STATUTORY INSTRUMENTS

1995 No. 2991

The Financial Provisions (Northern Ireland) Order 1995

Consent of Department of Finance and Personnel

Power to remove requirement for consent of Department of Finance and Personnel

3.—(1) Where—

(a) under any relevant provision a function of any department or statutory body is exercisable with DFP consent; and

(b) it appears to DFP to be appropriate for that function to be exercisable by that department or body without such consent,

DFP may by order amend or repeal that provision so as to enable that department or body to exercise that function without DFP consent.

(2) An order under paragraph (1) shall be subject to affirmative resolution.

(3) For the purposes of paragraph (1) a function is exercisable with DFP consent—

(a) if the exercise of that function requires the consent, approval, concurrence or agreement of DFP; or

(b) if that function is required to be exercised in accordance with arrangements approved or agreed by DFP.

(4) In this Article—

"department" means a Northern Ireland department other than DFP;

"DFP" means the Department of Finance and Personnel;

"relevant provision" means a provision contained in—

(a) an Act of the Parliament of the United Kingdom;

(b) an Act of the Parliament of Ireland;

(c) an Act of the Parliament of Northern Ireland;

(d) an Order in Council under section 1(3) of the Northern Ireland (Temporary Provisions) Act 1972;

(e) an Order in Council under Schedule 1 to the Northern Ireland Act 1974,

being such an Act or Order passed or made before this Order is made;

"statutory body" means a body constituted by or under a statutory provision;

"statutory provision" has the meaning assigned to it by section 1(f) of the Interpretation Act (Northern Ireland) 1954.

(5) References in this Article to a function of a department or statutory body do not include references to a power to make a statutory instrument within the meaning of the Interpretation Act (Northern Ireland) 1954.

Changes to legislation:
There are currently no known outstanding effects for the The Financial Provisions (Northern Ireland) Order 1995, Section 3.