STATUTORY INSTRUMENTS

2015 No. 1610

NORTHERN IRELAND
REPRESENTATION OF THE PEOPLE

The Northern Ireland Assembly (Elections) (Amendment) Order 2015

Made - - - - 29th July 2015

Coming into force in accordance with article 1(2)

In accordance with section 7(1) and (2)(h) of the Political Parties, Elections and Referendums Act 2000(**1**), the Secretary of State has consulted with the Electoral Commission prior to this Order being made.

A draft of this Order has been laid before Parliament in accordance with section 96(2)(b) of the Northern Ireland Act 1998(**2**) and approved by resolution of each House of Parliament.

Accordingly, the Secretary of State, in exercise of the powers conferred by section 34(4) and (6) of the Northern Ireland Act 1998, makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Northern Ireland Assembly (Elections) (Amendment) Order 2015.

(2) It comes into force on the day after the day on which it is made.

(3) In this Order "the 1983 Act" means the Representation of the People Act 1983(**3**).

Amendment of the Northern Ireland Assembly (Elections) Order 2001

2.—(1) The Northern Ireland Assembly (Elections) Order 2001(**4**) is amended as follows.

(2) For paragraph (5) of article 3 (application of certain provisions for Assembly elections)(**5**) substitute—

(**1**) 2000 c. 41; amendments have been made to section 7 but they are not relevant to this Order.
(**2**) 1998 c. 47; amendments have been made to section 96(2) but they are not relevant to this Order.
(**3**) 1983 c. 2.
(**4**) S.I 2001/2599 as amended by S.I. 2002/1964; S.I. 2003/2989; S.I. 2007/308; S.I. 2009/256; S.I. 2010/2892; S.I. 2014/1116; S.I. 2014/1804; and S.I. 2015/222.
(**5**) Article 3 was substituted by S.I. 2009/256.

"(5) The references to parliamentary election to which paragraph (3)(a) does not apply are those in the following provisions of the 1983 Act—

(a) subsections (2) and (5) of section 18AA (polling districts at parliamentary elections: Northern Ireland)(**6**);

(b) subsection (3) of section 18B (polling places at parliamentary elections)(**7**);

(c) subsection (2) of section 18D (review of polling districts and places: representations to Electoral Commission);

(d) subsection (4)(a)(i) of section 160 (persons reported personally guilty of corrupt or illegal practices)(**8**); and

(e) subsection (1)(a)(i) of section 173 (incapacities on conviction of corrupt or illegal practice)(**9**)."

(3) In Schedule 1 (application with modifications of provisions of electoral legislation), for the entry for section 18A of the 1983 Act (polling districts at parliamentary elections)(**10**) substitute—

"Section 18AA (polling districts at parliamentary elections: Northern Ireland)	For subsection (2) substitute— "(2) The polling districts that apply from time to time for the purpose of parliamentary elections have effect for the purpose of Assembly elections." Omit subsection (3).
	Omit subsection (4).
	In subsection (5) after "this section" insert "as it applies to parliamentary elections"."

(4) In Schedule 1, in the entry for section 18B of the 1983 Act (polling places at parliamentary elections)—

(a) in the left-hand column, omit ", subsection (1)"; and

(b) in the right-hand column insert—

	For subsection (3) substitute— "(3) Subject to subsection (3A), the polling places designated from time to time by the relevant authority for the purpose of parliamentary elections have effect for the purpose of Assembly elections. (3A) The relevant authority must designate polling places which are different from those designated in accordance with subsection (3) if the relevant authority

(**6**) Section 18AA was inserted by S.I. 2013/3156.
(**7**) Sections 18A to 18E were substituted for section 18 by section 16 of the Electoral Administration Act 2006 (c. 22).
(**8**) Section 160(4) was substituted (together with subsections (4A), (5) and (5A)) by paragraphs 1 and 8 of Schedule 17 to the Political Parties, Elections and Referendums Act 2000 (c. 41) ("2000 Act").
(**9**) Section 173 was substituted by section 136 of the 2000 Act. Amendments have subsequently been made to section 173 but none are relevant to this Order.
(**10**) Section 18A was amended by S.I. 2013/3156.