



**Northern Ireland
Assembly**

Committee for Finance

Room 375

Parliament Buildings

From: Jim McManus, Clerk to the Committee for Finance
Date: 29 April 2020
To: Nick Mitford, Clerk to the Committee on Procedures

Review of Legislative Consent Motions

At its meeting on 29th April, the Committee for Finance agreed a response to the request from the Committee on Procedures for the Committee's views on the current procedures for Legislative Consent Motions (LCMs).

During the 2011-2016 mandate, the Committee for Finance and Personnel undertook scrutiny and issued reports on the following eight LCMs:

Pension Schemes Bill (Public Service Defined Benefit Schemes)	Small Business, Enterprise and Employment Bill – Recovery of Public Sector Redundancy Pay
Mutual Assistance Recovery Directive (Finance (No. 3) Bill)	Devolution of Air Passenger Duty
Local Government Finance Bill	Marriage (Same Sex Couples) Bill
UK Finance (No.2) Bill -Provisions Dealing with Air Passenger Duty	Enterprise Bill (Public Sector Employment: Restrictions on Exit Payments)

In its report on the [Report on the Legislative Consent Motion: Enterprise Bill \(Public sector employment: restrictions on exit payments\)](#) the Committee for Finance and Personnel highlighted,

“... coupled with the tight timeframe allowed in Assembly Standing Orders for Committee consideration of LCMs, there has been very limited opportunity for the Committee to engage with DFP and other stakeholders in order to scrutinise the policy proposals and implications of the LCM.”

This would indicate that the time constraints that statutory committees operate within when undertaking scrutiny of a LCM are restricting the ability of statutory committees to undertake proper scrutiny.

The Committee noted that, included within the 15-day timescale, is the scheduling of witnesses, consideration of the evidence received and subsequent findings and agreement of a Committee report to inform the Assembly.

These time constraints are further evidenced by the Committee for Finance and Personnel in its [Report on the Legislative Consent Motion: Marriage \(Same Sex Couples\) Bill](#) where it stated,

“The Committee has endeavoured to gather evidence on the proposed LCM, as practicable, and report to the Assembly within the time constraints set out...”

“However, given the complexities and sensitivities around the issue in question, this timeframe is far from ideal and the Committee believes that the potential for the LCM should have been indicated at an earlier stage, which would have facilitated a more thoroughgoing evidence gathering and scrutiny exercise.”

Having considered these observations, the Committee’s view is that the current timescales do not seem to be appropriate to provide sufficient opportunity for a statutory committee to properly scrutinise the impacts of provisions within a LCM which may, where relevant, require evidence from interested parties or groups with particular experience or expertise.

The Committee on Procedures may wish to explore whether appropriate provision may be incorporated within the current framework to allow committees to apply for a short extension in order to facilitate more detailed scrutiny.

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