



Number 32 of 2006

BRITISH-IRISH AGREEMENT (AMENDMENT) ACT 2006

ARRANGEMENT OF SECTIONS

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SCHEDULE

TEXTS OF LETTERS EXCHANGED BETWEEN GOVERNMENT OF IRELAND
AND GOVERNMENT OF UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND CONSTITUTING SUPPLEMENTARY AGREEMENT OF
2006.

[No. 32.] *British-Irish Agreement (Amendment)* [2006.]
Act 2006.

ACTS REFERRED TO

British-Irish Agreement Act 1999	1999, No. 1
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Number 32 of 2006

BRITISH-IRISH AGREEMENT (AMENDMENT) ACT 2006

AN ACT TO MAKE PROVISION IN RELATION TO THE AGREEMENT BETWEEN THE GOVERNMENT OF IRELAND AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND CONSTITUTED BY AN EXCHANGE OF LETTERS DATED 25 JULY 2006 AND 25 JULY 2006, AND, FOR THAT PURPOSE, TO MAKE FURTHER PROVISION IN RELATION TO THE AGREEMENT BETWEEN THE GOVERNMENT OF IRELAND AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND ESTABLISHING IMPLEMENTATION BODIES DONE AT DUBLIN ON 8 MARCH 1999, AND TO AMEND THE BRITISH-IRISH AGREEMENT ACT 1999.

[11th December, 2006]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—In this Act—

Definition.

“Act of 1999” means the British-Irish Agreement (Amendment) Act 1999;

“Principal Act” means the British-Irish Agreement Act 1999.

2.—The Principal Act is amended—

Amendment of
Principal Act.

(a) in section 2(1), by—

- (i) the substitution of the following definition for the definition of “the supplementary Agreement” (inserted by section 2(a) of the Act of 1999):

“ ‘supplementary Agreement of 1999’ means the Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland constituted by the exchange of letters dated 18 June 1999, and 18 June 1999, the texts of which are set out in the Schedule to the British-Irish Agreement (Amendment) Act 1999;”, and

- (ii) the insertion of the following definition:

[No. 32.] *British-Irish Agreement (Amendment) [2006.] Act 2006.*

“ ‘supplementary Agreement of 2006’ means the Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland constituted by the exchange of letters dated 25 July 2006 and 25 July 2006, the texts of which are set out in the *Schedule* to the *British-Irish Agreement (Amendment) Act 2006.*”.

and

(b) by the substitution of the following subsection for subsection (4) of section 23 (inserted by section 2(b) of the Act of 1999):

“(4) Part 4 of each of the Annexes referred to in this section shall be construed in accordance with the supplementary Agreement of 1999 and the supplementary Agreement of 2006.”.

Amendment of Schedule to Act of 1999.

3.—The Schedule to the Act of 1999 is amended by the substitution of the words “SUPPLEMENTARY AGREEMENT OF 1999” for “SUPPLEMENTARY AGREEMENT”.

Short title, collective citation and construction, and commencement.

4.—(1) This Act may be cited as the *British-Irish Agreement (Amendment) Act 2006.*

(2) The *British-Irish Agreement Acts 1999 to 2005* and this Act may be cited together as the *British-Irish Agreement Acts 1999 to 2006* and shall be construed together as one Act.

(3) This Act shall come into operation on such day as the Minister for Finance may by order appoint.

Section 2.

SCHEDULE

TEXTS OF LETTERS EXCHANGED BETWEEN GOVERNMENT OF IRELAND AND GOVERNMENT OF UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND CONSTITUTING SUPPLEMENTARY AGREEMENT OF 2006.

25 July 2006

Mr Dermot Ahern TD

Minister for Foreign Affairs

I have the honour to refer to

- the Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland establishing Implementation Bodies done at Dublin on 8 March 1999 (hereinafter referred to as “the Implementation Bodies Agreement”); and
- the Supplementary Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland constituted by the exchange of letters dated 18 June 1999; and

- The Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland constituted by the exchange of notes dated 19 November 2002

I have the honour to refer also to recent discussions between our two Governments concerning the interpretation of the terms “Community Initiatives”, “Initiatives” and “CIs” in Part 4 of Annex 1 and Part 4 of Annex 2 to the Implementation Bodies Agreement.

It is the understanding of my Government that it was the joint intention of our two Governments that the aforementioned terms would include any successors to, equivalents of or substitutes for such Initiatives within or building on the substantive objectives, priorities, policy areas and activities covered by the Community Initiatives established within the framework of the European Community’s Structural Funds and should be construed accordingly.

If this is also the understanding of your Government, I have the honour to propose that this letter and your reply in the affirmative shall constitute an Agreement between our two Governments concerning the interpretation of these terms which shall enter into force on the date of your reply.

Rt Hon Peter Hain MP
Secretary of State for Northern Ireland

25 July 2006

Rt Hon Peter Hain MP
Secretary of State for Northern Ireland

I have the honour to refer to your letter of 25 July 2006 concerning the interpretation of certain terms contained in the Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland establishing Implementation Bodies done at Dublin on 8 March 1999.

I have the honour to confirm that it is the understanding of my Government that it was the joint intention of our two Governments for the terms as specified in your letter to include any successors to, equivalents of or substitutes for such Initiatives within or building on the substantive objectives, priorities, policy areas and activities covered by the Community Initiatives established within the framework of the European Community’s Structural Funds and should be construed accordingly.

I have the honour to confirm, therefore, that this letter and your letter shall constitute an Agreement between our two Governments which will come into force today.

Mr Dermot Ahern TD
Minister for Foreign Affairs