

Monday
26 October 1998

**THE NEW
NORTHERN IRELAND
ASSEMBLY**

PROGRESS REPORT

FROM THE

**COMMITTEE ON STANDING
ORDERS**

NNIA 4

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STANDING ORDERS COMMITTEE

DRAFT REPORT

BACKGROUND

1. The Initial Standing Orders of the New Northern Ireland Assembly were notified to the Presiding Officer by the Secretary of State for Northern Ireland in accordance with paragraph 10(1) of the Schedule to the Northern Ireland (Elections) Act 1998, and dealt inter alia with the Business of the Assembly and the election of a Presiding Officer and of the First and Deputy First Ministers. Initial Standing Orders are shown as Annex D to this report.
2. At the first meeting of the Assembly on 1 July 1998, a motion relating to the establishing of a Committee to draw up draft Standing Orders was accepted. The terms of the motion were as follows:-

that in accordance with paragraph 15 of Initial Standing Orders, the Assembly shall establish a Committee whose terms of reference, quorum and composition are set out below.

Terms of Reference

To assist the Assembly in its consideration of Standing Orders and report to the Assembly by 14 September 1998.

Composition

UUP	4
SDLP	4
DUP	3
SF	3
All	1
UKU	1

PUP	1
NIWC	1
Quorum	8

3. The formal rules of Procedure implemented by the Committee are those set out in paragraph 15 of the Initial Standing Orders of the Assembly. In addition, at the first meeting held on 6 July 1998, the Committee agreed:

- that parties should be permitted to appoint a substitute, who must be an Assembly Member, to stand in for an appointed Committee Member who is unable to attend a meeting of the Committee;
- that such a Member should be permitted to speak and vote;
- that the Assembly Secretariat should be given at least one hour's notice of any substitution;
- that parties should be permitted to appoint one observer who must be an Assembly Member to attend a meeting of the Committee in a non-speaking and non-voting capacity to facilitate continuity;
- that the Assembly Secretariat should be given at least one hour's notice of the proposed attendance of an observer at any Committee Meeting.

4. In addition, at a meeting held on Monday 24 August 1998, the Committee agreed that observer status should be accorded to a group of three Independent Unionist Members. When the group subsequently formed itself into the United Unionist Assembly Party (UUAP) the Committee sought and obtained agreement from the Secretary of State to change Initial Standing Orders to facilitate proper representation of the new party on Committees of the Assembly during the Shadow period. Mr Watson of the UUAP who had

hitherto acted as an observer joined the Committee at its meeting of 7 October 1998.

5. The Committee met for the first time on Monday 6 July 1998 and on 11 subsequent occasions to date. The Membership of the Committee is as follows:

Alliance Party	Mr S Close
Democratic Unionist Party	Rev Dr I Paisley MP MEP
	Mr N Dodds
	Mr G Campbell
Northern Ireland Women's Coalition	Ms J Morrice
Progressive Unionist Party	Mr D Ervine
Sinn Fein	Mr C Murphy
	Mr F Molloy
	Mr J Kelly
Social Democratic and Labour Party	Mr S Farren
	Mr D Haughey (Joint Chairman)
	Ms B Rodgers
	Mr E McGrady MP
United Kingdom Unionist Party	Mr R McCartney QC MP
United Unionist Assembly Party	Mr D Watson
Ulster Unionist Party	Mr P Weir
	Mr M McGimpsey
	Mr D S Dalton
	Mr F Cobain (Joint Chairman)

6. During the period the following Members have attended as substitutes:

Alliance Party	Mr D Ford
	Mr S Neeson
Democratic Unionist Party	Mr S Wilson
	Mr P Berry

Mr J Wells

Northern Ireland Women's Coalition	Professor M McWilliams
Progressive Unionist Party	Mr W Hutchinson
Sinn Fein	Mr A Maskey
Social Democratic and Labour Party	Mr A Attwood
	Mr M Durkan
	Mr A Maginness
	Mr E O'Neill
United Kingdom Unionist Party	Mr N Boyd
Ulster Unionist Party	Dr E Birnie

7. Also Mr N Boyd United Kingdom Unionist Party and Mr D Watson, Independent have held Observer status during the Committee's deliberations.
8. Mr N Carson, Deputy Clerk of the Assembly, acted as Clerk to the Committee, assisted by Mr M Barnes, Second Clerk (Business), for the three meetings it held in July 1998. Mr Barnes, acted as Clerk assisted by Mr D Arnold for subsequent meetings.

APPROACH

9. Upon embarking on its examination of Standing Orders, the Committee obtained the Standing Orders of a number of Parliaments and legislatures, including the House of Commons at Westminster, the European Parliament and Dail Eireann, to use as a guide. Following discussion, the Committee decided to use the Standing Orders drawn up for the use of the 1973 Northern Ireland Assembly as a base on which to build. It considered how these Standing Orders could be amended and augmented to meet the requirements of the present Assembly. It also considered other material where appropriate, in particular Initial Standing Orders.

In approaching its work, the Committee took note of the fact that legislative and executive Authority will not be devolved until it appears to the Secretary of State that sufficient progress has been made in implementing the Belfast Agreement.

ADDITIONAL INITIAL STANDING ORDERS

10. Having commenced its examination of Standing Orders on the basis outlined above, the Committee took delivery of a letter dated 17 August 1998 from the Private Secretary to the Secretary of State which enclosed draft additional Initial Standing Orders. It was explained in this letter that the draft additional Initial Standing Orders were prepared to provide a basis for consultation with the Assembly's Committee on Standing Orders on the development of additional Initial Standing Orders to enable the Assembly to proceed, for example, to the appointment – by the d'Hondt procedure of Ministers (designate) and the establishment of related Assembly Committees. It was pointed out in this letter that the Secretary of State was minded to make these additional Standing Orders, taking account of any comments the Committee has, before the Assembly's return on 14 September 1998. The Committee noted that the Minister of State, Mr Murphy, was available to consider any response the Committee wished to make.

11. Being conscious of the need to provide a quick response, the Committee met on 1 September 1998 to examine the proposed draft Additional Initial Standing Orders, and to prepare its response. This response was considered and agreed at a meeting of the Committee held on 8 September 1998 and was immediately forwarded to the Minister of State, Mr Murphy. The Minister in turn replied to the Committee Joint Chairmen on 10 September 1998, indicating that he had revised the position in the letter of 17 August and that there would be no action taken by the Government until the Standing Orders Committee reported to the Assembly on 14 September 1998 (see Annex B). The Committee still awaits receipt of the revised Initial and Additional Initial Standing Orders.

12. The original Terms of Reference required the Committee to report on its activities by 14 September. However the scale of the undertaking coupled with the extra work required on Additional Initial Standing Orders, made it impossible to contemplate a full and complete report for that date. As a result an Interim Report (NNIA1) was tabled for 14 September and this was unanimously endorsed by the Assembly. The Committee was then tasked with reporting to the Assembly by 26 October.

THIS REPORT

13. The Committee considers that it has now taken its work as far as is prudent at this stage. It has examined a full range of Standing Orders for the New Assembly and in the process has agreed certain draft Standing Orders and remitted others for the following reasons:

- because of uncertainty about the content of the Northern Ireland Bill which it is understood is about to undergo heavy amendment and which will not become law until late November;
- because further discussion and work is required before decisions can be taken.

It will be necessary, once the Northern Ireland Bill is enacted, for the Committee to address outstanding issues, some of which have been listed in Annex C. Also the Committee will be required to take into account the revised Initial Standing Orders and Additional Initial Standing Orders.

14. In presenting this Report to the Assembly, the Committee has organised the rules it has addressed into a number of groups, viz:

- A compendium of agreed Standing Orders excluding the Additional Initial Standing Orders;
- correspondence and papers relating to Additional Initial Standing Orders;
- a list of Standing Orders where further consideration is needed or where it has been necessary to defer further actions.

Using these papers, the Committee has produced the attached Compendium of agreed Standing Orders for the consideration of the Assembly. It is the Committee's view that the Assembly should at this stage take note of the progress made to date, leaving the Committee to complete its task by presenting a final report once the Northern Ireland Bill is enacted. This will present the Assembly with a comprehensive set of Draft Standing Orders for agreement.

Appreciation

The Committee wishes to express its appreciation to all those who have assisted it in any way in taking its work forward.

D HAUGHEY

F COBAIN

JOINT CHAIRMEN

ANNEX A

Compendium of Agreed Standing Orders excluding Additional Initial Standing Orders.

COVERAGE OF STANDING ORDERS

The coverage of agreed Standing Orders at the time of writing is extensive. The range is as follows:

1. Notice of First Meeting
2. Procedure of First Meeting
3. General Rule for Conduct of business
4. Roll of Members
5. Election of Speaker
6. Procedure when office of speaker becomes vacant
7. Deputy Speakers
8. Election of First Minister and Deputy First Minister
9. Quorum
10. Office of Clerk
11. Speeches
12. Sittings and Adjournments
13. Earlier Meetings of Assembly
14. Members Interests
15. Delaying Motions
16. Prayers.
17. Private Business
18. Questions
19. Private Notice Questions
20. Statements
21. Public Business

22. Seconders
23. Amendments
24. Anticipation
25. Matters awaiting Judicial Decision
26. Presentation of Accounts and Papers
27. Divisions
28. Voting
29. Closure
30. Order
31. Visitors
32. Service on Committees
33. Public Accounts Committee
34. Business Committee
35. Committees
36. Statutory Committees
37. Privilege
38. News Media

1. NOTICE OF FIRST MEETING OF NEW ASSEMBLY

The Clerk to the Assembly (in these Standing Orders referred to as ‘the Clerk’) shall as soon as may be after a general election send to each Member a notice stating that a meeting of the Assembly will be held at the place and time specified therein.

2. PROCEDURE AT FIRST MEETING OF NEW ASSEMBLY

- (1) At the first meeting of an Assembly after a dissolution, Members having met at the place and time appointed for that meeting –
 - (a) The Clerk shall read the notice sent under Standing Order 1 convening the meeting;
 - (b) Members shall then take their seats by signing the Assembly’s Roll of Membership and registering a designation of identity – Nationalist, Unionist or Other. The arrangement for this shall be determined by the outgoing Speaker or in his/her absence by the Clerk, and all Members shall have the opportunity to take their seats in the prescribed manner before any other formal business is conducted in the Assembly. In the event of a Member not being present, such Member shall sign later in the manner provided by Standing Order [].
- (2) The Assembly shall then proceed to elect a Speaker in the manner provided by Standing Order [].
- (3) The decision of the Speaker as to whether a Member has taken his or her seat in accordance with 1(b) above shall be final.

- (4) Members may change designation on no more than one occasion during the lifetime of an Assembly upon notice to the Speaker of at least 30 days.
- (5) The Presiding Officer of the Assembly shall be called “Mr Speaker” or “Madam Speaker” and shall be so addressed by Members in all proceedings of the Assembly and shall be so designated in all official communications.
- (6) A member may resign his or her seat by giving written notice to the Speaker.

3. GENERAL RULE FOR THE CONDUCT OF BUSINESS

1. The Speaker’s ruling shall be final on all questions of procedure and order.
2. The Deputy Speaker may act as Speaker when requested to do so by the Speaker or when the latter is unable to act.

4. ROLL OF MEMBERS OF ASSEMBLY

- (1) There shall be a Roll of Members of the Northern Ireland Assembly which shall in the presence of the Assembly, be signed by each Member, and in which each Member shall register a designation of identity – Nationalist, Unionist or Other.
- (2) The Roll may be signed by a Member either before the election of the Speaker or at any time during a sitting of the Assembly before public business has been entered upon or after it has been disposed of but no debate or business shall be interrupted for that purpose.
- (3) A member shall not speak until he or she has signed the Roll and registered a designation of identity.

- (4) For the purpose of paragraph [] of [] a Member shall be regarded as having taken his seat when he or she signs the Roll of Members.

5. ELECTION OF SPEAKER

- (1) When a Quorum is present, the election of a Speaker shall be proceeded with in the manner specified in the following paragraphs of this Standing Order.
- (2) Any Member, addressing himself to the outgoing Speaker or in his or her absence to the Clerk, may propose a candidate (a Member whether or not present) to the Assembly for their Speaker and move “That Be Speaker of this Assembly”, which motion shall require to be seconded and to be followed by a statement (which may be given orally or in writing) from the Member proposed and seconded that nominated is accepted.
- (3) When a candidate is proposed and seconded and has accepted nomination, the outgoing Speaker or in his or her absence, the Clerk shall then ask “Is there any further proposal?” and –
 - (a) If there is no further proposal the outgoing Speaker or in his or her absence, the Clerk shall say “the time for proposals has expired” and a debate relevant to the election may then take place in which no Member shall speak more than once.
 - (b) If more than one candidate is proposed and seconded as Speaker and has signified that he or she accepts nomination, the outgoing Speaker or in his or her absence the Clerk shall after each proposal has been made and seconded and the nomination has been accepted say “Is there any further proposal?” and if

there is no further proposal the outgoing Speaker, or in his or her absence the Clerk shall say “the time for proposals has expired”, and a debate relevant to the election may then take place in which no Member shall speak more than once.

- (4) Upon the conclusion of the debate, or if there is no debate, the outgoing Speaker or in his or her absence the Clerk shall put the question “that (being the only candidate proposed, or the candidate first proposed) be Speaker of this Assembly”, voting on the question being conducted in accordance with Standing Order [].
- (5) If the question be not carried, the required cross community support being absent, the outgoing Speaker or in his or her absence the Clerk shall put a similar question in relation to the second candidate proposed; whereupon if affirmed in the positive in accordance with Standing Order [], that candidate shall be declared by the outgoing Speaker or in his or her absence by the Clerk to be elected and shall forthwith take the chair; and this shall be done in relation to each candidate proposed as often as necessary until a candidate is chosen to be Speaker.

6. PROCEDURE WHEN OFFICE OF SPEAKER BECOMES VACANT

When a vacancy in the office of Speaker of the Assembly occurs, the Clerk shall report same to the Assembly at the opening of its next meeting and the Assembly shall as soon as may be proceed to elect a Speaker in the manner provided by Standing Order []. Where there is no agreement on the election of a speaker, meetings of the Assembly shall be chaired by the Deputy Speakers.

7. DEPUTY SPEAKERS

- (1) The Assembly may on a motion made by the Speaker after notice, elect two Deputy Speakers [using the procedure set out in Standing Order []] who shall, when the Speaker is absent or when called upon to do so by the Speaker, perform the duties devolved upon and exercise the authority conferred upon the Speaker by these Standing Orders.
- (2) When the Speaker is absent and no Deputy Speaker is present to take the Chair, the Assembly shall, if a quorum is present, at once proceed [in the manner provided by Standing Order []] to elect one of its Members for that day only, or for such part of that day as the Speaker may be absent, to perform the duties devolved upon and exercise the authority conferred upon the Speaker by these Standing Orders. If there is not a quorum present, the Assembly shall stand adjourned until the next sitting day.
- (3) In the following Standing Orders, references to the Speaker shall, unless otherwise required, include a Deputy or temporary Speaker acting as Speaker under this Standing Order.

8. ELECTION OF FIRST MINISTER AND DEPUTY FIRST MINISTER

1. The First Minister and Deputy First Minister of the Assembly shall be jointly elected by the members.
2. 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 [y] be Deputy First Minister of this Assembly”, 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.

3. When a pair of candidates is proposed and seconded and has accepted nomination, the Speaker shall then ask "Is there any further proposal?" and:
 - (a) 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
 - (b) if more than one pair of candidates is proposed and seconded as First 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.
4. Upon the conclusion of the debate, or, if there is no debate, the Speaker shall put the question "That [x and y] (being the only candidates proposed or the candidates first proposed) be First Minister and Deputy First Minister of this Assembly".
5. If the question be not carried, the Speaker shall put a similar question in relation to the second pair of candidates proposed; whereupon, if resolved in the affirmative, 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 chosen to be First Minister and Deputy First Minister.
6. The Speaker shall immediately ask those members of the Assembly chosen to be First Minister and Deputy First Minister to affirm to the Assembly:
 - (a) their commitment to non-violence and exclusively peaceful and democratic means;

- (b) their opposition to any use or threat of force by others for any political purpose;
- (c) their commitment to work in good faith to bring into being the arrangements set out in the Agreement reached in the multi-party negotiations on 10 April 1998; and
- (d) their commitment to observe the spirit of the Pledge of Office Annexed to these Orders.

9. QUORUM

- (1) The quorum of the Assembly shall be 10 Members including the Speaker.
- (2) If at any time, the attention of the Speaker is directed to the fact that a quorum is not present, he or she shall order the division bells to be rung and if at the expiration of three minutes a quorum be not present, he or she shall adjourn 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.

10 OFFICE OF CLERK AND RECORDS OF THE ASSEMBLY

- (1) 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.
- (2) The Clerk shall have custody of all Journals of Proceedings, records and other documents belonging to the Assembly.

- (3) During any vacancy in the office of Clerk or in his absence the functions and duties of the Clerk shall be exercised and performed by a Clerk Assistant or if there is a vacancy in that office also or he or she is also absent, by a second Clerk.

11. SPEECHES IN THE ASSEMBLY

1. A member shall not address the Assembly unless called on to speak by the Speaker and when the Speaker rises to speak, the member addressing the Assembly shall cease speaking and resume his or her place.
2. 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.
3. Notwithstanding sub-paragraph 2 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 person speaking refuses to give way.
4. Except by leave of the Assembly, a member may not speak in debate on any motion for longer than the periods specified below except at the discretion of the Speaker after consultation with the Business Committee:
 - (a) member moving a motion — 20 minutes;
 - (b) any other member (including a member moving an amendment) — 10 minutes;
 - (c) member moving a substantive motion in reply — 15 minutes.
5. 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 or her speech.

12. SITTINGS AND ADJOURNMENTS OF THE ASSEMBLY

1. The categories of business to be conducted in the Assembly shall consist of the following:
 - Government Business
 - Committee Business
 - Questions
 - Private Members' Business
 - Adjournment Debates

2. The sittings of the Assembly shall ordinarily be arranged as follows-

MONDAY

10.30 am — 6.00 pm

TUESDAY

10.30 am — 6.00 pm

The allocations of time for categories of business within these sittings shall be determined by the Business Committee, except that:

- (a) on each Monday on which there is a sitting there shall be a period for Questions commencing at 2.30 pm and finishing at 4.00 pm, and

- (b) on each Tuesday on which there is a sitting there shall be an Adjournment Debate commencing at 3.00 pm and finishing at 6.00 pm.

3. If Tuesday's business cannot be completed in the allocated time, the sitting may be extended into the evening, into Wednesday, or both.
4. Additional sittings may be arranged by the Business Committee according to the exigencies of the Assembly.
5. At 6.00 pm on Monday sittings the Speaker shall interrupt the business under consideration and at 3.00 pm on Tuesdays sittings the Speaker shall interrupt the business under consideration.
6. If at the time appointed for the interruption of business, any division is in progress, or a question is being put by the Speaker and a division results immediately thereon, such interruption shall be deferred until after the declaration of the result of the division.
7. On the interruption of business the closure may be moved; and if moved, or if proceedings to close the debate under Standing Orders be then in progress, the Speaker shall not leave the Chair until the questions consequent thereon and any further questions as provided in Standing Orders have been disposed of.
8. If a notice of motion in the name of a Member of the Executive stands upon the Order Paper at the commencement of public business to the effect either —
 - (a) that the proceedings on any specified business be exempted at this day's sitting from the provisions of this Standing Order; or
 - (b) that the proceedings on any specified business be exempted at this day's sitting from the provisions of this Standing Order for a specified period after six o'clock

it shall stand over until after the interruption of business and shall be decided without amendment or debate.

9. If a motion pursuant to paragraph 7 is agreed to, the business specified in the motion shall thereupon be entered upon, or continued, until concluded or until the time specified has expired and the Speaker shall then adjourn the Assembly with question put.
10. An adjournment of the Assembly shall mean an adjournment till the next sitting day unless the Assembly, on a motion made by a Member of the Executive after notice, has ordered an adjournment to some other definite date.

13. EARLIER MEETINGS OF THE ASSEMBLY

1. Whenever notice is given to the Speaker by the Executive or by not less than 30 Members that the Assembly should meet at an earlier date than that to which it stands adjourned for the purpose of discussing a specific matter of urgent public importance, or several such matters, the Speaker shall, as soon as may be, summon the Assembly to meet.
2. The notice given to the Speaker under paragraph (1) of this Standing Order shall be in writing over the signature of the First Minister and Deputy First Minister or the signatures of the Members desiring the recall and shall contain a statement of the specific matter or matters to be discussed.
3. The business to be transacted on the day on which the Assembly shall so meet shall be the specific matters or matters referred to in the notice given to the Speaker and when that business has been disposed of the Assembly shall stand adjourned to the date to which it originally stood adjourned.

4. In the event of the Speaker being unable to act owing to illness or other cause, a Deputy Speaker shall act in his stead for the purposes of this Standing Order.

14. MEMBERS' INTERESTS

- (1) [As required by Section 35 of the Northern Ireland Act 1998], a register of Members' interests shall be established, published and made available for public inspection in the Assembly Library.
- (2) The register shall list the categories of Members interests outlined in the schedule to this Standing Order:
- (3) A Member with a financial interest (or any other interest as specified in paragraph (2)) shall declare that interest before taking part in any proceedings of the Assembly, which relate to that matter.
- (4) A Member of the Assembly shall be prohibited from
 - (a) Advocating or initiating any cause or matter on behalf of any person, by any means specified in the Standing Orders of the Assembly, in return for payment or benefit in kind.
 - (b) Urging another Member to advocate or initiate a cause in such circumstances.

A Member who fails to comply with or contravenes any provision made under the schedule to this Standing Order shall be excluded from the proceedings of the Assembly for a period defined by the Speaker, who may also withdraw his or her rights or privileges as a Member for the period of exclusion.

- (5) A Member of the Assembly who –

- (a) takes part in any proceedings of the Assembly without having complied with or in contravention of the Standing Order; or
- (b) Contravenes any provision made in the Schedule to this Standing Order

is guilty of a criminal offence, and is liable on summary conviction to a fine not exceeding level 5 on the standard scale (currently £5,000).

Schedule to standing order 14

1. Remunerated Directorships

In this section Members are required to register any remunerated directorships which they may hold in public or private companies. The requirement extends to directorships which are themselves unremunerated but where the companies in question are associated with or are subsidiaries of a company in which the Member holds a remunerated directorship.

2. Remunerated Employment, Office, Profession etc

This is the category for registering outside employment, professions and sources of remuneration not clearly covered elsewhere in the registration form. It is also the section for the registration of membership of Lloyd's of London; the requirement is to disclose the categories of insurance underwritten.

3. Clients

In this section Members are required to disclose the names of clients (other than companies or organisations already identified in sections 1 and 2, but including clients of those companies or organisations) for whom they provide services which depend essentially upon or arise out of membership of the

Assembly; for example, sponsoring functions in the Parliament Buildings, making representations to Government Departments or providing advice on Assembly or public affairs.

4. Sponsorship or Financial or Material Support

In this section the Member is required to register (a) the source of any contribution to his or her election expenses at the last Election which exceeded 25% of the total of such expenses, and (b) any regular or continuing support from companies or organisations from which the Member receives any financial or material benefit in support of his or her role as an Assembly Member. This includes any regular donation in excess of £500 per year made by an organisation or company to the Member's constituency party if the donation is linked directly to the Member's candidacy in the constituency or to membership of the Assembly.

5. Gifts, Benefits and Hospitality (UK)

This section is for the registration of any gift or material advantage received by the Member or the Member's spouse from a United Kingdom source, which in any relates to membership of the Assembly. Gifts are exempt from registration if less than £125 in value. Other benefits are exempt if less than £215 in value.

6. Overseas Visits

This section covers overseas visits, made by Members or their spouses, which relate to or arise out of membership of the Assembly, where the cost of any such visit has not been wholly borne by the Member or by United Kingdom public funds. Several categories of visit, made by Members in the normal course of their Assembly duties, are specifically exempted from registration. These include: visits paid for by, or undertaken on behalf of, the Government or which are made on behalf of an international organisation to which the

United Kingdom Government belongs; visits with or on behalf of a Committee of the Assembly; visits undertaken under the auspices of the Commonwealth Parliamentary Association, the Inter-Parliamentary Union, the British-Irish Parliamentary Body, the British-American Parliamentary Group, the Council of Europe and equivalent recognised international parliamentary assemblies; visits arranged and paid for wholly by a Member's own political party; visits paid for wholly by an institution of the European Community; and visits as part of an Industry and Parliament Trust fellowship.

7. Overseas Benefits and Gifts

This section is subject to the same rules as section 5, but covers gifts and benefits from overseas rather than UK sources.

8. Land and Property

The requirement in this section is to register any land or property of substantial value, other than any home used solely for the personal residential purposes of the Member or the Member's spouse.

9. Registrable Shareholdings

In this section Member are required to register the name of any public or private company or other body in which, to their knowledge, they have a beneficial interest in a shareholding having a nominal (i.e. face) value: (a) greater than one per cent of the issued share capital of the company or body, or (b) less than one per cent of the issued share capital but more than £25,000. The letters (a) and (b) are used accordingly in the printed entries. The requirement extends to holdings in which the interest is held by or on behalf of the Member's spouse or dependent children.

10. Miscellaneous and Unremunerated Interests

This is a discretionary section for use by Members wishing to register interests, including unremunerated interests, which do not clearly fall within any of the specific categories but which they consider to be relevant to the definition of the Register's purpose.

Administrative Arrangements

It is the responsibility of Members to notify changes in their registrable interests within four weeks of the change occurring; and between its annual printings the Register is periodically updated, in a loose-leaf version, to take account of such amendments. The loose-leaf version is open for public inspection in the Registry of Members' Interests, situated in the Library. It may be inspected when the Assembly is sitting between 9 am to 5 pm on Monday to Friday. During recesses, and especially during the month of August, more limited hours of inspection apply.

15. DELAYING MOTIONS

1. When a motion is made for the adjournment of a debate, or of the Assembly during any debate, any debate thereupon shall be confined to the matter of such motion; and no Member, having moved any such motion, shall be entitled to move any similar motion during the same debate.
2. If the Speaker shall be of the opinion that a motion for the adjournment of a debate, or of the Assembly, is an abuse of the rules of the Assembly, he may forthwith put the question thereupon or he may decline to propose the question thereupon to the Assembly.

16. PRAYERS

On taking the Chair each day and before the commencement of business the Speaker shall announce the commencement of a period of two minutes silent prayer or contemplation. this period shall be known as Prayers and shall be the first item on the Order Paper for the day.

17. PRIVATE BUSINESS

1. Private Bills shall be subject to the same stages as those laid down for public Measures; and the procedure on such Bills shall be subject to such further requirements as from time to time are ordered by the Assembly.
2. All private business which is set down for any sitting day and which is not disposed of in the time allotted for it shall, without question put, be postponed until such time as the Speaker may determine.
3. Unopposed private business shall have precedence of opposed private business.

18. QUESTIONS

1. Subject to the following provisions of this Standing Order, questions may be asked of a Member of the Executive relating to public affairs with which his/her Department is officially connected or to any matter of administration for which he/she is responsible.
2. Questions should not contain —
 - (a) statements of facts or names of persons, unless they are strictly necessary to make the question intelligible and can be authenticated;
 - (b) arguments, inferences or imputations;
 - (c) adjectives, unless they are strictly necessary to make the question intelligible;
 - (d) ironical expressions; or
 - (e) hypothetical matter.
3. Questions should not ask for an expression of opinion, legal or otherwise.
4. Notice of a question shall be given by a Member delivering the same to the Clerk. The question shall be in writing, signed by the Member and shall show the day proposed for asking such question.
5. Questions shall be taken on Mondays between 2.30 and 4.00 pm.
6. No questions shall be taken after four o'clock except questions which have not been answered in consequence of the absence of the Member of the Executive to whom they are addressed.

7. For the purposes of scrutiny questions should be answered as clearly and fully as possible. They shall not be debated, but at the discretion of the Speaker, supplementary questions may be asked to elucidate an answer. Such supplementary questions shall be answered individually as they arise.
8. Notice of questions must appear at latest on the Notice Paper circulated one day (excluding Saturday and Sunday) before that on which the answer is desired and no earlier than ten sitting days before.
9. Any Member who desires an oral answer to a question shall distinguish it by an asterisk.
10. If any Member does not distinguish his question by an asterisk or in the case of a question for oral answer, if he is not present to ask it or it is not reached by four o'clock, the Member of the Executive to whom it is addressed shall cause an answer to be printed in the Official Report of Debates unless in the case of a question which was intended for oral answer, the Member has, before four o'clock, signified to the Clerk his desire to postpone the question to another day.

19. PRIVATE NOTICE QUESTIONS

1. Questions which have not appeared on the Order Paper but which, in the opinion of the Speaker, are of an urgent nature and relate to matters of public importance, may, if the Speaker is satisfied that adequate notice has been given to the Members of the Executive Committee concerned, be asked at the conclusion of business on Tuesdays.
2. Notice of a proposed private notice question shall be given to the Clerk and to the Member of the Executive Committee concerned not less than 2½ hours before it is due to be asked and the Speaker shall, where he

accepts a notice in accordance with paragraph (1) of this order, communicate that information to the Whips as early as practicable.

3. Private notice questions must conform to the ordinary rules governing questions.

20. STATEMENTS

1. Members of the Executive may make statements to the Assembly on matters for which the Executive is responsible.
2. Notice of statements shall be given to the Speaker not less than 2½ hours before they are due to be made and the Speaker shall communicate that information to the Whips as early as is practicable.
3. When a statement has been made as aforesaid, a Member may move "That the statement be noted" and debate may then ensue but it shall be limited to a period of 1½ hours and in it no Member may speak for more than ten minutes.

21. PUBLIC BUSINESS

1. Public business shall consist of stages of Bills and Notices of Motions and shall include both Executive and Private Members' business.
2. Notice of future public business shall be given in writing to the Clerk who shall prepare a Notice Paper from time to time listing the Notices received by him.
3. The items of public business to be taken on a particular day shall be underlined on the Order Paper and shall be disposed of in the order in which they have been arranged on the paper.

4. At the times laid down by Executive Committee business the Executive Committee shall have the right of placing their business in any order they please.
5. Unless the Assembly otherwise directs, by motion made after notice, Private Members' business shall be arranged on the Order Paper in such order as the Speaker shall think fit.
6. In determining the order of Private Members' business the Speaker shall have regard to:
 - (i) the wishes expressed to him by the Members in charge of the various items;
 - (ii) the relative public importance in his opinion of the various items; and
 - (iii) the desirability of giving precedence to those Bills which are furthest advanced in their passage through the Assembly.
7. Motions relating to the business of the Assembly shall be taken at the commencement of public business after notice and shall be decided without amendment or debate.

22. SECONDERS

No motion or amendment (other than a motion for the election of a Speaker, for the election of First Minister or the election of Deputy First Minister) shall require to be seconded before the question is proposed thereon.

23. AMENDMENTS

When an amendment has been moved, the question to be proposed shall be, that the amendment be made.

24. ANTICIPATION

In determining whether debate is out of order on the grounds that it anticipates discussion on a matter of which notice has already been given, regard shall be had by the Speaker to the probability of the matter being brought before the Assembly within a reasonable time.

25. MATTERS AWAITING JUDICIAL DECISIONS

Subject to the discretion of the Speaker matters awaiting or under the adjudication of a court of law shall not be referred to in any motion, or in debate or in any question, including a supplementary question.

26. PRESENTATION OF PAPERS AND ACCOUNTS

Papers and Accounts which are to be presented to the Assembly shall be delivered to the Assembly Librarian and the listing of the same in the Proceedings of the Assembly shall constitute presentation for all purposes.

27. DIVISIONS

1. If the opinion of the Speaker as to the decisions of a question is challenged he shall direct that the lobby be cleared.
2. After the lapse of three minutes from this direction he shall put the question again and, if his opinion is again challenged, he may either —
 - (a) nominate tellers and divide the Assembly in the manner provided below; or
 - (b) if in his opinion the division is unnecessarily claimed, take the vote of the Assembly by calling upon the Members who support and who

challenge his decision successively to rise in their places and he shall thereupon, as he thinks fit, either declare the determination of the Assembly or nominate tellers and divide the Assembly in the manner provided below.

3. When tellers have been nominated the Speaker shall direct the Assembly to divide, “ayes” to the right and “noes” to the left, and after the lapse of four minutes from putting the question again he shall direct that the doors giving access to the division lobbies be locked. The tellers shall then bring the division lists to the Clerk who will announce the result.
4. A Member may vote in a division although he did not hear the question put.
5. A Member shall not be obliged to vote.
6. If in a division it appears that fewer than ten Members voted the business under consideration shall stand over until the next sitting and the Assembly shall forthwith stand adjourned.
7. If the votes in a division are equal the Speaker shall give a casting vote.

28. VOTING

1. Except as provided by sub-paragraph (2) or (3), every decision of the Assembly shall be taken by a simple majority of those voting.
2. The following, namely
 - (a) the election of the Speaker and of the Deputy Speaker;
 - (b) any decision concerning the Standing Orders of the Assembly;

(c) a vote on a matter in respect of which a petition of concern has been presented; and

(d) budget allocation

shall require cross-community support.

3. The election of the First Minister and Deputy First Minister shall require parallel consent.

4. For the purposes of these Standing Orders –

“cross-community support” means:

(a) the support of a majority of those members voting, a majority of the designated Nationalists voting and a majority of the designated Unionists voting; or

(b) 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.

5. 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.

6. The Speaker shall not be entitled to a vote on any matter.

29. CLOSURE OF DEBATE

1. After the question of a motion 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 or that such motion is otherwise an abuse of these Standing Orders, the question that the question be now decided shall be put forthwith and decided without amendment or debate.
2. If a recorded vote is conducted 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.
3. 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 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.

30. ORDER IN THE ASSEMBLY

1. If at any time the Speaker shall deem his powers under Standing Orders to be inadequate to meet the nature of a particular offence or if any Member within the Assembly chamber or precincts —
 - (a) wilfully assaults, molests, obstructs or acts in a disorderly manner towards the Speaker or any other Member; or
 - (b) causes, or takes part in any disturbance; or

- (c) wilfully assaults, obstructs or resists any police constable acting under the authority of the Speaker or an officer of the Assembly;

the Speaker may suspend that Member from the service of the Assembly for a period of ten sitting days.

2. The Assembly may on a motion made after notice discharge the Order of Suspension or decrease the period for which a Member is suspended under paragraph 1.
3. 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 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 ...sitting days."
4. A Member who is suspended under this Standing Order shall not be admitted to the Assembly chamber or its precincts during the period of suspension.

31. VISITORS

1. When the Assembly is sitting visitors may be admitted only to such places as may be reserved for them by the Speaker.
2. The Speaker may, whenever he thinks fit, order the withdrawal of visitors.
3. Visitors will only be admitted to the Public Gallery after Prayers.
4. For the purposes of this Standing Order the term "visitors" includes all persons other than Members, officers and servants of the Assembly.

5. Chairpersons of Committees shall, in relation to visitors, exercise the same powers as the Speaker within these places and precincts of the Assembly that are from time to time assigned to their use for the purposes of Committee business.

32. SERVICE ON COMMITTEES

Within one week of the establishment of any Committee of the Assembly the Speaker shall appoint members to serve on that Committee ensuring that regard is had to the balance of parties in the Assembly and following consultation with party leaders.

33. PUBLIC ACCOUNTS COMMITTEE

1. There shall be a select committee designated “the Public Accounts Committee” for the examination of the manner in which moneys charged on or appropriated out of the Consolidated Fund have been applied.
2. The Committee shall be appointed at the commencement of every Assembly. It shall be so appointed that each party with a membership of more than one but less than sixteen has one seat on the Committee and each party with a membership of sixteen or more has two seats.
3. The quorum of the Committee shall be six.
4. The Committee shall have power to send for persons, papers and records and to report from time to time.
5. Each party with a membership between two and fifteen (inclusive) shall have one member on the Committee. Parties with a membership of sixteen or above shall have two members on the Committee.

34. BUSINESS COMMITTEE

1. There shall be a committee of the Assembly known as the Business Committee which shall arrange the business of the Assembly and perform such other duties as the Speaker may request or the Assembly determine.
2. The Business Committee shall consist of not less than ten and not more than nineteen members appointed by motion made after notice, and shall be such that, so far as is practicable, there is a fair reflection of the parties in the Assembly providing that each party with at least two members is entitled to at least one place.
3. The Speaker of the Assembly shall be Chairperson of the Business Committee.
4. The Speaker of the Assembly shall nominate two members of the Committee, any of whom, in his/her unavoidable absence shall act as Chairperson of the Business Committee.
5. The quorum of the Business Committee shall be seven.
6. The procedures of the Business Committee shall be such as the Committee shall determine.

35. COMMITTEES OF THE ASSEMBLY

1. Committees to assist the Assembly in the discharge of its business shall be appointed by motion made after notice setting out terms of reference, quorum and composition.
2. All committees of the Assembly shall have leave to sit during a sitting of the Assembly and notwithstanding any adjournment of the Assembly.

3. The names of the Members present at each sitting of a committee shall be entered on the minutes of evidence or on the minutes of proceedings of the committee (as the case may be) and reported to the Assembly in any report of such committee.
4. A general record of the proceedings of a committee shall be brought up and laid before the Members of the Assembly with the report of the committee.
5. In the event of any division taking place in any committee, the question proposed, the name of the proposer and the respective votes thereon of each Member present shall be entered on the minutes of evidence or on the minutes of proceedings of the committee (as the case may be) and reported to the Assembly the general record of proceedings of such committee.
6. If, at any time, during the sitting of a committee the quorum of Members fixed by the Assembly is not present, the Clerk of the committee shall call the attention of the Chairman to the fact, and the Chairman shall thereupon suspend the proceedings of the committee until a quorum is present, or adjourn the committee to some future day.
7. Every committee shall have leave to report to the Assembly their opinions and observations upon any matters referred to them for their consideration together with the minutes of any evidence taken before them and also to make a special report of any matters which they may think fit to bring to the notice of the Assembly.
8. No document received by the Clerk of a committee shall be withdrawn or altered without the knowledge and approval of the committee.

9. The number of members sitting on a committee shall be from time to time determined by the Assembly but all statutory committees will have the same number of members.

36. ROLES OF STATUTORY COMMITTEES

1. The committees shall have a scrutiny, policy development and consultation role with respect to the department with which each is associated, and have a role in the initiation of legislation. They shall undertake the following:
 - (a) consider and advise on Departmental budgets and Annual Plans in the context of the overall budget allocation;
 - (b) approve relevant secondary legislation;
 - (c) take the Committee stage of relevant primary legislation;
 - (d) under Standing Order [] of the Assembly, require any person to:
 - (i) attend its proceedings for the purpose of giving evidence; or
 - (ii) to produce documents in his custody or under his control, relating to the responsibilities of the Committee;
 - (e) initiate enquiries and make reports; and
 - (f) consider and advise on matters brought to the Committee by the Minister.

37. PRIVILEGE

1. At any time after any Questions have been disposed of, other than when a division is in progress, a Member may rise in his place and claim to move that a specific matter affecting the privilege of the Assembly shall be referred to the Committee of Privileges.
2. If in the opinion of the Speaker a prima facie case of breach of privilege has been made out by a Member under paragraph 1 of this Standing Order and if it also appears to the Speaker that the matter has been raised at the first available opportunity then the Speaker shall so inform the Assembly and the motion for referral to the Committee of Privileges may then be moved and debate take place. Provided that when a matter of privilege is raised of which the Speaker has not received notice on the day on which it is raised, the Speaker may defer informing the Assembly of his decisions on the matters aforesaid until after Questions on the next day on which the Assembly shall meet.
3. A motion for a matter to be referred to the Committee of Privileges shall, until disposed of or adjourned, suspend the consideration and decisions of every other question.
4. Any Member complaining to the Assembly of a statement in a newspaper, book or other publication as a breach of privilege shall hand in to the Speaker a copy of the newspaper, book or other publication containing the statement in question.
5. The Committee of Privileges shall be appointed at the beginning of each Assembly to consider and report upon any matter of privilege referred to it by the Assembly. The Committee shall consist of nine Members, with a quorum of seven, and shall have power to send for persons, papers and records.

38. NEWS MEDIA

1. Notwithstanding anything contained in paragraph [] of these Orders, unless otherwise ordered, members of the news media shall be admitted under supervision only to such places in the Assembly and its precincts as may be specified by the Speaker.
2. The Speaker may, if the Speaker thinks fit, order the withdrawal of the news media from sittings of the Assembly and its committees.
3. Members of the news media shall not be permitted to take into the Assembly any mobile telephone, tape recorder, briefcase or large bag.
4. Unless the prior permission of the Speaker has been sought and granted, members of the news media shall not be permitted to take into the Assembly any camera.
5. 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.
6. Chairpersons of Committees shall, in relation to the news media, exercise the same powers as the Speaker within those places and precincts of the Assembly that are from time to time assigned to their use for the purposes of Committee business.

ANNEX B

- 1. SECRETARY OF STATE'S ADDITIONAL
INITIAL STANDING ORDERS**
- 2. COMMITTEE ON STANDING ORDERS
RESPONSE TO MINISTER OF STATE**
- 3. MINISTER OF STATE'S REPLY TO COMMITTEE**

5 AUGUST 1998

DRAFT ADDITIONAL STANDING ORDERS

A: PUBLICATION OF PARTY LISTS AND THE NAMES OF 'NOMINATING OFFICERS'

(1) By reference to the Assembly Roll the Presiding Officer shall cause to be drawn up a list showing the members of each political party represented in the Assembly together with the name of the "nominating officer" for each party. The Presiding officer shall then circulate this list.

(2) In these Standing Orders "nominating officer":

(a) in relation to a registered political party, means the registered nominating officer or an officer nominated by him for the purposes of these Standing Orders;

(b) in relation to any other political party, means the person who appears to the Presiding Officer to be the leader of the party, or an officer nominated by that person for the purposes of these Standing Orders.

B: APPOINTMENT OF MINISTERS (DESIGNATE)

(1) Subject to paragraphs (2) and (3) below:

(a) the number of Northern Ireland Ministers (designate); and

(b) the portfolios of each such Minister (designate),

shall be such as are proposed by the First Minister (designate) and the Deputy First Minister (designate) acting jointly.

(2) A proposal under paragraph (1) above shall not have effect unless it is approved by a resolution of the Assembly passed with cross-community support.

(3) The number of Northern Ireland Ministers (designate) shall not exceed 10.

(4) Once any such proposals have been approved by the Assembly on a cross-community basis the Presiding Officer shall, at the immediately following meeting of the Assembly, supervise the allocation of Ministerial (designate) posts in accordance with the following procedure.

(5) The nominating officer of the political party for which the formula in paragraph (10) gives the highest figure may select a Ministerial office

(designate) and nominate a person to hold it who is a member of the party and of the Assembly.

- (6) If the nominating officer declares that he will make no nominations his party shall be disregarded for the purposes of the remainder of this procedure.
- (7) Immediately a nomination has been made the Presiding Officer shall ask the member whether he is willing take up the post and, if he is willing, to affirm the commitments at paragraph (13).
- (8) If a person nominated under paragraph (5) or this paragraph does not take up the Ministerial office (designate) within 5 minutes, the nominating officer may nominate another person to hold the office who is a member of the party and of the Assembly.
- (9) If a nominating officer does not exercise the power conferred by paragraph (5) or (8) within 5 minutes, the power conferred by paragraph (5) shall become exercisable by the nominating officer of the political party for which the formula in paragraph (11) gives the next highest figure.
- (10) Paragraphs (5), (7), (8) and (9) shall be applied as many times as may be necessary to secure that each of the Ministerial offices (designate) is filled.
- (11) The formula is:

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

where S is the number of seats in the Assembly which are held by members of the party, and

M = the number of Ministerial posts (designate) (if any) which are held by members of the party.

- (12) 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 last general election of members of the Assembly.
- (13) A Northern Ireland Minister (designate) shall not take up office until he has affirmed to the Assembly his or her:
 - (a) commitment to non-violence and exclusively peaceful and democratic means;

- (b) opposition to any use or threat of force by others for any political purpose;
- (c) commitment to work in good faith to bring into being the arrangements set out in the Agreement reached in the multi party negotiations on 10 April 1998; and
- (d) commitment to observe the spirit of the Pledge of Office at Annex B to these Orders

If the member does not do so the nomination shall be void and the Presiding Officer shall invite the nominating officer to nominate another person to hold the office who is a member of the party and of the Assembly in accordance with paragraph (8).

- (14) The holding of office as First Minister (designate) or Deputy First Minister (designate) shall not prevent a person being nominated to hold a Ministerial office (designate).
- (15) A Northern Ireland Minister (designate) shall cease to hold office if:
 - (a) he resigns by notice in writing to the First Minister (designate) and the Deputy First Minister (designate);
 - (b) he ceases to be a member of the Assembly.
 - (c) he is dismissed by the nominating officer who nominated him (or his successor) and the Presiding Officer is notified of his dismissal.
- (16) Where a Ministerial office (designate) is vacant, the vacancy shall be filled by applying paragraphs (5) to (13) within 10 days.
- (17) Where:
 - (a) the Assembly has resolved under paragraph (D)(2) of these Standing Orders that a political party does not enjoy its confidence; and
 - (b) the party's period of exclusion has not come to an end, the party shall be disregarded for the purposes of paragraphs (5) to (13) as applied by paragraph (16).

C: ESTABLISHMENT OF SHADOW "STATUTORY" COMMITTEES

- (1) As soon as practicable after the appointment of the Ministers (designate) the Presiding Officer shall supervise the establishment of Shadow "Statutory" Committees and the allocation of Committee Chairmanships and Deputy Chairmanships to parties in accordance with the following procedure.

- (2) A Committee of the Assembly shall be established in relation to the portfolio of each Minister (designate). Each Committee shall consist of one Chairman, one Deputy Chairman and seven members.
- (3) By reference to the consolidated list of political parties and their members referred to in Standing Order A (1) above, the Presiding Officer shall calculate each party's quotient for the purpose of this Standing Order by applying the formula

$$\frac{S}{I + C}$$

where S is the number of seats in the Assembly which are held by members of the party, and

C is the number (if any) of Chairmen or Deputy Chairmen of Committees established under this Standing Order who are members of the party

Where two or more parties have an identical quotient they shall be ranked by applying the formula

$$\frac{V}{I + C}$$

where V is the total number of first preference votes cast for the party in the elections to the Assembly, and

C has the same meaning as above.

- (4) The Presiding Officer shall then invite the nominating officer of the party with the largest quotient to nominate a member of that party who is a member of the Assembly to be Chair or Deputy Chair of one of the committees referred to in paragraph (2) above; and to specify which committee that member is nominated to chair or to serve on as Deputy Chair as the case may be.
- (5) If the power conferred by paragraph (4) is not exercised within 5 minutes, the power shall be exerciseable instead by the nominating officer of the political party for which the formula in paragraph (3) gives the next highest figure.
- (6) Paragraphs (4) and (5) shall be applied as many times as may be necessary to secure that a chairman and deputy chairman are nominated for each of the shadow statutory committees taking account of each appointment made in calculating the size of parties and disregarding any party which declines to make a nomination, until all the Committee Chairmanships and Deputy Chairmanships have been allocated.

- (7) A Minister (designate) may not be the Chairman or Deputy Chairman of a Statutory Committee. In making a selection under the provision made by virtue of paragraph (4), a nominating officer shall prefer a committee in which he does not have a party interest to one in which he does.
- (8) For the purposes of paragraph (7) a nominating officer has a party interest in a committee if it is established to advise and assist a Northern Ireland Minister (designate) who is a member of his party.
- (9) If a nomination is made, the Presiding Officer shall announce and confirm the appointment.
- (10) No person may be nominated to serve as a Chair or Deputy Chair of a Committee if they have already been appointed as a Chair or Deputy Chair of a Committee.
- (11) Within one week of the establishment of the Committees referred to in paragraph (2) the Presiding Officer shall appoint members to serve on each Committee ensuring that regard is had to the balance of parties in the Assembly.
- (12) The nominating officer of a party may at any time nominate a different member of the party to replace a Chair or Deputy Chair of a Committee established under paragraph 2 who is a member of that party and shall nominate such a replacement within 10 days if a Chair or Deputy Chair of a Committee who is a member of the party resigns or ceases to be a member of the Assembly other than by dissolution of the Assembly. Any such nomination must comply with paragraphs (7) and (8). Any such nomination shall be announced and confirmed by the Presiding Officer at the next following meeting of the Assembly.

D: EXCLUSION OR REMOVAL FROM OFFICE

- (1) If the Assembly resolves that a Minister (designate) no longer enjoys the confidence of the Assembly:
 - (a) because he is not committed to non-violence and exclusively peaceful and democratic means; or
 - (b) because of any other failure of his to observe the affirmations made on taking up office at paragraph 8(13),he shall be excluded from holding office as a Minister (designate) for a period of twelve months beginning with the date of the resolution.
- (2) If the Assembly resolves that a political party does not enjoy the confidence of the Assembly:

(a) because it is not committed to non-violence and exclusively peaceful and democratic means; or

(b) because of any likely failure of its members who are or might become Ministers (designate) to observe the affirmations required under paragraph B(13),

members of that party shall be excluded from holding office as Ministers (designate) for a period of twelve months beginning with the date of the resolution.

(3) The Assembly may, before a period of exclusion comes to an end, resolve to extend it for twelve months beginning with the date of the resolution.

(4) A period of exclusion shall come to an end if the Assembly resolves to bring the exclusion to an end.

(5) A motion for a resolution under paragraphs (1), (2) or (3) shall not be moved unless:

(a) it is supported by at least 30 members of the Assembly; or

(b) it is moved by the First Minister and the Deputy First Minister acting jointly.

(6) A resolution under Section D of these Standing Orders shall not be passed without cross-community support.

(7) The Presiding Officer may disregard any such motion for a resolution under paragraphs (1) and (2) if it appears to him to have the same effect as a motion which has been defeated within the previous [6 months] and no new relevant and substantive arguments are presented to him to justify inviting the Assembly to consider the issue afresh.

(8) After due notice (and subject to paragraph (5)) any motion of the kind referred to in paragraphs (1) and (2) shall be debated in the Assembly. The Presiding Officer shall ensure that the person moving the motion and the member, or leader of the party, who would be excluded have full opportunities to present their case and to reply to any arguments presented by the other side.

(9) Where a member is removed from office the Presiding Officer shall, as appropriate:

(a) if that member was the First Minister (designate) or Deputy First Minister (designate) arrange for an election to be held under standing order 14 of the Assembly's Initial Standing Orders as soon as practicable;

(b) if that member was a Minister (designate) the Presiding Officer shall arrange for the vacancy to be filled in accordance with paragraph B(16).

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**Mr Paul Murphy MP
Minister of State
Northern Ireland Office
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BELFAST**

8 September 1998

Dear Mr Murphy

At a meeting of the Assembly Committee on Standing Orders held on Tuesday, 1 September 1998, consideration was given to the draft Additional Standing orders forwarded to the Committee with Mr Lindsay's letter dated 17 August 1998. The Committee noted that the Secretary of State is minded to make these Additional Standing Orders, taking account of any comments the Committee has, before the Assembly's return on 14 September.

The Committee's comments on the draft Additional Standing Orders are contained in the attached paper. For completeness and to give you a flavour of the Committee's discussions, the Minutes of Proceedings of the meeting are also attached.

It is also the Committee's expectation that it will be given the opportunity to consider any amendments to the Northern Ireland Bill and to reflect these, as appropriate, within draft Standing Orders.


MR D HAUGHEY


MR F COBAIN

**JOINT CHAIRMEN
(Committee on Standing Orders)**

Encs.

SECRETARY OF STATE'S
DRAFT ADDITIONAL STANDING ORDERS

A: PUBLICATION OF PARTY LISTS AND THE NAMES OF 'NOMINATING OFFICERS'

Discussion within the Committee on draft Additional Standing Orders A(1) and (2) centred on the lack of definition of 'political party'. A proposal was made by Mr McCartney, seconded by Ms Morrice to amend draft Additional Standing Order A(1)(b) to read as follows:

(b) 'in relation to any other group declaring itself to be a political party within the Assembly, means the person who appears to the Presiding officer to be the leader of the group, or an officer nominated by that person for the purposes of these Standing Orders'

A vote on this proposal produced 7 Members voting in favour and 3 Members voting against, the votes in each category being cross-community.

In these circumstances, the Chairman concluded that there did not appear to be consensus within the Committee, however it was agreed that the Secretary of State should be asked to give consideration to the need to define the meaning of 'political party' in this draft Additional Standing Order.

The Committee's attention was drawn to the Presiding Officer's letter to the Minister dated 25 August, in which he suggested the introduction of an additional paragraph clarifying his position. Following discussion, the Committee agreed that the amendment proposed by the Presiding Officer should be adopted and implemented.

B. APPOINTMENT OF MINISTERS (DESIGNATE)

Concern was expressed within the Committee that under the draft Additional Standing Orders no opportunity exists for an amendment to be made to a proposal by the First Minister (Designate) and the Deputy First Minister (Designate) in relation to the number of Northern Ireland Ministers (Designate) and the portfolio of each such Minister (Designate). The general view of the Committee was that the Assembly should have the ability not only to pass or to reject such a proposal but also where necessary should have the explicit ability to put forward amendments which would, of course, require cross-community support to succeed.

A proposal to amend draft Additional Standing Order B(2) as follows was agreed, 10 Members voting for and 6 against. Once again the votes in each category were cross-community:

after 'a proposal in paragraph (1) above' insert
'or any amended proposal'.

It was also pointed out a consequential amendment to existing Rule 12 of Initial Standing Orders would be necessary to reflect a cross community requirement.

In draft Additional Standing Order B(8), some Members of the Committee found: the time limit of 5 minutes for acceptance of Ministerial Office by a nominated Member to be offensive. It was pointed out that nominees could be incapacitated for whatever reason and therefore be unavailable to attend the Assembly while being willing to accept office. Amendment of this draft Additional Standing Order to permit some leeway was therefore considered necessary, the Committee agreeing that draft Additional Standing Order B(8) should be amended as follows:

'If a person nominated under paragraph (5) or this paragraph does not take up the Ministerial office (designate) within 5 minutes (except in circumstances where the member is unavoidably absent for reasons acceptable to the Assembly or where a nominating officer seeks the adjournment of the Assembly for a reasonable period of time), the nominating officer may nominate another person to hold the office who is a member of the party and of the Assembly'

The Committee also considered that any amendment of draft Additional Standing Order B(8) to take account of the views expressed above, should be carried forward into draft Additional Standing Order B(9), this being amended to read as follows:

'If a nominating officer does not exercise the power conferred by paragraph 5 or 8 within 5 minutes, except in circumstances outlined in paragraph 8, the power conferred by paragraph 5 shall become exercisable by the nominating officer of the political party for which the formula in paragraph (ii) gives the next highest figure'

The Committee noted that the principles of the re-drafted Additional Standing Orders will also be applicable elsewhere - eg draft additional Standing Order C (5).

The Committee considered that for the sake of clarity, draft Additional Standing Order B(16) should be amended as follows:

After 'paragraphs (5) to (13)' in line 2, add
' , as appropriate, '

C: ESTABLISHMENT OF SHADOW 'STATUTORY' COMMITTEES

In addressing draft Additional Standing Order C(3), the Committee expressed concern that the formula definition for 'C' viz

'C is the number (if any) of Chairmen or Deputy Chairmen of Committees established under this Standing Order who are Members of the Party.'

raised doubts about the method of selection for posts of Chairmen and Deputy Chairmen, eg are separate selection processes invoked for Chairmen and for Deputy Chairmen, or is one process invoked which deals with both?

The Committee's interpretation is that the Presiding officer would treat Chairmen and Deputy Chairmen as a single group for the purpose of selection, and to clarify this, the Committee agreed that paragraph 2 of draft Additional Standing Order C(3) should be amended to read as follows:

'C is the number (if any) of Chairs and Deputy Chairs of Committees established under this Standing Order which are held by Members of the party.'

The Committee also noted that there was inconsistency in drafting between draft Additional Standing Order B(12) (the appointment of Ministers where the formula produces two or more political parties which are equal) and draft Additional Standing Order C(3) (the appointment of Chairmen in similar circumstances). The Committee agreed that to be consistent, draft Additional Standing Order C(3) should be further amended to read as follows:

'..... where V is the total number of first preference votes cast for the party at the last general election of Members of the Assembly.'

D: EXCLUSION OR REMOVAL FROM OFFICE

In discussing this section of the draft Additional Standing Orders the Committee noted that it was silent on the need for a Minister (Designate) who was excluded from office for a period of 12 months and who was being re-nominated for office by his party, to be required to make a further affirmation to the Assembly as required under draft Additional Standing Order B(13).

The Committee agreed that such a requirement should be explicit and also therefore agreed the addition of a new draft Additional Standing Order D(2) as follows:

'(2) If after the relevant period of exclusion set out in (1) the person excluded is re-nominated for Ministerial office by his party, he/she shall not take up office until he/she has made the affirmation required in draft Additional Standing Order B(13).'

It follows that the remaining draft Additional Standing Orders in Section D will, as a result of this amendment, require re-numbering.

With regard to draft Additional Standing Order D(5) the Committee noted that as it stands, it does not reflect the content of Clause 23(5) of the Northern Ireland Bill, omitting to give the Presiding Officer the power to move a motion under paragraphs (1) to (3) in pursuance of a notice from the Secretary of State. The Committee agreed that for completeness, this draft Additional Standing Order should be amended as follows:

add new sub-paragraph 5(c)

'or (c) it is moved by the Presiding Officer in pursuance of a notice from the Secretary of State requiring him to move a motion for such a resolution.'

The Committee, in examining draft Additional Standing Order D9(a) which deals with the arrangements for election in the event of the First Minister (Designate) or the Deputy First Minister (Designate) being removed from office, agreed that such an election should take place within a finite time frame, and suggested the period of 10 days (as applied to a Ministerial vacancy in draft Additional Standing Order B(16)).

Further, with regard to the First Minister (Designate) and the Deputy First Minister (Designate), the Committee agreed that the Secretary of State's attention should be directed to the need to provide for arrangements to cover the period between either of these offices being vacant for any reason and the election of replacements.



Minister of State

Annex B(3)
NORTHERN IRELAND OFFICE
11 MILLBANK
LONDON
SW1P 4QE

Denis Haughey Esq and
Fred Cobain Esq
Joint Chairmen
Committee on Standing Orders
The New Northern Ireland Assembly
Parliament Buildings
Stormont
Belfast BT4 3SW

10 September 1998

Dear Denis and Fred,

I am most grateful to you and your fellow Committee members for the memorandum you sent me on 8 September.

We will be incorporating most of those comments and suggestions in the Additional Standing Orders. (Our detailed reactions are summarised in the attached annex). It was also helpful to have your comments before 14 September although, in the circumstances, we intend to defer actually making those Additional Standing Orders until after the Assembly has had an opportunity to consider your report, in case any more points arise which we should take into account.

I welcome your Committee's intention to keep abreast of developments in the Northern Ireland Bill. Obviously, the Standing Orders which you will need to draw up to govern the conduct of Assembly business after devolution will need to be fully consistent with the Northern Ireland Bill, once enacted. (We currently expect it to receive Royal Assent around mid November.)



Meanwhile the Secretary of State and I remain very willing to take on board any further detailed comments or suggestions you and your Committee may have on the Standing Orders which apply during the shadow phase, ie the Initial Standing Orders as supplemented by the forthcoming Additional Standing Orders.

*Yours sincerely,
Paul Murphy*

PAUL MURPHY MP
Minister of State

STANDING ORDERS COMMITTEE COMMENTS ON THE DRAFT ADDITIONAL STANDING ORDERS

Draft Additional Standing Order A

1. We appreciate the problem caused by the current lack of any statutory definition of a "political party": the Act making provision for "registered political parties" has not yet come into effect. That being the case, the best way forward seems to be to delete sub-paragraph (a) and leave the political parties in the Assembly to be defined by reference to the Assembly Roll. That should provide sufficient clarity for the moment. Paragraph A(2) will be amended accordingly.
2. The suggestion in the Presiding Officer's letter of 25 August seems sensible and appropriate although the precise wording may need adjustment to reflect the fact that these Standing Orders would only apply during the shadow phase. An appropriate insertion will be made.

Draft Additional Standing Order B

3. The Committee's first proposal would be inconsistent with the current draft of the Bill so the proposed change could give rise to difficulty in carrying forward any shadow appointments when powers are transferred. It may be best to address the issue in the context of the Bill before considering the possibility of making a parallel amendment to the Standing Orders. Meanwhile it seems unlikely that the current Draft Additional Standing Order would give rise to real difficulty as the debate on any proposal will give full opportunities for Assembly members to indicate what changes they would like to see, and for the First Minister and Deputy First Minister to gauge the strength of support for such changes; and there is nothing to prevent them withdrawing an original proposal and substituting an

amended version. This issue will be considered further, initially in the context of the Bill.

4. The Committee's comments on time limits are most helpful. The proposed changes to paragraphs B(8), B(9), C(5) etc will be made.
5. The Committee's comment on the clarity of B(16) has led us to conclude that there is a need to be more specific about how vacancies should be filled. Paragraph B(16) will be rewritten to incorporate a more detailed set of provisions, similar to those found in Draft Additional Standing Order C(12).

Draft Additional Standing Order C

6. The Committee's comments on paragraph C(3) are both accepted. The need to amend paragraph 12(2) of the initial Standing Orders has been noted.

Draft Additional Standing Order D

7. The Committee's suggested new paragraph D(2) is accepted.
8. The Committee's proposal to add a third sub-paragraph to paragraph (5) is accepted, but the precise wording will be adjusted to take account of the fact that the relevant provision of the Northern Ireland Bill will not be in force during the shadow phase.
9. The Committee's proposal to incorporate a time limit in paragraph 9(a) is accepted. Additionally, we will be taking the opportunity to distinguish between the circumstances where an individual Minister-designate may be removed from office (in which case the party's nominating officer would be able to make a further nomination) and circumstances where a party

may be removed from office (in which case the whole procedure for appointing Ministers/designate would need to be re-run).

ANNEX C

AREAS EARMARKED FOR FUTURE ATTENTION

COMMITTEE ON STANDING ORDERS

AREAS FOR FURTHER CONSIDERATION IN THE FUTURE

- Public Bills
- Issues Referred back to Assembly
- Return of Bill to Final stage
- Referrals to NI Human Rights Commission
- Committee on Conformity and Equality
- Possibly more work on Committees
- Possibly at some stage consider elaboration of rule on Amendments
- Financial Procedures
- Languages
- d'Hondt
- Mode of Address/Designatory letters
- Adjournment Debate
- Nominee Lists
- Speaking Order in Assembly (memorandum sent to Whips (see attached)).
- Petitions of Concern

*Parliament Buildings
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Telephone: (01232)

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FROM: Denis Arnold
Rm 241
Parliament Buildings

DATE: 9 October 1998

TO PARTY WHIPS

The Standing Orders Committee is in the final stage of the preparation of a Draft report to the Assembly. Among the issues touched upon at our last meeting was the question of the running order of speakers in the Assembly Chamber.

At this stage the Committee has paused in its consideration of the matter and has directed me to seek urgent advice from party whips.

I should say that the feeling as expressed in Committee was that, as a general rule, time should be given in the first instance to a lead spokesperson from each party.

This then raises a number of practical questions. For instance:

- how should the order of lead speakers be determined?
- should the order be fixed or is there a case for variation according to circumstances?
- how would the order of other (non-lead) speakers be determined?
- should all requests to speak be routed through the Whips or go direct to the chair?
- how long should speakers be permitted to speak?

An early response will greatly assist us in our deliberations.


DENIS ARNOLD

ANNEX D
INITIAL STANDING ORDERS

1. **INTRODUCTION**

These Initial Standing Orders are notified to the Presiding Officer of the New Northern Ireland Assembly (hereafter referred to as “the Assembly”) by the Secretary of State for Northern Ireland in accordance with Paragraph 10(1) of the Schedule to the Northern Ireland (Elections) Act 1998.

2. **GENERAL RULE FOR THE CONDUCT OF BUSINESS**

- (1) The Presiding Officer’s ruling shall be final on all questions of procedure and order.
- (2) The Presiding Officer, in exercising powers under these Orders, shall at all times have regard to the fact that the purpose of the Assembly is to take part in preparations to give effect to the agreement reached at the multi-party talks on Northern Ireland, set out in Command Paper 3883.
- (3) The Deputy Presiding Officer may act as Presiding Officer when requested to do so by the Presiding Officer or when the latter is unable to act.

3. **TAKING SEATS IN THE ASSEMBLY**

- (1) Members shall take their seats by signing the Assembly’s roll of membership and registering a designation of identity – Nationalist, Unionist or Other. The arrangements for this shall be determined by the Presiding Officer and all members shall have the opportunity to take their seats in the prescribed manner before any other formal business is conducted in the Assembly.
- (2) The decision of the Presiding Officer as to whether a member has taken his or her seat in accordance with sub-paragraph (1) shall be final.
- (3) A member may change his or her designation of identity by giving seven days written notice to the Presiding Officer. The Presiding Officer shall immediately circulate the notice to all members.
- (4) A member may resign his or her seat by giving written notice to the Presiding Officer.

4. **QUORUM**

- (1) The quorum of the Assembly shall be 10 members.
- (2) If at any time the attention of the Presiding Officer is directed by a member to the fact that a quorum is not present, the Presiding Officer shall cause an announcement to be made; and if at the expiration of

five minutes a quorum is then not present, the Presiding Officer shall adjourn the Assembly forthwith; but if a quorum is then present it shall not be in order to draw the attention of the Presiding Officer to the absence of a quorum for a period of one hour from that time.

5. SITTINGS OF THE ASSEMBLY

- (1) Beginning with the second meeting of the Assembly, the Presiding Officer shall at the commencement of each day's business direct that a period of two minutes silence be observed, which members may spend in personal prayer or meditation.
- (2) A general announcement shall be made five minutes before the Presiding Office takes the Chair at a sitting or a resumed sitting.
- (3) The Presiding Officer may at any time suspend sittings of the Assembly for up to 15 minutes, or longer with the leave of the Assembly.

6. BUSINESS OF THE ASSEMBLY

- (1) Subject to the provisions of sub-paragraph (5) the business of the Assembly each day shall be such as the Presiding Officer may direct.
- (2) The Presiding Officer shall prepare an agenda for each sitting day showing the business to be taken, together with such other information as is relevant to the business outlined in the agenda.
- (3) Notice of future business shall be given in writing to the Presiding Officer, who shall prepare at least twice weekly when the Assembly is sitting and at least fortnightly when in recess a Business paper listing the notices received.
- (4) Except by the leave of the Assembly, no motion may be proposed unless notice of it has appeared in a Business Paper circulated at least one day before that on which the motion is to be taken. No such leave may be sought in respect of a motion which would require cross-community support.
- (5) The business of the Assembly at its first meeting shall be restricted to the matters set out in the Agenda at Annex A to these Orders and shall be taken in the order specified. No other business may be transacted by the Assembly until the matters on that Agenda have been completed.
- (6) Sub-paragraphs (1) to (4) shall not apply to the first meeting of the Assembly.

7. MINUTES OF PROCEEDINGS

- (1) The Presiding Officer shall arrange for proceedings of the Assembly to be noted, and, after perusal and signature by the Presiding Officer, a copy of the minutes of proceedings shall be circulated to all members.
- (2) The minutes of proceedings for each day's sitting shall include a record of the names of those members who attended.

8. SPEECHES IN THE ASSEMBLY

- (1) No motion or amendment (other than a motion for the election of the Presiding Officer or the Deputy Presiding Officer or the election of the First Minister and Deputy First Minister shall require to be seconded.
- (2) A member shall not address the Assembly unless called on to speak by the Presiding Officer; and when the Presiding Officer rises to speak, the members addressing the Assembly shall cease speaking and resume his or her place.
- (3) 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.
- (4) Notwithstanding sub-paragraph (3), 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 person speaking refuses to give way.
- (5) Except by the leave of the Assembly, a member may not speak in debate on any motion for longer than the periods specified below:
 - (a) member moving a motion – 20 minutes;
 - (b) any other member (including a member moving an amendment) – 10 minutes;
 - (c) member moving a substantive motion in reply – 15 minutes.
- (6) The Presiding Officer, 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 or her speech.

9. AMENDMENTS

- (1) An amendment or amendments to motions on the day's Order of Business must be given in writing to the Office of the Presiding Officer at least one hour prior to the commencement of the day's business. An amendment must be in the name of at least one member who shall sign the amendment.

- (2) When an amendment has been moved to any motion, the question to be proposed shall be that the amendment be made.
- (3) In respect of any motion, the Presiding Officer shall have power to select the amendments to be proposed.

10. ORDER IN THE ASSEMBLY

- (1) If any member of the Assembly:
 - (i) persistently and intentionally obstructs the business of the Assembly; or
 - (ii) is guilty of disorderly conduct; or
 - (iii) uses objectionable words which he/she refuses to withdraw; or
 - (iv) intentionally refuses to conform to any Standing Order; or
 - (v) intentionally disregards the authority of the Presiding Officer, the Presiding Officer, having (if appropriate) called on the member to withdraw his or her remarks and having called the attention of the Assembly to the conduct of the said member, may direct the member to discontinue his or her speech, or to withdraw immediately from the debating chamber and its precincts. Any member so ordered to withdraw shall do so forthwith, and shall not be entitled to take part in any proceedings for the remainder of that day's sitting.
- (2) In the case of general disorder arising in the Assembly, the Presiding Officer may, if the Presiding Officer thinks it necessary, adjourn the proceedings, or suspend the sitting for such a period as the Presiding Officer thinks fit.

11. CLOSURE OF DEBATE

- (1) After a motion has been proposed and provided that each of the parties present has had a reasonable opportunity to contribute to the debate, any member who has not already spoken to it, or to any amendment which has been moved, may move that the question be now put; and unless it shall appear to the Presiding Officer that such motion is an abuse of these Standing Orders, the question that the question be now put shall be put forthwith, and decided without amendment or debate.
- (2) If such a motion has been carried, the Presiding Officer may call whatever amendments are necessary to bring to a decision any question which has already been proposed. Such further amendments shall be put forthwith, and decided without amendment or debate.

12. VOTING

- (1) Except as provided by sub-paragraph (2) or (3), every decision of the Assembly shall be taken by a simple majority of those voting.
- (2) The following, namely
 - (a) the election of the Presiding Officer and of the Deputy Presiding Officer;
 - (b) any decision concerning the Standing Orders of the Assembly; and
 - (c) a vote on a matter in respect of which a petition of concern has been presented.

Shall require cross-community support.

- (3) The election of the First Minister and Deputy First Minister shall require parallel consent.
- (4) For the purposes of these Standing Orders –
 - (a) the support of a majority of those members voting, a majority of the designated Nationalists voting and a majority of the designated Unionists voting; or
 - (b) 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.

- (5) 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 Presiding Officer. 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.
- (6) The Presiding Officer shall not be entitled to a vote on any matter.
- (7) Voting shall be conducted by either a voice vote or by a show of hands as the Presiding Officer considers appropriate. If, in the course of a sitting, the opinion of the Presiding Officer as to the decision of a question is challenged, the Presiding officer shall cause a general announcement to be made, and after an interval of three minutes shall ask each member by name, in alphabetical order, to declare Aye or No

in respect of the question put. A member may abstain from voting. The Presiding Officer shall then announce the number of votes cast, and the determination of the Assembly.

13. ELECTION OF THE PRESIDING OFFICER

- (1) Any member, addressing the Presiding office, may propose a candidate (a member, whether or not present, and including the person nominated by the Secretary of State as the initial Presiding officer), to the Assembly for its Presiding Officer and move “that [x] be Presiding Officer of this Assembly”, which motion will require to be seconded and to be followed by a statement (which may be given orally or in writing) from the candidate proposed and seconded that nomination is accepted.
- (2) When a candidate is proposed and seconded and has accepted nomination, the Presiding Officer shall then ask “Is there any further proposal?” and:
 - (a) if there is no further proposal, the Presiding officer shall say “The time for proposals has expired” and a debate relevant to the election may then take place; or
 - (b) if more than one candidate is proposed and seconded as Presiding Officer and has signified that he or she accepts nomination, the Presiding Officer shall, after each proposal has been made and seconded and the nomination has been accepted, say “Is there any further proposal?”, and if there is no further proposal the Presiding Officer shall say “The time for proposals has expired”, and a debate relevant to the election may then take place.
- (3) Upon the conclusion of the debate, or, if there is no debate, the Presiding Officer shall put the question “That [x] (being the only candidate proposed or the candidate first proposed) be Presiding Officer of the Assembly”.
- (4) If the question be not carried, the Presiding Officer shall put a similar question in relation to the second candidate proposed; whereupon, if resolved in the affirmative, that candidate shall be declared by the Presiding Officer to be elected and shall forthwith take the chair; and this shall be done in relation to each candidate proposed as often as necessary until a candidate is chosen to be Presiding Officer.
- (5) Until a member is elected as aforesaid, the initial Presiding Officer shall continue in office.
- (6) A similar procedure shall be followed in relation to any proposal regarding the election of a Deputy Presiding Officer.

14. ELECTION OF FIRST MINISTER AND DEPUTY FIRST MINISTER

- (1) The First Minister and Deputy First Minister of the Assembly shall be jointly elected by the members.
- (2) Any member, addressing the Presiding Officer, 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 of this Assembly”, 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.
- (3) When a pair of candidates is proposed and seconded and has accepted nomination, the Presiding Officer shall then ask “Is there any further proposal?” and:
 - (a) if there is no further proposal, the Presiding Officer shall say “The time for proposals has expired” and a debate relevant to the election may then take place on which no member may speak more than once; or
 - (b) if more than one pair of candidates is proposed and seconded as First and Deputy First Minister and have signified that they accept nomination, the Presiding Officer 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 Presiding Officer shall say “The time for proposals has expired”, and a debate relevant to the election may then take place.
- (4) Upon the conclusion of the debate, or, if there is no debate, the Presiding Officer 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 of this Assembly.
- (5) If the question be not carried, the Presiding Officer shall put a similar question in relation to the second pair of candidates proposed; whereupon, if resolved in the affirmative, those candidates shall be declared by the Presiding officer to be elected and this shall be done in relation to each pair of candidates proposed as often as necessary until candidates are chosen to be First Minister and Deputy First Minister.
- (6) The Presiding Officer shall immediately ask those members of the Assembly chosen to be First Minister and Deputy First Minister to affirm to the Assembly:
 - (a) their commitment to non-violence and exclusively peaceful and democratic means;

- (b) their opposition to any use or threat of force by others for any political purpose;
- (c) their commitment to work in good faith to bring into being the arrangements set out in the Agreement reached in the multi party negotiations on 10 April 1998; and
- (d) their commitment to observe the spirit of the Pledge of Office at Annex B to these Orders.

If they do not do so the election shall be void.

- (7) If no member is elected as aforesaid, the procedure for election shall be repeated after a period specified by the Presiding Officer (who may wish to consult with member of the Assembly, as he sees appropriate, in that period), until candidates are chosen to be First Minister and Deputy First Minister.

15. **COMMITTEES OF THE ASSEMBLY**

- (1) Committees to assist the Assembly in the consideration of matters referred to it shall be appointed by motion made after notice, setting out terms of reference, quorum, composition and the date by which the committee should report the outcome of its deliberations to the Assembly.
- (2) Committees shall consist of not less than 10 and not more than 18 members and shall be such that, as far as is practicable, there is a fair reflection of the parties participating in the Assembly and that each party with at least two members shall have at least one seat on each Committee.
- (3) A committee appointed under sub-paragraph (1) may sit at any time.
- (4) Members of the press and public may be admitted at the discretion of the committee.
- (5) The procedures of a committee appointed under sub-paragraph (1) of these Orders shall be such as the committee itself determines, or as the Assembly shall otherwise order.
- (6) A full minute shall be taken of all committee meetings which shall be circulated to all members of that Committee.

16. **COMMITTEE TO ADVISE THE PRESIDING OFFICER**

- (1) A Committee of the Assembly may be established to advise the Presiding Officer on the arrangement of the business of the Assembly

and on practical issues related to the provision of appropriate facilities for members.

- (2) The Committee shall consist of the Presiding Officer (who shall be Chairperson), the Deputy Presiding Officer and not less than eight and not more than sixteen members appointed by the Presiding Officer, following consultation with the leaders of the parties in the Assembly, and shall be such that, so far as is practicable, there is a fair reflection of the parties participating in the Assembly and that each party with at least two members shall have at least one place.
- (3) The quorum of the Committee shall be five.
- (4) The procedures of the Committee shall be such as the Committee shall determine.

17. VISITORS

- (1) Visitors shall be admitted under supervision only to such places in the Assembly and its precincts as may be specified by the Presiding Officer.
- (2) For the purposes of this Rule, the term "visitors" includes all persons other than members and officers of the Assembly and members of the news media.
- (3) The Presiding Officer may, if the Presiding Officer thinks fit, order the withdrawal of visitors from sitting of the Assembly and its committees.
- (4) Visitors shall not be permitted to take into the Assembly any mobile telephone, camera, tape recorder, briefcase or large bag.

18. NEWS MEDIA

- (1) Notwithstanding anything contained in paragraph 17 of these Orders, unless otherwise ordered, members of the news media shall be admitted under supervision only to such places in the Assembly and its precincts as may be specified by the Presiding Officer.
- (2) The Presiding Officer may, if the Presiding Officer thinks fit, order the withdrawal of the news media from sittings of the Assembly and its committees.
- (3) Members of the news media shall not be permitted to take into the Assembly any mobile telephone, tape recorder, briefcase or large bag.
- (4) Unless the prior permission of the Presiding Officer has been sought and granted, members of the news media shall not be permitted to take into the Assembly any camera.

- (5) Unless the prior permission of the Presiding Officer 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.

19. **SYMBOLS, EMBLEMS AND FLAGS**

Apart from any personal badges, no political symbols, emblems or flags shall be displayed in the Assembly. The Presiding Officer's decision on such matters shall be final.

ANNEX B (Initial Standing Orders)

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 to act in accordance with, all decisions of the Executive Committee and Assembly;
- (g) to comply with the Ministerial Code of Conduct.

CODE OF CONDUCT

Ministers must at all times:

- observe the highest standards of propriety and regularity involving impartiality, integrity and objectivity in relationship to the stewardship of public funds;
- be accountable to users of services, the community and, through the Assembly, for the activities within their responsibilities, their stewardship of public funds and the extent of which key performance targets and objectives have been met;
- ensure all reasonable requests for information from the Assembly, users of services and individual citizens are complied with; and that Departments and their staff conduct their dealings with the public in an open and responsible way;
- follow the seven principles of public life set out by the Committee on Standards in Public Life;

- comply with this code and with rules relating to the use of public funds;
- operate in a way conducive to promoting good community relations and equality of treatment;
- not use information gained in the course of their service for personal gain, nor seek to use the opportunity of public service to promote their private interests;
- ensure they comply with any rules on the acceptance of gifts and hospitality that might be offered;
- declare any personal or business interests which may conflict with their responsibilities. The Assembly will retain a Register of Interests. Individuals must ensure that any direct or indirect pecuniary interests which members of the public might reasonably think could influence their judgement are listed in the Register of Interests.

ANNEX E

EXTRACTS FROM COMMITTEE MINUTES OF

- **14.10.98**
- **16.10.98**

THE NEW NORTHERN IRELAND ASSEMBLY

COMMITTEE ON STANDING ORDERS

MINUTES OF PROCEEDINGS

Wednesday 14 October 1998 at 2.00 pm
in Room 106, Parliament Buildings

Present: Mr P Weir
Mr D S Dalton
Mr M McGimpsey
Mr S Farren
Mr S Wilson (substituting for Dr Paisley)
Mr G Campbell
Mr N Dodds
Mr C Murphy
Mr J Kelly
Mr S Close
Mr R McCartney QC MP
Mr D Haughey
Mrs B Rodgers
Mr E O'Neill (substituting for Mr E McGrady MP)
Mr D Watson

In the Chair: Mr Cobain

In attendance: Mr M Barnes and Mr D Arnold

CONSIDERATION OF DRAFT REPORT

The Report was brought up and read. The Report was read a second time paragraph by paragraph.

Background

Paragraphs 1 to 8 read and agreed

Approach

Paragraph 9, read and amended

Additional Standing Orders

Paragraph 10 read and agreed
Paragraph 11 read and amended
Paragraph 12 read and agreed

This Report

Paragraph 13 read and amended

Paragraph 14 and Appreciation read and agreed

ANNEX A

Coverage read and agreed:

Rule 1 read and agreed

Rule 2 read and amended

Rule 3 read and agreed

Rule 4 read and amended

Rule 5 read and agreed

Rule 6 read and amended

Rule 7-11 read and agreed

Rule 12 read and amended

Rule 13-17 read and agreed

Rule 18 read and amended

Rule 19 read and amended

Rule 20-27 read and agreed

Rule 28 read and amended

Rule 29-32 read and agreed

Rule 33 read and amended

Rule 34-38 read and agreed.

D ARNOLD

THE NEW NORTHERN IRELAND ASSEMBLY

COMMITTEE ON STANDING ORDERS

MINUTES OF PROCEEDINGS

Friday 16 October 1998 at 2.00 pm
in Room 21, Parliament Buildings

Present: Mr D S Dalton
Mr M McGimpsey
Mr S Farren
Mr G Campbell
Mr N Dodds
Mr J Kelly
Mr F Molloy
Mr S Close
Mr R McCartney QC MP
Mr Cobain
Mrs J Morrice

In the Chair: Mr D Haughey

In attendance: Mr M Barnes and Mr D Arnold

CONSIDERATION OF DRAFT REPORT

The Committee addressed the amendments to the Report which had been discussed at the previous meeting.

Paragraphs 9, 11 and 13 read and agreed
Rule 2 read and agreed
Rules 4 and 6 read, amended and agreed
Rules 12, 18, 19 read and agreed
Rule 28 read, amended and agreed
Rule 33 read and agreed

Resolved: that the Report as amended be the Progress Report of the Committee to the Assembly.

Ordered: that the Joint Chairmen do make the Report to the Assembly on 26 October 1998;

that several papers be appended to the Report.

D ARNOLD

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