

## **EXPLANATORY MEMORANDUM TO**

### **The Departments (Transfer of Functions) Order (Northern Ireland 2010**

#### **SR 2010 No. 362**

#### **1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Office of the First Minister and Deputy First Minister to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Article 8 of the Departments (Northern Ireland) Order 1999 and is subject to the affirmative resolution procedure.

#### **2. Purpose**

- 2.1. The order transfers certain functions of the Department of the Environment in relation to sustainable development policy granted under s.25 of the Northern Ireland (Miscellaneous Provisions) Act 2006 to the Office of the First Minister and Deputy First Minister.

#### **3. Background**

- 3.1. Policy responsibility for sustainable development was transferred from the Department of the Environment to the Office of the First Minister and Deputy First Minister on an administrative basis in July 2006. s.25 of the Northern Ireland (Miscellaneous Provisions) Act 2006 provides, inter alia, that public authorities shall, in fulfilling a statutory duty in relation to the implementation of sustainable development, have regard to any Strategy in relation to sustainable development published by the Department of the Environment.
- 3.2. A new Sustainable Development Strategy having been published by the Office of the First Minister and Deputy First Minister it is necessary to amend that provision to refer instead to a Strategy published by the Office of the First Minister and Deputy First Minister.

#### **4. Consultation**

- 4.1. No consultation has been undertaken, as the proposed transfer of function is intended to preserve the current policy and regulatory situation with respect to sustainable development and constitutes only a technical, administrative change.

#### **5. Equality Impact**

- 5.1. Equality impacts associated with the provisions of s.25 were assessed during the development phase of that legislation and found to be neutral. An equality impact screening assessment has been conducted in respect of this Statutory Rule and no impacts have been identified.

#### **6. Regulatory Impact**

- 6.1. There is no anticipated change in the regulatory environment as a consequence of this legislation, and no anticipated associated costs or savings.

## **7. Financial Implications**

7.1. There are no identified financial implications.

## **8. Section 24 of the Northern Ireland Act 1998**

8.1. This legislation does not introduce any new power, duty, regulation or sanction in respect of any person and is not, therefore, anticipated to have any impact in respect of community law, convention rights or entrenched enactments. It does not discriminate against any person or class of person on the grounds of religious belief or political opinion.

## **9. EU Implications**

9.1. Not applicable

## **10. Parity or Replicatory Measure**

10.1. Not applicable

## **11. Additional Information**

11.1. Not applicable