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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**

**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>F1</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>F2</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>F3</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—

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**Changes to legislation:** There are currently no known outstanding effects for the The North/South Co-operation (Implementation Bodies) (Northern Ireland) Order 1999, Section 5. (See end of Document for details)

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- (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.

- F1** 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))
- F2** 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))
- F3** 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))

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**Commencement Information**

- I1** Art. 5 in force at 2.12.1999, see **art. 1(2)**

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(1) S.I.1979/1573 (N.I. 12).  
(2) 1954 c. 33 (N.I.)

**Changes to legislation:**

There are currently no known outstanding effects for the The North/South Co-operation (Implementation Bodies) (Northern Ireland) Order 1999, Section 5.