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Committee Stage: Tuesday 9 May 2023

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## Northern Ireland (Interim Arrangements) Bill (Amendment Paper)

This document lists all amendments tabled to the Northern Ireland (Interim Arrangements) 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 Any withdrawn amendments are listed at the end of the document.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.

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

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**Colum Eastwood**

6

Claire Hanna

☆ Clause 1, page 1, line 12, leave out “when an Executive is formed” and insert “when the Executive Committee of the Northern Ireland Assembly has completed a formal meeting at which substantive business has been transacted”

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**Sir Jeffrey M Donaldson**

5

Sammy Wilson

Gavin Robinson

Mr Gregory Campbell

Jim Shannon

Ian Paisley

Carla Lockhart

Paul Girvan

☆ Clause 2, page 2, line 15, at end insert “such as providing advice in relation to the Northern Ireland Fiscal Council’s 2023 Report, Updated estimate of the relative need for public spending in Northern Ireland, and the precedent arising from the December 2016 Agreement between the Welsh Government and the United Kingdom Government on the Welsh Government’s fiscal framework”

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**Colum Eastwood**

7

Claire Hanna

☆ Clause 2, page 2, line 21, leave out “may” and insert “must”

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**Colum Eastwood**

8

Claire Hanna

☆ Clause 2, page 2, line 21, at end, leave out paragraph (a) and insert—

- “(aa) consulting the Equality Commission, the Northern Ireland Human Rights Commission and the Northern Ireland Fiscal Council;
- (ab) who else is to be consulted;”

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**Colum Eastwood**

9

Claire Hanna

☆ Clause 2, page 2, line 24, leave out from “consultation” to end of line 27

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**Stella Creasy**

1

Colum Eastwood  
Claire Hanna

Clause 2, page 2, line 28, at end insert—

- “(4A) Any direction issued under this section must include a requirement—
- (a) for the advice or information to take into account a realistic assessment of the expected impact of the EU Retained Law (Revocation and Reform) Act 2023, and
  - (b) for the assessment under paragraph (a) to be laid before both Houses of Parliament within two weeks of the advice or information being presented to the Secretary of State.”

**Member's explanatory statement**

This amendment would require any advice and information given to the Secretary of State by Northern Ireland departments to include a realistic assessment about the impact of the Retained EU Law (Revocation and Reform) Bill.

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**Stephen Farry**

2

Colum Eastwood  
Claire Hanna

Clause 2, page 2, line 28, at end insert—

- “(4A) The Secretary of State must direct a Northern Ireland department to commission a report to provide an assessment of expenditure costs associated with communal divisions for the purpose of developing options for improving the sustainability of public finances in Northern Ireland.”

**Member's explanatory statement**

This amendment would provide a report to make an updated assessment of the financial costs associated with a divided society and how they could be redirected to improve financial sustainability.

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**Stephen Farry**

**3**

Clause 2, page 2, line 28, at end insert—

“(4A) The Secretary of State must engage—

- (a) with Northern Ireland departments to explore options to transform public services and the economy in order to identify options for improving the sustainability of public finances in Northern Ireland;
- (b) with the Treasury on options to provide an invest to save fund to support the transformation and sustainability of public finances in Northern Ireland.”

**Member's explanatory statement**

This amendment would direct the Secretary of State to explore an invest-to-save transformation fund.

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**Stephen Farry**

**4**

Clause 2, page 2, line 28, at end insert—

“(4A) The Secretary of State must engage with Northern Ireland departments and the Northern Ireland Fiscal Council to produce a needs-based assessment of funding compared to the Barnett formula in order to address the financial sustainability of Northern Ireland, specifically considering changes in relative need arising from differences in population characteristics and socio-economic conditions between Northern Ireland and England, to prevent the funding premium from falling below relative need.”

**Member's explanatory statement**

This amendment would direct the Secretary of State to explore the prospect for a needs-based spending floor and percentage uplift in Barnett consequential to reflect relative need in Northern Ireland.

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**Colum Eastwood**

**11**

Claire Hanna

☆ Clause 3, page 3, line 20, after “2022” insert “during a period when the Assembly is not functioning”

**Member's explanatory statement**

This amendment would limit the exemption from Assembly scrutiny of directions under this Bill to only periods when the Assembly is not functioning, rather than throughout the period when there is no Executive.

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**Colum Eastwood**

10

Claire Hanna

☆ Page 3, line 13, leave out Clause 3

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**Sir Jeffrey M Donaldson**

NC1

Sammy Wilson

Gavin Robinson

Mr Gregory Campbell

Jim Shannon

Ian Paisley

Carla Lockhart

Paul Girvan

☆ To move the following Clause—

**“Directions by the Secretary of State on exercise of functions in absence of Ministers**

- (1) A Northern Ireland department may make a request under this section if it is of the view that a particular function (such as making a very significant budget decision) cannot be exercised in the absence of a Minister.
- (2) The Secretary of State, if requested to do so by a Northern Ireland department, may give the department directions as to the exercise of any of its functions.
- (3) The Secretary of State may, after consulting the Assembly if it is functioning and considering any advice from the Assembly, issue guidance on making requests under this section.
- (4) Before making a request under this section, the Northern Ireland department must have regard to any guidance issued by the Secretary of State on making requests under this section.
- (5) Any guidance or direction made under this section must be laid before Parliament as soon as practicable.
- (6) Any direction made under this section lapses when an Executive is formed.”

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**Colum Eastwood**

NC2

Claire Hanna

☆ To move the following Clause—

**“Assembly power to exercise accountability over section 5A directions**

- (1) In a period where the Assembly is functioning but there is still no Executive, nothing in this Act will prevent a committee so mandated by the Assembly from seeking or taking evidence from relevant Northern Ireland departments or consultees named in any direction by the Secretary of State under section

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5A of the Northern Ireland (Executive Formation etc) Act 2022 in respect of options which might be considered or developed on foot of such a direction.

- (2) In such a period as described in subsection (1), a committee report adopted after a vote of the Assembly shall duly inform relevant departments and the Secretary of State in respect of relevant stated options for raising more public revenue in Northern Ireland or otherwise improving the sustainability of public finances in Northern Ireland.”