

From: [Clydesdale, Alison](#)
To: [Clydesdale, Alison](#); "[Wood Kathryn \(Energy Resilience\)](#)"; "[Greasley Jo \(Office for Renewable Energy Deployment\)](#)"; "[Garner-Patel Amanda \(Legal Services\)](#)"; [Hutchinson, Peter](#)
Cc: Irrelevant information redacted by the RHI Inquiry [\(DECC\)](#)
Subject: RE: RHI amendment for NI update
Date: 31 January 2011 10:15:48

[Kathryn](#)

Further to my earlier e mail, our legal advice has now been received and in summary it is :-

As far as the drafting of the appropriate provisions are concerned, this is a matter strictly for Parliamentary Counsel. The procedure would require DETI to draft a set of instructions for Parliamentary Counsel which should then be seen and vetted by this Office for transmission to DECC for them to pass on to Parliamentary Counsel. Counsel will then liaise directly with this Office in addressing matters outstanding or arising.

Can you advise a timetable for when we would need to have instructions to Parliamentary Counsel with your lawyers ?

We have external legal advisors as well so I will explore if we have an option there.

Best Regards

[Alison](#)

Alison Clydesdale

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From: Clydesdale, Alison
Sent: 31 January 2011 09:57
To: 'Wood Kathryn (Energy Resilience)'; Clydesdale, Alison; Greasley Jo (Office for Renewable Energy Deployment); Garner-Patel Amanda (Legal Services); Hutchinson, Peter
Cc: Irrelevant information redacted by the RHI Inquiry (DECC)
Subject: RE: RHI amendment for NI update

[Kathryn](#)

We have issued a submission this morning to our private office which starts the process to ensure a debate on the LCM before the end March . Copy attached for info (please treat as policy development

at this stage though).

Our lawyers have responded initially and do not see any issues with the wording of an amendment - however they will respond formally later today - I will copy that to you as soon as it is received.

Alison

Alison Clydesdale

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From: Wood Kathryn (Energy Resilience) [mailto:kathryn.wood@decc.gsi.gov.uk]
Sent: 31 January 2011 09:42
To: Clydesdale, Alison; Greasley Jo (Office for Renewable Energy Deployment); Garner-Patel Amanda (Legal Services); Hutchinson, Peter
Cc: Irrelevant information redacted by the RHI Inquiry (DECC)
Subject: RE: RHI amendment for NI update

Alison

Apologies, I was off on Friday, but didn't put my out of office on. I will follow this up with Patrick and lawyers today and get back to you.

Best wishes
Kathryn

From: Clydesdale, Alison [mailto:Alison.Clydesdale@detini.gsi.gov.uk]
Sent: 28 January 2011 12:06
To: Wood Kathryn (Energy Resilience); Greasley Jo (Office for Renewable Energy Deployment); Garner-Patel Amanda (Legal Services); Hutchinson, Peter
Subject: RHI amendment for NI update

Kathryn, Jo

I just wanted to update you from our end re the RHI amendment.

We have made some enquiries regarding timing on an LCM through our Assembly before dissolution. We have had a most positive response from our Parly section who are advising that we aim for an Executive meeting on 24 February to provide greater flexibility in scheduling the motion for debate before the end of March.

Parly section have advised that it is not essential to provide the actual wording of the proposed amendments for the appropriate Executive meeting as long as our paper provides sufficient detail for Ministers to understand their effect and we are able to say that we have the support in principle of our Committee.

In relation to the amendments themselves, our Parly section has advised that ideally these should be tabled and made in Committee at Westminster before the motion is taken in the Assembly so that Members know what it is they are agreeing to and that Parliament is content to legislate on them. Can you just clarify your dates for tabling your amendments ?

Our assembly will of course resume 2nd week May - so we could debate the LCM then if timing allowed or we can aim for end March debate.

The wording of the amendment is with our lawyer (Paul McGinn) for advice - I have asked him to contact Amanda directly if there are any issues that he needs clarification on.

Are you in a position to update us on your timings ?

Alison

Alison Clydesdale

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