

Amending Standing Orders

Miscellaneous changes

March 2021

In accordance with Standing Order 11.7(iv), the Business Committee is responsible for making recommendations on the general practice and procedures of the Senedd, including any proposals for the re-making or revision of Standing Orders.

This report recommends miscellaneous amendments to Standing Orders 1, 11 and 20.

The Senedd is invited to approve the proposals to amend the Standing Orders as at Annex A. The amended Standing Orders, if approved, are at Annex B.



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1. Business Committee consideration

1. At its meeting of 22 February 2021, Business Committee considered miscellaneous changes to the Standing Orders that had been identified as part of the current review. The changes correct errors and omissions, add clarity, and remove redundant provisions; an explanation for each proposed change is at Annex A.

2. Decision

2. The Business Committee formally agreed the changes to Standing Orders on 9 March 2021. The Senedd is invited to approve the proposed new Standing Orders at Annex B.

Annex A – Proposed changes to Standing Orders 1, 11 and 20, and explanatory notes

Current Standing Order and proposed change	Proposal and explanation
<p>1.7 The Senedd must, on a motion proposed by the Commission, elect Trustees to the Senedd Members' Pension Scheme in accordance with the Scheme Rules.</p>	<p>Remove a redundant provision relating to Senedd Members' Pension Scheme</p> <p>This Standing Order has been redundant since 2011, when appointment of Trustees to the Pension Scheme became the responsibility of the Remuneration Board.</p>
<p>1.9 For the purposes of sections <u>10</u> and <u>11</u> of the Act, a vacancy occurs when the Presiding Officer receives a notice of resignation in accordance with Standing Order 1.8, or otherwise when the Presiding Officer declares that the seat has become vacant.</p>	<p>Clarify that a declaration of a vacancy arising from the resignation of a Member of the Senedd includes both constituency and regional seats</p> <p>Section 10 of the Government of Wales Act relates only to constituency vacancies; section 11 deals with regional vacancies. SO 1.9 refers only to section 10 of the Act. The provision has been used for declarations of regional vacancies, however a reference to section 11 of the Act should be added for consistency.</p>
<p>11.2 Standing Orders 17.3<u>2A</u> to 17.6 do not apply to the Business Committee.</p>	<p>Remove the Business Committee Chair from the provision relating to election of committee chairs</p> <p>SO 11.5(i) provides that the Business Committee is chaired by the Presiding Officer. SOs 17.2A-T introduced in 2016, provide for the election of committee chairs, but do not expressly exclude</p>

	the chair of Business Committee. SO 11.2 which sets out those Standing Orders (SOs 17.3 to 17.6) that do not apply to the Business Committee need updating to include reference to SOs 17.2A-T.
<p>20.26 An annual budget motion must incorporate:</p> <ul style="list-style-type: none"> (i) the final budget for the government; (ii) the final budget for the Commission as agreed by the Senedd under Standing Order 20.16 or 20.17, or as determined under Standing Order 20.19; (iii) the estimate for the Wales Audit Office, as laid before the Senedd under Standing Order 20.22; (iv) the estimate for the Ombudsman as laid before the Senedd under Standing Order 20.24; and (v) the estimate for the Electoral Commission, as laid before the Senedd under Standing Order <u>20.20B</u> 18B. 	<p>Correct Standing Order reference in relation to the laying of the Electoral Commission’s estimate</p> <p>The procedure for laying the Electoral Commission’s estimate is set out in SO 20.20B, not SO 18B.</p>

Annex B – Standing Orders 1, 11 and 20, as amended

Standing Order 1 – Members

Remuneration

1.7 *[Standing Order removed by resolution in Plenary on 24 March 2021]*

Resignations and Vacancies

1.9 For the purposes of sections 10 and 11 of the Act, a vacancy occurs when the Presiding Officer receives a notice of resignation in accordance with Standing Order 1.8, or otherwise when the Presiding Officer declares that the seat has become vacant.

Standing Order 11 – Organisation of Business

Business Committee

11.2 Standing Orders 17.2A to 17.6 do not apply to the Business Committee.

Standing Order 20 – Finance Procedures

Annual Budget Motions

20.26 An annual budget motion must incorporate:

- (i) the final budget for the government;
- (ii) the final budget for the Commission as agreed by the Senedd under Standing Order 20.16 or 20.17, or as determined under Standing Order 20.19;
- (iii) the estimate for the Wales Audit Office, as laid before the Senedd under Standing Order 20.22;
- (iv) the estimate for the Ombudsman as laid before the Senedd under Standing Order 20.24; and
- (v) the estimate for the Electoral Commission, as laid before the Senedd under Standing Order 20.20B.