

Draft Regulations laid before Parliament under section 10(2)(a) of the Northern Ireland (Stormont Agreement and Implementation Plan) Act 2016, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2016 No.

NORTHERN IRELAND

CONSTITUTIONAL LAW

The Northern Ireland (Stormont Agreement and Implementation Plan) Act 2016 (Independent Reporting Commission) Regulations 2016

Made - - - -

Coming into force in accordance with regulation 1

The Secretary of State, in exercise of the powers conferred by section 4(2) and (3)(b) of the Northern Ireland (Stormont Agreement and Implementation Plan) Act 2016^(a), makes the following Regulations.

A draft of these Regulations has been laid before Parliament and has been approved by each House of Parliament in accordance with section 10(2)(a) of that Act.

Citation and commencement

1. These Regulations may be cited as the Northern Ireland (Stormont Agreement and Implementation Plan) Act 2016 (Independent Reporting Commission) Regulations 2016 and come into force on the day on which the agreement relating to paramilitary activity^(b) enters into force.

Exercise of functions of the Commission

2.—(1) The Commission must exercise its functions in the way which it considers is most appropriate with a view to supporting long term peace and stability in society and stable and inclusive devolved Government in Northern Ireland.

(2) In exercising its functions the Commission must not do anything which might have a prejudicial effect on the prosecution of crime.

(a) 2016 c. 13.

(b) See the definition of “agreement relating to paramilitary activity” in section 4(1) of the Northern Ireland (Stormont Agreement and Implementation Plan) Act 2016. A copy of the agreement can be found at <https://www.gov.uk/guidance/uk-treaties#treaty-command-papers>; 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>.

(3) Paragraphs (1) and (2) are in addition to the requirements of section 2 of the Northern Ireland (Stormont Agreement and Implementation Plan) Act 2016.

Publication of the Commission's reports and accounts

3.—(1) Following receipt of a report provided to the Secretary of State by the Commission in accordance with Article 4 of the agreement relating to paramilitary activity, the Secretary of State must—

- (a) lay the report before Parliament; and
- (b) arrange for it to be published.

(2) Following receipt of a report from the auditors of the Commission in accordance with Article 10 of the agreement relating to paramilitary activity, the Secretary of State must—

- (a) lay the accounts of the Commission and the auditor's report before Parliament; and
- (b) arrange for the accounts and report to be published.

Northern Ireland Office
Date

Name
Secretary of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Northern Ireland (Stormont Agreement and Implementation Plan) Act 2016 (Independent Reporting Commission) Regulations 2016 make provision in relation to the Independent Reporting Commission (“the Commission”) provided for in the Northern Ireland (Stormont Agreement and Implementation Plan) Act 2016 (c. 13) (“the Act”).

Regulations 2 and 3 give full effect to the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing the Independent Reporting Commission dated 13th September 2016, a copy of which can be found at <https://www.gov.uk/guidance/uk-treaties#treaty-command-papers>. Regulation 2 provides that, in addition to the provisions in section 2 of the Act, the Commission must exercise its functions with a view to supporting long term peace and stability in society and stable and inclusive devolved Government in Northern Ireland, and that it does not act in a way which might prejudice the prosecution of crime. Regulation 3 requires the Secretary of State to lay the reports of the Commission, and the Commission's accounts and auditor's report, before Parliament and to arrange for them to be published.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is annexed to the Explanatory Memorandum which is available alongside the instrument at www.legislation.gov.uk.

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