



House of Commons

Tuesday 16 July 2013

PUBLIC BILL COMMITTEE PROCEEDINGS

NORTHERN IRELAND (MISCELLANEOUS PROVISIONS) BILL

(Except Clauses 1 to 9)

[FIRST AND SECOND SITTINGS]

Mike Penning

Agreed to

That—

- (1) the Committee shall (in addition to its first meeting at 8.55 am on Tuesday 16 July) meet at 2.00 pm on that date.
 - (2) the proceedings shall be taken in the following order: Clauses 10 to 21; the Schedule; Clauses 22 to 29; new Clauses; new Schedules; remaining proceedings on the Bill;
 - (3) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 16 July.
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Mike Penning

That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.

Agreed to

Clause 10 to 21 agreed to.

Schedule agreed to.

Northern Ireland (Miscellaneous Provisions) Bill, *continued*

Mr Nigel Dodds
 Dr William McCrea
 Mr Jeffrey Donaldson
 Mr Gregory Campbell
 David Simpson
 Jim Shannon

Ian Paisley

Sammy Wilson

Negated 1

Clause 22, page 15, line 35, after ‘authorities’, insert ‘—

‘(a) in subsection (1), after paragraph (d) insert—

“(e) between those who are victims and survivors of the conflict and those who are not; and

(f) between those who have been members of Her Majesty’s armed forces and those who are not.”.

(b) after subsection (1) insert—

“(1A) person is excluded from any benefit arising from this Act by virtue of (1)(e) if that person has been convicted of a serious criminal conviction.”

(c) ?.

Mr Nigel Dodds
 Dr William McCrea
 Mr Jeffrey Donaldson
 Mr Gregory Campbell
 David Simpson
 Jim Shannon

Ian Paisley

Sammy Wilson

Naomi Long

Not called 2

Clause 22, page 16, line 3, at end insert—

‘(1A) In subsection (5) of that Act insert—

““victim and survivor of the conflict” is defined as—

(a) any person who has suffered harm caused by an act related to the conflict in Northern Ireland, for which they are not wholly or partly responsible, that is in violation of the criminal law,

(b) any person who provides a substantial amount of care on a regular basis for a person as outlined in paragraph (a), where the harm suffered is a physical or psychological injury.

“serious criminal conviction” means a conviction, whether the person was convicted in Northern Ireland or elsewhere, for an offence for which—

(c) a sentence of imprisonment of five years or more was imposed,

(d) a sentence of imprisonment for life was imposed.”.

Mark Durkan

Withdrawn 5

Clause 22, page 16, line 3, at end insert—

‘(1A) After subsection (2) of section 75 (Statutory duty on public authorities) of that Act insert—

“(2A) A public authority shall not interpret its obligations under subsection (2) in a way that is incompatible with measures taken on the basis of objective need.”.

Northern Ireland (Miscellaneous Provisions) Bill, *continued*

- (1B) In subsection (5) of section 75 of that Act insert—
 “good relations” shall be interpreted in line with international obligations
 and, in particular, with regard to—
 (e) tackling prejudice, and
 (f) promoting understanding.”’.

Clause agreed to.

Naomi Long

Not selected 3

Clause 23, page 16, line 20, at end insert—

- ‘(8) An order under subsection (4) may not apply to decisions about the voting age of persons entitled to vote in elections in respect of the Northern Ireland Assembly and district councils.’.

Naomi Long

Not selected 4

Clause 23, page 16, line 26, at end insert—

- ‘(3) In Schedule 2, paragraph 12, of that Act at end insert “but not the voting age of persons entitled to vote in elections in respect of the Northern Ireland Assembly and district councils.”’.

Clause agreed to.

Clauses 24 to 29 agreed to.

NEW CLAUSES

Amendment to British Nationality Act 1981

Mr Nigel Dodds
 Dr William McCrea
 Mr Jeffrey Donaldson
 Mr Gregory Campbell
 David Simpson
 Jim Shannon

Ian Paisley

Sammy Wilson

Not selected NC1

To move the following Clause:—

‘After Section 6 of the British Nationality Act 1981 insert—

“6A Acquisition by Persons Born in the Republic of Ireland

- (1) A person born in the Republic of Ireland shall be a British citizen if they give notice in writing to the Secretary of State of their intention to be a British citizen.

Northern Ireland (Miscellaneous Provisions) Bill, *continued*

- (2) A person giving notice under subsection (1) must certify to the Secretary of State that they intend to revoke their citizenship of the Republic of Ireland.
- (3) The Secretary of State shall by regulations make provision regarding the form of notice given under subsection (1).”.’.

Analysis of PSNI Historical Enquiries Team material

Mark Durkan

Withdrawn NC2

To move the following Clause:—

- ‘(1) If the Secretary of State appoints one or more persons to prepare an analysis of the work of the Historical Enquiries Team of the Police Service of Northern Ireland, any existing provision prohibiting publication of the material to be analysed shall, subject to subsection (2) below, not apply for the purposes of this section.
- (2) No personal information shall be included in the analysis as published without the permission of the person concerned or, if they are dead, of their relatives.’.

Pledge of Office by First Minister and Deputy First Minister

Mark Durkan
Ms Margaret Ritchie

Withdrawn NC3

To move the following Clause:—

- ‘After section 16A(9) of the Northern Ireland Act 1998, there shall be inserted—
- “(9A) The First Minister and Deputy First Minister shall each make their pledge of office orally in full at a sitting of the Assembly.’.

Cross-community election of First Minister and Deputy First Minister

Mark Durkan
Ms Margaret Ritchie

Not called NC4

To move the following Clause:—

- ‘In section 16A of the Northern Ireland Act 1998 (Appointment of First Minister, Deputy First Minister and Northern Ireland Ministers following Assembly election)—

Northern Ireland (Miscellaneous Provisions) Bill, *continued*

- (a) subsections (4) to (7) and (9) (which relate to the appointment of the First Minister and Deputy First Minister) shall cease to have effect;
- (b) after subsection (3) there shall be inserted—
 - “(4) Each candidate for the office of First Minister or Deputy First Minister must stand for election jointly with a candidate for the other office.
 - (5) 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.
 - (6) 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.”.
- (c) in subsection (3)(b) the reference to subsections (4) to (7) shall be replaced by a reference to subsections (4) to (6).’.

Reduction in voting age to be a reserved matter

Mark Durkan

Withdrawn NC5

To move the following Clause:—

‘In Schedule 3 (Reserved matters) to the Northern Ireland Act 1998, after paragraph 7 insert—

“7A The alteration to any age between 16 and 18 of the minimum voting age for elections to the Assembly or local government elections in Northern Ireland.”.’.

Annual report on activity relating to Northern Ireland’s past

Mark Durkan

Not called NC6

To move the following Clause:—

- (1) The Secretary of State shall lay a report before Parliament in respect of each year as soon as possible after the end of the year to which it relates.
- (2) The Secretary of State may appoint a person or persons to produce the report required under subsection (1).
- (3) A report laid under subsection (1) shall contain in relation to the year to which it relates—

Northern Ireland (Miscellaneous Provisions) Bill, *continued*

- (a) a summary of the work of the Historical Enquiries Team of the Northern Ireland Police;
 - (b) a summary of the work of the Police Ombudsman for Northern Ireland insofar as it relates to Northern Ireland's past;
 - (c) a summary of the work of other public bodies which, in the opinion of the Secretary of State, relates to Northern Ireland's past;
 - (d) a summary of responses made by Her Majesty's Government or any other Government or body to any of the work covered by the report; and
 - (e) a clear indication where the findings of any work summarised in the report contradict remarks recorded in the Official Report of the House of Commons or House of Lords, especially by a Minister of the Crown.
- (4) After a report under subsection (1) has been laid before Parliament the Secretary of State shall provide a statement to Parliament which shall contain references to—
- (a) the comparative standard of enquiries conducted by the Historical Enquiries Team during that year;
 - (b) the progress made during the year in dealing with Northern Ireland's past;
 - (c) any apologies that have been given by any Government or public body in relation to the work summarised in the report; and
 - (d) any other relevant issues or concerns as they relate to Northern Ireland's past.
- (5) Any existing provision prohibiting publication of the material to be summarised under subsection (2)(a) shall, subject to subsection (6) below, not apply for the purposes of this section.
- (6) No personal information shall be included in the report as laid before Parliament without the permission of the person concerned or, if they are dead, of their relatives.'.
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Petitions of concern

Mark Durkan

Withdrawn NC7

To move the following Clause:—

- (1) In section 42 of the Northern Ireland Act 1998 (Petitions of concern), omit subsection (3) and insert—
- “(3) When a petition of concern is lodged against a measure, proposal or a decision by a Minister, Department or the Executive (“the matter”), the Assembly shall appoint a special committee to examine and report on whether the matter is in conformity with equality and human rights requirements, including the European Convention on Human Rights and any Bill of Rights for Northern Ireland.
- (4) A committee as provided for under subsection (3) may also be appointed at the request of the Executive Committee, a Northern Ireland Minister or relevant Assembly Committee.

Northern Ireland (Miscellaneous Provisions) Bill, *continued*

- (5) The Assembly shall consider the report of any committee appointed under this section and determine the matter in accordance with the requirements for cross-community support.
- (6) Standing Orders shall provide for—
 - (a) a committee appointed under this section to have the power to call people and papers to assist in its consideration of the matter; and
 - (b) the size of such a committee and the timescale for a decision.
- (7) In relation to any specific petition of concern or request under subsection (4), the Assembly may decide, with cross-community support, that the procedure in subsections (3) and (5) shall not apply.”.

Bill to be reported, without amendment.
