

*These notes refer to the Northern Ireland (Miscellaneous Provisions)  
Act 2006 (c.33) which received Royal Assent on 25th July 2006*

# NORTHERN IRELAND (MISCELLANEOUS PROVISIONS) ACT 2006

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 4: Devolution of Policing and Justice Etc.**

##### ***Section 18: Power of Assembly to call for witnesses and documents***

81. This section amends section 44 of the 1998 Act, which deals with the Assembly's power to call witnesses and require the production of documents. The amendment prevents the Assembly from calling (current or former) Ministers of the Crown or civil servants to give evidence or to produce documents in relation to:
- the discharge of functions devolved by an Order in Council under section 4 of the 1998 Act during the period before they were devolved;
  - the discharge of statutory functions transferred from a Minister of the Crown to a Northern Ireland department or Minister during the period before they were transferred. (This would cover, for example, functions transferred under the new section 86A of the 1998 Act inserted by section 19.)
82. [Section 44](#) already makes similar provision in relation to the discharge of any functions during the period before devolution on the "appointed day" (i.e. 2 December 1999) or during a period of suspension. The change is designed to be consistent with the existing principle that the Assembly should have competence only in relation to transferred matters.