



Amending Standing Orders: Assembly Business and Emergency Procedures

Purpose

1. In accordance with Standing Order 11.7(iv), the Business Committee is responsible for making recommendations on the general practice and procedures of the Assembly, including any proposals for the re-making or revision of Standing Orders.
2. The report recommends amendments to Standing Orders 6 and 12. The proposals for new Standing Orders are at Annex A.

Background

3. The Business Committee, having considered the potential impact of the Covid-19 outbreak on the Assembly's business, has agreed the proposed amendments to Standing Orders at Annex A, in the form of a new Standing Order 34.
4. It is proposed that Standing Order 34 incorporates the new Standing Orders 6.24A-H and 12.1A-C agreed last week, and so those Standing Orders are revoked.

Action

5. The Business Committee formally agreed the changes to Standing Orders on 23 March 2020 and the Assembly is invited to approve the proposals at Annex A, and to revoke the changes made on Wednesday 18 March 2020.

34. STANDING ORDER 34 – Emergency Procedures

34.1 Standing Order 34 makes temporary provisions to facilitate the continuation of Assembly business during the COVID-19 outbreak. Standing Order 34 will cease to have effect on the dissolution of the Assembly, or when the Assembly so resolves, whichever is sooner. Where provisions contained in Standing Order 34 are in conflict with other Standing Order provisions, those in Standing Order 34 must have precedence.

Designated Temporary Presiding Officer

34.2 Where it considers it appropriate, the Assembly may elect a Member as a designated Temporary Presiding Officer to exercise the Presiding Officer's functions.

34.3 The designated Temporary Presiding Officer must undertake the Presiding Officer's functions only after the Clerk has notified the Assembly that both the Presiding Officer and the Deputy Presiding Officer are unable to act.

34.4 The designated Temporary Presiding Officer ceases to exercise these functions when the Clerk notifies the Assembly that either the Presiding Officer or Deputy Presiding Officer become able to act.

Acting Chair of Plenary Meetings

34.5 The Assembly may elect an Acting Chair for the purposes of chairing plenary meetings.

34.6 An Acting Chair elected under Standing Order 34.5 may only undertake the following functions of the Presiding Officer:

- (i) functions relating to business in Plenary under Standing Order 12;

- (ii) functions relating to order in plenary, under Standing Order 13;
- (iii) any other functions relating to Plenary business.

34.7 An Acting Chair may only undertake the functions specified under Standing Order 34.6 after the Clerk has notified the Assembly that both the Presiding Officer and the Deputy Presiding Officer are unable to chair plenary meetings.

34.8 An Acting Chair ceases to exercise these functions when the Clerk notifies the Assembly that either the Presiding Officer or Deputy Presiding Officer become able to chair plenary meetings.

Recall of the Assembly by the Presiding Officer

34.9 The Presiding Officer may, with the agreement of the Business Committee, summon the Assembly to consider a matter of urgent public importance related to public health matters.

Quorum in Plenary

34.10 Where the Presiding Officer, having consulted the Business Committee, determines that it is required for the protection of public health, a vote is not valid unless at least 4 Members participate, and those Members represent more than one political group.

Voting in Plenary

34.11 Where the Presiding Officer, having consulted Business Committee, determines that it is required for the protection of public health, each political group (or grouping formed for the purposes of Standing Order 11) may nominate one Member of

the group or grouping to carry the same number of votes as there are members of the group or in the case of a political group with an executive role, the members of that group plus any other members of the government.

34.12 Subject to Standing Order 34.13 Standing Order 34.11 applies to all business in Plenary.

34.13 Standing Order 34.11 does not apply where legislation requires a resolution or motion to be passed on a vote in which the number of Members voting in favour is at least two-thirds of the total number of Assembly seats.

34.14 Votes cast under the terms of Standing Order 34.11 must be clearly indicated as such in the report of plenary proceedings.

Accessibility of Plenary Meetings

34.15 The Presiding Officer may exclude the public from attending plenary meetings where this is required in order to protect public health. In that event, broadcasting access must continue to be permitted.

34.16 The requirement in Standing Order 34.15 to continue to permit broadcasting access does not apply where the Commission determines that it is impractical for the proceedings to be broadcast.

34.17 If Standing Order 34.10, 34.15 or 34.16 is to be applied, the Presiding Officer or clerk must:

(i) notify the Assembly; and

(ii) publish the decision, where practically possible, in advance of the meeting.

Oral Questions

34.18 Where the Presiding Officer, having consulted the Business Committee, considers it necessary for reasons of public health, the Presiding Officer may disapply the requirements of Standing Order 12.56 for any week or weeks that the Assembly sits in Plenary.

Accessibility of Committee Meetings

34.19 The chair may exclude the public from a committee meeting where this is required in order to protect public health. In that event, broadcasting access must continue to be permitted.

34.20 The requirement in Standing Order 34.19 to continue to permit broadcasting access does not apply where the Commission determines that it is impractical for the proceedings to be broadcast.

34.21 If Standing Order 34.19 or 34.20 is to be applied, the chair or clerk must:

(i) notify the committee; and

(ii) publish the decision, where practically possible, in advance of the meeting.

Responsible Committee under Standing Order 21

34.22 Where it considers it necessary, the Business Committee may

(i) disapply Standing Orders 21.2 and 21.3, in whole or in part;.

(ii) agree that the functions under Standing Order 21.2 and 21.3, in whole or in part, are undertaken by the whole Assembly.

34.23 The responsible committee under Standing Orders 21.2 and 21.3 may, when it deems it necessary for the protection of public health, report later than the 20 days rule set out in Standing Order 21.4.