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STATUTORY INSTRUMENTS

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**1994 No. 1894 (N.I. 9)**

**The Civil Service (Management Functions) (Northern Ireland) Order 1994**

- - - - - 19th July 1994

**Title and commencement**

1. This Order may be cited as the Civil Service (Management Functions) (Northern Ireland) Order 1994 and shall come into operation on the expiration of 2 months from the day on which it is made.

**General interpretation**

2. The Interpretation Act (Northern Ireland) 1954<sup>F1</sup> shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

F1 1954 c. 33 (NI)

**Delegation of functions**

3.—(1) This Article applies to any function with respect to the management of the Northern Ireland Civil Service—

[<sup>F2</sup>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.]

<sup>F2</sup>(2) The Department of Finance and Personnel may, to such extent and subject to such conditions as it thinks fit, delegate any function to which this Article applies to any servant of the Crown.

(3) Without prejudice to the generality of paragraph (2), the conditions subject to which a function may be delegated under that paragraph include a condition prohibiting, to such extent as may be specified in the condition, the carrying out of the function under the authority of the person to whom it is delegated.

(4) Without prejudice to any rule of law with respect to the carrying out of functions under the authority of a person in charge of a government department, where a function is delegated under paragraph (2), the person to whom the function is delegated may, subject to the terms of the delegation, authorise a servant of the Crown for whom he is responsible to carry out the function on his behalf.

F2 1998 c. 47

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**Changes to legislation:** The Civil Service (Management Functions) (Northern Ireland) Order 1994 is up to date with all changes known to be in force on or before 03 September 2022. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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**Power to authorise exercise of functions without approval etc.**

- 4.—(1) This Article applies to any statutory power which—
- (a) relates to the appointment or management of members of the Northern Ireland Civil Service, and
  - (b) requires for its exercise the sanction of a department (whether by way of approval, consent, agreement or otherwise).

(2) The department whose sanction is required for the exercise of a power to which this Article applies may, to such extent and subject to such conditions as the department thinks fit, authorise its exercise without the department's sanction.

(3) Without prejudice to the generality of paragraph (2), the conditions which may be imposed on an authorisation under that paragraph include a condition prohibiting, to such extent as may be specified in the condition, the exercise of the power concerned under the authority of the person by whom it is exercisable.

(4) In this Article “department” has the same meaning as in the<sup>F3</sup> Departments (Northern Ireland) Order 1999<sup>F3</sup> and includes the head of a Department.

<b>F3</b> 1999 NI 1
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**Changes and effects yet to be applied to :**

- [art.3\(1\) am. \(prosp.\) by 1998 c. 47 s.99Sch.13 para.14](#)