EXPLANATORY MEMORANDUM TO

The Public Interest Disclosure (Prescribed Persons) (Amendment) Order (Northern Ireland) 2025

S.R. 2025 No. 13

1. Introduction

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

1.2. The Statutory Rule is made under Article 67F of the Employment Rights (Northern Ireland) Order 1996 and is subject to the negative resolution procedure.

2. Purpose

2.1. This Statutory Rule updates the Schedule to the Public Interest Disclosure (Prescribed Persons) Order (Northern Ireland) 1999 (the "1999 Order").

2.2. Amendments have been made to the description of matters for which the Competition and Markets Authority and Office of Communications have been prescribed.

3. Background

3.1. The Public Interest Disclosure (Northern Ireland) Order 1998 gave protection to “whistleblowers” who raised concerns by making a protected disclosure about dangerous or illegal activity that they are aware of in the workplace.

3.2. Such protection is provided against any consequent victimisation or dismissal, and is contingent on whistleblowers having acted in a responsible way in dealing with their concerns.

3.3. Disclosures are protected if made to a person or body which is listed in the schedule of the Public Interest Disclosure (Prescribed Persons) Order (Northern Ireland) 1999 Order.

4. Consultation

4.1. A formal, public consultation was not considered necessary, as the Order updates existing legislation, to ensure whistleblowers have the same protections across all regions of the UK

5. Equality Impact

5.1. An Equality Impact Assessment is not necessary as there is no impact, direct or indirect, on any of the Section 75 groups.

6. Regulatory Impact

6.1. A Regulatory Impact Assessment has not been prepared for this Order as it has no impact on business, charities or voluntary bodies.

7. Financial Implications

7.1. There are no financial implications.

8. Section 24 of the Northern Ireland Act 1998

8.1. This legislation complies with Section 24 of the Northern Ireland Act 1998 (Convention Rights, retained EU law etc.).

9. EU Implications

9.1. N/A

10. Parity or Replicatory Measure

10.1. The Order applies to Northern Ireland only. The corresponding Statutory Instrument in Great Britain is the Public Interest Disclosure (Prescribed Persons) Order 2014 (S.I. 2014/2418), which revoked the Public Interest Disclosure (Prescribed Persons) Order 1999 (S.I. 1999/1549).

11. Additional Information

11.1. The 21 day rule in relation to the laying of this SR has been breached.

11.2. The aforementioned changes were originally contained within the The Public Interest Disclosure (Prescribed Persons) (Amendment) Order (Northern Ireland) 2024.

11.3. Comparative changes to the Description of Matters have now commenced in Britain.

11.4. As such, the Department will revoke the 2024 Amendment Order and lay and make the 2025 Amending Order to commence the changes in Northern Ireland on the original operation date of 12th February 2025.

11.5. The Examiner of Statutory Rules has been advised.