
Report Stage: Tuesday 26 October 2021

Northern Ireland (Ministers, Elections and Petitions of Concern) Bill, As Amended (Report Stage Decisions)

This document sets out the fate of each clause, schedule, amendment and new clause considered at report stage. A glossary with key terms can be found at the end of this document.

Stephen Farry

Withdrawn after debate NC1

To move the following Clause—

“Appointment of First Minister and Deputy First Minister

- (1) The Northern Ireland Act 1998 is amended as follows.
- (2) In section 16A (Appointment of First Minister, deputy First Minister and Northern Ireland Ministers following Assembly election), in subsection 4, omit the words “of the largest political designation”.
- (3) For subsection (5) of that section, substitute—
“(5) The nominating officer of the second largest political party shall nominate a member of the Assembly to be the deputy First Minister.”
- (4) In section 16(B) (Vacancies in the office of First Minister or deputy First Minister), in subsection (4), omit the words “of the largest political designation”.
- (5) For subsection (5) of that section, substitute—
“(5) The nominating officer of the second largest political party shall nominate a member of the Assembly to be the deputy First Minister.”
- (6) In section 16C (sections 16A and 16B: supplementary), omit subsection (6).”

Stephen Farry

Not called NC2

To move the following Clause—

“Appointment of Joint First Ministers

- (1) The Northern Ireland Act 1998 is amended as follows.
- (2) In subsection 16A (appointment of Ministers following Assembly election), leave out subsections (4) to (7) and subsection (9), and insert after subsection (3)—

“(3ZA) Each candidate for the office of Joint First Ministers must stand for election jointly with a candidate for the other office.

(3ZB) Two candidates standing jointly shall not be elected to the two offices without support of two thirds of members present and voting.

(3ZC) The Joint First Ministers—

 - (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 Ministers.”
- (3) In subsection (3)(a) the reference to “subsections (4) to (7)” is replaced by a reference to “subsections (3ZA) to (3ZC)”.
- (4) Any reference in the Northern Ireland Act 1998 to the First Minister or deputy First Minister is to be taken as a reference to the Joint First Ministers.”

Stephen Farry
Colum Eastwood
Claire Hanna

Not called NC3

To move the following Clause—

“First Minister and deputy First Minister to be referred to as Joint First Ministers

The First Minister and deputy First Minister elected under the Northern Ireland Act 1998 are to be referred to as Joint First Ministers, and all references in that Act (other than to their election) to the First Minister and deputy First Minister are to be read as references to the Joint First Ministers.”

Colum Eastwood
Claire Hanna

Not called NC4

To move the following Clause—

“Appointment of First Ministers

- (1) The Northern Ireland Act 1998 is amended as follows.
- (2) In subsection 16A (appointment of Ministers following Assembly election), leave out subsections (4) to (7) and subsection (9), and insert after subsection (3)—
 - “(3ZA) Each candidate for the office of joint First Ministers, must stand for election jointly with a candidate for the other office.
 - (3ZB) Two candidates standing jointly shall not be elected to the two offices without one or more of the following measures of representational support—
 - (a) the support of a majority of members, a majority of designated Nationalists and a majority of Unionists; or
 - (b) the support of 60 per cent of members, 40 per cent of designated Nationalists and 40 per cent of designated Unionists; or
 - (c) the support of two thirds of members.
 - (3ZC) 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 Ministers.”
- (3) In subsection (3)(a) the reference to “subsections (4) to (7)” shall be replaced by a reference to “subsections (3ZA) to (3ZC)”.

Colum Eastwood
Claire Hanna

Not called 8

Clause 4, page 5, line 22, after “Assembly” insert “users of services,”

Louise Haigh
Alex Davies-Jones
Sir Alan Campbell

Not called 6

Clause 4, page 5, line 25, at end insert—

- “(ba) actively support the adoption and implementation of a Bill of Rights for Northern Ireland that is faithful to the stated intention of the 1998 Agreement”

<hr/> <p>Colum Eastwood Claire Hanna</p> <p>Clause 4, page 5, line 25, at end insert—</p> <p style="padding-left: 40px;">“(ba) ensure all reasonable requests for information from the Assembly, users of services and individual citizens are complied with; and that Departments and their staff conduct their dealings with the public in an open and responsible way;”</p>	<p>Not called</p>	<p>9</p>
<hr/> <p>Colum Eastwood Claire Hanna</p> <p>Clause 4, page 5, line 25, at end insert—</p> <p style="padding-left: 40px;">“(ba) seek in utmost good faith and by using their best endeavours to implement in full the Programme for Government in “The New Decade, New Approach Deal” as regards the transparency, accountability and the functioning of the Executive;”</p>	<p>Not called</p>	<p>10</p>
<hr/> <p>Colum Eastwood Claire Hanna</p> <p>Clause 4, page 5, line 25, at end insert—</p> <p style="padding-left: 40px;">“(bb) seek in utmost good faith and by using their best endeavours to implement in full any future deal between the parties to “The New Decade, New Approach Deal” which may be approved by the Assembly;”</p>	<p>Not called</p>	<p>11</p>
<hr/> <p>Colum Eastwood Claire Hanna</p> <p>Clause 4, page 5, line 26, at end insert—</p> <p style="padding-left: 40px;">“(ca) abide by and implement in every respect Annex A to Part 2 of “The New Decade, New Approach Deal” as regards the transparency, accountability and the functioning of the Executive;”</p>	<p>Not called</p>	<p>12</p>
<hr/> <p>Stephen Farry</p> <p>Clause 4, page 5, line 28, at end insert—</p> <p style="padding-left: 40px;">“(da) comply with paragraph 2.11 of the Northern Ireland Executive Ministerial Code in relation to the inclusion of ministerial proposals on the agenda for the Northern Ireland Executive, with areas for resolution to be recorded in the list of “Executive papers in circulation” against those papers still outstanding after the third meeting, in accordance with paragraph 62(c) of section F of the Fresh Start Stormont Agreement and Implementation Plan;”</p>	<p>Not called</p>	<p>2</p>

Louise Haigh
Alex Davies-Jones
Sir Alan Campbell

Not called **7**

Clause 4, page 5, line 32, at end insert “and by supporting the establishment of the consultative Civic Forum established in pursuance of paragraph 34 of Strand One of the Belfast Agreement and by obtaining its views on social, economic and cultural matters;”

Colum Eastwood
Claire Hanna

Not called **13**

Clause 5, page 7, line 12, at end insert—

“(5A) 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.

(5B) Consistent with paragraphs 11, 12 and 13 (Strand 1) of the Belfast Agreement, 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.

(5C) A committee appointed under this section—

- (a) shall have the powers to call people and papers to assist in its consideration; and
- (b) shall take evidence from the Equality Commission and the Human Rights Commission.

(5D) A committee appointed under this section shall—

- (a) report in terms that reflect evidence regarding human rights and equality assessments relating to the matter; and
- (b) identify relevant clarification, adjustments and amendments (in the case of legislation) and/or other assurances which would address the stated concerns.

(5E) 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.

(5F) In relation to any specific petition of concern or request under subsection (5B), the Assembly may decide, with cross-community support, that the procedure in subsections (5A) and (5C) shall not apply.”

Stephen Farry	Not called	3
Clause 5, page 7, line 19, at end insert—		
“(aa) make provision for the minimum period under (a) to be reduced in prescribed circumstances to be determined by the Assembly;”		
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Colum Eastwood Claire Hanna	Not called	14
Clause 5, page 7, line 27, at end insert—		
“(ca) specify the size, timescale and terms of reference for such a committee; and		
(cb) specify procedure(s) to allow for subsection (5E).”		
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Stephen Farry	Not called	4
Clause 5, page 7, line 31, at end insert—		
“(e) make provision to allow petitioners to withdraw a petition of concern at any stage in the process.”		
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Stephen Farry	Not called	5
Clause 5, page 7, line 37, at end insert “unless prescribed circumstances to be determined by the Assembly to reduce this period, apply”		
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Stephen Farry	Not called	1
Clause 8, page 8, line 8, leave out “at the end of the period of two months beginning with” and insert “on”		

Bill read the third time, and passed.

Glossary

Added: New Clause agreed without a vote and added to the Bill.

Agreed to: agreed without a vote.

Agreed to on division: agreed following a vote.

Negated: rejected without a vote.

Negated on division: rejected following a vote.

Not called: debated in a group of amendments, but not put to a decision.

Not moved: not debated or put to a decision.

Question proposed: debate underway but not concluded.

Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.

Not selected: not chosen for debate by the Speaker.
