

Message

From: TEO HOCS (DS) [/O=NIGOV/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=286B5F4D742442098CBED44F7B75FAAC-TEO HOCS (DS) TEO-]
Sent: 26/03/2020 12:34:50
To: Stewart, Chris (TEO) [chris.stewart@executiveoffice-ni.gov.uk]
Subject: RE: Query on Regulations

Chris

Please copy Brenda and Hugh into this. I'd asked them to have a word with SpAds to bolster your position

David

Sent with BlackBerry Work
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From: Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>
Date: Thursday, 26 Mar 2020, 12:30
To: **NR** <@executiveoffice-ni.gov.uk>, Goodfellow, Mark <Mark.Goodfellow@executiveoffice-ni.gov.uk>, Morrow, Carol <Carol.Morrow@executiveoffice-ni.gov.uk>, Griffith, Deirdre <Deirdre.Griffith@executiveoffice-ni.gov.uk>
Cc: Sterling, David <David.Sterling@executiveoffice-ni.gov.uk> **NR** <@executiveoffice-ni.gov.uk>
Subject: RE: Query on Regulations

NR

Thank you.

Work on the legislation is based on the assumption that executive Ministers will wish to adopt the conclusions of COBRA, and replicate for NI all the legislative provisions being adopted in other jurisdictions. The model for that is the draft English regulations that emerged yesterday, and which are currently being finalised.

I understand that Minister Swann supports that approach. However, if FM and dFM wished to put that beyond peradventure, the best and quickest way to do so would be by means of an Executive decision by written procedure.

We could quickly produce a very short paper that simply asks the Executive to agree that DoH will make a set of regulations that replicates *mutatis mutandis* the English Regulations. That decision is then binding on all Executive Ministers. The nature of the regulations would allow little, if any, material room for manoeuvre by DoH in terms of their application.

The other thing to bear in mind is that the TEO power to act is not lost.

I should be happy to provide further formal advice if helpful and, as my submission indicated, I am available to brief Ministers or spad colleagues.

Chris

From: **NR**
Sent: 26 March 2020 12:12

To: Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>

Subject: Query on Regulations

Hi Chris,

dFM's side are looking for clarification on the regulations that if TEO want a specific action carried out is DoH obliged to do this? Ministers want to have it explicit in the sub and regs that this would be the case. What powers or authority would FM and dFM have to make this happen?

Thanks.

NR

Regards

NR