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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 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<sup>(1)</sup>.

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

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**Commencement Information**

**I1** [Art. 1](#) in force at 2.12.1999, see [art. 1\(2\)](#)

**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<sup>(2)</sup>.

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

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**Commencement Information**

**I2** [Art. 2](#) in force at 2.12.1999, see [art. 1\(2\)](#)

**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.

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(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.

(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).

[<sup>F1</sup>(4) In this Order “the supplementary Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland constituted by the exchange of letters dated 18 June 1999, the texts of which are set out in Schedule 1A.]

[<sup>F2</sup>(5) In this Order “the further supplementary Agreement” means the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland constituted by the exchange of letters dated 25th July 2006, the texts of which are set out in Schedule 1B]

- F1** Art. 3(4) inserted (2.12.1999) by [The North/South Co-operation \(Implementation Bodies\) \(Amendment\) \(Northern Ireland\) Order 1999 \(S.I. 1999/2062\)](#), arts. 1(2), **2(2)**; S.I. 1999/3208, art. 2
- F2** Art. 3(5) inserted (13.6.2007) by [The North/South Co-operation \(Implementation Bodies\) \(Amendment\) \(Northern Ireland\) Order 2007 \(S.I. 2007/1719\)](#), arts. 1(2), **2(2)**

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**Commencement Information**

- I3** [Art. 3](#) in force at 2.12.1999, see [art. 1\(2\)](#)

## 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.

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**Commencement Information**

- I4** [Art. 4](#) in force at 2.12.1999, see [art. 1\(2\)](#)

#### 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 [<sup>F3</sup>Department for Infrastructure] 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 [<sup>F4</sup>Department for Infrastructure] 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 [<sup>F5</sup>Department for Infrastructure] 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.

**F3** Words in art. 5(3) substituted (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), [Sch. 6 para. 22\(2\)](#) (with art. 9(2))

**F4** Words in art. 5(4) substituted (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), [Sch. 6 para. 22\(2\)](#) (with art. 9(2))

**F5** Words in art. 5(5) substituted (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), [Sch. 6 para. 22\(3\)](#) (with art. 9(2))

#### Commencement Information

**I5** [Art. 5](#) in force at 2.12.1999, see [art. 1\(2\)](#)

### 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.

(3) [S.I.1979/1573 \(N.I. 12\)](#).

(4) [1954 c. 33 \(N.I.\)](#)

(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.

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**Commencement Information**

**I6** Art. 6 in force at 2.12.1999, see [art. 1\(2\)](#)

**Annual report and accounts**

7. The [<sup>F6</sup>Department for Infrastructure] 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.

**F6** Words in [art. 7](#) substituted (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), [art. 1\(2\)](#), [Sch. 6 para. 23](#) (with [art. 9\(2\)](#))

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**Commencement Information**

**I7** Art. 7 in force at 2.12.1999, see [art. 1\(2\)](#)

## 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.

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**Commencement Information**

**I8** Art. 8 in force at 2.12.1999, see [art. 1\(2\)](#)

**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.

**Commencement Information**

**I9** Art. 9 in force at 2.12.1999, see [art. 1\(2\)](#)

**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.

**Commencement Information**

**I10** Art. 10 in force at 2.12.1999, see [art. 1\(2\)](#)

## 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.

**Commencement Information**

**I11** Art. 11 in force at 2.12.1999, see [art. 1\(2\)](#)

**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.

**Commencement Information**

**I12** Art. 12 in force at 2.12.1999, see [art. 1\(2\)](#)

### 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.

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#### Commencement Information

**I13** Art. 13 in force at 2.12.1999, see [art. 1\(2\)](#)

## 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) [<sup>F7</sup>Subject to paragraph (3A),] 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) [<sup>F8</sup>Subject to paragraph (3A),] 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.

[<sup>F9</sup>(3A) For the purposes of paragraphs (2) and (3), Part 4 of Annex 1 and Part 4 of Annex 2 to the Agreement shall be construed [<sup>F10</sup>in accordance with—

- (a) the supplementary Agreement; and
- (b) the further supplementary Agreement].]

(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.

**F7** Words in [art. 14\(2\)](#) inserted (2.12.1999) by [The North/South Co-operation \(Implementation Bodies\) \(Amendment\) \(Northern Ireland\) Order 1999](#) (S.I. 1999/2062), arts. 1(2), **2(3)**; S.I. 1999/3208, art. 2

**F8** Words in [art. 14\(3\)](#) inserted (2.12.1999) by [The North/South Co-operation \(Implementation Bodies\) \(Amendment\) \(Northern Ireland\) Order 1999](#) (S.I. 1999/2062), arts. 1(2), **2(3)**; S.I. 1999/3208, art. 2

**F9** [Art. 14\(3A\)](#) inserted (2.12.1999) by [The North/South Co-operation \(Implementation Bodies\) \(Amendment\) \(Northern Ireland\) Order 1999](#) (S.I. 1999/2062), arts. 1(2), **2(3)**; S.I. 1999/3208, art. 2

**F10** Words in [art. 14\(3A\)](#) substituted (13.6.2007) by [The North/South Co-operation \(Implementation Bodies\) \(Amendment\) \(Northern Ireland\) Order 2007](#) (S.I. 2007/1719), arts. 1(2), **2(3)**

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#### Commencement Information

**I14** Art. 14 in force at 2.12.1999, see [art. 1\(2\)](#)

## [F11] Implementation of PEACE PLUS

**14A.**—(1) This article applies during the period beginning with the day on which the Financing Agreement enters into force and ending with 1st July 2032.

(2) The Body has—

- (a) the functions of the managing authority, and
- (b) the accounting function.

(3) When exercising the functions referred to in paragraph (2), the Body must comply with—

- (a) the EU instruments listed in Part 1 of Schedule 4A (basic acts) including as amended or replaced from time to time, to the extent they are relevant to the programme,
- (b) the EU instruments listed in Part 2 of Schedule 4A (relevant delegated and implementing acts),
- (c) any EU instrument which enters into force after the making of the PEACE PLUS Programme (Northern Ireland) Regulations 2023 and which supplements or implements an EU instrument listed in Part 1 of Schedule 4A, to the extent that instrument is relevant to the programme, and
- (d) the terms of the Financing Agreement, including as amended from time to time.

(4) Before entering into a grant agreement with a beneficiary, the Body must ensure the terms of that agreement—

- (a) require the beneficiary to comply with the requirements of Article 6.3(2) of the Financing Agreement (which relate to visibility, communication and transparency activities),
- (b) meet the requirements of Article 11.3 of the Financing Agreement (which relate to certain intellectual property rights), and
- (c) meet the requirements of Article 11.4 of the Financing Agreement (which relate to the retention and availability of documents).

(5) In this article—

“accounting function” has the meaning given by Article 76 of Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (“Regulation (EU) 2021/1060”);

“beneficiary” has the meaning given by Article 2(9) of Regulation (EU) 2021/1060;

“Financing Agreement” means the Financing Agreement between the United Kingdom of Great Britain and Northern Ireland, Ireland and the European Commission on the PEACE PLUS Programme 2021-2027, done in Brussels on the 13th and 15th March 2023;

“functions of the managing authority” mean those functions conferred on the managing authority by—

- (a) the EU instruments listed in Part 1 of Schedule 4A, including as amended or replaced from time to time, and
- (b) the Financing Agreement, including as amended from time to time;

“grant agreement” means a document setting out the conditions for support in accordance with Article 22(6) of Regulation (EU) 2021/1059 of the European Parliament and of the Council of 24 June 2021 on specific provisions for the European territorial cooperation goal (Interreg)

supported by the European Regional Development Fund and external financing instruments (“Regulation (EU) 2021/1059”);

“programme” means the Interreg cross-border cooperation programme PEACE PLUS for the programming period 2021 to 2027, as approved by Commission Implementing Decision C(2022) 4931 of 8 July 2022, including as amended from time to time in accordance with Article 19 of Regulation (EU) 2021/1059.]

**F11** [Art. 14A](#) inserted (18.5.2023) by [The PEACE PLUS Programme \(Northern Ireland\) Regulations 2023 \(S.I. 2023/477\)](#), regs. 1(2), **2(2)**

### 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.

#### Commencement Information

**I15** [Art. 15](#) in force at 2.12.1999, see [art. 1\(2\)](#)

### 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.

#### Commencement Information

**I16** [Art. 16](#) in force at 2.12.1999, see [art. 1\(2\)](#)

## 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.

**Commencement Information**

**I17** Art. 17 in force at 2.12.1999, see **art. 1(2)**

**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.

**Commencement Information**

**I18** Art. 18 in force at 2.12.1999, see **art. 1(2)**

**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.

**Commencement Information**

**I19** Art. 19 in force at 2.12.1999, see **art. 1(2)**

## 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.

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**Commencement Information**

**I20** Art. 20 in force at 2.12.1999, see [art. 1\(2\)](#)

**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.

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**Commencement Information**

**I21** Art. 21 in force at 2.12.1999, see [art. 1\(2\)](#)

**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.

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**Commencement Information**

**I22** Art. 22 in force at 2.12.1999, see [art. 1\(2\)](#)

**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.

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**Commencement Information**

**I23** Art. 23 in force at 2.12.1999, see [art. 1\(2\)](#)

### 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.

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#### Commencement Information

**I24** [Art. 24](#) in force at 2.12.1999, see [art. 1\(2\)](#)

Northern Ireland Office

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

**Changes to legislation:**

There are currently no known outstanding effects for the The North/South Co-operation (Implementation Bodies) (Northern Ireland) Order 1999.