

CONFIDENTIAL

RBS/267/86



cc. PS/Ministers (B&L) - M
 PS/PUS (B&L) - M

1 PS/Mr Bloomfield 17/6 2 pcc 3/2

NI Perm Secs
 Mr Brennan - M
 Mr Stephens
 Mr Chesterton - M
 Mr Gilliland
 Mr M Elliott
 Mr Innes
 Mr Palmer
 Mr McConnell
 Miss F Elliott - M
 Mr Sullivan

PS/Secretary of State (B&L) - M

CONSULTATION ON PROPOSED LEGISLATION AFTER DISSOLUTION OF THE ASSEMBLY

1. The Secretary of State will wish to consider how we might obtain the views of the Northern Ireland political parties on proposed legislation and consultative and discussion papers after the Assembly has been dissolved. He will also wish to consider the status of former members of the Assembly in relation to access to government.

Proposed legislation, consultative and discussion papers

2. With the end of the Assembly, it is important that the unionist parties and the other recognised political parties in Northern Ireland are encouraged to put forward their views on draft Northern Ireland legislation and on major consultative and discussion papers. It is accordingly proposed that on the day Proposals for Draft Orders in Council are published, the Secretary of State should write personally to the leaders of the main NI political parties - Messrs Molyneaux, Paisley, Hume, Cushnahan and Kilfedder - enclosing a copy of the Proposal and accompanying Explanatory Document and inviting comments. As

CONFIDENTIAL

CONFIDENTIAL

Unionists are still not prepared to give their views directly to the Secretary of State the letter might say, as in the attached example, that our timetable for the legislation required that any comments should reach the sponsoring department by a specified date. This is in line with the arrangements for seeking comments from interested parties who are invited to send their views direct to the Department.

3. In addition, Central Secretariat would continue to send copies of the Proposal to the headquarters of the recognised NI political parties (UUP, DUP, SDLP, Alliance, UPUP, Workers Party, Irish Independence Party; Progressive Unionists and the Labour Party for NI) and to those NI MPs who have asked to receive copies. Copies would also be sent to the Party Spokesmen for NI at Westminster and placed in the Westminster Libraries. A press release would also be issued indicating that the Secretary of State was anxious to have the views of the NI political parties on the Proposal.
4. A similar consultation process would be undertaken in respect of major consultative papers and discussion documents.
5. It is proposed that the Departmental Minister should continue, as at present, to consider comments received on the Proposal and to inform the Northern Ireland MPs and the Party Spokesmen at Westminster about any changes which are made to the draft Order as a result of the consultation process.

Access to Government

6. The current rules on access to government provide that Assembly members who write to NIO Ministers receive Ministerial replies as do MPs, former members of the Government of Northern Ireland and former Ministers of the Northern Ireland Executive. Once the Assembly is dissolved however members will cease to have any status and will be refused any personal or confidential information relating to individual cases or matters of policy. Some members will however still be entitled to receive such information and to Ministerial replies because they are MPs or leaders of the recognised political parties (eg Mr Cushnahan) or

CONFIDENTIAL

CONFIDENTIAL

a Chairman, Lord Mayor or Mayor of a Council writing on behalf of the Council. Otherwise former members of the Assembly will be treated as ordinary members of the public and will only be entitled to receive relevant factual information about the law and procedures. It is proposed however that any queries which are outstanding at the date of dissolution should be answered in the normal way.

7. I would be glad to know if the Secretary of State is content with these arrangements.

RBS

R B SPENCE
Central Secretariat
16 June 1986

CONFIDENTIAL

DRAFT LETTER FROM THE SECRETARY OF STATE TO

Rt Hon James Molyneux MP
House of Commons
LONDON
SW1A 0AA

DRAFT HEALTH AND PERSONAL SOCIAL SERVICES AND PUBLIC HEALTH (NORTHERN IRELAND) ORDER

A Proposal for a draft Health and Personal Social Services and Public Health (Northern Ireland) Order has been published today by the Department of Health & Social Services. The main purpose of the Order is to strengthen the controls available in Northern Ireland to reduce the spread of infectious diseases and to make miscellaneous amendments to health and personal social services legislation.

I enclose a copy of the Proposal and accompanying Explanatory Document and would welcome your comments. Our time-table for this Order requires that comments should reach the Department by 31 July 1986.

I am writing in similar terms to Rev Ian Paisley MP MEP, John Hume MP MEP, James Kilfedder MP and John Cushnahan.

TOM KING

Hidden Copies

PS/Secretary of State (B&L)
PS/Mr Needham
Dr Hayes
Mr Cowling
Miss Elliott
Mr Sullivan