



Identity and Language (Northern Ireland) Act 2022

2022 CHAPTER 45

PART 2

POWERS OF THE SECRETARY OF STATE

7 Concurrent powers and powers of direction: supplementary provision

- (1) The fact that a matter has not been brought to the attention of, or discussed and agreed by, the Executive Committee of the Assembly is to be disregarded when determining what a Northern Ireland Minister, Northern Ireland department or identity and language authority could do for the purposes of [section 6\(1\)](#) and [\(2\)](#).
- (2) A Northern Ireland Minister, Northern Ireland department or identity and language authority must comply with a direction under [section 6\(2\)](#) irrespective of whether any matter has been brought to the attention of, or discussed and agreed by, the Executive Committee of the Assembly.
- (3) A direction under [section 6\(2\)](#) does not require a disclosure of information if the disclosure would contravene the data protection legislation (but in determining whether a disclosure would do so, take into account the duty to comply with a direction under [section 6\(2\)](#)).
- (4) The power in section 44(1) of the Northern Ireland Act 1998 (power to call witnesses and documents) is not exercisable in relation to an excluded person in connection with the exercise of a function under or in accordance with a direction under [section 6\(2\)](#).
- (5) Subsection (4) does not apply in relation to an excluded person who is or has been an identity and language authority, or works or has worked for or on behalf of an identity and language authority, in connection with the person's time as or with the authority.
- (6) In this section—

“data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3(9) of that Act);

Changes to legislation: There are currently no known outstanding effects for the Identity and Language (Northern Ireland) Act 2022, Section 7. (See end of Document for details)

- “excluded person” means a person—
- (a) who is or has been a Minister of the Crown, or
 - (b) who is or has been in Crown employment within the meaning of Article 236 of the Employment Rights (Northern Ireland) Order 1996.

Commencement Information

- I1** S. 7 not in force at Royal Assent, see [s. 10\(2\)](#)
- I2** [S. 7](#) in force at 22.5.2023 by [S.I. 2023/566](#), [reg. 2\(h\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Identity and Language (Northern Ireland) Act 2022, Section 7.