

National Assembly for Wales

[Business Committee](#)

June 2016

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



Amending Standing Orders: Standing Order 17 – Operation of Committees

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 17 along with a consequential change to Standing Order 12. The changes agreed by Business Committee are found in Annex A, and the proposals for new Standing Orders are at Annex B.

Background

3. The Business Committee considered and agreed proposed changes to the procedure for electing committee chairs, in line with recommendations of the Chairs' Forum in the Fourth Assembly on the role and independence of committee chairs. The Chairs' Forum said:

A new process for electing committee Chairs would strengthen the independence and effectiveness of committees. Ensuring that committee Chairs cannot be removed by the political parties would also send a clear signal that scrutiny is the priority of the new Assembly.

4. In its legacy report, the Business Committee of the Fourth Assembly recommended:

The new Business Committee should consider whether a different procedure for the election of committee chairs should be adopted at the start of the Fifth Assembly.

5. The House of Commons provided the most obvious alternative model for the selection, appointment and removal of committee chairs. Since 2010, the distribution of chairs among the political parties has been agreed by the whole House on a motion tabled jointly by representatives of all parties, with chairs and members of departmental and similar select committees then elected by the whole House by secret ballot.

6. A proposed procedure based on the Commons model but adapted for the purposes of the Assembly, and taking account of Business Committee discussions, is set out at Annex A and explained below.

Allocating Chairs by political group

7. Under this new procedure, the Business Committee would table an un-amendable motion proposing the political group to which the chair of each committee must belong. In tabling the motion, the Business Committee must have regard for political balance of chairs between groups. This motion will need to be agreed for each committee before chairs can be elected. A proposed new Standing Order 17.2B provides for this – mirroring and replacing the current

Standing Order 17.4, which ensures that the allocation of committee chairs reflects the political balance of the Assembly.

8. A proposed new Standing Order 17.2D requires the motion to allocate chairs to groups to have 2/3 majority support. This mirrors the requirement that the membership of a committee must be supported by two-thirds of Members (current Standing Order 17.6(ii)). This protects against a small majority imposing its will on the Assembly.

Election of Committee Chairs by the Assembly

9. A proposed new Standing Order 17.2E provides for direct election of Committee Chairs by the Assembly. Under a new Standing Order 17.2F the Presiding Officer would invite nominations for the chair of each committee. Nominees must be from the political group specified in the motion agreed by the Assembly to allocate chairs to groups.

Nomination of candidates

10. Under the proposed new Standing Order 17.2F candidates are nominated by a member of their own group. Given the small size of the Assembly, it is not proposed to include any requirement for a candidate to be seconded by another member other than for groups larger than 20 Members.

11. This differs somewhat from the system used in the House of Commons, which has a much larger membership and requires a Member to be nominated by 15 Members of the same party, or 10 per cent of that party's Members, whichever is lower, and with supporters from other parties able to sign a statement of support but not counting towards the nomination threshold. The proposed nomination

process reflects the Business Committee's discussion on what is practical and desirable in a smaller institution.

12. The proposed new Standing Order 17.2H prevents the same Member from being nominated for more than one committee chair at the same meeting. A related provision in the proposed Standing Order 17.2P would prevent a Member from being chair of more than one committee, though they wouldn't have to resign the chair they hold before standing for a new one.

13. Under the proposed new Standing Order 17.2I, if there is only one nomination, the Presiding Officer must propose that the Member be elected but if that is opposed, a secret ballot must take place. This is the same provision as for the election of a Presiding Officer and provides an opportunity for Members to object to a single nomination. This provides support from the Assembly for a single nomination.

Voting system

14. The proposed new Standing Orders 17.2I – 17.2K set out the procedure for voting by secret ballot to elect a committee chair where there are two or more members nominated for the post. Under the proposed Standing Order 17.2J, in a two-member contest, the Member who secures the greatest number of votes is elected.

15. In accordance with the proposed new Standing Order 17.2K, if more than two candidates are nominated, voting is by ranking candidates in order of preference 1,2,3 etc. Members would not have to rank all candidates if they did not want to. Where no candidate secures over half the first preference votes cast, the candidate who has received the smallest number of first preference votes is excluded and their second preferences re-distributed. This process continues until one candidate has received over half the votes cast.

16. This is consistent with the system used in the House of Commons, and avoids the need to conduct multiple rounds of secret ballots which would present greater practical challenges in potentially holding successive rounds of voting for a number of different chairs within the same period.

Removal of a Chair

17. The proposed new Standing Order 17.2M provides for the removal of a chair. It reflects provision in the House of Commons by requiring any motion of no confidence to have the support of the majority of a committee, and comprising of members of more than one group. A proposed new Standing Order 17.2N would prevent a chair from participating in a vote on the question of whether they should be removed from office, and dis-applies Standing Order 17.37 both in relation to chairs' right to vote and their use of the casting vote. If there were a tied vote on a motion under 17.2M, the motion would fail on account of there not being a majority for it.

18. Business Managers agreed that such a vote should also be endorsed by a vote of the whole Assembly, as it was the Assembly that elected the chair in the first place. Unlike the Commons procedure, under which no-confidence motions cannot be moved within six months of a chair's election, or within twelve months of a failed motion of no confidence, the proposed Assembly procedure places no restriction on when a motion of no confidence can be moved. Business Managers agreed that endorsement of the Committee's decision by the Assembly was a suitably proportionate level of protection for a committee chair in relation to a motion for their removal.

19. The proposed new Standing Order 17.2O also makes clear that a committee must consider any motion to remove the chair as soon as

possible, thereby protecting the committee against the chair blocking such a motion.

Effect on party balance following a vacancy

20. The proposed new Standing Orders 17.2P and 17.2Q set out the circumstances in which a vacancy of a committee chair may arise (including mirroring those of the current Standing Order 17.11 for committee members). Proposed new Standing Orders 17.2R– 17.2S set out the procedure for dealing with such a vacancy, which includes provision for the Business Committee to consider the effect that it may have with regard to political balance across all committees. It allows the Business Committee to propose changing the allocation of committee chairs in the event that a vacancy results in a change to the political balance of the Assembly. The circumstances in which that may arise include a Member joining or leaving a political group or ceasing to be a member, leading to a by-election.

Dis-applying the procedure

21. The proposed new Standing Order 17.2T allows the Assembly to disapply the procedure for electing committee chairs and for the Assembly to elect a chair with 2/3rds support. An example of a circumstance where a dis-application might be considered appropriate is if there was consensus that a committee should be chaired by the Presiding Officer or Deputy.

Consequential Changes

22. A consequential amendment to Standing Order 12.16 is also proposed to add motions under 17.2A, which determine from which party the chair of a committee may be elected, to the items that can be taken without notice in Plenary. This will prevent any unnecessary

delay in moving to elect a chair once a committee has been established.

23. Consequential changes to the appropriate numbering have also been made to Standing Order 17.21.

Action

24. The Business Committee formally agreed the changes to Standing Orders on 21 June 2016 and the Assembly is invited to approve the proposals at Annex B.

Annex A

STANDING ORDER 17 – Operation of Committees

STANDING ORDER 17 – Operation of Committees		
	General	
17.1	Standing Order 17 applies to every committee of the Assembly other than where disapplied by another Standing Order.	Retain Standing Order
17.2	Any Member may table a motion to give specific or general instructions to any committee.	Retain Standing Order
	<u>Chairs of Committees</u>	New sub-heading
<u>17.2A</u>	<u>For each committee established by a resolution of the Assembly, the Assembly must consider a motion tabled by the Business Committee to agree the political group from which the chair of the committee will be elected.</u>	New Standing Order This Standing Order provides for the Business Committee to table a motion proposing the political group to which the chair of each committee must belong. This will need to happen before chairs can be elected.
<u>17.2B</u>	<u>In tabling a motion under Standing Order 17.2A, the Business Committee must have regard to the need to ensure that the balance of chairs across committees reflects the political</u>	New Standing Order This provision mirrors and replaces the current Standing Order 17.4, which ensures

	<u>groups to which Members belong.</u>	that the allocation of committee chairs reflects the political balance of the Assembly.
<u>17.2C</u>	<u>No amendment may be tabled to a motion under Standing Order 17.2A.</u>	New Standing Order This mirrors the approach to a non-amendable motion to appoint committee members, under Standing Order 17.5 below.
<u>17.2D</u>	<u>No motion under Standing Order 17.2A can be passed unless (if the motion for it is passed on a vote), at least two-thirds of the Members voting support it.</u>	New Standing Order This new provision regarding the motion to allocate chairs to groups mirrors the requirement that the membership of a committee must be supported by two-thirds of Members (Standing Order 17.6). It protects against a small majority imposing its will on the Assembly.
	<u>Election of committee Chairs</u>	New sub-heading
<u>17.2E</u>	<u>For each committee established by a resolution of the Assembly, the Assembly must elect a Member as chair of that committee.</u>	New Standing Order This new Standing Order provides for the direct election of chairs by the Assembly.
<u>17.2F</u>	<u>At a meeting of the Assembly in plenary, the Presiding Officer must invite nominations. Only a Member from the political</u>	New Standing Order The proposed new Standing Order provides

	<u>group specified in the relevant motion under Standing Order 17.2A may be nominated, and only a Member of the same group may make the nomination.</u>	for Members to be nominated for election as chair of a particular committee. In each election, only Members of the group which had been allocated that chair would be eligible to put themselves forward as candidates, and they could only be nominated by Members of their own group.
<u>17.2G</u>	<u>A nomination from a political group with more than 20 members must be seconded by a member of that group.</u>	This provision requires nominations from larger groups to require support from more than just 1 member of that group. It is less appropriate for smaller groups.
<u>17.2H</u>	<u>Where nominations for the chairs of more than one committee are being taken at the same meeting of the Assembly, no Member may be nominated for more than one of those chairs.</u>	This Standing Order prevents the same Member from being nominated for more than one committee chair at the same meeting.
<u>17.2I</u>	<u>If there is only one nomination, the Presiding Officer must propose that the Member nominated be elected as chair of the committee. If that is opposed, or if there are two or more nominations, the Presiding Officer must make arrangements for the election to take place by secret ballot.</u>	New Standing Order This is the same provision as for the election of the Presiding Officer. If only one candidate is nominated, but they are objected to, a secret ballot must be held. The same is the case if there is more than

		one candidate.
<u>17.2J</u>	<u>If two Members have been nominated, the chair must declare elected the Member who has secured the greater number of votes cast in the ballot. If there is an equality of votes between the two candidates, a further secret ballot must take place.</u>	New Standing Order In a two-member contest, the Member who secures the greatest number of votes is elected.
<u>17.2K</u>	<u>If more than two Members have been nominated, Members must vote by ranking as many candidates as they wish in order of preference. If no Member receives more than half the first preferences in a ballot, the candidate who has received the smallest number of first preferences must be excluded and their votes distributed among the remaining candidates according to the next preferences. This process of exclusion and distribution must be repeated until one candidate obtains more than half the votes cast. If there is an equality of votes between the two remaining candidates a further secret ballot must take place.</u>	New Standing Order If there are more than two candidates, voting is by ranking candidates in order of preference 1,2,3 etc. Members would not have to rank all candidates if they did not want to. Where no candidate secures over half the first preference votes cast, the candidate who has received the smallest number of first preference votes is excluded and their second preferences re-distributed. This process continues until one candidate has received over half the votes cast.
	<u>Committee Chairs: Resignation, Removal and Vacancy</u>	New sub-heading
<u>17.2L</u>	<u>A committee chair may resign by giving notice in writing to the Business Committee.</u>	New Standing Order This is the same as the existing provision for committee members generally.

<p><u>17.2M</u></p>	<p><u>Any committee may resolve that its chair be removed from office, but such a resolution may only have effect if it is:</u></p> <ul style="list-style-type: none"> (i) <u>supported by a majority of the members voting in committee, comprising members not all belonging to the same political group;</u> (ii) <u>subsequently endorsed by the Assembly on a motion tabled by a member of the committee.</u> 	<p>New Standing Order</p> <p>This new Standing Order provides for the removal of a chair. It reflects provision in the House of Commons by requiring any motion of no confidence to have the support of the majority of a committee, comprising of members of more than one group. It is considered appropriate that any motion of no confidence subsequently be endorsed by a vote of the whole Assembly, as it was the Assembly that elected the chair in the first place. There is no restriction on a chair removed in this way standing again in a future election to the same post.</p>
<p><u>17.2N</u></p>	<p><u>The chair of a committee may not participate in a vote on a motion under Standing Order 17.2M, and Standing Order 17.37 does not apply to such motions.</u></p>	<p>New Standing Order</p> <p>This new Standing Order prevents a chair from participating in a vote on the question of whether they should be removed from office, and dis-applies Standing Order 17.37 both in relation to chairs' right to vote and their use of the casting vote. If there were a tied vote on a motion under</p>

		17.2M, the motion would fail on account of there not being a majority for it.
<u>17.2O</u>	<u>Any motion proposed under Standing Order 17.2M(i) must be considered by the committee as soon as possible, and should take priority over any other committee business.</u>	New Standing Order This new Standing Order makes clear that a committee must consider any motion to remove the chair as soon as possible, thereby protecting the committee against the chair blocking such a motion.
<u>17.2P</u>	<u>The position of chair becomes vacant when the Member concerned:</u> <ul style="list-style-type: none"> (i) <u>resigns in accordance with Standing Order 17.2L ;</u> (ii) <u>is removed from office in accordance with Standing Order 17.2M;</u> (iii) <u>is elected chair of another committee;</u> (iv) <u>ceases to be a Member; or</u> (v) <u>joins or leaves a political group.</u> 	New Standing Order This new Standing Order mirrors the provision for committee members more generally under Standing Orders 17.11 and 17.12, with the additional provision that a chair becomes vacant if the occupant is elected chair of another committee. This therefore prevents the same Member from being chair of more than one committee at the same time.
<u>17.2Q</u>	<u>The position of chair becomes vacant if the Assembly agrees a motion under Standing Order 17.2A to change the political group from which the chair of the committee may be elected,</u>	New Standing Order If the Assembly agrees to change the political group from which a committee

	<u>in accordance with Standing Order 17.2R.</u>	chair may be elected, that chair automatically becomes vacant.
<u>17.2R</u>	<p><u>Where the position of chair becomes vacant, the Business Committee:</u></p> <p>(i) <u>must consider the effects of that vacancy on the balance of committee chairs between political groups;</u></p> <p>(ii) <u>may, having regard to that consideration, table a motion under Standing Order 17.2A proposing to change the political group from which the chair of the committee on which the vacancy occurred may be elected;</u></p> <p>(iii) <u>may, having regard to that consideration, also table one or more motions under Standing Order 17.2A proposing to change the political group from which the chair of any other committee may be elected.</u></p>	<p>New Standing Order</p> <p>This Standing Order sets out similar provisions to those of Standing Order 17.13 in relation to a vacancy among the other members of a committee.</p> <p>It allows the Business Committee to propose changing the allocation of committee chairs in the event that a vacancy results in a change to the political balance of the Assembly.</p>
<u>17.2S</u>	<u>A vacancy in the position of a committee's chair must be filled via an election under Standing Orders 17.2E - 17.2K.</u>	<p>New Standing Order</p> <p>A vacancy would be filled in the same way as the original chair was elected.</p>
<u>17.2T</u>	<u>Standing Orders 17.2A to 17.2S may be disapplied by a resolution of the Assembly (provided that, if the motion for the resolution is passed on a vote, it has no effect unless at least two-thirds of those voting support it) in relation to a specified committee on a motion tabled by the Business Committee. If</u>	<p>New Standing Order</p> <p>This proposed Standing Order allows the Assembly to disapply the process of electing chairs in the case of a specific committee, if</p>

	<u>the Standing Orders are disappplied, Standing Orders 17.3 to 17.16 apply to all members of the specified committee and the relevant motion under Standing Order 17.3 must also propose the chair.</u>	Business Committee so proposes.
	Membership of Committees	Retain sub-heading
17.3	The Assembly must consider a motion tabled by the Business Committee to agree the <u>remaining</u> membership and chair of each committee established by a resolution of the Assembly, and alternate members for the responsible committee under Standing Order 22.	Amend Standing Order Consequential change, as these procedures would apply only to the members of a committee other than the chair.
17.4	In tabling a motion under Standing Order 17.3, the Business Committee must have regard to the need to ensure that the balance of chairs across committees reflects the political groups to which Members belong.	Delete Standing Order These provisions would be covered by Standing Order 17.2B above.
17.5	No amendment may be tabled to a motion under Standing Order 17.3.	Retain Standing Order
17.6	No motion to agree the <u>remaining</u> membership of a committee under Standing Order 17.3 can be passed unless:	Amend Standing Order Consequential change, making clear that the chair is included in the calculation of the

	<ul style="list-style-type: none"> (i) the <u>total</u> membership reflects (so far as is reasonably practicable) the balance of the political groups to which Members belong; and (ii) (if the motion for it is passed on a vote), at least two-thirds of the Members voting support it. 	political balance of a committee.
17.7	<p>If a motion to agree the <u>remaining</u> membership of a committee under Standing Order 17.3 is not passed, the Assembly must consider a motion tabled by the Business Committee to determine the size of the committee, and the political group from which the chair of the committee will be appointed; places on that committee must be allocated in accordance with the operation of sections 29(3) to (7) of the Act as modified in accordance with Standing Order 17.8.</p>	<p>Amend Standing Order Consequential change, as the allocation of chairs would happen under a separate motion.</p>
17.8	<p>If in respect of any place to be allocated on a committee in accordance with section 29(3) to (7) of the Act:</p> <ul style="list-style-type: none"> (i) the number of Members belonging to two or more political groups is the same and exceeds the number belonging to any other political group; or 	Retain Standing Order

	<p>(ii) the number produced by the operation of section 29(6) of the Act is the same for two or more political groups and is greater than that so produced for any other political group, the Presiding Officer must determine to which political group that place is to be allocated.</p>	
17.9	<p>If places on any committee are to be allocated to a political group in accordance with Standing Order 17.3 or 17.7, it is for that political group to determine the names of: (i) the Members allocated from the group <u>other than the chair</u>; and (ii) the chair, where that political group holds the chair.</p>	<p>Amend Standing Order Consequential change, as chairs would be elected separately.</p>
17.10	<p>Any motion under Standing Order 17.3 or 17.7 must (so far as is reasonably practicable, having regard to the total number of places on committees) ensure that:</p> <p>(i) every Member who does not belong to a political group is offered a place on at least one committee; and</p>	<p>Retain Standing Order</p>

	<p>(ii) the total number of places on committees allocated to Members belonging to each political group is at least as great as the number of Members belonging to the political group.</p>	
17.11	<p>A vacancy occurs on a committee when a Member, <u>other than the chair</u>:</p> <ul style="list-style-type: none"> (i) resigns from the committee by notifying the Business Committee; (ii) is removed from the committee by a resolution of the Assembly; (iii) is elected chair of that committee by the Assembly; (iv) ceases to be a Member; or (v) ceases to be a member of the committee in accordance with Standing Order 17.12. 	<p>Amend Standing Order Consequential change, as chairs would be elected separately.</p>
17.12	<p>A Member ceases to be a member of a committee if he or she joins or leaves a political group.</p>	<p>Retain Standing Order</p>
17.13	<p>When a vacancy occurs on a committee, the Business</p>	<p>Amend Standing Order</p>

	<p>Committee:</p> <ul style="list-style-type: none"> (i) must consider the effect of that vacancy on the membership of that committee and of any other committee; (ii) must, having regard to that consideration, table a motion under Standing Order 17.3 proposing changes to the membership of the committee on which the vacancy occurred; and (iii) may, having regard to that consideration, also table one or more motions under Standing Order 17.3 proposing changes to the membership of any other committee; (iv) <u>may, if it considers it appropriate, carry out any of its functions under Standing Order 17.2R with regard to the effects of that vacancy on the balance of committee chairs between political groups.</u> 	<p>The proposed amendment enables the Business Committee to change the allocation of party chairs, if a vacancy among other members makes it appropriate to do so. This could happen, for example, where a vacancy that has arisen under Standing Order 17.12 has led to a change in the balance of political groups.</p>
17.14	<p>If a political group informs the Business Committee that it wishes to change its representation on a committee, the</p>	<p>Retain Standing Order</p>

	Business Committee must table a motion to give effect to that proposal.	
17.15	If the effect of a motion referred to in Standing Order 17.13(ii) or 17.14 is only to fill the vacancy with a Member from the same political group, then Standing Order 17.6(ii) does not apply.	Retain Standing Order
17.16	Any question arising under Standing Orders 17.6 and 17.10 must be determined by the Presiding Officer.	Retain Standing Order
	Chairs	Retain sub heading
17.21	Each committee must, subject to Standing Order 17.22, be chaired by the Member appointed to that role in accordance with Standing Orders 17.3, 17.7, 17.9 and 17.14 <u>17.2E or 17.2T.</u>	A consequential amendment is required to take account of the new procedure for electing chairs.

CONSEQUENTIAL CHANGE

12.16	The categories of business that may be taken at a plenary	Amend Standing Order
-------	---	-----------------------------

	<p>meeting without notice, with the agreement of the Presiding Officer, include:</p> <ul style="list-style-type: none">(i) statements by the Presiding Officer, by a member of the government or by the Commission about any matter within its responsibility;(ii) introduction of new Members;(iii) obituary tributes to former Members and others;(iv) elections, nominations or appointments by the Assembly, <u>including motions under Standing Order 17.2A</u>;(v) personal statements;(vi) any urgent debate proposed by a Member under Standing Order 12.69;(vii) procedural motions under Standing Order 12.31;	<p>The amendment adds motions under 17.2A, which determine from which party the chair of a committee may be elected, to the items that can be taken without notice in Plenary. This will prevent any unnecessary delay in moving to elect a chair once a committee has been established.</p>
--	--	--

	<p>(viii) points of order relating to the conduct of business; and</p> <p>(ix) any other matters as the Presiding Officer considers appropriate.</p>	
--	--	--

Annex B

STANDING ORDER 17 – Operation of Committees

General

- 17.1 Standing Order 17 applies to every committee of the Assembly other than where disapplied by another Standing Order.
- 17.2 Any Member may table a motion to give specific or general instructions to any committee.

Chairs of Committees

- 17.2A For each committee established by a resolution of the Assembly, the Assembly must consider a motion tabled by the Business Committee to agree the political group from which the chair of the committee will be elected.
- 17.2B In tabling a motion under Standing Order 17.2A, the Business Committee must have regard to the need to ensure that the balance of chairs across committees reflects the political groups to which Members belong.
- 17.2C No amendment may be tabled to a motion under Standing Order 17.2A.
- 17.2D No motion under Standing Order 17.2A can be passed unless (if the motion for it is passed on a vote), at least two-thirds of the Members voting support it.

Election of committee Chairs

- 17.2E For each committee established by a resolution of the Assembly, the Assembly must elect a Member as chair of that committee.
- 17.2F At a meeting of the Assembly in plenary, the Presiding Officer must invite nominations. Only a Member from the political group specified in the relevant motion under Standing Order 17.2A may be nominated, and only a Member of the same group may make the nomination.

17.2G A nomination from a political group with more than 20 members must be seconded by a member of that group.

17.2H Where nominations for the chairs of more than one committee are being taken at the same meeting of the Assembly, no Member may be nominated for more than one of those chairs.

17.2I If there is only one nomination, the Presiding Officer must propose that the Member nominated be elected as chair of the committee. If that is opposed, or if there are two or more nominations, the Presiding Officer must make arrangements for the election to take place by secret ballot.

17.2J If two Members have been nominated, the chair must declare elected the Member who has secured the greater number of votes cast in the ballot. If there is an equality of votes between the two candidates, a further secret ballot must take place.

17.2K If more than two Members have been nominated, Members must vote by ranking as many candidates as they wish in order of preference. If no Member receives more than half the first preferences in a ballot, the candidate who has received the smallest number of first preferences must be excluded and their votes distributed among the remaining candidates according to the next preferences. This process of exclusion and distribution must be repeated until one candidate obtains more than half the votes cast. If there is an equality of votes between the two remaining candidates a further secret ballot must take place.

Committee Chairs: Resignation, Removal and Vacancy

17.2L A committee chair may resign by giving notice in writing to the Business Committee.

17.2M Any committee may resolve that its chair be removed from office, but such a resolution may only have effect if it is:

- (i) supported by a majority of the members voting in committee, comprising members not all belonging to the same political group;
- (ii) subsequently endorsed by the Assembly on a motion tabled by a member of the committee.

17.2N The chair of a committee may not participate in a vote on a motion under Standing Order 17.2M, and Standing Order 17.37 does not apply to such motions.

17.2O Any motion proposed under Standing Order 17.2M(i) must be considered by the committee as soon as possible, and should take priority over any other committee business.

17.2P The position of chair becomes vacant when the Member concerned:

- (i) resigns in accordance with Standing Order 17.2L ;
- (ii) is removed from office in accordance with Standing Order 17.2M;
- (iii) is elected chair of another committee;
- (iv) ceases to be a Member; or
- (v) joins or leaves a political group.

17.2Q The position of chair becomes vacant if the Assembly agrees a motion under Standing Order 17.2A to change the political group from which the chair of the committee may be elected, in accordance with Standing Order 17.2R.

17.2R Where the position of chair becomes vacant, the Business Committee:

- (i) must consider the effects of that vacancy on the balance of committee chairs between political groups;
- (ii) may, having regard to that consideration, table a motion under Standing Order 17.2A proposing to change the political group

from which the chair of the committee on which the vacancy occurred may be elected;

- (iii) may, having regard to that consideration, also table one or more motions under Standing Order 17.2A proposing to change the political group from which the chair of any other committee may be elected.

17.2S A vacancy in the position of a committee's chair must be filled via an election under Standing Orders 17.2E – 17.2K.

17.2T Standing Orders 17.2A to 17.2S may be disapplied by a resolution of the Assembly (provided that, if the motion for the resolution is passed on a vote, it has no effect unless at least two-thirds of those voting support it) in relation to a specified committee on a motion tabled by the Business Committee. If the Standing Orders are disapplied, Standing Orders 17.3 to 17.16 apply to all members of the specified committee and the relevant motion under Standing Order 17.3 must also propose the chair.

Membership of Committees

17.3 The Assembly must consider a motion tabled by the Business Committee to agree the remaining membership of each committee established by a resolution of the Assembly, and alternate members for the responsible committee under Standing Order 22.

17.4 *[Standing Order removed by resolution of the Assembly on XX]*

17.5 No amendment may be tabled to a motion under Standing Order 17.3.

17.6 No motion to agree the remaining membership of a committee under Standing Order 17.3 can be passed unless:

- (i) the total membership reflects (so far as is reasonably practicable) the balance of the political groups to which Members belong; and
- (ii) (if the motion for it is passed on a vote), at least two-thirds of the Members voting support it.

17.7 If a motion to agree the remaining membership of a committee under Standing Order 17.3 is not passed, the Assembly must consider a motion tabled by the Business Committee to determine the size of the committee, and places on that committee must be allocated in accordance with the operation of sections 29(3) to (7) of the Act as modified in accordance with Standing Order 17.8.

17.8 If in respect of any place to be allocated on a committee in accordance with section 29(3) to (7) of the Act:

- (i) the number of Members belonging to two or more political groups is the same and exceeds the number belonging to any other political group; or
- (ii) the number produced by the operation of section 29(6) of the Act is the same for two or more political groups and is greater than that so produced for any other political group, the Presiding Officer must determine to which political group that place is to be allocated.

17.9 If places on any committee are to be allocated to a political group in accordance with Standing Order 17.3 or 17.7, it is for that political group to determine the names of the Members allocated from the group other than the chair.

17.10 Any motion under Standing Order 17.3 or 17.7 must (so far as is reasonably practicable, having regard to the total number of places on committees) ensure that:

- (i) every Member who does not belong to a political group is offered a place on at least one committee; and
- (ii) the total number of places on committees allocated to Members belonging to each political group is at least as great as the number of Members belonging to the political group.

17.11 A vacancy occurs on a committee when a Member, other than the chair:

- (i) resigns from the committee by notifying the Business Committee;
- (ii) is removed from the committee by a resolution of the Assembly;
- (iii) is elected chair of that committee by the Assembly;
- (iv) ceases to be a Member; or
- (v) ceases to be a member of the committee in accordance with Standing Order 17.12.

17.12 A Member ceases to be a member of a committee if he or she joins or leaves a political group.

17.13 When a vacancy occurs on a committee, the Business Committee:

- (i) must consider the effect of that vacancy on the membership of that committee and of any other committee;
- (ii) must, having regard to that consideration, table a motion under Standing Order 17.3 proposing changes to the membership of the committee on which the vacancy occurred; and
- (iii) may, having regard to that consideration, also table one or more motions under Standing Order 17.3 proposing changes to the membership of any other committee;
- (iv) may, if it considers it appropriate, carry out any of its functions under Standing Order 17.2R with regard to the effects of that vacancy on the balance of committee chairs between political groups.

17.14 If a political group informs the Business Committee that it wishes to change its representation on a committee, the Business Committee must table a motion to give effect to that proposal.

17.15 If the effect of a motion referred to in Standing Order 17.13(ii) or 17.14 is only to fill the vacancy with a Member from the same political group, then Standing Order 17.6(ii) does not apply.

17.16 Any question arising under Standing Orders 17.6 and 17.10 must be determined by the Presiding Officer.

Chairs

17.21 Each committee must, subject to Standing Order 17.22, be chaired by the Member appointed to that role in accordance with Standing Orders 17.2E or 17.2T.

Consequential changes

- 12.16 The categories of business that may be taken at a plenary meeting without notice, with the agreement of the Presiding Officer, include:
- (i) statements by the Presiding Officer, by a member of the government or by the Commission about any matter within its responsibility;
 - (ii) introduction of new Members;
 - (iii) obituary tributes to former Members and others;
 - (iv) elections, nominations or appointments by the Assembly, including motions under Standing Order 17.2A;
 - (v) personal statements;
 - (vi) any urgent debate proposed by a Member under Standing Order 12.69;
 - (vii) procedural motions under Standing Order 12.31;
 - (viii) points of order relating to the conduct of business; and
 - (ix) any other matters as the Presiding Officer considers appropriate.