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DRAFTAonad Idir-Rannach um an Tuaisceart
Inter-Departmental Unit on the North
of IrelandCONFIDENTIALMinutes of twentieth, twenty-first, twenty-second,
twenty-third, twenty-fourth and twenty-fifth meetings
held on 25th, 26th, 27th and 31st August, 1971 and
2nd and 8th September, 1971Present

Mr. S.G. Ronan, Chairman	Department of Foreign Affairs
Mr. D. Ó Súilleabháin	Department of the Taoiseach
Mr. J.F. MacInerney	Department of Finance
Mr. M. Doyle *	Department of Finance
Mr. E. Gallagher	Department of Foreign Affairs
Mr. S. Donlon	Department of Foreign Affairs
Mr. J. Small, Secretary	Department of Foreign Affairs

* present for twenty-fifth meeting only on 8th September, having been nominated by the Department of Finance as successor to Mr. MacInerney.

Purpose of Meetings

The Chairman explained at the opening meeting that an informal direction had been given to the Unit by the Government arising out of their deliberations on the previous day (24th August) on the Northern situation, to prepare a draft structure, standing orders, etc. for the proposed alternative assembly which the SDLP M.P.s in Northern Ireland announced they would create after their withdrawal from Stormont. The Unit addressed itself to this problem over six meetings and produced four draft documents listed hereunder the texts of which are annexed to these minutes.

- (1) Constitution (Annex 1)
- (2) An additional Sub-Article-9(c) (Annex 2)
- (3) Two additional articles suggested by Mr. MacInerney (Annex 3)
- (4) Notes on Constitution (Annex 4)
- (5) Rules of Executive Council (Annex 5)
- (6) Rules of Membership Committee (Annex 6)
- (7) Standing Orders (Annex 7).

DRAFTAnnex 1

NORTHERN IRELAND
ALTERNATIVE ASSEMBLY
CONSTITUTION

Article 1

The Alternative Assembly is the [principal] representative body of the non-unionist community in Northern Ireland.

Article 2

The Assembly shall work toward the objective of obtaining equality of treatment for everyone in Northern Ireland irrespective of political views or religion.

Article 3

The Assembly shall pursue this objective by non-violent political means.

Article 4

The Assembly shall be composed of members as set out in Articles 6, 7 and 9.

Article 5

(a) Each member of the Assembly shall be required to assent in writing to Articles 1, 2 and 3. *before taking his seat.*

(b) Such assent shall not preclude a member from holding and advocating any political, economic or social policy that is not in conflict with Articles 2 and 3.

Article 6

The members of the Northern Ireland House of Commons who assent in writing to Articles 1, 2 and 3 shall be members ex-officio of the Assembly, unless replaced as members of the House of Commons, and shall constitute its Executive Council.

Article 7

The members of the Northern Ireland Senate who assent in writing to Articles 1, 2 and 3 shall be members ex-officio of the Assembly unless replaced as members of the Senate.

Article 8

The members ex-officio of the Assembly shall constitute its Membership Committee.

Article 9

(a) The Membership Committee of the Assembly shall co-opt from among the members of the County Borough, County, Urban District and Rural District Councils x persons to be members of the Assembly. The Committee shall have regard to the principle of ensuring equitable political and geographic representation.

(b) The Membership Committee shall have the power to rescind a co-option in any case where the co-opted member ceases to be a councillor.

/..

Article 10

(a) The Executive Council shall elect from its members a President and, as it considers appropriate, other officers to whom it shall assign specific functions.

(b) Following the meeting of the Membership Committee to co-opt members as prescribed by Article 9(a), the Executive Council shall convene the first meeting of the Assembly.

(c) Subsequent meetings of the Assembly shall be convened by the Executive Council or by petition signed by not less than one-half of the members of the Assembly.

Article 11

The Assembly shall meet at least once a year.

Article 12

Meetings of the Assembly shall be held in public save that in case of special emergency the Assembly may, with the assent of not less than two-thirds of the members present, meet in private.

Article 13

The President of the Executive Council shall preside at the first meeting of the Assembly until the election of a Chairman. The first item on the agenda shall be the adoption of this Constitution. The second item shall be the election of a member as Chairman. The third item shall be the adoption of standing orders.

Article 14

This Constitution may be amended upon twenty-one days' written notice of motion for that specific purpose provided that not less than two-thirds of the members vote in favour of the proposed amendment.

Article 9

(c) The Membership Committee may co-opt to be members of the Assembly not more than x persons representative of organisations ~~or areas?~~ not otherwise adequately represented in the Assembly.
~~Such members shall not have the right to vote~~

Article X

The provision of secretarial assistance, premises and other facilities necessary for the discharge of the Assembly's functions shall be the responsibility of the Executive Council which shall also present an annual audited account for approval by the Assembly.

Article Y

The Assembly is authorised to receive donations and to raise funds by such means as it may deem appropriate.

SECRETNotes for Ministers on Draft Constitution for Northern Ireland
Alternative Assembly

1. In drafting the Constitution (Annex 1), the Unit assumed that the Assembly would be
 - deliberative in character
 - confined to elected representatives
 - about the size of the Northern Ireland House of Commons (52)
 - controlled by the M.P.s but would give some recognition to the Senators.
2. The Executive Council is the key organisation of the Assembly and is solely comprised of M.P.s who would elect from among themselves the President of the Council and decide on specific functions for each of themselves. The Chairmanship of the Assembly is an honorific office and the Unit consider that it would help to broaden the feeling of active participation if he were neither an M.P. nor a Senator.
3. A maximum of 11 M.P.s and 6 Senators are likely to participate in the Assembly. This is not enough for a deliberative body but the inclusion of all the non-unionist councillors would produce an unwieldy body. Short of holding elections, there is no way of constituting a fully representative body and there must therefore be provision for selection or co-option. To give the Senators status, the selection function is assigned to the M.P.s and Senators acting jointly as a Membership Committee.
4. By confining the Assembly to elected persons, it will probably not be fairly representative of non-unionist opinion. In the event that it is decided that the Assembly should include members who are neither members of the Northern Ireland Parliament nor councillors, there is attached (Annex 2) an additional draft article. Mr. MacInerney has suggested the inclusion of the last sentence which we have put in square brackets. The other members of the Unit are of the opinion that all members of the Assembly should have equal voting rights.
5. The wording "unless replaced as members of the House of Commons/Senate" in Articles 6 and 7 is intended to cover a situation where an M.P. or Senator might resign his seat at Stormont or be defeated in an election. It also protects the M.P.s and Senators during a dissolution.
6. Mr. MacInerney considers that the Constitution should include two articles as set out in Annex 3. The other members of the Unit disagreed. Mr. O'Sullivan feels that the Assembly should not hold any money. Mr. Gallagher supported by Mr. Ronan, additionally feels it undesirable to include any reference to financial matters in the Constitution of the Assembly. He considers that any financial question can be covered in the standing orders of the Executive Council.
7. Preparation of the standing orders can be put in hand as soon as the Unit has an indication of general agreement on the Constitution.

EXECUTIVE COUNCIL
RULES

ANNEX 5

1. (i) A person who is a member of the Northern Ireland House of Commons and who has on a List of Assents signified his assent in writing in the presence of the Secretary to Articles 1, 2 and 3 of the Constitution may take his seat as a member of the Executive Council.

(ii) As soon as may be after the first meeting of the Executive Council, the Secretary shall send to the Secretary of the Membership Committee a copy certified by him of such List or Lists of Assents.

2. At the first meeting of the Executive Council, the member who has served longest in the aggregate as a member of the Northern Ireland House of Commons shall be Acting President until a President is elected.

3. (i) When the Acting President has taken the Chair the Executive Council shall proceed to the election of a President who shall hold office for a term of two years. A proposal or proposals to that effect shall be received by the Acting President.

(ii) The Acting President shall in the order in which members have been proposed put the proposal, "That.....(naming the member) be elected as President" which shall be decided like other proposals.

4. In the case of the absence of the President-elect, the Acting President shall continue to preside until a Vice-President is elected.

5. The Executive Council shall proceed to the election of a Vice-President who shall hold office for a term of two years. The election procedure shall be the same as that for the election of a President.

6. When a vacancy has occurred in the office of President, the Executive Council shall at the opening of its next meeting proceed to the election of a President.

7. In the absence of the President, the Vice-President shall perform the duties of and exercise the powers of the President.

8. In the absence of both the President and the Vice-President, the Executive Council shall proceed to elect one of its members to perform the duties, and exercise the powers, of the President - the necessary proposal or proposals being received by the Secretary who shall act as Chairman until such member is appointed.

9. (i) A proposal to terminate the appointment of the President may be made on seven days' notice provided such proposal has the prior written assent of at least five members in addition to the proposer.

(ii) The procedure at (i) above shall also apply in the case of the Vice-President.

10. The quorum necessary to constitute a meeting of the Executive Council shall be six.

11. (i) Unless it shall otherwise decide, the Executive Council shall meet at least once a month. The time and place of meeting shall be determined by the Executive Council.

(ii) The President on his own authority may or at the request of six members of the Executive Council shall, summon a meeting of the Executive Council.

12. The Secretary shall record the decisions of the Executive Council and shall perform such other duties and exercise such powers as may be determined by these Rules or by the Executive Council.

13. Save as otherwise provided in these Rules a formal proposal for decision by the Executive Council shall be brought before it on four days notice to the Secretary; provided that the President on his own authority or at the request of six members of the Executive Council may allow shorter notice.

14. The decisions on a proposal in the Executive Council shall be determined by a majority of the votes of the members present and voting save as otherwise provided in the Constitution. In the event of there being an equality of votes the proposal shall fail.

15. The Executive Council shall appoint two joint Treasurers to be responsible to the Executive Council, and shall define their duties and powers.

16. Reasonable advance notice convening a meeting of the Assembly shall be given to each member thereof.

17. (i) Statements on behalf of the Executive Council will normally be issued by the President.

(ii) Other Officers to whom specific functions have been assigned will normally be the spokesmen in relation to their respective functions.

18. The Executive Council may, subject to those Rules, determine its own procedures, including the setting up of Committees.

19. The foregoing Rules shall continue in force until amended or repealed by the Executive Council.

DRAFTMembership CommitteeRules

1. (i) A person who (a) is a member of the Executive Council or (b) is a member of the Northern Ireland Senate who has on a List of Assents signified his assent in writing in the presence of the Secretary to Articles 1, 2 and 3 of the Constitution may take his seat as a member of the Membership Committee.
(ii) As soon as may be after the first meeting of the Membership Committee, the Secretary shall send to the Secretary of the Assembly (a) a copy certified by him of such List or Lists of Assents and (b) a copy of the certified List or Lists of Assents received by him from the Secretary of the Executive Council.
2. The President of the Executive Council shall be Chairman of the Membership Committee.
3. The Vice-President of the Executive Council shall be Deputy Chairman of the Membership Committee.
4. In the absence of the Chairman the Deputy Chairman shall perform the duties of and exercise the authority of the Chairman.
5. In the absence of both the Chairman and the Deputy Chairman, the Membership Committee shall proceed to elect one of its members to perform the duties and exercise the authority of the Chairman, provided that such member shall be a member of the Executive Council - the necessary motion or motions being received by the Secretary who shall act as Chairman until such member is appointed.
6. The quorum necessary to constitute a meeting of the Membership Committee shall be nine.
7. (i) The Chairman shall summon the first meeting of the Membership Committee.
(ii) Subsequent meetings of the Membership Committee shall be summoned by the Chairman on his own authority or at the request of nine members.

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8. The Secretary shall record the decisions of the Membership Committee and shall perform such other duties and exercise such powers as may be determined by these Rules or by the Membership Committee.
9. The decision on a proposal in the Membership Committee shall be determined by a majority of the votes of the members present and voting. In the event of there being an equality of votes the proposal shall fail.
10. The Membership Committee may, subject to these Rules, determine its own procedures, including the setting-up of sub-Committees.
11. (i) As soon as may be after the Membership Committee has co-opted x persons to be members of the Assembly, the Secretary shall send to the Secretary of the Assembly a list, certified by him, of the names and addresses of
- (a) the members of the Membership Committee; and
 - (b) the co-opted members
- indicating the title of the elective body to which each member belongs.
- (ii) The procedure as at (i) above shall apply to co-options to fill vacancies in the membership of the Assembly.
12. The foregoing Rules shall continue in force until amended or repealed by the Committee.

N O R T H E R N I R E L A N DALTERNATIVE ASSEMBLYSTANDING ORDERSTaking of Seats

1. A person who -
 - (a) is a member of the Membership Committee, or
 - (b) is a co-opted member of the Assembly who has on a List of Assents signified his assent in writing in the presence of the Secretary to Articles 1, 2 and 3 of the Constitution,may take his seat as a member of the Assembly.

Notice Convening

2. At each meeting of the Assembly before any business is taken the President of the Executive Council shall read the notice of the Executive Council convening the Assembly.

Election of Chairman

3. (1) A motion or motions for the election of a Chairman shall be received by the presiding member.
(2) The presiding member shall in the order in which members have been proposed put the question, "That..... (naming the member) be elected as Chairman", which shall be decided like other questions: provided that in the event of there being an equality of votes, the question shall be decided in the negative.
4. In the case of the absence of the Chairman-elect, the presiding member shall continue to preside.

Election of Deputy Chairman

5. The Assembly shall proceed to the election of a Deputy Chairman. The election procedure shall be the same as that for the election of a Chairman.

Chairman and Deputy Chairman

6. When a vacancy has occurred in the office of Chairman, the Assembly shall, at the opening of its next meeting, proceed to the election of a Chairman. For this purpose, the Deputy Chairman shall be the presiding member.
7. In the absence of the Chairman, the Deputy Chairman shall perform the duties, and exercise the powers, of the Chairman.
8. In the absence of both the Chairman and the Deputy Chairman, the Assembly shall proceed to elect one of its members to perform the duties and exercise the powers of the Chairman, the necessary motion or motions being received by the President of the Executive Council who shall act as Chairman until such member is elected.
9. The term of office of the Chairman and of the Deputy Chairman shall be two years but the Chairman shall on the expiration of the said period act as Chairman until his successor has been elected: provided that the Assembly may at any time, by resolution, remove from office the Chairman or Deputy Chairman.
10. Save as provided for in Standing Order 8 the following may not act as Chairman or Deputy Chairman:-
 - (a) the President or the Vice-President of the Executive Council;
 - (b) an officer of the Executive Council to whom specific functions have been assigned.
11. The Chairman shall nominate, as soon as may be a panel of not less than two members, any one of whom may act as presiding member in the Assembly when requested so to act by the Chairman.

Quorum

12. The quorum necessary to constitute a meeting of the Assembly shall be twelve members.

Sittings of the Assembly

13. (1) The time and place of each meeting shall be in accordance with the notice convening such meeting.
- (2) The Assembly shall adjourn not later than 10 p.m., provided that a motion that the Assembly shall sit later than 10 p.m. may be made without notice and not later than 8 p.m.
14. A motion that a sitting be suspended for a period may at any time be made, by permission of the Chairman, and without notice. Such motion shall fix the period of suspension.

Order Paper

15. Every sitting of the Assembly shall be governed by an Order Paper which shall be prepared under the direction of the Chairman. The Assembly may on the motion of the President of the Executive Council and without debate give priority to certain business. Other business shall be dealt with as on the Order Paper unless the Assembly otherwise determines.
16. All motions to be put on the Order Paper for any day, shall be in writing, signed by a member, and shall reach the Secretary not later than 11 a.m. on the fourth preceding day. Any amendments to such motions shall be in writing, signed by a member, and shall reach the Secretary not later than 11 a.m. on the second preceding day: Provided that, by permission of the Chairman, motions and amendments may be made on shorter notice.

Rules of Debate

17. A member desiring to speak shall rise in his place. Should more than one member rise at the same time, the Chairman shall call upon one of them. Members shall address the Chair.

18. Whenever the Chairman rises during a debate, any member then speaking, or offering to speak, shall resume his seat.
19. No member shall be entitled to speak twice upon the same motion and amendments thereto (if any) except to close the debate upon a motion of which he was the proposer.
20. A motion or amendment shall not be debated until it has been seconded, but a seconder may reserve his speech till a later stage of the debate.
21. If a member does not move the motion or amendment which stands in his name, such motion or amendment shall lapse unless moved by some other member authorised by him.
22. A member who has made a motion or proposed an amendment may withdraw the same by leave of the Assembly.
23. Every amendment must be relevant to the motion to which it is proposed, and must be directed to omitting, adding, or substituting words. An amendment, which is equivalent to a direct negative, shall not be accepted.
24. When the question on a motion or an amendment has been put by the Chairman no further debate thereon shall be allowed.
25. A motion to rescind or amend a Resolution, other than a Resolution relating to Standing Orders, may be made only on notice that shall specify the Resolution to be rescinded or amended, and furnish the terms of the motion to be made; but no motion shall be allowed to appear on the Order Paper to rescind any such Resolution, within six months from the date of its adoption, except with the written assent of not less than twenty members.

26. No member shall re-open a discussion on a question already decided during the preceding six months, except by the indulgence of the Assembly for a personal explanation; nor anticipate the discussion of any subject of which notice has been given: Provided that in determining whether a discussion is out of order on the ground of anticipation, regard shall be had by the Chairman to the probability of the matter anticipated being brought before the Assembly within a reasonable time.
27. A member who persists in irrelevance or repetition in debate may be directed by the Chairman, to discontinue his speech after the attention of the Assembly has been called to his conduct.
28. The Chairman is the sole judge of order in the Assembly and has authority to suppress disorder.
29. The Chairman shall order a member whose conduct is grossly disorderly to withdraw immediately from the Assembly for the remainder of that sitting or may call on the Assembly to adjudge upon his conduct.
30. In the case of great disorder, the Chairman may adjourn the Assembly without question put, or suspend any sitting for a time to be named by him.
31. (1) The time allowed for the debate on any motion shall not exceed a period of two hours in the aggregate unless the Assembly shall otherwise decide in respect of any particular motion. At the expiration of the said period, if the proceedings have not previously been concluded, the Chairman shall put forthwith the question or questions necessary to bring to a conclusion the proceedings on the motion and on any amendment thereto.
(2) Unless the Assembly shall otherwise decide in respect of any particular motion the speech of a member proposing a motion shall not exceed twenty minutes and the member proposing, or such other member who has not already spoken

as he may authorise in that behalf, shall be entitled to not less than ten minutes for a speech in reply; the speech of any other member in the course of the debate shall not exceed ten minutes.

Divisions

32. (1) When any question is to be put to the Assembly the Chairman shall rise and announce that "The question is that", thereupon reading or stating the question, requiring that as many as are of that opinion shall say "Yes", and as many as are of contrary opinion shall say "No". He shall judge from the answers to his questions, and declare the result, in his opinion, of the putting of the question.
32. (2) After the Chairman shall have declared the result, in his opinion, of the putting of any question, any member may demand a division upon that question, whereupon a division shall, subject to Standing Order 34 be taken.
33. When a division is demanded the Chairman shall cause the division bell to be rung once, and the doors shall be locked so soon after the lapse of not less than three minutes as he shall direct.
34. When the doors have been locked, and the division lobbies have been cleared, the Chairman shall order the Assembly to divide, and shall appoint two tellers for each side.
35. On the completion of the count, the tellers shall sign a division paper which shall be handed to the Chairman who shall announce the numbers and declare the decision. The doors shall then be reopened.
36. Questions in the Assembly shall, save as otherwise provided by the Constitution, be determined by a majority of the votes of the members present and voting, other than the Chairman, or presiding member, who shall have and exercise a casting vote in the case of an equality of votes.

Visitors and Press

37. Visitors may be introduced by members to such places as may be reserved for them by the Chairman, and authorised representatives of the Press may be present at sittings of the Assembly.
38. In case of special emergency, a member of the Executive Council may move, without notice, that all visitors and Press representatives be excluded from the Chamber, and this shall be done by direction of the Chairman, with the assent of two-thirds of the members present.

Secretary and Records

39. All proceedings of the Assembly shall be noted by the Secretary and the minutes of proceedings after being perused and signed by the Chairman shall constitute the Journal of the Proceedings of the Assembly.
40. The Secretary shall have custody of all Journals of Proceedings, records, or other documents belonging to the Assembly.

Official Report of Debates

41. An Official Report of the Debates of the Assembly shall be issued under the supervision of the Chairman.

Resolutions and Orders

42. Any matter for decision by the Assembly shall be brought before it by motion for a Resolution.

Business undisposed of

43. All business undisposed of at the adjournment of the Assembly, shall stand postponed until the next sitting day, unless the Assembly shall otherwise order, and shall be placed on the Order Paper for that day.

Resignation of Members

44. Any member of the Assembly may voluntarily resign his membership thereof by notice in writing to the Chairman, and such resignation shall take effect immediately upon the same being announced to the Assembly by the Chairman.

Standing Orders

45. (1) Any Standing Order or Orders of the Assembly may be suspended or modified in effect for the day's sitting, and for a particular purpose, upon motion made after notice. (2) Provided that in cases of urgent necessity, of which the Chairman shall be the judge, any Standing Order or Orders may be suspended upon motion made without notice. If any such motion be opposed the Chairman shall permit an explanatory statement from the member who moves it and a statement from a member who opposes it before he puts the question thereon.
46. The foregoing Standing Orders shall continue in force until amended or repealed.