
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision allowing the Secretary of State to ensure that the recommendations in paragraphs 85 and 86 of the CEDAW report (“the CEDAW recommendations”) are implemented in respect of Northern Ireland.

Regulation 2 amends the Abortion (Northern Ireland) Regulations 2021 (S.I. 2021/365), which provided for a power to direct relevant persons to take action where the Secretary of State considers the action to be required for the purpose of implementing the CEDAW recommendations. The amendment has the effect that such a direction must be complied with even if the matter has not been discussed or agreed by the Executive Committee. Regulation 2 also makes a further amendment to the same Regulations in consequence of the Health and Social Care Act (Northern Ireland) 2022 (c. 3 (N.I.)), which provides for the dissolution of the Regional Health and Social Care Board and the continuing existence of Local Commissioning Groups as unincorporated bodies.

The CEDAW report means the Report of the Inquiry concerning the United Kingdom of Great Britain and Northern Ireland under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women published on 6 March 2018 (CEDAW/C/OP.8/GBR/1). The CEDAW report is available at the following website:

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fOP.8%2fGBR%2f1&Lang=en

A hard copy of the report may be requested in writing from the Northern Ireland Office, Erskine House, 20-32 Chichester Street, Belfast BT1 4GF.

Regulation 3 provides that where health and social care has been commissioned which implements any of the CEDAW recommendations, the Department of Health must allocate to it the financial resources necessary for the CEDAW recommendations to be implemented. The Department of Health must do so even if a decision about the allocation of financial resources has not been discussed or agreed by the Executive Committee.

Regulation 4 confers on the Secretary of State the power to do anything that a Northern Ireland Minister or department is able to do for the purpose of ensuring the CEDAW recommendations are implemented.

Regulation 5 provides that the Secretary of State may provide financial assistance for the purpose of ensuring the CEDAW recommendations are implemented.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.