

Draft by Tony Cavanagh

**MEMORANDUM OF UNDERSTANDING BETWEEN
DEPARTMENT OF FINANCE AND PERSONNEL,
DEPARTMENT OF EDUCATION FOR NORTHERN IRELAND,
DEPARTMENT OF ARTS, HERITAGE, GAELTACHT AND THE
ISLANDS, AND DEPARTMENT OF EDUCATION**

This Memorandum is made pursuant to the [Treaty]. Insofar as it applies to DFP and DENI, it is also made under the provisions of Section 12(1)(b) of the Northern Ireland Constitution Act 1973.

The following is agreed between the signatories to this document in relation to the North-South Implementation Body for Irish Language, Ullans and Ulster/Scots Culture.

FUNCTIONS

1. The body will have the following functions in relation to the Irish Language:
 - (a) promotion of the Irish Language;
 - (b) facilitating and encouraging its use in speech and writing in public and private life in the South and, in the context of Part III of the European Charter for Regional or Minority Languages, in Northern Ireland where there is appropriate demand;
 - (c) advising both administrations, public bodies and other groups in the private and voluntary sectors;
 - (d) undertaking support of the projects, and grant-aiding bodies and groups as considered necessary;
 - (e) undertaking research, promotional campaigns, and public and media relations;
 - (f) developing terminology and dictionaries;
 - (g) supporting Irish-medium education and the teaching of Irish.

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2. The body shall also have a separate function of the promotion of greater awareness and use of Ullans and of Ulster-Scots cultural issues, both within Northern Ireland and throughout the island.
 3. "Ullans" is to be understood as the variety of the Scots language traditionally found in parts of Northern Ireland and Donegal. "Ulster-Scots cultural issues" relate to the cultural traditions of the part of the population of Northern Ireland and the border counties of the Republic which is of Scottish ancestry and the influence of their cultural traditions on others, both within the Island and the rest of the world.
 4. The Body's function in relation to Ullans and Ulster-Scots cultural issues will include advice to both administrations, public bodies and other groups in the private and voluntary sectors, research and promotional campaigns. Primarily on a cross-border basis, it may also undertake support of projects and grant-aid bodies and groups as necessary. The primary source for assistance from public funds for projects, bodies and groups operating exclusively within Northern Ireland will remain Northern Ireland Government Funding.
 5. Further details of the functions in relation to (f) and (g) above are set out at Annex A which has been agreed between the Department of Education for Northern Ireland and the Department of Education and Science.

POWERS AND DUTIES

6. The legislation in respect of the Body will include:
 - (a) a duty to promote the Irish language, and to facilitate and encourage its use;
 - (b) a duty to promote greater awareness and use of Ullans and of Ulster-Scots issues;
 - (c) duty [power?] to advise the Northern Ireland administration and the Irish Government, public bodies and private and voluntary sector organisations;

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- (d) power to undertake and commission research;
 - (e) a power to enable the Body to incur expenditure;
 - (f) a power to pay a grant-aid to projects and groups;
 - (g) power to exercise relevant administrative functions;
 - (h) power to sign contracts;
 - (i) power to employ staff and to second/transfer staff from other bodies;
 - (j) a duty to follow guidance agreed by the NSMC;
 - (k) a duty to prepare accounts etc;
 - (l) power to exercise various functions previously exercised by the Department of Education for Northern Ireland, the Department of Education and Science and Bord na Gaeilge.

STRUCTURE AND ACCOUNTABILITY

7. The Body will consist of a Board known in English as the Implementation Board for Irish Language, Ullans and Ulster-Scots Culture. The Board will be representative of Irish language and Ullans/Ulster-Scots interests. It will comprise:
- (a) [6] members representative of Irish language interests in Northern Ireland;
 - (b) [6] members representative of Irish language interests in the South;
 - (c) [6] members representative of Ullans/Ulster-Scots interests in Northern Ireland;
 - (d) [2] members representative of Ullans/Ulster-Scots interests in the South. Initially the members indicated at (a) and (c) will be appointed by the British Government, and members under (b) and (d) above will be appointed by the Irish

Government. The term of appointment for members will be [] years. Subsequently, the membership at (a) and (c) above will be appointed by the Northern Ireland Minister for Culture, Arts and Leisure, in consultation with the Northern Ireland Minister for Education; and the members at (b) and (d) above will be appointed by the Irish Minister for the Arts, Heritage, Gaeltacht and the Islands, in consultation with the Minister for Education and Science.

8. Initially the Government, and subsequently the relevant Ministers, will appoint 2 joint Chairpersons, one drawn from those members representative of Irish language interests, and one from those members representative of Ullans/Ulster-Scots interests.
9. The Board of the Body will be serviced by a small secretariat.
10. The Board members at (a) and (b) above will comprise the [sub-Board/Committee/] responsible for the implementation of all functions relating to the Irish language, under the Chairmanship of the appropriate joint Chairperson of the Board. The members at (c) and (d) will comprise the [sub-Board/Committee/] responsible for all functions relating to Ullans/Ulster-Scots, under the chairmanship of the other joint Chairperson of the Board. Staff employed by the Body to carry out Irish language functions will be responsible to the Irish language [sub-Board/Committee/] and will function as a [Agency?] for this purpose under the management of a Director.
11. All staff employed by the Body exercising functions relating to Ullans/Ulster-Scots issues will be responsible to the relevant [sub-Board/Committee/] and will function as an agency under the management of a Director.
12. The 2 [sub-Boards/Committees/] may both agree that particular functions should be exercised by, or common services provided by, the Board Secretariat. The Board of the Body will report to the NSMC. Each [sub-Board/Committee/] will publish an annual report, including a translation, if necessary, in English.

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13. Each [sub-Board/Committee/] will determine the language[s] to be used at its meetings and in the work of the relevant agency. The Board will arrange that its meetings are conducted and secretariat papers prepared in a form which permits full comprehension and participation by all members.