

# Amending Standing Orders: Llywydd's Committee chairing arrangements

June 2024

In accordance with Standing Order 11.7(iv), the Business Committee is responsible for making recommendations on the general practice and procedures of the Senedd, including any proposals for the re-making or revision of Standing Orders.

This report recommends the insertion of a new Standing Order 18B.3A that allows for the Llywydd's Committee to appoint a temporary Chair for the duration of a meeting of the committee in the absence of its permanent Chair.

The Senedd is invited to approve the proposals to revise the Standing Orders as outlined at Annex A.



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## 1. Background

- 1.** The Llywydd's Committee is established by paragraph 16A of Schedule 1 to the Political Parties Elections and Referendums Act 2000 ("PPERA"), following amendments made to that Act by the Senedd and Elections Wales Act 2020.
- 2.** Paragraph 16A (6) provides that the Committee must be chaired by the Presiding Officer or the Deputy Presiding Officer. The Committee is currently chaired by the Deputy Presiding Officer. Further requirements relating to the membership of the Committee are contained in Standing Order 18B – including that the Chair of the Finance Committee must be a member of the Committee.
- 3.** Standing Order 18B.4 disapplies Standing Order 17.22, which allows other committees to appoint a temporary chair in the absence of the chair. This causes an issue if the Chair is unexpectedly absent, for example due to unforeseen circumstances.
- 4.** The legislative provisions in relation to the Electoral Commission provide set deadlines for submission of an estimate of income and expenditure (a draft budget) to the Llywydd's Committee and for the Committee to consider and lay its report on the estimate. This timetable provides limited scope for the Committee to fulfil its functions, which would be particularly challenging were the Chair to be unexpectedly absent during this time, resulting in the Committee being unable to meet.

## 2. Decision

- 5.** Whilst the PERA is clear that overall chairing responsibilities need to rest with either the Llywydd or Deputy Presiding Officer, advice has concluded that there is no legal impediment to another Member chairing a specific meeting on a temporary basis in the absence of the Chair.
- 6.** Business Committee considered this matter on 14 May 2024 and agreed to recommend that Standing Order 18B be amended to add provision for a temporary chair to be appointed solely for the purpose of a specific meeting. The proposed amendment specifies that the chair of the responsible committee under Standing Order 19 (the Finance Committee) would be appointed as the temporary chair on the basis that they are a member of the Committee by virtue of being chair of the Finance Committee, rather than as a representative of a political group.

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**7.** This change to Standing Orders will only apply to single meetings, reducing the risk of disruption to the Llywydd's Committee's business as a result of its Chair being unexpectedly absent.

**8.** On 11 June 2024, the Business Committee formally agreed to propose the change to Standing Orders outlined in this report. The Senedd is invited to approve the proposed new Standing Orders at Annex B.

## Annex A: Standing Order change and explanatory notes

<b>STANDING ORDER 18B – Oversight of the Electoral Commission</b>	
<b>Membership of the Llywydd's Committee</b>	<b>Retain heading</b>
18B.3. The Committee must be chaired by the Presiding Officer or Deputy Presiding Officer, who may vote only in the exercise of a casting vote in accordance with Standing Order 6.20.	<b>Retain Standing Order</b> Standing Order included for information.
18B.3A. <u>In the absence of the chair at a meeting, the Committee may appoint the chair of the responsible committee under Standing Order 19 as a temporary chair for the duration of that meeting.</u>	<b>Insert new Standing Order</b> The proposed Standing Order ensures that the Committee can appoint a temporary chair for the duration of a single meeting.
18B.4. The motion tabled by the Business Committee to agree the membership of the Committee must propose as members of the Committee: <ul style="list-style-type: none"> <li>(i) either the Presiding Officer or Deputy Presiding Officer as chair of the Committee;</li> <li>(ii) the chair of the responsible committee under Standing Order 19; and</li> <li>(iii) one member of each political group represented in the Senedd.</li> </ul>	<b>Retain Standing Order</b> Standing Order included for information.
18B.5. Standing Orders 17.2A – 17.2T, Standing Order 17.6(i), Standing Orders 17.7 and 17.8, Standing Orders 17.21 and 17.22, and Standing Order 17.37 do not apply to the Llywydd's Committee.	<b>Retain Standing Order</b> Standing Order included for information.

## Annex B: Standing Order 18B as amended

### **STANDING ORDER 18 – Oversight of the Electoral Commission**

#### Llywydd's Committee

18.B1 In proposing the remits of committees under Standing Order 16.2 or 16.3, the Business Committee must ensure that there is a committee, known as “the Llywydd's Committee”, with responsibility for the functions specified in Standing Order 18B.2.

#### Functions of the Llywydd's Committee

18.B2 The functions of the Llywydd's Committee (“the Committee”) are as set out in paragraphs 16A, 16B, 18 and 20B of Schedule 1 to the Political Parties, Elections and Referendums Act 2000’.

#### Membership of the Llywydd's Committee

18.B3 The Committee must be chaired by the Presiding Officer or Deputy Presiding Officer, who may vote only in the exercise of a casting vote in accordance with Standing Order 6.20.

18B.3A In the absence of the chair at a meeting, the Committee may appoint the chair of the responsible committee under Standing Order 19 as a temporary chair for the duration of that meeting.

18.B4. The motion tabled by the Business Committee to agree the membership of the Committee must propose as members of the Committee:

- (i) either the Presiding Officer or Deputy Presiding Officer as chair of the Committee;
- (ii) the chair of the responsible committee under Standing Order 19; and
- (iii) one member of each political group represented in the Senedd.

18.B5. Standing Orders 17.2A – 17.2T, Standing Order 17.6(i), Standing Orders 17.7 and 17.8, Standing Orders 17.21 and 17.22, and Standing Order 17.37 do not apply to the Llywydd's Committee.