



Proposed amendments to Standing Order 12: Tabling Deadlines for Oral Assembly Questions

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 12. 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 Monday 7 January, the Business Committee considered options for changes to the system of Oral Assembly Questions with the aim of making it a more effective tool for the scrutiny of government. The Committee agreed to reduce the tabling deadlines for Oral Questions to three working days for First Minister's Questions and five working days for Ministerial Questions.
4. At its meeting on 15 January, the Business Committee returned to the issue, and agreed to the specific proposals outlined in this paper.

Current Provisions

5. All Oral Questions must be tabled at least five but not more than ten working days before they are to be answered (SO12.59) - providing a maximum window of five working days for tabling OAQs. The first

day on which questions may be tabled is therefore ten working days in advance.

6. The Presiding Officer must conduct a ballot to select the names of those Members who may table oral questions at least one working day before the first day on which they may table questions (SO12.62).

7. The final order of questions is determined by random means on the first day on which they may be tabled (SO12.64) (i.e. ten working days before they are to be answered) and afterwards in the order the questions are received. In effect therefore, oral questions are in the majority of cases tabled ten working days in advance.

Proposals for Change

8. The Business Committee proposes that oral questions to the First Minister will be tabled at least three working days, and all other oral questions (Ministers/Counsel General/Commission) tabled at least five working days, before they are to be answered. The three and five day deadlines will be the last day on which questions may be tabled.

9. The Presiding Officer will conduct the ballot to select the names of those Members who may table oral questions at least one working day before the last day on which questions may be tabled.

10. The final order of questions will be determined by random means on the last day on which they may be tabled (i.e. the new deadlines of 3 and 5 working days before they are to be answered).

11. In practice, Table Office conducts all ballots on Monday morning which currently provides Members with one day's notice for tabling First Minister's Questions and two days' notice for all other questions. The proposed change to link the ballot under SO12.62 to the last day for tabling questions will not adversely impact on Members.

12. Table Office will continue to conduct ballots on Monday morning, and the new tabling deadline will mean that Members will have three days' notice for tabling First Minister's questions and the same two days' notice for all other questions. Members will therefore be able to table questions at any time following the ballots on Monday until the deadline (3:30pm) on Wednesday / Thursday.

Change to Practice on Open Questions

13. Focussing procedures on the last day for tabling will reduce the 'window' for tabling but, combined with the new tabling deadlines, will give greater scope for more topical questions.

14. To balance the shorter deadlines for tabling Oral Questions, the Business Committee has agreed that questions should be more focussed. In practice, this will mean that Table Office (on behalf of the Presiding Officer) will tighten its approach when considering open questions, and will require the focus of a question to be clear from its wording. This new approach will be incorporated into the *Presiding Officer's Principles and Practice for the Laying and Tabling of Assembly Business*, which will be re-circulated to Members.

Decision

15. The Business Committee agreed the changes to Standing Orders on 15 January and the Assembly is invited to approve the proposal as at Annex B.

Annex A

| STANDING ORDER 12 | |
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| Oral Questions | |
| <p>12.59 Questions <u>to the First Minister</u> must be tabled at least <u>three working days</u> before they are to be answered; questions to <u>Welsh Ministers, the Counsel General and the Commission</u> <u>must be tabled at least five, but not more than ten,</u> working days before they are to be answered.</p> | <p>Revise this Standing Order</p> <p>The SO is revised to provide for different tabling deadlines for Oral Questions to the First Minister and all other Oral Questions.</p> <p>The change also removes reference to questions being tabled no more than 10 working days before they are to be answered. This will reduce the current ‘window’ for tabling OAQs, but will strengthen the approach to make questions more topical if tabled 3 and 5 working days in advance. This is linked to the change proposed to SO12.62 below.</p> |
| <p>12.60 Questions are accepted at the discretion of the Presiding Officer, who must have regard to any written guidance issued in accordance with Standing Order 6.17.</p> | <p>No change</p> |
| <p>12.61 The Presiding Officer must undertake a ballot to select the names of those Members who may table oral questions to the First Minister and Welsh Ministers.</p> | <p>No change</p> |
| <p>12.62 A ballot under Standing Order 12.61 must be conducted at least one working day before the first<u>last</u> day on which questions may be tabled.</p> | <p>Revise Standing Order</p> <p>Currently, ballots under this Standing Order are conducted one working day before the first day on which questions can be tabled. The first day is currently the 10 working days in SO12.59, which we propose to remove (see proposed changes above).</p> <p>Proposed changes to SO12.59 will remove reference to question being</p> |

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| | <p>tabled no more than 10 working days in advance, and therefore there will be no 'first day' specified in Standing Orders, this Standing Orders therefore needs to be revised accordingly.</p> <p>The proposed changes will require ballots under SO12.62 to be conducted one day before the last day on which question may be tabled (i.e. at least one day before the 3 and 5 working day deadline).</p> <p>In practice Table Office will conduct all ballots on Monday morning providing Members with three days' notice for tabling First Minister Questions and two days' notice for all other questions.</p> |
| 12.63 Each Member may enter their names into the ballot under Standing Order 12.61 no more than twice for oral questions to a particular Welsh Minister and once for oral questions to the First Minister. | No change |
| 12.63A Any Member may table oral questions to the Counsel General and the Commission. | No change |
| 12.63B Each Member may table no more than two oral questions to the Counsel General, and one oral question to the Commission, for any week where they are answering questions. | No change |
| <p>12.64 The order of oral questions must be determined as follows:</p> <p>(i) for questions accepted before a deadline agreed by the Business Committee on the first day on which they may be tabled, by random means;</p> <p>(ii) for questions accepted after the deadline agreed by the Business Committee on the first day on which they may be tabled, by the order in which they are received.</p> <p><u>12.64 For questions accepted before a deadline agreed by the Business Committee, the order of questions must be</u></p> | <p>Replace this Standing Order</p> <p>The current Standing Order 12.64 provides for how the final order of questions is determined. At present, the order is determined on the first day on which question may be tabled (i.e. 10 working days before).</p> <p>Proposed changes to SO12.59 will remove reference to question being tabled no more than 10 working days in advance, and therefore there will be no 'first day' specified in Standing Orders, this Standing Orders</p> |

determined by random means on the last day on which they may be tabled.

therefore needs to be revised accordingly.

It is proposed that the order of question will be determined on the last day on which they may be tabled (i.e. the new 3 and 5 day deadlines).

Annex B

STANDING ORDER 12 BUSINESS IN PLENARY MEETINGS

Oral Questions

12.59 Questions to the First Minister must be tabled at least three working days before they are to be answered; questions to Welsh Ministers, the Counsel General and the Commission must be tabled at least five working days before they are to be answered.

12.60 Questions are accepted at the discretion of the Presiding Officer, who must have regard to any written guidance issued in accordance with Standing Order 6.17.

12.61 The Presiding Officer must undertake a ballot to select the names of those Members who may table oral questions to the First Minister and Welsh Ministers.

12.62 A ballot under Standing Order 12.61 must be conducted at least one working day before the last day on which questions may be tabled.

12.63 Each Member may enter their names into the ballot under Standing Order 12.61 no more than twice for oral questions to a particular Welsh Minister and once for oral questions to the First Minister.

12.63A Any Member may table oral questions to the Counsel General and the Commission.

12.63B Each Member may table no more than two oral questions to the Counsel General, and one oral question to the Commission, for any week where they are answering questions.

12.64 For questions accepted before a deadline agreed by the Business Committee, the order of questions must be determined by random means on the last day on which they may be tabled.