

CHECKS - AT LEAST

“The government intend that all the devolved administrations should be as fully involved as possible in discussions with the UK Government about the formulation of their policies on all issues which touch on devolved matters. Indeed, a great deal of thought has been given to how the UK Government and the devolved administrations should interact on matters of communal interest.

The Government intend that there should be standing arrangements for the devolved administrations to be involved by the UK Government at ministerial level when they consider reserved matters which impinge on devolved responsibilities. It is envisaged that this would be achieved through the establishment of a joint ministerial committee of which the UK Government and the devolved administrations would be members. The joint ministerial committee will be an entirely consultative body, supported by a committee of officials and a joint secretariat. Further details of the standing arrangements will be announced later. Where there is agreement between the parties that it should do so, the JMC could also discuss the treatment of devolved matters in the different parts of the UK.

These standing arrangements will run in parallel with and underpin the bilateral concordats between the Scottish executive and departments in the UK Government. These arrangements would be non-statutory. The Scottish executive cannot, of course, be committed in advance to any particular form of liaison. That said, however, the UK Government believe that there will be strong mutual benefits from such liaison arrangements and we would expect the devolved administrations to recognise this also. The Government believe that these non-statutory arrangements, together with the provisions in the devolution Bills, will enable the United Kingdom to work more effectively in future, giving due and appropriate weight to each of its main components.....

There will be one joint ministerial committee [but] representation will vary according to the specific issues under consideration. Fisheries Ministers would be involved on fisheries matters, for example..... The detailed arrangements are still being developed and will be announced later in the year.”

*(Baroness Ramsey of Cartvale, Government Whip, House of Lords debates on the Scotland Bill, 28 July 1998, cols. 1488-9)*

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## Constitutional framework

1. Quasi federal structure - Pt I, cls 5(6), and 7, Belfast Ag
2. Electoral system - proportional - cl 26 (note schds 2(12) 4 (3) protects)
3. Bound by ECHR AND EXTRA religious discrimination bar - cl6 (d) and (e)
4. Minister not to breach ECHR - cl 19
5. NI Sec oversight of compliance with international obligations - cl 20

## Parliamentary design and procedure

1. Prelegislative scrutiny - ministers' cl 8 and presiding officer, cl 9
2. AG power to refer to PC cl 10
3. Detailed committee scrutiny - cl 11 and Belfast Ag, strand 1, operation of Assembly, cl 8-13
4. Committee powers to call witnesses and documents - cls 36, 37
5. Proportional apportionment of committee chairs - cl 22 and strand 1, cl 5-13 (mentioned in NZ as useful to avoid executive dominance)
6. Cross community votes
7. Presiding officer - cl 31
8. Minority (30 members) able to prompt qualified majority voting - cl 34

## External

1. International scrutiny - USA etc
2. Human Rights Commission - cl 11(4) - advisory role on bills
3. Consultative Civic Forum - cl 65
4. North South Ministerial Council - British Irish council - cl 66
5. Judicial scrutiny - cl69

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