EXPLANATORY MEMORANDUM

The Northern Ireland Screen Commission (Funding) Order (Northern Ireland) 2020

SR 2020 No 117

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department for the Economy ("the Department") to accompany the Statutory Rule, which is laid before the Northern Ireland Assembly.

1.2 The Statutory Rule is made under powers conferred by Article 30(1)(b) of the Industrial Development (Northern Ireland) Order 1982 and is subject to affirmative resolution procedure.

2. Purpose

2.1 The Northern Ireland Screen Commission (Funding) Order (Northern Ireland) 2020 will provide the Department with powers to fund the Northern Ireland Screen Commission (Northern Ireland Screen).

2.2 The Statutory Rule will regularise how the Department makes grant-in-aid payments to Northern Ireland Screen to allow it to increase commercial activity or employment in relation to the screen industries in Northern Ireland.

3. Background

3.1 Northern Ireland Screen is the lead agency for the development of the screen industries in Northern Ireland. It was established in 1997 as a direct result of the Edmund Review, commissioned by the then Department of Education and the Department of Economic Development. It was established as a company limited by guarantee under the Companies (NI) Order 1986.

3.2 The Northern Ireland Executive, as part of the restructuring of departments, agreed that Northern Ireland Screen should transfer to the Department from the Department of Culture, Arts and Leisure on 9 May 2016.

3.3 Prior to the transfer, Northern Ireland Screen received the majority of its programme funding from Invest NI via a Letter of Offer. The legislative basis of Invest NI's provision of financial assistance is article 7 of the Industrial Development (Northern Ireland) Order 1982, which allows that Invest NI may make grants for stimulating or assisting industrial development. Article 30(1)(b) of the 1982 Order enables the Department to make grants to bodies or persons specified in an Order.

3.4 When Northern Ireland Screen became an Arm's length Body of the Department for the Economy, it was agreed that funding would continue to operate as previously until the existing Invest NI four-year Letter of Offer expired in March 2018. From 1 April 2018 the Department has funded Northern Ireland Screen directly, rather than through Invest NI.

3.5 In the absence of an Assembly and Ministers to take forward legislation, the Department has been funding Northern Ireland Screen under the sole authority of the Budget Act, with the approval of the Department of Finance, subject to appropriate legislation being taken forward on the return of the Assembly and Ministers. There is now a requirement to regularise the legislative basis on which the Department funds Northern Ireland Screen.

4. Consultation

4.1 A consultation was not considered necessary, as Northern Ireland Screen will continue to be funded by the Department and the Statutory Rule will have no impact on policy or strategic direction.

5. Equality Impact

5.1 An Equality Impact Assessment was not considered necessary as the implementation of the Northern Ireland Screen Commission (Funding) Order (Northern Ireland) 2020 involves neither the commencement of a new policy nor change to an existing one. The Department can confirm that consideration has been given to compliance with section 75 of the NI Act 1998 and there is no evidence to suggest that there are any adverse impacts on equality of opportunity or the promotion of good relations on any Section 75 category.

6. Regulatory Impact

6.1 A Regulatory Impact Assessment has not been prepared for this Statutory Rule, as it does not place an additional burden on business, charities, social economy enterprises or voluntary bodies.

7. Financial Implications

7.1 There are no financial implications. The Statutory Rule purely addresses the need for the Department to have the vires to fund Northern Ireland Screen.

8. Section 24 of the Northern Ireland Act 1998

8.1 The Department has considered Section 24 of the Northern Ireland Act 1988, and is satisfied that there are no issues of concern.

9. EU Implications

9.1 There are no EU implications.

10. Parity or Replicatory Measure

10.1 Not applicable.