

HOSPITAL PARKING CHARGES BILL

EXPLANATORY AND FINANCIAL MEMORANDUM

INTRODUCTION

1. This Explanatory and Financial Memorandum has been prepared by the Department of Health (DoH) in order to assist the reader of the Bill and to help inform debate on it. It does not form part of the Bill and has not been endorsed by the Assembly.
2. The Memorandum needs to be read in conjunction with the Bill. It is not, and is not meant to be, a comprehensive description of the Bill. So, where a clause or part of a clause does not seem to require an explanation or comment, none is given.

BACKGROUND AND POLICY OBJECTIVES

3. The Hospital Parking Charges Act (Northern Ireland) 2022, which prohibits the imposition of charges for parking vehicles in hospital car parks in Northern Ireland, is due to come into operation on 12 May 2024.
4. The Bill has the single policy objective of bringing about a delay of 2 years in the operational date of the 2022 Act. The resulting postponement of the ban on charging for parking is to be used, in the context of wider stabilisation of health sector funding, to develop a funding plan for the implementation of free parking at the end of the 2 year postponement.

CONSULTATION

5. No consultation has taken place as the ultimate objective of the Hospital Parking Charges Act (Northern Ireland) 2022 has not been amended.

OPTIONS CONSIDERED

6. **Option 1:** Do nothing, and let the ban on charging for parking come into effect.
7. **Option 2:** Proceed with the Bill, and postpone the ban on charging for parking.

OVERVIEW

8. The Bill modifies the operation of the Hospital Parking Charges Act (Northern Ireland) 2022 so as to postpone the ban on charging money for parking in hospital car parks.
9. The postponement is for 2 years.

COMMENTARY ON CLAUSES

Clause 1: New date for ban on charges

Provides for the postponement of 2 years. The issue of uncertainty of the date likely for Royal Assent to the Bill, as relevant in relation to the date on which the Hospital Parking Charges Act (Northern Ireland) 2022 is due to come into operation, is addressed. That is (a) if the Bill comes into operation in time, the postponement simply occurs as stated, and (b) if the Bill comes into operation later, the postponement instead occurs after the ban on charging has had effect for the limited period arising.

Clause 2: Commencement and short title

Provides for (a) commencement of the Bill by reference to Royal Assent, and (b) the Bill's short title.

FINANCIAL EFFECTS OF THE BILL

10. In 2022/23, HSC Trust car parks in Northern Ireland generated approximately £6.4m from charges, and the cost of operating the car parks was circa £8.8m. A two-year delay in implementing free parking will ensure that HSC Trusts will continue to receive income from charges to offset against car park operational costs.

HUMAN RIGHTS ISSUES

11. The provisions of the Bill are considered to be human rights compliant.

EQUALITY IMPACT ASSESSMENT

12. An Equality Impact Assessment has not taken place as the ultimate objective of the Hospital Parking Charges Act (Northern Ireland) 2022 has not been amended.

SUMMARY OF THE REGULATORY IMPACT ASSESSMENT

13. A Regulatory Impact Assessment has not taken place as the ultimate objective of the Hospital Parking Charges Act (Northern Ireland) 2022 has not been amended.

DATA PROTECTION IMPACT ASSESSMENT/DATA PROTECTION BY DESIGN

14. A Data Protection Impact Assessment has not taken place as the ultimate objective of the Hospital Parking Charges Act (Northern Ireland) 2022 has not been amended.

RURAL NEEDS IMPACT ASSESSMENT

15. A Rural Needs Impact Assessment has not taken place as the ultimate objective of the Hospital Parking Charges Act (Northern Ireland) 2022 has not been amended.

LEGISLATIVE COMPETENCE

16. At Introduction the Minister of Health had made the following statement under section 9 of the Northern Ireland Act 1998:

“In my view the Hospital Parking Charges Bill would be within the legislative competence of the Northern Ireland Assembly.”



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