

Armed Forces and Veterans Bill

[AS INTRODUCED]

CONTENTS

1. General duty to have due regard to the impact of the exercise of functions on the services community
2. Co-ordinators
3. Consultation with United Kingdom and devolved authorities
4. Service Personnel and Veterans Charter
5. Reports
6. Interpretation
7. Commencement
8. Short title

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TO

Provide for the benefit of personnel and veterans of the naval, military or air forces of the Crown and their families.

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

General duty to have due regard to the impact of the exercise of functions on the services community

5 1.—(1) An authority to which this section applies shall, in carrying out its functions insofar as they relate to Northern Ireland, have due regard to the impact the exercise of such functions is likely to have on members of the services community or on members of the families of members of the services community in Northern Ireland.

(2) The authorities to which this section applies are—

- 10 (a) a Northern Ireland department;
- (b) a district council;
- (c) an education and library board;
- (d) a health and social care trust; and
- (e) the Northern Ireland Housing Executive.

15 (3) The Department of Finance and Personnel may by regulations add authorities to or remove authorities from the list of authorities in section 1(2).

(4) Regulations under this section shall be subject to negative resolution.

Co-ordinators

2.—(1) A Northern Ireland department shall appoint a senior officer of that department as that department's co-ordinator.

20 (2) A co-ordinator's duty shall be to take responsibility for identifying and addressing matters affecting members of the services community and members of

families of members of the services community insofar as such matters relate to the work of the co-ordinator's department.

(3) In discharging the duty referred to in subsection (2), a co-ordinator shall have regard to any guidance issued by the Department of Finance and Personnel.

Consultation with United Kingdom and devolved authorities 5

3.—(1) A Northern Ireland department shall consult the relevant minister before exercising a function which, if exercised, might impede the achievement of consistent treatment, in relation to equivalent functions exercised in England, Wales and Scotland of—

- (a) a member of the services community who is required to change residence in the discharge of that member's duties as a member of the service community; and 10
- (b) a member of the family of a member of the services community, such a member of the services community being within the meaning of subparagraph (a). 15

(2) The "relevant minister" in this section means—

- (a) in the case of an equivalent function which is a devolved Welsh function, the Welsh Minister responsible for the exercise of such function in Wales;
- (b) in the case of an equivalent function which is a devolved Scottish function, the Scottish Minister responsible for the exercise of such function in Scotland; 20
- (c) in any other case to which subsection (1) applies, the Minister of the Crown responsible for the exercise of the equivalent function.

(3) For the purpose of this section—

- (a) a function is a devolved Welsh function if it relates to a matter in respect of which functions are exercisable by the Welsh Ministers; 25
- (b) a function is a devolved Scottish function if it is exercisable in or as regards Scotland and it does not relate to reserved matters (within the meaning of the Scotland Act 1998).

Service Personnel and Veterans Charter 30

4.—(1) The Department of Finance and Personnel shall publish not later than one year after this Act comes into operation and maintain a Service Personnel and Veterans Charter for Northern Ireland ("the Veterans Charter") for promoting the civilian interests of members of the services community and members of the families of members of the services community. 35

(2) The Department of Finance and Personnel shall from time to time update the Veterans Charter.

(3) A Northern Ireland department shall co-operate with the Department of Finance and Personnel in the preparation of and in updating the Veterans Charter.

Reports 40

5.—(1) The Department of Finance and Personnel may from time to time require a Northern Ireland department to provide it with a report on the progress

the department has made in discharging its duties under sections 1, 2, 3 and 4 of this Act.

5 (2) The Department of Finance and Personnel shall provide the Ministry of Defence from time to time with a report on the progress each Northern Ireland department has made in discharging its duties under sections 1, 2, 3 and 4 of this Act.

Interpretation

6.—(1) In this Act, unless the context otherwise requires—

10 “cohabitant” means a man or a woman who, although not married or in a civil partnership, lives with a man or woman as husband or wife or, if of the same sex, in an equivalent relationship;

“member of the services community” means—

15 (a) a person who is a member of any of the naval, military or air forces of the Crown; or

(b) a person who has been a member of any of the naval, military or air forces of the Crown and who has not been discharged as a result of a sentence by court martial or as a result of misconduct;

“Minister of the Crown” means the holder of an office in Her Majesty’s Government in the United Kingdom;

20 “Northern Ireland department” means a department set out in Schedule 1 to the Departments (Northern Ireland) Order 1999;

“Scottish Minister” means a minister appointed under section 47 of the Scotland Act 1998;

25 “Welsh Ministers” means the First Minister within the meaning of the Government of Wales Act 2006 and the ministers appointed under section 48 of the Government of Wales Act 2006.

(2) A person is a member of the family of a member of the services community within the meaning of this Act if that person is the spouse, civil partner, cohabitant or dependent child of the member of the services community.

30 **Commencement**

7. This Act comes into operation on Royal Assent.

Short title

8. This Act may be cited as the Armed Forces and Veterans Act (Northern Ireland) 2010.