



*Dublin Forum Rules  
Local Government*

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*12* June 1996

*Dear John:*

I am grateful to you for coming to see me at such short notice earlier today. | As you know, I am required by paragraph 1(2) of Schedule 2 of the Northern Ireland (Entry to Negotiations, etc) Act 1996 to nominate a member of the Forum as its chairman until the Forum elects its own Chairman. Having sought names from all the parties elected to the Forum, I have great pleasure in inviting you to accept my nomination under the legislation to act as nominated chairman of the Forum. You have already informally signalled your willingness to act in this capacity. |

On that basis I attach a formal instrument of appointment under paragraph 1(2) of Schedule 2 to the Northern Ireland (Entry to Negotiations, etc) Act 1996, but alongside that, I thought it might be helpful to write to you less formally to indicate what the broad nature of the initial proceedings of the Forum might be, and the part which you, as chairman, might play.

I am still in the process of taking soundings with the parties represented in the Forum about aspects of the first day's business, but in general terms I can envisage that the first items of formal business might consist of:



- (i) your taking the Chair and reading into the record the minute of appointment together with the formal notification of first meeting (both attached) plus the attached memorandum of today's date covering initial rules of procedure determined by me under paragraph 3(3) of Schedule 2 of the Act;
- (ii) conducting the election of the Chairman of the Forum by the membership in accordance with the procedure set out in Rule 1 of those initial Rules.

In this latter connection, election of the Chairman is a matter for the Forum, but I should say that there is nothing to preclude you from being nominated as the permanent Chairman and elected in accordance with the above procedure, should that be the wish of at least 75% of the membership: all that would be required is for another member, by the leave of the Forum, to take the Chair while the election was being conducted.

At the conclusion of the election, the new Chairman will take the Chair and be responsible thereafter for the conduct of proceedings. It has to be recognised, of course, that the membership may not be able to reach sufficient agreement for a permanent Chairman to be elected at that stage, and that you may have to conduct consultations with the Party Leaders to resolve the situation.

I should be delighted to receive formal confirmation of your willingness to fulfil this time-limited but crucially important function. During your occupancy of the Chair you





will of course be able to call on the professional assistance of the permanent corps of Forum staff I have provided. The Forum Secretary, Mr Nigel Carson, is already in contact with you about this.

In anticipation of your acceptance of those important new responsibilities I send you by grateful thanks and my best wishes.

*Yours faithfully*  
*Barth*

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(1)

To whom it may concern

In pursuance of paragraph 1(2) of Schedule 2 to the Northern Ireland (Entry to Negotiations, etc) Act 1996, I hereby appoint Mr John Reginald Gorman CVO CBE MC to be chairman of the Forum established by that Act.

*Patricia Mayhew*

One of Her Majesty's Principal  
Secretaries of State



The forum.

3.—(1) The delegates returned in accordance with Schedule 1 shall constitute a forum for the discussion of issues relevant to promoting dialogue and understanding within Northern Ireland.

(2) The functions of the forum shall be deliberative only.

(3) Accordingly the forum shall not have any legislative, executive or administrative functions, or any power to determine the conduct, course or outcome of the negotiations mentioned in section 1.

(4) But if, in accordance with any rules of procedure adopted by them, the participants in the negotiations refer any matter to the forum, subsection (3) shall not be taken to prevent the forum from considering that matter.

(5) Schedule 2 shall have effect in relation to the forum.

Referendums.

4.—(1) The Secretary of State may from time to time by order direct the holding of a referendum for the purpose of obtaining the views of the people of Northern Ireland on any matter relating to Northern Ireland.

(2) An order under subsection (1) shall be made by statutory instrument; but no order shall be made unless a draft has been laid before, and approved by resolution of, each House of Parliament.

(3) An order under subsection (1) may include such provision relating to the conduct of the referendum as appears to the Secretary of State expedient, including provision—

- (a) setting out the wording of the question to be put;
- (b) as to the persons entitled to vote;
- (c) applying, with or without modifications, any enactment (and in particular any enactment relating to elections) or any provision made under an enactment.

(4) Nothing in this section shall be construed as authorising the Secretary of State to direct the holding of a poll otherwise than in accordance with Schedule 1 to the Northern Ireland Constitution Act 1973 in relation to the matters dealt with in section 1 of that Act (status of Northern Ireland as part of United Kingdom).

1973 c. 36.

“Nominating representative” of a party.

5.—(1) In this Act “nominating representative” in relation to a party means the person who at any time appears to the Secretary of State to be the leader of the party or otherwise the most appropriate person to act on behalf of the party for the purposes of this Act.

(2) The Secretary of State shall cause to be published in the Belfast Gazette—

- (a) an initial list of the nominating representatives of the parties listed in Part II of Schedule 1;
- (b) notice of any change in the nominating representative of any of those parties.

Allowances and Secretary of State's expenses.

6.—(1) The Secretary of State may pay allowances to delegates returned in accordance with Schedule 1, whether by reference to days on which they attend the forum or participate in negotiations or otherwise.



Section 3(5).

## SCHEDULE 2

## THE FORUM

*Chairman*

1.—(1) There shall be a chairman of the forum.

(2) The chairman shall be elected by the members, but until the first election has taken place he shall be a member nominated by the Secretary of State.

*Meetings*

2.—(1) The first meeting of the forum shall be at a time decided by the Secretary of State.

(2) The time decided under sub-paragraph (1) shall be—

- (a) after the commencement of negotiations within section 2, and
- (b) within, or as soon as possible after the expiry of, the period of four weeks beginning with the date of the poll in the elections.

(3) Subsequent meetings shall be at times determined by the members of the forum.

(4) But the forum shall not meet at any time notified by the Secretary of State to the chairman as being a time when, in the opinion of the Secretary of State, it would not be appropriate for the forum to meet because negotiations within section 2 are intended to take place; but the Secretary of State shall not prevent the holding of a meeting for more than four consecutive weeks.

*Procedure*

3.—(1) Subject to the provisions of this Schedule, the proceedings of the forum (and of any committee it may establish) shall be conducted in accordance with rules of procedure determined by the members of the forum and approved by the Secretary of State.

(2) The rules of procedure of the forum shall include provision for a quorum.

(3) Until rules of procedure have been determined and approved under sub-paragraph (1) proceedings shall be conducted in accordance with rules determined by the Secretary of State and notified by him to the chairman.

(4) In exercising his functions under sub-paragraphs (1) and (3) above, the Secretary of State shall make every effort to secure that the rules of procedure of the forum facilitate the promotion of dialogue, understanding and consensus across the communities of Northern Ireland.

4. A decision on the election or removal of a chairman or the adoption or alteration of rules of procedure shall not be regarded as taken by the members unless—

- (a) no member present has objected to it, or
- (b) it is approved on a vote by at least 75 per cent. of those voting.

*Privilege*

5. A written or oral statement made by a member of the forum in or for the purposes of the forum (or any committee it may establish) shall be privileged from action for defamation unless it is proved to have been made with malice.



*Miscellaneous*

6. The Secretary of State shall provide for the forum the services of such staff, the use of such premises and such other facilities as he thinks appropriate.

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#### ELECTION OF CHAIRMAN

- Members will recall from our first meeting that there were to be further consultations on the matter of the chairmanship.
- Those consultations have now taken place.
- Unfortunately the weight of other business has made it difficult for parties to give the time required to consider this important matter fully.
- Therefore we have agreed that there should be a further meeting early next week of party representatives to deliberate further.
- I am as hopeful as I'm sure you will be that this matter can be finalised as soon as possible.
- It is of course open to any member to propose with their consent a candidate for the position of chairman who subject to being seconded might command a 75% majority.
- However if the Forum is content with the further consultations I have outlined I should like, with the Forum's leave, to pass on to the next item of business.



## 1 □ ELECTION OF CHAIRMAN

- Member proposes candidate
- “That X be chairman of this Forum”
- Member seconds
- Candidate accepts nomination verbally or in writing
- Chairman “Is there any further proposal?”
- If not “ the time for proposals has expired”
- OR further proposing and seconding of candidates and acceptances until exhausted
- Chairman “ The time for proposals has expired”
- Debate relevant to election
- No member speaks more than once
- Chairman puts question “That X (the only or the first candidate) be chairman of this forum”
- Names called say “Aye” or “ No”
- Carried if no one objects or agreed by at least 75% of those voting
- If not carried same procedure until carried
- If still not carried repeat after period of adjournment and possible consultation