



Northern Ireland
Assembly

Report of the Examiner of Statutory Rules to the Assembly and the Appropriate Committees

Seventh Report of Session 2016-2017

NIA 12/16-21

11 November 2016

Committee for Communities	S.R. 2016/390: The Child Support (Deduction from Earnings Orders, Amendments and Modification and Miscellaneous Amendments) Regulations (Northern Ireland) 2016 S.R. 2016/393: The Social Security (Great Britain Reciprocal Arrangements) (Amendment) Regulations (Northern Ireland) 2016
Committee for the Economy	S.R. 2016/391: The Further Education (Governing Body of Institution of Further Education) Order (Northern Ireland) 2016
Committee for Infrastructure	Draft S.R.: The Water Meters Regulations (Northern Ireland) 2016

	<p>S.R. 2016/378: The Richmond Crescent, Bangor (Abandonment) Order (Northern Ireland) 2016</p> <p>S.R. 2016/382: The Church Street / Mullagh Road, Maghera (Abandonment) Order (Northern Ireland) 2016</p> <p>S.R. 2016/383: The Baronscourt Lane, Carryduff (Abandonment) Order (Northern Ireland) 2016</p> <p>S.R. 2016/392: The Groganstown Road, Belfast (Abandonment) Order (Northern Ireland) 2016</p>
Committee for Justice	<p>S.R. 2016/373: The Sexual Offences Act 2003 (Prescribed Police Stations) Regulations (Northern Ireland) 2016</p> <p>S.R. 2016/377: The County Court (Amendment No. 2) Rules (Northern Ireland) 2016</p> <p>S.R. 2016/386: The Attorney General's Human Rights Guidance (Cooperation and Operational Independence) Order (Northern Ireland) 2016</p>

1. Remit of the Examiner of Statutory Rules

- 1.1 Standing Order 43 provides that every statutory rule or draft statutory rule which is laid before the Assembly and is subject to Assembly proceedings shall stand referred to the appropriate Committee of the Assembly for scrutiny. The Standing Orders of the Assembly are published on the Northern Ireland Assembly [website](#).
- 1.2 To assist Committees of the Assembly in the scrutiny of such rules under Standing Order 43, the Examiner of Statutory Rules (the Examiner) shall carry out those functions delegated to the Examiner in relation to technical scrutiny.
- 1.3 The terms of reference of the Examiner, under delegation from the appropriate Committee, are as set out in Standing Order 43(6) as follows:

“In scrutinising an instrument the appropriate committee shall among other things consider the instrument with a view to determining and reporting on whether it requires to be drawn to the special attention of the Assembly on any of the following grounds, namely, that –

- (a) it imposes a charge on the public revenues or prescribes the of any such charge;*
- (b) it contains provisions requiring any payment to be made to any Northern Ireland department or public body in respect of any approval, authorisation, licence or consent or of any service provided or to be provided by that department or body or prescribes the amount of any such payment;*
- (c) the parent legislation excludes it from challenge in the courts;*
- (d) it purports to have retrospective effect where the parent legislation confers no express authority so to provide;*
- (e) there appears to have been unjustifiable delay in the publication of it or in the laying of it before the Assembly;*
- (f) there appears to be a doubt whether it is intra vires or it appears to make some unusual or unexpected use of the powers conferred by the parent legislation;*
- (g) it calls for elucidation;*
- (h) it appears to have defects in its drafting;*

or on any other ground which does not impinge on its merits or the policy behind it.”

2. Statutory rules to which attention is drawn in this report

2.1 I do not draw attention to any of the statutory rules listed in the Appendix to this Report.

Angela Kelly

Examiner of Statutory Rules

11 November 2016

Appendix:

STATUTORY RULES SUBJECT TO NEGATIVE RESOLUTION

S.R. 2016/373: The Sexual Offences Act 2003 (Prescribed Police Stations) Regulations (Northern Ireland) 2016

S.R. 2016/377: The County Court (Amendment No. 2) Rules (Northern Ireland) 2016

S.R. 2016/378: The Richmond Crescent, Bangor (Abandonment) Order (Northern Ireland) 2016

S.R. 2016/382: The Church Street / Mullagh Road, Maghera (Abandonment) Order (Northern Ireland) 2016

S.R. 2016/383: The Baronscourt Lane, Carryduff (Abandonment) Order (Northern Ireland) 2016

S.R. 2016/386: The Attorney General's Human Rights Guidance (Cooperation and Operational Independence) Order (Northern Ireland) 2016

S.R. 2016/390: The Child Support (Deduction from Earnings Orders, Amendments and Modification and Miscellaneous Amendments) Regulations (Northern Ireland) 2016

S.R. 2016/392: The Groganstown Road, Belfast (Abandonment) Order (Northern Ireland) 2016

S.R. 2016/393: The Social Security (Great Britain Reciprocal Arrangements) (Amendment) Regulations (Northern Ireland) 2016

STATUTORY RULES SUBJECT TO AFFIRMATIVE RESOLUTION

S.R. 2016/391: The Further Education (Governing Body of Institution of Further Education) Order (Northern Ireland) 2016

STATUTORY RULES SUBJECT TO DRAFT AFFIRMATIVE RESOLUTION

Draft S.R.: The Water Meters Regulations (Northern Ireland) 2016



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