

## **COMMITTEE FOR FINANCE AND PERSONNEL**

### **MINUTES OF PROCEEDINGS**

**WEDNESDAY, 12 SEPTEMBER 2012  
ROOM 30, PARLIAMENT BUILDINGS**

- Present: Mr Daithí McKay MLA (Chairperson)  
Mr Dominic Bradley MLA (Deputy Chairperson)  
Mr Roy Beggs MLA  
Mrs Judith Cochrane MLA  
Mr Leslie Cree MBE MLA  
Miss Megan Fearon MLA  
Mr Paul Girvan MLA  
Mr David Hilditch MLA  
Mr William Humphrey MLA  
Mr Mitchel McLaughlin MLA
- In Attendance: Mr Shane McAteer (Assembly Clerk)  
Mrs Clairita Frazer (Assistant Assembly Clerk)  
Mrs Kathy O'Hanlon (Assistant Assembly Clerk)  
Mr Jim Nulty (Clerical Supervisor)  
Ms Heather Graham (Clerical Officer)  
Mrs Patricia Casey (Bill Clerk) (Agenda items 4 & 5 only)  
Mr Bob Harper (Assembly Research and Information Service)  
(Agenda item 6 only)
- Apologies: Mr Adrian McQuillan MLA

*The meeting opened at 10.06am in public session.*

*Agreed:* that Agenda items 5, 7 and 8 are recorded by Hansard and the Official Report published on the Assembly website.

*The Chairperson welcomed Miss Megan Fearon to the Committee and members noted the declaration of interests for Miss Fearon.*

**1. Apologies.**

Apologies are detailed above.

**2. Draft Minutes of Proceedings of 5 September 2012.**

*Agreed:* that the minutes are published on the Assembly website.

**3. Matters Arising.**

Table of Requests for Information from the Department of Finance and Personnel (DFP)

The Committee noted the table of requests for information from DFP which provided an update on any matters arising not covered elsewhere on the agenda.

*Mr Bradley and Mr Girvan joined the meeting at 10.07am*

Civil Service (Special Advisers) Bill

The Committee noted correspondence from the Attorney General indicating that he is not available to give oral evidence to the Committee on the Civil Service (Special Advisers) Bill at next week's meeting and correspondence from Mr Jim Allister QC MLA advising that he will be available. Members also noted that DFP officials will be in attendance to give evidence.

*Agreed:* to seek written briefing from the Attorney General on the Bill, including on the issue of legislative competence.

*Ms Cochrane joined the meeting at 10.09am*

Department of Agriculture and Rural Development (DARD) Headquarters Relocation

*Agreed:* that, in the context of DFP's policy responsibility for government accommodation, the Committee will seek a copy of the business case on the relocation of the DARD Headquarters from the current site of Dundonald House to a site at Ballykelly.

**4. Superannuation Bill – Final Consideration of Potential Committee Amendments.**

Members noted correspondence from the Department commenting on the potential Committee amendments. The Committee deliberated on each of the three potential amendments.

*Agreed:* that decisions would be taken in relation to the potential Committee amendments to the Bill during the next session on clause-by-clause consideration of the Bill.

**5. Superannuation Bill – Clause-by-Clause Scrutiny.**

The Committee carried out formal clause-by-clause consideration of the Superannuation Bill as follows:

Clause 1 – Consents required for civil service compensation scheme modification

*Agreed:* that the Committee is content with Clause 1 as drafted.

Clause 2 – Consultation in relation to civil service compensation scheme modifications.

Members considered two potential amendments to Clause 2.

*Agreed:* that neither of the two potential amendments will be proposed and that the Committee is therefore content with Clause 2 as drafted.

Members deliberated on a potential amendment to insert a new Clause 3 providing Assembly control over future civil service compensation scheme amendments. As a consensus could not be reached on this potential amendment, the Chairperson, Mr McKay, proposed that the Committee is content to propose to the Assembly that a new Clause 3 is inserted in the Bill as follows:

*“Article 3 of the 1972 Order shall be amended as follows.*

*After paragraph (2) there shall be inserted the following paragraph –*

*(2A) Any scheme made under this Article, which has the effect of reducing the amount of a compensation benefit, as defined in Article 4, shall be subject to negative resolution.”*

*Question put.*

*The Committee divided: Ayes 7; Noes 3; Abstentions 0.*

**AYES**

*Mr Beggs, Mr Bradley, Mr Cree, Ms Cochrane, Miss Fearon, Mr McKay, Mr McLaughlin.*

**NOES**

*Mr Girvan, Mr Hilditch, Mr Humphrey*

**ABSTENTIONS**

*None*

*Question accordingly agreed to.*

Clause 3 – Interpretation

*Agreed:* that the Committee is content with Clause 3 as drafted.

Clause 4 – Short title & Commencement

*Agreed:* that the Committee is content with Clause 4 as drafted.

Long title of the Bill

*Agreed:* that the Committee is content with the Long Title of the Bill as drafted.

*Agreed:* that an initial draft of the Committee report would be brought back to the Committee at next week's meeting.

*Agreed:* that the Committee amendment agreed would be tabled for debate at Consideration Stage, as well as any consequential amendments that may be needed following further advice from the Assembly Bill Office.

**6. The Public Services (Social Value) Act 2012 – Assembly Research Briefing.**

The Committee received a briefing from Assembly Research and Information Service on the Public Services (Social Value) Act 2012.

*Mr Humphrey left the meeting at 11.20am*

*Miss Fearon left the meeting at 11.20am*

*Mr Humphrey joined the meeting at 11.24am*

*Miss Fearon joined the meeting at 11.27am*

*Agreed:* the Assembly Researcher undertook to provide further information as requested.

**7. Public Procurement Update – DFP Evidence Session**

The Committee held an evidence session with the following DFP officials: Des Armstrong, Director, Central Procurement Directorate; and Stewart Heaney, Divisional Director. The evidence session was recorded by Hansard.

The Committee noted related correspondence from DFP and from the Committee for Enterprise, Trade and Investment.

*Mrs Cochrane left the meeting at 11.49am*

*Mr Hilditch left the meeting at 11.51am*

*Mr Girvan left the meeting at 11.53am*

*Mr Girvan joined the meeting at 11.56am*

*Mrs Cochrane joined the meeting at 11.56am*

*Agreed:* that the DFP officials will provide further information as requested.

*Agreed:* to copy the DFP correspondence to the Committee for Enterprise, Trade and Investment for information and to send the queries received from the Committee for Enterprise, Trade and Investment to DFP for response.

## **8. Transposing the EC Proposals for 3 new EU Procurement Directives – the NI Approach – DFP Evidence Session**

The Committee held an evidence session with the following DFP officials: Des Armstrong, Director, Central Procurement Directorate; and Stewart Heaney, Divisional Director. The evidence session was recorded by Hansard.

The Committee noted two items of correspondence from the Department on the proposed EU Directive on Public Procurement.

*Mr Girvan left the meeting at 12.15pm*

*Mr Girvan joined the meeting at 12.17pm*

*Mr Hilditch joined the meeting at 12.17pm*

*Mr Bradley left the meeting at 12.17pm*

*Agreed:* that the Committee is content with the approach as proposed in the Minister's correspondence.

## **9. Dormant Accounts – DFP Briefing**

The Committee received a briefing from the following DFP officials: Ms Brenda Shearer, Central Finance Group; Mr John McKibbin, Supply Division, Central Finance Group; and Mr Ian Fleming, Supply Division, Central Finance Group.

The Committee noted correspondence from the Minister of Finance and Personnel, a draft paper on proposed priorities for the NI Dormant Account Scheme and a letter from DFP on the subject.

*Mr Girvan and Mr Humphrey left the meeting at 12.24pm.*

*Miss Fearon left the meeting at 12.31pm*

*Mr McLaughlin left the meeting at 12.32pm*

*Agreed:* that DFP would keep the Committee informed about the outcome of the consultation.

## **10. Correspondence**

Members noted the following items of correspondence:

- DFP: Departmental Financial Forecasting;

*Agreed:* to schedule a briefing from DFP officials on the provision of financial information to committees and to commission research to inform the discussion with Departmental officials on improvements to this information.

- DFP: Monthly Forecast Outturn Committee report – July 2012 position; and

- Minister of Finance and Personnel: Response to Committee's Report on Air Passenger Duty;

*Agreed:* to return to this correspondence at the Committee meeting on 3 October when the Minister is scheduled to brief the Committee on Air Passenger Duty.

## **11. Committee Work Programme**

The Committee considered a draft of the Committee work programme.

*Agreed:* that the Committee work programme is amended to reflect decisions made today, and that the revised programme is published on the Assembly website.

## **12. Any Other Business**

None.

## **13. Date, Time and Place of Next Meeting**

The next meeting will be held on Wednesday 19 September 2012 at 10.00am in Room 30, Parliament Buildings, Stormont.

*The Chairperson adjourned the meeting at 12.35pm.*

**Mr Daithí McKay MLA**  
**Chairperson**  
**Committee for Finance and Personnel**  
**19 September 2012**