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Assembly

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Administration and Financial Provisions Bill: key considerations

RaISe

This Bill Paper aims to support Northern Ireland Assembly scrutiny of the Administration and Financial Provisions Bill - as introduced into the Assembly on 23 June 2025 by the Minister of Finance and now at Committee Stage, in the Committee for Finance. The Paper provides essential context-setting information and key considerations regarding the Bill's policy and public finance implications, along with potential scrutiny points.

This information is provided to Members of the Legislative Assembly (MLAs), in support of their duties; and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as professional legal advice or opinion; nor specialist accountancy advice or opinion; nor a substitute for either.

Executive Summary

- On 23 June 2025, when introducing the [Administration and Financial Provisions Bill](#) (the Bill) into the Assembly, the Minister of Finance (MoF) laid the Bill and its accompanying [Explanatory and Financial Memorandum](#) (EFM). That constituted the Bill's [First Stage](#) under [Assembly Standing Orders](#).
- From time to time, the Department of Finance (DoF) introduces bills such as this one. Generally speaking, these bills address routine Departmental financial and technical issues, which typically are non-controversial in nature, and customarily do not require primary legislation.
- If enacted, they amend governing legislation or regularise existing practice by prescribing Departmental powers for undertaking and charging for specified activities, as well as modifying existing financial governance arrangements. For example, they amend existing legislation to clarify Departmental powers that over time have been either transferred in and out, resulting in dated and fragmented legislative frameworks.
- The Bill now is at [Committee Stage](#) – having followed on from [Second Stage](#), which completed on 1 July 2025; before the Committee for Finance (CfF). Following on, the Bill will move through the subsequent stages.
- To draft the Bill, the DoF engaged with the following about the Bill's contents: The Office of Legislative Counsel (OLC); Assembly statutory committees, including the CfF, advising all of the intention to bring this Bill and related underlying rationale; and, Departmental public consultations, where consultation had been deemed necessary by the Department for purposes of informing the Bill, as well as regulatory impact assessments and equality impact assessments.
- The DoF did not undertake a public consultation on this Bill; having decided it was not necessary, “...[g]iven the generally routine nature of the provisions...contained in the Bill...”.
- Highlighted in this Bill Paper are key considerations arising from individual clauses in the Bill in terms of policy and finance – public purse in particular – and included is a comparative view, where viewed helpful, and potential scrutiny points (non-exhaustive list) in blue boxes.

- The Committee for Finance is currently considering it, including ongoing targeted and [public consultation](#), which to date have received limited response.
- The introduced Bill contains 23 Clauses. Twenty of them are substantive - Clauses 1-20 - and they seek to address a diverse range of financial matters (originally intended), as well as administration matters (subsequently decided), which can be grouped as follows: Powers - Clauses 1-14; Fees - Clauses 15-17; and, Financial governance - Clauses 18-20.
- They are largely informed by: seven Departmental responses received during a 2024 DoF consultation with all Departments about a future bill addressing financial provisions; and, agreement amongst the Executive later in 2024, to formulate this Bill.
- They propose 17 new legislative provisions that address miscellaneous administration and financial matters for various Departments; providing enabling powers to incur expenditure or to raise fees. Appendix 2 provides a high-level overview of Clauses 1-20, for ease of reference.
- Clauses 21-23 concern the Bill's interpretation, commencement and the short title. They, however, are not the focus of this Bill Paper.
- Please note that the Paper is not offered as legal advice or opinion; nor specialist accountancy advice or opinion; nor a substitute for either.

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Introduction

The Northern Ireland Assembly (Assembly) is considering the [Administration and Financial Provisions Bill](#) (the Bill). Currently, the Bill is in the Committee for Finance (CfF).¹ When developing and when introducing the Bill, the Minister of Finance (MoF – former/current) advised the Assembly that the Bill is needed to reconcile various routine Departmental financial and technical issues, which are non-controversial in nature and not requiring primary legislation. The current MoF further advised that it had been eleven years since the Department of Finance (DoF) had proposed any financial provisions legislation.² Hence, this Bill concerns a number of financial provisions, along with those concerning administration. Those provisions, as the Minister advises, can be separated into three distinct groups: powers; fees; and, financial governance.

To facilitate the CfF and wider Assembly scrutiny of the introduced Bill, a number of researchers³ in the Research and Information Service ([RaISe](#)) prepared this Bill Paper. For context, the Paper first explains bills of this nature. It then outlines background relating to the Bill, outlining key developments before the Bill was introduced, and those from introduction to date. Thereafter, the Paper outlines a high-level overview of the individual clauses, before discussing key policy and public finance considerations arising from the clauses, including potential scrutiny points to support Assembly deliberations on the Bill.

The Paper presents as follows:

1. Context: purpose of financial provisions legislation
2. Background: key Bill-related developments
3. Bill: as introduced
4. Key considerations: policy and public finance

Please note that the Paper is not offered as legal advice or opinion; nor specialist accountancy advice or opinion; nor a substitute for either.

1 Context: purpose of financial provisions legislation

From time to time,⁴ in line with normal practice, the DoF (on behalf of other Departments) introduces bills like the [Administration and Financial Provisions Bill](#)

¹ Northern Ireland Assembly. [Official Report](#). Second Stage. 1 July 2025; and, Department of Finance (DoF) Memo to Committee for Finance (CfF)1606-2024. Financial Provisions Bill. 13 September 2024.

² Northern Ireland Assembly. [Official Report](#). Second Stage. 1 July 2025.

³ Researcher contributions informing this Bill Paper were received from: Mark Allen; Judith Bailie; Karen Clarke; Suzie Cave; Glenda Dougherty; Michael Greig; Gillian Kane; Thomas Lough; Ray McCaffrey; Des McKibben; Nathan Mulholland; Eleanor Murphy; Eileen Regan (lead); and, Aidan Stennett.

⁴ Normally, such bills are required at intervals of approximately every two to three years, to adjust statutory limits and address other routine financial issues. See Committee for Finance and Personnel. Northern Ireland Assembly. [Report on Financial Provisions](#). NIA Bill 22/11-15. Session 2013/14. Mandate 2011/15. Tenth Report. 11 December 2013.

(the Bill) into the Northern Ireland Assembly.⁵ Generally speaking, these bills address routine Departmental financial and technical issues, which typically are non-controversial in nature, and customarily do not require primary legislation. If enacted, they amend governing legislation or regularise existing practice by prescribing Departmental powers for undertaking and charging for specified activities, as well as modifying existing financial governance arrangements. For example, they amend existing legislation to clarify Departmental powers that over time have been either transferred in and out, resulting in dated and fragmented legislative frameworks.

2 Timeline: key Bill-related developments

Key developments before the introduced Bill

January 2024:

- The DoF consulted with individual Departments about a potential financial provisions bill to address any outstanding financial matters, and sought items for inclusion in such a bill.⁶
- A number of Departments replied, proposing changes that would address financial matters, as well as those relating to administration. Those Departments were:
 - Department for Agriculture, Environment and Rural Affairs (DAERA)
 - Department for Communities (DfC)
 - Department for Education (DE)
 - Department for Economy (DfE)
 - Department for Infrastructure (DfI)
 - The Executive Office (TEO)

June – August 2024:

- Subsequent to the January 2024 DoF consultation with other Departments, the MoF (at that time) advised Departments of her intention to bring the proposed Bill, which would include changes proposed by other Departments, as well as those identified by her Department – the DoF.
- The Executive then agreed to the DoF bringing forward said Bill proposals.
- To further inform those proposals, a number of individual Departmental undertook public consultations during summer 2024: DAERA; DfC; DfE; and, DfI.⁷ Each had determined a consultation was required given the nature of the areas in which they were seeking to have legislated.

⁵ Northern Ireland Assembly. [Official Report](#). Second Stage. 1 July 2025; and, Department of Finance (DoF) Memo to Committee for Finance (CfF) 1606-2024. Financial Provisions Bill. 13 September 2024.

⁶ Northern Ireland Assembly. [Official Report](#). Second Stage. 1 July 2025; and, DoF Memo to CfF. GM 1606-2024. Financial Provisions Bill. 13 September 2024.

⁷ No public consultations were undertaken by: DE (regarding power to approve and provide funding to Education Authority for the Doctorate in Educational Child and Adolescent Psychology, and power to transfer administrative responsibility for Government Indemnity Scheme from DE to DfC); DoF (power to DoF and DfE to issue Financial Transactions Capital loans, and power to amend the Financial Provisions (Northern Ireland) Order 1998 and increase the 2% cap to 4%, increasing

- To draft the Bill, the DoF engaged with the following about the proposed contents of the Bill:
 - The Office of Legislative Counsel (OLC)
 - Assembly statutory committees, including the CfF; advising all of the intention to bring this Bill and the underlying rationale
 - Departmental counterparts about their public consultations in summer 2024, which they had been deemed necessary for purposes of this Bill, as well as their related regulatory impact assessments and equality impact assessments.⁸

September 2024:

- DoF provided the CfF with a written memo dated 14 September 2024, to advise on its Bill proposals, including the Department's intention to bring the Bill in 2024.⁹

2.2 Key developments from Bill's introduction to date¹⁰

June 2025:

- On 23 June 2025, the MoF introduced the Bill into the Assembly - the First Stage of the Bill under Assembly Standing Orders.
- The [EFM](#) accompanying the introduced Bill stated at paragraph 22 that:¹¹
...The Bill is technical and non-controversial in nature and therefore no consultation has been undertaken on the Bill in its entirety...

July - August 2025:

- [Second Stage](#) of the Bill took place on 1 July 2025, when the MoF explained that: "...[g]iven the generally routine nature of the provisions...contained in the Bill...". But he also referenced those summer 2024 Departmental consultations that had individually taken place about the Bill, which also had informed the formulation of the introduced Bill; resulting in the DoF decision

amount of previous year's provisions and allows them to be advanced to the Executive for contingencies)); and TEO (power to make grants to, or to contract persons to, provide support and integration services for those seeking refuge in Northern Ireland, including refugees and those seeking asylum, and those arriving under a scheme or policy established by the United Kingdom Government; power to authorise grants to bodies or persons providing relevant support and services for victims and survivors of Historical Institutional Abuse, Mother and Baby Institutions and Magdalene Laundries and Workhouses; and, power to provide training to potential and existing public appointments board members and placements). See: DoF Memo to Committee for Finance. GM 1606-2024. Financial Provisions Bill. 13 September 2024.

⁸ Those Departments were: 1. Department for Agriculture, Environment and Rural Affairs (DAERA); 2. Department for Communities (DfC); 3. Department for the Economy (DfE); 4. Department for Education (DE); 5. Department for Infrastructure (DfI); 6. Department of Finance (DoF); and, 7. The Executive Office (TEO).

⁹ DoF Memo to Committee for Finance. GM 1606-2024. Financial Provisions Bill. 13 September 2024.

¹⁰ Northern Ireland Assembly. [Official Report](#). Second Stage. 1 July 2025.

¹¹ [EFM](#), paragraph 22.

that it was not necessary to undertake a public consultation on the Bill in its entirety.

- Concluding, the MoF stated “...[t]he Bill now sets the pathway and course for proper accountability on budgets...” and “...aid[s] financial sustainability, strengthen[s] financial governance and improve[s] accountability...”.
- He further underscored DoF’s belief that the introduced Bill addressed Assembly Members’ concerns regarding past Executive use of Budget Acts, stating:¹²

Members have previously raised concerns about the overuse of the sole authority of the Budget Act, which has been used to provide the legislative underpinning for various spending by Departments. I agree with Members on that. The Bill will address many of those concerns by providing Departments with the necessary legislative means under which such expenditure can be incurred. The Bill will also address other legislative gaps that have been identified. Furthermore, it will aid financial sustainability, strengthen financial governance and improve accountability.

- Moreover, the MoF noted “...there was no alternate, or timely legislative vehicle...” to address the administrative and financial matters contained in this Bill.
- In that regard, the Chair of the CfF said it was “...not practical to have specific legislation...” for each area covered by the introduced Bill. He focused on: (i) the Northern Ireland Investment Fund; (ii) the transference of the External Auditor responsibility to the Assembly Audit Committee; and, (iii) the increase to the authorised advance from the Consolidated Fund. While doing so, he noted that the CfF did support the Bill’s principles, but more information was sought and questions arose in the three noted areas, requiring engagement with the Minister.
- He also encouraged other Statutory Committees to ensure they engage on the introduced Bill, especially those which have a responsibility for the Departments that would be impacted by the Bill’s provisions, if enacted as introduced.
- In his Opposition capacity, he stated it was unsustainable – “...sub-optimal financial management...” - to remedy using the Budget Act as the sole legal authority to legally authorise vast expenditure amounts; and, he sought the MoF’s views about using FTC through the Northern Ireland Investment Fund to fund Casement Park. He also questioned use of the Investment Fund in the past (hotels and car park); and stated that going forward its use needed to be much more strategic.
- The Chair was followed at Second Stage by a number of other individual CfF members (see those Second Stage extracts in Appendix 1 to this Paper). Those Members from the CfF, including Chair and others, were largely positive about the introduced Bill. However, some issues of concern were noted, including:
 - The need to better understanding the implications of the Bill for InvestNI if enacted as introduced;

¹² Northern Ireland Assembly. [Official Report](#). Second Stage. 1 July 2025.

- The unease with the suggestion that Tourism NI should be expanded without first addressing existing concerns about, for example, the regulation of short-stay holiday lets and impacts on local communities.
- At the conclusion of Second Stage, the Assembly agreed to refer the Bill to Committee Stage – that is, to the CfF.
- Currently, the CfF continues to consider the introduced Bill, including undertaking targeted and [public](#) consultations. To date, it has received limited responses, including:
 - 22 July: The CfF issued a letter seeking specific views on the Bill's contents, from: the Commissioner for Older People; TEO; the DfE; the DoF; the Northern Ireland Fiscal Council; the Assembly Audit Committee; the Northern Ireland Commissioner for Children and Young Persons (NICCY); and, the Northern Ireland Human Rights Commission (NIHRC).
 - 28 July: The Committee commenced the its [Stakeholder Engagement on the Bill](#), using "Citizens' Space"; and is to close 30 September.
 - August: To date, there had been limited responses received by the Committee. Those received included responses from: Committee for Justice; Youth Assembly for Northern Ireland; and, NICCY. Only NICCY's made a substantive comment, that is, a recommendation that the Bill underwent a Children's Rights Impact Assessment (CRIA).¹³

3 Bill: as introduced

3.1 Underlying aim and objectives

The introduced Bill contains 23 Clauses. Twenty of them are substantive - Clauses 1-20 - and they seek to address a diverse range of financial matters (originally intended), as well as administration matters (subsequently decided). Moreover, they are largely informed by:¹⁴

- Seven Departmental responses received during a 2024 DoF consultation with all Departments about a future bill addressing financial provisions; and,
- Agreement amongst the Executive later in 2024, to formulate this Bill.

3.2 Recap: Bill passage through the Assembly¹⁵

On 23 June 2025, when introducing the [Bill](#) into the Assembly, the MoF laid the Bill and its accompanying [Explanatory and Financial Memorandum](#) (EFM). That constituted the Bill's [First Stage](#) under [Assembly Standing Orders](#).

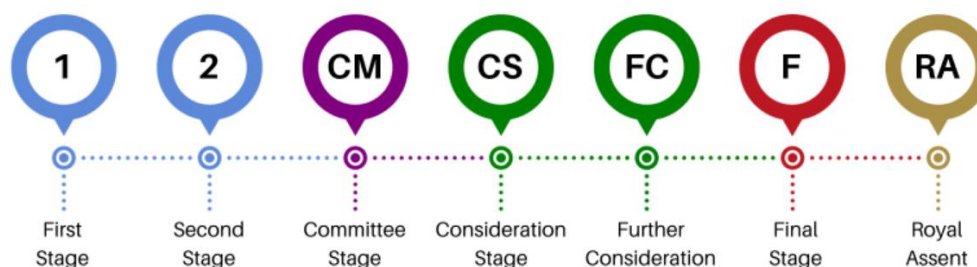
The Bill now is at [Committee Stage](#) – having followed on from [Second Stage](#), which completed on 1 July 2025. Following on the Bill will move through the subsequent stages, as highlighted in Figure 1 below:

¹³ NICCY letter to the CfF Clerk, dated 22 August 2025.

¹⁴ DoF Memo to the CfF. GM-1606-2024. Financial Provisions Bill. 13 September 2024.

¹⁵ Northern Ireland Assembly. [Official Report](#). First Stage. 23 June 2025; Northern Ireland Assembly. [Official Report](#). Second Stage. 1 July 2025; and, DoF Memo to Committee for Finance. GM 1606-2024. Financial Provisions Bill. 13 September 2024.

Figure 1:
Northern Ireland Assembly Bill Stages under Assembly Standing Orders



Source: [Northern Ireland Assembly](#) 2025

3.3 Bill's individual clauses

The Bill contains 23 Clauses. Clauses 1-20 propose 17 new legislative provisions that address miscellaneous administration and financial matters for various Departments.¹⁶ The Bill provides enabling powers to incur expenditure or to raise fees.¹⁷ At Appendix 2 of this Paper, a Table provides a high-level overview of Clauses 1-20, for ease of reference.

In addition, it should be noted that Clauses 21-23 concern the Bill's interpretation, commencement and the short title. They, however, are not the focus of this Bill Paper.

Hence, this section addresses Clauses 1-20; grouped as they are in the introduced Bill:

3.3.1 Powers - Clauses 1-14

3.3.2 Fees - Clauses 15-17

3.3.3 Financial governance - Clauses 18-20

3.3.1 Powers - Clauses 1-14

At the Second Stage of the Bill in the Northern Ireland Assembly, the MoF explained that:

Clauses 1 to 14 provide new powers to five Departments: the Department of Finance, the Department for the Economy, the Executive Office, the Department of Education and the Department for Communities. First, my Department seeks clause 1 to provide it with the statutory authority to issue loans to the Investment Fund...[Currently, as lead of that Fund, it] does not have the power to make loans and has relied on TEO and the Strategic

¹⁶ Those Departments are: 1. Department for Agriculture, Environment and Rural Affairs (DAERA); 2. Department for Communities (DfC); 3. Department for the Economy (DfE); 4. Department for Education (DE); 5. Department for Infrastructure (DfI); 6. Department of Finance (DoF); and, 7. The Executive Office (TEO).

¹⁷ EFM, paragraph 27.

Investment Board (SIB) to make them. Clause 1...address[es] the legislative gap...

He further explained:

Clauses 2 to 5 have been requested by DFE and... provide[s] it with additional powers in several key areas. First, clause 2... enable[s] the Department to provide financial assistance, such as grants, loans, guarantees or indemnities, where such action is in the interest of our economy... Clause 3 allows the Department for the Economy to issue loan funding to the higher education sector, improving its ability to successfully deploy financial transactions capital (FTC) funding for capital projects in our universities and higher education institutions. Clause 4 ...repeal[s] an outdated aspect of employment and training legislation that dates back to the 1950s. That amendment remove[s] the requirement for Department of Finance approval for all schemes...[and] instead [use]...the existing delegated limited procedures that are already being used successfully. Under clause 5, Tourism NI...[is empowered] to classify and grade tourist amenities beyond accommodation providers..., [as]sought by the Department for the Economy to develop and strengthen the broader tourism sector...

The Minister further explained:

...Clauses 6 to 10 and Clause 14 relate to The Executive Office. Under Clause 6, TEO...[has] the authority to provide services for victims and survivors of historical institutional abuse and other forms of institutional harm. TEO requested Clause 7 because a gap in the current legislative framework exists... [and it] enable[s] TEO... to coordinate integration support for asylum seekers and refugees locally, thus permitting TEO to utilise funds that have been provided to it by Whitehall Departments for those purposes. A further power that TEO requested is at Clause 8 [providing] power to arrange and facilitate opportunities for people to acquire the skills or experience that are necessary for public appointments...

...Clause 9...give[s] TEO the powers that are required to implement the strategic framework on ending violence against women and girls, including funding initiatives that are aligned with the aims that are set in that framework.

Clause 14 amends the appointment terms for the Commissioner for Survivors of Institutional Childhood Abuse, allowing for terms of fewer than five years where appropriate...

The MoF then moved onto Clauses 11, 12 and 13, the remainder of the Clauses grouped as "Powers", and summarised as follows:

Clause 11 provides the Department of Education with the power to fund postgraduate qualifications in educational psychology...correct[ing] a legislative oversight and ensur[ing] DE's continued support for the doctorate in educational, child and adolescent psychology, which is essential for meeting statutory duties in special educational needs.

...Clause 12 enables the Housing Executive to investigate tenancy fraud on behalf of registered housing associations (RHAs) and to charge housing

associations for that service...transfer[ing] the responsibilities for setting the basic allowance for councillors from individual councils to the Department for Communities.

3.3.2 Fees - Clauses 15-17

In terms of the Clauses relating to Fees, the MoF:

Clauses 15 to 17 relate to additional fee-raising powers... [for] the Department for the Economy, DAERA and the Department for Infrastructure... to safeguard the provision of public services and improve financial sustainability. Under Clause 15, DFE [is] permitted, in exceptional circumstances, to exempt or reduce fees that are charged by Tourism NI and to introduce new fees where appropriate. Clause 16 enhances DAERA's ability to recover costs from marine licensing services that are provided by the Department. Clause 17 permits DFI to introduce a fee for the issuing or replacing of SmartPasses under the concessionary fares scheme...

3.3.3 Financial governance - Clauses 18-20

And finally, the Clauses relating to financial governance, the MoF said:

Clauses 18 and 20 focus on financial governance. Clause 18...provide[s] my Department with an increased limit on advances from the Consolidated Fund. That limit is currently 2% of the previous financial year's authorised expenditure. I wish to increase that to 4%... to further safeguard against the risk that the lower limit is not sufficient to ensure the continued provision of public services. Clause 19...remove[s] the requirement for DFE to maintain separate accounts for petroleum and mineral receipts, thus streamlining financial reporting. Clause 20 transfer[s] the responsibility for appointing the external auditor of the Audit Office from DoF to the Assembly's Audit Committee.

4 Key considerations: policy and public finance

To support Assembly deliberations - in particular those of the CfF - this section runs through Clauses 1-20 of the introduced Bill; grouped as in the previous section of the Paper:

- 4.1 Powers - Clauses 1-14
- 4.2 Fees - Clauses 15-17
- 4.3 Financial governance - Clauses 18-20

Highlighted below are key considerations arising from the above-noted clauses in terms of policy and finance – public purse in particular – and included is a comparative view, where viewed helpful, and potential scrutiny points (non-exhaustive list) in blue boxes.

4.1 Powers – Clauses 1-14

Clause 1

Clause 1 concerns Financial Transactions Capital (FTC) and the Northern Ireland Investment Fund.

Northern Ireland Investment Fund

The DoF leads the [Northern Ireland Investment Fund](#), which is a private sector entity that is committed to both:

- Investing in the transformation of Northern Ireland for the long-term
- Supporting economic growth and the low carbon economy

Funded through FTC (see below) - a total of £150m provided by the DoF - the [Fund](#) provides debt funding at highly competitive commercial rates, for commercial property, regeneration and low carbon projects in Northern Ireland that meet the Fund's regeneration targets covering employment, regeneration, floor space and carbon savings outputs.

FTC

FTC is a ring-fenced element of capital funding that is provided by the United Kingdom Government as part of Northern Ireland Executive's block grant. FTC can be used for two purposes:

- A loan to an "entity"; or,
- An equity investment to an "entity"

An "entity" here is a body outside of a Devolved Administration's accounting/budgetary boundaries - for example, a business or charity. In Northern Ireland, FTC is currently distributed through the Strategic Investment Board (SIB) - a TEO arm's length body. That is:¹⁸

... because [FTC under the financial arrangements under current devolution see [Statement of Funding](#)] needs to be provided at arm's-length to a private-sector body. It cannot be spent by public-sector bodies. That is part of the conditions and terms of the Treasury stipulation around the loan funding....

Currently, most Executive Departments do not have the statutory capability to make FTC loans or make equity investments of this type. That makes FTC-enabled loans or equity stakes in the private sector "...not particularly convenient ways to address investment priorities...".¹⁹

Over the years, such above-stated barriers have contributed - to a lesser or a greater extent - to significant FTC underspend in Northern Ireland - see discussion in past RalSe Briefing Paper [NIAR 26-2025](#) (dated 28 March 2025). For example, between 2012-23, the Executive received an average annual allocation of £119m FTC funding from the United Kingdom Government. During that same specified period, the Executive reported FTC underspends of approximately £569m.²⁰

A closer look at Clause 1

¹⁸ In March 2025 CTEO meeting, a TEO official stated when responding to a Committee Member's query about TEO's role in terms of FTC funding to universities. CTEO. Northern Ireland Assembly. [Official Report](#). 26 March 2025.

¹⁹ Northern Ireland Fiscal Council. [Northern Ireland Executive 2024-25 Budget - an assessment](#). 14 May 2024.

²⁰ [DoF Financial Transactions Table](#). January 2023.

At present, FTC can be deployed only as a loan or equity investment in a capital project delivered by a private sector entity. The Executive has discretion over FTC allocation to projects. When the Northern Ireland Investment Fund was established, the Executive tasked the DoF to oversee the Fund. The DoF, however, did not have the legislative power to issue loan funding. Instead, the SIB, a TEO arms' length body, distributed that funding facilitating the establishment of the Fund.

Clause 1 - as introduced - empowers the DoF to issue loans to the Northern Ireland Investment Fund; using FTC funding allocated to the Executive by the United Kingdom Government. It provides the statutory power to do so; marking a departure from the current arrangements involving TEO and the SIB.

In doing so, the Clause aims to increase FTC use, by addressing some historical barriers inhibiting its use and enhancing financial governance, regularity and accountability in FTC use.

Comparative view

Looking to other devolved nations, RalSe Briefing Paper [NIAR Paper 26-2025](#) (dated 28 March 2025) outlines FTC processes and outcomes of the Governments in Scotland and Wales; highlighting each Government's FTC use to support equity-style investments in their countries.

Scotland

For example, a majority of recent Scottish FTC use has been channelled through the Scottish National Investment Bank, along with other significant amounts of capital invested in large-scale housing and environment projects. Hence, unlike the Northern Ireland Executive at present, in recent years the Scottish Government has not routinely handed back FTC funding to His Majesty's Treasury (HMT). Instead, the Scottish Government typically has carried forward unspent FTC through "Budget Exchange" under the [Statement of Funding](#). That has enabled the Scottish Government to reallocate FTC funds in future years, rather than return such funds to HMT; acting in line with the financial arrangements under current devolution.²¹

Wales

The Welsh Government does not directly distribute [FTC](#). Instead, a majority of its FTC portfolio is managed and distributed by the Development Bank for Wales ([DBW](#)), on behalf of the Welsh Government. The DBW provides loans and equity investments to the private sector from the FTC capital, making it the primary body responsible for FTC distribution.²² The Welsh Government has received a total of £1422.308m FTC as of 2023-24, which since has been fully allocated by the DBW.²³

Financial

The [EFM](#) accompanying the introduced Bill highlights no direct financial implications would arise from the Bill if enacted as proposed. Nonetheless, it seems there could

²¹ [Scotland's Fiscal Outlook: The Scottish Government's Medium-Term Financial Strategy 2025](#)

²² [What is Financial Transactions Capital and how does it work?](#)

²³ [Financial Transactions Capital - Welsh Government - Presentation slides - July 2024.pdf](#)

be some Departmental costs incurred, which could be associated with additional resources and staff training that could arise from the preparation and actual implementation of the Clause, if enacted as introduced.

Moreover, the MoF has said Clause 1 would help to reduce existing barriers to FTC use in Northern Ireland, which would enable streamlining and could help to maximise opportunities in future. If so, it appears the Clause then could help to yield positive financial impacts, potentially including those relating the public purse.

Potential Scrutiny Points

1. How does the DoF anticipate better future FTC use in Northern Ireland under Clause 1, if enacted as introduced? Please detail, including any modelling that has been undertaken to date.
2. Has there been any assessment of the implications for the role of Invest NI; and if so, what was its results? Please detail.
3. Would any new or additional resources be required within the DoF or elsewhere to implement Clause 1, if enacted as introduced? Please detail.
4. If no to (3.), why? Please detail.
5. If yes to (3.), what would be the projected financial implications for those resources, including those for the public purse? Please detail.

Clause 2

Clause 2 - as introduced - concerns financial assistance and limited companies. It empowers the DfE to provide financial assistance using FTC in the form of grants, loans, guarantees or indemnities, where the DfE believes it would be in the interests of Northern Ireland's economy. Such power departs from the current legislative framework, with the DfE no longer having to go through TEO and the SIB.

As highlighted in the Bill's [EFM](#), a "statement of general approach" or a "guiding statement" would underpin DfE's exercise of this power, to ensure a degree of consistency and predictability.

The Clause intends to improve DfE's ability to successfully deploy FTC funding for capital projects in Northern Ireland, enabling it to address concerns previously expressed - for example, those during the COVID-19 pandemic in relation to the DfE's inability to provide such assistance.²⁴

²⁴ Northern Ireland Assembly. [Official Report](#). Second Stage. 1 July 2025.

Clause 2 also empowers the DfE to form limited companies; re-establishing past Departmental power in this area, before Invest Northern Ireland was established. When it would be used, it would be to aid delivery of the Bill's policy objectives and thereby help to reduce existing administrative burdens on both the DfE and Invest Northern Ireland, and reduce "lead-in" times.

It seems therefore that Clause 2, if enacted as introduced, could help to reverse Northern Ireland's repeated pattern of FTC under-utilisation - approximately £569 million (m) underspend between 2012 and 2023 - removing barriers and unlocking FTC potential's benefit to the economy.

Comparative view

Looking to Scotland in relation to Clause 2 as introduced:

Scotland

Scottish Government Departments are empowered to establish companies under the Companies Act 2006 (general United Kingdom company law); and those companies operate within the Scottish devolution statute – Scotland Act 1998, as amended.

Typically, such companies are created to deliver services or manage assets, in the form of: Non-Departmental Public Bodies (NDPBs); Executive agencies; and, Arms-length companies. Examples include: Scottish Water – a publicly owned company delivering water services; and, Scottish National Investment Bank – a government-backed development bank.

Financial

The [EFM](#) accompanying the introduced Bill states no direct financial implications would arise from the Bill if enacted as proposed. Nonetheless, it seems there could be some Departmental costs incurred, which could be associated with additional resources and staff training that could arise from the preparation and actual implementation of the Clause, if enacted as introduced.

Moreover, the MoF has said Clause 2 would help to reduce existing barriers to FTC use in Northern Ireland, which would enable streamlining and could help to maximise opportunities in future. If so, it appears the Clause then could help to yield positive financial impacts, potentially including those relating the public purse.

Potential Scrutiny Points

6. How does the DfE anticipate better FTC use in future in Northern Ireland, if Clause 2 would be enacted as introduced? Please detail, including any modelling that has been undertaken to date.
7. Would the DfE assure the Assembly that it will share any planning or other relating to the noted "statement of general approach" or "guiding statement" that the DfE would rely on in relation to Clause 2, if enacted as introduced?

8. Has there been any assessment of the implications for the role of Invest NI; and if so, what was its results? Please detail.
9. Would any new or additional resources be required within the DfE or elsewhere to implement Clause 2, if it would be enacted as introduced? Please detail.
10. If no to (9.), why? Please detail.
11. If yes to (9.), what would be the projected financial implications for those resources, including those for the public purse? Please detail.

Clause 3

Clause 3 concerns the use of FTC loans in Higher Education (HE). It amends the [Education and Libraries \(Northern Ireland\) Order 1993](#) and empowers the DfE to issue FTC loans to the HE sector²⁵. It aims to improve the DfE's ability to successfully deploy FTC funding for capital projects in Northern Ireland; and thereby improve accountability, regularity and propriety in the area. (For additional clarification, see Appendix 3 to this Paper.)

Comparative view

Scotland

Scotland has a Scottish Further and HE Funding Council - more commonly known as the [Scottish Funding Council](#). It is a NDPB authorised to issue grants, loans and other payments to Scottish Further and HE institutions established under the [Further and HE \(Scotland\) Act 2005](#). It is accountable to the Scottish Government and the Scottish Parliament.

Wales

In Wales, the [Medr](#) - the Commission for Tertiary Education and Research - is the arm's length body responsible for managing and coordinating the sector under the [Tertiary Education and Research \(Wales\) Act 2022](#). The 2022 Act provides Welsh Ministers with powers related to funding and regulating the tertiary education and research sector, such as awarding financial resources of any kind, including grants, loans and other payments.

Financial

The [EFM](#) accompanying the introduced Bill states no direct financial implications would arise from the Bill if enacted as proposed. Nonetheless, it seems there could be some Departmental costs incurred, which could be associated with additional

²⁵ See Appendix 1 to this Paper for additional information about existing powers in this area.

resources and staff training that could arise from the preparation and actual implementation of the Clause, if enacted as introduced.

Moreover, the MoF has said Clause 3 would help to reduce existing barriers to FTC use in Northern Ireland, which would enable streamlining, helping to maximise opportunities in future. If so, it appears the Clause then could help to yield positive financial impacts, potentially including those relating the public purse.

Potential Scrutiny Points

12. How does the DfE anticipate better FTC use in future in HE sector, if Clause 3 would be enacted as introduced? Please detail, including any modelling that has been undertaken to date.

13. Would any new or additional resources be required within the DfE or elsewhere to implement Clause 3, if it would be enacted as introduced? Please detail.

14. If no to (13.), why? Please detail.

15. If yes to (13.), what would be the projected financial implications for those resources, including those for the public purse? Please detail.

Clause 4

Clause 4 concerns employment and training scheme approvals. It repeals the [Employment and Training Act \(Northern Ireland\) 1950](#), removing existing requirements, to instead allow for: ²⁶

... the approval of [such] schemes using this legislation...[having them] fall within the normal Departmental delegations for DoF approvals...

Comparative view

The [Employment and Training Act 1973](#) applies to England, Scotland and Wales; providing:

...The Secretary of State shall make such arrangements as he considers appropriate for the purpose of assisting persons to select, train for, obtain and retain employment suitable for their ages and capacities or of assisting persons to obtain suitable employees (including partners and other business associates)...

Those functions were transferred from central to devolved government through the [Scotland Act 1998](#) and the [Wales Act 2017](#).

²⁶ [EFM](#).

Financial

The [EFM](#) accompanying the introduced Bill states no direct financial implications would arise from the Bill if enacted as proposed. Nonetheless, it seems there could be some Departmental costs incurred, which could be associated with additional resources and staff training that could arise from the preparation and actual implementation of the Clause, if enacted as introduced.

Potential Scrutiny Points

16. Would any new or additional resources be required within the DfE or elsewhere to implement under Clause 4, if enacted as introduced? Please detail.
17. If no to (16.), why? Please detail.
18. If yes to (16.), what would be the projected financial implications for those resources, including those for the public purse? Please detail.

Clause 5

Beyond accommodation providers, Clause 5 empowers Tourism NI to classify and grade amenities for Tourism NI. It amends the Tourism (Northern Ireland) Order 1992, with the dual aim of developing and strengthening the broader tourism sector in Northern Ireland.

Comparative view

Table 2 below compares the introduced Bill's Clause 5 Visitor Experience Grading Scheme in Northern Ireland with similar schemes in England, Wales, and Scotland. The Table focuses on each Scheme's coverage, statutory basis and cost of participation.²⁷ It reveals:

- The Development of Tourism Act 1969 (as amended) underpins tourism legislation in Great Britain, not Northern Ireland.
- That legislation includes provision for the Classification and Grading of Registered Tourist Accommodation in England, Scotland and Wales.
- England and Wales operate Tourism Attraction Grading Schemes under the stated 1969 Act. And Scotland did until 31 March 2025, when such a Scheme was retired and replaced by a business advice programme to manage through the transition to a new system.

²⁷ The Republic of Ireland is not included in the Table, because Fáilte Ireland operates a National Quality Assurance Framework for accommodation providers, and Statutory Accommodation Sectors are required to participate. Moreover, Accommodation Providers in the non-statutory accommodation sectors may choose to participate in the scheme voluntarily.²⁷ And the Framework does not extend to tourism attractions. See [Fáilte Ireland - National Quality Assurance Framework FAQs](#)

- The visitor attraction grading scheme in Wales is free. Annual participation costs in England can range from £415 to £1,100, depending on number of visitors to the attraction and the entry fee.
- The 1969 Act, however, does not include provisions for visitor experiences or attractions, as proposed under Clause 5 of the introduced Bill.

Table 2: Visitor Attraction/Experience Grading Schemes – A comparison of the introduced Bill’s Clause 5 proposals for Northern Ireland, with comparable Schemes in Great Britain

Jurisdiction	Name of Scheme - proposed, existing or retired	Provider	Scope of Coverage	Cost of participation	Statutory Basis
Northern Ireland	Proposed Visitor Experience Grading Scheme (under Clause 5 of the introduced Bill)	Tourism Northern Ireland	Scheme to apply to “Tourist Amenities”, which includes, but is not limited to, museums, tours, art venues, wildlife experiences, gardens, and visitor attractions/activities.	£150 (inclusive of Value Added Tax (VAT))	Clause 5 of the introduced Administrative and Financial Provisions Bill, if enacted.
England	Visitor Attraction Scheme	Visit England	“Any business” that is a: <i>“permanently established excursion destination, a primary purpose of which is to allow public access for entertainment, interest or education and can include places of worship, rather than being primarily a retail outlet or a venue for sporting, theatrical or film performances. It must be open to the public for published periods of the year and should be capable of attracting day visitors or tourists, as well as local residents.”</i>	Fee varies depending on the annual number of visitors to and admission charge of the attraction. For example: a free of charge attraction with fewer than 10,000 visitors is charged £415; an attraction with over 500,000 visitors and an entry fee above £30.01 is charged £1,100. Full details are available here .	Development of Tourism Act 1969 (as amended) includes provision for the classification and grading of registered tourist accommodation in England, Scotland and Wales. The Act does not include provisions for visitor experiences or attractions.

Scotland	Recently retired Quality Assurance Star Grading Scheme	Visit Scotland	The retired Scheme provided a grading system for tourism businesses in Scotland, including visitor experiences within its scope. It was retired on 31 March 2025, and is to be managed through transition, focusing on a “free-to-access business advice programme”.	Non- applicable as Scheme closed on 31 March 2025.	Development of Tourism Act 1969 (as amended) includes provision for the classification and grading of registered tourist accommodation in England, Scotland and Wales. The Act does not include provisions for visitor experiences or attractions.
Wales	Visitor Attraction Quality Assurance Scheme	Visit Wales	The Visitor Attraction Quality Assurance Scheme “offers accreditation to all types of attraction”. Participation requires adherence to the Visit Wales National Code of Practice.	All Visit Wales Quality Assurance services are free of charge. Tourist attractions will be required to cover entrance fees and associated cost of Quality Advisors assessing the attraction.	Development of Tourism Act 1969 (as amended) includes provision for the classification and grading of registered tourist accommodation in England, Scotland and Wales. The Act does not include provisions for visitor experiences or attractions.

Financial

The [EFM](#) accompanying the introduced Bill states no direct financial implications would arise from the Bill if enacted as proposed. Nonetheless, it seems there could be some Departmental costs incurred, which could be associated with additional resources and staff training that could arise from the preparation and actual implementation of the Clause, if enacted as introduced.

Potential Scrutiny Points

19. Would any new or additional resources be required within the DfE or Tourism Northern Ireland or elsewhere to implement Clause 5, if enacted as introduced? Please detail.

20. If no to (19.), why? Please detail.

21. If yes to (19.), what would be the projected financial implications for those resources, including those for the public purse? Please detail.

Clause 6

Clause 6 empowers TEO to provide services and funding relating to victim and survivor support services and related funding for the Historical Institutional Abuse and other forms of institutional harm, such as Mother and Baby Institutions, Magdalene Laundries and Workhouses. If enacted as introduced, there no longer would be a need to rely on the [Budget \(No.2\) Act \(Northern Ireland\) 2025](#) to provide these services and funding.²⁸

Clause 6, as introduced, defines “relevant service” as including a service that:

- Helps an individual to obtain information about their circumstance or experience
- Supports an individual through any inquiry or redress process
- Improves their physical or mental health
- Helps with addiction
- Provides counselling
- Improves numeracy and literacy
- Provides education or training that aims to enable an individual to access work opportunities and to help manage financial matters, including accessing financial support

Moreover, “victim” and “survivor” are defined here as those who fall into one of the three below-stated categories:

- A victim and survivor for the purposes of Part 2 of the [Historical Institutional Abuse \(Northern Ireland\) Act 2019](#);

²⁸ DoF. [Managing Public Money Northern Ireland](#). November 2023, paragraph 2.6

- A resident of a relevant institution within the meaning of section 4 of the [Preservation of Documents \(Historical Institutions\) Act \(Northern Ireland\) 2022](#) in the period between 1922 and 1995 (both inclusive); and/or,
- A child of someone within paragraph (b) of the Clause, who was born during the person's period of residence in the institution between those dates.

Clause 6 further states TEO may bring regulations in line with other requirements specified in the Clause – that is, add other groups of victims and survivors and allow for a rapid and flexible response as needed. Clause 6 specifies that any such regulations would be subject to “negative resolution” under Assembly [Standing Orders](#) – meaning they would come into operation automatically, unless annulled by the Assembly within the given statutory period. It is important to note that this procedure (negative resolution) would allow for significantly less Assembly scrutiny; scrutiny that would be of a completely different magnitude to that currently undertaken on this introduced Bill.²⁹

Financial

The [EFM](#) accompanying the introduced Bill states no direct financial implications would arise from the Bill. Nonetheless, it seems there could be some Departmental costs incurred, which could be associated with additional resources and staff training that could arise from the preparation and actual implementation of the Clause, if enacted as introduced.

Potential Scrutiny Points

22. To date, how has TEO and or the DoF sought to ensure that the proposed victims and survivors definition includes within its scope all reasonably foreseeable groups at this time, if Clause 6 is enacted as introduced? Please explain.
23. Would TEO provide assurances that: (a) TEO would consult with all public bodies that would be affected by any changes made to regulations under Clause 6; and, (b) TEO would advise the Assembly of responses received to any such consultation, and do so prior the introduction of any such regulations?
24. Would TEO routinely provide updates to the Assembly about the drafting of any such regulations under Clause 6, assuming it would be enacted as introduced - for example, regular updates to the CTEO?

²⁹ See Daniel Greenberg. Deconstructing legislation: a practical guide to legislative scrutiny. 2015. (printed only). Also note, a similar observation has been made in the context of another matter – see [2013-14 select committee report](#). That report had observed negative resolution provided only minimal opportunity for parliamentary scrutiny when legislating.

25. Would any new or additional resources be required within the TEO or elsewhere to implement Clause 6, if enacted as introduced? Please detail.
26. If no to (26.), why? Please detail.
27. If yes to (26.), what would be the projected financial implications for those resources, including those for the public purse? Please detail.
28. Would TEO have adequate provision both to: (a.) monitor (including, but not limited to, identifying and preventing any access barriers such as language, rural living or digital exclusion, and ensuring clear third-party provider accountability); and, (b.) later report to the Assembly at regular intervals about the effectiveness of the services that would be delivered and the adequacy of the funding that would be provided under Clause 6, if enacted as introduced?
29. If no to (28.), why? Please detail.
30. If yes to (28.), how would such monitoring and reporting occur, in terms of related roles, responsibilities and duties to be taken in that regard?

Clause 7

Clause 7 concerns the provision of refugee and asylum seekers services and related funding. It, however, does not seek to make any changes to the funding for asylum and immigration and support services. Rather, it simply allows for administrative change that provides TEO with the legal authority to make expenditure. It empowers TEO to:

- Make grants to, or to contract persons to
- Provide support and integration services for those seeking refuge in Northern Ireland, including refugees and those seeking asylum, as well as those arriving under a scheme or a policy established by the United Kingdom Government
- Use funds that have been provided to Northern Ireland by Central Government for said purposes
- Amend the definition of an individual who has a qualifying immigration status, given that the categories of individuals who receive such services and funding may change as a result of legislative or administrative action taken by the United Kingdom government, and necessitate amendment.

In relation to the above final bullet point, the Assembly may wish to engage with TEO. As stated, it allows TEO to modify the description of circumstances where a person has a qualifying immigration status. That could lead to a divergence in definitions between jurisdictions.

Overall, Clause 7 provides context to TEO's prevailing vision and outcomes to supporting asylum-seekers and refugees in Northern Ireland. It aims to plug a gap in the prevailing legislation framework and thereby support integration.

Financial

The [EFM](#) accompanying the introduced Bill states no direct financial implications would arise from the Bill if enacted as proposed. Nonetheless, it seems there could be some Departmental costs incurred, which could be associated with additional resources and staff training that could arise from the preparation and actual implementation of the Clause, if enacted as introduced.

Moreover, the MoF has said Clause 7 would help to reduce existing barriers to FTC use in Northern Ireland, which would enable streamlining, helping to maximise opportunities in future. If so, it appears the Clause then could help to yield positive financial impacts, potentially including those relating the public purse.

Potential Scrutiny Points

31. In terms the provision in Clause 7 that allows for the amendment of the definition of an individual who has a qualifying immigration status, how would TEO work to protect against any divergence in definition, to avoid any potential for unintended exclusions or inconsistencies?
32. When drafting any such amendment, would TEO routinely provide updates to the Assembly about that drafting - for example, regular updates to the CTEO?
33. Are any new or additional resources required within TEO or elsewhere to implement Clause 7, if enacted as introduced? Please detail.
34. If no to (33.), why? Please detail.
35. If yes to (33.), what would be the projected financial implications for those resources, including those for the public purse? Please detail.
36. Would TEO have adequate provision to monitor, (including, but not limited to, identifying and preventing any access barriers (such as language, rural living or digital exclusion) and ensuring clear third-party provider accountability), and then report to the Assembly at regular intervals about the effectiveness of the services delivered and the adequacy of the funding provided in relation to Clause 7, if enacted as introduced?
37. If no to (36.), why? Please detail.

38. If yes to (36.), how would such monitoring and reporting occur, in terms of related roles, responsibilities and duties to be taken in that regard?

Clause 8

Report findings of both the Equality Commission Northern Ireland (ECNI) in 2020 and the Holmes Review in 2018 emphasised the importance of public appointee boardroom training to address wider barriers discouraging participation in boards and at chair level, such as:

- Women – their socio-economic, psychological and political barriers in respect of accessing relevant networks and childcare, as well as individual confidence³⁰
- Disabled people – their physical, communication and other accessibility barriers in respect of recruitment and selection exercises, as well as additional costs associate with their disability³¹

Moreover, the Northern Ireland Statistical and Research Agency (NISRA) published the 2022 Public Appointments Report for Northern Ireland, which found gender, age, community background and disability accounted respectively for 81%, 67%, 66% and 67% of those holding appointments; albeit that marked an improvement to NISRA's 2020 report.³² It, however, further found that the proportion of people holding appointments who had dependents, or who identified as other than heterosexual, was not reported.

Importantly, in 2022, the ECNI reported a lack of data collection across public appointments in relation to race and ethnicity.³³ It highlighted that more needs to be done by public authorities, to ensure “...*comprehensive monitoring, analysis and reporting of equality characteristics relating to public life...*”, and to ensure that “...*candidates for public appointments complete and return monitoring forms...*”.³⁴

In that context, Clause 8 empowers TEO to arrange and facilitate relevant opportunities for people to acquire the skills or the experience that are necessary for public appointments in Northern Ireland. It aims to encourage equity, diversity and inclusion of such appointments, to best reflect the communities that public appointees serve.

Financial

The [EFM](#) accompanying the introduced Bill states no direct financial implications would arise from the Bill if enacted as proposed. Nonetheless, it seems there could

³⁰ ECNI. [Increasing diversity in government public appointments](#), December 2021; and, Lord Holmes Review [Lord Holmes review – opening up public appointments to disabled people](#), 2018.

³¹ ECNI. [Increasing diversity in government public appointments](#), December 2021; and, Lord Holmes Review [Lord Holmes review – opening up public appointments to disabled people](#), 2018.

³² In 2020, 39% of candidates reported gender, 24% age, 30% community background and 31% disability.

³³ ECNI. [Participation in Public Life - Research, Equality Commission NI. 2022.](#)

³⁴ ECNI. [Increasing diversity in government public appointments](#), December 2021.

be some Departmental costs incurred, which could be associated with additional resources and staff training that could arise from the preparation and actual implementation of the Clause, if enacted as introduced - for example, to address existing data gaps.

Potential Scrutiny Points

39. Are any new or additional resources required within TEO or elsewhere to implement Clause 8, if enacted as introduced – for example, additional resources for better data collection that would be relevant to equality or for targeting protected groups such as women and disabled people to reduce their under-representation in public appointments, amongst other things? Please detail.
40. If no to (39.), why? Please detail.
41. If yes to (39.), what would be the projected financial implications for those resources for the public purse? Please detail.
42. Would TEO have adequate provision to monitor, and then report to the Assembly at regular intervals about the effectiveness of the training delivered and the adequacy of the funding provided under Clause 8, if enacted as introduced – for example, in relation to women, disabled people and other?
43. If not to (42.), why? Please detail.

Clauses 9 and 10

Clause 9 concerns the provision of victims and survivors support services and related funding. It empowers TEO to implement the Executive's 2024 Strategic Framework on Ending Violence Against Women and Girls (EVAWG), including powers relating to funding initiatives aligned to that Framework's aims. The EFM explained that:³⁵

...only in exceptional circumstances would TEO exercise its general power in relation to the Strategic Framework on Ending Violence Against Women and Girls, to replace the funding stream of another Northern Ireland Department...

³⁵. [EFM](#), paragraph 26.

Such funding includes the EVAWG Change Fund (launched January 2025, with £3.2m of funding available through to April 2026)³⁶ and other funding programmes like the Regional Change Fund.³⁷

Clause 10 informs the exercise of Clause 9; specifying limits on TEO's exercise of such powers in certain circumstances - namely, other pieces of legislation (such as Freedom of Information or Data Protection), or TEO's use of the power would "...*unreasonably duplicate*..." the work of another Department and that Department does not agree to what TEO specified.³⁸ (Note that a full Data Protection Impact Assessment had been completed by the DfC and the NIHE.)

The Bill's EFM makes clear that the power under Clause 9 would not enable TEO to raise money by levying or imposing any form of tax or charge or by borrowing. However, that would not prevent TEO from imposing "*reasonable charges*" for anything done by it under Clause 9.

However, greater clarity would be welcomed regarding the scope of TEO's power in "exceptional circumstances" in relation to TEO's EVAWG Strategic Framework and any further strategies that would be published.

Nonetheless, if Clauses 9 and 10 would be enacted as introduced, there no longer would be a need to rely on the [Budget \(No.2\) Act \(Northern Ireland\) 2025](#) to provide these services and funding.³⁹

Financial

While the Bill's EFM states no direct financial implications arise from the Bill, there could be some Departmental costs associated with additional resources and or staff training relating to the preparation and actual implementation of the Clause 9 and 10, if enacted as introduced.

Potential Scrutiny Points

44. Does TEO have plans to ensure the ongoing funding of its EVAWG Strategic Framework initiatives beyond the current (2025-26) and next budget cycles (2026-27)?
45. To help inform Assembly scrutiny deliberations, would TEO provide examples to the CfF to illustrate TEO exercising its Clause 9 power to replace another Department's funding stream, and that Department does not agree to what TEO specified?

³⁶ The Executive Office, [Ministers launch Ending Violence Against Women and Girls Local Change Fund](#). 8 January 2025.

³⁷ The Executive Office, [Ministers announce £1.2m Regional Change Fund for Ending Violence Against Women and Girls](#). 21 January 2025.

³⁸ [EFM](#).

³⁹ DoF. [Managing Public Money Northern Ireland](#). November 2023, paragraph 2.6.

46. Does TEO have any plans to introduce anything that it would consider a “reasonable charge” for services provided in relation to the EAWG Strategic Framework under Clauses 9 and 10?
47. If yes to (46.), how is TEO working to ensure that those proposals do not create any access barriers?
48. Would any new or additional resources be needed within TEO or elsewhere, to implement Clauses 9 and 10, if enacted as introduced? Please detail.
49. If no to (48.), why? Please detail.
50. If yes to (48.), what would be the projected financial implications for those resources for the public purse? Please detail.
51. Would TEO report to the Assembly at regular intervals about the exercise of Clauses 9 and 10?
52. If yes to (51.), what format would such reporting take?
53. If no to (51.), why? Please detail.

Clause 11

Clause 11 concerns the Doctorate in Educational, Child and Adolescent Psychology and related Funding; transferring to DE (instead of DfE, where it currently is) the power to approve and provide funding to the Education Authority for said Doctorate programme.

The Clause is to correct a legislative oversight arising from the [re-organisation of Executive Departments](#) in 2016.⁴⁰ It regularises existing practice, and thereby is to help to ensure statutory duties relating to Special Education Needs (SEN) are met.

Financial

While the Bill’s EFM states no direct financial implications arise from the Bill, there could be some Departmental costs associated with additional resources and or staff training relating to the preparation and actual implementation of Clause 11, if enacted as introduced.

Potential Scrutiny Points

54. Are any new or additional resources required within TEO or elsewhere to implement Clause 11, if enacted as introduced? Please detail.

⁴⁰ Email correspondence between officials in RalSe and DE, dated 3 September 2025.

55. If no to (54.), why? Please detail.

56. If yes to (54.), what would be the projected financial implications for those resources, including those for the public purse? Please detail.

Clause 12

Recent data reveals the prevalence of tenancy fraud in Northern Ireland: in 2024-25 the Northern Ireland Housing Executive (NIHE) had 752 new cases of suspected tenancy fraud involving its properties; whereas 51 new suspected cases arose the year prior - 2023-24. And in 2024-25, 169 properties were recovered when tenancy fraud was found; compared to 212 the previous year.⁴¹

However, it should be noted that it may be difficult to ascertain with accuracy the true extent of tenancy fraud in Northern Ireland, for multiple reasons – such as: the willingness of individuals to report suspected tenancy fraud; the ease of which suspected cases can be reported to the relevant authorities; the robustness of investigatory procedures; the structure and expertise of the fraud investigation service/team; the effectiveness of data sharing arrangements; and, the potential insufficient allocation of resources to investigate housing benefit and housing tenancy fraud.

Nonetheless, in terms of the impact of social housing tenancy fraud, a 2013 Northern Ireland Audit Office (NIAO) report highlighted social housing to be a scarce resource in Northern Ireland, with demand far exceeding supply.⁴²

Similar points were reiterated by the Minister for Communities in the consultation outcome [report published](#) in February 2025 regarding proposals relating to Clause 12. Subsequently, a new Tenancy Fraud Review Team formed to explore how tenancy fraud is tackled across the housing sector.⁴³

Now, Clause 12 of the introduced Bill seeks to address tenancy fraud investigations and related charging. It empowers the NIHE to undertake such investigations on the behalf of [Registered Housing Associations](#) (RHAs) and to charge for same. It also authorises data sharing between the NIHE and the RHAs for the purposes of such fraud investigations.

Such data - for example those recording the number of cases taken to court and prosecutions - could help to identify any financial implications arising from Clause 12.

Financial

While the Bill's EFM states no direct financial implications arise from the Bill, there could be some Departmental costs associated with additional resources and or staff

⁴¹ NIHE. [Annual Report](#). April 2024-March 2025. page 30.

⁴² NIAO. [Tackling Tenancy Fraud in Northern Ireland](#), September 2013, page 4.

⁴³ DfC. [Consultation outcome report](#) - proposals to allow the NIHE and Registered Housing Associations to work better together on investigations of Tenancy Fraud. February 2025. page 4.

training relating to the preparation and actual implementation of Clause 12, if enacted as introduced, or costs arising from future cases taken to court and prosecutions.

Potential Scrutiny Points

57. What charging structure does the DfC and or the NIHE intend to implement under Clause 12 – for example, would there be a flat fee charge, or individual fee amounts charged for specified activities, or other?
58. Is there an estimate of how many cases per annum are likely to be referred from RHAs to the NIHE for investigation? Please share any modelling undertaken to date.
59. Would any such estimate distinguish between complex cases and non-complex?
60. Would any new or additional resources be needed within the DfC, the NIHE or elsewhere, to implement Clause 12, if enacted as introduced? Please detail.
61. If no to (60.), why? Please detail.
62. If yes to (60.), what would be the projected financial implications for those resources for the public purse? Please detail.
63. In its 2025 consultation outcome report, the DfC stated its intention to carry out further focus groups to work on specific issues - such as data collection and the methodology for calculating the cost of tenancy fraud. Please provide an update on this work to the Assembly.
64. When implementing Clause 12, if enacted as introduced, please confirm that a written data sharing protocol be agreed between the DfE and the NIHE, specifying - for example, the types of information that could be sought and shared as part of a tenancy fraud investigation, including, but not limited to situations where such fraud occurs in border areas, as well as monitoring and review, to ensure compliance with prevailing data protection requirements during Clause 12 investigations.
65. The DfC are currently undertaking a review of tenancy fraud procedures and processes in Northern Ireland.⁴⁴ Would the

⁴⁴ See Assembly Question for Written Answer, [AQW 20351/22-27](#).

Department please provide an update to the Assembly about progress to date for that review?

66. When does the DfC expect to complete and report to the Assembly about the review noted above at (66.)?

Clause 13

In line with recommendations contained in the March 2025 report on the Review of the Role and Responsibilities of Councillors in Northern Ireland,⁴⁵ Clause 13 removes the responsibility for setting councillors' basic allowance rate from individual councils and transfers it to the DfC. The Clause aims to ensure consistency and fairness across local government in Northern Ireland, and prevent varying allowance levels.

Comparative view

Scotland

The Scottish Government is ultimately responsible for determining the pay of councillors and individual councils have no power to vary this rate. The Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2025 implement the recommendations of the SLARC accepted by the Scottish Government and set the basic annual salary of a councillor at £25,982; effective from 1 April 2025.⁴⁶

Wales

An Independent Remuneration Panel determines the allowances of councillors on an annual basis. Its February 2024 report:⁴⁷

...recommended the continuance of the link between the remuneration of elected members of principal councils, and the average earnings of their constituents (ASHE).

Financial

While the Bill's EFM states no direct financial implications arise from the Bill, there could be some Departmental costs associated with additional resources and or staff training relating to the preparation and actual implementation of Clause 13, if enacted as introduced, or costs arising from future cases taken to court and prosecutions.

Potential Scrutiny Points

67. Please clarify whether the Minister or the officials set the

⁴⁵ DfC. [Executive agrees 5% increase in basic allowance for councillors from 1 April 2025](#). 27 March 2025.

⁴⁶ Scottish Government. [Councillors' roles, conduct and pay](#).

⁴⁷ Review of Role & Responsibilities of Councillors in Northern Ireland. August 2024.

councillors' basic allowance rate under Clause 13, if enacted as introduced; and whether, and how, that decision will go before the Assembly?

68. Would any new or additional resources be needed within the DfC, the NIHE or elsewhere, to implement Clause 13, if enacted as introduced? Please detail.

69. If no to (68.), why? Please detail.

70. If yes to (68.), what would be the projected financial implications for those resources for the public purse? Please detail.

Clause 14

Clause 14 amends the Historical Institutional Abuse (Northern Ireland) Act 2019 to allow for the Commissioner for Survivors of Institutional Childhood Abuse to be appointed for “a period not exceeding” 5 years instead of “for a term of” 5 years; affording flexibility as appropriate. The EFM states:⁴⁸

This amendment has been sought to enable TEO to appoint a Commissioner for a period less than 5 years, if required.

Financial

While the Bill's EFM states no direct financial implications arise from the Bill, there could be some Departmental costs associated with additional resources and or staff training relating to the preparation or any implementation of Clause 14, if enacted as introduced.

Potential Scrutiny Points

71. Would any new or additional resources be needed within the DfC, the NIHE or elsewhere, to implement Clause 14, if enacted as introduced? Please detail.

72. If no to (71.), why? Please detail.

73. If yes to (71.), what would be the projected financial implications for those resources for the public purse? Please detail.

⁴⁸ EFM.

4.2 Fees – Clauses 15-17

Clause 15

Clause 15 concerns Tourism NI fee charging. It amends Article 20 of the Tourism (NI) Order 1992, enabling Tourism NI to exempt or reduce its fees for certain activities in specified circumstances – that is, to make regulations in connection with the reduction or repayment of fees when “there or exceptional circumstances”, or when “a person would suffer hardship” without such a reduction or repayment of fees. It does not specify what Assembly procedure the regulations would go by.

The Bill’s Explanatory and Financial Memorandum further explained that proposed amendments to Article 20 “exempt or remit certain fees in exceptional circumstances”, such as “the compulsory closure of parts of the sector as experienced in the recent pandemic”.

This Clause does afford Tourism NI flexibility to introduce new fees, where appropriate, and to raise fees for services or events that encourage and improve tourism. The aim is to safeguard public service provision and improve financial sustainability in Northern Ireland.

Comparison

Article 2(7) of the [Development of Tourism Act 1969](#) provides Tourist Boards in England, Scotland and Wales with the power to “charge for its services and receive contributions towards its expenses in carrying out any of its functions”.⁴⁹

Whereas Fáilte Ireland’s power to charge fees for the inspection of tourist accommodation is set out in Section 26 of the [Tourist Traffic Act 1939](#), as amended.⁵⁰ Neither act has been explicitly amended to allow for the “exemption or remission” of “certain fees in exceptional circumstances”.

Financial

The [EFM](#) accompanying the introduced Bill states no direct financial implications would arise from the Bill if enacted as proposed. Nonetheless, it seems there could be some Departmental costs incurred, which could be associated with additional resources and staff training that could arise from the preparation and actual implementation of this Clause, if enacted as introduced.

Potential Scrutiny Points

74. Has Tourism NI any plans for how it would exercise its power to introduce new fees under Clause 15, if enacted as

⁴⁹ Article 2(7) of [the Development of Tourism Act 1969](#).

⁵⁰ Section 26 of [Tourist Traffic Act 1939](#).

introduced? Please explain any modelling or other that has been undertaken to date.

75. Would the DfE provide assurances that: (a) the DfI would consult with all public bodies that would be affected by any changes made to regulations under Clause 15; and, (b) the DfI would advise the Assembly of responses received to any such consultation, and do so prior the introduction of any such regulations?
76. Would the DfE routinely provide updates to the Assembly about the drafting of any such regulations under Clause 15, assuming it would be enacted as introduced - for example, regular updates?
77. Would any new or additional resources be required within the DfE or elsewhere to implement Clause 15, if enacted as introduced? Please detail.
78. If no to (77.), why? Please detail.
79. If yes to (77.), what would be the projected financial implications for those resources, including those for the public purse? Please detail.
80. Would the DfE have adequate provision both to: (a.) monitor; and, (b.) later report to the Assembly at regular intervals about the effectiveness of the services that would be delivered and the adequacy of the funding that would be provided under Clause 15, if enacted as introduced?
81. If no to (80.), why? Please detail.
82. If yes to (80.), how would such monitoring and reporting occur, in terms of related roles, responsibilities and duties to be taken in that regard?
83. Would any new or additional resources be needed within the DfE or elsewhere, to implement Clause 15, if enacted as introduced? Please detail.
84. If no to (83.), why? Please detail.
85. If yes to (83.), what would be the projected financial implications for those resources for the public purse? Please detail.

Clause 16

Clause 16 concerns Marine Licensing Services Cost Recovery. It empowers the Department for Agriculture, Environment and Rural Areas (DAERA) to recover its

Marine Licensing Services costs; amending the Marine and Coastal Access Act 2009, which is applicable across the United Kingdom and forms the basis for the charging of marine licensing fees. It affords greater power when charging fees for activities for which a marine licence is required; introducing powers to charge for pre-application advice and assistance services, monitoring compliance with the conditions of licences, and dealing with applications for the variation, suspension, transfer, etc. of licences.

It aims to safeguard public service provision and improve financial sustainability in Northern Ireland. However, more detail is needed from the Minister on the direction that he proposes to take in relation to Clause 16, as the Assembly needs to ensure proper safeguards would be put in place in relation to this Clause, to ensure fairness and accountability.

Financial

The [EFM](#) accompanying the introduced Bill states no direct financial implications would arise from the Bill if enacted as proposed. Nonetheless, it seems there could be some Departmental costs incurred, which could be associated with additional resources and staff training that could arise from the preparation and actual implementation of this Clause, if enacted as introduced.

Potential Scrutiny Points

86. Has DAERA any plans for how it would exercise its power to introduce new fees under Clause 16, if enacted as introduced? Please explain any modelling or other that has been undertaken to date.
87. Would the DAERA bring regulations and require Assembly approval under Clause 16, if enacted as introduced; and if so, will this be by affirmative or negative resolution?
88. Has the DAERA make any assessment of the potential costs that would be incurred when providing this additional service for licence applicants under Clause 16, if enacted as proposed?
89. Has the DAERA considered what impact the charging of fees or increased fees for these additional services would have on the number of licence applications?
90. Would the fees chargeable to applicants under Clause 16 cover any additional costs? And could that result in increased fees?
91. Would the DAERA routinely provide updates to the Assembly about the drafting of any such regulations under Clause 16, assuming it would be enacted as introduced - for example, regular updates?

92. Would any new or additional resources be required within the DAERA or elsewhere to implement Clause 16, if enacted as introduced? Please detail.

93. If no to (92.), why? Please detail.

94. If yes to (92.), what would be the projected financial implications for those resources, including those for the public purse? Please detail.

Clause 17

Clause 17 concerns SmartPass Fees and amends the Transport (Northern Ireland) Order 1977. It empowers the Department for Infrastructure (DfI) to introduce regulations in relation to the SmartPass fees under the Concessionary Fare Scheme for application renewals and replacements.

Clause 17 specifies that any such regulations would be subject to “negative resolution” under Assembly [Standing Orders](#) – meaning they would come into operation automatically, unless annulled by the Assembly within the given statutory period. It is important to note that this procedure (negative resolution) would allow for significantly less Assembly scrutiny; scrutiny that would be of a completely different magnitude to that currently undertaken on this introduced Bill.⁵¹

The aim of the Clause is to safeguard public service provision and improve financial sustainability, especially in the long-term; and continue to promote accessible public transport for members of the community who are at risk of social exclusion

Comparative view

With specific relevance to Clause 17, none of the jurisdictions in Great Britain, nor the Republic of Ireland, charge for the initial provision of a concessionary travel card, although some do charge for replacements.⁵²

Financial

In terms of the Scheme’s financial sustainability, the costs for the overall Concessionary Fare Scheme needs to be considered. Such costs have risen significantly, due to a variety of reasons, including increases in fares and population eligible age-related concession (projected to continue), which in turn increases Scheme costs. For example, in 2018-19, the administration costs accounted for 1.2% of overall Scheme costs - equivalent to approximately £576,000. And based on

⁵¹ See Daniel Greenberg. Deconstructing legislation: a practical guide to legislative scrutiny. 2015. (printed only). Also note, a similar observation has made in the context of another matter – see [2013-14 select committee report](#). That report had observed negative resolution provided only minimal opportunity for parliamentary scrutiny when legislating.

⁵² RalSe can provide more detail if needed.

current population estimates and no Scheme changes, the DfI estimate Scheme costs rising to as much as £52.1m by 2030.⁵³

Moreover, the DfI pays Translink a standard rate for each SmartPass issued. And facing significant cost pressure, the Scheme often relies on annual additional in-year funding to cover its costs, which is not always guaranteed.

The 2023 DfI consultation explored the potential for increasing the age of eligibility - restricting SmartPass use to off peak travel only, limiting use to bus travel and introducing charges for application, renewal and replacement of passes.

By requiring applicants to pay a fee for a SmartPass, the DfI intends to reduce Scheme costs, helping to maintain the Scheme's long-term sustainability.

It should be noted that Clause 17 enables the DfI to set a fee at an amount that exceeds the administrative cost of issuing a SmartPass. However, when doing so, the DfI must aim to ensure that the total income from fees in a given financial year does not exceed the total costs arising from the issue of all SmartPasses in that financial year. This is in line with what was proposed in the consultation - that is, the DfI indicated that if a fee were to be introduced, it would be done on a cost recovery basis. That is likely to be in the region of £5 - £10 for each card issued.

While the Bill's EFM states no direct financial implications arise from the Bill, there could be some Departmental costs associated with additional resources and or staff training relating to any implementation of Clause 17.

Potential Scrutiny Points

95. Has the DfI and or Translink any plans for how the power under Clause 17 would be exercised, if enacted as introduced? Please explain any modelling or other that has been undertaken to date.
96. Would the DfI and or Translink provide assurances that: (a) either would consult with all public bodies that would be affected by any changes made to regulations under Clause 17; and, (b) either would advise the Assembly of responses received to any such consultation, and do so prior the introduction of any such regulations?
97. Would the DfI and or Translink routinely provide updates to the Assembly about the drafting of any such regulations under Clause 17, assuming it would be enacted as introduced - for example, regular updates?
98. Would any new or additional resources be required within the DfI or elsewhere to implement Clause 17, if enacted as introduced? Please detail.

⁵³ DfI. [Consultation on free and discounted fares on public transport \(concessionary fares\)](#). June 2023.

99. If no to (99.), why? Please detail.

100. If yes to (99.), what would be the projected financial implications for those resources, including those for the public purse? Please detail.

101. Would the DfI and or Translink have adequate provision both to: (a.) monitor; and, (b.) later report to the Assembly at regular intervals about the effectiveness of the services that would be delivered under Clause 17, if enacted as introduced?

102. If no to (102.), why? Please detail.

103. If yes to (102.), how would such monitoring and reporting occur, in terms of related roles, responsibilities and duties to be taken in that regard?

4.3 Financial governance - Clauses 18-20

Clause 18

Clause 18 addresses Northern Ireland Consolidated Fund Advances. It amends the [Financial Provisions \(Northern Ireland\) Order 1998](#) (as amended), by increasing the specified 2% cap on the amount of previous year's authorised expenditure, to 4%, so that amount instead can be made available to the Executive for contingencies during a financial year.

The aim here is to risk mitigation, based on past recent experience in this area, such as the recent pandemic. The Clause seeks to strike an appropriate balance between increasing the lower limit to protect against potential insufficient advance authority and ensuring continued public service delivery in Northern Ireland.

Comparative view

Scotland

Article 3 of the [Public Finance and Accountability \(Scotland\) Act 2000](#) provides for contingencies, stating – see bold, added for emphasis:

3 Contingencies

(3) The Scottish Ministers may authorise the use of resources only if they consider that—

(a) the use is necessarily required in the public interest, and

(b) it is not reasonably practicable, for reasons of urgency, for the requirements of section 1 in relation to the use to be satisfied by a Budget Act.

*(4) The aggregate amount of the resources which the Scottish Ministers may authorise to be used under this section in any financial year **must not exceed 0.5% of the aggregate amount of the resources which, at the beginning of that year, were authorised to be used in that year by virtue of section 1.***

A number of differences exist between Clause 18 in the introduced Bill (above) and Scotland's statutory position. Most notable is that Scottish Ministers are empowered to issue up to only 0.5%, compared to 2% at present in Northern Ireland. And if Clause 18 enacted as introduced, said limit would be 4%.

Also, the timeframe from which the amount relates is different in each country. In Scotland, the authorised Scottish Consolidated Fund advance (0.5%) is based on the resource at the beginning of the year. Whereas in Northern Ireland, the authorised advance (4%) under Clause 12, if enacted as introduced, would relate to supply expenditure for the previous financial year; (currently it is 2%).

Wales

[Article 128](#) of the [Government of Wales Act 2006](#) provides for contingencies in Wales, similar to what exists in Scotland. The 2006 Act empowers Welsh Ministers to authorise similar to Scotland – that is, the authorised Welsh Consolidated Fund advance is limited to 0.5%. However, unlike Scotland, the 2006 Act allows this limit to apply to amounts issued in the current financial year, or if the subject has not been authorised in the current financial year for the amount issued in the previous financial year. Both those aspects are different to Scotland and Northern Ireland.

Financial

The Bill's EFM states no direct financial implications arise from the Bill. And there do not appear to be any Departmental costs associated with additional resources and or staff training that would relate to the preparation and any implementation of Clause 18, if enacted as introduced.

Potential Scrutiny Issue:

104. Why does Northern Ireland need authority for a higher statutory contingency limit of 4% in relation to Consolidated Fund advances, when the current 2% level already is higher than the comparable statutory limits in both Scotland and Wales?

[Clause 19](#)

Clause 19 removes the existing DfE statutory requirements to maintain separate accounts for petroleum and mineral receipts. It does so by amending the [Petroleum \(Production\) Act \(Northern Ireland\) 1964](#) and [Mineral Development Act \(Northern Ireland\) 1969](#); repealing relevant provisions. Such amendment aims to streamline financial reporting for such receipts and support financial governance.

Financial

While the Bill's EFM states no direct financial implications arise from Clause 19, it appears there could be Departmental costs associated with additional resources and or staff training that would relate to the preparation and any implementation of this Clause, if enacted as introduced.

Potential Scrutiny Points

105. Would any new or additional resources be needed within the DfE or other, to implement Clause 19, if enacted as introduced? Please detail.

106. If no to (105.), why? Please detail.

107. If yes to (105.), what would be the projected financial implications for those resources for the public purse? Please detail.

Clause 20

Clause 20 concerns the appointment of the NIAO External Auditor. It transfers to the Assembly's Audit Committee (a Standing Committee) the existing DoF power to appoint the External Auditor of the Audit Office; amending [Audit \(Northern Ireland\) Order 1987](#) and removing DoF's existing power in this area. The EFM states:⁵⁴

All parties (DoF, NIAO and the Assembly Audit Committee) have agreed that responsibility for the appointment of the external auditor to the NIAO should be transferred to the Assembly Audit Committee. This clause therefore seeks to action this change.

To do so would enhance independence and improve financial governance arrangements.

Comparative view

Scotland

Section 25(c) of the [Public Finance and Accountability \(Scotland\) Act 2000](#) states that the Scottish Commission for Public Audit (SCPA) was established under the [Public Finance and Accountability \(Scotland\) Act 2000 \(Section 12\)](#); and that Commission is "made up of 5 Members of the Scottish Parliament. However, the SCPA is not a parliamentary committee".⁵⁵

⁵⁴ EFM, paragraph 26.

⁵⁵ <https://www.parliament.scot/about/how-parliament-works/parliament-organisations-groups-and-people/scpa>

The [SCPA](#) is responsible for appointing a qualified person to audit the accounts of Audit Scotland, amongst other things.

And the roles and responsibilities between the SPCA and Audit Scotland are detailed in a [written agreement](#) between the two bodies.

Wales

Under Schedule 1, at paragraph 34, of the [Public Audit \(Wales\) Act 2013](#), it states:

(1) It is for the National Assembly to appoint a person as auditor of the WAO's accounts, and to determine that person's terms of appointment.

Moreover, as noted in the most recent [Annual Report and Accounts 2024-25](#) for Audit Wales (also known as the Welsh Audit Office), it states:

RSM UK Audit LLP have been appointed as the external auditor of the Wales Audit Office by the Senedd Finance Committee since 1 March 2015, most recently for a period of 48 months commencing 1 November 2022

Hence, in the case of the Welsh Parliament, responsibility for appointing the external auditor for Audit Wales falls to the Senedd Finance Committee.

Financial

While the Bill's EFM states no direct financial implications arise from Clause 20, it appears there could be costs associated with additional resources and or staff training that would relate to the preparation and any implementation of this Clause, if enacted as introduced.

Potential Scrutiny Points

108. Would any new or additional resources be needed within the DfE or other, to implement Clause 20, if enacted as introduced? Please detail.
109. If no to (108.), why? Please detail.
110. If yes to (108.), what would be the projected financial implications for those resources for the public purse? Please detail.

Appendix 1:**Administration and Financial Provisions Bill -****Second Stage extracts made by members of the Committee for Finance⁵⁶**

In response to the Minister of Finance's statement on 1 July 2025, the Chair of the Committee for Finance (CfF) stated:

As the Chair of the Committee, it is important that I point out that, as with lots of these matters, including the Budget, it is not solely for the Finance Committee or party finance spokespersons to scrutinise the Bill in isolation; the Committees with responsibility for the Departments that are subject to the measures in the Administrative and Financial Provisions Bill should be across the detail, and that is why the Finance Committee has written to the other Committees.

Speaking further in his CfF Chair capacity, he added:

I will offer specific comments on only the three financial provisions. Those relate to the investment fund, the appointment of a Northern Ireland Audit Office (NIAO) external auditor and an increased limit on Consolidated Fund advances. The Committee held a briefing on the investment fund with departmental officials at its meeting on 4 December 2024. The fund receives its allocations via the strategic investment fund (SIF), which is an arm's-length body (ALB) of the Executive Office. The Strategic Investment Board (SIB) has the legal vires to make loans, but the Department of Finance does not. That arrangement has worked so far, but it was expected to be temporary until the Department received appropriate powers. A provision in the Bill will introduce those statutory powers. The Department believes that that will improve accountability, regularity and propriety in the use of financial transactions capital, or FTC, funding. The Executive Office agrees that that power should be provided to the Department of Finance.

The Department wishes to amend the Audit (Northern Ireland) Order 1987 to transfer the responsibility for the appointment of the NIAO external auditor from the Department of Finance to the Assembly's Audit Committee. That has been agreed by all parties involved.

Finally, there will be an increased limit on Consolidated Fund advances, which the Minister talked about a moment ago. That gives the power to make such advances from the fund as contained in the Financial Provisions (Northern Ireland) Order 1998. That order was intended to deal with situations when Departments might have sudden, unexpected additional expenditure if there were a major event, such as foot-and-mouth disease or COVID. It will also allow there to be quick additional expenditure without the delay that is caused by taking a Budget Bill through the Assembly. Currently, the limit to such an advance is 2% of the authorised Supply expenditure from the previous financial year. It is proposed that the Bill be used to increase the limit to 4%, which appears to be a sensible and prudent measure to provide further security and flexibility to deal with unexpected demands that may arise.

⁵⁶ Northern Ireland Assembly. [Official Report](#). Second Stage. 1 July 2025

Although the Administrative and Financial Provisions Bill is larger than previous Bills and the number of Departments involved is larger, which might make the scrutiny process more complicated, Committee members support its principles, its passage through Second Stage and its subsequent referral to the Committee for Committee Stage. Members look forward to working with the Department, other Committees and stakeholders to provide robust scrutiny of the Bill. I look forward to hearing Members' contributions to the debate, which will hopefully aid the Committee in its deliberations.

And as the Leader of the Opposition, he further stated:

I will make a few remarks in my function as Opposition leader. The legislation is an important piece of tidying up. For a long time, many of us have railed against the use of the sole authority of the Budget Act to legally authorise vast amounts of expenditure. That was an unsustainable and unhealthy position. For example, welfare mitigations, which are a very large item of expenditure for the Executive and one that, I think, parties agree is essential, were, for a long time, funded through the sole authority of the Budget Act — the so-called black box. That is extremely suboptimal financial management, so it is welcome that many of the powers are finally being put on a —...

He added that:

This is a big Bill. There are lots of important things in it, and it will be important to each Committee, where their bodies are being granted powers. The Finance Committee is looking at three specific areas: one relates to the Audit Office; another relates to the Northern Ireland Investment Fund; and the third relates to the Consolidated Fund advances. The Committee will want to understand the exact context for those powers, working out examples of how they might be used and all of that. It is important that the Committee does that work.

I will make an important process point. The DUP Member Mr Buchanan reprimanded the Opposition earlier, saying, "You wanted legislation, and now you are complaining that you are getting it all in one day". That is not how it is supposed to work. We are supposed to be given time to debate such things. The fact that we asked for there to be more debates on legislation does not mean that it is acceptable to have six full-blown debates on stages of primary legislation in two days. That does not represent a serious legislature in operation.

We are debating two important Bills today: the Fiscal Council Bill and the Administrative and Financial Provisions Bill. We should have had those Bills a good while ago and been devoting a bit more time to them. I will leave it at that. I do not want to labour the point, but I strongly reject the idea that we should debate six important, substantive pieces of legislation...

... Before I draw my remarks to a close, in welcoming the fact that we finally have an Administrative and Financial Provisions Bill, I draw attention to the strange situation with the Northern Ireland Investment Fund, which is one of the entities for which funding is being clarified via the Bill. The Northern Ireland

Investment Fund was set up a number of years ago as a way to use financial transactions capital. I have been talking about using FTC in novel ways for a long time, as have other members of the Committee. There was not much of an audience for that, a few years ago. Now, it looks as though FTC will be used to build Casement Park, if it is ever built — maybe the Minister will give us a view on that while he is at the Dispatch Box. That will be the case, if we ever get it built, and I really hope that we do. That would be a novel and important use of FTC.

The NI Investment Fund has existed for a while. It has funded some important things, but it has also been used to finance things that were supposed to be innovative, cutting-edge and new economic development projects in areas of high deprivation and all of that.

It has often been used to fund hotels, which are not necessarily excluded from commercial lending. In one case, which was particularly interesting, it was used to fund a car park. That is, I think, worthy of interrogation. That is the NI Investment Fund. I hope that that will work better and that, in the course of interrogating the Bill, we will understand how the Department intends to manage the NI Investment Fund much more strategically.

In broad terms, the fact that we have the Administrative and Financial Provisions Bill is welcome. There is lots of detail that we have not had the chance to go through, as a Committee or as individual MLAs, so I say once again that, although, rightly, we will pass the Bill at Second Stage, members of the Finance Committee, who will be doing their job, and other Committees need to look through the detail of what we are passing and understand precisely the legal ramifications. The provisions are all sensible, and the Bill is largely a tidying-up exercise, but we should still be across the detail, because a fundamental point about the seriousness of this legislature is at stake. In broad terms, we support the Bill's passing at Second Stage.

Other CfF members also spoke during Second Stage of the introduced Bill, including Deirdre Harghey, who stated:

The oversight of the investment fund to utilise financial transactions capital naturally sits in the Department of Finance. Providing that Department with the power to issue loans will therefore remove the need for them to be issued through the Strategic Investment Board, an arms-length body of the Executive Office. That will undoubtedly improve the overall accountability of the scheme.

Clause 2 focuses on the ability of the Department for the Economy to proactively take initiatives that provide financial assistance to support our local economy, which the Audit Office highlighted as something that was missing, particularly during the pandemic period. The ability to create companies is a further intervention that the Department for the Economy could, as a result of changes proposed in the Bill, use in future, rather than having to rely on Invest NI to do so.

The Executive have prioritised tackling violence against women and girls in the

Programme for Government and in this year's Budget. I am pleased that a clear focus on those issues will remain in the Executive Office, which will be designated as responsible for implementing the strategic framework in the coming years.

Other aspects of the Bill will improve financial stability, as they will enable DFE, DAERA and DFI to use additional fee-raising powers that will ultimately be scrutinised by their Statutory Committees.

As we have been reminded in recent weeks, there is an onus on us, as public representatives, to ensure that our migrant and asylum-seeking communities are made to feel welcome here and that they have access to the services that they require. I therefore welcome the tightening of the legislative framework that assigns the Executive Office responsibility for coordinating integration and support. The Bill will give TEO the power to utilise funds provided by Whitehall Departments for integration support services rather than having to rely on the sole authority of the Budget Act, as was said previously.

I support the Bill. It will close the legislative gaps that have been identified, having been raised by Members over a few years. I am glad that the Minister introduced the Bill before the summer recess. It is a bit laughable that some who cry and scream, "There is not enough legislation coming through; we need to bring legislation forward", now cry and scream that too much is coming forward before the summer recess. I am glad that we are now at the Second Stage of important pieces of legislation so that, when we come back from the summer recess, we can get stuck into scrutinising that important legislation and getting it through. After all, that is what we, as legislators, are here for.

Diane Forsyth also made comments in her various capacities, including party political and CfF (Deputy Chair). She stated:

...In the interest of transparency, I declare that I sit on the Audit Committee, the Public Accounts Committee and the Finance Committee, which are all referenced here.

... We recognise that there is a need for the Bill, not least to rectify a number of anomalies relating to the absence and location of certain powers that are vital to Departments' decision-making and the delivery of support for public services.

There are some 16 provisions in the Bill, with three that relate to the Department of Finance and others that cover a range of issues across a number of Departments, including AERA, Communities, Economy, Education and Infrastructure. We will work through the details of those in Committee, but I will highlight some points and put them on the record.

Clause 2 details how the Department for the Economy will be able to provide economic assistance, such as loans. If the Department believes that that provision, along with a power to form limited companies, would be of benefit, we would welcome further clarification of the rationale for the latter. We would particularly welcome an assessment of the implications for the role of Invest NI. Invest NI has made a considerable contribution to economic growth over recent years, and we do not want to see that role being undermined.

Clause 5 envisages granting Tourism NI powers to grade or classify tourist amenities, such as museums, tours, art venues, wildlife experiences, gardens and visitor attractions and activities. That is in addition to accommodation. Given the concerns about the regulation of short-stay holiday lets, impacts on local communities and an apparent void in governance and oversight, we have some unease with the suggestion that Tourism NI should be expanded without it first grappling with those live issues. That, hand in hand with the Department for the Economy's accounts receiving a disclaimed opinion and some concerns raised in the statement of internal control in Tourism NI, adds to our concern in that area.

Clauses 7 and 9 respectively afford TEO greater powers to integrate asylum seekers and to implement strategies for tackling violence against women and girls. It is right that the proposals are accompanied by strong safeguards so as not to duplicate the role of other Departments or undermine the need for agreement in cross-cutting areas. Moreover, we should not allow ourselves to be put in a situation in which the Executive, through TEO, are offsetting the failure of the Home Office to address the impacts of immigration on communities, both financially and practically. As the chair of the all-party group (APG) on domestic and sexual violence, I welcome clause 9, in which we see the allocation of financial powers under the ending violence against women and girls framework. As with any framework or strategy, it needs to be underpinned with funding. With the devastating news over the weekend, we are now up to 27 women who have been murdered in Northern Ireland since 2020. It is therefore welcome to see powers and funding underpinning that clause.

Clause 12 deals with Department for Communities tenancy fraud. The clause will provide the Northern Ireland Housing Executive with the power to undertake tenancy fraud investigations on behalf of registered housing associations and to charge RHAs for that service. It will also provide for a two-way exchange of information between RHAs and the Housing Executive for the purpose of investigating tenancy fraud. As a member of the Public Accounts Committee, I am pleased to see that those proposals stem from recommendations in reports on tenancy fraud in social housing by the Audit Office in 2013 and the Public Accounts Committee in 2014. Those reports recommended establishing a single tenancy fraud team to provide investigative services to the Housing Executive and the housing association sector. The provisions do not create new tenancy fraud offences. Rather, they simply enable the investigation of tenancy fraud to be more consistent across the social housing sector and more complex cases to be fully investigated. Our Minister for Communities, Gordon Lyons, has taken a strong stance in his attempts to reduce fraud, and clause 12 is in line with that stance. Tackling tenancy fraud is vital if we are to ensure that the best value for money is to be achieved from our investment in social housing. If social homes are occupied fraudulently, those in the greatest housing need are not being prioritised.

We note in clause 13 that the responsibility for setting councillors' allowances is to be taken away from councils, thus removing the conflicted position of councillors being asked to vote on their own pay, which has led to inequalities

across Northern Ireland.

Clause 16 will give DAERA the scope to change marine licensing fees, and it is crucial that we see more detail from the Minister on the direction that he proposes to take on that front. Although we agree that Ministers need to have flexibility to ensure that fee structures are sustainable, proper safeguards are needed in order to ensure fairness and accountability. That may not be a matter for this debate, but it should not be overlooked.

On clause 17, it has been our stated position that imposing SmartPass replacement fees will generally place scheme users at a disadvantage to their counterparts elsewhere in the United Kingdom and in the Irish Republic. Before setting out to recover the administration costs of delivering the scheme, can the Department for Infrastructure demonstrate that it has made an effort to reduce those costs? Has it reviewed the requirement for senior citizens to apply in person or considered introducing automatic renewals? Given that the personal circumstances of SmartPass holders may change as they get older, it is notable that there is often currently a need to migrate between various categories of pass. Is there not a concern that stand-alone applications will be required to access various discounts, as that will result in additional costs?

I have made some points on a number of the clauses, but the Bill is essential in order to progress financial provisions across Northern Ireland's public services. We will continue our scrutiny of the detail as the Bill progresses.

And a further CfF member, Gerry Carroll, shared his views regarding the introduced Bill, stating:

The Bill is being presented as dealing with routine financial matters, but some of the provisions are anything but routine and are obviously based on policy. I want to explore that. Clause 7, as Members said, deals with asylum and immigration integration support services. Maybe the Minister could clarify that. I am at a loss to understand what new powers, if any, are being handed to TEO. It would be useful if the Minister could clarify that. I think that TEO already has a power to do with integration.

There is a big bit of work to be done on Mears, the state of the housing that people, particularly asylum seekers, are in and the speed at which people are, effectively, evicted from their homes when they get settled status. To me, that already falls under the remit of TEO, but I would like the Minister here and TEO ...

... As has been stated, clause 12 deals with housing fraud and gives the Housing Executive the power to undertake tenancy fraud investigations on behalf of housing associations. My only concern about that is that it does not work the other way. Like, I am sure, other Members, I deal with constituents who are former Housing Executive tenants and have been charged in the region of £5,000 or £6,000 by private maintenance companies to get not huge elements of work done to their property, the communal areas of which are owned by the Housing Executive. There is no opportunity here to seek transparency or to challenge that, but there is in the South and in Britain. There

is a huge question over why that is not being addressed. That is not to mention the Housing Executive tenants who are being dragged through the courts as they try to challenge decisions on their succession tenancies.

Clause 13 relates to the setting of the basic rate of allowance for councillors. That power has been conferred to DFC. I am just not sure why that is the case. If the Minister could clarify that, it would be helpful. Is that a decision that can be taken by the Minister or the officials? Can or will it be brought to the Assembly?

Clause 17 deals with the travel concession passes. I agree with some of the concerns that were raised by the Deputy Chair of the Finance Committee. The clause provides the power to introduce a fee for a card. That could be £20, or it could be higher. At this stage, we do not know. I am totally opposed to any fee being charged for the card. I commend the people who campaigned for free travel for the over-60s and over-65s through the concessionary fare scheme. If you introduce a fee for the card, it is a slippery slope. Travel under that scheme will no longer be free by virtue of the fact that people will have to pay for the card. I am concerned about that. I oppose the clause, and I may well try to amend it. Neither the Finance Minister nor the Infrastructure Minister should be putting up barriers to travel. We have heard already about the growing scale of pensioner poverty.

Clause 19 deals with petroleum and mineral licensing. It is being presented as a technical element, which it may well be, but I am quite sceptical, given the scale of pre-approval for mineral licences. I am concerned about that and seek some assurances from the Finance Minister on it.

I suppose that I have to join with everybody else and say to the leader of the Opposition that he should maybe be careful what he wishes for. He demanded the legislation, and he now has it. I say to him that, if a single MLA and a small team of dedicated staff can scrutinise legislation, an Opposition with more MLAs, staff and resources should be well able to do it, so there you go.

Appendix 2:

Table 1: Administrative and Financial Provisions Bill – Individual Clauses 1-20

Bill Clause	What does it concern? And Why?
<u>1</u>	<p>Powers - FTC and Northern Ireland Investment Fund: Empowers the Department of Finance (DoF) to issue loans to said Fund, using Financial Transactions Capital (FTC) - instead of The Executive Office (TEO) and Strategic Investment Board under the current arrangements</p> <p>Aim: To enable greater FTC use, while enhancing regularity and accountability</p>
<u>2</u>	<p>Powers - Financial Assistance and Limited Companies: Empowers the Department for the Economy (DfE) to:</p> <ul style="list-style-type: none"> > Use FTC by providing financial assistance, including grants, loans, guarantees or indemnities, where such action is in the interests of the economy; aiming to improve DfE's ability to successfully deploy FTC funding for capital projects in Northern Ireland; and, > Restore powers to form limited companies <p>Aim: To address past concerns expressed by the Assembly and other - for example, during the COVID-19 pandemic about DfE's ability to provide such assistance</p>
<u>3</u>	<p>Powers - FTC Loans and Higher Education: Empowers the DfE to issue FTC loan funding to the Higher Education (HE) sector in Northern Ireland⁵⁷</p> <p>Aim: To improve DfE's ability to successfully deploy FTC funding for capital projects in Northern Ireland universities and HE institutions; thereby improving accountability, regularity and propriety in this area</p>
<u>4</u>	<p>Powers - Employment and Training Scheme Approvals: Amends existing legislation:</p> <ul style="list-style-type: none"> > Repealing the DoF statutory approval requirement for all employment and training schemes; and, > Authorising future approvals under those schemes through existing delegated limited procedures that fall within the normal Departmental delegations for DoF approvals <p>Aim: To repeal outdated legislation</p>
<u>5</u>	<p>Powers - Classification and Grading of Amenities for Tourism Northern Ireland: Empowers the DfE to classify and grade tourist amenities beyond accommodation providers; amending existing legislation</p> <p>Aim: To develop and strengthen the broader tourism sector in Northern Ireland</p>
<u>6</u>	<p>Powers - Provision of Victim and Survivor Support Services and related Funding: Empowers TEO to provide services and funding for victims and survivors of Historical Institutional Abuse and other forms of institutional harm, such as Mother and Baby</p>

⁵⁷ See Appendix 1 to this Paper for additional information about existing powers in this area.

	<p>Institutions, Magdalene Laundries and Workhouses; and thereby not rely on the Budget (No. 2) Act Northern Ireland 2025</p> <p>Aim: To provide services and funding as specified</p>
7	<p>Powers - Provision of Refugee and Asylum Seekers Services and related Funding: Empowers TEO to:</p> <ul style="list-style-type: none"> > Make grants to, or to contract persons to, and provide support and integration services for those seeking refuge in Northern Ireland, including refugees and those seeking asylum, and those arriving under a scheme or a policy established by the United Kingdom Government; and, > Use funds that have been provided to Northern Ireland for those purposes <p>Aim: To plug a gap in the prevailing legislation framework and support integration</p>
8	<p>Powers - Public Appointee Boardroom Training: Empowers TEO to arrange and facilitate opportunities for people to acquire the skills or experience that are necessary for public appointments</p> <p>Aim: To encourage equity, diversity and inclusion of such appointments, and best reflect the communities that public appointees serve</p>
9	<p>Powers - Victim and Survivor Support Services and related Funding: Empowers TEO to implement the Executive's Strategic Framework on Ending Violence against Women and Girls, including powers relating to funding initiatives aligned to that Framework's aims; and thereby not rely on the Budget (No. 2) Act Northern Ireland 2025</p> <p>Aim: To support implementation of the Executive's stated Strategic Framework as specified</p>
10	<p>Powers - Limits on TEO's exercise of its new Clause 9 powers: Specifies limits on how TEO can exercise its (proposed) new powers under Clause 9 – that is, where the exercise of TEO's Clause 9 powers are limited by another piece of legislation (such as Freedom of Information or Data Protection), or where TEO's use of those powers would unreasonably duplicate the work of another Department and that Department does not consent to what TEO specified when exercising its Clause 9 powers⁵⁸</p> <p>Aim: To support implementation of the Executive's stated Strategic Framework</p>
11	<p>Powers - Doctorate in Educational, Child and Adolescent Psychology and related Funding: Empowers the Department for Education (DE) to:</p> <ul style="list-style-type: none"> > Approve and provide funding to Education Authority for the Doctorate in Educational Child and Adolescent Psychology; correcting a legislative oversight to ensure special education needs statutory duties are met <p>Aim: To correct a legislative oversight</p>

⁵⁸ [Explanatory and Financial Memorandum](#) (EFM), accompanying the Administration and Financial Services Bill as introduced. June 2025.

<u>12</u>	<p>Powers - Tenancy Fraud Investigations on Behalf of Regional Housing Associations and Related Charging: Empowers the Northern Ireland Housing Executive (NIHE) to:</p> <ul style="list-style-type: none"> > Investigate tenancy fraud on behalf of Registered Housing Associations (RHAs); and, > Charge RHAs for that service <p>Aim: To meet long-standing recommendations made by both the Northern Ireland Audit Office (NIAO)⁵⁹ and the Northern Ireland Assembly Public Accounts Committee (PAC),⁶⁰ that is, establish a single tenancy fraud team to provide investigative services to both the NIHE and RHAs</p>
<u>13</u>	<p>Powers - Councillors' Basic Allowance Setting Responsibilities: Empowers the DfC to set the basic allowance for councilors and removing them from individual councils</p> <p>Aim: To ensure consistency and fairness across local government</p>
<u>14</u>	<p>Powers - Appointment Terms for Commissioners for Institutional Childhood Abuse: Empowers the TEO to allow for terms of fewer than five years for Commissioners for Institutional Childhood Abuse, where appropriate</p> <p>Aim: To allow for flexibility as appropriate</p>
<u>15</u>	<p>Fees - Tourism NI Fee Charging: Amends existing legislation to allow the DfE – in exceptional circumstances - to:</p> <ul style="list-style-type: none"> > Exempt or reduce fees charged by Tourism NI; and, > Introduce new fees, where appropriate <p>Aim: To safeguard public service provision and improve financial sustainability</p>
<u>16</u>	<p>Fees - Marine Licensing Services Cost Recovery: Amends existing legislation and enables the Department for Agriculture, Environment and Rural Areas (DAERA) to recover costs incurred through its Marine Licensing Services, by charging fees</p> <p>Aim: To safeguard public service provision and improve financial sustainability</p>
<u>17</u>	<p>Fees - SmartPass: Amends existing legislation and enables the Department for Infrastructure (DfI) to charge fees under the Concessionary Fare Scheme for both SmartPass application renewals and replacements</p> <p>Aim: To safeguard public service provision and improve financial sustainability, especially in the long-term; and continue to promote accessible public transport for members of the community who are at risk of social exclusion</p>

⁵⁹ Northern Ireland Audit Office, [Tackling Tenancy Fraud in Northern Ireland](#), September 2013.

⁶⁰ Northern Ireland Assembly Public Accounts Committee, [Report on Tackling Social Housing Tenancy Fraud in Northern Ireland](#), 24 September 2014.

<u>18</u>	<p>Financial Governance - Increased Northern Ireland Consolidated Fund Advances: Amends existing legislation - the Financial Provisions (Northern Ireland) Order 1998 (as amended) – to increase the current 2% cap on the amount of previous year’s authorised expenditure that can be made available to the Executive for contingencies, and make it 4%</p> <p>Aim: To mitigate the risk that the lower limit could be insufficient to ensure continued public service delivery, given past recent experience in this area</p>
<u>19</u>	<p>Financial Governance - Removal of Separate Petroleum and Mineral Receipts Requirements: Removes existing statutory requirements – that is, DfE maintaining separate accounts for petroleum and mineral receipts</p> <p>Aim: To streamline financial reporting and support financial governance</p>
<u>20</u>	<p>Financial Governance - Appointment of the Northern Ireland Audit Office (NIAO) External Auditor: Transfers DoF’s existing power to appoint the External Auditor of the Audit Office, to the Northern Ireland Assembly Audit Committee</p> <p>Aim: To enhance independence and improved financial governance arrangements</p>

Source: RaISe 2025; relying on [Administrative and Financial Provisions Bill](#), the accompanying [Explanatory and Financial Memorandum](#) and the Northern Ireland Assembly [Official Report](#) at Second Stage of the Bill on 1 July 2025

Appendix 3: Additional information concerning Clause 3

On [26 March 2025](#), a TEO official advised at a Committee for TEO meeting in response to a Member's query about TEO's role in terms of FTC funding to universities. The official stated:⁶¹

...At the start, when these loans were being put in place, the Department of Finance and the Department for the Economy did not have the legal authority to administer the loans themselves. Advice from the Departmental Solicitor's Office (DSO) clarified that SIB has a sufficiently wide remit to administer the loans. The temporary agreement in the meantime has been that the funding is administered to the private sector via SIB, because it possesses the legal vires to do that. At the moment, for example, a financial provisions bill is being progressed by the Department of Finance. That will put the legislation in place to give those powers to the Department of Finance and the Department for the Economy, so that the loans will transfer to those Departments at that point. Therefore, this will move away. It is a temporary arrangement to allow delivery of the FTC, because it needs to be provided at arm's-length to a private-sector body. It cannot be spent by public-sector bodies. That is part of the conditions and terms of the Treasury stipulation around the loan funding.

⁶¹<https://aims.niassembly.gov.uk/officialreport/minutesofevidencereport.aspx?AgendaId=35652&evidID=17853>