

# News story: Executive Formation & Exercise of Functions Bill introduced into Parliament

The Secretary of State for Northern Ireland, the Rt Hon Karen Bradley MP, today introduced new legislation to facilitate her clear plan to restore devolved government in Northern Ireland.

The Executive Formation and Exercise of Functions Bill creates a period where an Executive can be formed at any time, during which there will be no duty to call an election.

This will provide an opportunity and the necessary time and space to restart political talks with the aim of restoring devolved government as soon as possible.

The Bill provides certainty for Northern Ireland departments to ensure the continued delivery of public services. It includes a requirement for the Secretary of State to issue guidance for Northern Ireland departments to support the decision making process in the absence of Ministers.

The Bill also addresses the urgent need for public appointments to certain bodies and offices that cannot be made in the absence of Northern Ireland Ministers.

The Secretary of State said:

At the heart of the Belfast Agreement is a devolved power-sharing Government in Northern Ireland. This Bill gives the best chance of delivering that.

In the meantime, it is imperative that Northern Ireland departments have clarity, so that decisions can be taken in the public interest to maintain delivery of Northern Ireland's public services in the absence of Ministers, and the guidance we have published today alongside the Bill will support civil servants in carrying out their duties.

Once this legislation is passed by Parliament, it will help the political parties to use the next few months to get around the table and come to an agreement, so that the people of Northern Ireland have locally-elected government to take important decisions on their behalf.

The Bill covers three areas:

### **Executive formation**

The Bill provides for a 5-month period during which an Executive may be formed at any point without further primary legislation or an Assembly election, and removes the duty to propose a date for an election during that period, providing a further opportunity to re-establish political dialogue and restore the Executive as soon as possible.

### **Departmental decision-making**

The Bill contains provisions to give greater clarity and certainty to enable Northern Ireland departments to continue to take decisions in Northern Ireland in the public interest, to ensure the continued delivery of public services. The Bill clarifies that a senior officer of a Northern Ireland department is not prevented from exercising functions of the department during the period for forming an Executive where it is in the public interest to do so, and in doing so to have regard to guidance issued by the Secretary of State. This guidance will not identify or direct specific decisions but will set out principles to be taken into account when deciding whether or not it is in the public interest to exercise a function. A draft version of that guidance has also been published today.

### **Public appointments**

The Bill enables UK Government Ministers to make key public appointments specified on the face of the Bill, which would normally be made by Northern Ireland Ministers. These are the Northern Ireland Judicial Appointments Commission, Northern Ireland Policing Board (and approval of the Board's appointments of senior police officers), The Probation Board for Northern Ireland and the Police Ombudsman for Northern Ireland.

### **Notes to Editors**

The Bill has been introduced in the House of Commons today and will be debated on Wednesday 24 October.

The Bill, Explanatory Notes and guidance for the Northern Ireland Civil Servants is attached and are also available on [the Parliament website](#)