



HOUSE OF LORDS
LONDON SW1A 0PW

0171 - 219 - 5050

Paul Murphy MP
Ministry of State
Northern Ireland Office
Parliament Buildings
Belfast
BT4 3ST

17 April 1998

Dear Paul,

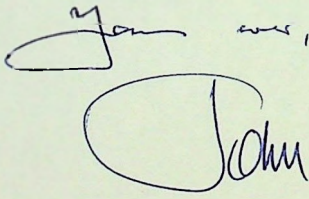
I would like to raise the following initial points for clarification arising out of the Stormont Agreement, relating both to the Assembly election and the operation of the new institutions in their shadow form. We assume that all these matters can be dealt with through primary legislation.

1. With regard to the eligibility of candidates for the Assembly election, we would suggest that the conditions set out in the 1996 Entry to Negotiations Act be repeated. As we have previously stated, we also believe that all European Union citizens resident in Northern Ireland should be eligible to vote.
2. In the course of the negotiations, it was agreed that the Assembly would have a four year fixed term. This needs to be spelt out.
3. In the Talks, there was a broad consensus among the participants that vacancies in the Assembly should normally be filled by co-option rather than through by-election, in order to maintain the principle of proportionality. The alternatives are either the co-option of another representative from the party that has lost the seat, or that each candidate for election appoints a replacement either at the point of nomination or election.
4. In the Agreement, it is clear that the First Minister and Deputy First Minister shall be elected by the Assembly on a cross-community basis. It is also clearly implied that both these offices will be an integral part of the Executive. Therefore, when the d'Hondt formula is applied to allocate posts within the Executive, the success of two parties in obtaining the top two posts should be taken into account, to maintain

proportionality in the Executive.

5. The Chairs and Vice-Chairs of the Departmental Committees are also to be allocated according to the d'Hondt formula. The Chairs and Vice-Chairs of any further Standing Committees should be distributed on the basis of a continuation of this allocation rather than commencing a fresh application of d'Hondt.
6. When applying d'Hondt to such small figures as the number of seats in any Assembly, there will potentially be a higher frequency of ties. In the event of a tie, precedence should be given to the party with the lesser number of posts under that application of the system before other methods for resolving a tie are implemented.
8. Finally, the Agreement clearly implies that every Minister within the Executive will have direct responsibility over some executive matters. The responsibilities of the existing six Departments in Northern Ireland should be divided into ten. One possible division could be: Finance and Personnel; Agriculture; Health and Social Services; Education; Economic Development; Arts, Tourism and Heritage; Local Government, Housing and Planning; Environment, including Transport; Equality (to include Community Relations); Law Reform (which could become a Department of Justice when the relevant responsibilities are transferred). The division of portfolios should take place prior to the commencement of the work of the shadow North-South Ministerial Council.

If you would like to discuss any of these points, I would be only too happy to meet with you.



Handwritten signature of John, consisting of a stylized 'J' followed by 'ohn'.