

BUSINESS COMMITTEE

REPORT TO THE ASSEMBLY ON PROPOSALS FOR CHANGES TO THE ASSEMBLY'S STANDING ORDERS IN ACCORDANCE WITH STANDING ORDER 26.1

On 12th and 13th September 2000 the Business Committee considered proposals for revisions to the Assembly's Standing Orders.

The following proposals, with the exception of Revision 1, have been agreed by all Members of the Committee and are recommended to the Assembly. Detailed drafting changes to the Standing Orders are contained within Motions which have been tabled alongside this report.

Standing Order 6.5 (Revision 1)

Business Committee - with the exception of the Plaid Cymru Business Manager - consider that it should not be open to Members to table amendments to motions for debates on reports from subject committees.

Since there was not unanimous support for this proposal the Committee requested the Business Secretary to table a separate motion.

Standing Order 6.37 (Revision 2)

Before the Assembly rose for the summer constituency weeks there was an occasion when a Deputy Secretary responded to a short debate. This is not currently provided for within the Standing Orders. The Committee considered that this practice should take place with the agreement of the Presiding Officer. The detailed amendment refers to "a Member" since Deputy Secretaries are not recognised within the Standing Orders.

Standing Order 22.58 (Revision 3)

The Business Committee undertook a review of the working of Part 7 of Standing Order 22 which provides for Members, who are successful in a ballot, to propose a motion requiring an Assembly Secretary to bring forward a piece of subordinate legislation. Experience has shown that the current requirement for a Member to name a topic when entering the ballot has hindered progress in determining a legislative opportunity. They, therefore, consider that this provision should be withdrawn from the standing order.

Business Committee Member's unanimously recommend approval of revisions 2 and 3 and they are therefore included on a single motion for the Assembly's approval.

House Committee (New Standing Order and revisions to SOs 6; 8 and 19)

Revisions (4-7) attached at Annex provide for the creation of a formally constituted House Committee and the associated financial provisions; together with provisions for a Member of the new House Committee to answer oral questions. They comprise a new Standing Order 28 (revision 4); and amendments to standing orders 6 (revision 5); 8 (revision 6) and 19 (revision 7).

For ease of reference and understanding, the full text of standing orders 6 and 19 have been reproduced, together with explanatory notes. The proposed revisions have been highlighted.

The related motion only contains the detailed amendments to the standing orders.

The proposals are unanimously recommended by the Business Committee.

**Jane Davidson, Deputy Presiding Officer
Chair, Business Committee
September 2000**

EXPLANATORY NOTE ON PROPOSED STANDING ORDER FOR A HOUSE COMMITTEE

The purpose of the proposed standing order is to establish a formal House Committee under standing orders to give advice to the Assembly, Presiding Officer, and Clerk in respect of the services provided by the Office of the Presiding Officer. The proposed standing order would provide as follows:

Paragraph 1 - remit of the House Committee in giving advice to the Assembly, Presiding Officer and Clerk to the Assembly. The Committee's remit covers the matters set out in a, b, c, d and e of paragraph 1, but excludes matters within the remit of the Committee on Standards, the Business Committee and the conduct of plenary and committee sessions which is a matter for the Presiding Officer.

Paragraphs 2-4 set out the membership of the Committee which, like the Business Committee would include one member from each political group in the Assembly together with a chair. These members would be elected by the Assembly.

If the Presiding Officer or the Deputy Presiding Officer are not among those members elected to the Committee, they would be entitled to attend Committee meetings.

These paragraphs also provide for absences from the Committee of a member or of the chair.

Paragraphs 5-7 - provide for the frequency of meetings of the Committee and; that meetings shall be held in private.

Provision is also made for the appointment of a member of the Committee to answer oral questions tabled under the revised Standing Order 6.

PROPOSED STANDING ORDER FOR A HOUSE COMMITTEE (Revision 4)

THE HOUSE COMMITTEE

Title and Terms of Reference

1. There shall be a House Committee which shall provide advice to the Presiding Officer, the Assembly and the Clerk on:-
 - a. the administration of the Office of the Presiding Officer excluding the following matters relating to staff:-
 - I. their terms and conditions of service;
 - II. their structure and management;
 - III. arrangements made under section 63 of the Government of Wales Act for carrying out of the functions which have been delegated to staff.
 - b. The exercise of the functions of the Office of the Presiding Officer including the services, facilities and accommodation provided for Members, their support staff and the general public

But excluding matters:-

- I. relating to the role of the Presiding Officer in deciding whether to refer a matter to the Committee on Standards;
 - II. relating to the conduct of plenary and committee sessions of the Assembly;
 - III. within the responsibility of the Business Committee;
- c. Members' salaries, allowances and pensions;
 - d. the contents of guidance to be published in relation to the matters set out at (a)-(c) above;
 - e. the budget of the Office of the Presiding Officer.

Membership

2. The Assembly shall elect to the Committee one member from each political group in the Assembly, together with another member to chair it. If a member

other than the Presiding Officer is elected to chair the Committee, the Presiding Officer shall be entitled to attend meetings of the Committee. If a member other than the Deputy Presiding Officer is elected to chair the Committee, the Deputy shall be entitled to attend meetings of the Committee.

3. A member of the Committee, having given advance notice to the Chair, may be represented at a meeting of the Committee by another Member nominated from the same political group to which that Member belongs. The nominated representative may participate in the meeting of the Committee as if the representative were a member of the Committee.

4. A member of the Committee may chair a meeting of the Committee in the absence of the Chair of the Committee. Such member shall be appointed by the Committee either at the meeting concerned or at a previous meeting.

Meetings

5. The Committee shall meet at least once in every four weeks that the Assembly meets in plenary, unless the Committee decides otherwise. The Committee may agree to hold additional meetings.

6. The Committee shall meet in private but the minutes of the meetings shall be published 6 weeks after each meeting.

7. A member of the Committee shall be nominated to answer questions for oral answers at a plenary meeting of the Assembly in accordance with paragraph 6.3(iv).

**EXPLANATORY NOTES ON THE PROPOSED REVISIONS TO STANDING ORDER 6
- ASSEMBLY BUSINESS IN PLENARY MEETINGS**

The purpose of the proposed revisions is to allow a Member of the House Committee to be asked questions about the Committee's work. The proposed amendments provide for:-

Paragraph 6.3(iv) - to allow time for a member of the House Committee to answer questions for oral answer at least once in every 4 weeks that the Assembly meets in plenary.

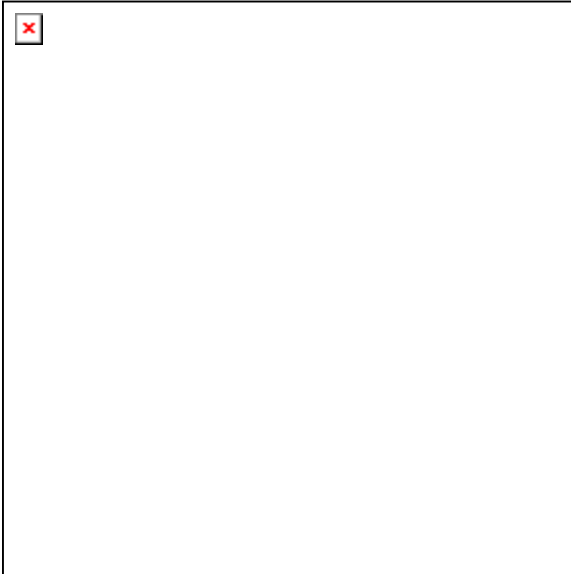
Paragraph 6.26a - to enable Members to table questions for oral answer by a member of the House Committee about the Committee's work.

Paragraph 6.28 - addition to cover oral questions to the House Committee member with a limitation of no more than 2 questions to be tabled by any one Member.

Paragraph 6.30 - addition to require the Presiding Officer to seek to balance the number of questions put to the House Committee member with the need for the member to give answers to as many questions as possible.

Paragraph 6.33 - amendment to cover written questions to the House Committee.

STANDING ORDER 6 - Assembly Business in Plenary Meetings (Revision 5)



Plenary Meetings

6.1. Plenary meetings of the Assembly shall take place in public; and broadcasting access shall be permitted in accordance with such arrangements as the Assembly shall from time to time agree.

6.2 The Assembly shall meet in plenary in accordance with decisions made under paragraph 5.4. If no meeting is scheduled for a particular day the Presiding Officer may, at the request of the First Secretary, summon the Assembly to consider a matter of urgent public importance.

6.3 Time shall be made available in plenary meetings for:

i) the First Secretary to answer questions for oral answer once, and for at least 15 minutes, in each week that the Assembly meets in plenary;

(ii) The Finance Secretary and any Assembly Secretary (including if appropriate the First Secretary) to whom a field of accountability has been allocated under S.56(3) of the Act to answer questions for oral answer at least once, and for at least 15 minutes, in every four weeks that the Assembly meets in plenary;

(iii) one Member, other than an Assembly Secretary, each week to propose a topic for the Assembly's consideration in a short debate before a plenary meeting is concluded.

(iv) one Member of the House Committee to answer questions for oral answers at least once, and for at least 15 minutes, in every four weeks that the Assembly meets in plenary.

6.3A Where it is not reasonably practicable for an Assembly Secretary, including the First Secretary, to answer oral questions on a day when the Assembly Secretary would normally do so, another Assembly Secretary may, with the prior consent of the Presiding Officer, answer questions on behalf of that Assembly Secretary.

6.4 If a motion of no confidence in the Presiding Officer, Deputy or First Secretary, or a motion of censure of an Assembly Secretary, is tabled by at least six Members, time shall be made available as soon as may be for the motion to be debated; and in any event such a debate shall take place within five working days of the motion having been tabled.

6.5 Time shall be made available in each 12 month period for the following categories of Assembly business:

- debate on the annual report of the Assembly First Secretary
- debates on the allocation of the Budget of the Assembly
- debates on motions proposed on behalf of political groups not represented in the Assembly Cabinet
- debates on reports submitted by subject committees
- debate on the annual report of the Committee on Standards
- debate with the Secretary of State for Wales on the Government's legislative programme debate on the annual report on the equal opportunity arrangements
- debate on the annual report on the local government scheme
- debate on the annual report on the voluntary sector scheme
- debate on the annual report on the sustainable development scheme
- debate on the Assembly's arrangements for co-operation with business
- debate on matters related to the European Union
- debate on the annual reports of the Welsh Administration Ombudsman and the Health Service Commissioner for Wales

At least eight plenary meetings in the 12 month period shall include time provided for motions proposed on behalf of political groups not represented in the Assembly Cabinet and these shall so far as possible be distributed in accordance with each group's representation in the Assembly. At least six plenary meetings in the period shall include time for debates on reports submitted by subject committees.

6.6. The Assembly shall ensure that time is made available for consideration either in plenary meeting or in committee of the reports of the Equal Opportunities Commission, the Commission for Racial Equality and the Disability Rights Commission.

On such occasions, consideration may also be given to reports from voluntary bodies in Wales concerned with these matters.

Notice of Business for Plenary Meetings

6.7. The Presiding Officer shall circulate notice of the business for each plenary meeting in advance, together with other information about future business. So far as is appropriate in the circumstances and reasonably practicable, any documents relating to business taken in plenary shall be made available in English and Welsh; and copies of such documents shall be made available to the Secretary of State for Wales at the same time as they are to Members.

6.8. Business which may be taken at any plenary meeting without notice shall include:

- introduction of new Members;
- obituary tributes to former Members and others;
- personal statements;
- statements by Assembly Secretaries;
- procedural motions, or points of order relating to the conduct of business.

6.9. At any plenary meeting, with the Presiding Officer's permission previously obtained, a Member may propose that the Assembly should immediately consider a particular matter of urgent public importance. Permission shall be obtained in accordance with arrangements determined by the Presiding Officer. The Presiding Officer shall give an Assembly Secretary an opportunity to comment on the request before ruling on it. If the Presiding Officer is satisfied that the matter merits the Assembly's immediate attention, he or she shall put

the proposition to the vote (except that, if a Member other than an Assembly Secretary has made the proposition, the Presiding Officer shall allow an Assembly Secretary to reply before putting the proposition to the vote). If the Assembly resolves to consider the matter, it shall do so during that meeting or (if the Presiding Officer so decides) the one immediately following and the timetable for business shall be adjusted accordingly.

6.10 Business shall be called by the Presiding Officer and taken in the order in which it appears in the notice of business; but when an item of business is called, a motion to postpone it until a later time that day or a subsequent day may be proposed either by the Member in charge of it or, in the case of Assembly Cabinet business, by an Assembly Secretary. The proposition to postpone shall be immediately put to the vote, but such postponement shall not be agreed if at least 10 Members object.

Order of Business

6.11. Business shall be taken as necessary in the following order:

- Statements by the Presiding Officer
- Introduction of new Assembly Members
- Obituary Tributes
- Elections of Officers and members of committees
- Personal Statements
- Questions for Oral Answer
- Statements by Assembly Secretaries
- Main plenary business
- Short debates prior to the conclusion of plenary meetings.

Motions

6.12 Except for oral questions, statements, introduction of new Members, obituary tributes, or where a Member proposes a topic for a short debate under paragraph 6.35, business in plenary meetings shall proceed on the basis of motions proposed; and except where standing orders provide otherwise, any such motion shall be tabled at least 5 days before it is to be debated. A motion

so tabled may be proposed by any Member.

6.12A A motion or amendment which refers to any document may not be tabled unless the document is available to all Members before or at the time of tabling. A document is available to all Members if Members have access to it by electronic means, or if a hard copy has been made available to Members or (where the size of the document means that it is not reasonably practicable to make it available by other means) if a copy has been deposited in the Library. A Member tabling a motion or amendment to which this paragraph relates shall be required to state whether and by what means any document referred to has been made available to Members. If it appears to the Presiding Officer that a motion or amendment has been tabled in breach of the requirements of this paragraph, the Presiding Officer shall not permit it to be debated until the document has been made available to all Members and such further time has elapsed as the Presiding Officer considers appropriate.

6.13 Except where standing orders provide otherwise, amendments may be proposed to any motion, and shall be tabled at least three working days before the motion is to be debated; but the Presiding Officer, having regard to any guidance which the Assembly may adopt, may:

- (i) group related amendments and require them to be proposed as a group;
- (ii) determine the order in which amendments which arise in the same place in the motion are taken; and
- (iii) decline to select an amendment where he or she considers that the proper conduct of the business of the Assembly makes it appropriate to do so.

6.14 Subject to paragraphs 6.17 and 6.18, at the end of the period allocated to any motion the Presiding Officer shall, unless any procedural motion relating to that motion has been agreed to, invite the Assembly to decide on any amendments proposed and on the motion.

Procedural Motions

6.15 Procedural motions shall take precedence over other business. The Presiding Officer may permit a Member to speak briefly in favour of any such motion, and another Member to speak briefly against, and shall then put the proposition to the vote.

6.16 The following matters may be proposed in procedural motions:

- postponement of an item of business in accordance with paragraph 6.10;
- referral of a matter to a committee;
- the closure of debate in accordance with paragraph 6.17;
- the continuation, or the adjournment, of debate after the period of time allocated to any individual item of business has expired, in accordance with paragraph 6.18; and
- such other matters as the Presiding Officer considers appropriate.

6.17 At any time after a motion or an amendment has been proposed, a Member may propose that it should be voted on immediately; but the Presiding Officer shall put that proposition (which shall not be the subject of debate) to the vote only if at least 10 Members express support; and if he or she is satisfied that to do so would not be an abuse of the Assembly's procedures or an infringement of the rights of minorities in the Assembly.

6.18 At the end of the period allocated to any motion, a Member may propose that debate on the motion be allowed to continue for a specified period on that day or adjourned to another day; but the Presiding Officer shall put that proposition (which shall not be the subject of debate) to the vote only if at least 10 Members express support; and if he or she is satisfied that to do so would not be an abuse of the Assembly's procedures or cause excessive delay.

Voting

6.19 Members shall cast their votes individually and in person (but shall not be obliged to vote).

6.20 The Presiding Officer shall put a motion or an amendment to a vote by:

- (i) electronic means; or failing that, by
- (ii) roll call, in alphabetical order, of the membership.

6.21 Where at least 3 Members, before a vote is taken, so request, the bell shall be rung. If votes are to be taken immediately after one another, the bell need not be rung more than once. After an interval of five minutes the vote or votes shall be taken. The Presiding Officer shall declare the vote closed and announce the result. The names of Members voting, including those recording an abstention, shall be included in the reports of the Assembly's plenary proceedings. A report of the vote shall also be made available before the end of the session in which the vote took place.

6.22 A vote shall not be valid unless at least 10 Members participate. If fewer than 10 Members participate, that business shall be held over to the next plenary meeting and the Assembly shall proceed to the next item of business.

In determining the number of Members participating in a vote the Presiding Officer and those recording an abstention shall be regarded as participating.

Personal Statements

6.24 The Presiding Officer may allow a Member to make a personal statement, following notice in writing to him or her.

6.25 A personal statement shall be brief, factual and shall not be subject to debate.

Questions For Oral Answer

6.26 Members may table questions for oral answer to any Assembly Secretary other than the Assembly Business Secretary about any matters relating to their responsibilities.

6.26a Members may table questions for oral answer by a member of the House Committee about any matter coming within the remit of the Committee under Standing Order [X].

6.27 Questions shall be provided to the Table Office at least 5 working days but not more than 10 working days before they are to be answered.

6.28 Questions shall be accepted at the discretion of the Presiding Officer, who shall have regard to any guidance which the Assembly may adopt; but each Member may table no more than two questions (or in the case of the questions to the First Secretary under paragraph 6.3(i) or to a member of the House Committee under paragraph 6.3(iv), no more than one question) for oral answer by a particular Assembly Secretary or a nominated member of the House Committee at any plenary meeting. Accepted questions shall be published in the notice of business for the date on which they are to be answered.

6.29 The order of questions for oral answer shall be determined as follows:-

- (i) for questions received between 9am and 4pm on the first day on which they may be tabled, by random means;
- (ii) for questions received after 4pm on the first day on which they may be tabled, the order in which they are received.

6.30 The Presiding Officer shall call the Member asking the question to ask a supplementary question, and may then call other Members to ask related supplementary oral questions. In calling Members to ask supplementary questions, the Presiding Officer shall seek to balance the need to explore an issue thoroughly with the need for Assembly Secretaries and the member of the House Committee to answer as many questions as possible. When the Presiding Officer considers that the matter raised in a question for oral answer has been sufficiently discussed, he or she shall call the next question.

6.31 At the end of the period allocated to questions for oral answer or at such other time as the Presiding Officer may determine, the Presiding Officer may call a Member to ask a question for which notice under paragraph 6.27 has not been given if -

(i) the Presiding Officer and the Assembly Secretary concerned have been given prior notice of at least two hours, and

(ii) the Presiding Officer is satisfied that the question is of an urgent character and relates to a matter of public importance.

This paragraph shall not apply to questions for oral answer by a member of the House Committee.

6.32 Where any question for oral answer is not reached, the Member shall receive a written answer on the same day. The written answer shall be recorded in the report of plenary proceedings.

Questions For Written Answer

6.33 Members may table questions for written answer to any Assembly Secretary about matters relating to his or her responsibilities or to the House Committee about matters relating to its responsibilities.

6.34 Members shall provide the text of questions to the Table Office at least five working days before they are to be answered. Questions shall be accepted at the discretion of the Presiding Officer, who shall have regard to any guidance which the Assembly may adopt. Accepted questions shall be published in the notice of business for the day on which they are to be answered, and the answers recorded in the report of plenary proceedings.

6.34(a) Members may table questions for written answer by the chair of the House Committee about any matter coming within the remit of the Committee under Standing Order [X].

Short Debates on Topics by Members

6.35 During each week that the Assembly meets in plenary, the Presiding Officer shall hold a ballot to determine the name of the Member, other than an Assembly Secretary, who may propose a topic for debate in the following such week.

6.36. The Member who has succeeded in the ballot shall notify the Presiding Officer of the topic not later than five working days before it is to be debated.

6.37 In the debate:

(i) the Member who succeeded in the ballot may speak;

(ii) an Assembly Secretary may respond; and

(iii) no other Member may speak unless he or she has the permission of the Member who succeeded in the ballot or is permitted to intervene by the Assembly Secretary responding.

Written Statements of Opinion

6.38 Written statements of opinion not exceeding 100 words on matters affecting Wales may be tabled by any Member other than an Assembly Secretary; and such statements may be supported, opposed or otherwise subject to comment in writing by any other Member.

6.39 If such written statements are deemed by the Presiding Officer to be in order they shall be published, together with any expressions of support or opposition, tabled by other Members.

Standing Order 8 (Revision 6)

Para 8.25A - This paragraph is to be amended to include the House Committee amongst those committees which may be recalled during Assembly Constituency Weeks.

ANNEX C

EXPLANATORY NOTE ON PROPOSED REVISIONS TO STANDING ORDER 19 - FINANCE PROCEDURES

The purpose and the proposed amendments is to permit the revised arrangements for the Assembly's approval of a separate budget for the Office of the Presiding Officer and management of it by the Clerk. The proposed amendments provide for:-

Paragraph 19.0 - the annual procedure for considering the budget required for the Office of the Presiding Officer, the tabling of the budget and the motion inviting the Assembly to approve the budget. This procedure would be separate to the procedure for determining the Administration's budget which is set out in the subsequent paragraphs of SO19.

Paragraph 19.5A - this paragraph would enable the Assembly to consider a motion to increase the level of resources previously allocated to the Office of the Presiding Officer for a particular year.

Paragraph 19.7A - this paragraph would enable the Clerk of the Assembly, after consultation with the House Committee and having notified the Assembly Secretary for Finance, to transfer the resources within the various headings of the main expenditure group established for the Office of the Presiding Officer.

Paragraph 19.25 - this paragraph would enable the Office of the Presiding Officer, through a member of the House Committee to carry out any of the transactions listed in renumbered paragraph 19.16, having usually given prior notification to the Assembly of the intention to carry out such a transaction.

STANDING ORDER 19 - Finance Procedures (Revision 7)**Determination of Budget for the Office of the Presiding Officer**

19. 00 In each financial year, no later than 20 September, the House Committee shall consider the budget for the Office of the Presiding Officer. Following discussion between the Presiding Officer, the Clerk and the Finance Secretary, a member of the House Committee shall table a draft budget for the Office of the Presiding Officer, no later than the 1 October. At the same time, the House Committee member shall table a motion that the draft budget be adopted. The draft budget should normally be for the following financial year and provisional allocations for the subsequent two years, or for a period which the Finance Secretary considers appropriate. The motion that the draft budget be adopted shall not be subject to amendment and shall be debated no later than 10 October. If the motion is adopted, that budget should then become the final budget for the Office of the Presiding Officer and shall be incorporated as such in the draft and final Assembly budgets.

**Determination of Assembly Budget**

19.1 In each financial year the Assembly Secretary for Finance shall invite subject committees to submit, normally by a date at least 8 weeks from the date of the invitation and no later than 31 July, their views on priorities for the Assembly's expenditure in the following three financial years, or for a period which the Assembly Secretary for Finance considers appropriate.

19.2 Normally in October in any year, and in any event not later than 15 November, the Assembly Secretary for Finance shall table a draft budget. The Assembly Secretary for Finance shall at the same time table a motion that the Assembly take note of the draft budget. The draft budget shall set out the proposed allocation of the Assembly's resources for the following financial year and the provisional allocations for the subsequent two years, or for a period which the Assembly Secretary for Finance considers appropriate. As soon as practicable after the Assembly has taken note of the draft budget each Assembly Secretary who is a member of a subject committee shall seek its views on the draft budget and convey them to the Assembly Secretary for Finance.

19.3 Normally in November, and in any event not later than 10 December, the Assembly Secretary for Finance shall table a final budget which shall be for the same period as the draft budget under paragraph 19.2. The Assembly Secretary for Finance shall at the same time table a motion that the final budget be adopted. The motion that the final budget be adopted shall not be subject to amendment.

19.4 After the final budget has been adopted, but before the following 1 April, the Assembly Secretary for Finance may table a supplementary budget setting out changes to that final budget arising from changes in the UK Government's expenditure plans or other technical changes of a budgetary nature. The Assembly Secretary for Finance shall at the same time table a motion that the supplementary budget be adopted. A motion that a supplementary budget be adopted shall not be subject to amendment.

In-Year Adjustments of Assembly Budget

Changes to Main Expenditure Groups

19.5 Subject to the provisions of paragraph 19.5A, except in cases of urgency, any change, in the course of a financial year, in the level of resources allocated to a main expenditure group in the final budget or a supplementary budget adopted under paragraph 19.3 or, as the case may be, 19.4 including the establishment of a new main expenditure group, shall only be made on a motion proposed by the Assembly Secretary for Finance. Any such motion shall not be subject to amendment. In cases of urgency, the Assembly Secretary for Finance may change the level of resources allocated to any main expenditure group, or establish a new main expenditure group, but in any such case the Assembly Secretary for Finance shall inform the Assembly as soon as reasonably practicable of the action taken.

19.5A Except in cases of urgency, any change in the course of a financial year in the level of resources allocated to the main expenditure group established for the Office of the Presiding Officer in the final budget adopted under paragraph 19.00 shall only be made on a motion proposed by a member of the House Committee. Any such motion shall not be subject to amendment. In cases of urgency, the Clerk may, subject to paragraph 19.5B, change the level of resources allocated to this expenditure group but, in such case, a member of the House Committee shall inform the Assembly as soon as reasonably practicable of the action taken.

19.5B Any change proposed by the Clerk in a financial year to the level of resources allocated to the main expenditure group established for the Office of the Presiding Officer shall first be discussed with the Presiding Officer and the House Committee and subsequently with the Assembly Secretary for Finance. Such discussions shall also take place before the Clerk, in cases or urgency, changes the level of resources allocated to this main expenditure group.

Changes within Main Expenditure Groups

19.6 Subject to the provisions in paragraph 19.7A, in the course of a financial year an Assembly Secretary may with the agreement of the Assembly Secretary for Finance approve the transfer of resources within a main expenditure group between and within financial allocations for areas for which that Assembly Secretary is responsible. Where the proposed transfer would alter the allocations in the final budget or a supplementary budget adopted under paragraph 19.3 or, as the case may be, 19.4, the Assembly Secretary shall, except in cases of urgency, consult the relevant subject committee about it; failing such consultation the Assembly Secretary shall inform the committee as soon as reasonably practicable of the action taken.

19.7 In the course of the financial year the Assembly Secretary for Finance may approve the transfer of resources within a main expenditure group and between financial allocations for areas for which different Assembly Secretaries are responsible. Where the proposed transfer would alter the allocations in the final budget, or a supplementary budget, adopted under paragraph 19.3 or, as the case may be, 19.4, the relevant Assembly Secretary shall, except in cases of urgency, consult the relevant subject committees on the proposed transfer; failing such consultation, they shall inform the committees as soon as reasonable practicable of the action taken.

19.7A The provisions of paragraphs 19.6 and 19.7 shall not apply to the main expenditure group established for the Office of the Presiding Officer. In the course of a financial year, the Clerk to the Assembly, after consultation with

the Presiding Officer and the House Committee and having notified the Assembly Secretary for Finance, may approve the transfer of resources within the main expenditure group established for the Office of the Presiding Officer, between and within financial allocations within the main expenditure group.

Local Government Finance Reports

19.8. The reports mentioned in this paragraph shall be made by being approved by resolution of the Assembly:

- i. a local government finance report under section 78A of the Local Government Finance Act 1988 ("the 1988 Act");
- ii. An amending report under section 84A of, or paragraph 13 of Schedule 8 to, the 1988 Act;
- iii. An additional grant report under section 85 of the 1988 Act;
- iv. a special grant report under section 88B of the 1988 Act.

19.9 Whenever a draft budget is tabled under paragraph 19.2, the Assembly Secretary with responsibility for local government finance shall at the same time or as soon as reasonably practicable thereafter table a draft local government finance report for the next financial year. The Assembly Secretary with responsibility for local government finance shall table the report in final form before the Assembly not later than 15 February in any year and shall at the same time table a motion that the report be approved.

19.10 A motion that any of the reports referred to in paragraph 19.8 be approved shall not be subject to amendment.

Publication of Accounts and Reports

19.11 The Presiding Officer may make arrangements for the publication on any working day of any documents to which section 103(2) of the Act applies, even though the Assembly is not meeting in plenary on that day.

19.12 Where the Assembly is required under section 45 of the Act to publish a report laid before it about any public bodies, and that report contains the body's audited accounts, the auditors' opinion and any report made on the accounts by the Auditor General for Wales, that publication shall be deemed also to fulfil any requirements to publish contained in section 103 of the Act.

Notification of certain Transactions

19.13 An Assembly Secretary who proposes to authorise a Notifiable Transaction, namely:

- i) the making of a gift to which paragraph 19.15 applies;
- ii) the incurring of a liability to which paragraph 19.16 applies or;
- iii) the remission of a loan to which paragraph 19.17 applies;

shall before doing so lay before the Assembly a statement containing the information specified in paragraph 19.18. When such a statement has been laid, the Assembly Secretary shall not authorise a Notifiable Transaction until a period of 10 working days have elapsed after the statement was laid.

19.14 If within the period of 10 working days referred to in paragraph 19.13, at least 10 Members table a Notice requiring the Assembly Secretary to seek the approval of the Assembly for the Notifiable Transaction then the Assembly Secretary shall table a motion seeking the approval of the Assembly for the Transaction and the Assembly Secretary shall not authorise the Transaction until such approval has been given.

19.15 i) A gift to which this paragraph applies is one which:

- a) exceeds £100,000 in value or;
- b) has characteristics (whether by way of its description or generally) or is made under circumstances (whether by reference to the intended identity of the recipient or generally) which differ materially from those of gifts customarily made by public bodies in the United Kingdom.

19.15 ii) For the purposes of this paragraph a gift includes an indefinite loan or a loan for a period equal to or exceeding the expected useful life of an asset and any transaction whereby there is a disposal of an asset for less than full value. Where there is a disposal of an asset for less than full value the value of the gift shall be taken to be the difference between its full value and the amount of any price to be paid for it.

19.16 A liability to which this paragraph applies is a contingent or actual liability which could exceed £100,000 under a guarantee, indemnity, letter or statement of comfort or other arrangement having the same or similar effect but does not include a contractual commitment to make future payments under a contract entered into in the normal course of the discharge of the Assembly's functions nor a commitment to make payments of grant under a statutory grant scheme.

19.17 A remission of a loan to which this paragraph applies is the remission in whole or in part of an obligation to repay or return money or other property loaned by the Assembly provided the effect of the remission is to reduce the liability to the Assembly by more than £20 million.

19.18 a) The statement laid before the Assembly under paragraph 19.13 shall include the following information:

i) where it relates to a gift, the nature and value of the gift, the circumstances in which it is proposed to be given, the recipient and if it requires a replacement, the cost and nature of the replacement and when the replacement is expected to be acquired;

ii) where it relates to incurring a liability, the estimated amount and duration of the liability, the reason for incurring the liability, the body or bodies involved;

iii) where it relates to the remission of a loan, the person or body who will benefit from the remission, the circumstances under which the loan was made, the reason for remitting the loan and the amount intended to be remitted.

b) The statement shall, in addition to the information specified above, contain any other relevant information necessary to enable the circumstances of the Notifiable Transaction to be understood.

19.19 An Assembly Secretary who becomes aware at any time:

i) that the information given in a statement laid before the Assembly under paragraph 19.13 or a supplementary statement laid under this paragraph is to a significant degree no longer accurate or:

ii) that a liability which was contingent when a statement was laid has become an actual liability:

shall lay before the Assembly a supplementary statement explaining and correcting the inaccuracy or describing the circumstances under which the liability has become actual, as the case may be. If within 10 working days after the laying of a supplementary statement, at least 10 Members table a motion requiring the Assembly Secretary to make an oral statement to the Assembly explaining the circumstances requiring the supplementary statement to be laid, the Assembly Secretary shall as soon as possible make such oral statement and shall answer questions from Members on such statement.

19.20 An Assembly Secretary may, where there is an urgent need, authorise a Notifiable Transaction falling within paragraph 19.19 without first complying with paragraphs 19.13 and 19.14 but shall, as soon as possible after doing so make an oral statement to the Assembly explaining the circumstances and shall answer questions from Members on such statement.

19.21 The fact that a Notifiable Transaction falling within paragraph 19.19 has been entered into without first complying with paragraphs 19.13 and 19.14 above shall not in itself affect the rights of the person to whom the potential liability is owed.

19.22 The provisions of paragraphs 19.13 to 19.21 shall apply to the authorisation by the Presiding Officer of a Notifiable Transaction with the substitution for references to "an Assembly Secretary" of references to "a member of the House Committee".

