



# Identity and Language (Northern Ireland) Act 2022

## 2022 CHAPTER 45

### PART 1

#### NATIONAL AND CULTURAL IDENTITY AND LANGUAGE

#### 1 National and cultural identity

(1) In the Northern Ireland Act 1998 after Part 7 insert—

#### “PART 7A

#### NATIONAL AND CULTURAL IDENTITY

#### 78F National and cultural identity principles

- (1) A public authority must in carrying out functions relating to Northern Ireland have due regard to the national and cultural identity principles.
- (2) The “national and cultural identity principles” are—
  - (a) the principle that everybody in Northern Ireland is free to—
    - (i) choose, affirm, maintain and develop their national and cultural identity, and
    - (ii) express and celebrate that identity in a manner that takes account of the sensitivities of those with different national and cultural identities and respects the rule of law, and
  - (b) the principle that public authorities should encourage and promote reconciliation, tolerance and meaningful dialogue between those with different national and cultural identities with a view to promoting parity of esteem, mutual respect and understanding, and cooperation.

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*Status: This is the original version (as it was originally enacted).*

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- (3) In this Part, a reference to a person’s national and cultural identity is a reference to a person’s religious belief, political opinion or racial group.
- (4) In this section—
- “public authority” means an authority listed in Schedule 3 to the Public Services Ombudsman Act (Northern Ireland) 2016 (c. 4 (N.I.)), but does not include—
- (a) a body referred to in note 2 to Schedule 3 but not listed in that Schedule;
- (b) the Office of Identity and Cultural Expression (see section 78G);
- “racial group” has the same meaning as in the Race Relations (Northern Ireland) Order 1997.
- (5) The First Minister and deputy First Minister acting jointly may by regulations modify [this section](#) for the purpose of adding authorities to or removing authorities from the definition of “public authority”.
- (6) Regulations under [subsection \(5\)](#) may—
- (a) add an authority only if the provision adding the authority—
- (i) would be within the legislative competence of the Assembly if it were contained in an Act of the Assembly, and
- (ii) would not, if it were contained in a Bill of the Assembly, result in that Bill requiring the consent of the Secretary of State;
- (b) add or remove an authority for a particular purpose, or in relation to particular functions;
- (c) include transitional or supplementary provision.

### **78G The Office of Identity and Cultural Expression**

- (1) A body corporate to be known as the Office of Identity and Cultural Expression is established.
- (2) In this Part “the Office” means the Office of Identity and Cultural Expression.
- (3) [Schedule 9A](#) contains provision about the Office.

### **78H Functions of the Office of Identity and Cultural Expression**

- (1) The principal aims of the Office in exercising functions under this section are—
- (a) to promote cultural pluralism and respect for diversity in Northern Ireland;
- (b) to promote social cohesion and reconciliation between those with different national and cultural identities;
- (c) to increase the capacity and resilience of people in Northern Ireland to address issues related to differences in national and cultural identity;
- (d) to support, and promote the celebration of, the cultural and linguistic heritage of all people living in Northern Ireland.
- (2) The Office must—

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- (a) promote awareness of the national and cultural identity principles,
  - (b) monitor and promote compliance with the duty under [section 78F\(1\)](#), and
  - (c) report to the Assembly about compliance with that duty.
- (3) In carrying out the functions in [subsection \(2\)](#), the Office may in particular—
- (a) publish, and revise, guidance about—
    - (i) the duty under [section 78F\(1\)](#), including best practice for complying with that duty, and
    - (ii) other matters relating to national and cultural identity in Northern Ireland;
  - (b) undertake, commission or support research into matters relating to national and cultural identity in Northern Ireland (including at the request of the Irish Language Commissioner or the Commissioner for the Ulster Scots and the Ulster British tradition);
  - (c) provide, commission or support educational programmes, engagement and training on matters relating to national and cultural identity in Northern Ireland;
  - (d) provide grants to persons with aims like those described in [subsection \(1\)](#);
  - (e) cooperate with persons with aims like those described in [subsection \(1\)](#) (whether or not relating to Northern Ireland).
- (4) The First Minister and deputy First Minister acting jointly may direct the Office in relation to the exercise of its functions.

### **78I Further functions: establishing the Castlereagh Foundation**

- (1) The Office may—
- (a) establish a body corporate or other organisation to be known as the Castlereagh Foundation, or
  - (b) provide grants for the establishment of such a body or organisation by another person.
- (2) A body or other organisation established or funded under [subsection \(1\)](#) must—
- (a) have as its principal objective the funding and support of academic research into identity, including national and cultural identity and shifting patterns of identity, in Northern Ireland, and
  - (b) be operationally and financially independent from the Office (though this does not affect the Office’s functions under [section 78H](#)).
- (3) The Office may dispose of any interest in the Castlereagh Foundation.”
- (2) Schedule 1 contains provision about the Office of Identity and Cultural Expression.