



Northern Ireland Act 1998

1998 CHAPTER 47

PART V

NSMC, BIC, BIIC ETC.

52 North-South Ministerial Council and British-Irish Council

- (1) The First Minister and the deputy First Minister acting jointly shall make such nominations of Ministers and junior Ministers (including where appropriate alternative nominations) as they consider necessary to ensure—
 - (a) such cross-community participation in the North-South Ministerial Council as is required by the Belfast Agreement; and
 - (b) such cross-community participation in the British-Irish Council as is so required.
- (2) It shall be a Ministerial responsibility of a Minister or junior Minister nominated under subsection (1)(a) or (b) to participate in the Council concerned in such meetings or activities as are specified in the nomination.
- (3) Without prejudice to the operation of section 24, such a Minister or junior Minister shall act in accordance with any decisions of the Assembly or the Executive Committee which are relevant to his participation in the Council concerned.
- (4) A Minister may in writing authorise a Minister or junior Minister who has been nominated under subsection (1)(a) or (b) to enter into agreements or arrangements in respect of matters for which he is responsible.
- (5) The First Minister and the deputy First Minister acting jointly shall, as far in advance of each meeting of either Council as is reasonably practicable, give to the Executive Committee and to the Assembly the following information in relation to the meeting—
 - (a) the date;
 - (b) the agenda; and
 - (c) nominations made under subsection (1) for the purposes of the meeting.

Status: This is the original version (as it was originally enacted).

- (6) A Minister or junior Minister who participates in a meeting of either Council by reason of a nomination under this section shall, as soon as reasonably practicable after the meeting, make a report—
 - (a) to the Executive Committee; and
 - (b) to the Assembly.
- (7) A report under subsection (6)(b) shall be made orally unless standing orders authorise it to be made in writing.
- (8) The Northern Ireland contributions towards the expenses of the Councils shall be defrayed as expenses of the Department of Finance and Personnel.
- (9) In this section “participate” shall be construed—
 - (a) in relation to the North-South Ministerial Council, in accordance with paragraphs 5 and 6 of Strand Two of the Belfast Agreement;
 - (b) in relation to the British-Irish Council, in accordance with the first paragraph 5 of Strand Three of that Agreement.

53 Agreements etc. by persons participating in Councils

- (1) This section applies to any agreement or arrangement entered into by a Minister or junior Minister participating, by reason of a nomination under section 52, in a meeting of the North-South Ministerial Council or the British-Irish Council.
- (2) Provision may be made by Act of the Assembly for giving effect to any agreement or arrangement to which this section applies, including provision—
 - (a) for transferring to any body designated by or constituted under the agreement or arrangement any functions which would otherwise be exercisable by any Minister or Northern Ireland department;
 - (b) for transferring to a Minister or Northern Ireland department any functions which would otherwise be exercisable by any authority outside Northern Ireland.
- (3) Subsection (2) has effect notwithstanding anything in subsection (2)(a) of section 6; but it does not affect—
 - (a) the operation of subsection (2)(b) to (f) of that section; or
 - (b) the operation of section 8 or 15 in relation to the enactment of any Act of the Assembly.
- (4) No agreement or arrangement to which this section applies entered into for the establishment after the appointed day of an implementation body shall come into operation without the approval of the Assembly.
- (5) In subsection (4) “implementation body” means a body for implementing, on the basis mentioned in paragraph 11 of Strand Two of the Belfast Agreement, policies agreed in the North-South Ministerial Council.

54 British-Irish Intergovernmental Conference

- (1) This section applies where excepted or reserved matters relating to Northern Ireland are to be discussed at a meeting of the British-Irish Intergovernmental Conference.

- (2) The First Minister and the deputy First Minister acting jointly shall ensure that there is such cross-community attendance by Ministers and junior Ministers at the meeting as is required by the Belfast Agreement.

55 Implementation bodies

- (1) The Secretary of State may make an order about any body—
- (a) which he considers to be an implementation body; and
 - (b) which is, or is to be, established on or before the appointed day.
- (2) An order under this section may make any such provision as may be made (after the appointed day) by Act of the Assembly and may in particular—
- (a) confer on the body the legal capacities of a body corporate;
 - (b) confer on the body any function which the Secretary of State considers necessary or expedient for the purpose for which it is, or is to be, established;
 - (c) confer on a Northern Ireland department power to make grants to the body out of money appropriated by Act of the Assembly;
 - (d) make provision as to the accounting and audit arrangements which are to apply in relation to the body; and
 - (e) make consequential or supplementary provisions, including provisions amending or repealing any Northern Ireland legislation, or any instrument made under such legislation.
- (3) In this section “implementation body” means a body for implementing, on the basis mentioned in paragraph 11 of Strand Two of the Belfast Agreement, policies agreed in the North-South Ministerial Council.

56 Civic Forum

- (1) The First Minister and the deputy First Minister acting jointly shall make arrangements for obtaining from the Forum its views on social, economic and cultural matters.
- (2) The arrangements so made shall not take effect until after they have been approved by the Assembly.
- (3) The expenses of the Forum shall be defrayed as expenses of the Department of Finance and Personnel.
- (4) In this section “the Forum” means the consultative Civic Forum established in pursuance of paragraph 34 of Strand One of the Belfast Agreement by the First Minister and the deputy First Minister acting jointly.