STATUTORY INSTRUMENTS

2023 No. 1061

NORTHERN IRELAND

The Northern Ireland (Ministerial Appointment Functions) (No. 2) Regulations 2023

Approved by both Houses of Parliament

Made - - - -	*at 9.22 a.m. on 2nd October 2023*
Laid before Parliament	*at 2.45 p.m. on 2nd October 2023*
Coming into force	*3rd October 2023*

The Secretary of State makes these Regulations in exercise of the power conferred by section 6(3) of the Northern Ireland (Executive Formation etc) Act 2022(**a**).

The Secretary of State considers it to be expedient for these Regulations to be made more quickly than a draft being laid before, and approved by a resolution of, each House of Parliament would allow.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Northern Ireland (Ministerial Appointment Functions) (No. 2) Regulations 2023.

(2) They come into force on the day after the day on which they are made.

(3) They extend to England and Wales, Scotland and Northern Ireland.

Addition of specified offices

2.—(1) The table in section 6(2) of the Northern Ireland (Executive Formation etc) Act 2022(**b**) (NI ministerial appointment functions) is amended as follows.

(2) Before the entry for member of the Northern Ireland Judicial Appointments Commission, insert the following entry—

"King's Counsel	Lord Chancellor"

(3) After the entry for member or chair of the Agricultural Wages Board for Northern Ireland, insert the following entries—

"Member, chair or deputy chair of the Council for Nature Conservation and the Countryside	Secretary of State
Member of the Drainage Council for Northern Ireland	Secretary of State"

(**a**) 2022 c. 48.
(**b**) 2022 c. 48. Section 6(2) was amended by S.I. 2023/776 which added further offices to the list of specified offices.

(4) After the entry for member, chair or deputy chair of the General Consumer Council for Northern Ireland, insert the following entry—

"Member, chair or deputy chair of the Health and Safety Executive for Northern Ireland(**a**)	Secretary of State"

(5) After the entry for trustee or chair of the Board of Trustees of the National Museums and Galleries of Northern Ireland, insert the following entry—

"Member, chair or chief executive of the Northern Ireland Council for the Curriculum, Examinations and Assessment	Secretary of State"

(6) After the entry for member or chair of the Northern Ireland Fishery Harbour Authority, insert the following entry—

"Member, chair or vice-chair of the Northern Ireland Housing Executive	Secretary of State"

(7) After the entry for member, chair or deputy chair of the Northern Ireland Tourist Board, insert the following entries—

"Commissioner for Older People for Northern Ireland	Secretary of State
Member of the Police Service of Northern Ireland above the rank of chief superintendent(**b**)	Secretary of State"

(8) After the entry for the Commissioner for Public Appointments for Northern Ireland, insert the following entry—

"Member, chair or vice-chair of the Sports Council for Northern Ireland	Secretary of State"

Steve Baker
Minister of State
Northern Ireland Office

At 9.22 a.m. on 2nd October 2023

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 6 of the Northern Ireland (Executive Formation etc) Act 2022 provides for appointment functions of Northern Ireland Ministers, in respect of a list of specified offices, to be exercised by a Minister of the Crown during the current period in which there is no Executive in Northern Ireland. Section 6 also permits further offices to be added to the list of specified offices by regulations.

These Regulations specify further offices for the purposes of section 6. The effect of this is that the relevant Minister of the Crown may exercise the appointment functions of a Northern Ireland Minister in relation to those offices.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector or community bodies is foreseen.

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(**a**) S.I. 1978/1039 (N.I. 9) established the Health and Safety Agency for Northern Ireland which was renamed the Health and Safety Executive for Northern Ireland by Article 3(1) of S.I. 1998/2795 (N.I. 18).

(**b**) S.I. 2010/976 amended section 35(1), (2), (3)(a), (3)(b), (4) and (8)(a) of the Police (Northern Ireland) Act 2000 (c. 32) substituting the words "Minister of Justice" for "Secretary of State". "Senior officer" is defined in section 77 of the Police (Northern Ireland) Act 2000.

£5.78

http://www.legislation.gov.uk/id/uksi/2023/1061

ISBN 978-0-34-825416-7

