

STANDING ORDER 24 – Definition of Member in Charge of Legislation	
General	No amendment to sub-heading necessary
24.1 Standing Order 24 defines the “Member in charge” of an item of legislation.	No amendment necessary
24.2 In Standing Order 24 “legislation” means: <ul style="list-style-type: none"> (i) proposed Orders under Standing Order 25; or (ii) draft Orders under Standing Order 25; or (iii) proposed Measures <u>Bills</u> under Standing Order 26. 	Amend this Standing Order Replace “proposed Measures” with “Bills” to reflect that the Assembly, following the March 2011 referendum result, will operate under Part 4 provisions of the Government of Wales Act 2006 after 5 May 2011.
Government Legislation	No amendment to sub-heading necessary
24.3 Legislation laid or introduced by a member of the government is referred to as “government legislation”.	No amendment necessary
24.4 The Member in charge of an item of government legislation is: <ul style="list-style-type: none"> (i) the member of the government who laid or introduced the legislation (or, in the case of a draft Order, the Member of the government who introduced the proposed Order to which the draft Order relates); (ii) a member of the government who is authorised by the First Minister; or (iii) a member of the government who is authorised by virtue of Standing Orders 24.9 or 24.16. 	No amendment necessary

24.5 A Member who ceases to be a member of the government can no longer continue to be the Member in charge of government legislation.	No amendment necessary
Committee Legislation	No amendment to sub-heading necessary
24.6 Legislation laid or introduced by a committee is referred to as “committee legislation”.	No amendment necessary
<p>24.7 The Member in charge of an item of committee legislation is:</p> <ul style="list-style-type: none"> (i) the member of the committee authorised by the committee that laid or introduced the legislation (or, in the case of a draft Order, the member of the committee authorised by the committee that introduced the proposed Order to which the draft Order relates); or (ii) if that committee no longer exists and another committee is specified by the Business Committee as being responsible for the item of committee legislation, a member of that other committee authorised by that other committee. 	No amendment necessary
24.8 An authorisation under Standing Orders 24.7 (i) or (ii) no longer has effect if the Member so authorised ceases to be a member of the committee.	No amendment necessary
24.9 A committee may, with the agreement of the government, transfer an item of committee legislation to a member of the government authorised by the First Minister, but only with the	No amendment necessary

<p>agreement (by unanimous resolution of those voting) of the committee referred to in Standing Order 24.7(i) or, if that committee no longer exists, of the committee specified by the Business Committee under Standing Order 24.7(ii).</p>	
<p>24.10 When a committee transfers an item of committee legislation to a Member of the government (in accordance with Standing Order 24.9), that item of legislation is to be regarded, from then on, as an item of government legislation.</p>	<p>No amendment necessary</p>
<p>Commission Legislation</p>	<p>No amendment to sub-heading necessary</p>
<p>24.11 Legislation laid or introduced by the Commission is referred to as “Commission legislation”.</p>	<p>No amendment necessary</p>
<p>24.12 The Member in charge of an item of Commission legislation is the member of the Commission authorised by the Commission.</p>	<p>No amendment necessary</p>
<p>24.13 An authorisation under Standing Order 24.12 no longer has effect if the Member so authorised ceases to be a member of the Commission.</p>	<p>No amendment necessary</p>
<p>Member Legislation</p>	<p>No amendment to sub-heading necessary</p>
<p>24.14 Legislation, which is neither government legislation, committee legislation nor Commission legislation, is referred to as “Member legislation”.</p>	<p>No amendment necessary</p>
<p>24.15 The Member in charge of an item of Member legislation is:</p> <p>(i) the Member who laid or introduced the legislation, or who has had agreement to</p>	<p>Option to amend these Standing Orders [The proposed amendments to Standing Orders 24.15 – 24.17 are only necessary if Business Committee decide that Members should be able to propose Bills but not section 109 Orders]</p>

<p>introduce or lay the legislation <u>a Bill</u> under Standing Orders 25.30 or 26.91 (or, in the case of a draft Order, the Member who introduced the proposed Order to which the draft Order relates);</p> <p>(ii) another Member authorised by the Member under Standing Order 24.15(i), by means of a statement to that effect laid by that Member; or</p> <p>(iii) if no such authorisation is made, any Member authorised by the Assembly.</p>	<p>Members of the Third Assembly were able to propose Legislative Competence Orders under Part 3 of the Government of Wales Act 2006. Legislative Competence Orders provided a mechanism by which Schedule 5 to the Act could be amended to modify the competence of the Assembly.</p> <p>Part 4 of the Act commenced on 5 May, following the ‘yes’ vote in the March 2011 referendum. The Assembly’s competence is now defined by Schedule 7. Schedule 7 can be amended (for example to add new subjects, to expand or clarify existing ones or to remove exceptions) by an Order in Council under section 109 of the Act. This can only happen with the approval of the Assembly and both houses of the UK Parliament.</p>
<p>24.16 A Member may transfer an item of Member legislation <u>a Bill</u> to a member of the government authorised by the First Minister, by means of a statement to that effect laid by that Member.</p>	<p>If Business Committee takes the decision to remove provision for Members to propose section 109 Orders, this Standing Order will need to be amended to replace references to Member legislation (which encompasses both Bills and Orders) with references to Bills only. If Business Committee retains provision for Members to propose section 109 Orders, the amendments to SO 24.14 - 17 will not be necessary.</p>
<p>24.17 When a Member transfers an item of Member legislation <u>a Bill</u> to a member of the government (in accordance with Standing Order 24.16), that item of legislation <u>Bill</u> is to be regarded, from then on, as an item of <u>a government Bill</u> legislation.</p>	<p>If Business Committee takes the decision to remove provision for Members to propose section 109 Orders, this Standing Order will need to be amended to replace references to Member legislation (which encompasses both Bills and Orders) with references to Bills only. If Business Committee retains provision for Members to propose section 109 Orders, the amendments to SO 24.14 - 17 will not be necessary.</p>