



Minister's Office
Clare House
303 Airport Road West
Sydenham Intake
Belfast BT3 9ED
Telephone: 028 774 45117
Email: paul.mcgranaghan@daera-ni.gov.uk

**FROM: PAUL MCGRANAGHAN
DAERA DALO**

DATE: 06 OCTOBER 2026

**TO: DR. JANICE THOMPSON
AERA COMMITTEE CLERK**

The Rural Needs Act (Public Authorities) (Amendment) Order (Northern Ireland) 2026

Summary: The Department of Agriculture, Environment and Rural Affairs (the Department) intends to make a Statutory Rule (SR), "*The Rural Needs Act (Public Authorities) (Amendment) Order (Northern Ireland) 2026*".

The proposed SR will amend the Schedule to the Rural Needs Act (Northern Ireland) 2016 (the Act) by the inclusion of 54 additional public authorities, increasing the number listed from 37 to 91.

These additional public authorities would be required to have due regard to rural needs when developing, adopting, implementing or revising a policy, strategy or plan; and designing and delivering a public service.

Business Area: Rural Affairs Division.

Issue:	To advise the AERA Committee of the Department's intention to make a SR to amend the Schedule to the Act (the Schedule), extending the statutory duty to have due regard to rural needs when carrying out certain activities to those 54 additional public authorities.
Restrictions:	None
Action Required:	The Committee is invited to note and consider the contents of this SL1, together with the attached draft SR (Appendix 1) and Explanatory Memorandum (Appendix 2), and to provide its views on the proposal.
Officials Attending:	Jason Foy (Director, Rural Affairs Division), Claire McAllister (Deputy Director, Rural Affairs Division), Andrea McCart (Head of Rural Legislation Advisory Branch)

Background

The Department proposes to make this SR under powers conferred on it by Section 1(3) of the Rural Needs Act (Northern Ireland) 2016.

Section 1(3) requires the Department to review the list of bodies and persons set out in the Schedule at least every three years. It also provides the Department with the power to add, remove or modify any entries that it thinks appropriate.

The SR is subject to the draft affirmative resolution procedure.

Purpose of legislation/policy background

The purpose of this proposed SR is to amend the Schedule by the inclusion of 54 additional public authorities, increasing the number listed from 37 to 91. This represents the first amendment to the Schedule since the Act came into operation in 2016.

The bodies and persons listed in the Schedule are required to have due regard to rural needs when:

- developing, adopting, implementing or revising a policy, strategy or plan; and
- designing and delivering a public service.

This amendment will extend the statutory duty across a wider range of public authorities, promoting more consistent consideration of rural needs in policy development and service delivery.

The proposed amendment seeks to enhance the implementation of the Act in line with the Minister's policy objective, while reflecting the views expressed through the public consultation and statutory review process.

Previous Engagement with the Committee

The Committee received notification of the commencement of a statutory review of the Schedule on 10 July 2024 and three written papers on the responses to the public consultation on 14

November 2024 (ACP/24/162), an update on recommendations from the Review Group on 3 July 2025 (ACP/25/140), and the final recommendations of the Review Group on 29 January 2026 (ACP/25/229).

Financial Implications

The inclusion of the additional public authorities in the Schedule will give rise to additional resource requirements within the Department to support the effective implementation of the Act.

Extending the number of bodies within the scope of the Act will bring some modest additional costs for DAERA, largely associated with the need to provide support to assist departments and newly added public authorities with the implementation of the statutory duty. The Department is satisfied that the SR is affordable and can be delivered within existing resources.

The additional public authorities may incur administrative costs associated with implementation. These costs are expected to be limited and will primarily relate to familiarisation with the Act, staff training and the establishment of proportionate processes to support compliance. Engagement with relevant departments did not identify any significant financial implications arising from the inclusion of the 54 additional public authorities in the Schedule.

Risk of not Implementing the Recommendations

(i) Legal or regulatory imperative

Section 1(3) of the Act requires the Department to review the Schedule at least every three years and provides powers to amend it where appropriate. Following the statutory review, the Department has concluded that the inclusion of 54 additional public authorities is appropriate and that a SR is required to give effect to those changes.

(ii) Options considered

- **Option 1 – No implementation:**
Retain the existing Schedule and make no changes.
- **Option 2 – Partial implementation:**
Add a selection of the public authorities identified through the statutory review.
- **Option 3 – Full implementation:**
Amend the Schedule to include all 54 additional public authorities identified through the statutory review.

(iii) Option selected and rationale

Option 3 has been selected as it gives effect to the recommendations arising from the statutory review, extends the statutory duty to all identified public authorities that met the agreed criteria for inclusion, and supports a more consistent application of the Act across the public sector.

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(iv) Risks or unintended consequences

The main risk or unintended consequence is that the additional public authorities will require time to familiarise themselves with their statutory duties. This will be mitigated through departmental guidance, training and support. No significant unintended policy consequences have been identified.

(v) Implications of not proceeding

Failure to proceed would leave the 54 identified public authorities outside the scope of the Act, limiting its potential effectiveness and resulting in continued inconsistency in the consideration of rural needs.

Consultation

The Department undertook an eight-week public consultation between 22 July 2024 and 13 September 2024 as part of the statutory review required under Section 1(3) of the Act. The consultation was published on the Department's website, promoted through departmental social media channels, and shared with key rural stakeholders. A total of 100 proposals were received for consideration.

The consultation report was published on the DAERA website which is available at - [Public Consultation Responses to the 2024 Review of the List of Bodies and Persons set out in the Schedule to the Rural Needs Act \(Northern Ireland\) 2016.](#)

In addition to the proposals received through the public consultation, further proposals were identified through engagement with Executive Ministers, Permanent Secretaries, the AERA Committee and other relevant information. This resulted in 108 bodies and persons being identified for assessment against the agreed criteria.

Further details on the approach and methodology of that assessment are provided at **Appendix 3**.

Compliance with Section 24 of the Northern Ireland Act 1998

The Department considers that the SR does not give rise to any human rights issues, nor is it incompatible with EU law.

Consideration by the Executive

On 9 September 2026 the Executive agreed to the inclusion of 54 additional public authorities in the Schedule and to make and lay the SR before the Assembly under the draft affirmative resolution procedure.

Equality Impact

In accordance with the Department's obligations under Section 75 of the Northern Ireland Act 1998, the equality implications of the SR have been assessed. No direct or differential impact on equality of opportunity has been identified for any Section 75 category.

Regulatory Impact

In accordance with the Department's obligations under the Northern Ireland Better Regulations Strategy, a Regulatory Impact Assessment (RIA) has been completed by the Department to assess the costs and benefits of the amendment to the Schedule. A copy of the RIA is attached at **Appendix 4** for your information.

Rural Needs Impact

In accordance with the Department's obligations under Section 1(1) of the Rural Needs Act (Northern Ireland) 2016, a Rural Needs Impact Assessment has been completed.

The inclusion of 54 additional public authorities in the Schedule is expected to have an indirect positive impact on people in rural areas by extending the statutory duty under Section 1(1) of the Act to a wider range of public authorities.

The amendment to the Schedule does not itself change services, funding, eligibility criteria or entitlements. Any specific rural needs impacts would arise through future activities undertaken by the 54 additional public authorities and should be considered by those authorities in their own Rural Needs Impact Assessments where required.

The revision of this policy itself has not been influenced by the rural needs identified as the 54 public authorities would have been added to the Schedule as a result of the statutory review and were not a mitigation of the rural needs identified in the Rural Needs Impact Assessment.

Data Protection Impact

In accordance with the Department's obligations under the UK General Data Protection Regulation and the Data Protection Act 2018, a screening exercise was completed. The Department considers that a full Data Protection Impact Assessment is not required as the SR does not include the processing of personal or sensitive personal data.

Child Rights Impact

In accordance with the Department's Child Rights Impact Assessment procedures, a screening exercise was completed. The SR does not engage children or young people directly, and no significant direct or indirect impacts on children's rights have been identified. Accordingly, a full Child Rights Impact Assessment was not considered necessary.

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Position in Great Britain (if appropriate).

Northern Ireland is the only jurisdiction in the United Kingdom that has a statutory duty to have due regard to rural needs. There is no equivalent legislation in Great Britain.

Any other information

None

Proposed timing of consideration of the SL1

This SL1 has been submitted to the Committee in accordance with the minimum four week timeframe. The date that "The Rural Needs Act (Public Authorities) (Amendment) Order (Northern Ireland) 2026" is scheduled to be considered is 10 December 2026.

Proposed Operational Date

It is proposed that the Act, as it applies to the additional public authorities will come into operation on the day after the day on which the Order is affirmed by resolution of the Assembly enabling the Department to provide guidance, advice and information under Section 2(a) of the Act. Sections 1 to 4 of the Act come into operation on 1 April 2028.

The lead-in period reflects the scale of the expansion, with a significant number of additional public authorities being brought within the scope of the Act and will be subject to the duty under Section 1(1) for the first time.

The timeframe will allow the Department to develop and disseminate updated guidance, deliver proportionate training and stakeholder engagement activities, and support the additional public authorities in establishing appropriate internal processes and governance arrangements. It will help promote a consistent and effective approach to implementation, support alignment with business planning and reporting cycles, and minimise the risk of inconsistent or ineffective early application of the statutory duty.

The draft SR and Explanatory Memorandum are attached. The Committee is invited to consider the proposal to amend the Schedule to the Rural Needs Act (Northern Ireland) 2016.

This SL1 is being copied to the Human Rights Commission, Equality Commission and Assembly & Legislation Section of The Executive Office.

Yours sincerely,



Paul McGranaghan
Departmental Assembly Liaison Officer

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- Appendix 1:** **Draft Statutory Rule - The Rural Needs Act (Public Authorities) (Amendment) Order (Northern Ireland) 2026.**
- Appendix 2:** **Explanatory Memorandum to The Rural Needs Act (Public Authorities) (Amendment) Order (Northern Ireland) 2026.**
- Appendix 3:** **Report on the 2024 Review of the List of Bodies and Persons set out in the Schedule to the Rural Needs Act (Northern Ireland) 2016.**
- Appendix 4:** **Regulatory Impact Assessment**

Cc: **Assembly & Legislation Section (Executive Office)**
 Human Rights Commission
 Equality Commission