

National Assembly for Wales

[Business Committee](#)

November 2019

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



Amending Standing Orders: Standing Order 12.63 – Oral Assembly Questions

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 Order 12.63 to change the number of times a Member may enter the ballot for any Ministerial Oral Assembly Question (OAQ) session from twice to once. The change agreed by Business Committee is found in Annex A.

Background

3. At their meeting of 2 April 2019 Business Managers agreed to a trial a reduction in the number of tabled OAQs that appear on the Plenary agenda from 15 to 12, whilst continuing the current ballot arrangements – where 20 Members are chosen to table questions in the first instance – for the time being. This reduction did not require any changes to Standing Orders, but

Business Managers agreed in any case to review its' success after the summer recess.

4. The main aim of reducing the number of tabled questions was to reduce the number of questions that were 'wasted' by not being reached in Plenary. Any questions that are not reached are given a written answer by the government. This means that, as they have been answered, Members cannot table these questions again within a three-month period.

5. After such a reduction, Business Managers did not consider it reasonable for Members to continue to be allowed to ask two questions each, and so they also agreed to reduce the number of times each Member may enter the ballot for Ministerial questions (including to the Counsel General in respect of his 'Brexit Minister' responsibilities) from two to one for the duration of the summer term. To make this change permanent would require a change to Standing Orders, but Business Managers agreed to a temporary trial with a view to amending Standing Orders if it was considered a success.

6. The current arrangements relating to the number of times Members may enter the ballot are covered by the following Standing Orders:

- SO12.61: *The Presiding Officer must undertake a ballot to select the names of those Members who may table oral questions to the First Minister, Welsh Ministers, and the Counsel General (if the Counsel General is answering oral questions only on matters relating to any responsibilities he or she holds other than those of the government's law officer).*
- SO12.63: *Each Member may enter their names into the ballot under Standing Order 12.61 no more than twice for oral questions to a particular Welsh Minister or the Counsel General (if the Counsel General is answering oral questions only on matters relating to any responsibilities he or she holds other than those of the government's law officer), and once for oral questions to the First Minister.*

Analysis of the changes

7. On 21 May 2019, the Llywydd stated her intention to ensure that question 8 is always reached for First Minister's Questions. Since then, nearly every question session for Ministers and the First Minister has reached at least question 8. For a ten-week period before the change took place, the average number of questions that were asked was 7.5; this increased very slightly to 8 for the ten-week period after the change.

8. With three fewer questions appearing on the Agenda, and a very similar number of questions being reached before and after the change, it is now the case that an average of three fewer questions are 'wasted' in each session. At the same time, the change in the maximum number of times an individual member may enter the ballot does not seem to have had any effect on the number of questions being tabled.

9. All questions to the Deputy Minister and Chief Whip, Counsel General (in respect of his law officer responsibilities) and Assembly Commission are regularly reached. However, the Deputy Minister is the only one of these that is balloted, and the ballot for the Deputy Minister (8 questions balloted, 8 shuffled) has not changed since being introduced.

10. On 15 October, the Business Committee decided to permanently reduce the number of OAQs that appear on the Plenary agenda from 15 to 12, and to update the Guidance on the Proper Conduct of Assembly business accordingly. The Committee also agreed to propose a change to Standing Order 12.63 to make permanent the limit on Members entering a ballot only once. The Committee does not propose reducing the number of questions a Member may table to the Counsel General when he is answering questions in his law officer capacity.

Action

11. The Business Committee formally agreed the changes to Standing Order 12.63 on Tuesday 5 November 2019 and the Assembly is invited to approve the proposal at Annex B, and to note the other information in this report.

Annex A

STANDING ORDER 12 – Business in Plenary Meetings		
Oral Questions		
12.61	The Presiding Officer must undertake a ballot to select the names of those Members who may table oral questions to the First Minister, Welsh Ministers, and the Counsel General (if the Counsel General is answering oral questions only on matters relating to any responsibilities he or she holds other than those of the government’s law officer).	Retain Standing Order
12.62	A ballot under Standing Order 12.61 must be conducted at least one working day before the last day on which questions may be tabled.	Retain Standing Order
12.63	Each Member may enter their names into the ballot under Standing Order 12.61 no more than twice <u>once</u> for oral questions to <u>the First Minister</u> , a particular Welsh Minister or the Counsel General (if the Counsel General is answering oral questions only on matters relating to any responsibilities he or	Amend Standing Order Amended to change the number of times a Member may enter the ballot for any

	she holds other than those of the government's law officer); and once for oral questions to the First Minister.	Ministerial Oral Assembly Question (OAQ) session from twice to once.
12.63A	Subject to Standing Order 12.63B, any Member may table oral questions to the Counsel General (unless he or she is answering oral questions only on matters relating to any responsibilities he or she holds other than those of the government's law officer, in which case Standing Order 12.61 applies) and the Commission.	Retain Standing Order
12.63B	Each Member may table no more than two oral questions to the Counsel General, and one oral question to the Commission, for any week where they are answering questions.	Retain Standing Order

Annex B

12.63 Each Member may enter their names into the ballot under Standing Order 12.61 once for oral questions to the First Minister, a particular Welsh Minister or the Counsel General (if the Counsel General is answering oral questions only on matters relating to any responsibilities he or she holds other than those of the government's law officer).