

Committee on Standing Orders

CSO(2)-07-06 (p8)

Date: 3 July 2006

Venue: National Assembly for Wales, Cardiff Bay

Title: Standing Orders 35 - Notification and Tabling Procedures; and Standing Order 36 - Laying of Documents

1. Background

1.1 Standing Order 35 provides for the Assembly's notification and tabling procedures.

1.2 Standing Order 36 provides for the necessary laying of documents before the Assembly. It is a reasonably new standing order, introduced in 2003 to clarify the arrangements for laying documents and is to be read alongside the accompanying Guidance on Laying of Documents before the Assembly.

2. New Standing Order

2.1 The attached annexes sets out changes that will need to be made to the current SOs to accommodate the Bill and asks specific questions where there are options available.

2.2 Once the committee has agreed what will need to be included in the new SOs, the Clerks will prepare drafts for the committee to agree.

3. Committee on the Better Governance for Wales White Paper

3.1 The Committee on the Better Governance for Wales White Paper commented as follows on the laying of documents:

42 Section 45 has the effect of requiring the laying before the Assembly of appropriate documents which before 1999 would have been laid before Parliament. This obligation will need to remain. But it will also be necessary for future legislation, whether made in Parliament or the Assembly, to provide for the laying before the Assembly of any new classes of document. In addition, any existing legislative requirements to lay documents before the Assembly will need to be a requirement to lay the documents before the Legislature post 2007.

4. Provisions in the Bill

4.1 Clause 85 of the Bill provides for the laying of reports and statements.

4.2 Schedule 10, paragraph 4 of the Bill amends the Laying of Documents before Parliament (Interpretation) Act 1948 to include provision for the laying of documents before the Assembly. The procedure for ‘laying’ is to be left to the Assembly’s standing orders.

5. Points to note

5.1 Standing Order 36 has worked well in practice, but may need some minor technical revisions for clarity, which are identified in the annex.

5.2 Standing Order 35 may not need to be a stand-alone standing order and its provisions could instead be incorporated into another standing order, e.g. SO36, or SO6, as appropriate. The Clerks will consider this when drafting.

6. Action

6.1 To agree the principles to be included in these SOs, as outlined in the attached annexes.

Government of Wales Bill Procedures Unit

June 2006

