



# Northern Ireland (Miscellaneous Provisions) Act 2014

## 2014 CHAPTER 13

*Excepted and reserved matters*

### **10 Civil Service Commissioners for Northern Ireland**

- (1) In paragraph 21 of Schedule 2 to the Northern Ireland Act 1998 (excepted matters), after “Northern Ireland Constitution Act 1973” insert “, other than section 36(1)(c),”.
- (2) In paragraph 16 of Schedule 3 to that Act (reserved matters), omit “functions and procedures of the”.
- (3) Section 4 of that Act (transferred, excepted and reserved matters) is amended as follows.
- (4) In subsection (2), for “and (3)” substitute “to (3D)”.
- (5) After subsection (3) insert—

“(3A) The Secretary of State shall not lay before Parliament under subsection (2) the draft of an Order amending paragraph 16 of Schedule 3 (Civil Service Commissioners for Northern Ireland) unless the Secretary of State has, at least three months before laying the draft, laid a report before Parliament.

(3B) The report under subsection (3A) must set out the Secretary of State’s view of the effect (if any) that the Order would have on—

- (a) the independence of the Civil Service Commissioners for Northern Ireland;
- (b) the application of the principle that persons should be selected for appointment to the Northern Ireland Civil Service on merit on the basis of fair and open competition; and
- (c) the impartiality of the Northern Ireland Civil Service.”

## 11 Northern Ireland Human Rights Commission

- (1) In paragraph 22 of Schedule 2 to the Northern Ireland Act 1998 (excepted matters), for sub-paragraph (f) substitute—
- “(f) in Part VII, sections 69B, 71(1) and (2) and (3) to (5), 74(5) and (6), 76 and 78;”.
- (2) In paragraph 42 of Schedule 3 to that Act (reserved matters), after sub-paragraph (a) insert—
- “(aa) in Part VII, sections 68 to 69A, 69C to 70, 71(2A) to (2C) and Schedule 7;”.
- (3) In section 4 of that Act (transferred, excepted and reserved matters), after subsection (3B) (as inserted by section 10) insert—
- “(3C) The Secretary of State shall not lay before Parliament under subsection (2) the draft of an Order amending paragraph 42(aa) of Schedule 3 (Northern Ireland Human Rights Commission) unless the Secretary of State has, at least three months before laying the draft, laid a report before Parliament.
- (3D) The report under subsection (3C) must set out the Secretary of State’s view of the effect (if any) that the Order would have on—
- (a) the independence of the Northern Ireland Human Rights Commission;
  - (b) the application of internationally accepted principles relating to national human rights institutions; and
  - (c) the relationship between the Northern Ireland Human Rights Commission and the Assembly.”

## 12 District electoral areas for council elections

- (1) In paragraph 12 of Schedule 2 to the Northern Ireland Act 1998 (excepted matters), the existing provision becomes sub-paragraph (1) and after that sub-paragraph insert—
- “(2) This paragraph does not apply to—
- (a) the division of local government districts into areas (“district electoral areas”) for the purposes of elections to the councils of those districts,
  - (b) the determination of the names of district electoral areas, or
  - (c) the determination of the number of councillors to be elected for a district electoral area or a local government district.”
- (2) After paragraph 41 of Schedule 3 to that Act (reserved matters) insert—
- “41A (1) The division of local government districts into areas (“district electoral areas”) for the purposes of elections to the councils of those districts.
- (2) The determination of the names of district electoral areas.
  - (3) The determination of the number of councillors to be elected for a district electoral area or a local government district.”