

SCHEDULES

SCHEDULE 19

Article 16

Amendments relating to Public Bodies etc

Land Law (Ireland) Act 1881

1.—(1) The functions of the Treasury by virtue of section 56 of the Land Law (Ireland) Act 1881(1) are transferred to the Department of Finance and Personnel in Northern Ireland.

(2) Regulations made under that section by the Department are to be laid before the Northern Ireland Assembly (and not the House of Commons) and are not to come into effect until after the end of the statutory period next after the regulations have been laid.

(3) For the purposes of sub-paragraph (2)—

- (a) “the statutory period” has the meaning given by section 41(2) of the Interpretation Act (Northern Ireland) 1954(2);
- (b) section 41(3) of the 1954 Act(3) applies in relation to the laying of regulations as it applies in relation to the laying of a statutory document under an enactment.

2.—(1) The functions of the Comptroller and Auditor General by virtue of section 56 of the Land Law (Ireland) Act 1881 are transferred to the Comptroller and Auditor General for Northern Ireland.

(2) Any accounts transmitted for audit to the Comptroller and Auditor General for Northern Ireland, together with the Comptroller’s report thereon, are to be laid before the Northern Ireland Assembly (and not the House of Commons) not later than three months after the date on which the accounts were transmitted for audit.

(3) For the purposes of sub-paragraph (2) section 41(3) of the Interpretation Act (Northern Ireland) 1954 applies in relation to the laying of any accounts or report as it applies in relation to the laying of a statutory document under an enactment.

(4) Sub-paragraphs (1) to (3) above do not apply in relation to any accounts for a period ending before the coming into force of this Order.

Parliamentary Commissioner Act 1967

3.—(1) Amend the Parliamentary Commissioner Act 1967(4) as follows.

(2) In Schedule 2 (departments etc. subject to investigation) omit the following entries—

“The Chief Inspector of Criminal Justice for Northern Ireland.”

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- (1) 1881 c. 49. Section 56 was modified by the Northern Ireland Land Purchase (Winding Up) Act 1935 (c. 21) and the Northern Ireland Land Purchase Winding Up (Adaptation) Order 1936 (S.R. & O (N.I.) 1937 No. 306); and repealed by the Property (Northern Ireland) Order 1997 (S.I. 1997/1179 (N.I. 8), subject to a saving.
 - (2) 1954 c. 33 (N.I.). Section 41(2) was substituted by the Legislative Procedure Act (Northern Ireland) 1968 (c. 24) (N.I.) and amended by S.I. 1973/2163.
 - (3) Section 41(3) was substituted by S.I. 1999/663.
 - (4) 1967 c. 13. Schedule 2 was substituted by the Parliamentary Commissioner Order 2008 (S.I. 2008/3115). Schedule 4 was substituted by the Parliamentary Commissioner Order 2007 (S.I. 2007/3470).

Status: This is the original version (as it was originally made).

- “Northern Ireland Law Commission.”
- “Northern Ireland Legal Services Commission.”
- “Northern Ireland Police Fund.”
- “Northern Ireland Policing Board.”
- “Probation Board for Northern Ireland.”
- “Royal Ulster Constabulary George Cross Foundation.”

(3) In Schedule 4 (relevant tribunals for the purposes of section 5(7)) omit—

“Adjudicators appointed under article 7(1)(b) of the Criminal Injuries Compensation (Northern Ireland) Order 2002⁽⁵⁾

(4) Sub-paragraph (2) above does not apply in relation to a complaint made under the 1967 Act before the coming into force of this Order.

Northern Ireland Assembly Disqualification Act 1975

4.—(1) Amend the Northern Ireland Assembly Disqualification Act 1975⁽⁶⁾ as follows.

(2) In Part III of Schedule 1 (other disqualifying offices), at the appropriate places, insert—

“Northern Ireland Judicial Appointments Ombudsman.”

“Any member of the staff of the State Pathologist’s Department.”

Commissioner for Complaints (Northern Ireland) Order 1996

5.—(1) Amend the Commissioner for Complaints (Northern Ireland) Order 1996⁽⁷⁾ as follows.

(2) In Schedule 2 (bodies subject to investigation), at the appropriate places insert—

“The Chief Inspector of Criminal Justice for Northern Ireland.”

“The Northern Ireland Law Commission.”

“The Northern Ireland Legal Services Commission.”

“The Northern Ireland Police Fund.”

“The Northern Ireland Policing Board.”

“The Probation Board for Northern Ireland.”

“The Royal Ulster Constabulary George Cross Foundation.”

(3) A complaint may not be made under the 1996 Order by virtue of sub-paragraph (2) above in relation to a matter if the matter was the subject of a complaint under the Parliamentary Commissioner Act 1967 made before the coming into force of this Order.

Ombudsman (Northern Ireland) Order 1996

6.—(1) Amend the Ombudsman (Northern Ireland) Order 1996⁽⁸⁾ as follows.

(2) In Article 9 (matters subject to investigation) after paragraph (3) insert—

“(3A) For the purposes of this Article, administrative functions exercisable by any person appointed or assigned by the Department of Justice to serve as a member of the

(5) S.I. 2002/796 (N.I. 1).

(6) 1975 c. 25, to which there are amendments not relevant to this Order.

(7) S.I. 1996/1297 (N.I.7).

(8) S.I. 1996/1298 (N.I.8), to which there are amendments not relevant to this Order.

administrative staff of any court or tribunal shall be taken to be administrative functions of that Department.”

(3) In Schedule 3 (tribunals referred to in Article 9(4)) at the appropriate places insert—

“The Northern Ireland Valuation Tribunal established under Article 36A of the Rates (Northern Ireland) Order 1977(9).”

“Adjudicators appointed under Article 7(1)(b) of the Criminal Injuries Compensation (Northern Ireland) Order 2002(10).”

“Adjudicators appointed under Article 29(1) of the Traffic Management (Northern Ireland) Order 2005(11).”

“The Charity Tribunal for Northern Ireland established under section 12 of the Charities Act (Northern Ireland) 2008(12).”

(4) In Schedule 4 (matters not to be investigated) after paragraph 2 insert—

“2A. Action taken by a member of the administrative staff of any court or tribunal who was appointed or assigned to serve as a member of that staff by the Department of Justice, so far as the action is taken at the direction, or on the authority (whether express or implied), of any person acting in a judicial capacity or in his capacity as a member of the tribunal.”

Audit and Accountability (Northern Ireland) Order 2003

7.—(1) In Article 5(1) of the Audit and Accountability (Northern Ireland) Order 2003(13) (additional bodies to be audited by the Comptroller and Auditor General for Northern Ireland) after paragraph (m) insert—

“(n) the Northern Ireland Police Fund”.

(2) Sub-paragraph (1) does not apply in relation to a statement of accounts for a period ending before the coming into force of this Order.

Public Contracts Regulations 2006

8.—(1) Amend Schedule 1 to the Public Contracts Regulations 2006(14) as follows.

(2) At the appropriate place insert—

“Department of the Director of Public Prosecutions for Northern Ireland”.

(3) At the appropriate place insert—

“Northern Ireland, Department of Justice

Coroners Courts

County Courts

Court of Appeal and High Court of Justice in Northern Ireland

Crown Court

Enforcement of Judgments Office

Forensic Science Laboratory of Northern Ireland

(9) S.I. 1977/2157 (N.I. 28).

(10) S.I. 2002/796 (N.I. 1).

(11) S.I. 2005/1964 (N.I. 14).

(12) 2008 c. 12 (N.I.).

(13) S.I. 2003/418 (N.I. 5).

(14) S.I. 2006/5, to which there are amendments not relevant to this Order.

Status: This is the original version (as it was originally made).

Legal Aid Fund
Magistrates' Courts
Police Service of Northern Ireland
Probation Board for Northern Ireland
State Pathologist Service".

- (4) Under "Northern Ireland Office" omit—
"Department of the Director of Public Prosecutions for Northern Ireland"
"Forensic Science Laboratory of Northern Ireland"
"Police Service of Northern Ireland"
"Probation Board for Northern Ireland"
"State Pathologist Service".

*Government Resources and Accounts Act 2000
(Audit of Non-profit-making Companies) Order 2009*

9.—(1) In the Schedule to the Government Resources and Accounts Act 2000 (Audit of Non-profit-making Companies) Order 2009(**15**) (list of companies to be audited by the Comptroller and Auditor General) omit the entry for the Northern Ireland Police Fund.

(2) Sub-paragraph (1) does not apply in relation to any accounts for a period ending before the coming into force of this Order.