
STATUTORY INSTRUMENTS

1999 No. 859

The North/South Co-operation (Implementation Bodies) (Northern Ireland) Order 1999

PART I
INTRODUCTORY

Title, commencement and extent

1.—(1) This Order may be cited as the North/South Co-operation (Implementation Bodies) (Northern Ireland) Order 1999.

(2) This Order shall come into force on the appointed day⁽¹⁾.

(3) This Order does not extend to England and Wales or Scotland.

Interpretation

2.—(1) In this Order “NSMC” means the North/South Ministerial Council.

(2) References in this Order to things done by NSMC are references to things done in pursuance of an agreement or arrangement entered into in NSMC in accordance with Part V of the Northern Ireland Act 1998 and the Belfast Agreement⁽²⁾.

(3) In this Order “the Comptroller and Auditor General” means the Comptroller and Auditor General for Northern Ireland.

The Agreement

3.—(1) In this Order “the Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing implementation bodies done at Dublin on the 8th day of March 1999.

(2) The text of the Agreement is set out in Schedule 1.

(3) In this Order any reference to a provision of the Agreement is a reference to that provision as set out in Schedule 1; and in any such provision references to things done by NSMC shall be construed in accordance with Article 2(2).

(1) “the appointed day” is defined in section 3(1) of the Northern Ireland Act 1998.

(2) “the Belfast Agreement” is defined in section 98(1) of the Northern Ireland Act 1998.

PART II

INLAND WATERWAYS

The implementation body for inland waterways

4.—(1) In this Part “the Body” means Waterways Ireland established by the Agreement.

(2) The functions of the Body shall, in accordance with paragraph 1 of Article 2 of the Agreement, be those specified in Part 1 of Annex 1 to the Agreement.

(3) The arrangements specified in Parts 1 and 7 of Annex 2 to the Agreement shall, in accordance with paragraph 2 of Article 2 of the Agreement, apply in relation to the Body.

(4) Paragraph 1 of Article 3 of the Agreement shall apply in relation to the Body.

(5) Schedule 2 shall have effect in relation to the Body.

Transfer to the body of existing statutory functions

5.—(1) The functions exercisable immediately before the appointed day by the Department of Culture, Arts and Leisure—

- (a) under or for the purposes of the enactments set out in paragraph 2 of Schedule 3; and
- (b) in relation to the waterway mentioned in paragraph 1.1(a) of Part 1 of Annex 2 to the Agreement,

shall as from that day be exercisable by the Body.

(2) The functions exercisable immediately before 1st April 2000 by the Department of Culture, Arts and Leisure—

- (a) under or for the purposes of the enactments set out in Schedule 3; and
- (b) in relation to the waterways mentioned in paragraph 1.2 of Part 1 of Annex 2 to the Agreement,

shall as from that day be exercisable by the Body.

(3) The functions exercisable by the Department of Culture, Arts and Leisure immediately before the day specified by NSMC in accordance with paragraph 1.3 of Part 1 of Annex 2 to the Agreement—

- (a) under or for the purposes of the enactments set out in Schedule 3; and
- (b) in relation to the waterway mentioned in paragraph 1.3 of Part 1 of Annex 2 to the Agreement,

shall as from that day be exercisable by the Body.

(4) The functions exercisable by the Department of Culture, Arts and Leisure immediately before the prescribed day—

- (a) under or for the purposes of the enactments set out in Schedule 3; and
- (b) in relation to a prescribed waterway,

shall as from that day be exercisable by the Body.

(5) In paragraph (4) “prescribed” means prescribed by an order made by the Minister of Culture, Arts and Leisure in pursuance of a decision of NSMC under paragraph 1.4 of Part 1 of Annex 2 to the Agreement; and any such order may amend Schedule 3 by the addition of any enactment.

(6) An order under paragraph (5) shall—

(a) be a statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979(3); and

(b) be subject to negative resolution, within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954(4).

(7) Schedule 4 (which makes supplementary and transitional provisions in connection with the preceding provisions of this Article) shall have effect.

Grants to the body

6.—(1) The Department of Culture, Arts and Leisure may make grants to the Body out of money appropriated by Act of the Assembly.

(2) Such grants shall be of such amounts and be made on such terms and conditions as that Department may, with the approval of the Department of Finance and Personnel, determine.

Annual report and accounts

7. The Minister of Culture, Arts and Leisure shall lay before the Assembly a copy of—

(a) the annual report of the Body;

(b) the annual statement of accounts of the Body, certified by the Comptroller and Auditor General; and

(c) any report of the Comptroller and Auditor General on the statement of accounts.

PART III

FOOD SAFETY

The implementation body for food safety

8.—(1) In this Part “the Body” means the Food Safety Promotion Board established by the Agreement.

(2) The functions of the Body shall, in accordance with paragraph 1 of Article 2 of the Agreement, be those specified in Part 2 of Annex 1 to the Agreement.

(3) The arrangements specified in Parts 2 and 7 of Annex 2 to the Agreement shall, in accordance with paragraph 2 of Article 2 of the Agreement, apply in relation to the Body.

(4) Paragraph 1 of Article 3 of the Agreement shall apply in relation to the Body.

(5) Schedule 2 shall have effect in relation to the Body.

Grants to the body

9.—(1) The Department of Health, Social Services and Public Safety may make grants to the Body out of money appropriated by Act of the Assembly.

(2) Such grants shall be of such amounts and be made on such terms and conditions as that Department may, with the approval of the Department of Finance and Personnel, determine.

(3) S.I.1979/1573 (N.I. 12).

(4) 1954 c. 33 (N.I.).

Annual report and accounts

10. The Minister of Health, Social Services and Public Safety shall lay before the Assembly a copy of—

- (a) the annual report of the Body;
- (b) the annual statement of accounts of the Body, certified by the Comptroller and Auditor General; and
- (c) any report of the Comptroller and Auditor General on the statement of accounts.

PART IV

TRADE AND BUSINESS DEVELOPMENT

The implementation body for trade and business development

11.—(1) In this Part “the Body” means the Trade and Business Development Body established by the Agreement.

(2) The functions of the Body shall, in accordance with paragraph 1 of Article 2 of the Agreement, be those specified in Part 3 of Annex 1 to the Agreement.

(3) The arrangements specified in Parts 3 and 7 of Annex 2 to the Agreement shall, in accordance with paragraph 2 of Article 2 of the Agreement, apply in relation to the Body.

(4) Paragraph 1 of Article 3 of the Agreement shall apply in relation to the Body.

(5) Schedule 2 shall have effect in relation to the Body.

Grants to the body

12.—(1) The Department of Enterprise, Trade and Investment may make grants to the Body out of money appropriated by Act of the Assembly.

(2) Such grants shall be of such amounts and be made on such terms and conditions as that Department may, with the approval of the Department of Finance and Personnel, determine.

Annual report and accounts

13. The Minister of Enterprise, Trade and Investment shall lay before the Assembly a copy of—

- (a) the annual report of the Body;
- (b) the annual statement of accounts of the Body, certified by the Comptroller and Auditor General; and
- (c) any report of the Comptroller and Auditor General on the statement of accounts.

PART V

SPECIAL EU PROGRAMMES

The implementation body for special EU programmes

14.—(1) In this Part “the Body” means the Special EU Programmes Body established by the Agreement.

(2) The functions of the Body shall, in accordance with paragraph 1 of Article 2 of the Agreement, be those specified in Part 4 of Annex 1 to the Agreement.

(3) The arrangements specified in Parts 4 and 7 of Annex 2 to the Agreement shall, in accordance with paragraph 2 of Article 2 of the Agreement, apply in relation to the Body.

(4) Paragraph 1 of Article 3 of the Agreement shall apply in relation to the Body.

(5) Schedule 2 shall have effect in relation to the Body.

Grants to the body

15.—(1) The Department of Finance and Personnel may make grants to the Body of such amounts and on such terms and conditions as it may determine.

(2) Any other Northern Ireland department may make grants to the Body of such amounts and on such terms and conditions as it may, with the approval of the Department of Finance and Personnel, determine.

(3) Grants under this Article shall be made out of money appropriated by Act of the Assembly.

Annual report and accounts

16. The Minister of Finance and Personnel shall lay before the Assembly a copy of—

(a) the annual report of the Body;

(b) the annual statement of accounts of the Body, certified by the Comptroller and Auditor General; and

(c) any report of the Comptroller and Auditor General on the statement of accounts.

PART VI LANGUAGE

The implementation body for language

17.—(1) In this Part “the Body” means the North/South Language Body established by the Agreement.

(2) The functions of the Body shall, in accordance with paragraph 1 of Article 2 of the Agreement, be those specified in Part 5 of Annex 1 to the Agreement.

(3) The arrangements specified in Parts 5 and 7 of Annex 2 to the Agreement shall, in accordance with paragraph 2 of Article 2 of the Agreement, apply in relation to the Body.

(4) Paragraph 1 of Article 3 of the Agreement shall apply in relation to the Body.

(5) Schedule 2 shall have effect in relation to the Body.

Grants to the body

18.—(1) The Department of Culture, Arts and Leisure may make grants to the Body out of money appropriated by Act of the Assembly.

(2) Such grants shall be of such amounts and be made on such terms and conditions as that Department may, with the approval of the Department of Finance and Personnel, determine.

Annual report and accounts

19. The Minister of Culture, Arts and Leisure shall lay before the Assembly a copy of—
- (a) the annual report of the Body;
 - (b) the annual statement of accounts of the Body, certified by the Comptroller and Auditor General; and
 - (c) any report of the Comptroller and Auditor General on the statement of accounts.

PART VII

AQUACULTURE AND MARINE MATTERS

The implementation body for aquaculture and marine matters

20.—(1) In this Part “the Body” means the Foyle, Carlingford and Irish Lights Commission established by the Agreement.

(2) The functions of the Body shall, in accordance with paragraph 1 of Article 2 of the Agreement, be those specified in Part 6 of Annex 1 to the Agreement.

(3) The arrangements specified in Parts 6 and 7 of Annex 2 to the Agreement shall, in accordance with paragraph 2 of Article 2 of the Agreement, apply in relation to the Body.

(4) Paragraph 1 of Article 3 of the Agreement shall apply in relation to the Body.

(5) Schedule 2 shall have effect in relation to the Body.

Transfer to the body of existing statutory functions

21.—(1) The functions exercisable immediately before the appointed day by the Foyle Fisheries Commission shall as from that day be exercisable by the Body.

(2) The Foyle Fisheries Commission is hereby dissolved.

(3) The Foyle Fisheries Act (Northern Ireland) 1952⁽⁵⁾ (in this Part referred to as “the 1952 Act”) shall apply in relation to the Carlingford Area as it applies in relation to the Foyle Area and accordingly the functions of the Body shall be exercisable in relation to the Carlingford Area as they are exercisable in relation to the Foyle Area.

(4) In this Part “the Carlingford Area” has the meaning assigned to it by section 3(1A) of the 1952 Act (as inserted by Schedule 6 to this Order).

(5) Schedule 5 (which makes supplementary and transitional provisions in connection with the preceding provisions of this Article) shall have effect.

Grants to the body

22.—(1) The Department of Agriculture and Rural Development may make grants to the Body out of money appropriated by Act of the Assembly.

(2) Such grants shall be of such amounts and be made on such terms and conditions as that Department may, with the approval of the Department of Finance and Personnel, determine.

(5) 1952 c. 5 (N.I.)

Annual report and accounts

23. The Minister of Agriculture and Rural Development shall lay before the Assembly a copy of—

- (a) the annual report of the Body;
- (b) the annual statement of accounts of the Body, certified by the Comptroller and Auditor General; and
- (c) any report of the Comptroller and Auditor General on the statement of accounts.

Consequential amendments and repeals

24.—(1) The statutory provisions set out in Schedule 6 shall have effect subject to the amendments specified therein, being amendments consequential on this Part.

(2) The statutory provisions set out in Schedule 7 are hereby repealed to the extent specified in column 3 of that Schedule.

Northern Ireland Office
10th March 1999

Marjorie Mowlam
One of Her Majesty's Principal Secretaries of
State