

McCoy, Laura

**From:** Mills, John (DETI)  
**Sent:** 03 February 2016 18:43  
**To:** Wightman, Stuart; Stewart, Chris (DETI)  
**Cc:** Hughes, Seamus; Vaughan, Helen  
**Subject:** Re: RHI

Stuart,

What's status of draft Regs? No point in sudden rush if Regs not ready or, we're forced into unwise speed and Regs have technical deficiency. If Helen can help take some of the burden off you, I'm sure she will.

Sent from my BlackBerry 10 smartphone.

**From:** Wightman, Stuart  
**Sent:** Wednesday, 3 February 2016 17:05  
**To:** Stewart, Chris (DETI)  
**Cc:** Hughes, Seamus; Mills, John (DETI)  
**Subject:** RE: RHI

Chris

We might still be able to meet Timetable Option 1 below and have the schemes closed by first week in March if we send SL1 to Committee by tomorrow. This would however mean getting the regulations cleared by the Committee and the Assembly on the same day.

As you've highlighted below, the 4 weeks' notice is the constraint. Otherwise, we could close the schemes on the 17 February.

Stuart

Dates	Op 1 - Announcement
Fri 29 January	Consult other Ministers (DFP)
Wed 3 February	Receive OFMDFM Agreement
Thu 4 February	Letter to ETI Committee Make Announcement on Closure (in 4 weeks) SL 1 to Committee.
Tue 9 February	ETI Committee agrees SL1 Draft Regulations Laid
Tue 16 February	Committee agrees Regulations / Assembly approves Regulations
Wed 17 February	Statutory notice of closure issued.
Thu 3 March	Scheme Closes (having given 4 weeks' notice)

**From:** Stewart, Chris (DETI)  
**Sent:** 03 February 2016 15:01  
**To:** Cairns, Timothy  
**Cc:** McCormick, Andrew (DETI); Wightman, Stuart; Mills, John (DETI); McIlwrath, Linda  
**Subject:** RE: RHI

**From:** Cairns, Timothy  
**Sent:** 03 February 2016 14:40  
**To:** Stewart, Chris (DETI)  
**Subject:** RHI

Chris

Can someone urgently contact the assembly authorities to see if an emergency procedure can be put in place to bypass the whole process – a suspension of standing orders or something like that to enable this to be stopped asap

T

Tim

I don't think there is a single source of authority that could meet such a request. The indicative timetable is shown below (first column). Assuming that the Executive urgent procedure is completed quickly, the next steps involve the Committee.

If the Committee could be persuaded to consider the SL1 next Tuesday, then some time would be saved. Normally, the Committee would then consider the regulations a week later, with the benefit of a report from the Examiner of Statutory Rules. Even if he were able to complete his report very quickly, further shortening of the timetable would require an extra Committee meeting. Thereafter, the scheduling of the debate (including any consideration of extra /extended sitting days) would be a matter for the Business Committee.

Underlying all of that, the timetable below is predicated on 4 weeks public notice of closure. Shortening the timetable would mean shortening that notice, which must increase the risk of legal challenge on grounds of Wedensbury unreasonableness.

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Dates	Op 1 - Announcement	Op 2 – Consult Concurrently	Op 3 – Consult Consecutively
<b>Fri 29 January</b>	Consult other Ministers (DFP)	Consult other Ministers (DFP)	Consult other Ministers (DFP)
<b>Mon 1 February</b>	Receive OFMDFM Agreement	Receive OFMDFM Agreement	Receive OFMDFM Agreement
<b>Tue 2 February</b>	Make Announcement on Closure (in 4 weeks) Letter to ETI Committee SL 1 to Committee.	Letter to ETI Committee (explaining that due to time constraints draft legislation needs to be laid) SL1 to Committee Launch 2 week Public Consultation	Letter to ETI Committee Launch 2 week Public Consultation
<b>Tue 9 February</b>	ETI Committee agrees SL1 Draft Regulations Laid	ETI Committee agrees SL1 Draft Regulations Laid	
<b>Mon 15 February</b>		Consultation closes	Consultation closes
<b>Tue 16 February</b>	Committee agrees Regulations		
<b>Tue 23 February</b>	Assembly approves	Letter to Committee on outcome	Letter to ETI Committee on

	Regulations	of Consultation	outcome of Consultation SL1 to Committee
<b>Wed 24 February</b>	Regulations come into operation Statutory notice of closure issued.		
<b>Mon 29 February</b>	Scheme Closes (having given 4 weeks' notice)		
<b>Tues 1 March</b>		Committee agrees Regulations	ETI Committee agrees SL1 Draft Regulations Laid
<b>Mon 7 March</b>		Assembly approves Regulations Regulations come into operation Statutory notice of closure issued (scheme closed from immediate effect).	
<b>Tue 8 March</b>			Committee agrees Regulations
<b>Mon 14 March</b>			Regulations come into operation Statutory notice of closure issued (scheme closed from immediate effect).
<b>Tue 15 March Final Plenary</b>			