

Northern Ireland Executive Committee is also able to develop relations with the Irish Government through the North/South Ministerial Council provided for in that Agreement.

20. The UK Government will involve the devolved administrations as fully as possible in discussions about the formulation of the UK's policy position on all EU and international issues which touch on devolved matters. This must, obviously, be subject to mutual respect for the confidentiality of those discussions and adherence to the resultant UK line, without which it would be impossible to maintain such close working relationships.

21. The devolved administrations are responsible for observing and implementing international, European Court of Human Rights and European Union obligations which concern devolved matters. In law, UK Ministers have powers to intervene in order to ensure the implementation of these obligations. If the devolved administrations wish, it is open to them to ask the UK Government to extend UK legislation to cover their EU obligations. The devolved administrations are directly accountable through the domestic courts, in the same way as the UK Government is, for shortcomings in their implementation or application of EC law. It is agreed by all four administrations that, to the extent that financial penalties are imposed on the UK as a result of any failure of implementation or enforcement, or any damages or costs arise as a result, responsibility for meeting them will be borne by the administration(s) responsible for the failure.

Non-devolved matters

22. The UK Government represents the UK interest in matters which are not devolved in Scotland, Wales or Northern Ireland. Policy responsibility for such matters lies with the relevant UK Ministers and Departments. Within the UK Government, the Secretaries of State for Scotland, Wales and Northern Ireland will continue to ensure that the interests of those parts of the UK in non-devolved matters are properly represented and considered. The devolved administrations agree to provide the UK Government with any factual information and expert opinion available to them relevant to such non-devolved matters.

The Joint Ministerial Committee

23. The UK Government and the devolved administrations believe that most contact between them should be carried out on a bilateral or multi-lateral basis, between departments which deal on a day-to-day basis with

PART II: SUPPLEMENTARY AGREEMENTS

A1: THE JOINT MINISTERIAL COMMITTEE

A1.1 The UK Government and the three devolved administrations have agreed to participate in a Joint Ministerial Committee (JMC) consisting of UK Government, Scottish, Welsh and Northern Ireland Ministers. This supplementary agreement sets out the basis on which the Committee will operate, pursuant to the Memorandum of Understanding.

A1.2 The terms of reference of the Joint Ministerial Committee are:

- a. to consider non-devolved matters which impinge on devolved responsibilities, and devolved matters which impinge on non-devolved responsibilities;
- b. where the UK Government and the devolved administrations so agree, to consider devolved matters if it is beneficial to discuss their respective treatment in the different parts of the United Kingdom;
- c. to keep the arrangements for liaison between the UK Government and the devolved administrations under review; and
- d. to consider disputes between the administrations.

A1.3 Plenary meetings of the JMC will be held at least once a year. They will consist of the Prime Minister (or his representative), who will take the chair, the Scottish and Welsh First Ministers, each together with one of their Ministerial colleagues, the Northern Ireland First Minister and deputy First Minister, and the Secretaries of State for Scotland, Wales and Northern Ireland. Other Ministers will be invited to attend as appropriate when issues relevant to their areas of responsibility are to be discussed.

A1.4 The Joint Ministerial Committee may also meet in other “functional” formats: for example, JMC Europe (JMC(E)) or JMC Domestic (JMC(D)). The Secretaries of State for Scotland, Wales and Northern Ireland will be invited to participate in these meetings as appropriate. Irrespective of their location, the meetings will be chaired by the responsible UK Minister.

A1.5 The JMC will also be available to try to resolve differences between the UK Government and one of the devolved administrations on a matter which does not affect the other administrations. In such a case, a Committee will be composed of appropriate Ministers from the UK