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DISCUSSIONS ON PARTY PAPERS

OUP

In discussions by the Committee, the OUP (M. Smyth and Mrs Dunlop) gave a rather unclear account of the relationships between local councils - (which would continue to exist and have powers in respect of planning applications and (some) road planning) - the Assembly and the NIO Ministers. The latter would also continue but would be fewer in number than under direct rule. They would make very major policy, and funding decisions. There might be a need for separate scrutiny committees so that the Assembly administrative committee would not end up scrutinising itself. The Assembly would have the equivalent of Council bye-law powers in the area of legislation. The boards - Health & Social Security, & Education would be knit into the Assembly by strong Assembly representation on them.

In response to DUP questioning on how administrative power sharing was acceptable while Executive powersharing was not, Smyth said he felt the latter could come apart under pressure from extremists.

The basic long term OUP position on devolution was still the 1975 Convention Report.

DUP. (1)

The discussion on the DUP document centred mainly on the issue of majority rule and its acceptability. The DUP made it clear that any party including those who did not support the institutions of state such as the SDLP could have power - if they won a majority alone or in coalition.

They wanted powers in relation to ordinary criminal activities at once, and the other reserved powers as soon as possible. They accept that they would not have power over excepted security matters - (e.g. the Defence Forces, treason and special powers and other provisions dealing with terrorism). The Chief Executive might have once weekly meetings with Secretary of State and security chiefs.

Spending priorities would be decided through initial discussions in committee with Departments followed by Government decision on priorities approved by the Assembly. However, there should not be merely a block grant from London - there would have to be flexibility to deal with emergencies etc.

A referendum on the most acceptable policy to Assembly would be better than the Secretary of State deciding if there is widespread acceptance of proposals.

#### Alliance

The level of questioning by other parties was less pointed and so less additional detail emerged in relation to the Alliance proposal than for other parties. They clarified their appeal to Westminster as being to Parliament on political issues not to House of Lords. Alliance was not in favour of weighted majorities but preferred setting up proportionality of Committee membership so that issue should not arise. Any party which opted out of the Committee system would have no "opposition" role in the traditional sense.

#### DUP, (2)

The DUP 'legislative devolution' proposal - discussion made clear that the legislature would have no function in relation to spending including determination of priorities. The precise nature of the powers overriding the local legislature in this matter were not defined. The DUP envisaged bargaining between

the NIO which would be responsible for initiating the bulk of the legislation and the Assembly, which would give the Assembly a degree of power. They did not believe irretrievable conflicts would occur. They held firm to the view that it could develop to full devolution, perhaps picking up administrative powers before full executive ones. (It may be noted also that among the few concrete examples mentioned of what would be covered by the legislative were the prohibition or otherwise of hare coursing and a dogs Order).



Etain Doyle.

15 September 1986.

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