

RELATION OF THE FORUM TO THE TALKS

SUMMARY OF RELEVANT ASPECTS OF THE NORTHERN IRELAND (ENTRY TO NEGOTIATIONS, ETC) ACT 1996

- ◆ The May 30, 1996 elections were held “for the purpose of providing delegates from among whom participants in negotiations may be drawn.” (Section 1)
- ◆ Delegates elected in the May 30, 1996 also constitute a forum “for the discussion of issues relevant to promoting dialogue and understanding within Northern Ireland.” (Section 3 (1))
- ◆ The forum ceases at “at the end of May 1997.” (Section 7 (1))
- ◆ The Secretary of State may by order permit the forum to continue to exist beyond the end of May 1997 or permit the forum to come back into existence after a suspension “until a time, not later than the end of May 1998, specified in that order.” (Section 7 (2) (a) & (b))
- ◆ The Secretary of State may by order end the existence of the Forum before the end of May 1997 or before the expiration date of any previous order. (Section 7 (3))
- ◆ If the negotiations are “concluded or suspended” in the view of the Secretary of State, he “shall by order” provide for the cessation of the forum. (Section 7 (4))

EXCERPTS ABOUT THE FORUM FROM THE NORTHERN IRELAND (ENTRY TO NEGOTIATIONS, ETC) ACT 1996 (April 29, 1996)

1996 Chapter 11

“3.—(1) The delegates returned in accordance with Schedule 1 (*note: Schedule 1 details procedures for the May 30, 1996 elections*) 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. (*Note: Section 1 states “Elections shall be held in Northern Ireland for the purpose of providing delegates from whom participants in negotiations may be drawn.”*)

(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.

7.—(1) Section 3 shall cease to have effect at the end of 1997.

(2) The Secretary of State may by order provide that section 3 shall—

(a) continue to have effect, or

(b) come into force again,

until a time, not later than the end of May 1998, specified in the order.

(3) The Secretary of State may by order provide that section 3 shall cease to have effect at a time specified in the order (being a time earlier than the time at which it would cease to have effect by virtue of subsection (1) or (2)).

(4) If it appears to the Secretary of State that the negotiations mentioned in section 1 are concluded or suspended, he shall by order under subsection (3) provide for section 3 to cease to have effect.”

POSSIBLE TALKING POINTS

- ◆ The Northern Ireland (Entry to Negotiations, etc) Act 1996 appears to be quite explicit on the duration of the forum and the circumstances under which its activities may be temporarily or permanently ended.
- ◆ The Act empowers the Secretary of State alone to make such decisions.