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Committee Stage: Wednesday 22 February 2023

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## Northern Ireland (Executive Formation) Bill (Amendment Paper)

This document lists all amendments tabled to the Northern Ireland (Executive Formation) Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

This document should be read alongside the provisional Selection and Grouping by the Chairman of Ways and Means, which sets out the order in which the amendments will be debated.

☆ Amendments which will comply with the required notice period at their next appearance.

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Secretary Chris Heaton-Harris

Gov 3

☆ Clause 2, page 2, line 15, leave out “This Act extends” and insert “Section 1 and this section extend”

**Member's explanatory statement**

This amendment is consequential on NC2.

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Secretary Chris Heaton-Harris

Gov 4

☆ Clause 2, page 2, line 15, at end insert—

“(1A) Section (Organ and tissue donation in Northern Ireland: procedure for regulations defining permitted material) extends to Northern Ireland only.”

**Member's explanatory statement**

This amendment is consequential on NC2.

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Secretary Chris Heaton-Harris

Gov 5

☆ Clause 2, page 2, line 17, after “Formation” insert “and Organ and Tissue Donation”

**Member's explanatory statement**

This amendment is consequential on NC2.

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**Sir Jeffrey M Donaldson**

1

Colum Eastwood  
 Stephen Farry  
 Sammy Wilson  
 Claire Hanna  
 Gavin Robinson

Mr Gregory Campbell  
 Carla Lockhart

Jim Shannon  
 Paul Girvan

Ian Paisley

Clause 2, page 2, line 17, after “Formation” insert “and Organ and Tissue Donation (Deemed Consent)”

**Member's explanatory statement**

This amendment is consequential on NC1.

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**Secretary Chris Heaton-Harris**

Gov NC2

☆ To move the following Clause—

**“Organ and tissue donation in Northern Ireland: procedure for regulations defining permitted material**

- (1) Section 52(4B) of the Human Tissue Act 2004 (draft affirmative procedure for regulations defining permitted material for the purposes of deemed consent to transplantation of human tissue in Northern Ireland) does not apply during the relevant period.
- (2) Regulations made under section 3(9A) of that Act during the relevant period are subject to negative resolution within the meaning given by section 41(6) of the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.)).
- (3) In this section, the “relevant period” means the period—
  - (a) beginning when this Act is passed, and
  - (b) ending with the next day on which the Presiding Officer and deputies are in post having been elected under section 39(1) of the Northern Ireland Act 1998.”

**Member's explanatory statement**

This new clause would amend the procedure for making regulations under subsection (9A) of section 3 of the Human Tissue Act 2004 while no Presiding Officer and deputies are in post so that they are subject only to negative resolution by the Northern Ireland Assembly.

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**Sir Jeffrey M Donaldson**

NC1

Colum Eastwood  
 Stephen Farry  
 Sammy Wilson  
 Claire Hanna  
 Gavin Robinson

Mr Gregory Campbell  
 Carla Lockhart

Jim Shannon  
 Paul Girvan

Ian Paisley

To move the following Clause—

**“Organ and Tissue Donation (Deemed Consent) Act (Northern Ireland) 2022:  
 temporary provision**

- (1) Section 52 (orders and regulations) of the Human Tissue Act 2004 is amended as follows.
- (2) After subsection (4B), insert—
  - “(4BA) During the current post-election period, subsection (4B) applies as if for “the Northern Ireland Assembly” there were substituted “each House of Parliament.”
  - (4BB) In this section “the current post-election period” has the same meaning as in section 1 of the Northern Ireland (Executive Formation etc) Act 2022.””

**Member's explanatory statement**

This new clause is intended to bring into operation during the current post-election period the Organ and Tissue Donation (Deemed Consent) Act (Northern Ireland) 2022, which received Royal Assent on 30 March 2022, by temporarily allowing Parliament (instead of the Assembly) to approve relevant regulations made by the Department of Health in Northern Ireland.

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**Secretary Chris Heaton-Harris**

Gov 6

☆ Title, line 5, at end insert “and to amend the procedure for making regulations defining permitted material for transplantation in Northern Ireland under section 3 of the Human Tissue Act 2004 in the period until the Presiding Officer and deputies of the Assembly are elected.”

**Member's explanatory statement**

This amendment is consequential on NC2.

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**Sir Jeffrey M Donaldson**

2

Colum Eastwood  
Stephen Farry  
Sammy Wilson  
Claire Hanna  
Gavin Robinson

Mr Gregory Campbell  
Carla Lockhart

Jim Shannon  
Paul Girvan

Ian Paisley

Title, line 5, at end insert “; and to make provision in relation to the Organ and Tissue Donation (Deemed Consent) Act (Northern Ireland) 2022”

**Member's explanatory statement**

This amendment is consequential on NC1.