

**2023 No. 477**

**NORTHERN IRELAND**

**The PEACE PLUS Programme (Northern Ireland) Regulations  
2023**

<i>Made</i> - - - -	<i>26th April 2023</i>
<i>Laid before Parliament</i>	<i>27th April 2023</i>
<i>Coming into force</i> - -	<i>18th May 2023</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8C(1)(c) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(a).

**Citation, commencement and extent**

- 1.—(1) These Regulations may be cited as the PEACE PLUS Programme (Northern Ireland) Regulations 2023.
- (2) They come into force on 18th May 2023.
- (3) They extend to Northern Ireland.

**Amendment of the North/South Co-operation (Implementation Bodies) (Northern Ireland) Order 1999**

- 2.—(1) The North/South Co-operation (Implementation Bodies) (Northern Ireland) Order 1999(b) is amended as follows.
- (2) After article 14 (implementation body for special EU programmes), insert—

**“Implementation of PEACE PLUS**

- 14A.**—(1) This article applies during the period beginning with the day on which the Financing Agreement(c) 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.

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(a) 2018 c. 16; section 8C was inserted by section 21 of the European Union (Withdrawal Agreement) Act 2020 (c. 1) and paragraph 21 was amended by paragraphs 38 and 53 of Schedule 5 to that Act.

(b) S.I. 1999/859, as amended by S.I. 1999/2062 and 2007/1719.

(c) 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 (UK Miscellaneous Series No. 2 (2023); CP 823). The Agreement will enter into force for all parties on the day after the date on which the United Kingdom notifies the Depositary (the European Commission) of the completion of its domestic procedures for establishing its consent to be bound (Article 21).

(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”)(a);

“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(b);

“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”)(c);

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(a) OJ No. L 231, 30.6.2021, p. 159; there are amending instruments but none is relevant.

(b) UK Miscellaneous Series No. 2 (2023); CP 823.

(c) OJ No. L 231, 30.6.2021, p. 94.

“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(a), including as amended from time to time in accordance with Article 19 of Regulation (EU) 2021/1059.”.

(3) After Schedule 4 (supplementary and transitional provisions in connection with the transfer of functions to Waterways Ireland), insert Schedule 4A as set out in the Schedule.

### **Functions of the Northern Ireland Department of Finance in relation to PEACE PLUS**

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

(2) The Department has the functions of the national authority for the purposes of the Financing Agreement (as set out in Articles 7.2 and 10.3 of the Financing Agreement).

(3) The Department must act as the United Kingdom’s representative in the group of auditors (in accordance with Article 7.6 of the Financing Agreement).

(4) In this regulation—

“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;

“Department” means the Northern Ireland Department of Finance;

“group of auditors” has the meaning given by Article 7.6(2) of the Agreement;

“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 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.

26th April 2023

*Steve Baker*  
Minister of State  
Northern Ireland Office

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(a) OJ No. L

(b) 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 (UK Miscellaneous Series No. 2 (2023); CP 823). The Agreement will enter into force for all parties on the day after the date on which the United Kingdom notifies the Depositary (the European Commission) of the completion of its domestic procedures for establishing its consent to be bound (Article 21).

## “SCHEDULE 4A

Article 14A

## EU instruments relevant to the implementation of PEACE PLUS

## PART 1

## Basic acts

**1.** Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012(a).

**2.** Regulation (EU) 2021/1058 of the European Parliament and of the Council of 24 June 2021 on the European Regional Development Fund and on the Cohesion Fund(b).

**3.** 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.

**4.** 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.

## PART 2

## Delegated and implementing acts

**5.** Commission Delegated Regulation (EU) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds(c).

**6.** Commission Implementing Decision (EU) 2021/1131 of 5 July 2021 setting out the annual breakdown by Member State of global resources for the European Regional Development Fund, the European Social Fund Plus and the Cohesion Fund under the Investment for jobs and growth goal and the European territorial cooperation goal, the annual breakdown by Member State per category of region, the annual breakdown by Member State allocated to additional funding for outermost regions, the amounts to be transferred from each Member State's Cohesion Fund allocation to the Connecting Europe Facility, the annual breakdown of global resources for the European Urban Initiative, the annual breakdown of global resources for transnational cooperation supporting innovative solutions, the annual breakdown of global resources for the Interregional Innovation Investments, the annual breakdown of global resources for the cross-border cooperation

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(a) OJ No. L 193, 30.7.2018, p. 1; there is an amending instrument but it is not relevant.

(b) OJ No. L 231, 30.6.2021, p. 60; there is an amending instrument but it is not relevant.

(c) OJ No. L 74, 14.3.2014, p. 1.

strand of the European territorial cooperation goal, the annual breakdown by Member State of global resources for the transnational cooperation strand of the European territorial cooperation goal, the annual breakdown of global resources for the interregional cooperation strand of the European territorial cooperation goal and the annual breakdown of global resources for the outermost regions cooperation strand of the European territorial cooperation goal for the period 2021-2027(a).

7. Commission Implementing Decision (EU) 2022/74 of 17 January 2022 setting out the list of Interreg programmes and indicating the global amount of the total support from the European Regional Development Fund and from each external financing instrument of the Union for each programme and the list of the amounts transferred between strands under the European territorial cooperation goal for the period 2021 to 2027(b).

8. Commission Implementing Decision (EU) 2022/75 of 17 January 2022 setting out the list of Interreg programme areas to receive support from the European Regional Development Fund and external financing instruments of the Union, broken down by strand and Interreg programme under the European territorial cooperation goal(c).

9. Commission Implementing Decision C(2022)4931 of 8 July 2022 approving the cooperation programme “PEACE PLUS Ireland-Northern Ireland /United Kingdom” for support from the European Regional Development Fund under the European territorial cooperation goal (Interreg) in Ireland with the participation of the United Kingdom.

10. Commission Delegated Regulation (EU) 2023/67 of 20 October 2022 supplementing Regulation (EU) 2021/1060 of the European Parliament and of the Council by establishing standardised off-the-shelf sampling methodologies and modalities to cover one or more programming periods(d).”

## EXPLANATORY NOTE

*(This note is not part of these Regulations)*

These Regulations implement obligations under 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 (“the Financing Agreement”). The Financing Agreement sets out arrangements for the United Kingdom’s financial contribution to, and participation in, the PEACE PLUS Programme (“the Programme”), the latest in a series of long running, cross-border co-operation packages that fund activities which promote peace and reconciliation and contribute to the cross-border economic and territorial development of Northern Ireland and the border region of the Republic of Ireland.

The predecessor programmes were implemented under common EU rules applicable on both sides of the border and the UK Government’s financial contribution to those programmes managed and paid as part of its membership of the EU. As the UK is no longer a Member State, the Financing Agreement has been concluded to govern the implementation of the Programme and its financing. As with the predecessor programmes, the Programme will be implemented by the Special EU Programmes Body (the “SEUPB”), one of six cross-border implementation bodies set up under the framework of Strand Two of the Belfast (Good Friday) Agreement (North/South Co-operation).

Regulation 2 amends the North/South Co-operation (Implementation Bodies) (Northern Ireland) Order 1999 (S.I. 1999/859) by inserting new article 14A and new Schedule 4A. New article 14A confers on the SEUPB the functions of the managing authority and the accounting function in relation to the Programme, in accordance with Articles 7.2 and 7.5 of the Financing Agreement. It requires the SEUPB to exercise those functions compatibly with certain horizontal EU instruments (“the basic acts”), listed in Article 3(f) of the Financing Agreement and replicated in Part 1 of new

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(a) OJ No. L 244, 9.7.2021, p. 21.

(b) OJ No. L 12, 19.1.2022, p. 151.

(c) OJ No. L 12, 19.1.2022, p. 164.

(d) OJ No. L 7, 10.1.2023, p. 1.

Schedule 4A, including as amended or replaced from time to time. In addition, article 14A requires the SEUPB to comply with EU implementing and delegated instruments which are relevant to the Programme as listed in Part 2 of the new Schedule. Together these provisions implement Article 3 of the Financing Agreement and are required because the EU instruments concerned are no longer directly applicable in the United Kingdom.

New article 14A also requires the SEUPB to comply with the terms of Financing Agreement when exercising its functions, including by ensuring that certain conditions are incorporated into grant agreements with beneficiaries who will receive funding under the Programme.

Regulation 3 implements obligations relating to role of the Northern Ireland Department of Finance (“the Department”), which is designated as the national authority for the purposes of the Programme. The Department will also act as the UK’s representative on the group of auditors (which assists the Programme’s audit authority) and regulation 3 makes provision in this regard.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen. An explanatory memorandum has been published alongside this instrument at [www.legislation.gov.uk](http://www.legislation.gov.uk). Copies of the Financing Agreement and accompanying explanatory memorandum as presented to Parliament can be obtained at <https://www.gov.uk/government/publications/ukirelandec-financing-agreement-on-the-peace-plus-programme-2021-2027-ms-no22023>.

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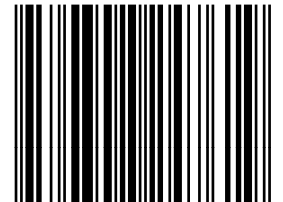
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