

# **Committee for Enterprise, Trade and Investment Report on the Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in Relation to Estate Agents Etc.) Order 2014 Assembly Consent Motion**

## **Powers**

1. The Committee for Enterprise, Trade & Investment is a Statutory Committee established in accordance with paragraphs 8 and 9 of the Belfast Agreement, Section 29 of the Northern Ireland Act 1998 and under Assembly Standing Order 46. The Committee has a scrutiny, policy development and consultation role with respect to the Department for Enterprise, Trade & Investment and has a role in the initiation of legislation.
2. The Committee has power to:
  - Consider and advise on Departmental Budgets and Annual Plans in the context of the overall budget allocation;
  - Approve relevant secondary legislation and take the Committee stage of relevant primary legislation;
  - Call for persons and papers;
  - Initiate inquiries and make reports; and
  - Consider and advise on matters brought to the Committee by the Minister for Enterprise, Trade & Investment.

## **Background**

3. The Committee considered the Assembly Consent Motion regarding the Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in Relation to Estate Agents Etc.) Order 2014 at its meeting on 30<sup>th</sup> January 2014.

## **Committee Consideration**

4. As the Committee had scheduled an oral briefing from the Consumer Council on that date members asked the Consumer Council to provide its views in advance of the meeting on the provisions contained therein. The Consumer Council informed the Committee that:

*"The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 is the legislative vehicle that abolishes Great Britain's National Consumer Council as a non departmental public body and transfers relevant functions to Citizens Advice, Citizens Advice Scotland and, in respect of the consumer representation role for postal services in Northern Ireland, the Consumer Council for Northern Ireland. This includes giving the Consumer Council the power to acquire information from a range of regulators, businesses and any person that supplies goods or services in the course of business in respect of post and mail markets. In its response to DETI's consultation on Future Consumer Representation Arrangements the Consumer Council has asked for this same power to be extended across all of its remit. The Consumer Council has worked closely with the Department for Business, Innovation and Skills on the development of the draft legislation and is supportive of it.*

5. The Committee agreed to seek clarification from the Department regarding the planned remit of the Consumer Council in relation to the Order and whether the Consumer Council's remit will be the same as other GB consumer bodies.

6. The Committee considered a response from the Department at its meeting on 13<sup>th</sup> February 2014 (Appendix 1). The Department stated that, under the Public Bodies Act 2011 there is no scope to amend the GCCNI's existing functions. This would mean that, other than for postal services, the Consumer Council's existing powers will remain unchanged. The response went on to state that, any change in the Council's existing powers to align these more generally with the consumer representation bodies in GB would require primary legislation to be passed in the Assembly.
7. The Department further informed the Committee that, as part of the review of consumer representation arrangements in Northern Ireland the Department will consider whether any amendments to the powers associated with such representation are required and which body or bodies should exercise them.
8. Having considered the evidence, the Committee was content for the Department to proceed in seeking the Assembly's consent to the Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in Relation to Estate Agents Etc.) Order 2014.