

Financial Provisions Bill

[AS INTRODUCED]

CONTENTS

1. Absolute privilege for reports of Comptroller and Auditor General
2. Expenditure for consumer purposes
3. Expenditure relating to social economy enterprises
4. Costs of district rates collection
5. Repeal of requirement to prepare Finance Accounts
6. Short title

Schedule Repeals

A

B I L L

TO

Confer absolute privilege on certain reports of the Comptroller and Auditor General for Northern Ireland; to enable the Department of Enterprise, Trade and Investment to incur expenditure for certain purposes; to provide for the costs of district rates collection to be charged on and issued out of the Consolidated Fund to the Department of Finance and Personnel; and to repeal the requirement on the Department of Finance and Personnel to prepare Finance Accounts.

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

Absolute privilege for reports of Comptroller and Auditor General

1.—(1) This section applies to any report which is authorised or required by any statutory provision to be made by the Comptroller and Auditor General for Northern Ireland.

5 (2) For the purposes of the law of defamation, absolute privilege attaches to the publication by any person of a report to which this section applies.

Expenditure for consumer purposes

2.—(1) The Department of Enterprise, Trade and Investment may incur expenditure for the purpose of assisting—

- 10 (a) activities which that Department considers are of benefit to consumers;
- (b) the provision of—
- (i) advice or information about consumer matters;
 - (ii) educational materials relating to consumer matters;
 - (iii) advice or information to that Department in connection with the
- 15 formulation of policy in respect of consumer matters.

(2) In particular that Department may provide financial assistance to any person for the purpose mentioned in subsection (1).

(3) In subsection (2) “financial assistance” means assistance by way of grants or loans on such conditions (including conditions as to repayment) as that Department may determine.

Expenditure relating to social economy enterprises

3.—(1) The Department of Enterprise, Trade and Investment may incur expenditure— 5

(a) for any purpose calculated to contribute to the development of the activities of social economy enterprises or otherwise be of benefit to such enterprises;

(b) for the provision of— 10

(i) advice or information about the activities of social economy enterprises;

(ii) educational materials relating to such activities or such enterprises;

(iii) advice or information to that Department in connection with the formulation of policy in respect of such activities or such enterprises. 15

(2) In particular that Department may provide financial assistance to any person for any purpose mentioned in subsection (1).

(3) In this section—

“financial assistance” means assistance by way of grants or loans on such conditions (including conditions as to repayment) as that Department may determine; 20

“social economy enterprise” means a body whose activities are, in the opinion of that Department—

(a) conducted as a business; but

(b) are so conducted primarily for social, environmental or ethical purposes or for other purposes beneficial to the community rather than for profit. 25

Costs of district rates collection

4.—(1) In respect of each financial year there shall be charged on and issued out of the Consolidated Fund to the Department of Finance and Personnel an amount equal to the costs of district rates collection in that year. 30

(2) For the purposes of subsection (1) “the costs of district rates collection” in any financial year is the total of the amounts which are deducted in respect of that year by way of the costs of collection under—

(a) paragraph 2 of Schedule 1 to the Rates Regulations (Northern Ireland) 2007 (No. 61); and 35

(b) paragraph 2 of Schedule 2 to those Regulations,

in determining the sums payable to district councils under Article 34(1) of the Rates (Northern Ireland) Order 1977 (NI 28) in respect of the products of the rates made by those councils in that year. 40

(3) Regulations under Article 34 or 35 of the Rates (Northern Ireland) Order 1977 may amend subsection (2).

(4) This section applies in respect of any financial year ending after this section comes into operation.

Repeal of requirement to prepare Finance Accounts

5 **5.**—(1) Section 10 of the Exchequer and Financial Provisions Act (Northern Ireland) 1950 (c. 3) (which requires the Department of Finance and Personnel to prepare Finance Accounts) shall cease to have effect.

(2) The statutory provisions set out in the Schedule are repealed to the extent specified in the second column of the Schedule.

Short title

10 **6.** This Act may be cited as the Financial Provisions Act (Northern Ireland) 2009.

Financial Provisions

Section 5.

SCHEDULE

REPEALS

Short Title	Extent of repeal	
The Exchequer and Financial Provisions Act (Northern Ireland) 1950 (c. 3)	Section 10.	5
The Agricultural Marketing Act (Northern Ireland) 1964 (c. 13)	Section 20(4).	10
The Financial Provisions (Northern Ireland) Order 1991 (NI 6)	In Schedule 1, paragraph 1.	
The Government Resources and Accounts Act (Northern Ireland) 2001 (c. 6)	In Schedule 1, paragraph 2(12).	15