



COMMITTEE FOR FINANCE

NORTHERN IRELAND FISCAL COUNCIL BILL

SUBMISSION FROM ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD)

Please find below the submission from the OECD in relation to the Northern Ireland Fiscal Council Bill. The views expressed in our submission are based on OECD Member country experiences drawn from the OECD Working Party of Parliamentary Budget Officials and Independent Fiscal Institutions as well as the [OECD Principles for Independent Fiscal Institutions](#) (also attached as a separate document).

Overview

The OECD is pleased to see that the *Principles for Independent Fiscal Institutions* have influenced the development of the Northern Ireland Fiscal Council Bill, which will place the Council on a statutory footing. Our assessment finds the Bill to be well aligned with 10 principles, partially aligned with 4, and poorly aligned with 7. A detailed breakdown is provided in Table 1 below.

Notably, the Bill includes strong provisions on the Council's main functions, granting it clearly defined responsibilities, autonomy in setting its work programme, and robust publication requirements. Other strengths include the provisions ensuring access to government information, the requirement for periodic external evaluation, and the clear mechanisms for reporting to the Northern Ireland Assembly. However, there remains scope for improvement in areas of independence and non-partisanship, operational autonomy, and stakeholder engagement, where the legislation could be more closely aligned with the *Principles*.

Independence and non-partisanship

The Bill lacks explicit safeguards to ensure non-partisanship in the recruitment and appointment of the Chair and Council members. While Schedule 1, Part 2 grants the Department of Finance the authority to appoint members, it does not specify any merit-based criteria, professional qualifications, or technical competencies required for the role. Introducing clear standards for appointments in the legislation would help safeguard against political influence and reinforce the Council's credibility. Qualifications of members should include proven competence in economics and public finances and familiarity with the budget process. To ensure non-partisan appointments, many OECD IFIs also have secondary approval for the selection of members by another authority, such as the parliamentary budget committee. Recent experience among OECD IFIs suggests that it is helpful to have new appointments made before the incumbents' term ends.

There are also a lack of explicit safeguards for hiring qualified and non-partisan staff. Establishing the need for specific qualifications as well as transparent recruitment procedures in the legislation would ensure the Council is staffed with individuals who possess the necessary technical competence and impartiality to fulfil its mandate effectively.


Operational autonomy









The Bill’s provisions limit the Council’s staffing and financial autonomy. Schedule 1, Part 2 (clause 13) allows the Council to employ staff, but employment terms are subject to approval by the Department of Finance. This arrangement may constrain the Council’s ability to recruit and manage personnel independently, potentially affecting its impartiality and responsiveness. Financial independence is also compromised. Schedule 1, Part 6 provides that the Council’s running costs are to be included in the Department’s overall estimates. As a result, the Council’s budget is not treated in the same manner as other independent bodies, such as audit offices, and remains vulnerable to political influence. Establishing a distinct budget line would help protect the Council’s financial autonomy. The Council would also benefit from legislative provisions clarifying how the periodic external evaluation will be funded.









Stakeholder engagement





Effective communication and engagement are essential for independent fiscal institutions to build public trust and support informed debate. The Bill lacks a formal mechanism for the Council to respond to requests for analysis or information from Assembly committees or individual Members. This omission limits the Council’s utility to the legislature and its role in supporting parliamentary committee scrutiny. Establishing a statutory framework for legislative engagement would strengthen the Council’s relevance and responsiveness. The Bill also does not include provisions for the Council to engage with stakeholders such as the media or broader public. Embedding communication responsibilities in the legislation would help ensure the Council’s work reaches a broad audience and contributes to fiscal transparency.

Table 1. Alignment of the Northern Ireland Fiscal Council Bill with OECD Principles for Independent Fiscal Institutions

Principles for Independent Fiscal Institutions	Assessment of the Northern Ireland Fiscal Council Bill	Assessment
1.1 Broad national ownership		Not applicable to the text of the Bill.
1.2 Tailoring to local context		The Bill is designed specifically for Northern Ireland’s fiscal and institutional context.

2.1 Non-partisanship		Clause 6(1)-(5) precludes the Council from any normative policy-making responsibilities.
2.2 Merit-based leadership		Schedule 1, Part 2, (clause 5) provides for appointments by the Department of Finance but does not specify merit-based criteria. The Bill could be improved upon by specifying the qualifications in the legislation. To ensure non-partisanship, many OECD IFIs also have secondary approval for the selection of members by another authority, such as the parliamentary budget committee.
2.3 Fixed terms and dismissal		Schedule 1, Part 2 (clauses 6–11) sets out term limits, reappointment rules, and dismissal criteria. The Bill could be improved upon by specifying that appointments are done on a staggered basis to enable continuity of leadership over time. Recent experience among OECD IFIs suggests that it is helpful to have new appointments made before the incumbents' term ends.
2.4 Remuneration and conflict of interest		Schedule 1, Part 2 (clause 7) addresses remuneration; conflict of interest is not explicitly detailed, and the full-time or part-time nature of appointments is not specified in the legislation. The Bill could be improved by detailing conflicts of interests and full-time nature of appointment.
2.5 Staffing autonomy		Schedule 1, Part 2 (clause 13) allows the Council to employ staff, but terms require Departmental approval. It is recommended that the Council have full autonomy over staffing decisions.
2.6 Merit-based staff selection		No mention of hiring requirements in legislation. The Bill could be improved upon by specifying the qualifications in the legislation.
3.1 Clear mandate in legislation		Clause 2(2)-(4) define the Council's functions, including required reports and timelines.
3.2 Autonomy in work programme		Clause 2(3) grants the Council the right to undertake work at its own initiative and Clause

		6(1)-(2) grants the Council full discretion in carrying out its functions.
3.3 Link to budget process		Clause 3(1) requires the budget assessment report to be produced annually follow the publication of the proposed budget. Given uncertainty in the budget process, the legislation might be improved by requiring outputs for each fiscal event rather than each financial year.
4.1 Adequate and protected resources		Schedule 1, Part 6 provides for the Council's costs to be included in the Department's overall estimates. Establishing a distinct budget line would help protect the Council's financial autonomy.
5.1 Accountability to legislature		Clauses 2(4); 5(5); Schedule 1, clauses 5(4), 18(1b), 20(1b) require reports to be laid before the Assembly and give a role to the Assembly in regulations around leadership appointments.
5.2 Role in legislative support		No provision for responding to requests from Assembly committees or members. Detailing the formal mechanism for the Council to respond to requests and support legislative committee scrutiny would be an improvement.
6.1 Full access to information		Schedule 1, Part 4 (clause 19) grants the Council a legal right of access to government information.
6.2 Limits and safeguards to information		Schedule 1, Part 4 (clause 19(3)) acknowledges legal limits but lacks detailed safeguards. Including escalation mechanisms in the legislation would be an improvement.
7.1 Transparency in operations		Schedule 1, Part 4 (clause 18) require transparency and publication of data.
7.2 Publication of reports		Clause 2(4) and Schedule 1, Part 5 mandate publication and submission to the Assembly.

7.3 Timely release of reports		Clause 3(1) requires timely publication of budget assessment reports.
7.4 Reports in own name		Clause 1 establishes the Council as a corporate body, enabling it to publish in its own name.
8.1 Communication with stakeholders		The Bill does not include provisions for public or media engagement. Including such provisions would be an improvement.
9.1 Mechanism for external review		Schedule 1, Part 5 (clause 21) requires periodic independent performance reviews. The Council would also benefit from legislative provisions clarifying how the periodic reviews will be funded.

**Public Governance and Territorial Development Directorate
OECD Senior Budget Officials (SBO)**

OECD Network of Parliamentary Budget Officials
and Independent Fiscal Institutions (PBO)

Recommendation of the Council on Principles for Independent Fiscal Institutions

February 2014



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INTRODUCTION

On 13 February 2014, the OECD Council adopted the *Recommendation of the Council on Principles for Independent Fiscal Institutions*. Geared towards Member countries that have established or are considering establishing an independent fiscal institution (IFI), the *Principles* codify lessons learned and good practices that are firmly grounded in the experience of IFIs to date. The *Principles* seek to reinforce the core values that IFIs both promote and operate under – independence, non-partisanship, transparency, and accountability – while demonstrating technical competence and producing relevant work of the highest quality that stands up to public scrutiny and informs the public debate. As such, they aim to assist countries to design an enabling environment conducive to the good performance of an IFI and to ensuring its long-run viability.

The *Principles* come at a critical time. With commitments to sustainable public finances under close scrutiny since the crisis, policymakers are searching for new ways to safeguard fiscal discipline and rebuild public trust in their capacity to manage public budgets prudently and transparently. While fiscal decision-making is ultimately the responsibility of democratically elected officials, IFIs, often in complement with credible fiscal rules, are seen as a mechanism to help address bias towards spending and deficits and more generally enhance fiscal discipline; promote greater fiscal transparency and accountability; and raise the quality of public debate on fiscal policy.

Independent fiscal institutions (commonly referred to as independent parliamentary budget offices or fiscal councils) are publicly funded, independent bodies under the statutory authority of the executive or the legislature which provide non-partisan oversight and analysis of, and in some cases advice on, fiscal policy and performance. Although relatively few and novel world-wide, diverse examples of IFIs have existed for decades in countries such as Belgium (1936), the Netherlands (1945), Denmark (1962), Austria (1970), and the United States (1974). Today, IFIs are considered among the most important innovations in the emerging architecture of public financial management. A clear trend towards establishing IFIs is evident in Member countries. Just over half of Member countries have an IFI - and just over half of those were established in the past five years. The number of IFIs (of all shapes and sizes) is likely to continue to rise in the foreseeable future.

The *Principles*, which originated in the OECD Network of Parliamentary Budget Officials and Independent Fiscal Institutions (PBO), are the culmination of over two years of intensive consultation within the PBO, the Working Party of Senior Budget Officials (SBO), and the Public Governance Committee (PGC). Other inputs to the process include an in-depth study of IFIs in 18 OECD member countries and informal consultation with colleagues within the OECD and with other international organizations such as the European Commission, International Monetary Fund, and the World Bank.

For further information on the *Recommendation of the Council on Principles for Independent Fiscal Institutions*, please contact Lisa von Trapp at lisa.vontrapp@oecd.org.



Recommendation of the Council on Principles for Independent Fiscal Institutions

13 February 2014 - [C\(2014\)17](#)

13 February 2014 - [C\(2014\)17/CORR1](#)

HAVING REGARD to Article 5 b) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960;

NOTING the growth of independent fiscal institutions within Member countries and the diversity of existing institutions;

HAVING AGREED that, for the purpose of the present Recommendation, independent fiscal institutions are publicly funded, independent bodies under the statutory authority of the executive or the legislature which provide non-partisan oversight and analysis of, and in some cases advice on, fiscal policy and performance, and that these institutions have a forward-looking *ex ante* diagnostic task;

RECOGNISING that independent fiscal institutions have the potential to enhance fiscal discipline, promote greater budget transparency and accountability and raise the quality of public debate on fiscal policy, while recognising also that alternative institutional arrangements may serve some countries equally well;

RECOGNISING that budget transparency is a key element of good governance and that the OECD has played a leading role in the international community in promoting budget transparency through the OECD Best Practices for Budget Transparency (OECD, 2002);

On the proposal of the **Public Governance Committee**;

- I. **RECOMMENDS** that Members which have chosen to establish or are considering establishing an independent fiscal institution take into account the Principles for Independent Fiscal Institutions which are set out in the Annex to this Recommendation of which it forms an integral part.
- II. **INVITES** Members and the Secretary-General to disseminate this Recommendation.
- III. **INVITES** non-Members who have chosen to establish or are considering establishing an independent fiscal institution to take account of and to adhere to this Recommendation.
- IV. **INVITES** relevant international organisations to take account of this Recommendation and to collaborate with the OECD to exchange good practices and data on independent fiscal institutions.
- V. **INSTRUCTS** the Public Governance Committee to monitor the implementation of this Recommendation and to report thereon to the Council no later than three years following its adoption and regularly thereafter.

ANNEX

PRINCIPLES FOR INDEPENDENT FISCAL INSTITUTIONS (IFIs)

The twenty-two *Principles for Independent Fiscal Institutions* (fiscal councils and independent parliamentary budget offices) proposed below are grouped under nine broad headings: (1) local ownership; (2) independence and non-partisanship; (3) mandate; (4) resources; (5) relationship with the legislature; (6) access to information; (7) transparency; (8) communication; and (9) external evaluation.

1. Local ownership

1.1. To be effective and enduring, an IFI requires broad national ownership, commitment, and consensus across the political spectrum. While a country seeking to establish an IFI will benefit from the study of existing models and experiences in other countries, models from abroad should not be artificially copied or imposed. Regional or international authorities may provide valuable support and protection.

1.2. Local needs and the local institutional environment should determine options for the role and structure of the IFI. Design choices may also have to take into account capacity constraints, particularly in smaller countries¹. The basic characteristics of an IFI, including specific protections, should be informed by the country's legal framework, political system, and culture. Its functions should be determined by the country's fiscal framework and specific issues that need to be addressed.

2. Independence and non-partisanship

2.1. Non-partisanship² and independence are pre-requisites for a successful IFI. A truly non-partisan body does not present its analysis from a political perspective; it always strives to demonstrate objectivity and professional excellence, and serves all parties. This favours that IFIs should be precluded from any normative policy-making responsibilities to avoid even the perception of partisanship.

2.2. The leadership³ of an IFI should be selected on the basis of merit and technical competence, without reference to political affiliation. The qualifications should be made explicit – including professional standing and relevant government or academic experience. Qualifications should include proven competence in economics and public finances and familiarity with the budget process.

2.3. Term lengths and the number of terms that the leadership of the IFI may serve should be clearly specified in legislation as should be the criteria and process for dismissal for cause. The leadership's term should optimally be independent of the electoral cycle. Independence may be enhanced by defining the term span beyond the electoral cycle.

2.4. The position of head of the IFI should be a remunerated and preferably full-time position⁴. Strict conflict-of-interest standards, particularly for institutions with council members employed on a part-time basis, should be applied equally vis-à-vis other employment in the public or private sector.

2.5. The leadership of the IFI should have full freedom to hire and dismiss staff in accordance with applicable labour laws.

¹ Several countries (e.g. Ireland, Portugal, and Sweden) allow for non-nationals to serve as council members, thus increasing the pool of qualified candidates and reducing the risk of "groupthink". As such, this design choice may also serve to bolster independence.

² Non-partisanship should not be confused with bi-partisanship. Whereas bi-partisanship suggests a balance between political parties, non-partisanship necessitates an absence of political influence.

³ The title may differ – director, president, or chair – depending on its design. The institution may be under individual or collective (council) leadership.

⁴ There are exceptional cases in which a part-time position may be considered sufficient, for example if the IFI has a strictly defined and limited work programme or if another institution provides complementary functions which impact on the workload of the IFI. In Sweden, the Fiscal Policy Council can use the macro-fiscal forecasts prepared by another well-established independent agency, the National Institute of Economic Research.

2.6. Staff should be selected through open competition based on merit and technical competence and without reference to political affiliation. Conditions of employment⁵ should be along the lines of that of the civil (or parliamentary) service⁵.

3. Mandate

3.1. The mandate of IFIs should be clearly defined in higher-level legislation, including the general types of reports and analysis they are to produce, who may request reports and analysis, and, if appropriate, associated timelines for their release.

3.2. IFIs should have the scope to produce reports and analysis at their own initiative, provided that these are consistent with their mandate. Similarly, they should have the autonomy to determine their own work programme within the bounds of their mandate.

3.3. Clear links to the budget process should be established within the mandate. Typical tasks carried out by IFIs might include (but are not limited to): economic and fiscal projections (with a short- to medium-term horizon, or long-term scenarios); baseline projections (assuming unchanged policies); analysis of the executive's budget proposals; monitoring compliance with fiscal rules or official targets; costing of major legislative proposals; and analytical studies on selected issues⁶.

4. Resources

4.1. The resources allocated to IFIs must be commensurate with their mandate in order for them to fulfil it in a credible manner. This includes the resources for remuneration of all staff and, where applicable, council members. The appropriations for IFIs should be published and treated in the same manner as the budgets of other independent bodies, such as audit offices, in order to ensure their independence. Multiannual funding commitments may further enhance IFIs independence and provide additional protection from political pressure.

5. Relationship with the legislature

5.1. Legislatures perform critical accountability functions in country budget processes and the budgetary calendar should allow sufficient time for the IFI to carry out analysis necessary for parliamentary work. Regardless whether an independent fiscal institution is under the statutory authority of the legislative or the executive branch, mechanisms should be put in place to encourage appropriate accountability to the legislature. These may include (but are not limited to): (1) submission of IFI reports to parliament in time to contribute to relevant legislative debate; (2) appearance of IFI leadership or senior staff before the budget committee (or equivalent) to provide responses to parliamentary questions; (3) parliamentary scrutiny of the IFI budget; and (4) a role for parliament's budget committee (or equivalent) in IFI leadership appointments and dismissals.

5.2. The role of the IFI vis-à-vis parliament's budget committee (or equivalent), other committees, and individual members in terms of requests for analysis should be clearly established in legislation. Preferably, the IFI should consider requests from committees and sub-committees rather than individual members or political parties. This is particularly relevant for those IFIs established under the jurisdiction of the legislature.

6. Access to information

6.1. There is often asymmetry of information between the government and the IFI – no matter how well an IFI is resourced. This creates a special duty to guarantee in legislation – and if necessary to reaffirm through protocols or memoranda of understanding – that the IFI has full access to all relevant information in a timely manner, including methodology and assumptions underlying the budget and other fiscal proposals. Information should be provided at no cost or, if appropriate, sufficient resources should be provided in the IFI budget to cover analysis obtained through government actuarial services.

⁵ Given the small size of the majority of IFIs, staff may be provided with career mobility within the broader civil service. However, care should be taken to avoid conflict of interest.

⁶ Other functions are carried out by well-established IFIs, such as costing of election platforms by the Netherlands Bureau for Economic Policy Analysis, or programme evaluation by the Korean National Assembly Budget Office.

6.2. Any restrictions on access to government information should also be clearly defined in legislation. Appropriate safeguards may be put in place⁷ as regards protection of privacy (for example, taxpayer confidentiality) and of sensitive information in the areas of national defence and security.

7. Transparency

7.1. Given that promoting transparency in public finances is a key goal of IFIs, they have a special duty to act as transparently as possible. Full transparency in their work and operations provides the greatest protection of IFI independence and allows them to build credibility with the public.

7.2. IFI reports and analysis (including a full account of the underlying data and methodology) should be published and made freely available to all. As noted in 5.1, all IFI reports and analysis should be sent to parliament in time for legislative debate⁸ and the leadership of the IFI should be given the opportunity to testify before parliamentary committees.

7.3. The release dates of major reports and analysis should be formally established, especially in order to co-ordinate them with the release of relevant government reports and analysis⁹.

7.4. IFIs should release their reports and analysis, on matters relating to their core on-going mandate on economic and fiscal issues, in their own name.

8. Communications

8.1. IFIs should develop effective communication channels from the outset, especially with the media, civil society, and other stakeholders. Given that the influence of IFIs in fiscal policy making is persuasive (rather than coercive by means of legal sanctions or other punitive measures), media coverage of their work assists in fostering informed constituencies that may then exercise timely pressure on the government to behave transparently and responsibly in fiscal matters.

9. External evaluation

9.1. IFIs should develop a mechanism for external evaluation of their work – to be conducted by local or international experts. This may take several forms: review of selected pieces of work; annual evaluation of the quality of analysis; a permanent advisory panel or board; or peer review by an IFI in another country.

Relevant body: [Public Governance Committee](#)

⁷ For example, security clearance for IFI staff.

⁸ There may be cases where an IFI provides confidential estimates as part of the legislative process. For example, the U.S. Congressional Budget Office provides estimates early in the legislative process – kept confidential only until the legislative proposal becomes public – in order to help craft legislative proposals.

⁹ Care must be taken to avoid the perception that the timing of the release of the IFI reports favours the government or the opposition parties.

