

# Northern Ireland (Executive Formation) Bill

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REVISED  
MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

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*[Amendments marked ★ are new or have been altered]*

**Amendment  
No.**

**Clause 1**

LORD CORMACK  
BARONESS O'LOAN

1 Page 1, line 4, leave out “21 October 2019” and insert “13 January 2020”

**Clause 2**

LORD CORMACK  
LORD TRIMBLE  
BARONESS O'LOAN

2 Page 1, line 10, leave out “13 January 2020” and insert “10 April 2020”

LORD CORMACK  
BARONESS O'LOAN

3 Page 1, line 11, leave out “21 October 2019” and insert “13 January 2020”

4 Page 2, line 2, leave out “21 October 2019” and insert “13 January 2020”

5 Page 2, line 5, leave out “21 October 2019” and insert “13 January 2020”

**Clause 3**

LORD ANDERSON OF IPSWICH  
LORD GOLDSMITH  
LORD NEWBY  
VISCOUNT HAILSHAM

6 Page 2, line 16, at end insert “, which shall be considered by each House of Parliament in accordance with subsection (2A).”

**Clause 3 - continued**

7 Page 2, line 17, leave out subsection (2) and insert –

“(2A) The Secretary of State must make arrangements for –

- (a) a copy of each report published under subsection (1) to be laid before each House of Parliament by the end of the day on which it is published,
- (b) a motion in neutral terms, to the effect that the House of Commons has considered the report, to be moved in the House of Commons by a Minister of the Crown, and
- (c) a motion for the House of Lords to take note of the report to be tabled in the House of Lords and moved by a Minister of the Crown.

(2B) The motions required under subsections (2A)(b) and (c) must be moved in the relevant House by a Minister of the Crown within the period of five calendar days beginning with the end of the day on which the report is laid before Parliament.”

LORD TRUE  
LORD FORSYTH OF DRUMLEAN  
*As an amendment to Amendment 7*

7A★ Leave out from “Parliament” in subsection (2A)(a) to end of subsection (2B)

LORD BRUCE OF BENNACHIE  
BARONESS HARRIS OF RICHMOND

8 Page 2, line 21, at end insert –

“( ) The report under subsection (1) must include a report on progress made towards preparing legislation to provide for transparency of political donations and loans from 1 January 2014.”

LORD ADONIS

9 Page 2, line 21, at end insert –

“( ) The report under subsection (1) must include a report on the improvement of higher education provision in Northern Ireland and the establishment of a university whose principal campus is in Derry/Londonderry.”

LORD CORMACK  
LORD TRIMBLE  
BARONESS O'LOAN

10 Page 2, line 38, leave out from “Parliament” to end of line 40 and insert “offering a consultation with the people of Northern Ireland if no Executive has been established by 10 April 2020.”

THE LORD BISHOP OF ST ALBANS

11 Page 3, line 2, at end insert –

“(f) delivering regulatory alignment between Northern Ireland and the rest of the United Kingdom in regard to gambling.”

**Clause 3 - continued**

LORD EMPEY

**12** Page 3, line 39, at end insert –

“( ) After making a report under subsection (1), the Secretary of State must publish a report on or before 10 September 2019 on progress on the establishment of a Renewable Heat Incentive Hardship Unit in the Department for the Economy.”

**13** Page 3, line 39, at end insert –

“( ) After making a report under subsection (1), in the event of the Northern Ireland Executive not yet being formed the Secretary of State must publish a report on or before 1 December 2019 detailing the future welfare mitigation support measures that will be in place after March 2020.”

**14** Page 3, line 39, at end insert –

“( ) After making a report under subsection (1), the Secretary of State must publish a report on or before 10 September 2019 on libel legislation in Northern Ireland and any plans to align Northern Irish legislation with libel legislation in the rest of the United Kingdom.”

**15** Page 3, line 39, at end insert –

“( ) After making a report under subsection (1), the Secretary of State must publish a report on or before 10 September 2019 on progress of the implementation of the “Protect Life 2 – Strategy for Suicide Prevention in Northern Ireland”.”

**16** Page 3, line 39, at end insert –

“( ) After making a report under subsection (1), the Secretary of State must publish a report on or before 10 September 2019 giving an updated assessment of by how much demand for elective care services is exceeding health service capacity for both new and existing patients across Northern Ireland, and detailing each of the current measures being taken to reduce health and social care waiting times, as well as those that are planned.”

**Clause 8**

LORD MORROW

LORD BROWNE OF BELMONT

LORD MCCREA OF MAGHERAFELT AND COOKSTOWN

**17** Page 5, line 35, at end insert –

“(1A) Any regulations under this section must include provision –

- (a) prohibiting any person or religious body being compelled by any means (including by the enforcement of a contract or a statutory or other legal requirement) to –
  - (i) conduct a same-sex marriage,
  - (ii) be present at, carry out, or otherwise participate in, a same-sex marriage,
  - (iii) consent to a same-sex marriage being conducted, or

**Clause 8 - continued**

- (iv) permit premises to be used for a same-sex marriage ceremony, if the marriage is to be solemnised according to the rites of a religion;
  - (b) prohibiting discrimination claims against a person or religious body for refusing to do anything listed within paragraph (a);
  - (c) prohibiting discrimination claims in relation to employment for the purposes of an organised religion where a person refuses to employ or otherwise appoint a person married to a person of the same sex;
  - (d) protecting freedom for discussion or criticism of marriage which concerns the sex of the parties to marriage, including urging persons to refrain from marrying a person of the same sex;
  - (e) requiring the Secretary of State to issue statutory guidance supporting freedom of expression and freedom of conscience in educational institutions in relation to beliefs about the definition of marriage.
- (1B) Provision made under subsection (1A) shall provide no less protection for freedom of expression and freedom of religion than applies in England and Wales.”

LORD CORMACK  
LORD TRIMBLE

18 Page 5, line 36, leave out subsection (2) and insert –

“(2) Regulations under this section must be introduced if no Executive has been established by 10 April 2020, subject to subsections (3) and (4) and after consultation with the people of Northern Ireland.”

**Clause 9**

LORD CORMACK

19 Page 6, line 8, leave out “21 October 2019” and insert “13 January 2020”

20 Page 6, line 14, leave out “21 October 2019” and insert “13 January 2020”

LORD MORROW  
LORD BROWNE OF BELMONT  
LORD MCCREA OF MAGHERAFELT AND COOKSTOWN

*The above-named Lords give notice of their intention to oppose the Question that Clause 9 stand part of the Bill.*

**After Clause 9**

LORD HAIN  
LORD EAMES  
LORD CORMACK  
LORD BRUCE OF BENNACHIE

21 Insert the following new Clause—

**“Pension for victims and survivors of Troubles-related incidents**

- (1) The Secretary of State must make regulations to give effect to a pension for those severely injured through no fault of their own during the period known as the Northern Ireland Troubles, in line with advice requested by the Secretary of State and submitted in May 2019 from the Northern Ireland Commissioner for Victims and Survivors, and to provide that those who qualify for the pension should receive it back-dated to 23 December 2014, being the date of signing of the Stormont House Agreement.
- (2) Regulations under this section must be in force no later than 21 October 2019, subject to subsections (3) and (4).
- (3) A statutory instrument containing regulations under subsection (1)—
  - (a) must be laid before both Houses of Parliament;
  - (b) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) If a Northern Ireland Executive is formed before the regulations under this section come into force, any regulations made under this section and any extant obligations arising under subsection (1) shall cease to have effect.”

LORD BRUCE OF BENNACHIE  
BARONESS HARRIS OF RICHMOND

22 Insert the following new Clause—

**“Transparency of donations and loans**

- (1) If no Northern Ireland Executive has been formed by 21 October 2019, then within 3 months of the report on progress towards preparing legislation to provide for transparency of political donations and loans from 1 January 2014 mentioned in section 3 being published, the Secretary of State must make regulations to amend the Transparency of Donations and Loans etc. (Northern Ireland Political Parties) Order 2018 to apply to a donation or loan received on or after 1 January 2014.
- (2) A statutory instrument containing regulations under subsection (1) may not be made unless a draft has been laid before, and approved by a resolution of, each House of Parliament.”

*After Clause 9 - continued*

BARONESS O'LOAN  
 LORD HAY OF BALLYORE  
 LORD EAMES  
 LORD ALTON OF LIVERPOOL

23 Insert the following new Clause—

**“Requirement for majority of MLAs to support regulations**

- (1) Before a statutory instrument can be laid in each House of Parliament under sections 8 and 9 of this Act, the conditions in subsections (2) and (3) must be met.
- (2) The first condition is that the Secretary of State must—
  - (a) hold a public consultation on the proposals in each of the regulations;
  - (b) consult individually with members of the Northern Ireland Assembly on the proposals in each of the regulations; and
  - (c) lay a report before each House of Parliament on the outcome of the consultations held under this section, including the number of members of the Northern Ireland Assembly in favour of and against each of the regulations.
- (3) The second condition is that—
  - (a) the relevant regulations under section 8 may only be laid before Parliament if a majority of the members of the Northern Ireland Assembly support the regulations as stated in the report laid before Parliament under subsection (2)(c); and
  - (b) the relevant regulations under section 9 may only be laid before Parliament if a majority of the members of the Northern Ireland Assembly support the regulations as stated in the report laid before Parliament under subsection (2)(c).”

LORD MORROW

24★ Insert the following new Clause—

**“Definition of Victim**

- (1) The Secretary of State must make regulations to change the definition of “victim” in Article 3 of the Victims and Survivors (Northern Ireland) Order 2006 (S.I. 2006/2953 (N.I. 17)) to apply only to a person who is injured or affected wholly by the actions of another person.
- (2) Regulations under this section must be in force no later than 21 October 2019, subject to subsections (3) and (4).
- (3) A statutory instrument containing regulations under subsection (1)—
  - (a) must be laid before both Houses of Parliament;
  - (b) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) If a Northern Ireland Executive is formed before the regulations under this section come into force, any regulations made under this section and any extant obligations arising under subsection (1) shall cease to have effect.”

*After Clause 9 - continued*

LORD BLACK OF BRENTWOOD  
LORD MCNALLY  
LORD KENNEDY OF SOUTHWARK

25★ Insert the following new Clause—

**“Extension of the Defamation Act 2013**

- (1) The Secretary of State must make regulations to change the law relating to defamation in Northern Ireland to provide that the Defamation Act 2013 is extended to Northern Ireland.
- (2) Regulations under this section must be in force no later than 21 October 2019, subject to subsections (3) and (4).
- (3) A statutory instrument containing regulations under subsection (1)—
  - (a) must be laid before both Houses of Parliament;
  - (b) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) If a Northern Ireland Executive is formed before the regulations under this section come into force, any regulations made under this section and any extant obligations arising under subsection (1) shall cease to have effect.”

BARONESS SMITH OF BASILDON

26★ Insert the following new Clause—

**“Historical institutional abuse in Northern Ireland: regulations**

- (1) The Secretary of State may by regulations provide for a publicly funded compensation scheme under an HIA Redress Board, distinct from the Northern Ireland Criminal Injuries Compensation Scheme 2009, to be charged to the Northern Ireland Consolidated Fund.
- (2) Regulations under this section must be in force no later than 21 October 2019, subject to subsections (3) and (4).
- (3) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (4) If a Northern Ireland Executive is formed before the regulations under this section come into force, any regulations made under this section and any extant obligations arising under subsection (1) shall cease to have effect.”

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*12 July 2019*

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