constituencies in Northern Ireland which would return members to the Parliament of the United Kingdom if a general election were held at the passing of this Act, and the number of members returned by each constituency shall be that specified for the constituency in the second column of the Schedule to this Act.
- (3) The first meeting of the Assembly shall be held on such day, and at such time and place, as the Secretary of State may by order direct.
- (4) The proceedings of the Assembly shall not be invalid because of any vacancy in their membership.
- (5) There shall be paid to each member of the Assembly—
  - (a) a salary at the rate of £2,500 a year, beginning with the date on which he is returned as a member of the Assembly, and
  - (b) an allowance to defray expenses incurred by him on secretarial assistance in carrying out his duties as a member.

The said allowance for the twelve months beginning with the date on which the member is returned shall not exceed £600.

- (6) For the purposes of subsection (5) above any salary paid for any period to the member in respect of his membership of the House of Commons, or of the Senate, of the

Parliament of Northern Ireland shall be treated as if paid on account of any sum due under subsection (5)(a) above for the same period.

## **2 The election**

- (1) The date of the poll for the election of members of the Assembly shall be appointed by the Secretary of State by order contained in a statutory instrument.
- (2) The persons entitled to vote on that poll shall be those who would be entitled to vote on polls held on that date at a general election to the Parliament of Northern Ireland.
- (3) Each vote in the poll shall be a single transferable vote, that is to say a vote—
  - (a) capable of being given so as to indicate the voter's order of preference for the candidates for election as members for the constituency, and
  - (b) capable of being transferred to the next choice—
    - (i) when the vote is not required to give a prior choice the necessary quota of votes, or
    - (ii) when, owing to the deficiency in the number of votes given for a prior choice, that choice is eliminated from the list of candidates.
- (4) Every candidate at the election under this Act shall, in accordance with the provisions of an order under the following provisions of this section, make a deposit of £150, and the deposit shall be forfeited unless the candidate is elected, or the number of votes credited to him at any one or more of the stages of counting the votes exceeds a quarter of the quota needed to elect him.
- (5) The Secretary of State shall have power by order to make any provision concerning the election under this Act, or any matter relating to the election, and in particular provision concerning—
  - (a) the intervals between the stages of the election,
  - (b) the form of declaration to be made by a candidate, the contents of nomination papers, and the taking of the poll,
  - (c) the method of voting, and the method of counting and transferring votes,
  - (d) the procedure on the death of a candidate,
  - (e) the questioning of elections, and
  - (f) corrupt and illegal practices, and the disqualifications to be imposed, in any part of the United Kingdom, for a corrupt or illegal practice in the election under this Act.
- (6) An order made under subsection (5) above—
  - (a) may include any supplemental or incidental provisions, including provisions creating criminal offences,
  - (b) may apply, with any modifications or exceptions specified in the order, any of the provisions of the Electoral Law Act (Northern Ireland) 1962 or of any instrument made or having effect under that Act,
  - (c) shall be contained in a statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

## **3 Disqualification for membership of Assembly**

- (1) Subject to the provisions of this section, a person is disqualified for membership of the Assembly—

- (a) if he is disqualified for membership of the Commons House of the Parliament of the United Kingdom otherwise than by section 1(1)(f) of the House of Commons Disqualification Act 1957, or
  - (b) if he is disqualified for membership of the Commons House of the Parliament of Northern Ireland by the said section 1(1)(f) of the House of Commons Disqualification Act 1957 (taken together with section 10 of, and Schedule 3 to, that Act).
- (2) A person shall not be disqualified from being a member of the Assembly by reason only that he is a peer, whether of the United Kingdom, Great Britain, England, Scotland or Ireland.
- (3) The Secretary of State shall have power by order to make provision—
- (a) for the consequences of a disqualification imposed by this section, and
  - (b) for the circumstances in which such a disqualification may be disregarded, and
  - (c) for conferring jurisdiction to decide whether a disqualification has been imposed by this section.
- (4) An order made under subsection (3) above—
- (a) may include any supplemental or incidental provisions,
  - (b) may apply, with any modifications or exceptions specified in the order, any of the provisions of section 6 or section 7 of the House of Commons Disqualification Act 1957,
  - (c) shall be contained in a statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

#### **4 Financial provisions**

- (1) Salaries or allowances payable under this Act for members of the Assembly shall be defrayed out of money provided by Parliament.
- (2) Any costs incurred by a government department (including a government department of the Government of Northern Ireland) in connection with the election under this Act shall be paid out of the Consolidated Fund, and any forfeited deposit or other sum received by such a government department in connection with the election under this Act shall be paid into the Consolidated Fund.

#### **5 Short title and supplemental provisions**

- (1) This Act may be cited as the Northern Ireland Assembly Act 1973.
- (2) Any power of making orders conferred by this Act shall include a power to vary or revoke orders so made.
- (3) In this Act—
  - (a) references to any enactment include references to that enactment as amended or extended by or under any enactment, including this Act, and
  - (b) "enactment" includes an Act of the Parliament of Northern Ireland.

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*Status: This is the original version (as it was originally enacted).*

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## SCHEDULE

Section 1.

## MEMBERS TO BE RETURNED BY CONSTITUENCIES

<i>Constituency</i>	<i>Number of Members to be returned</i>
East Belfast	6
North Belfast	6
South Belfast	6
West Belfast	6
North Antrim	7
South Antrim	8
Armagh	7
North Down	7
South Down	7
Fermanagh and South Tyrone	5
Londonderry	7
Mid Ulster	6