

Possible Outline Framework (to assist discussion)

1. There could be a single, unicameral Assembly of 85 members elected by proportional representation and a separate election from a single Northern Ireland constituency to a panel of, say, three people with significant consultative, monitoring, referral and representational functions.
2. The institutions could have executive and legislative responsibilities over at least as wide a range of subjects as in 1973 with scope for further transfers if the arrangements proved stable and durable and there was agreement on how to exercise such powers. Executive responsibilities would be discharged through Northern Ireland Government Departments, the Heads of which would be drawn from the Assembly.
3. The Secretary of State would remain accountable to Westminster for matters which were not transferred.
4. The Assembly could be presided over by a Speaker, elected by a weighted majority, of say 70%, of the Assembly. The Assembly could exercise its powers through a system of Departmental Committees, with Chairmanships, Deputy Chairmanships and memberships allocated broadly in proportion to party strengths in the Assembly. The Heads of Departments could be chairmen of the Committees. Other Committees could include a Business Committee and a General Purposes Committee with co-ordinating functions.
The Chairman of the Cttee's could be HOD's. Heads of Dept. Cttee's → New 5
5. Legislative procedures could be prescribed by constitutional legislation. All legislation could require the support of (at least) a majority of both the relevant Committee and the full Assembly. Certain important legislation (eg a financial measure, one with constitutional implications, or significant implications for community relations), could require weighted majority approval (of say 70%). Other measures might be dealt with on the basis of majority decision unless, for example, the Business Committee determined they were contentious or a petition to that effect secured a certain threshold of say 30% support in the Assembly.

6. The constitutional legislation for establishing new institutions could provide for machinery to deal with and correct grievances and could provide for the further entrenchment of individual and community rights, including through a Bill of Rights, which the Assembly could not amend.

7. The allocation of chairmanships between Committees might be made in accordance with party strengths. Any acceptable option for allocation must however ensure that the system of government provides an appropriate, fair and significant role for representatives of all main traditions in Northern Ireland.

8. Chairmanships might normally last for the whole term of the Assembly. The Chairmen of the Departmental Committees might be members of the General Purposes Committee. A Code of Practice might specify the respective roles and decision taking powers of Departments, the Committee Chairmen and other members of their Committees. Other means might be canvassed for preventing Chairmen from becoming "captives" of majorities on their Committees. Chairmen could be expected to have the legal powers of a Head of Department, and be free to take day-to-day administrative decisions (including making certain appointments) as well as many policy decisions. They could be accountable to the Assembly, including through answering questions.

9. Departmental Estimates, policies and actions could be subject to scrutiny by the relevant Committee, which would have the power to compel attendance, call for papers etc. The Assembly would debate reports from, and the minutes of, each Committee.

10. Further consideration should be given to whether a mechanism is necessary to exclude from any share of executive power, or more generally, any individuals or representatives of parties who condone the use of violence for political ends.

N/w alternative

The Panel

11. There could be direct elections to a small body of say three people with significant consultative, monitoring, referral and representational functions.

12. The panel might have a general duty, acting by consensus to consult, formally and informally, with the Assembly and with the Secretary of State and to give advice.

13. The panel's rights/powers and responsibilities (including statutory duties) and its procedures would need to be carefully defined but its consultative, monitoring and referral role might cover

It could have certain powers

- legislation
- budgetary matters
- public appointments
- administrative actions.

14. The panel could have a duty to prepare regular (annual) reports on the operation of the new political institutions, including recommendations for any further development of the arrangements or increases in the range of transferred matters, which could be considered by the Assembly and the Secretary of State.

15. The panel could also have a major representational and promotional role. It could have a special commitment to the economic development of Northern Ireland, through participation in joint promotional activities in collaboration with the appropriate agencies, whether Province-wide or more local.

16. The panel might secure its share of resources from the Secretary of State independently from the rest of the "transferred" block in order to ensure both its financial independence, and that its resources were sufficient to carry out the full range of its statutory functions.