
Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Act 1998, PART 5. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 6A

EU WITHDRAWAL: DEMOCRATIC CONSENT PROCESS

Textual Amendments

- F1** Sch. 6A inserted (10.12.2020) by [The Protocol on Ireland/Northern Ireland \(Democratic Consent Process\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1500\)](#), regs. 1(2), **2(3)**

PART 5

PROCEDURAL MATTERS AND OUTCOME

Application

17. This Part applies in relation to any motion for a consent resolution whether the default democratic consent process or the alternative democratic consent process is applicable.

Procedural matters relating to motions for consent resolutions

18. (1) A motion for a consent resolution is to be decided without amendment.
- (2) The question on a motion for a consent resolution is to be decided by a majority of those members of the Assembly voting.
- (3) Where a consent resolution is passed by a majority of the members voting, the Presiding Officer must—
- (a) determine whether the resolution has also been passed with cross-community support; and
 - (b) announce the determination of that question.
- (4) For provision about the consequences of a consent resolution also being passed with cross-community support, see paragraph 3(2).
- (5) Section 42 does not apply in relation to a motion for a consent resolution.
- (6) Once the Assembly has decided the question on a motion for a consent resolution which relates to a continuation period (whether the Assembly has passed the motion or not), further notice of a motion for a consent resolution which relates to that continuation period may not be tabled, or if already tabled, may not be proceeded with.

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- (7) A reference in this paragraph or in paragraph 19 or 20 to the Presiding Officer has effect as a reference to the interim Presiding Officer if a person is holding that office in accordance with paragraph 16.

Outcome of process: Presiding Officer to notify Secretary of State

19. (1) This paragraph applies when the Assembly decides the question on a motion for a consent resolution which relates to a new continuation period.
- (2) The Presiding Officer must give the Secretary of State written notification of the following matters—
- (a) whether or not the Assembly passed the consent resolution;
 - (b) if the Assembly passed the consent resolution, whether the Assembly passed it—
 - (i) by a majority of the members voting but not with cross-community support, or
 - (ii) with cross-community support.
- (3) The notification must be given before the start of the final 5 days of the current period.

Outcome of process: Secretary of State to notify European Commission

20. (1) This paragraph applies when the Presiding Officer gives the Secretary of State the notification required by paragraph 19 in relation to a motion for a consent resolution which relates to a new continuation period.
- (2) The Secretary of State must give the European Commission written notification of the following matters—
- (a) whether or not the Assembly passed the consent resolution;
 - (b) if the Assembly passed the consent resolution, whether the Assembly passed it—
 - (i) by a majority of the members voting but not with cross-community support, or
 - (ii) with cross-community support.
- (3) The notification must be given on or before the final day of the current period.]

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