

LORDS AMENDMENTS TO THE
NORTHERN IRELAND (MISCELLANEOUS PROVISIONS) BILL

[The page and line references are to HL Bill 58, the bill as first printed for the Lords.]

Clause 6

- 1** Page 6, line 30, leave out from beginning to “(reserved” and insert –
“() The Northern Ireland Act 1998 is amended as follows.
() In Schedule 3”
- 2** Page 6, line 35, leave out “exceeding” and insert “lower than five or higher than”
- 3** Page 6, line 37, at end insert –
“() After section 7 insert –
“7A Cross-community support required for Bill altering size of Assembly
(1) The Assembly shall not pass a relevant Bill without cross-community support.
(2) In this section –
“pass”, in relation to a Bill, means pass at the stage in the Assembly’s proceedings at which the Bill falls finally to be passed or rejected;
“relevant Bill” means a Bill containing a provision which deals with a matter falling within a description specified in paragraph 7A of Schedule 3 (size of Assembly).”
() In section 14 (submission by Secretary of State), after subsection (3) insert –
“(3A) The Secretary of State shall not submit a Bill for Royal Assent if the Assembly has passed the Bill in contravention of section 7A (cross-community support required for Bill altering size of Assembly).”
() In section 53(3)(b) (agreements etc by person participating in Councils), after “section” insert “7A,”.”

Clause 10

4 Page 9, line 7, at end insert—

- “() Section 4 of that Act (transferred, excepted and reserved matters) is amended as follows.
- () In subsection (2), for “and (3)” substitute “to (3D)”.
- () After subsection (3) insert—
 - “(3A) The Secretary of State shall not lay before Parliament under subsection (2) the draft of an Order amending paragraph 16 of Schedule 3 (Civil Service Commissioners for Northern Ireland) unless the Secretary of State has, at least three months before laying the draft, laid a report before Parliament.
 - (3B) The report under subsection (3A) must set out the Secretary of State’s view of the effect (if any) that the Order would have on—
 - (a) the independence of the Civil Service Commissioners for Northern Ireland;
 - (b) the application of the principle that persons should be selected for appointment to the Northern Ireland Civil Service on merit on the basis of fair and open competition; and
 - (c) the impartiality of the Northern Ireland Civil Service.”

Clause 11

5 Page 9, line 13, leave out from “matters),” to end of line 16 and insert “after subparagraph (a) insert—

- “(aa) in Part VII, sections 68 to 69A, 69C to 70, 71(2A) to (2C) and Schedule 7;”

6 Page 9, line 16, at end insert—

- “() In section 4 of that Act (transferred, excepted and reserved matters), after subsection (3B) (as inserted by section 10) insert—
 - “(3C) The Secretary of State shall not lay before Parliament under subsection (2) the draft of an Order amending paragraph 42(aa) of Schedule 3 (Northern Ireland Human Rights Commission) unless the Secretary of State has, at least three months before laying the draft, laid a report before Parliament.
 - (3D) The report under subsection (3C) must set out the Secretary of State’s view of the effect (if any) that the Order would have on—
 - (a) the independence of the Northern Ireland Human Rights Commission;
 - (b) the application of internationally accepted principles relating to national human rights institutions; and
 - (c) the relationship between the Northern Ireland Human Rights Commission and the Assembly.”

Clause 28

7 Page 17, line 30, at end insert “(but see subsection (2A) below)”

8 Page 17, line 36, at end insert—

“(2A) If paragraph 8(1) of Schedule 1 to the Protection of Freedoms Act 2012 comes into force on a day after that on which this Act is passed, section 24 comes into force immediately after that paragraph comes into force.”

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