

National Assembly for Wales

[Business Committee](#)

November 2012

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



Proposed amendments to Standing Order 6.23: Temporary Chair of Plenary Meetings

Purpose

1. In accordance with Standing Order 11.7(iv), the Business Committee is responsible for making recommendations on the general practice and procedures of the Assembly, including any proposals for the re-making or revision of Standing Orders.
2. The report recommends amendments to Standing Order 6.23. The changes agreed by Business Committee are found in Annex A, and the proposal for a new Standing Order at Annex B.

Background

3. At its meeting on 23 October, the Business Committee considered a paper outlining options for amending Standing Order 6.23 regarding the Temporary Chair of Plenary Proceedings.
4. Having given Business Managers the opportunity to consult Members, the Business Committee returned to the issue at its meeting of 13 November.

Current Provisions

5. Where the Presiding Officer and Deputy are unable to chair Plenary, Standing Orders provide two options for allowing another Member to take the chair.

Temporary Chair

6. Under Standing Order 6.22, any Member other than a member of the government may temporarily chair a Plenary meeting at the request of the Presiding Officer or Deputy.

7. A Temporary Chair is not elected by the Assembly, and under current Standing Orders the functions they may exercise are limited to those on maintaining order in Plenary set out in Standing Order 13. This means that they are normally limited to chairing part of a debate or a statement, as they cannot 'put the question' at the end of a debate or chair a vote.

8. A Member who has acted as Temporary Chair during a meeting is able to vote in the usual way.

Electing a Temporary (Deputy) Presiding Officer

9. A Temporary Presiding Officer is elected by the Assembly under SO 6.24, and is able to carry out all the Plenary functions of the Presiding Officer until the Presiding Officer or Deputy becomes able to act, including running a vote and using the casting vote where required.

10. A Temporary Presiding Officer elected in this way is not able to vote on any items during that Plenary session, whether they themselves are actually running the vote or not.

Practice

11. Normal practice is that a Temporary (Deputy) Presiding Officer is elected where the PO or DPO are to be absent from Plenary for a whole meeting, and for a Temporary Chair to be used to cover shorter absences. The custom that has developed is that Commissioners fulfil these roles in turn.

12. The usefulness of the Temporary Chair option is limited by the constraints that exist on the functions they can exercise. For example, where a Temporary Chair takes the chair for a debate, the PO or DPO must return before the end of the debate as the Temporary Chair does not have the power to 'ask the question' that the motion be agreed 'on the nod', or to defer a vote until voting time.

Proposals for change

13. The limitations outlined above emanate solely from the Standing Orders of the Assembly; the Government of Wales Act is not prescriptive in this regard. Section 25(12) states only that Standing Orders may include provision for the Presiding Officer's functions to be exercisable by any person determined in accordance with the Standing Orders. Neither does the Act place any limitations on the ability to vote of any person carrying out the Presiding Officer's functions.

14. The proposals, as outlined in Annex A, seek to extend the range of functions that a Temporary Chair may exercise, to allow greater reliance on the use of a Temporary Chair, rather than the election of a Temporary (D)PO, to provide relief or cover when the PO or DPO are absent.

15. Under the proposed changes, a Temporary Chair would still not be able to chair "Voting Time", rule on points of order, or allow a procedural motion to be moved. In such cases, the item would either need to be deferred to the Presiding Officer for a ruling or if necessary, the meeting suspended until the PO or DPO returned to the Chamber.

16. A Temporary DPO would still need to be elected on occasions where both the PO and DPO were absent from the Assembly, and not available either to run the vote or to return to the Chamber at short notice if required.

Decision

17. The Business Committee agreed the changes to Standing Orders on 13 November and the Assembly is invited to approve the proposal as at Annex B.

Annex A

STANDING ORDER 6 – Presiding Officer and Deputy	
Temporary Chair of Plenary Meetings	
6.22 Any Member other than a member of the government may, at the request of the Presiding Officer or Deputy when either is chairing a plenary meeting of the Assembly, temporarily chair.	Retain this Standing Order
6.23 A Member acting as chair must not exercise any of the functions of the Presiding Officer except: <ol style="list-style-type: none"> i) <u>calling business in the order in which it appears on the agenda;</u> ii) <u>making necessary arrangements to adjust the timetable for business in order to facilitate the effective conduct of business;</u> iii) <u>at the end of proceedings on an item of business, inviting the Assembly to agree any questions necessary or deferring any questions necessary to dispose of the business in accordance with Standing Orders 12.36 and 12.37;</u> iv) <u>proposing that motions or amendments be grouped in accordance with Standing Order 12.40;</u> v) <u>in any circumstances where he or she thinks it appropriate to do so, adjourning proceedings or suspending proceedings for a specified time;</u> vi) those contained in Standing Order 13, except that if the Member believes that the conduct of a Member is such as to warrant his or her 	<p>Amend this Standing Order</p> <p>This Standing Order is amended so as to allow a Temporary Chair to exercise more of the Presiding Officer’s functions. The functions included in the revised Standing Order reflect those assigned to the Presiding Officer by the following Standing Orders.</p> <ol style="list-style-type: none"> i) 12.14 + 12.15 ii) 12.17 iii) 12.36 and 12.37 iv) 12.40 v) 12.18 vi) SO13 <p>The changes will allow a Temporary Chair to chair consecutive items, and to ‘ask the question’ at the end of a debate.</p> <p>Amongst the functions of the Presiding Officer that a Temporary Chair will still not be able to exercise are:</p> <ul style="list-style-type: none"> • Selecting and deselecting motions and amendments;

withdrawal, the Member must suspend the meeting until the Presiding Officer or Deputy has returned.

- Allowing items of business without notice;
- Procedural motions;
- Granting urgent questions & debates;
- Running a vote, including exercising a 'casting vote';
- Ruling on Points of Order;
- Asking a Member to withdraw from the Chamber;
- Holding ballots.

Annex B

STANDING ORDER 6 – Presiding Officer and Deputy

Temporary Chair of Plenary Meetings

6.22 Any Member other than a member of the government may, at the request of the Presiding Officer or Deputy when either is chairing a plenary meeting of the Assembly, temporarily chair.

6.23 A Member acting as chair must not exercise any of the functions of the Presiding Officer except:

- i) calling business in the order in which it appears on the agenda;
- ii) making necessary arrangements to adjust the timetable for business in order to facilitate the effective conduct of business;
- iii) at the end of proceedings on an item of business, inviting the Assembly to agree any questions necessary or deferring any questions necessary to dispose of the business in accordance with Standing Orders 12.36 and 12.37;
- iv) proposing that motions or amendments be grouped in accordance with Standing Order 12.40;
- v) in any circumstances where he or she thinks it appropriate to do so, adjourning proceedings or suspending proceedings for a specified time;
- vi) those contained in Standing Order 13, except that if the Member believes that the conduct of a Member is such as to warrant his or her withdrawal, the Member must suspend the meeting until the Presiding Officer or Deputy has returned.