



Minister of State

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Joint Chairmen
Committee on Standing Orders
The New Northern Ireland Assembly
Parliament Buildings
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10 September 1998

Dear Denis and Fred,

I am most grateful to you and your fellow Committee members for the memorandum you sent me on 8 September.

We will be incorporating most of those comments and suggestions in the Additional Standing Orders. (Our detailed reactions are summarised in the attached annex). It was also helpful to have your comments before 14 September although, in the circumstances, we intend to defer actually making those Additional Standing Orders until after the Assembly has had an opportunity to consider your report, in case any more points arise which we should take into account.

I welcome your Committee's intention to keep abreast of developments in the Northern Ireland Bill. Obviously, the Standing Orders which you will need to draw up to govern the conduct of Assembly business after devolution will need to be fully consistent with the Northern Ireland Bill, once enacted. (We currently expect it to receive Royal Assent around mid November.)



STANDING ORDERS COMMITTEE COMMENTS ON THE DRAFT ADDITIONAL
STANDING ORDERS

Meanwhile the Secretary of State and I remain very willing to take on board any further detailed comments or suggestions you and your Committee may have on the Standing Orders which apply during the shadow phase, ie the Initial Standing Orders as supplemented by the forthcoming Additional Standing Orders.

Your sincerely
Paul Murphy

PAUL MURPHY MP

Minister of State

STANDING ORDERS COMMITTEE COMMENTS ON THE DRAFT ADDITIONAL
STANDING ORDERS

Draft Additional Standing Order A

1. We appreciate the problem caused by the current lack of any statutory definition of a "political party": the Act making provision for "registered political parties" has not yet come into effect. That being the case, the best way forward seems to be to delete sub-paragraph (a) and leave the political parties in the Assembly to be defined by reference to the Assembly Roll. That should provide sufficient clarity for the moment. ✓
Paragraph A(2) will be amended accordingly.
2. The suggestion in the Presiding Officer's letter of 25 August seems sensible and appropriate although the precise wording may need adjustment to reflect the fact that these Standing Orders would only apply during the shadow phase. An appropriate insertion will be made.

Draft Additional Standing Order B

3. The Committee's first proposal would be inconsistent with the current draft of the Bill so the proposed change could give rise to difficulty in carrying forward any shadow appointments when powers are transferred. It may be best to address the issue in the context of the Bill before considering the possibility of making a parallel amendment to the Standing Orders. Meanwhile it seems unlikely that the current Draft Additional Standing Order would give rise to real difficulty as the debate on any proposal will give full opportunities for Assembly members to indicate what changes **I** they would like to see, and for the First Minister and Deputy First Minister to gauge the strength of support for such changes; and there is nothing to prevent them withdrawing an original proposal and substituting an

amended version. This issue will be considered further, initially in the context of the Bill.

4. The Committee's comments on time limits are most helpful. The proposed changes to paragraphs B(8), B(9), C(5) etc will be made. ✓
5. The Committee's comment on the clarity of B(16) has led us to conclude that there is a need to be more specific about how vacancies should be filled. Paragraph B916) will be rewritten to incorporate a more detailed set of provisions, similar to those found in Draft Additional Standing Order C(12). ✓

Draft Additional Standing Order C

6. The Committee's comments on paragraph C(3) are both accepted. The need to amend paragraph 12(2) of the initial Standing Orders has been noted. ✓

Draft Additional Standing Order D

7. The Committee's suggested new paragraph D(2) is accepted. ✓
8. The Committee's proposal to add a third sub-paragraph to paragraph (5) is accepted, but the precise wording will be adjusted to take account of the fact that the relevant provision of the Northern Ireland Bill will not be in force during the shadow phase. ✓
9. The Committee's proposal to incorporate a time limit in paragraph 9(a) is ✓accepted. Additionally, we will be taking the opportunity to distinguish between the circumstances where an individual Minister-designate may be removed from office (in which case the party's nominating officer would be able to make a further nomination) and circumstances where a party ✓

may be removed from office (in which case the whole procedure for appointing Ministers/designate would need to be re-run).