

1.IMPROVING THE OPERATION OF ASSEMBLY AND EXECUTIVE

1.1 The Parties have agreed that effective measures are needed to ensure the sustainability of the institutions, to increase public confidence and guarantee that the institutions can withstand political difficulties, challenges and disagreements.

1.2 The UK Government shall legislate to amend the Northern Ireland Act 1998 to extend the time for the election of a First Minister and deputy First Minister after an Assembly election or the resignation of a First Minister or deputy First Minister from one week to six weeks.

In the event of the failure to elect a First Minister and deputy First Minister after 6 weeks, parties will have a further 18 weeks to do so. Departmental Ministers will remain in post during this period in a caretaker capacity. If parties are unable to elect a First Minister and deputy First Minister after 18 weeks, the Secretary of State will have the duty to call an Assembly election within a reasonable time period.

1.3 The Parties recognise the importance of engendering a greater sense of collectivity and collegiality in the operation of the Executive.

Working arrangements will be put in place to ensure greater co-ordination and cooperation.

A Coalition Management Committee will be established and will be the forum for regular management coordination meetings involving representatives of Executive Ministers so that issues are flagged up through an early warning system.

The Coalition Management Committee will be co-chaired by the two lead parties and comprise representatives of all Executive parties and will:

- keep the Programme for Government under ongoing scrutiny;
- create greater collectivity in decision making;
- avoid surprises;
- manage areas of disagreement and seek the resolution of any disputes which arise between Executive parties if, and when, they occur; and
- build on areas where there is agreement.

1.4 [The Parties have also agreed a package of measures to strengthen transparency and governance arrangements in the Assembly and Executive in line with international best practice. (Annex XX)]

1.5 The Parties reiterate their commitment to the “Protocol on the use of the Petition of Concern” as previously agreed in the Fresh Start Agreement. While it will be for parties to act in good faith and limit the use of Petitions of Concern, an Ad-Hoc Committee of the Assembly will be created to review the ways in which the Petition of Concern might be adapted. The Ad-Hoc Committee will report on possible ways forward on this issue by no later than [June 2018].

1.6 The Parties recognise the need to move forward with important reforms across many aspects of the public sector, to improve outcomes for citizens and assist the Executive in placing our public finances on a long term sustainable footing.

The Parties agree to undertaking major transformation projects in health, education, housing and justice including progressing upon the existing consensus on the reforms set out in the Bengoa Report.

The parties will commit to an additional £1billion of resource over the current Assembly term for the Health Service here to provide the necessary investment to deliver improved healthcare outcomes for all communities. The Parties also agree to deal with the issue of Historic Institutional Abuse promptly.

[1.7The Parties appreciate the multiplicity of challenges that the new Executive will face over the course of the Assembly term. However, the Parties are agreed that the incoming Executive's two main priorities will be Health and particularly the implementation of the Bengoa reforms, and dealing with the impact of Brexit].

1.8A Ministerial Sub-Committee of the Executive will be established to deal with Brexit related issues.

The Junior Ministers in the Executive Office will be given specific responsibility for Brexit.

1.9The Parties will ask the UK Government to legislate to give effect to the Justice Minister being elected in the same manner as other Ministers for the Assembly elections in 2022. The legislative process will commence within six months.

1.10The Parties agree that all aspects of this agreement will be implemented in a proportionate and prudent way.

1.11 The parties note the funding allocated to Northern Ireland as part of the Confidence and Supply Agreement and agree for their part in any incoming Executive that they will support the allocation of funding to the spending priorities as outlined in the C&S Agreement.

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2.RESPECTING LANGUAGES AND CULTURE

[2.1 We have reached an accommodation on a package of language and cultural diversity legislation. The Respecting Language and Diversity Bill will contain general language and cultural clauses. The Irish (Respecting Language and Diversity) Bill and the Ulster Scots (Respecting Language and Diversity) Bill will contain Irish language and Ulster Scots language, culture and heritage clauses respectively and will amend the Respecting Language and Diversity Bill. The legislation will be introduced concurrently to the Assembly and will pass through the legislative process simultaneously.]

[The draft legislation is included at Annex XX.]

2.2The Respecting Languages and Diversity Bill will include clauses dealing with the following:

- i) A set of principles:
 - recognising the importance of respect, understanding and tolerance in a way which takes account of the desires and sensitivities of the community;
 - agreeing to take action to promote the cultural wealth of our society including linguistic diversity;
 - recognising the importance of respect, understanding and tolerance in relation to linguistic and cultural diversity;

- that the legislation will be implemented with due regard to economy and efficiency;
 - that the principles of fairness, diversity and interdependence will be enshrined in cultural policy making; and
 - recognising the worth, wealth and respect for all languages and cultures including Irish, Ulster Scots and our ethnic minority communities.
- ii) The repeal of the Administration of Justice (Language) Act (Ireland). English will remain the working language of the courts. Irish and other languages will be facilitated when deemed necessary by the courts.

2.3 The Irish (Respecting Languages and Diversity) Bill will include clauses dealing with the following:

- i) Official recognition of the status of the Irish language in Northern Ireland in addition to that provided by existing statutory provisions such as section 28D of the Northern Ireland Act, the North/South Co-Operation (Implementation Bodies) (Northern Ireland) Order 1999 and statutory provisions relating to Irish medium education. The legislation will provide that recognition by making provision for an Irish Language Commissioner and for public authorities to implement best practice standards, and nothing in the legislation will affect the status of the English language.
- ii) The creation of an Irish Language Commissioner whose role it will be to promote and facilitate the use of Irish Language throughout

all Executive Departments, Local Government, Public Bodies and Arm's Length Bodies (ALBs).

- iii) The legislation will place a duty on the Commissioner to:
- introduce, following full public consultation, best practice standards, approved by the First Minister and deputy First Minister, for all Executive Departments, Councils, Public Bodies and Arm Lengths Bodies to assist them in the promotion, use of and delivery of services through the medium of Irish.
 - support and monitor the delivery of best practice language Standards;
 - provide advice and guidance to Executive Departments, Councils, Public Bodies and ALBs on the promotion and facilitation of the Irish Language;
 - lay an annual written report to the Assembly;
 - review the best practice standards every 5 years and only make changes to them following full public consultation;
 - deliver training and awareness programmes across Government Departments, Public Bodies and Local Government, to enable the fulfilment of the standards; and
 - investigate complaints from members of the public about Executive Departments, Councils, Public Bodies and ALBs failing

to have due regard to the best practice standards and lay a report before the Assembly on their findings.

- iv) In respect of the best practice standards:
- The First Minister and deputy First Minister will provide agreed guidance on the production of language standards to the Commissioner;
 - The Commissioner will consult on the development of a number of categories and standards and bring forward recommendations for approval to the First Minister and deputy First Minister;
 - Each public body will be assessed and placed in one of the categories on the basis of set criteria such as the level of interaction with the public, number of employees and established need. There will be a 'sliding scale' of standards within categories dependent on the criteria;
 - The Commissioner will engage with each public body to agree how it can fulfil its requirement under the standards; and
 - Each public body will develop an implementation plan.

2.4 The Ulster Scots (Respecting Languages and Diversity) Bill will include clauses dealing with the following:

- i) Official recognition of the status of Ulster Scots in Northern Ireland in addition to that provided by existing statutory provisions such as

section 28D of the Northern Ireland Act and the North/South Co-Operation (Implementation Bodies) (Northern Ireland) Order 1999. The legislation will provide that recognition by making provision for an Ulster Scots Commissioner and a legal duty on the Department of Education, and nothing in the legislation will affect the status of the English language.

- ii) The creation of an Ulster Scots Commissioner whose role will be to work with all Executive Departments, Local Government, Public Bodies and Arm's Length Bodies (ALBs) to:
- provide advice and guidance on the promotion and facilitation of the Ulster Scots language, culture and heritage including in the areas of education, research, media, cultural activities and facilities and tourism;
 - increase awareness and visibility of the Ulster Scots services that are provided;
 - provide advice and guidance on fulfilling commitments under the European Charter for Regional and Minority Languages, European Framework Convention for the Protection of National Minorities and the United Nations Convention on the Rights of the Child;
 - lay an annual report before the Assembly;
 - lay an annual work plan before the Assembly; and

- investigate complaints about the policies and practices of public bodies.

iii) A legal duty will be placed on the Department of Education to encourage and facilitate Ulster Scots in the education system.

2.5A central Translation Hub will be established in the Department of Finance within three months of this agreement to provide language translation services for the 9 Executive Departments, Arm's Length Bodies, Local Government and Public Bodies.

2.6The Assembly's Standing Orders will be amended to allow any person to conduct their business before the Assembly or an Assembly Committee through Irish or Ulster Scots. A simultaneous translation system will be available in the Assembly to ensure that a person without Irish or Ulster Scots is not placed at a disadvantage.

[2.7The Executive will produce a draft Irish Language Strategy and a draft Ulster Scots Language, Culture and Heritage Strategy for consultation within 6 months of the restoration of the Executive. This will include programmes and schemes which will assist in the development of the Irish Language and the Ulster Scots Language, Culture and Heritage.]

2.8The Parties recognise the importance of promoting equality, good relations, inclusion and mutual respect by encouraging our diverse cultural traditions. Ever mindful of the difficult Budget position that the Executive faces, this will continue to be supported by the Executive through a range of capital and resource programmes including - but not restricted to -

providing educational and cultural opportunities and developing community based infrastructure.

2.9 A draft framework and policy proposals for legislation on sign language have been consulted on by the Department for Communities. The Parties agree to the process of drafting clauses commencing with a view to introducing a Bill to the Assembly at an early stage.

2.10 The Executive will bring forward the discussion paper on parades agreed in the Fresh Start Agreement.

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3 RIGHTS AND RESPECT

3.1 The Parties affirm the following:

- that they recognise the importance of respect, understanding and tolerance in a way which takes account of the desires and sensitivities of the community. The parties agree to take resolute action to promote the cultural wealth of our society including linguistic diversity;
- that they will promote and defend the interests of the whole community as we work towards the goal of a shared and peaceful future;
- that the Executive will operate in a way that is conducive to promoting good relations and equality of opportunity;
- that they recognise the importance of respect, understanding and tolerance in relation to linguistic and cultural diversity;
- that they recognise the hurt caused in the past and commit to showing greater sensitivity towards victims and survivors; and
- that they will respect victims and survivors in the public actions and statements by party representatives.

3.2 The Parties agree to establish an Ad-Hoc Assembly Committee before the end of the year, to consider the creation of a Bill of Rights that is faithful to the stated intention of the 1998 Agreement in that it contains rights supplementary to those contained in the European Convention on Human

Rights, which are currently applicable and "that reflect the particular circumstances of Northern Ireland".The Ad-Hoc Committee will be assisted in its work by a Panel of four experts appointed jointly by the First Minister and deputy First Minister.The Panel should initially seek to advise the Ad-Hoc Committee on what constitutes our "particular circumstances" drawing upon, but not bound by, previous work on a Bill of Rights and should review and make recommendations on how the EU Withdrawal Bill may impact on our "particular circumstances".The Committee should present an Interim Report to the Assembly by [XXX 2018 with a Final Report by XXX 2018].

3.3During political discussions the issue of same sex marriage has been raised. Parties recognise that each hold different mandated policy positions on the issue.

Parties anticipate that this issue will be fully considered by the Assembly in the form of a Private Member's Bill and recognise this process is ultimately one for the Assembly. It is acknowledged that no Party alone can table a Petition of Concern.