**A REPORT ON DECISIONS TAKEN DURING OCTOBER 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 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 October 2019.

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| **Decisions Taken by Northern Ireland Departments: October 2019** | |
| **Department** | **Description** |
| **Department**  **of Agriculture, Environment and Rural Affairs** | A decision was taken to approve the issue of the Environmental Impact Assessment (EIA) Consent Decision and the draft marine licences, in respect of the marine aspects of the proposed D3 development at Belfast Harbour. |
| A decision was taken to support Defra’s recommendation to publish the Marine Strategy Part One: UK Updated assessment and Good Environmental Status and the Government Summary of Responses to the public consultation. |
|  | A decision was taken to lay the Carrier Bag Levy Review in the Northern Ireland Assembly. |
|  | A decision was taken to delegate DAERA’s devolved function of licensing foreign fishing vessels in the NI zone and NI fishing vessels in foreign waters to a UK Single Issuing Authority. |
|  | A decision was taken to agree a Joint Statement of Intent on Environmental Principles between the UK Government and the devolved administrations. |
|  | A decision was taken to agree general clearance of the Northern Ireland provisions of the draft Environment Bill for introduction to Parliament. |
|  | A decision was taken to note the Defra alteration of DAERA’s previous decision and agree that regulations relating to certain Northern Ireland provisions of the draft Environment Bill (resource efficiency, waste tracking and extended producer responsibility) are made subject to affirmative rather than negative resolution procedures in the Northern Ireland Assembly, as had previously been decided. |
|  | A decision was taken to agree the Defra position and include Northern Ireland provisions in the Environment Bill on both civil sanctions for hazardous waste and an urgent enforcement procedure for the Office for Environmental Protection (OEP). |
|  | A decision was taken to make The Fishing Boats Designation Order (Northern Ireland) 2019 and amend The Sea Fishing (Licences and Notices) Regulations (Northern Ireland) 2014. |
|  | A decision was taken to agree to the launch of a public consultation on the UK Dolphin and Porpoise Conservation Strategy. |
|  | A decision was taken to agree to Defra’s proposal to launch a UK wide consultation on implementing the Ivory Act 2018. |
|  | A decision was taken that, following EU exit, the requirement for cattle being exported from Northern Ireland to the Republic of Ireland to be accompanied by a cattle passport would continue. |
|  | A decision was taken that, following EU exit, cattle exported from Northern Ireland to EU Member States will be required to bear an ear tag with the numeric International Standard Organisation (ISO) code 826 and the full animal identification number, in compliance with Commission Regulation (EU) No 206/2010. |
|  | Decisions were taken to request Defra to list DAERA as the EU competent authority for: poultry meat marketing standards certification for Northern Ireland; and beef and veal marketing standards for Northern Ireland, in the event that the UK exits the EU with no deal. |
| **Department for Communities** | The following decisions were taken in relation to public appointments:   * An extension of the appointments of four Trustees to the Board of National Museums NI from 1 November 2019 to 31 December 2019; * An extension to the appointments of two members of the Arts Council for one month from 31 October 2019 to 30 November 2019; and * The appointment of five members of the Board of Libraries NI (one non-Councillor and four Councillors) from 1 November 2019 until the date of the next Council elections or for a period of up to four years. |
|  | A decision was taken to agree the inclusion of provisions for Northern Ireland in a forthcoming DWP Pension Schemes Bill to maintain parity between GB and Northern Ireland pension law. The Bill seeks to strengthen regulation of pension schemes and provide greater protection for pension savings. |
|  | Decisions were taken to make: the Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment) Regulations (NI) 2019, to ensure maintenance of single systems of social security across GB and Northern Ireland as provided for in section 87 of the Northern Ireland Act 1998; and the Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019, to ensure the effective administration of public services. |
|  | A decision was taken to continue to make the Statutory Rules necessary to maintain the single systems of social security, child support and pensions in line with section 87 of the Northern Ireland Act 1998 in the event that section 3 (Exercise of departmental functions during the period for Executive formation) of the Northern Ireland (Executive Formation and Exercise of Functions) Act 2019 were to lapse. |
| **Department**  **for the Economy** | A decision was taken to make the Employer's Liability (Compulsory Insurance) (Amendment) Regulations (Northern Ireland) 2019. These Regulations require most employers to insure against liability for injury or disease to their employees arising out of their employment. |
| **Department of Education** | A decision was taken to approve the establishment of a statutory nursery unit at Glencraig Integrated Primary School, located between Holywood and Bangor. |
|  | A decision was taken to re-appoint two members to the General Teaching Council for Northern Ireland. |
| **Department of Finance** | A decision was taken to determine Northern Ireland public sector pay policy for 2019/20 on 31 October 2019. This follows the approach set in 2018/19 of moving away from a cross-public sector pay policy of limiting average awards to one per cent and is in keeping with the overarching policy set by the UK Government. |
| **Department of Health** | A decision was taken to publish in draft the Interdepartmental Action Plan in response to the agreed recommendations in the Northern Ireland Commissioner for Children and Young People’s report “Still Waiting – A Rights Based Review of Mental Health Services and Support for Children and Young People in Northern Ireland”. |
|  | A decision was taken to amend the Misuse of Drugs Regulations (Northern Ireland) 2002 (“the 2002 Regulations”) and the Misuse of Drugs (Designation) Order (Northern Ireland) 2001 by means of the Statutory Rules. This will ensure that Northern Ireland maintains parity with GB amendments to the Misuse of Drugs Regulations 2001 (“the 2001 Regulations”) and the Misuse of Drugs (Designation) (England, Wales and Scotland) Order 2015. |
|  | A decision was taken to approve the Memorandum of Understanding with the Home Office in relation to the interim support arrangements required to enable the Department to carry out its statutory duties under the Animals (Scientific Procedures) Act 1986. |
| **Department for**  **Infrastructure** | A decision was taken to refuse planning permission for a hydro-electric scheme near Claudy. |
|  | A decision was taken to “call in” a planning application for determination by the Department relating to a development proposal at Lurgan Road, Moira. |
|  | A decision was taken to launch a recruitment competition to make Councillor appointments to the Boards of three Trust Ports, and to extend the term of appointment of one Councillor board member on the Londonderry Port and Harbour Commissioners, and three Councillor board members on Belfast Harbour Commissioners until March 2020. |
| **Department of**  **Justice** | A decision was taken to make the Review Tribunal (Amendment No.2) Rules (Northern Ireland) to allow the Review Tribunal to hear appeals against decisions of HSC Trusts to deprive persons of their liberty. |
|  | A decision was taken to agree to the inclusion in the Westminster Domestic Abuse Bill of provisions relating to the prohibition of cross-examination in person in family proceedings in Northern Ireland. |
|  | A decision was taken to agree a proposal to amend Regulations to include a new provider for the police additional voluntary contributions scheme. |

**THE EXECUTIVE OFFICE**

**NOVEMBER 2019**