



Northern Ireland  
Assembly

Committee for the Office of the First Minister  
and deputy First Minister

# OFFICIAL REPORT (Hansard)

Northern Ireland (Stormont Agreement and  
Implementation Plan) Bill:  
Legislative Consent Motion

2 March 2016

# NORTHERN IRELAND ASSEMBLY

## Committee for the Office of the First Minister and deputy First Minister

### Northern Ireland (Stormont Agreement and Implementation Plan) Bill: Legislative Consent Motion

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#### **Members present for all or part of the proceedings:**

Mr Mike Nesbitt (Chairperson)  
Mr Alex Attwood  
Ms Megan Fearon  
Mr Chris Hazzard  
Mr Gordon Lyons

**The Chairperson (Mr Nesbitt):** We have to consider a draft report on the forthcoming legislative consent motion (LCM) on the Northern Ireland (Stormont Agreement and Implementation Plan) Bill. As an opening position, I ask you to turn to page 67 of your main pack, where you will find paragraphs 1 to 12, which are a factual account of our consideration of the LCM and its proposals to date. Do members have any comments on paragraphs 1 to 12? OK.

Paragraph 13 relates to the Committee for Finance and Personnel's consideration of the LCM. It previously agreed to seek an urgent response from the Department of Finance and Personnel on the provisions that relevant to its remit. However, a response from DFP was not received in time to be considered at its meeting last week, and, in view of the time constraints, the Finance and Personnel Committee agreed that the response from DFP would be forwarded once received. It has been, and it is in our tabled pack at page 10. We have a draft paragraph 13 outlining DFP's views for insertion in the report. That is in the tabled pack at page 14. Do members have any comments on paragraph 13? I will give you a moment to further consider.

In the absence of comments, we will move on. Members, if you turn to page 73 of the main pack, you will see that there is a choice: the inclusion of either paragraph 14 or paragraph 15, dependent, of course, on whether the Committee agrees to support the LCM. Is everybody content so far?

**Mr Attwood:** I have a number of comments to make about the whole thing. I do not intend to oppose or resist the LCM, but the SDLP plans to table amendments in the London processes on the Bill to enhance it, seek clarity in it and generally make it a more rigorous approach. Whatever judgement I or the party make here on the LCM is without prejudice to the fact that we are making proposals in London.

**The Chairperson (Mr Nesbitt):** In fairness, the same would apply to the Ulster Unionist Party, which is certainly giving it active consideration.

**Mr Attwood:** There is a remarkable lack of insight or explanation of what is happening with the Budget processes. Every year, we will have the requirement to table a report from London about what the

allocation is for the year and how that allocation cannot be breached, yet we are not clear whether that means that there will be an enhanced Budget process here. The Minister of Finance was no clearer on that in the debate on the Final Stage of the Budget Bill last week.

There are proposals in respect of an enhanced ministerial code and enhanced responsibilities for MLAs as a result of 'A Fresh Start'. Whether people live up to those words is a matter to be judged in real time and in the real world, but those words do not extend to councillors. The councillors have an oath of non-violence, but they do not have further commitments under the new words in 'A Fresh Start' in relation to a commitment to the rule of law.

Ultimately, the processes around the LCM have been very limited. There has been a very short time frame. The Finance and Personnel Committee is commenting without getting information from DFP. The process is utterly inadequate in terms of the obligations that will fall to Ministers, MLAs, the Executive and so on.

I will not resist this going forward, because there are elements that are good and some that are very good, but it is all subject to those comments and what we may do in Westminster.

**The Chairperson (Mr Nesbitt):** OK, members. It is now on the record that at least two parties on this Committee are looking to their Westminster team to potentially table amendments at Westminster. That is without prejudice to what the Committee might decide about the LCM. Are there any other comments?

**Mr Attwood:** Has the LCM been endorsed by the Executive yet?

**The Chairperson (Mr Nesbitt):** I do not think that it would have got to the Executive. It may have.

**Mr Attwood:** Is it in Monday or Tuesday's business?

**The Chairperson (Mr Nesbitt):** For next week? Do we know?

**The Committee Clerk:** I think that it might be on for 15 March.

**The Chairperson (Mr Nesbitt):** We know that 'A Fresh Start' itself was endorsed by two of the four parties of the Executive.

**The Committee Clerk:** My understanding is that LCMs would generally not be laid unless they have been cleared by the Executive. The memorandum has already been laid, which is why, under Standing Orders, the Committee has to bring forward the report within 15 days. Those 15 days will be up on Friday.

**Mr Attwood:** OK. I understand.

**The Chairperson (Mr Nesbitt):** It is a formal Question, members. Does the Committee for the Office of the First Minister and deputy First Minister support the legislative consent motion on the Northern Ireland (Stormont Agreement and Implementation Plan) Bill?

*Members indicated assent.*

**The Chairperson (Mr Nesbitt):** We all agree. Thank you very much. On that basis, are members content with the wording of paragraph 14 and content that paragraph 15 will consequently be deleted?

*Members indicated assent.*

**The Chairperson (Mr Nesbitt):** Are members content to approve the draft report, remembering that paragraphs 1 to 12 are basically the factual history of our considerations, paragraph 13 is the paragraph from the Committee for Finance and Personnel that we were looking at and paragraph 14 is what we have just agreed, with paragraph 15 dropped?

*Members indicated assent.*

**The Chairperson (Mr Nesbitt):** Lastly, members, at page 73 of the main pack is a list of the appendices to the report, and I must ask this formally: are you content to approve the appendices to the report?

*Members indicated assent.*