

# COMMITTEE FOR FINANCE AND PERSONNEL

## MINUTES OF PROCEEDINGS

**WEDNESDAY, 30 JANUARY 2013  
ROOM 30, PARLIAMENT BUILDINGS**

- Present: Mr Daithí McKay MLA (Chairperson)  
Mrs Judith Cochrane MLA  
Mr Leslie Cree MBE MLA  
Ms Megan Fearon MLA  
Mr Paul Girvan MLA  
Mr John McCallister MLA  
Mr David McIlveen MLA  
Mr Mitchel McLaughlin MLA  
Mr Adrian McQuillan MLA  
Mr Peter Weir MLA
- In Attendance: Mr Shane McAteer (Assembly Clerk)  
Mrs Kathy O'Hanlon (Assistant Assembly Clerk)  
Mr Jim Nulty (Clerical Supervisor)  
Ms Heather Graham (Clerical Officer)  
Mr Gavin Moore (Bursary Student)  
Mrs Patricia Casey (Bill Clerk) (Agenda Item 4 only)  
Mr Simon Kelly (Assistant Legal Adviser) (Agenda Item 4 only)
- Apologies: Mr Dominic Bradley MLA (Deputy Chairperson)

*The meeting opened at 10.05am in public session.*

*Agreed:* that Agenda items 4, 5 and 6 are recorded by Hansard and the Official Report published on the Assembly website.

### **1. Apologies**

There was one apology as detailed above.

## **2. Draft Minutes of Proceedings of 23 January 2013**

*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.

## **4. Civil Service (Special Advisers) Bill – Clause-by-clause scrutiny of the Bill.**

The meeting moved into closed session at 10.06am to consider follow-up legal advice in line with normal protocol. Mr Simon Kelly, Assistant Legal Adviser, Assembly Legal Services addressed the meeting.

*Mr McQuillan left the meeting at 10.06am*

*The Committee moved into public session at 10.10am.*

*Mr McQuillan joined the meeting at 10.11am*

*Mr Weir and Mr Girvan joined the meeting at 10.15am*

The Committee carried out formal clause-by-clause consideration of the Civil Service (Special Advisers) Bill as follows:

Clause 1 – Meaning of “Special Adviser”

*Agreed:* that the Committee is content with Clause 1, subject to the proposed technical amendment from the Bill Sponsor.

Clause 2 – Special Adviser not to have a serious criminal conviction

Mr McLaughlin indicated that he would be tabling an amendment to this clause for Consideration Stage of the Bill.

As consensus could not be reached on this clause, the Chairperson, Mr McKay put the following question:

*“That the Committee is content with Clause 2 subject to the proposed technical amendments from the Bill Sponsor”*

*Question put*

*The Committee divided: Ayes 5; Noes 3; Abstentions 0*

*AYES*

*Mr Cree, Mr Girvan, Mr McIlveen, Mr McQuillan, Mr Weir*

*NOES*

*Ms Fearon, Mr McKay, Mr McLaughlin*

*ABSTENTIONS*

*None*

*Question accordingly agreed to.*

Clause 3 – Meaning of “serious criminal conviction”

*Agreed:* that the Committee is content with Clause 3, subject to the proposed technical amendments from the Bill Sponsor.

Clause 4 – Annual Report

*Agreed:* that the Committee is content with Clause 4, subject to the proposed technical amendment from the Bill Sponsor.

Clause 5 – Code of Conduct

*Agreed:* that the Committee is content with Clause 5, subject to the proposed technical amendments from the Bill Sponsor.

Clause 6 – Code for Appointments

Mr McLaughlin indicated that he would be tabling an amendment to this clause for Consideration Stage of the Bill.

As consensus could not be reached on this clause, the Chairperson, Mr McKay put the following question:

*“That the Committee is content with Clause 6 subject to the proposed technical amendments from the Bill Sponsor”*

*Question put*

*The Committee divided: Ayes 5; Noes 3; Abstentions 0*

*AYES*

*Mr Cree, Mr Girvan, Mr McIlveen, Mr McQuillan, Mr Weir*

*NOES*

*Miss Fearon, Mr McKay, Mr McLaughlin*

*ABSTENTIONS*

*None*

*Question accordingly agreed to.*

Clause 7 – Advisers to the Presiding Officer

*Agreed:* that the Committee is content with Clause 7 as drafted.

Clause 8 – Interpretation

*Agreed:* that the Committee is content with Clause 8 subject to the proposed technical amendment from the Bill Sponsor

Clause 9 – Transitional provisions

*Agreed:* that the Committee is content with Clause 9 as drafted.

Clause 10 – Commencement

*Agreed:* that the Committee is content with Clause 10 subject to the proposed technical amendment from the Bill Sponsor.

The Schedule: transitional provisions: termination payments.

Mr McLaughlin indicated that he would be tabling amendments to the Bill, which may lead to consequential amendments to the Schedule.

As consensus could not be reached on the Schedule, the Chairperson, Mr McKay, put the following question:

*“That the Committee is content with the Schedule as drafted”*

*Question put*

*The Committee divided: Ayes 5; Noes 3; Abstentions 0*

*AYES*

*Mr Cree, Mr Girvan, Mr McIlveen, Mr McQuillan, Mr Weir*

*NOES*

*Miss Fearon, Mr McKay, Mr McLaughlin*

*ABSTENTIONS*

*None*

*Question accordingly agreed to.*

Long Title of the Bill

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

*Agreed:* that, as some of the decisions on the clauses and schedule to the Bill were reached on a majority basis, rather than by consensus, references will be included in the Report on the Bill to the Minutes of Proceedings of the clause-by-clause scrutiny for details of the divisions on the questions put.

The Committee agreed to consider Agenda Item 8: Correspondence next.

*Mr Weir left the meeting at 10.26am*

*Mr McCallister joined the meeting at 10.29am*

## **5. Correspondence**

The Committee noted the following items of correspondence:

- Committee for Enterprise, Trade and Investment: Budget Exchange Scheme;  
*Agreed:* to forward the correspondence to DFP for response.
- DFP: Proposed Building (Prescribed Fees) (Amendment) Regulations (NI) 2013 – Consultation Outcomes;
- CIPFA: Request for Chair to address event “Public Accountability – the changing face of Assembly scrutiny;
- NIPSA: Flexible Working Inquiry;
- Equality Commission: Flexible Working Inquiry;
- Northern Ireland Assembly Legislative Strengthening Trust (NIALST): Launch of PoliticsPlus;

*Agreed:* that members would respond to this invitation individually.

- DFP: Response regarding the Public Sector Pensions Bill;
- DFP: Monitoring of Departmental Savings Delivery Plans;

*Agreed:* to obtain further information from DFP on which departments had expressed concerns about the implementation of the Savings Delivery Plans impacting on front-line services, for circulating to the other statutory committees.

- DFP: 2012-13 December Forecast Outturn Tables.

*Agreed:* to circulate to the other statutory committees for information and action as appropriate.

The Committee agreed to consider Agenda Item 9; Committee Work Programme next.

## **6. Committee Work Programme**

*Agreed:* that DFP would be invited to brief the Committee following the conclusion of the policy consultation on the Public Service Pensions Bill.

The Committee noted that there was a range of key stakeholders to obtain evidence from in relation to the Bill, e.g. the Police Federation, and the Fire Brigades Union.

*Agreed:* that the Clerk will liaise with the relevant statutory committees to establish arrangements for co-ordinating scrutiny of the Bill.

**7. Spring Supplementary Estimates and Budget Bill (NI) 2013 – Evidence Session from DFP Officials.**

*Mr Weir joined the meeting at 10.34am*

*Mr McIlveen declared an interest as a member of the Northern Ireland Policing Board.*

*Mrs Cochrane joined the meeting at 10.43am*

*Mrs Cochrane left the meeting at 10.44am*

*Mr Weir left the meeting at 10.44am*

*Mr McQuillan left the meeting at 10.47am*

*Mrs Cochrane joined the meeting at 10.49am*

*Mrs Cochrane left the meeting at 10.50am*

The Committee took oral evidence from the following DFP officials: Mike Brennan, Head of Central Expenditure Division, Central Finance Group; John McKibbin, Supply Division, Central Finance Group; and Jeff McGuinness, Central Expenditure Division, Central Finance Group. The session was recorded by Hansard.

*Agreed:* that an update would be provided in relation to hearing loss claims in the Department of Justice.

*Agreed:* that the Committee is satisfied that there has been appropriate consultation with it on the public expenditure proposals contained in the Budget Bill (NI) 2013 and is content to grant accelerated passage to the Bill in accordance with Standing Order 42(2).

*Agreed:* to write to the Speaker advising of the Committee's decision to grant accelerated passage to the Budget Bill (NI) 2013.

**8. Welfare Reform: Preliminary Consultation on Rate Rebate Replacement Arrangements – Evidence Session from DFP Officials.**

*Mr McQuillan joined the meeting at 10.54am*

*Ms Fearon left the meeting at 10.54am*

*Mrs Cochrane joined the meeting at 10.56am*

*Ms Fearon joined the meeting at 10.58am*

*Mr McLaughlin left the meeting at 11.12am*

The Committee took oral evidence from the following DFP officials: Brian McClure, Head of Rating Policy Division, Central Finance Group and Andrew McAvoy, Rating Policy Division, Central Finance Group.

*Agreed:* to schedule a further briefing from the DFP officials on the outcome of the preliminary consultation and to also invite evidence from key stakeholders in due course.

**9. Belfast Chamber of Trade and Commerce – Briefing.**

Representatives from the Belfast Chamber of Trade and Commerce sent apologies for today's meeting. The evidence session will be rescheduled to a suitable date later in the Committee's work programme.

**10. Committee Work Programme (continued)**

Members 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.

**11. Any Other Business**

None.

**12. Date, Time and Place of Next Meeting**

The next meeting of the Finance and Personnel Committee will be held on Wednesday 6 February 2013 at 10.00am in Room 30, Parliament Buildings, Stormont.

*The Chairperson adjourned the meeting at 11.32am.*

**Mr Daithí McKay MLA**  
**Chairperson**  
**Committee for Finance and Personnel**  
**6 February 2013**