

Committee on Standing Orders

CSO(2)-07-06 (p4)

Date: 3 July 2006

Venue: National Assembly for Wales, Cardiff Bay

Title: Standing Order 7 – Order in Plenary Meetings

1. Background

1.1 Standing Order 7 currently covers:

the rules for debate;

the length of speeches;

speaking more than once;

the maintenance of order;

sub judice;

relations with the Judiciary; and the

conduct of the public.

2. New Standing Order

2.1 The attached Annex sets out some changes that will need to be made to the current Standing Order to accommodate the Bill, and asks specific questions where there are options available. Once the Committee has agreed what will need to be included in the new Standing Order, the Clerks will draft a new Standing Order for the Committee to agree.

3. Provisions in the Bill

3.1 The Government of Wales Bill does not make reference to order in plenary save for the following in respect of Standing Orders. They:

must include provision for preserving order in Assembly proceedings, including provision for preventing conduct which would constitute a criminal offence or contempt of court, and a sub judice rule [clause 31(2)]

may include provision for excluding an Assembly member from Assembly proceedings [clause 31 (3)]

may include provision for withdrawing from an Assembly member any or all of the rights and privileges of membership of the Assembly [clause 31(4)]

may include provision as to the conditions to be complied with by members of the public attending the proceedings (including provision for excluding any member of the public who does not comply with the conditions) [clause 31(5)(b)]

4. Consideration

4.1 Although Standing Order 7 is titled Order in Plenary Meetings, some elements of the Standing Order apply to Committee proceedings as well.

4.2 For the sake of simplicity and clarity, we therefore propose that there are separate Standing Orders governing order in plenary and committee meetings. Subject to the Committee's agreement, Standing Order 7 will therefore relate to order in plenary meetings only. A separate Standing Order covering order in committees will be drafted and brought to the Committee at a later date; much of its wording will be identical to Standing Order 7 but the different circumstances of committees will be reflected.

4.3 Standing Order 7 currently uses the term "proceedings of the Assembly" on certain occasions and for the purposes of existing Standing Orders, it means plenary and committee / sub-committee proceedings of the Assembly.

4.4 However, in the future, the term "Assembly proceedings" will be used to define plenary and committee / sub-committee proceedings of the Assembly, reflecting the definition in clause 1(5) of the Bill. In light of the new Bill, "proceedings of the Assembly" means plenary proceedings only. Standing Order 7 will therefore need to be amended to ensure the appropriate and correct terminology is used throughout and the Annex identifies the changes that need to be made.

5. Action

5.1 The Committee:

is invited to agree to have separate Standing Orders covering order in plenary and committee meetings (paragraph 4.2);

will need to consider the questions in the Annex and agree what should be included in Standing Order 7.

Government of Wales Bill Procedures Unit

June 2006