



Northern Ireland (Stormont Agreement and Implementation Plan) Act 2016

2016 CHAPTER 13

The Independent Reporting Commission

PROSPECTIVE

2 Exercise of functions

- (1) The Commission's objective is to promote progress towards ending paramilitary activity connected with Northern Ireland.
- (2) The Commission must exercise its functions in the way which it considers is most appropriate for meeting its objective.
- (3) In exercising its functions, the Commission must not do anything which might—
 - (a) prejudice the national security interests of the United Kingdom or Ireland,
 - (b) put at risk the life or safety of any person,
 - (c) have a prejudicial effect on the prevention, investigation or detection of crime, or
 - (d) have a prejudicial effect on any actual or prospective legal proceedings.
- (4) In subsection (3) “prospective legal proceedings”, in relation to the exercise of a function, means legal proceedings which in the view of the Commission are likely to be brought within a reasonable period of the function being exercised.
- (5) The Secretary of State must issue guidance about the exercise of the Commission's functions in relation to information the disclosure of which might—
 - (a) prejudice the national security interests of the United Kingdom, or
 - (b) put at risk the life or safety of any person.
- (6) The Commission must have regard to the guidance in exercising its functions.
- (7) The Secretary of State may amend or replace the guidance issued.

Status: *This version of this provision is prospective.*

Changes to legislation: *Northern Ireland (Stormont Agreement and Implementation Plan) Act 2016, Section 2 is up to date with all changes known to be in force on or before 03 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

(8) The Secretary of State must publish the current guidance issued.

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Changes and effects yet to be applied to :

- s. 2 coming into force by [S.I. 2016/1258 reg. 2\(b\)](#) (This provision comes into force on the day on which the agreement relating to paramilitary activity enters into force. See the definition of “agreement relating to paramilitary activity” in s. 4(1) of the Northern Ireland (Stormont Agreement and Implementation Plan) Act 2016 (c. 13). A copy of the agreement is, and the date on which the agreement enters into force will be, published on the relevant page of UK Treaties Online which can be found at this link: <https://www.gov.uk/uk-treaties>.)