**A REPORT ON DECISIONS TAKEN DURING SEPTEMBER 2019 BY NORTHERN IRELAND DEPARTMENTS IN ACCORDANCE WITH THE GUIDANCE ISSUED BY THE SECRETARY OF STATE FOR NORTHERN IRELAND UNDER THE PROVISIONS OF THE NORTHERN IRELAND (EXECUTIVE FORMATION AND EXERCISE OF FUNCTIONS) ACT 2018**

On 5 November 2018 the Secretary of State for Northern Ireland, in accordance with section 3(2) of the Northern Ireland (Executive Formation and Exercise of Functions) Act 2018, published guidance about the exercise of the functions of Northern Ireland departments during the period for Executive Formation. This guidance requires Northern Ireland departments to prepare a monthly summary report of decisions taken by senior officials using the guidance and to share this with the Secretary of State, who will in turn promptly make it available to Parliament and to the Northern Ireland political parties.

This Summary Report has been prepared by the Executive Office and provides information on the decisions taken by Northern Ireland departments in September 2019.

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| **Decisions Taken by Northern Ireland Departments: September 2019** | |
| **Department** | **Description** |
| **Department**  **of Agriculture, Environment and Rural Affairs** | A decision was taken to commence sections 4 and 5 of the Waste and Contaminated Land (Amendment) Act (Northern Ireland) 2011 which will strengthen and harmonise the legislative framework for addressing illegal waste disposal by the NIEA and Local Councils. This decision also formalises a joint fly-tipping protocol between the NIEA and Local District Councils in dealing with fly-tipping of waste. |
| A decision was taken to agree the most appropriate option of delivery for Export Health Certificates (EHCs) in a no deal Brexit scenario, thereby ensuring the supply chain for output of the agrifood industry is maintained.  A decision was taken to make certain provisions of the Environment Bill (waste tracking, producer responsibility, and resources efficiency) subject to negative resolution procedures in the Northern Ireland Assembly.  A decision was taken to agree to the inclusion of chemical provisions for Northern Ireland in the UK Environment Bill specifically relating to REACH (Registration, Evaluation, Authorisation and restriction of Chemicals) subject to negative resolution in the Northern Ireland Assembly. After Brexit, this will facilitate the amendment of provisions of the 2019 UK REACH legislation and the UK wide REACH Enforcement Regulations 2008.  A decision was taken to extend the first term appointment of an independent member of the Agricultural Wages Board for a further six months, up to 31 March 2020; and to seek approval from the Commissioner for Public Appointments for Northern Ireland to extend the first terms of the appointments of two board members of the Northern Ireland Fishery Harbour Authority from 30 November 2019 to 31 May 2020. |
| **Department for Communities** | A decision was taken to activate a Scheme of Emergency Financial Assistance to support households which had suffered from flooding. |
|  | Decisions were taken to enable Belfast City Council to dispose of property at River Terrace by way of a lease, and to enable Newry, Mourne and Down District Council to license the car park at Barnmeen Community Centre, Rathfriland. |
|  | A decision was taken to extend the term of a Board member of SportNI for a further three months from 30 September 2019 to 31 December 2019. |
| **Department**  **for the Economy** | The following decisions were taken in relation to public appointments:     * the appointment of the Chair of the Governing Body of Northern Regional College and the reappointment of four members to the Governing Body for a period of four years; * the reappointment of the Chair and eight members to the Governing Body of Belfast Metropolitan College; * the reappointment of nine members to the Governing Body of Southern Regional College for a period of four years; * the reappointment of one member to the Governing Body of South Eastern Regional College for a period of four years; * the reappointment of three members to the Governing Body of South West College for a period of four years; and * the reappointment of the Chair and two members to the Governing Body of North West Regional College for a period of four years. |
| **Department of Finance** | A decision was taken to direct the National Lottery Community Fund (under the Dormant Accounts and Building Society Accounts Act 2008), to establish a Scheme to utilise Dormant Accounts to benefit the third sector in Northern Ireland, through projects and work delivered primarily by Voluntary, Community and Social Enterprise organisations. |
|  | Working with officials in TEO and the Strategic Investment Fund a decision was taken to release a second tranche of £30m Financial Transactions Capital funding to the Northern Ireland Investment Fund to progress the Lisburn Square development in Lisburn; and the Merchant Square development and Grade A office accommodation linked to the McCausland car park development, both in Belfast. |
|  | A decision was taken to appoint two members to the Northern Ireland Buildings Regulations Advisory Committee commencing on 30 September 2019. |
| **Department of Health** | A decision was taken to publish the Protect Life 2 Suicide Prevention Strategy setting out what the Department will do to reduce suicide and self-harm over the next five years. |
|  | A decision was taken to provide for the execution of powers and enforcement of the Official Control Regulation (EU) 2017/625 (OCR) in domestic legislation in Northern Ireland in the event that the UK is in the EU or in a transition period on 14 December 2019. The OCR takes effect fully on 14 December 2019 and establishes a single legislative framework for the organisation of official controls to verify compliance with EU agri-food chain legislation in relation to food and feed, animal health and welfare, plant health and plant protection products. |
|  | A decision was taken to delay from 1 October 2019 to 2 December 2019 the commencement of the Mental Capacity Act (Northern Ireland) 2016 for the purposes of deprivation of liberty and money and valuables in residential care and nursing homes. |
|  | A decision was taken to agree to an extension of up to two years until September 2021 to the term of the CEO of the Food Safety Promotion Board (Safefood), or until this position can be formally considered by Ministers at a future NSMC meeting. |
|  | The following decisions were taken in relation to public appointments:   * an extension until 31 January 2020 to the terms of Appointment for two non-executive Directors in the Western Health and Social Care Trust Board; * the reappointment of eleven Non-Executive Directors to the Health and Social Care Trusts; * to proceed with a competition for a Non-Executive Chair of the Health and Social Care Board (HSCB); and * to proceed with a competition for a Non-Executive Chair and Non-Executive Social Work Professional Member of the Northern Ireland Guardian Ad Litem Agency (NIGALA). |
| **Department for**  **Infrastructure** | The following decisions were taken in relation to public appointments:   * the extension of the appointment of the Chair of Warrenpoint Harbour Authority for a period of 8 months from 1 October 2019 to 31 May 2020; * the appointment of the new Chief Executive of Warrenpoint Harbour as a member of the Authority’s board as required under the Warrenpoint Harbour Authority (NI) Order 2002; and * the appointment of four non-executive members to the Board of Londonderry Port and Harbour Commissioners from 1 October 2019 to 30 September 2023. |
|  | A decision was taken to commence the process of assessment of the Quarterly/Annual NI Planning Statistics publication as National Statistics. |
|  | A decision was taken to establish a £1m grant fund scheme for ports as part of preparations for EU Exit. Northern Ireland’s four commercial ports have been invited to bid for EU Exit infrastructure projects that can be completed by March 2020. |
| **Department of**  **Justice** | A decision was taken to replace an interface fence at Parkside Gardens in Belfast with a standard boundary fence. |
|  | A decision was taken to issue a Departmental Direction under rule 5(1) of the Magistrates’ Courts and County Courts Appeals (Criminal Legal Aid) (Costs) Rules (Northern Ireland) 2009 to make provisions for legal aid remuneration arrangements for the pilot scheme to fast track serious sexual offences involving children aged under 13 years in Belfast Crown Court from 1 September 2019. |
|  | A decision was taken to procure an additional voluntary contribution service provider for the Northern Ireland Judicial Pension scheme. |
|  | A decision was taken to amend the Access NI filtering scheme in response to a Supreme Court Judgement on aspects of the DoJ’s Criminal Record Disclosure and Rehabilitation of Offenders Regimes. |
|  | The following decisions were taken in relation to public appointments:   * the appointment of a new Chief Inspector of the Criminal Justice Inspectorate Northern Ireland (CJINI); * the appointment of a new Chairperson to the Northern Ireland Search and Rescue Practitioners Group; * the appointment of a Chief Commissioner of the Parole Commissioners for Northern Ireland; * the reappointment of 34 Parole Commissioners for Northern Ireland; and; * the appointment of six additional Parole Commissioners for Northern Ireland. |

**THE EXECUTIVE OFFICE**

**OCTOBER 2019**