

COMMISSION FOR VICTIMS AND SURVIVORS (NORTHERN IRELAND) ACT 2008

EXPLANATORY NOTES

INTRODUCTION

1. These Explanatory Notes relate to the Commission for Victims and Survivors (Northern Ireland) Act 2008 which received Royal Assent on 23 May 2008. They have been prepared by the Department of the First Minister and Deputy First Minister in order to assist the reader in understanding the Act. They do not form part of the Act and have not been endorsed by the Assembly.
2. The Notes need to be read in conjunction with the Act. They are not, and are not meant to be, a comprehensive description of the Act. So where a section or part of a section or Schedule does not seem to require an explanation or comment, none is given.

BACKGROUND AND POLICY OBJECTIVES

3. The Victims and Survivors (Northern Ireland) Order 2006 made provision for a Commissioner for Victims and Survivors for Northern Ireland, to be appointed by the First Minister and deputy First Minister, acting jointly.
4. Following a public appointments process, the First Minister and deputy First Minister on 28 January 2008, announced to the Assembly the appointment of four Commissioners Designate for Victims and Survivors, in effect a Commission. The establishment of the Commission requires amendment of the Victims and Survivors (Northern Ireland) Order 2006.
5. The Commission for Victims and Survivors (Northern Ireland) Act 2008 replaces the Commissioner for Victims and Survivors with a Commission.

CONSULTATION

6. The Act simply replaces the Commissioner for Victims and Survivors with a Commission following the announcement by the First and deputy First Minister of the appointment of four Commissioners Designate. It was not considered necessary, therefore, to carry out further consultation.

OPTIONS CONSIDERED

7. There was no other option but to introduce an Act amending the Victims and Survivors (Northern Ireland) Order 2006 to establish a Commission on foot of the decision of the First Minister and deputy First Minister to appoint four Commissioners Designate.

OVERVIEW

8. The Act contains two sections, the first of which amends Article 4(1) to (3) of the Victims and Survivors (Northern Ireland) Order 2006 and replaces the Schedule to that Order

COMMENTARY ON SECTIONS

(Comments are not given where the wording is self-explanatory.)

Section 1 contains a number of amendments to the Victims and Survivors (Northern Ireland) Order 2006. The effect is that references in the Order to a Commissioner are replaced with references to a Commission. Paragraph 3(1) of Schedule 1 to the Act provides that the Commission shall consist of such members as are appointed by the First Minister and deputy First Minister. Para 5(2) provides that if it appears to the Commission that a person it proposes to appoint as an employee has at any time been convicted of a criminal offence, the Commission can only make the appointment with the approval of the First Minister and deputy First Minister. Paragraph 9 (6) of Schedule 1 to the Act provides that the First Minister and deputy First Minister shall keep the working arrangements of the Commission under review and may designate a member as Chief Commissioner should that be deemed necessary for the efficient and effective working of the Commission in the future.

*These Notes refer to the Commission For Victims And Survivors Act (Northern Ireland)2008 (c.6)
which received Royal Assent 23 May 2008*

HANSARD REPORTS

9. The following table sets out the dates of the Hansard reports for each stage of the Act's passage through the Assembly.

STAGE	DATE
Introduction to the Assembly and debate on the accelerated passage motion	31 March 2008
Second stage	1 April 2008
Consideration stage	6 May 2008
Further consideration stage	12 May 2008
Final stage	13 May 2008
Royal Assent	23 May 2008

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