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STATUTORY INSTRUMENTS

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**1999 No. 859**

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

**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(1); and
- (b) be subject to negative resolution, within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954(2).

(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.

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

(2) 1954 c. 33 (N.I.)