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31st December, 1979

The Rt. Hon. Mrs. Margaret Thatcher, M.P.,
10 Downing Street,
Westminster,
London, SW1.

Dear Prime Minister

When Harry West and I met Peter Thorneycroft and the late Airey Neave on 19 March 1979, we were informed that it would not be possible for a Conservative Government to restore devolved government to Northern Ireland during the lifetime of the Parliament following the General Election. However, in his statement in the House on 25 October Humphrey Atkins announced that the Government proposed to embark on an "initiative" with the intention of restoring or transferring a significant range of powers to elected representatives in Northern Ireland. Such restoration of democracy to Northern Ireland is, of course, to be welcomed but the nature of the institutions or structure is of vital importance.

You and I, with our respective Parties, opposed in Parliament proposals to establish in Scotland and Wales structures which we both considered damaging to the unity of the United Kingdom, and it was on that issue that the previous Government fell. It was therefore appropriate that in our Ulster Unionist Manifesto we should pledge ourselves to work unremittingly for the "restoration of such a system of devolved government as will neither endanger the Union nor confer contrived privileges on any section of the community."

I recognise that we now have a duty to be positive and to provide proposals for a structure which would meet that all-important requirement. I am therefore responding to the suggestion made by you in the course of our meeting on 14 November 1979 that I might put in writing my Party's detailed proposals. I do this on the assumption that your policy is now to restore devolved government. But in case you should find it necessary or expedient to revert at some stage to the separate and distinct objective set out in that section of your Election Manifesto which reads "In the absence of devolved government, we will seek to establish one or more elected regional councils with a wide range of powers over local services," you might find it helpful to have our suggestions, in paragraph 7 of the enclosed paper, for the speedy and efficient implementation of that policy.

Needless to say, I shall be very happy to discuss with you the contents of our submission, if you should feel this to be necessary.

Yours ever

Jim Molyneux

ULSTER UNIONIST COUNCIL
PROPOSALS TO THE PRIME MINISTER

1. INTRODUCTION

- (i) The Ulster Unionist Party believes that Northern Ireland should be administered by an elected body empowered to legislate and govern and be known as the Parliament and Government of Northern Ireland.
- (ii) The Ulster Unionist Party believes that such a body should not be such as will endanger the Union but rather enhance it and to that end lays down the following principles and proposes a model.

2. SECURITY

Meanwhile Her Majesty's Government must take realistic measures to combat terrorism, defeat the I.R.A. and restore the rule of law.

3. THE PRINCIPLES

- (i) The range of matters to be devolved (or transferred) should in general be those of the 1920 Act or the powers transferable under 1973 Constitution Act. The over-riding authority of the Parliament of the United Kingdom should be preserved as laid down in Section 3 of the Draft Bill incorporated in the Report of the Northern Ireland Constitutional Convention.
- (ii) The transfer arrangements should take into account majority and minority interests in accordance with normal Parliamentary practice.
- (iii) Safeguards and remedies against discrimination on religious or political grounds should be maintained as elsewhere in the U.K. and should also be applied effectively to the actions of United Kingdom ministers and their departments.
- (iv) Responsibility for defence and foreign affairs including relations with the European Community should remain with the United Kingdom Government and Parliament.
- (v) The appointment of High Court Judges should remain with the Lord Chancellor but routine Court administration and electoral matters should be devolved.
- (vi) The Parliament and Government of the United Kingdom should, as in the rest of the Kingdom, be responsible for the defence and security of the land frontier, air corridors and coasts against incursions by terrorist groups and any other hostile forces. Internal responsibility for the maintenance of Law and Order and the Security of the Province should be progressively vested in the Northern Ireland Parliament and Government as the primacy of the Police is established with the support of the other local security forces.

- (vii) The general power to raise revenue by taxation of capital and income or by Customs and Excise duties should remain at Westminster but the proceeds of such taxation as is raised in Northern Ireland should be paid into the Northern Ireland Exchequer for financing transferred services. Other taxation powers such as rating and motor licensing should be devolved.
- (viii) Public expenditure in Northern Ireland should be assessed on the basis of parity and financed with additional support as necessary from the United Kingdom Exchequer.
- (ix) The transfer of powers on these principles need not be completed in one operation but could take place progressively in consultation with the devolved Government.
- (x) Machinery should be provided for determining judicially whether any particular matter lay within the powers transferred.
- (xi) Municipal, social and environmental services should be administered by elected Local Authorities as in the rest of the United Kingdom. The form of authority and the range of powers could best be determined by the new institutions of devolved Government.

THE MODEL FOR A DEVOLVED LEGISLATURE AND ADMINISTRATION

4. The Institutional Framework:

- (i) A Governor appointed by Her Majesty the Queen to exercise such functions as Her Majesty is not able to fulfil in person.
- (ii) A single chamber composed of the representatives of single member constituencies elected by a simple majority which would follow the procedure and practice of the House of Commons.
- (iii) A Cabinet System of government (The Executive Committee of the Privy Council of Northern Ireland) formed by the leader of the largest group of members in the Parliament and formally appointed by the Governor of Northern Ireland.
- (iv) A System of Select Committees to scrutinise the Policies and Actions of the respective Departments, with power to introduce legislation to the Parliament and to debate legislative proposals but with no executive power.

5. The Powers

- (i) The powers to be devolved (or transferred) would be broadly those of the 1920 Act or those powers which were transferable under the 1973 Act together with, in either case, those sought in the Convention Report.
- (ii) The Parliament would be able to legislate on all transferred matters. All legislative proposals would require the assent of the Governor

of Northern Ireland in Council before becoming law.

- (iii) The members of the Cabinet would have collective responsibility and act as Ministers in charge of the Northern Ireland Departments which would discharge Executive functions throughout the transferred field.
- (iv) The Parliament and Government of the United Kingdom would retain responsibility for all matters not yet transferred.

6. The Role of Minorities

- (i) No entrenched powers, responsibilities or privileges would be assigned to majority or minority parties or groupings as such.
- (ii) The Governor would appoint the parliamentary member who appeared to him to have the greatest support from those members not supporting the Cabinet to be the salaried Leader of the Opposition and to be a Privy Councillor for Northern Ireland.
- (iii) The members of the departmental select committees would be appointed from those Members of Parliament not in the cabinet and would be so chosen as to ensure that the composition of each committee (and the total membership of all the select committees) reflected the composition of the House as a whole in relation to the groupings in the House.
- (iv) Chairmen of select committees would be appointed from the Members of Parliament not in the cabinet and would be so chosen as to ensure that the composition of the total number of chairmen reflected the composition of the House as a whole in relation to the groupings in the House.
- (v) The House would be responsible for the allocation of the individual chairmen to their respective committees.

7. Local Government

- (i) Experience of the new system of local government created as a result of the Macrory Report shows it to be undemocratic, uneconomic, insensitive, inefficient and bureaucratic. As citizens of the United Kingdom the people of Northern Ireland are rightfully entitled to have a local government system equally as democratic as that which exists in Great Britain. The necessary restoration of local democracy should be given a very high priority by the new devolved Government of Northern Ireland which would be best fitted to perform this task. Should Her Majesty's Government be not yet willing to restore the democratic system of devolved Government which we seek, it should now create in accordance with the Conservative election manifesto, a tier of Local Government on the

following basis.

- (ii) A Regional Council or Councils should comprise the representatives of single member regional electoral divisions, elected by simple majority, and should administer and have oversight of all those functions which are the responsibility of Regional Councils in Scotland.
- (iii) Each council should have functional Committees to look after day to day administration while matters of policy and principle would be determined by the full Council,
- (iv) The Committee Chairmen would be wholly subject to the decisions of their committees.
- (v) Each council should be directly responsible through their own committees for:-
 - (a) Highway construction and maintenance.
 - (b) Town and Country Planning and Redevelopment.
 - (c) Water supplies and Sewerage.
 - (d) Housing.
 - (e) Coast Protection.
 - (f) Regional Rating.
 - (g) Registration of Electors.
- (vi) In order to avoid further disruption in a time of financial stringency, the Regional Councils should initially discharge their Education and Social Service functions jointly through the existing Education and Library Boards and Health and Social Service Boards respectively, a majority of whose members they would jointly appoint.
- (vii) Regional Councils should also jointly appoint a majority of the members of the Police Authority and of the Northern Ireland Fire Authority which should each continue to be responsible for these services throughout Northern Ireland.
- (viii) Each Regional Council should elect their own functional committees and also Board and Authority representatives so as to reflect the composition of the council as a whole. Committees, Boards and Authorities would elect their own Chairmen.
- (ix) Regional Council activities should be financed by the Regional Rate supplemented by contributions from the Northern Ireland Exchequer upon the same basis as pertains in Scotland.
- (x) Existing Local District Councils should consist of the representatives of single member Local Government Wards elected by simple majority and continue to enjoy the powers they at present possess plus any additional aspects of Local Government functions delegated to them by the upper tier.