EXPLANATORY MEMORANDUM TO

The Local Government Reorganisation (Compensation for Loss of Employment) Regulations (Northern Ireland) 2015

SR 2015 No. 271

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department of the Environment to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2 The Statutory Rule is made under section 123 of the Local Government Act (Northern Ireland) 2014 (the 2014 Act), and is subject to the negative resolution procedure in the Assembly.

2. Purpose

2.1 The purpose of the Regulations titled 'The Local Government Reorganisation (Compensation for Loss of Employment) (Amendment) Regulations (Northern Ireland) 2015' is to amend the current provisions of the Local Government Reorganisation (Compensation for Loss of Employment) regulations (Northern Ireland) 2015.

The Rule makes provision for amendments in relation to:

- the inclusion of the Local Government Staff Commission (LGSC) under the definition of a "Local Government Body" of regulation 2(1) ;
- clarification of the policy intention of regulation 5; and
- a technical correction in regulation 6(1)(a).

3. Background

3.1 Section 123 of the 2014 Act allows for regulations to be made under article 19 of the Superannuation (Northern Ireland) Order 1972 for the purpose of the payment of compensation for loss of office to any person who is employed by a local government body (means a council or joint committee of a council), and suffers loss attributable to Local Government Reform. The Local Government Reorganisation (Compensation for Loss of Employment) regulations (Northern Ireland) 2015 were made on 17 February 2015.

4. Consultation

4.1 The Department's proposals and the draft Regulations were subject to an eight week consultation period which closed on 5 January 2015. A synopsis of the comments received was presented to the Environment Committee.

4.2 The policy has not changed as a result of the consultation, however minor changes and amendments have been proposed to the Regulations which were accepted.

5. Equality Impact

5.1 An Equality Impact Assessment is not required. The draft Regulations will apply equally across the persons specified in section 75 of the Northern Ireland Act 1998 and as a result are neutral in terms of impact. No equality issues were raised in the context of the consultation on the draft Regulations.

6. Regulatory Impact

6.1 A Regulatory Impact Assessment is not required. The draft Regulations imposes no costs or savings on businesses, charities, social economy enterprises or the voluntary sector.

7. Financial Implications

7.1 The Regulations do not impose any financial burden upon the Department. Each council will be responsible for the financial impacts of their decision to apply the Staff Severance Scheme for Local Government (the Scheme) in relation to any severance which is as a result of local government reform.

8. Section 24 of the Northern Ireland Act 1998

8.1 The Regulations are considered compatible with section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1 There are no EU implications associated with the draft Regulations.

10. Parity or Replicatory Measure

10.1 Not applicable.

11. Additional Information

11.1 None.