

Committee on the Standing Orders

Minutes CSO(2)-07-06 (mins)

Meeting date: Monday 3 July 2006

Meeting time: 5pm

Meeting venue: Committee Room 3

Assembly Members in Attendance

Assembly Member	Constituency
Lorraine Barrett	Cardiff South and Penarth
Jocelyn Davies	South Wales East
Lisa Francis	Mid and West Wales
Jane Hutt	Vale of Glamorgan
Ann Jones	Vale of Clwyd
Jenny Randerson	Cardiff Central
Gwenda Thomas	Neath

Officials

Name	Job title
Paul Silk	Clerk to the Assembly
Peter Jones	Counsel to the Assembly Parliamentary Service

Committee Service

Name	Job title
Gareth Williams	Committee Clerk
Siân Wilkins	Committee Clerk

Item 1: Introduction, Apologies and Substitutions

1.1 Apologies were received from Val Lloyd. Lorraine Barrett attended the meeting as her substitute.

Item 2: Standing Orders for the future Assembly**Papers:**

CSO(2)-07-06 (p1) – Standing Order 1
CSO(2)-07-06 (p2) – Standing Order 2
CSO(2)-07-06 (p3) – Standing Orders 5, 6, 13
CSO(2)-07-06 (p4) – Standing Order 7
CSO(2)-07-06 (p5) – Standing Order 12
CSO(2)-07-06 (p6) – Standing Order 20
CSO(2)-07-06 (p7) – Standing Order 23
CSO(2)-07-06 (p8) – Standing Orders 35, 36
CSO(2)-07-06 (p9) – Standing Order 37

Paper 1 and Annex (Standing Order 1)

2.1 Standing Order 1.1 – noted by the committee.

2.2 Standing Order 1.2 – the committee agreed the questions put in the paper.

2.3 Standing Order 1.3 – the committee agreed this paragraph should remain in its present form.

2.4 Standing Orders 1.4-1.7 – noted by the committee.

2.5 Standing Order 1.8 – the committee agreed the approach set out in the paper, and that provision needed to be made in standing orders for a new election were there to be a change in the governing party/parties with the result that the Deputy/Presiding Officer then both belonged to different political groups with an executive role.

2.6 Standing Order 1.9 – the committee agreed the questions put in the paper.

2.7 Standing Order 1.10 – the committee agreed the questions put in the paper.

2.8 Standing Order 1.11 – the committee agreed the question put in the paper.

2.9 The committee agreed that the clerks would draft new paragraphs in this standing order providing for the Deputy Presiding Officer to ‘normally’ take the Chair in the absence of the Presiding Officer.

In the event of a longer period of absence of the Presiding Officer, standing orders could provide for the Assembly to elect a person to preside temporarily.

2.10 Standing Order 1.12 – the committee agreed that the clerks would draft into standing orders a strong statement on the need for impartiality in the role of Deputy/Presiding Officer, and the committee would return to this for further consideration at a future meeting.

2.11 Standing Order 1.13 – noted by the committee.

2.12 Standing Order 1.14 – noted by the committee.

2.13 Standing Order 1.15 – the committee discussed the appropriateness of the current wording, "on soon as may be", in the standing order and agreed to take legal advice on this. [Action]

Paper 2 and Annex – Standing Order 2

2.14 Standing Order 2.1 – noted by the committee.

2.15 Standing Order 2.2 – the committee discussed and agreed the questions put in the paper.

2.16 Standing Order 2.3 – noted by the committee.

2.17 Standing Order 2.4 - the committee agreed that the First Minister should be required to notify the Assembly of the members of his/her cabinet and their responsibilities.

2.18 Standing Order 2.5-2.6 – noted by the committee.

2.19 Standing Order 2.7 – the committee discussed how standing orders could make reference to a Ministerial Code without there being an express requirement for one. The Chair suggested a provision for 'the Assembly to be informed of any Ministerial Code and its details'. The committee agreed to return to this.

2.20 Standing Order 2.8 – it was suggested that this was not a matter for standing orders. The committee agreed to return to this when considering the Ministerial Code.

2.21 Standing Order 2.9 – the committee agreed the question put in the paper.

2.22 Standing Order 2.10 – the committee agreed not to re-state the provisions in the Bill in this regard.

2.23 Appointment of the Counsel General – the committee agreed the question put in the paper.

2.24 Participation in proceedings – the committee was content with the wording suggested in the paper.

Paper 3 and Annexes - Standing Orders 5, 6 and 13 (Control of Business)

Standing Order 5

2.25 Standing Order 5.1-5.2 – noted by the committee.

2.26 Standing Order 5.3 – the committee agreed a three-week forward look.

2.27 Standing Order 5.4-5.9 – the committee were content with the suggestions in the paper.

Standing Order 6

2.28 Standing Order 6.1-6.2 – noted by the committee.

2.29 Standing Order 6.3 – the committee agreed to impose a maximum, rather than minimum, time for Assembly questions, which would be 45 minutes for the First Minister and 30 minutes for other Welsh Ministers.

The committee agreed to retain Standing Orders 6.3(ii) and (iii).

2.30 The committee agreed the clerks would amend the standing order so as to include provision for deputy ministers to answer questions in certain circumstances. In so doing, clerks would take account of provisions in the Scottish Parliament Standing Orders. The Minister suggested that her officials could also have an input.

2.31 Standing Order 6.4 – noted by the committee.

2.32 Standing Order 6.5 – the committee agreed the approach in the current standing order.

2.33 Standing Order 6.6 – the committee agreed that Members would email the Clerks with suggestions for additional categories of business to be included.

2.34 The committee agreed the current standing order provision in relation to minority party debates and committees, and the need for committee slots to be agreed, which could then be filled and when necessary.

2.35 Standing Order 6.7 – the committee agreed the standing order should refer to ‘annual’ reports of the committees listed.

2.36 Standing Order 6.8-6.13 – noted by the committee.

2.37 Standing Order 6.13A – the committee agreed to retain the provisions in the current standing order, subject to deleting from "on motions....to draft Assembly legislation".

2.38 Standing Order 6.14 – noted by the committee.

2.39 Standing Order 6.15 – the committee agreed the questions put in the paper.

2.40 Standing Order 6.17- noted by the committee, but consideration would need to be given as to whether a majority vote in favour of extending business is required.

2.41 Standing Order 6.18 – 6.29 – noted by the committee.

2.42 Standing Order 6.30 – the committee agreed 5 days to be the most appropriate time period and that there was no need for provisions for an oral question time with no notice period. the questions put in the paper.

2.43 Standing Order 6.31-6.34 – noted by the committee.

2.44 Standing Order 6.35-6.40 – noted by the committee. The Minister agreed to return to the matter of reducing the notification period in SO 6.39 from 5 working days to 3 working days having considered this further. [Action]

2.45 Standing Order 6.41- the committee agreed the consent of the Presiding Officer was no longer required.

2.46 Standing Order 6.42 -6.43 – noted by the committee.

Standing Order 13

2.47 Standing Order 13.4 – the committee agreed the wording suggested in the paper.

2.48 The committee agreed to consider this standing order further in the context of their discussions on committees.

Paper 4 and Annex – Standing Order 7

2.49 Standing Order 7.1-7.8 – the committee agreed the approach set out in the paper.

2.50 Standing Order 7.9 – the committee requested further advice on the provisions for excluding Members from the chamber and committees in Westminster, Scotland and any other Parliaments. [Action]

2.51 Standing Order 7.10-7.15 – the committee agreed the approach set out in the paper.

Paper 5 and Annex – Standing Order 12

2.52 The committee agreed the approach set out in the paper.

Paper 6 and Annex – Standing Order 20

2.53 The committee agreed to retain the status quo and its principles of bilingualism, on the basis that it may wish to re-visit this standing order in light of the review currently being undertaken by the House Committee.

Paper 7 and Annexes – Standing Order 23

2.54 The committee agreed the questions put in the paper.

Paper 8 and Annexes – Standing Orders 35 and 36

2.55 The committee agreed the approach set out in the papers and noted that standing order 36 would need to be drafted taking account of committee decisions on subordinate legislation procedures.

Paper 9 and Annex - Standing Order 37

2.56 Standing Order 37.1 - the committee agreed that as no decision had been taken to date regarding a Business Committee or Bureau for the future Assembly, the clerks would draft the standing order using both terms for the committee to consider. The committee agreed the need for 6 Members to support a proposal for revisions to standing orders.

2.57 The committee agreed that clerks would discuss with WAG officials the possibility of drafting a provision in this standing order for a time-limit within which the Business Committee/Bureau would have to respond to a proposal for a revision.

2.58 Standing Order 37.2 - The committee agreed the question put in the paper.

2.59 Standing Order 37.3- 37.6 – noted by the committee.

Committee Service