

**NORTHERN IRELAND ACT 2006**

**STANDING ORDERS DETERMINED BY THE SECRETARY OF STATE AND  
NOTIFIED TO THE PRESIDING OFFICER UNDER PARAGRAPH 4(1) OF  
SCHEDULE 1 TO THE NORTHERN IRELAND ACT 2006**

**INDEX**

	Page no.
1. Meetings of the Assembly	3
2. General rule for the conduct of Business	3
<b><u>First Meeting of the Assembly</u></b>	
3. Procedure at First Meeting of the Assembly	3
<b><u>Operation of the Assembly</u></b>	
4. Proceedings to be held in Public	4
5. Prayers	5
6. Quorum	5
7. Sittings of the Assembly	5
8. Business of the Assembly	5
9. Speeches in the Assembly	5
10. Closure of debate	6
11. Business Committee	7
11A. Motions	7
11B. Amendments	7
11C. Committees of the Assembly	8
<b><u>Voting</u></b>	
12. Voting- general	8
13. Voting where the Speaker's decision is challenged	9
14. Petition of Concern	10
<b><u>Ministers</u></b>	
15. Election of persons to be First Minister and Deputy First Minister	10
16. Nominations for Ministerial Offices	12
<b><u>Good Order</u></b>	
17. Order in the Assembly	14
18. Visitors to the Assembly	15
19. Keeper of the House	15
<b><u>Standards</u></b>	
20. Members' Interests	16

**Miscellaneous**

<b>21. News media</b>	17
<b>22. Official Report</b>	17
<b>23. Office of the Clerk and Records of the Assembly</b>	17
<b>24. Language</b>	18
<b>25. Sub judice</b>	18

**Annex A**

<b>Pledge of Office</b>	20
-------------------------	----

### **Meetings of the Assembly**

- (a) Following a direction from the Secretary of State under Paragraph 2 of Schedule 1 to the Northern Ireland Act 2006, the Clerk to the Assembly (in these Standing Orders referred to as “the Clerk”) shall send a notice to each Member:
  - (i) stating that a meeting of the Assembly will be held; and
  - (ii) stating the place, time and date of the meeting
- (b) The Clerk shall send the notice at least 3 calendar days before the time stated in the notice.

### **2. General rule for the conduct of Business**

- (a) The ruling of the Presiding Officer (in these Standing Orders referred to as “the Speaker”; and “Deputy Speaker” shall be construed accordingly) shall be final on all questions of procedure and order.
- (b) The Speaker’s functions may be exercised by a Deputy Speaker if the office of the Speaker is vacant or the Speaker is for any reason unable to act.
- (c) Subject to paragraph (d), the Speaker may authorise a Deputy Speaker to exercise functions on his/her behalf.
- (d) Where the Speaker wishes to authorise a Deputy Speaker to exercise functions on his or her behalf, he or she shall notify the Deputy Speaker of the duties which that person is to perform and the authority which that person is to exercise.
- (e) In these Standing Orders, references to the Speaker shall, unless the context requires otherwise, include a Deputy Speaker exercising the function of Speaker.

### **FIRST MEETING OF THE ASSEMBLY**

### **3. Procedure at First Meeting of the Assembly**

- (a) Members shall take their seats by signing the Roll of Membership. A Member shall be regarded as having taken his/her seat when he/she signs the Roll of Membership. The decision of the Speaker as to whether a Member has taken his/her seat in accordance with this paragraph shall be final.

- (b) All Members shall have the opportunity to take their seats in the manner prescribed in paragraph a before any formal business is conducted in the Assembly.
- (c) The Roll of Membership shall be located in the Chamber during sitting days until it has been signed by every Member. A Member may sign the Roll any time during a sitting of the Assembly, but no business shall be interrupted for that purpose.
- (d) A Member shall not participate in Assembly proceedings until he/she has signed the Roll of Membership.
- (e) After the signing of the Roll a Member may enter in the Roll a designation of identity, being Nationalist, Unionist or Other. A Member who does not register a designation of identity shall be deemed to be designated Other for the purposes of these Standing Orders.
- (f) A Member may change his/her designation of identity on no more than one occasion during the lifetime of the Assembly established by the Northern Ireland Act 2006. Any such change will take effect immediately after notification in writing is submitted to the Speaker.
- (g) Before the first meeting of the Assembly, and before any meeting of the Assembly where the business to be taken is the matter referred by the Secretary of State under section 1(1)(b) of the Northern Ireland Act 2006, the Clerk shall draw up a list of seats in the Assembly held by members of each party, as it appears to him. A Member may, until one hour before the start of the meeting concerned, correct his or her membership as stated on that list by writing to the Speaker. Immediately before the start each relevant meeting the Speaker will publish the list.
- (h) The list published immediately before the start of a meeting of the Assembly where the business to be taken is the matter referred by the Secretary of State under section 1(1)(b) of the Northern Ireland Act 2006 shall be used for the purposes of the formula in Standing Order 16.

## **OPERATION OF THE ASSEMBLY**

### **4. Proceedings to be held in public**

Except as otherwise prescribed in Standing Orders the proceedings of the Assembly shall be held in public.

## **5. Prayers**

Beginning with the second meeting of the Assembly, the Speaker shall announce the commencement of a period of two minutes silent prayer or contemplation. This period shall be known as Prayers; it shall take place in private and shall be the first item on the Order Paper for the day.

## **6. Quorum**

- (a) The quorum of the Assembly shall be ten Members including the Speaker.
- (b) If at any time, the attention of the Speaker is directed to the fact that a quorum is not present, he/she shall order the division bells to be rung. If at the expiration of five minutes a quorum is not present, the Speaker shall suspend the Assembly without question put; but if a quorum is then present it shall not be in order to draw the attention of the Speaker to the absence of a quorum for a period of one hour from that time. The business suspended shall be the first business when the Assembly next sits.

## **7. Sittings of the Assembly**

- (a) A general announcement shall be made five minutes before the Speaker takes the chair at a sitting or a resumed sitting.
- (b) The Speaker may at any time suspend sittings of the Assembly for up to fifteen minutes, or longer with the leave of the Assembly.

## **8. Business of the Assembly**

In accordance with any referral by the Secretary of State under section 1 of the Northern Ireland Act 2006, the Speaker shall prepare an Order Paper for each sitting day showing the business to be taken, together with such other information as is relevant to the business outlined in the Order Paper.

## **9. Speeches in the Assembly**

- (a) A Member shall not address the Assembly unless called on to speak by the Speaker. When the Speaker rises to speak, the Member addressing the Assembly shall cease speaking and resume his/her place.

- (b) A member may not speak more than once to the same motion, but a right of reply shall be allowed to a Member who has moved a motion or an amendment.<sup>1</sup>.
- (c) Notwithstanding paragraph (b) any Member may seek to intervene while another Member is speaking subject to that Member's consent, but may not persist in so doing if the Member refuses to give way.
- (d) The Speaker shall establish the total time to be allocated to each debate and the general arrangements for the debate including those set out in paragraph (e) below.
- (e) The Speaker shall determine the order of speaking and the number of speakers in any debate having due regard to the balance of opinion on the matter, the party strengths in the Assembly and the number of Members who have indicated a desire to speak.
- (f) The Speaker shall announce to the Assembly the established speaking times as above for any debate as a preliminary to the debate.
- (g) The Speaker, after having called the attention of the Assembly to the conduct of a Member who persists in irrelevance or tedious repetition, may direct the Member to discontinue his/her speech.

## **10. Closure of Debate**<sup>1</sup>

- (a) After "the question" of a matter has been proposed, any Member who has not already spoken to it, or to any amendment to it which has been proposed, may move that "the question be now decided"; and unless it shall appear to the Speaker that any of the parties present has not had a reasonable opportunity to contribute to the debate, the question that "the question be now decided" shall be put forthwith and decided without amendment or debate.
- (b) Where a division is held on a question for the closure of debate on an issue the resolution of which requires cross-community support the question shall not be carried unless at least 30 Members have voted in support of it.

---

<sup>1</sup> As amended by direction of the Secretary of State dated 22 May 2006

- (c) If a question for the closure of debate has been carried, the Speaker shall put forthwith the question on any amendment already proposed to the motion and the question on any other amendment which he/she may then select to be proposed, and shall then put forthwith the question on the motion or (as the case may be) on the motion as amended.

## **11. Business Committee**

- (a) There shall be a Committee to be known as the Business Committee which shall make recommendations to the Secretary of State on matters that may be referred to the Assembly and perform such other duties as the Secretary of State may direct.
- (b) The Committee shall be chaired by the Speaker and shall additionally consist of two representatives from each party with more than 15 seats held in the Assembly and one representative from any other party with two or more seats.
- (c) The procedures of the Committee shall be such as the Committee shall determine.

### **11A. Motions <sup>1</sup>**

- (a) A Member may table a motion to the Business Committee.
- (b) The Business Committee shall consider any motion tabled and may make a recommendation to the Secretary of State that the motion be referred to the Assembly.

### **11B. Amendments <sup>1</sup>**

- (a) Amendments to motions referred to the Assembly shall be given in writing to the Speaker not later than 9.30 am on the day on which the motion is to be taken.
- (b) When an amendment has been moved, the question to be put shall be, “That the amendment be made”. Where an amendment is agreed the Question to be put shall be “That

---

<sup>1</sup> As amended by direction of the Secretary of State dated 22 May 2006

the question, as amended, be agreed”. Where amendments are rejected the question on the substantive motion shall be put.

(c) In respect of any motion, the Speaker shall have power to select amendments to be proposed and may, if he/she thinks fit, call upon any Member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him/her to form a judgment upon it.

(d) By leave of the Assembly amendments may be withdrawn before a division is called.

(e) Amendments may be withdrawn prior to debate with the agreement of the Member or Members proposing the amendments.

### **11C. Committees of the Assembly <sup>2</sup>**

(a) Where

(i) the Assembly decides by cross-community support; or

(ii) the Secretary of State directs,

that a Committee be established, the Business Committee shall make arrangements to establish that Committee in accordance with any such decision or direction.

(b) Any decision of the Assembly to establish a Committee shall provide for the Committee’s terms of reference and membership.

(c) The procedures of any Committee so established shall be such as the Committee itself shall determine, unless otherwise provided for by a decision of the Assembly or direction of the Secretary of State.

(d) In these Standing Orders, references to “Committee” shall include any working group.

## **VOTING**

### **12. Voting – General**

---

<sup>2</sup> As amended by direction of the Secretary of State dated 26 May 2006

- (a) Except as provided by paragraph (b) or (c), every decision of the Assembly shall be taken by a simple majority of those voting.
  - (b) The following, namely:<sup>2</sup>
    - (i) A vote on a matter in respect of which a petition of concern has been presented;
    - (ii) A vote on a decision to establish a Committee of the Assembly; or
    - (iii) A vote on any other matter as directed by the Secretary of State shall require cross-community support.”.
  - (c) The election of members to hold the offices of First Minister and Deputy First Minister shall require parallel consent.
  - (c) The election of members to hold the offices of First Minister and Deputy First Minister shall require parallel consent.
  - (d) For the purposes of these Standing Orders –
    - “cross-community support” means
      - (i) The support of a majority of those members voting, a majority of the designated Nationalists voting and a majority of designated Unionists voting: or
      - (ii) The support of 60 per cent of the Members voting, 40 per cent of the designated Nationalists voting and 40 per cent of the designated Unionists voting,
    - “parallel consent” means the support of a majority of the members voting, a majority of the designated Nationalists voting and a majority of the designated Unionists voting.
  - (e) The Speaker, or a Deputy Speaker when in the Chair, shall not be entitled to a vote on any matter.
  - (f) The Speaker shall judge whether the motion be carried or not by collecting voices or by a show of hands as he/she considers appropriate.
-

- (g) A vote shall not be taken on any matter if a Quorum is not present.
- (h) If any Member is present within the precincts of the Assembly and is disabled by infirmity from passing through the lobby, his/her name may be communicated by his/her party whip to the Clerks and Tellers and may be included in the numbers counted.

### **13. Voting where the Speaker's decision is challenged**

- (a) If the opinion of the Speaker as to the decision of a question is challenged he/she shall direct that the lobby be cleared and the division bells shall be sounded.
- (b) After the lapse of three minutes from this direction he/she shall put the question again and, if his/her opinion is again challenged, he/she may either:
  - (i) call for the nomination of tellers and divide the Assembly in the manner provided below; or
  - (ii) if, in his/her opinion the division is unnecessarily claimed, take the vote of the Assembly by calling upon the Members who support and who challenge his/her decision successively to rise in their places and he/she shall thereupon, as he/she thinks fit, either declare the determination of the Assembly or call for the nomination of tellers and divide the Assembly in the manner provided below.
- (c) When tellers have been nominated, the Speaker shall direct the Assembly to divide, "ayes" to the right and "noes" to the left. The division bells shall be sounded. After the lapse of four minutes from putting the question again he/she shall direct that the doors giving access to the division lobbies be secured. When all Members in the lobby have voted the tellers shall bring the division lists to the Clerk who will announce the result.
- (d) A Member may vote in a division although he/she did not hear the question put.
- (e) A Member shall not be obliged to vote.
- (f) If the votes in a division are equal the amendment or motion shall not be carried.

### **14. Petition of Concern**

- (a) If 30 Members petition the Assembly expressing their concern about a matter which is to be voted on by the Assembly, the vote on that matter shall require cross-community support. The procedure to be followed in petitioning the Assembly is set out in paragraphs b. and c.
- (b) A Petition of Concern in respect of any matter shall be in the form of a notice signed by at least 30 Members presented to the Speaker. No vote may be held on a matter which is the subject of a Petition of Concern until at least one day after the Petition of Concern has been presented.
- (c) Other than in exceptional circumstances, a Petition of Concern shall be submitted at least one hour before the vote is due to occur. Where no notice of the vote was signaled or such other conditions apply that delay the presentation of a Petition of Concern the Speaker shall determine whether the Petition is time-barred or not.

## **MINISTERS**

### **15. Election of persons to be First Minister and Deputy First Minister**

- (a) Where the Secretary of State makes a referral under section 1(1)(a) of the Northern Ireland Act 2006, an election by the Assembly of persons, from among its members, to hold the offices of First Minister and Deputy First Minister on the restoration of devolved Government in Northern Ireland, shall be done in accordance with the procedures set out in paragraphs b. to j. below.
- (b) Each candidate for either office must stand for election jointly with a candidate for the other office.
- (c) Two candidates standing jointly shall not be elected to the two offices without the support of a majority of the members voting in the election, a majority of the designated Nationalists voting and a majority of the designated Unionists voting.
- (d) Any member, addressing the Speaker, may propose candidates (members, whether or not present), to the Assembly for its First Minister and Deputy First Minister and move “That [X] be First Minister and [X] be Deputy First Minister on the restoration of devolved

government”. Which motion will require to be seconded and to be followed by statements (which may be given orally or in writing) from the candidates proposed and seconded that they accept nomination.

- (e) When a pair of candidates is proposed and seconded and has accepted nomination, the Speaker shall then ask “ Is there any further proposal?” and:
  - (i) If there is no further proposal, the Speaker shall say “The time for proposals has expired” and a debate relevant to the election may then take place in which no member may speak more than once; or
  - (ii) If more than one pair of candidates is proposed and seconded as First Minister and Deputy First Minister and have signified that they accept nomination, the Speaker shall, after each proposal has been made and seconded and the nominations have been accepted, say “Is there any further proposal?”, and if there is no further proposal the Speaker shall say “The time for proposals has expired.”, and a debate relevant to the election may then take place.
- (f) Upon the conclusion of the debate, or if there is no debate, the Speaker shall put the question “That [X and X], (being the only candidates proposed or the candidates first proposed) be First Minister and Deputy First Minister on the restoration of devolved government”.
- (g) If the question be not carried, the Speaker shall put a similar question in relation to the second pair of candidates proposed; whereupon if affirmed in the positive, those candidates shall be declared by the Speaker to be elected; and this shall be done in relation to each pair of candidates proposed as often as necessary until candidates are elected to be First Minister and Deputy First Minister.
- (h) The Speaker shall immediately ask those Members elected to be First Minister and Deputy First Minister to affirm the terms of the Pledge of Office (attached at Annex A to these Orders) in respect of the office for which he or she has been elected .
- (i) If no member is elected in accordance with paragraphs (a) to (h) above, the procedure shall be repeated after a period specified by the Secretary of State until candidates are elected to be First Minister and Deputy First Minister.

- (j) The Speaker shall notify the Secretary of State that persons have been elected to hold the offices of First Minister and Deputy First Minister on the restoration of devolved government.

## **16. Nominations for Ministerial Offices**

- (a) Where the Secretary of State makes a referral under section 1(1)(b) of the Northern Ireland Act 2006, nominations by the Assembly of persons from among its Members to hold office as Northern Ireland Ministers on the restoration of devolved government in Northern Ireland shall be done in accordance with the procedures set out in paragraphs b. to j. below.

- (b) The Speaker shall ask the nominating officer of the political party for which the formula in paragraph (f.) gives the highest figure to select a Ministerial office and nominate a person to hold it who is a member of the party and of the Assembly.

- (c) Where the Speaker requests a nominating officer to select a Ministerial office and nominate a person to hold it:

- (i) the nominating officer must exercise that power, and

- (ii) the person nominated must affirm the terms of the Pledge of Office in respect of the office for which he or she has been nominated,

within 15 minutes of the request, unless the nominating officer, the person nominated, or another Member of the Assembly asks the Assembly to extend that time limit, and gives a reason or reasons for so asking, and the Assembly approves the extension.

- (d) If –

- (i) the nominating officer does not exercise the power conferred by paragraph (b) within the period specified in (c); or

- (ii) the nominated person does not affirm the terms of the Pledge of Office within that period,

that power shall become exercisable by the nominating officer of the political party for which the formula in paragraph (f). gives the next highest figure.

(e) Paragraphs (b). to (d). shall be applied as many times as may be necessary to secure nominations of persons to hold each of the Ministerial offices on the restoration of devolved government.

(f) The formula is –

$$\frac{S}{1 + M}$$

$$1 + M$$

where –

S = the number of seats in the Assembly which were held by members of the party as detailed in the list published under Standing Order 3.

M = the number of Ministerial offices (if any) which would be held by members of the party on the restoration of devolved government

(g) Where the figures given by the formula for two or more political parties are equal, each of those figures shall be recalculated with S being equal to the number of first preference votes cast for the party at the general election of members of the Northern Ireland Assembly on 26 November 2003.

(h) The election by the Assembly of a Member to hold office as First Minister or Deputy First Minister on the restoration of devolved government shall not prevent that person being nominated to hold a Ministerial office.

(i) Where the Assembly has nominated from among its members persons to hold each of the Ministerial Offices on restoration of devolved government in accordance with this Standing Order, the Speaker shall inform the Secretary of State.

(j) In this Standing Order –

“nominating officer” –

- (i) in relation to a party registered under Part II of the Political Parties Elections and Referendum Act 2000, means the registered nominating officer or a member of the Assembly nominated by him for the purposes of this Standing Order;
- (ii) in relation to any other political party, means the person who appears to the Speaker to be the leader of the party, or a member of the Assembly nominated by that person for the purposes of this Standing Order.

“Ministerial offices” has the same meaning as in the Northern Ireland Act 2006.

## **GOOD ORDER**

### **17. Order in the Assembly**

(a) The Speaker may, if any Member:

- (i) wilfully assaults, molests, obstructs or acts in a disorderly manner towards the Speaker or any other Member;
- (ii) persistently and wilfully obstructs the business of the Assembly;
- (iii) is guilty of disorderly conduct;
- (iv) wilfully assaults, obstructs or resists any police constable or officer of the Assembly acting under the authority of the Speaker;
- (v) uses unparliamentary words which he/she refuses to withdraw;
- (vi) persistently or wilfully refuses to conform with Standing Orders; or
- (vii) persistently or wilfully disregards the authority of the Speaker

order the Member to withdraw immediately from the Chamber and its precincts during the remainder of that day’s sitting and a person authorised by the Clerk shall act upon any instructions as he/she may receive from the Speaker in pursuance of this Standing Order;

or whenever a Member shall have been named by the Speaker, immediately after the commission of the offence of disregarding the authority of the Speaker, or of persistently and wilfully obstructing the business of the Assembly by abusing the rules of the Assembly or otherwise, then if the offence has been committed by such Member in the Assembly, the Speaker shall forthwith put the question, on a motion being made, 'That such Member be suspended from the service of the Assembly' for a period of up to five sitting days.

- (b) Where for any reason the Speaker does not declare the suspension of a Member under this Standing Order at the sitting of the Assembly during which the offence occurred, he/she shall inform the Assembly at its next sitting of the Member's offence and shall forthwith put the question on a motion being made, "that such Member be suspended from the service of the Assembly" for a period of up to five sitting days.
- (c) A Member who is suspended under this Standing Order shall not be admitted to the Assembly chamber or its precincts. For the purposes of this Standing Order the precincts shall include any part of Parliament Buildings.
- (d) The Speaker shall take whatever steps he/she deems necessary in the circumstances to prevent conduct which would constitute a criminal offence or a contempt of court.
- (e) In the case of grave disorder arising in the Assembly, the Speaker may, if he/she thinks it necessary, adjourn the Assembly without question put or suspend any sitting for up to one hour.

## **18. Visitors to the Assembly**

- (a) When the Assembly is sitting visitors may be admitted only to such places as may be reserved for them by the Speaker..
- (b) Visitors shall only be admitted to the Public Gallery after Prayers.
- (c) Visitors shall not be permitted to take into the Public Gallery of the Assembly any mobile telephone, device for recording images or sound, briefcase or large bag.
- (d) For the purposes of this Standing Order the term "visitors" includes all persons other than Members, officers and servants of the Assembly.

## **19. Keeper of the House**

The Keeper of the House or any person authorised by the Clerk attending the Assembly shall remove any visitor whom he/she may see, or who may be reported to him/her to be, in any part of the Assembly or gallery appropriated to the Members of the Assembly, and also any visitor who, having been admitted into any other part of the Assembly or gallery, shall misconduct himself/herself, or shall not withdraw when visitors are directed to withdraw, while the Assembly is sitting.

## **STANDARDS**

### **20. Members' Interests**

- (a) A Register of Members' Interests, which shall list the categories of registrable interest, shall be established, published and made available for public inspection.
- (b) The Clerk to the Assembly shall compile, and from time to time publish, a Register of Members' Interests.
- (c) Every Member of the Assembly shall inform the Clerk to the Assembly, within four weeks of the first meeting of the Assembly, of such particulars of his or her registrable interests as shall be required, and of any alterations to such interests within four weeks of each change occurring.
- (d) Before taking part in any debate or proceeding of the Assembly, a Member shall declare any interest, financial or otherwise, which is relevant to that debate or proceeding, where such interest is held by the Member or an immediate relative.
- (e) No Member of the Assembly shall, in any proceeding of the Assembly, in return for payment or benefit mentioned in paragraph 61 of the Guide to the Rules Relating to the Conduct of Members, approved by the Northern Ireland Assembly on 15 October 2001 ["the Guide"]:

advocate or initiate any cause or matter on behalf of any outside body or individual;

urge any other Member of the Assembly to do so.

(f) Where it appears to the Speaker that a Member has failed to comply with any provision of this Order or any Code of Conduct agreed by the Northern Ireland Assembly, the Speaker may make a report to the Assembly.

(g) A report made under paragraph f may include a recommendation that the Member:

be excluded from proceedings of the Assembly for a specified period; and

have his/her rights and privileges as a Member withdrawn for that period.

(h) In this Standing Order:

“Financial interest” means any registrable interest other than one falling within paragraph 26 or 27 of the Guide;

“Registrable interest” means any category of registrable interest falling within paragraphs 14 to 37 of the Guide.

## **MISCELLANEOUS**

### **21. News Media**

(a) The Speaker may, if he/she thinks fit, order the withdrawal of members of the news media from sittings of the Assembly.

(b) Members of the news media shall not be permitted to take into the Assembly any mobile telephone, device for recording images or sound, briefcase or large bag.

(c) Unless the prior permission of the Speaker has been sought and granted, members of the news media shall not be permitted to take a camera into the Assembly Chamber or its precincts.

- (d) Unless the prior permission of the Speaker has been sought and granted, members of the news media shall not be permitted to photograph, interview or record in areas not designated for the purpose.

## **22. Official Report**

- (a) A substantially verbatim report of the proceedings at all sittings of the Assembly shall be prepared and published. The report shall be known as the Official Report and shall be a record of the proceedings in the language spoken.
- (b) Editorial control of the Official Report shall rest ultimately with the Speaker but shall be exercised on his/her behalf by the Editor of Debates.

## **23. Office of Clerk and Records of the Assembly**

- (a) All proceedings of the Assembly shall be noted by the Clerk and the minutes of proceedings after being perused and signed by the Speaker, shall be printed and shall constitute the Journal of the Proceedings of the Assembly.
- (b) The Clerk shall have custody of all Journals of Proceedings, records and other documents belonging to the Assembly.
- (c) During any vacancy in the Office of Clerk, or in his/her absence, the functions and duties of the Clerk shall be exercised and performed by the Deputy Clerk or if there is a vacancy in that office also or he/she is also absent, by the Clerk Assistant.

## **24. Language**

Members may speak in the language of their choice.

## **25. Sub judice**

Subject always to the discretion of the Speaker,

- (a) matters awaiting or under adjudication in any court exercising a criminal jurisdiction and in any court martial should not be referred to:
  - (i) in any Motion, or

(ii) in debate.

(b) matters awaiting or under adjudication in a civil court should not be referred to:

(i) in any Motion, or

(ii) in debate

from the time that the case has been set down for trial or otherwise brought before the court, as for example by notice of motion for an injunction; such matters may be referred to before such date unless it appears to the Speaker that there is a real and substantial danger of prejudice to the trial of the case.

(c) Paragraphs a. and b. of this Order should have effect:

(i) in the case of a criminal case in courts of law, including courts martial, from the moment the law is set in motion by a charge being made;

(ii) in the case of a civil case in courts of law, from the time that the case has been set down for trial or otherwise brought before the court, as for example by notice of motion for an injunction;

(d) Paragraphs a. and b. of this Order should cease to have effect:

(i) in the case of courts of law, when the verdict and sentence have been announced or judgement given, but resumed when notice of appeal is given until the appeal has been decided;

(ii) in the case of courts martial, when the sentence of the court has been confirmed and promulgated, but resumed when the convicted person petitions the Army Council, the Air Council or the Board of Admiralty;

(e) Notwithstanding the above and subject to the discretion of the Speaker reference may be made in Motions or debate to matters awaiting or under adjudication in all civil courts, in so far as such matters concern issues of importance such as the economy, public order or the essentials of life.

- (f) In exercising his or her discretion the Speaker should not allow reference to such matters if it appears that there is a real and substantial danger of prejudice to the proceedings.

## **ANNEX A**

### **PLEDGE OF OFFICE**

To pledge:

- a. to discharge in good faith all the duties of office;
- b. commitment to non-violence and exclusively peaceful and democratic means;
- c. to serve all the people of Northern Ireland equally, and to act in accordance with the general obligations on government to promote equality and prevent discrimination;
- d. to participate with colleagues in the preparation of a programme for government;
- e. to operate within the framework of that programme when agreed within the Executive Committee and endorsed by the Assembly;
- f. to support, and act in accordance with, all decisions of the Executive Committee and Assembly;
- g. to comply with the Ministerial Code of Conduct.