

## SCHEDULES

### SCHEDULE 13

Section 99.

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Fair Employment (Northern Ireland) Act 1976 (c. 25)*

- 1 (1) The Fair Employment (Northern Ireland) Act 1976 shall be amended as follows.
- (2) In section 1 (the Fair Employment Commission for Northern Ireland)—
  - (a) for the words in subsection (1) before paragraph (a) substitute “The Commission shall have the duties of”; and
  - (b) subsection (2) shall cease to have effect.
- (3) In section 2 (educational functions) after “discharging its duties” insert “under section 1”.
- (4) In section 57(1) (interpretation), in the definition of “the Commission” for “the Fair Employment Commission for Northern Ireland” substitute “the Equality Commission for Northern Ireland”.
- (5) Schedule 1 (the Fair Employment Commission for Northern Ireland) shall cease to have effect.

##### *Sex Discrimination (Northern Ireland) Order 1976 (S.I. 1976/1042 (N.I. 15))*

- 2 (1) The Sex Discrimination (Northern Ireland) Order 1976 shall be amended as follows.
- (2) In Article 2(2) (interpretation), in the definition of “the Commission” for “the Equal Opportunities Commission for Northern Ireland” substitute “the Equality Commission for Northern Ireland”.
- (3) In Article 54(1) (establishment of Equal Opportunities Commission for Northern Ireland)—
  - (a) in paragraph (1) for the words before paragraph (a) substitute “The Commission shall have the following duties”; and
  - (b) paragraphs (2) to (4) shall cease to have effect.
- (4) Schedule 3 (the Equal Opportunities Commission for Northern Ireland) shall cease to have effect.

##### *Interpretation Act 1978 (c. 30)*

- 3 In section 24(5) of the Interpretation Act 1978 (meaning of “Northern Ireland legislation”), for paragraphs (d) and (e) substitute—
  - “(d) Measures of the Northern Ireland Assembly established under section 1 of the Northern Ireland Assembly Act 1973;

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- (e) Orders in Council under Schedule 1 to the Northern Ireland Act 1974;
- (f) Acts of the Northern Ireland Assembly; and
- (g) Orders in Council under section 85 of the Northern Ireland Act 1998.”

*Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I.12))*

- 4 In Part II of Schedule 1 to the Statutory Rules (Northern Ireland) Order 1979 (rule-making authorities), for “section 40 of and paragraph 4 of Schedule 5 to the Northern Ireland Constitution Act 1973” substitute “section 95(5) of and paragraph 8 of Schedule 12 to the Northern Ireland Act 1998”.

*Mental Health Act 1983 (c. 20)*

- 5 (1) The Mental Health Act 1983 shall be amended as follows.
- (2) In section 134(3)(a) (correspondence of patients), after “Parliament” insert “or of the Northern Ireland Assembly”.
- (3) In section 141 (members of the House of Commons suffering from mental illness), after subsection (9) insert—
- “(10) This section also has effect in relation to members of the Northern Ireland Assembly but as if—
- (a) references to the House of Commons were to the Assembly and references to the Speaker were to the Presiding Officer; and
  - (b) in subsection (7), for “provided by Parliament” there were substituted “appropriated by Act of the Assembly”.”

*Insolvency Act 1986 (c. 45)*

- 6 In section 427 of the Insolvency Act 1986 (members of the House of Commons who are adjudged bankrupt etc.), after subsection (6B) insert—
- “(6C) Subsection (1), as applied to a member of the Northern Ireland Assembly by virtue of section 36(4) of the Northern Ireland Act 1998, has effect as if “or Northern Ireland” were omitted; and subsections (4) to (6) have effect in relation to such a member as if—
- (a) references to the House of Commons were to the Assembly and references to the Speaker were to the Presiding Officer; and
  - (b) in subsection (4), for “under this section” there were substituted “under section 36(4) of the Northern Ireland Act 1998 by virtue of this section”.”

*Audit (Northern Ireland) Order 1987 (S.I. 1987/460 (N.I.5))*

- 7 In Article 6(2) of the Audit (Northern Ireland) Order 1987 (expenses and accounts of Northern Ireland Audit Office)—
- (a) for “the Department”, in the first place where it occurs, substitute “the committee established under section 66 of the Northern Ireland Act 1998”; and

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- (b) for “the Department”, in the second place where it occurs, substitute “that committee”.

*Copyright, Designs and Patents Act 1988 (c. 48)*

- 8 (1) The Copyright, Designs and Patents Act 1988 shall be amended as follows.
- (2) In section 12(9) (duration of copyright in literary, dramatic, musical or artistic works), for “166A” substitute “166B”.
- (3) In section 153(2) (qualification for copyright protection), for “166A” substitute “166B”.
- (4) In section 163(6) (Crown copyright), for “166A” substitute “166B”.
- (5) In section 164(1) (Crown copyright in Acts of Parliament, etc.), after “Scottish Parliament” insert “, Act of the Northern Ireland Assembly”.
- (6) After section 166A insert—

**“166B Copyright in Bills of the Northern Ireland Assembly**

- (1) Copyright in every Bill introduced into the Northern Ireland Assembly belongs to the Northern Ireland Assembly Commission.
- (2) Copyright under this section subsists from the time when the text of the Bill is handed in to the Assembly for introduction—
- (a) until the Bill receives Royal Assent, or
- (b) if the Bill does not receive Royal Assent, until it is withdrawn or rejected or no further proceedings of the Assembly may be taken in respect of it.
- (3) References in this Part to Parliamentary copyright (except in section 165) include copyright under this section; and, except as mentioned above, the provisions of this Part apply in relation to copyright under this section as to other Parliamentary copyright.
- (4) No other copyright, or right in the nature of copyright, subsists in a Bill after copyright has once subsisted under this section; but without prejudice to the subsequent operation of this section in relation to a Bill which, not having received Royal Assent, is later reintroduced into the Assembly.”
- (7) In the definition of “parliamentary proceedings” in section 178 (definitions), the words “, of the New Northern Ireland Assembly” shall cease to have effect.
- (8) In section 179 (index of defined expressions), in column 2 of the entry for “Parliamentary copyright”, for “and 166A(3)” substitute “166A(3) and 166B(3)”.

*Official Secrets Act 1989 (c. 6)*

- 9 (1) Section 12 of the Official Secrets Act 1989 (interpretation) shall be amended as follows.
- (2) Subsection (1)(b) shall cease to have effect.
- (3) After subsection (4) insert—

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“(5) This Act shall apply to the following as it applies to persons falling within the definition of Crown servant—

- (a) the First Minister and deputy First Minister in Northern Ireland; and
- (b) Northern Ireland Ministers and junior Ministers.”

*Fair Employment (Northern Ireland) Act 1989 (c. 32)*

- 10 (1) The Fair Employment (Northern Ireland) Act 1989 shall be amended as follows.
- (2) The following shall be substituted for section 1—

**“1 The Equality Commission for Northern Ireland**

In this Act “the Commission” means the Equality Commission for Northern Ireland.”

- (3) In section 9(6) (approval of Code of Practice), for “section 27(2) of the Northern Ireland Constitution Act 1973” substitute “section 31(1) or (2) of the Northern Ireland Act 1998”.
- (4) In Schedule 2 (minor and consequential amendments), paragraphs 5 and 6 and 22 to 28 shall cease to have effect.

*Social Security Administration Act 1992 (c. 5)*

- 11 In section 189 of the Social Security Administration Act 1992 (regulations and orders: general)—
- (a) in subsection (9), for “175 and 178” substitute “and 175”; and
  - (b) in subsection (11), for “any of sections 177 to 179” substitute “section 179”.

*Social Security Administration (Northern Ireland) Act 1992 (c. 8)*

- 12 In section 165 of the Social Security Administration (Northern Ireland) Act 1992 (regulations and orders: general)—
- (a) in subsection (10), for “152 and 154” substitute “and 152”; and
  - (b) in subsection (11), for “any of sections 153 to 155” substitute “section 155”.

*Environment and Safety Information (Northern Ireland) Order 1993 (S.I. 1993/3159 (N.I.14))*

- 13 In the second column of Schedule 1 to the Environment and Safety Information (Northern Ireland) Order 1993 (enforcing authorities), for “section 43(2) of the Northern Ireland Constitution Act 1973” substitute “section 4(1) of the Northern Ireland Act 1998”.

*Civil Service (Management Functions) (Northern Ireland) Order 1994 (S.I. 1994/1894 (N.I.9))*

- 14 In Article 3(1) of the Civil Service (Management Functions) (Northern Ireland) Order 1994, for paragraphs (a) and (b) substitute “which, by virtue of a prerogative order made under section 23(3) of the Northern Ireland Act 1998, is exercisable by the Department of Finance and Personnel”.

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*Olympic Symbol etc. Protection Act 1995 (c. 32)*

- 15 In section 4(16) of the Olympic Symbol etc. Protection Act 1995 (definitions), in the definition of “Royal Commission”, for “by the Secretary of State in pursuance of the prerogative powers of Her Majesty delegated to him under section 7(2) of the Northern Ireland Constitution Act 1973” substitute “by a Minister, within the meaning of the Northern Ireland Act 1998, or Northern Ireland department in pursuance of the prerogative powers of Her Majesty exercisable by the Minister or department under section 23 of that Act”.

*Disability Discrimination Act 1995 (c. 50)*

- 16 (1) The Disability Discrimination Act 1995 shall be amended as follows.
- (2) In Schedule 8—
- (a) for “the Council” and “the Northern Ireland Disability Council” substitute “the Equality Commission for Northern Ireland”;
- (b) for paragraph 33(1) substitute—
- “33 (1) In sections 50 to 52, for “the Council” substitute, in each place, the “Equality Commission for Northern Ireland”.
- (1A) Section 50(1) shall have no effect.”; and
- (c) for paragraph 52 substitute—
- “52 (1) Schedule 5, except paragraph 7(a) to (c), shall have no effect.
- (2) In paragraph 7(a) to (c), for “Secretary of State” wherever it occurs substitute “Department of Health and Social Services”.”

*Commissioner for Complaints (Northern Ireland) Order 1996 (S.I. 1996/1297 (N.I.7))*

- 17 In Article 9(3) of the Commissioner for Complaints (Northern Ireland) Order 1996 (matters not subject to investigation), for “section 22 of the Northern Ireland Constitution Act 1973” substitute “section 78 of the Northern Ireland Act 1998”.

*Ombudsman (Northern Ireland) Order 1996 (S.I. 1996/1298 (N.I.8))*

- 18 In Article 10(3) of the Ombudsman (Northern Ireland) Order 1996 (matters not subject to investigation), for “section 22 of the Northern Ireland Constitution Act 1973” substitute “section 78 of the Northern Ireland Act 1998”.

*Race Relations (Northern Ireland) Order 1997 (S.I. 1997/869 (N.I.6))*

- 19 (1) The Race Relations (Northern Ireland) Order 1997 shall be amended as follows.
- (2) In Article 2(2) (interpretation), in the definition of “the Commission” for “the Commission for Racial Equality for Northern Ireland” substitute “the Equality Commission for Northern Ireland”.
- (3) Article 42(1) and (3) to (5) and Schedule 1 (establishment of Commission for Racial Equality for Northern Ireland) shall cease to have effect.

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*Northern Ireland (Elections) Act 1998 (c. 12)*

20 In Schedule 1 to the Northern Ireland (Elections) Act 1998 (the Assembly), for paragraph 8 substitute—

- “8 (1) For the purposes of the law of defamation, absolute privilege shall attach to—
- (a) the making of a statement in proceedings of the Assembly; and
  - (b) the publication of a statement under the Assembly’s authority.
- (2) In this paragraph “statement” has the same meaning as in the Defamation Act 1996.”

*Data Protection Act 1998 (c. 29)*

21 (1) In paragraph 4 of Schedule 7 to the Data Protection Act 1998 (miscellaneous exceptions), for “Northern Ireland department” substitute “Northern Ireland authority”.

(2) Renumber that paragraph (as so amended) as sub-paragraph (1) and after that provision as so renumbered insert—

“(2) In this paragraph “Northern Ireland authority” means the First Minister, the deputy First Minister, a Northern Ireland Minister or a Northern Ireland department.”