

Mr. Peter McCallion
Clerk
Committee for the Economy
Room 347, Parliament Buildings
Stormont
Belfast
BT4 3XX

Dear Peter

SL1 – THE EMPLOYER'S LIABILITY (COMPULSORY INSURANCE) (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2026

Powers under which Rule is being made

The Department for the Economy proposes to make a Statutory Rule under powers conferred by Articles 7(c) and 10 of the Employer's Liability (Defective Equipment and Compulsory Insurance) (Northern Ireland) Order 1972 (S.I. 1972/963 (N.I. 6)) ("the 1972 Order"). The Statutory Rule is subject to the negative resolution procedure before the Assembly.

Purpose of the Statutory Rule

The aim of the Statutory Rule is to update Schedule 2 to the Employer's Liability (Compulsory Insurance) Regulations (Northern Ireland) 1999 (S.R. 1999 No. 448) ("the 1999 Regulations"), which specifies those employers exempt from employer's liability insurance. The requirement for eligible businesses to obtain Employer's Liability Compulsory Insurance continues to be enforced by the Health and Safety Executive for Northern Ireland.

Background

The proposed Regulations will amend Schedule 2 to the 1999 Regulations. The 1999 Regulations were made under the 1972 Order, which requires most employers to insure against liability for injury or disease suffered by their employees and arising out of their employment.

The Rule will introduce a new Schedule to be substituted for Schedule 2 to the 1999 Regulations, which specifies those employers exempted from employer's liability insurance under the 1972 Order. It is proposed to update the existing Schedule 2 to the 1999 Regulations by adding the Northern Ireland Climate Commissioner, the Children's Court Guardian Agency for Northern Ireland, the Commissioner for the Ulster Scots and the Ulster British Tradition, the Irish Language Commissioner, and the Office of Identity and Cultural Expression to the exemptions and removing the Construction Industry Training Board, the

Guardian Ad Litem Special Agency, the Inquiry into Historical Institutional Abuse 1922 to 1995, and the Regional Health and Social Care Board.

The Rule will also revoke the Employer's Liability (Compulsory Insurance) (Amendment) Regulations (Northern Ireland) 2022 (S.R. 2022 No. 101).

Consultation

As the proposed Regulations are of a purely technical nature and there is no statutory requirement to consult under the 1972 Order, no public consultation was considered necessary.

Position in Great Britain

Although Great Britain has equivalent legislation to the 1972 Order and the 1999 Regulations, the proposed amendment is unique to Northern Ireland, as it involves Non-Departmental Public Bodies that fall within the remit of Northern Ireland Government Departments.

Equality Impact

The proposals have no equality implications.

Regulatory Impact

An Impact Assessment has not been prepared for this Statutory Rule, as it has no impact on business, charities or voluntary bodies.

Financial Implications

The proposed Regulations would have no effect on business. There will be savings in relation to the Bodies concerned. In each case the sponsor Department has certified that any claims against those Bodies for injury suffered by their employees arising out of and in the course of their employment will, to any extent that they cannot be satisfied by the Bodies themselves, be satisfied from funds provided by the Northern Ireland Assembly. This allows the Bodies to be added to Schedule 2 to the 1999 Regulations, which, in turn, exempts them from having to purchase employer's liability insurance.

Executive Referral

The proposed Regulations are technical in nature and the proposed removal or inclusion of Bodies from Schedule 2 is as a result of requests by the individual sponsor Departments responsible for the Bodies concerned. As such, the agreement of the Northern Ireland Executive is not required.

EU Implications

None. The Rule does not implement any European Directives.

Section 24 of the NI Act 1998

The Department has considered the matter of Convention rights and is satisfied that there are no matters of concern.

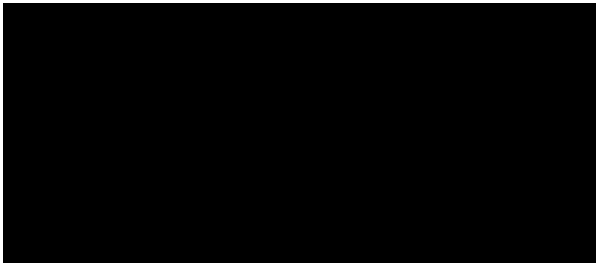
Operational Date

It is proposed that the Rule should come into operation on 1st December 2026.

When the Rule together with the Explanatory Memorandum has been laid at the Assembly Business Office the Business Office will submit copies to the Committee.

You will wish to bring this matter to the attention of the Committee for the Economy.

Yours sincerely



Departmental Assembly Liaison Officer

c.c. Human Rights Commission