

Rogers DA (David)

27

From: Rogers DA (David)
Sent: 18 February 1999 18:28
To: Jamieson JL (Iain); Jackson KJ (Karen); Ewing JA (John); Aldridge JS (John); Walford IN (Iain)
Subject: FW: Draft PQ for comments: stop press

Further to my earlier e-mail to some of you, the Lords Whips Office has told me that these PQs have been discussed by Ministers in view of concerns expressed by the opposition about the timing of the Health Bill in relation to devolution. He is going to suggest a form of words to me for the answer on Monday. I will circulate that in due course

So I do not need comments on my draft.

DAR

-----Original Message-----

Could I have any comments on the attached draft PQ answer by 10.30 am tomorrow please? DAR



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HOUSE OF LORDS

Lord Hogg of Cumbernauld asked Her Majesty's Government:

What arrangements have been made for debating in Westminster matters relating to Scotland and Governmental matters devolved to the Scottish Parliament after 1st July 1999. (HL 1092)

What arrangements have been made for the answering of written and oral parliamentary questions relating to Scotland and Governmental matters devolved to the Scottish Parliament after 1st July 1999. (HL 1093)

The Parliamentary Under-Secretary for Scotland (Lord Sewel):

It will be for your Lordships to consider how to handle Scottish business after devolution, taking account of the fact that Ministers in the United Kingdom Government will, in general, no longer have responsibility for matters which are within the legislative competence of the Scottish Parliament or the executive competence of the Scottish Ministers.

I announced to the House on 21 July 1998 that the Government expect a convention to be established that Westminster would not normally legislate with regard to devolved matters in Scotland without the consent of the Scottish Parliament. The Select Committee on Procedure of the House of Commons is conducting an inquiry into the procedural consequences of devolution. In its evidence to the Committee, Government noted, in particular, that Ministers will no longer be able to answer questions on matters for which they no longer have any responsibility at all. It also proposed that Ministers will, where practical, indicate in their answers to questions and in debate where they are dealing with subjects they will not be responsible for after devolution. That proposal has been endorsed by the Committee and is being implemented.

[Is the memorandum which was submitted to the Committee on 29 October by the Leader of the House of Commons, available to members of the House of Lords, eg in the Library?]

[OR Vol 592, col 791]

Background Note (not for Hansard)

1. After devolution, the UK Parliament will remain able to enact legislation for Scotland in relation to any matter. However, as noted in the draft Answer, Ministers have made it clear that they expect a convention to develop that Westminster would not normally legislate with regard to devolved matters in Scotland without the consent of the Scottish Parliament. A copy of the relevant pages of Hansard is attached.
2. The Select Committee of Procedure of the House of Commons is conducting an inquiry into the procedural consequences of devolution. Its remit is to consider what changes are necessary in consequence of the devolution legislation. Among the issues the Committee are considering is whether it is possible to lay down clear principles as to the House's relationship with the Scottish Parliament and Welsh and Irish Assemblies and whether the Westminster Parliament should exercise a "self denying ordinance". Among the more detailed concerns it is addressing is whether the regime for Parliamentary Questions should be changed. The future of the Scottish Affairs Committee and the Scottish Grand Committee is also under consideration.
3. The Government's evidence to the Committee took the form of a memorandum from Mrs Beckett submitted on 29 October. As noted in the Answer, the Committee has endorsed the proposal that Ministers will, where practical, indicate in their answers to questions and in debate where they are dealing with subjects they will not be responsible for after devolution. That proposal is now being implemented.
4. Until the Procedure Committee completes its report and the Government makes a statement, there is little more that can be said.

Contact: David Rogers
Ext No: 45534



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DATE: 18/2/98

Number of pages including cover sheet: 2

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Location/Serial No.

TO: SIMON BURTON

FROM:

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Use additional sheet if required

SUPPLEMENTARY MESSAGE

Could I have any comments on the attached
draft PD answer by 10.30 am tomorrow
please?

Notes

- Please print clearly and supply full information required
- Ensure that all pages for facsimile transmission are single sided and that all staples are removed

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3-50

The Parliamentary Under-Secretary for Scotland (Lord Sewel):

It will be for ~~you Lordships~~ ^{the House will not} to consider how to handle Scottish business after devolution, ~~taking account of the fact that~~ Ministers in the United Kingdom Government will, in general, no longer have responsibility for matters which are within the legislative competence of the Scottish Parliament or the executive competence of the Scottish Ministers. *This will be a point of the evening session.*

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available

[OR Vol 592, col 791]

Andrew Kenson

for information.....

at all it
is not
matter
I have put
ready
the subject

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Contact: David Rogers

Ext No: 45534

Executive Secretariat
The Scottish Office
February 1999