

Financial Reporting (Departments and Public Bodies) Bill

[AS INTRODUCED]

LEGISLATIVE COMPETENCE

At Introduction the Minister of Finance had made the following statement under section 9 of the Northern Ireland Act 1998:

“In my view the Financial Reporting (Departments and Public Bodies) Bill would be within the legislative competence of the Northern Ireland Assembly.”

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BILL

TO

Amend the law relating to the preparation of estimates and accounts of departments and certain non-departmental public bodies; and for connected purposes.

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

Estimates: inclusion of resources used by designated bodies

1.—(1) The Government Resources and Accounts Act (Northern Ireland) 2001 is amended as follows.

(2) After section 8 (use of accruing resources) insert—

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“Estimates

Departmental estimates: inclusion of resources used by designated bodies

8A.—(1) Any estimate for a Northern Ireland department for approval by the Assembly in respect of a financial year must be prepared in accordance with such directions as the Department may issue.

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(2) The Department may direct that the estimate is to include information relating to resources expected to be used by any body that is a designated body in relation to the department.

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(3) For the purposes of this section a body is a “designated” body in relation to a department if—

(a) it is designated in relation to the department by an order made by the Department, or

(b) it falls within a description of body designated in relation to the department by such an order.

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(4) A body, or a description of body, may be designated in relation to a department for a particular financial year or generally.

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(5) The Department must, where it thinks it appropriate, consult the Treasury before designating a body or a description of body.

(6) In determining for any purpose whether a body has a particular relationship with a Northern Ireland department (for example, whether it is controlled by, or otherwise dependent on, the department), the following must be disregarded—

(a) the fact that an estimate for the department in respect of a financial year includes information relating to the body, and

(b) the fact that the department's resource accounts for a financial year prepared under section 9 include information relating to the body.

(7) An order under subsection (3) is subject to negative resolution.

Estimates: non-departmental bodies and other persons

8B.—(1) Subject to subsection (2), where an estimate is prepared for approval by the Assembly for any body or person in respect of any financial year, section 8A applies with appropriate modifications in relation to that body or person in respect of that financial year as it applies in relation to a Northern Ireland department.

(2) Subsection (1) does not apply to the Northern Ireland Audit Office.”.

(3) In section 9(1) (resource accounts: preparation), for paragraphs (a) and (b) substitute—

“(a) resources acquired, held or disposed of during the year by—

(i) the department, or

(ii) any body that is a designated body under section 8A in relation to the department for the year, and

(b) the use of resources during the year by the department or any such body.”.

(4) In section 10(1) (resource accounts: scrutiny by the Comptroller and Auditor General), for paragraph (d) substitute—

“(d) that—

(i) the financial transactions of the department, and

(ii) the financial transactions of any body that is a designated body under section 8A in relation to the department for the year in question, are in accordance with any relevant authority.”.

Definition of “the Department”

2. In section 26(2) (interpretation) of the Government Resources and Accounts Act (Northern Ireland) 2001, in the definition of “the Department”, omit “and Personnel”.

Commencement

3. This Act comes into operation on the day after this Act receives Royal Assent.

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4. This Act may be cited as the Financial Reporting (Departments and Public Bodies) Act (Northern Ireland) 2021.

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A Bill to amend the law relating to the preparation of estimates and accounts of departments and certain non-departmental public bodies; and for connected purposes.

Introduced by: Mr Conor Murphy, Minister of Finance

On: 01 June 2021

Bill Type: Executive Bill

ACCOMPANYING DOCUMENTS

An Explanatory and Financial Memorandum is printed separately as NIA Bill 21/17-22 EFM.



Northern Ireland
Assembly

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For more information please contact:

Northern Ireland Assembly
Parliament Buildings
Ballymiscaw
Stormont
Belfast BT4 3XX

Telephone: 028 90 521137

Textphone: 028 90 521209

E-mail: info@niassembly.gov.uk

ISBN: 978-1-78619-415-2