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Te **Irrelevant & Sensitive**

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FROM: TIM LOSTY

Copy distribution below

DATE: 11 DECEMBER 2020

TO: PS/FIRST MINISTER AND PS/DEPUTY FIRST MINISTER

**NORTH/SOUTH MINISTERIAL COUNCIL INSTITUTIONAL MEETING,
16 DECEMBER 2020, ARMAGH - AGENDA & PAPERS**

Issue:	Agreement to the draft agenda and draft papers for the North South Ministerial Council (NSMC) Institutional meeting on 16 December 2020 and to issue them to the Executive.
Timing:	Immediate – meeting is to take place on 16 December and papers require circulation to Executive
Press Office advice:	No presentational issues at this stage but meeting may attract some interest.
FOI implications:	Disclosable.
Legislation implications:	Section 52 of Northern Ireland 1988 Act (as amended).
Financial implications:	Minimal catering costs.
Executive referral:	Yes, NSMC papers will require Executive approval, although on this occasion Urgent Procedure may be required as there is no suitable Executive meeting in advance of the Institutional.

Recommendation:

That the First Minister and deputy First Minister:

- (i) agree under Urgent Procedure in accordance with paragraph 2.14 of the Ministerial Code the draft agenda and draft papers (attached at Annex A) for the NSMC Institutional meeting to be held on 16 December; and
- (ii) once the papers are agreed by Urgent Procedure-
 - (a) approve for issue the draft letter to the Executive (Annex B) together with the agenda and final papers (Annex A); and
 - (b) issue the draft letter to the Speaker (Annex C).

Background

1. Further to my submission of 4 December (SUB-1905-2020) concerning arrangements for a NSMC Institutional meeting in person in Armagh on 16 December I now attach the draft agenda and draft papers for the meeting. These have been agreed at official level with Irish Government officials from the Department of Foreign Affairs.
2. Papers for consideration under heading 'Other Operational/Governance Matters', are the responsibility of other Ministers and have either been submitted previously and are already being considered (Waterways Ireland Business Plan and Budget 2020, Language Body Corporate Governance Matters, Waterways Ireland Property Disposal) or are expected to issue in the near future from relevant Private offices (Waterways Ireland Business Plan and Budget 2021 from DFI and InterTradeIreland Business Plan and Budget 2021 and Corporate Plan 2020-2022 from DfE).

Decision Sought/Urgency

3. The Executive Meeting on Tuesday is confined to EU Exit matters, therefore to allow for circulation of the papers and formal notifications to the Executive and Assembly, the papers will need to be agreed by Urgent Procedure.
4. Ministers are therefore asked to agree the draft NSMC Institutional agenda (**Annex A**) and draft Papers (in e-mail) by Urgent Procedure under paragraph 2.14 of the Ministerial Code. Once these papers are agreed, it is recommended that you issue the agenda and final papers to Executive Ministers under cover of the letter at **Annex B**. It is also recommended that the letter to the Speaker (**Annex C**) is issued once the papers and statutory notifications have issued to the Executive.

Draft Agenda

5. You previously had sight of the draft Agenda. Below is a brief summary of each agenda item-
 - i) **Opening Comments**

Ministers will have an opportunity to comment on the business of the day and other topical matters. There will be no paper for this Agenda item and comments made will not be included in the Joint Communiqué unless specifically agreed by Ministers at the meeting.
 - ii) **Response to Covid-19**

The paper expresses condolences to those who have lost loved ones as a result of Covid-19 and appreciation to those who have played a part in the response, particularly health and social care workers. During recent NSMC meetings Ministers have been considering the COVID - 19 response and the opportunities for cooperation between both jurisdictions to promote economic and social recovery. This paper provides a brief update on this work. Ministers will consider the impact on Covid-19 on the NSMC sectors and note co-operation during the crisis, and discuss proposals for co-operation between jurisdictions that might help aid recovery.

iii) **Implications of the UK withdrawal from the EU**

Ministers have been considering the impact of the UK withdrawal from the EU during meetings across the various NSMC Sectors. Ministers will receive an update paper and consider next steps

iv) **New Decade, New Approach Commitments**

The Paper will provide a summary of New Decade, New Approach commitments with a cross-border element. These have been discussed at NSMC meetings, or bi-laterally between Ministers where appropriate. This paper provides a brief update on this and looks forward to a more comprehensive update at the next Plenary meeting. It is also envisaged that the Minister for Foreign Affairs, Simon Coveney TD, will provide an update on the Irish Government's 'Shared Island Fund' which may support delivery of some of these projects.

v) **North South Body Issues**

The North South Bodies have been in existence for over 20 years and since they were established the operating environment has changed. There are a number of matters which regularly cause issues for bodies, in particular funding ratios, headcount of Bodies and grading of senior posts. This paper proposes that officials should more fully examine these issues and bring forward recommendations for future handling.

vi) **Sectoral Priorities**

Ministers have been reviewing the Work Programmes in the various NSMC sectors to ensure they remain current. This paper notes an update on changes identified. NSMC previously agreed in 2015 that officials should scope the potential for other sectoral priorities. This work has not advanced since that time, but this paper notes that officials will now engage further on this.

vii) **Board Member Appointments**

There are a number of Executive nominees to be appointed to the Boards of various North South Bodies. Parties have recently agreed responsibility for making nominations and it is proposed that NSMC should make the appointments. {Paper to follow once Executive nominations have been confirmed}

viii) **Other Operational/Corporate Governance Matters**

There are a number of other matters requiring NSMC consideration which were not possible to advance at NSMC Sectoral meetings. In particular a number of Business Plans require approval and Waterways Ireland has advised that approval is required for a property disposal. Discussion on these items is not anticipated. [Papers to follow once Business Plans and disposal have been cleared. Language Body and Waterways Ireland Business Plans and Waterways Ireland disposal are currently being considered by FM/dFM]

ix) **Draft Joint Communiqué**

Ministers will be asked to agree this Paper which reflects the decisions taken at the meeting. The statement to the Assembly will be based on the Joint Communiqué. The Assembly enters recess on 18 December so the statement will be scheduled after its return in the New Year. Further advice will follow on arrangements for the statement.

Ministerial Attendance

6. You will be writing to Ministers (as recommended in SUB-1905-2020) and asking them to notify you of their intentions regarding attendance at the NSMC Institutional and confirming you would be attending.

Notifying the Executive and the Assembly

7. Section 52A(1) of the Northern Ireland Act 1998 (as amended) (“the Act”) requires the First Minister and deputy First Minister to give to the Executive and the Assembly, as far in advance of each NSMC meeting as is reasonably practicable, the following information in relation to the meeting: the date, the agenda and, once

determined under Section 52A of the Act, the names of Ministers who are to attend the meeting.

Notification to the Executive

8. Once the papers are agreed under Urgent Procedure, it is recommended that you issue them, along with the agenda, to the Executive under cover of the draft letter at Annex B. This letter also includes the information required to meet the statutory notification obligations.

Notification to the Assembly

9. It is also recommended that the letter to the Speaker (Annex C) is issued once the papers and statutory notifications have issued to the Executive.

Statement to the Assembly

10. In accordance with Section 52C(2) of the Northern Ireland Act 1998, the First Minister and the deputy First Minister and all Ministers and Junior Ministers who participated in a NSMC meeting are required to make a report to the Executive and to the Assembly.

11. It is anticipated you will make this statement early in the New Year.

Recommendation

1. That the First Minister and deputy First Minister:
 - (i) agree under Urgent Procedure in accordance with paragraph 2.14 of the Ministerial Code the draft papers (**Annex A**) for the NSMC Institutional meeting; and

- (ii) once the papers are agreed by Urgent Procedure -
 - a) approve for issue the draft letter to the Executive (**Annex B**) together with the agenda and final papers (**Annex A**); and
 - b) issue the draft letter to the Speaker (**Annex C**).

Personal Data

Tim Losty
NSMC Joint Secretary

Ex: Irrelevant & Sensitive

Copy Distribution List

HOCS

Andrew McCormick

Name Redacted

Deirdre Griffith

Donal Moran

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Press Office

Richard Hill

Sean McAteer

Name Redacted

Name Redacted

Name Redacted

TEO Advisers

NSMC Institutional Meeting

16 December 2020

NSMC Armagh

DRAFT AGENDA

- 1. Opening Comments**
- 2. Response to Covid-19**
- 3. Implications of the UK withdrawal from the EU**
- 4. New Decade, New Approach Commitments**
- 5. North South Body Issues**
- 6. Sectoral Priorities**
- 7. Board Member Appointments**
- 8. Other Operational/Corporate Governance Matters**
 - **Intertradeireland Business Plan and Budget 2021 and Corporate Plan 2020-2022 or Intertradeireland Business Plan and Budget 2021(tbc)**
 - **Language Body Corporate Governance Matters**
 - **Waterways Ireland Business Plan and Budget 2020**
 - **Waterways Ireland Business Plan and Budget 2021(tbc)**
 - **Waterways Ireland Property Disposal**
- 9. Draft Joint Communiqué**

DRAFT LETTER TO EXECUTIVE

FROM: FIRST MINISTER AND DEPUTY FIRST MINISTER

DATE: DECEMBER 2020 OUR REF:

TO: EXECUTIVE

**NORTH SOUTH MINISTERIAL COUNCIL INSTITUTIONAL MEETING 16
DECEMBER 2020**

Arrangements

1. A North South Ministerial Council (NSMC) Institutional meeting will be held in NSMC Armagh on 11 March 2020.

Agenda and Papers

2. We have agreed the papers by Urgent Procedure under paragraph 2.14 of the Ministerial Code. The agenda and papers for the NSMC Institutional Meeting are attached (Annex A).

Ministerial Attendance

3. We wrote to you on **???? December** 2020 about attendance at the meeting. We will represent the Executive at this meeting.

Recommendation

4. Ministers are invited to note the arrangements, Ministerial attendance, agenda and papers for the NSMC Institutional meeting to be held in the NSMC Armagh on 16 December 2020.

**The Rt Hon Arlene Foster MLA
FIRST MINISTER**

**Michelle O'Neill MLA
DEPUTY FIRST MINISTER**

**Copy: Tim Losty, NSMC Joint Secretariat
Richard Hill, NSMC Joint Secretariat
Colm O'Hare, NSMC Joint Secretariat**

ENC: Agenda and Papers for the NSMC Institutional Meeting

DRAFT LETTER TO THE SPEAKER

Mr Alex Maskey MLA
Speaker
Northern Ireland Assembly
Parliament Buildings
Ballymiscaw
Stormont
BELFAST
BT4 3XX

MARCH 2020

Dear Mr Speaker

**ARRANGEMENTS FOR NORTH SOUTH MINISTERIAL COUNCIL
INSTITUTIONAL MEETING, ARMAGH, 16 DECEMBER 2020**

In accordance with Section 52A (1) of the Northern Ireland Act 1998, as amended, we wish to advise you that a North South Ministerial Council Institutional meeting will be held in NSMC, Armagh on 16 December 2020.

The agenda for the meeting is attached. We will represent the Executive at this meeting.

Yours sincerely

**The Rt Hon Arlene Foster MLA
FIRST MINISTER**

**Michelle O'Neill MLA
DEPUTY FIRST MINISTER**

ENC: Agenda for the NSMC meeting

**Copy: Tim Losty, NSMC Joint Secretariat
Richard Hill, NSMC Joint Secretariat
Colm O'Hare, NSMC Joint Secretariat
Colette Kerr, Assembly Section**