

Guide to Plenary

October 2018



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Contents

01. Plenary Meetings	1
Time and location	1
Plenary business.....	1
Order of Proceedings	1
Records and Reports of Plenary proceedings	1
ICT in the Siambr.....	2
Electronic voting	2
Siambr microphones	2
Siambr earpieces.....	2
Use of audio-visual material in proceedings	2
02. Conduct of debate in the Siambr	2
Plenary Chair	2
Temporary Chair	3
Temporary Presiding Officer	3
Speaking in the Siambr	3
General principles	3
Time limits.....	4
Interventions.....	4
Points of order.....	4
03. Organisation of Plenary Business	4
Background.....	4
Categories of Plenary business	4
Government business	4
Assembly business.....	5
Allocation of time between Government and Assembly business	5
The Assembly Timetable	5
Business Statement and Announcement.....	5
Plenary Agenda	6
04. Types of Plenary Business	6
Motions and amendments	6
General principles	6
Motions	6
Amendments.....	6
Tabling motions and amendments	7

Indicating support for motions and amendments.....	7
'Named Day' motions and 'No Named Day' motions	7
Selection and marshalling of amendments	7
Amendments not selected.....	7
De-selection of amendments	7
Marshalling amendments	8
Moving motions and amendments in Plenary	8
Motions and amendments formally moved	8
Motions and amendments not moved.....	8
Withdrawing motions and amendments.....	8
Withdrawing motions and amendments before they are moved	8
Withdrawing motions and amendments after they have been moved	8
Grouping motions or amendments for debate	9
Motions without notice	9
Procedural motions.....	9
Legislative motions and amendments.....	9
Motions of no confidence or removal.....	10
Welsh Ministers	10
Presiding Officers	10
Assembly Commissioners.....	10
Other Assembly appointments.....	10
Motions to suspend Standing Orders.....	11
Decisions on motions and amendments – voting	11
Voting and voting time	11
The Bell.....	11
Electronic voting	11
Voting by show of hands	12
Voting by roll call	12
Use of the casting vote	12
The validity of a vote	12
Restrictions on voting	12
Debates	13
Types of debate	13
Timing and structures of debates.....	13
Individual Member debates	14
Short Debates	14

Structure of the Short Debate.....	14
Legislative Debates	14
Structure of a Stage 1 debate	15
Structure of a Stage 3/Report Stage debate	15
Stage 4 – Final Stage	16
Royal Assent.....	16
Oral questions	16
Background	16
Timetable for oral questions.....	16
Tabling oral questions	17
Question time proceedings in Plenary	17
Timing for questions.....	17
Supplementary questions	17
Number of supplementary questions.....	17
Leaders’ questions.....	18
Spokespeople’s Questions	18
Grouped questions	18
Closed questions.....	18
Answers to questions	18
Withdrawing questions	19
Questions not asked	19
Questions not reached	19
Written Questions	19
Oral statements	19
Types of oral statement.....	19
Notice of oral statements	19
Timing and length of oral statements.....	19
Questions on oral statements.....	20
Interventions on oral statements.....	20
Personal statements.....	20
Written statements.....	20
Urgent business.....	20
Urgent oral questions.....	20
Criteria for urgent oral questions.....	20
Timing for urgent oral questions	21
Supplementary questions to urgent oral questions.....	21
Grouped urgent oral questions.....	21

Urgent debates.....21
The urgent debate itself21

01. Plenary Meetings

Time and location

01. Plenary meetings take place in the Siambr, the Assembly's debating chamber, each Tuesday and Wednesday afternoon in weeks when the Assembly is sitting¹. Plenary meetings usually begin at 13.30 and are always held in public.
02. Plenary meetings can be attended by all Assembly Members and provide one of the key mechanisms for Members to hold the Welsh Government and Assembly Commission to account, make laws for Wales and represent their constituents.
03. Members of the public are welcome to sit in the public gallery and observe Plenary; seats can be booked up to three weeks in advance and pre-booking is advisable to guarantee a seat (e-mail contact@assembly.wales or call the Booking Line on 0300 200 6565).
04. It is also possible to watch all Plenary meetings live on <http://www.senedd.tv> or via the televisions provided on the Assembly estate.

Plenary business

05. Business taken at Plenary meetings includes:

- motions for debate and / or decision, and any related amendments;
- oral questions to the First Minister, Welsh Ministers, Counsel General and Assembly Commissioners;
- statements; and
- legislative proceedings.

Each of these is explained in more detail in **Section 4** below.

Order of Proceedings

06. The Assembly's procedures are governed by its Standing Orders. These rules take account of any relevant provisions set out in the Government of Wales Act 2006.

Records and Reports of Plenary proceedings

07. All business in Plenary is recorded and reported in accordance with Standing Orders. The full report of Plenary proceedings is known as 'the Record of Proceedings' or simply 'the Record'.
08. The Record is published within 24 hours of the end of the meeting. It includes a signposting tool to relevant sections of [senedd.tv](http://www.senedd.tv), and can be accessed on the Assembly website.
09. A summary of business conducted at each meeting can be found in the 'Votes and Proceedings' document, which is usually published within 30 minutes of the end of each meeting. It includes details of oral questions asked, and the results of votes on motions and amendments. A detailed 'Vote Summary' – showing how each Member voted on particular items (or whether they voted at all) – is also usually published within 30 minutes of the meeting ending.

¹ If no Plenary meeting is timetabled for a particular date or time, such as during periods of recess, the Presiding Officer may, at the request of the First Minister, summon the Assembly to consider a matter of urgent public importance.

ICT in the Siambr

- 10.** The Siambr is an electronic debating chamber. A dedicated computer system operates in the Siambr and all information relevant to Plenary proceedings is accessible via each Member's individual computer. Members also have full access to the rest of their ICT system in the Siambr.
- 11.** In the same way, all the information required by the Presiding Officer to chair a Plenary session is provided electronically on their computer in the Siambr.

Electronic voting

- 12.** Most voting in the Siambr takes place electronically. More information on the electronic voting system can be found in paragraphs 100 – 103.

Siambr microphones

- 13.** A static microphone is attached to each Member's desk in the Siambr. The microphones are used for recording and broadcasting Plenary, amplifying sound in the Siambr and enabling simultaneous translation.

Siambr earpieces

- 14.** All Members are provided with earpieces which can be used to amplify the sound in the Siambr or listen to the simultaneous translation service.

Use of audio-visual material in proceedings

- 15.** The ICT facilities in the Siambr provide Members the opportunity to use audio-visual material during proceedings. Members can use the screens in the Siambr to show films or electronic presentations of relevance to that particular item of business.

02. Conduct of debate in the Siambr

- 16.** The rules of conduct and debate in the Siambr are governed by Standing Orders. The key principles are:
- Members must at all times in their conduct promote respect for the Assembly and extend respect and courtesy to other Members;
 - Members must comply with any directions given by the Presiding Officer about conduct and order in Plenary meetings.

Plenary Chair

- 17.** Plenary meetings are chaired by the Presiding Officer and Deputy Presiding Officer. They must chair impartially, ensuring that order is maintained at all times and that the rights of all Assembly Members are protected. The Presiding Officers will:
- ensure that business is handled on the basis of equality and fairness to all political groups and Members;
 - maintain order, calling Members at their discretion whilst ensuring that the interests of all Members are treated equally;

- discipline any disorderly Assembly Members or members of the public, in accordance with Standing Orders, which allow the Presiding Officer to exclude Members from Assembly proceedings if necessary;
- determine whether business is in order, responding to any points of order raised by Assembly Members (see paragraphs 32 – 33);
- interpret any Standing Orders relevant to proceedings, and if necessary rule on how they should be applied; and
- conduct all Plenary votes.

Temporary Chair

- 18.** Any Member other than a member of the government may, at the request of the Presiding Officer or Deputy, temporarily chair the meeting. Precedent since 2007 has been for an Assembly Commissioner to chair on such occasions.
- 19.** Standing Orders allow a Temporary Chair to chair consecutive items, and to ‘ask the question’ that a motion be voted on at the end of a debate. However a Temporary Chair is not 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 Presiding Officer or Deputy returned to the Chamber.

Temporary Presiding Officer

- 20.** If both the Presiding Officer and Deputy Presiding Officer are unable to act for a sustained period of time (that is, for longer than would be suitable for a temporary chair to chair Plenary), the Assembly may elect a Temporary Presiding Officer.
- 21.** The election of a Temporary Presiding Officer usually takes place at the beginning of a Plenary meeting. If either Presiding Officer is present at the beginning of the meeting, they will chair the election. If neither is able to act, the election is chaired by the Clerk.
- 22.** Any Member elected as a Temporary Presiding Officer may exercise all functions of the Presiding Officer.

Speaking in the Siambr

General principles

- 23.** All Members are permitted to speak in Plenary and are called at the discretion of the Presiding Officer. Members wishing to contribute to proceedings inform the Presiding Officer in advance.
- 24.** Members may speak only when called to do so by the Presiding Officer and only one Member may speak at a time. Members called to speak may either stand or sit in their places and must address the Presiding Officer rather than other Members.
- 25.** A Member may not speak when the Presiding Officer is speaking, and if they wish to speak on an item of business they must be present in the Siambr throughout that item.
- 26.** Any Member using disorderly language will be called to order by the Presiding Officer and must follow any directions given by the Presiding Officer about their conduct. Usually the Presiding Officer will ask the Member to withdraw or rephrase the remarks considered disorderly, and apologise if appropriate.

27. Members may speak in Welsh or English. Simultaneous translation services are provided for Members via their earpieces in the Siambr.

Time limits

28. During most items of business, Members are given time limits on their contributions which are set by the Presiding Officer according to the type of business.

29. The Siambr clock times each speaker, turning red to indicate that the Member is out of time.

Interventions

30. A Member who is speaking may give way to another Member who wishes to intervene. The purpose of interventions is to clarify any comments made by the speaking Member. There is no right of intervention and the Member speaking does not have to give way.

Points of order

31. A point of order concerning the rules of Assembly procedure can be raised by any Member at any time during Plenary proceedings, with the Presiding Officer's consent. The purpose is to seek clarification from the Presiding Officer regarding the interpretation of Standing Orders and the rules of the Assembly.

32. The Presiding Officer will rule on a point of order at his or her discretion, and may indicate that he or she will refer to the Record of Proceedings and respond at a later date.

03. Organisation of Plenary Business

Background

33. Business taken in Plenary meetings is scheduled by the Business Committee.

34. The Business Committee is chaired by the Presiding Officer and its members are the Minister responsible for Government business and a Business Manager from each of the other groups represented in the Assembly. The Committee normally meets in private each Tuesday morning to comment on proposals for the organisation of Government business, and to determine the organisation of Assembly business in Plenary for the three weeks ahead.

35. More information on the role and operation of the **Business Committee** can be found on the Assembly's website².

Categories of Plenary business

36. Standing Orders define two categories of Plenary business: Government business and Assembly business.

Government business

37. Government business includes:

- oral questions (other than oral questions to the Assembly Commission);
- statements by a member of the government;

² <http://www.assembly.wales/SeneddBusiness>

- legislation where the Member in Charge of the legislation is a member of the government; and
- any motion tabled by a member of the government;
- any urgent debate proposed by a member of the government;

Assembly business

38. Assembly business includes all items of business except those outlined above. Examples include:

- committee reports;
- legislation where the Member in Charge of the legislation is not a member of the government;
- Short Debates; and
- any motion tabled by a Member who is not a member of the government.

Allocation of time between Government and Assembly business

39. To ensure the fair allocation of Plenary time between the consideration of Government and Assembly business, Standing Orders state that, in an Assembly year, the aggregate of time allocated to them must be in the proportion of 3:2 respectively. Government business must usually be taken first.

The Assembly Timetable

40. In accordance with Standing Orders, the Business Committee publishes a timetable, for periods of no less than six months, which must include the following:

- outline of timetables of plenary meetings;
- times available for committee meetings;
- times available for meetings of political groups;
- recesses; and
- dates for questions for oral answer by the First Minister, Welsh Ministers, the Counsel General and the Assembly Commission.

41. The timetable is published on the Assembly website.³

Business Statement and Announcement

42. The Business Statement and Announcement outlines Plenary business for a three-week period. The first week contains the agreed business for the following week's Plenary meetings. The two subsequent weeks are provisional lists of business and are subject to change.

43. The Business Statement and Announcement is made in Plenary by the Minister responsible for Government business each week. Members are permitted to ask questions on the Business Statement and Announcement. This is an opportunity for Members to request that the Government makes a statement or holds a debate in the Siambur on a matter of concern to the Member.

³ http://www.assembly.wales/en/bus-home/Pages/assembly_timetable.aspx

Plenary Agenda

- 44.** A detailed listing of all items of business can be found in the Plenary Agenda prepared for each meeting. The Agenda lists all business in the order of consideration, and includes links to any documents which have been identified as relevant to the business.
- 45.** The Plenary Agenda is usually published a week in advance of the meeting, and can be updated at any time up until the relevant Plenary meeting starts, or even during the meeting itself. If a change is made to a Plenary Agenda, a new version number will be allocated to the relevant Agenda and re-published on the Assembly website.

04.Types of Plenary Business

Motions and amendments

General principles

- 46.** Motions are a mechanism for obtaining a decision from the Assembly, or proposing a particular course of action. Motions, if agreed, become resolutions of the Assembly.
- 47.** Most motions are subject to amendment unless Standing Orders state otherwise. The purpose of an amendment may be to modify a motion to increase its acceptability to the Assembly, or to present to the Assembly a different proposition to the original motion.

Motions

- 48.** Standing Orders state that business in Plenary meetings must proceed on the basis of motions proposed, except for:
- statements;
 - introduction of new Members;
 - obituary tributes to former Members and others;
 - oral questions (including topical and emergency questions);
 - urgent debates; and
 - proceedings relating to the Short Debate.
- 49.** In effect, this means that most items on the Plenary Agenda, with the exception of questions and statements, will normally be the subject of a motion.

Amendments

- 50.** Amendments may be proposed to most motions. Amendments will usually propose that:
- a. certain words are removed from a motion;
 - b. certain words within a motion are replaced with others; or
 - c. new words are inserted or added to the motion.
- 51.** Any amendments must be within the scope of the subject of the original motion.

Tabling motions and amendments

52. Except where Standing Orders provide otherwise (see paragraphs 77 - 79 on motions without notice), a motion may be tabled by any Member and must be tabled at least 5 working days before it is to be debated.
53. Likewise, except where Standing Orders state otherwise, amendments must be tabled at least three working days before the motion is debated.
54. The admissibility of a motion or amendment – that is, its acceptability as a piece of business – is a matter for the Presiding Officer.

Indicating support for motions and amendments

55. Motions can be tabled in the name of one or more Members. Any Member can indicate their support for a motion or an amendment by adding their name to it after it has been tabled. This must be done by the end of the working day before the relevant business is due to be considered in Plenary.

'Named Day' motions and 'No Named Day' motions

56. Although Standing Orders make no distinction between them, motions may be tabled as either 'Named Day' motions or 'No Named Day' motions. This is an established convention to distinguish agreed business (that is, business which the Business Committee has noted / agreed) from other proposed business (that is, business any Member wishes to put forward for debate or consideration but has yet to be allocated Plenary time by the Business Committee).
57. A motion is designated a 'Named Day' motion where a debate on that motion has been scheduled in the Business Statement and Announcement. A motion where a date for debate has not yet been agreed would be designated as a 'No Named Day' motion.
58. Although a 'No Named Day' motion may be tabled at any time, it cannot be debated in Plenary until the normal notice period for the motion in question has expired.

Selection and marshalling of amendments

59. In accordance with Standing Orders, amendments are selected for debate in Plenary by the Presiding Officer.

Amendments not selected

60. Whilst an amendment may be admissible when tabling, the Presiding Officer may decline to select it where he or she considers that the proper conduct of business makes it appropriate to do so.
61. When such a decision is taken, this information will be published on the Plenary Agenda and the amendment will be marked as "not selected". The Member who tabled the amendment will be informed of the Presiding Officer's decision and the amendment will not be debated in Plenary.

De-selection of amendments

62. Amendments which have been selected for debate and moved in Plenary may subsequently be de-selected by the Presiding Officer. An amendment would normally be de-selected if it, once agreed, would contradict a decision which the Assembly had already made on the motion or other amendments, or lead to an illogical motion. For example, if an amendment which deletes Point 1 of a motion is agreed, any subsequent amendments to Point 1 of the motion will be de-selected.

63. When it is clear that a certain decision on an amendment would lead to the de-selection of another, this information is published on the Plenary Agenda.

Marshalling amendments

64. The Presiding Officer is permitted by Standing Orders to determine the order in which amendments are taken in Plenary. This is referred to as “marshalling” amendments.

65. The order in which amendments will be taken is noted on the Plenary Agenda.

Moving motions and amendments in Plenary

66. When the relevant item of business is reached on the Plenary Agenda, the Presiding Officer will call the Member who is to propose – or “move” – the motion. Generally, motions can be moved by any Member, subject to the following exceptions:

– general principles on the organisation of business apply – e.g. only members of the government can move motions in the name of the Welsh Government, and members of the relevant political groups will move motions tabled in the names of their political groups.

– certain Standing Orders require that particular Members move specific motions – e.g. Annual budget motions can only be moved by a Welsh Minister.

67. Amendments are moved in the order in which they appear on the Plenary Agenda – that is, the order in which they have been marshalled (see paragraphs 64 – 65 for more information on marshalling amendments).

68. Members are usually permitted to speak when moving a motion or amendment. The allocation of timings for Members to speak on various types of motions and amendments is determined by the Presiding Officer.

Motions and amendments formally moved

69. If Members do not wish to speak to a motion or amendment they are permitted to move it “formally”. In practice, this means that they do not speak to the motion or amendment when invited by the Presiding Officer to speak. Instead, they would usually say “formally”.

Motions and amendments not moved

70. Members may choose not to move a motion or amendment. If they choose to do so, this should be made clear to the Siambur when speaking to the motion or amendment.

Withdrawing motions and amendments

Withdrawing motions and amendments before they are moved

71. A Member can withdraw his or her motion or amendment before it is moved by giving notice to the Table Office. A motion or amendment can be withdrawn at any point before it is moved, although custom and practice is for the Table Office to be given at least 2 hours’ notice. In practice, this means that a motion or amendment can be withdrawn during a Plenary meeting. If this happens, Members will be informed by Table Office and it will be noted on the Plenary Agenda, if time permits.

Withdrawing motions and amendments after they have been moved

72. It is not possible to withdraw a motion or amendment which has been moved during a Plenary meeting unless all Members agree, in accordance with Standing Orders. Once moved, a motion or

amendment is deemed to be “in the possession” of the Assembly and thus requires the Assembly’s permission to be withdrawn.

- 73.** If a Member proposes to withdraw a motion or amendment after he or she has moved it, the Presiding Officer will put the question to the Assembly that it be withdrawn. If any Member objects to the withdrawal, the motion or amendment is not withdrawn and must be put to the vote.

Grouping motions or amendments for debate

- 74.** Standing Orders allow the Presiding Officer to propose that motions be grouped for debate. Motions are grouped if they are sufficiently similar. Any decision taken by the Presiding Officer to propose that motions be grouped for debate will be noted on the Plenary Agenda in advance of the meeting. The same arrangements can be made to group amendments.
- 75.** If the Presiding Officer proposes to group motions or amendments for debate the question will be put to the Assembly that they be grouped. If any Member objects to the grouping, the motions must be debated separately.

Motions without notice

- 76.** Certain types of motions may be taken without the usual 5 day notice, where stated in Standing Orders. This includes business which is listed under the category of business which may be taken without notice and which proceeds on the basis of a motion: elections, nominations or appointments by the Assembly; and procedural motions. The Presiding Officer’s agreement is required for any business to be taken without notice.

Procedural motions

- 77.** In accordance with Standing Orders, procedural motions can be taken without notice and take precedence over all other business. Procedural motions include:
- the postponement, extension or adjournment of an item of business;
 - the closure of a debate;
 - the referral of a matter to a committee; or
 - any other matter as the Presiding Officer deems appropriate.
- 78.** The Presiding Officer is permitted to allow a Member to speak briefly in favour of any procedural motion, and another Member to speak briefly against, and must then invite the Assembly to agree the motion. If there is any objection, the motion is put to the vote immediately.

Legislative motions and amendments

- 79.** Most legislation is considered at least once in Plenary during the course of its passage through the Assembly: Bills of the Assembly, consent motions relating to UK Parliament Bills, and subordinate legislation subject to the affirmative procedure are all considered at least once in the Siambr. Further information on the consideration of legislation by the Assembly can be found on the Assembly website⁴.

⁴ <http://www.assembly.wales/en/bus-home/bus-legislation/Pages/bus-legislation.aspx>

Motions of no confidence or removal

Welsh Ministers

- 80.** Standing Orders provide for motions of no confidence to be tabled in relation to the Welsh Ministers as a whole. If such a motion is passed then the government must resign. There is no such provision for a motion that would require an individual Minister to resign. Although motions of no confidence have been tabled and debated in relation to individual Ministers, these have no legal effect and the Minister in question would not have to resign if such a motion was passed.
- 81.** A motion noting that the Welsh Ministers no longer enjoy the confidence of the Assembly must be tabled by at least 6 Members. If such a motion is tabled, Standing Orders require time to be made available as soon as possible for the motion to be debated. In any event, such a debate must take place within five working days of the motion having been tabled.
- 82.** If any such motion is agreed in Plenary, all Welsh Ministers must resign in accordance with section 48(5) of the Government of Wales Act 2006.

Presiding Officers

- 83.** Standing Orders permit the tabling of a motion proposing the removal of a Presiding Officer or Deputy Presiding Officer from office.
- 84.** A motion proposing that the Presiding Officer or Deputy Presiding Officer be removed from office must be tabled by at least 6 Members. If such a motion is tabled, Standing Orders require time to be made available as soon as possible for the motion to be debated. In any event, such a debate must take place within five working days of the motion having been tabled.
- 85.** If any such motion is agreed in Plenary, the office of Presiding Officer or Deputy, as the case may be, is immediately vacant.

Assembly Commissioners

- 86.** Standing Orders provide that any Member may table a motion proposing that a particular Member (other than the Presiding Officer who holds his or her post as chair of the Commission by virtue of being Presiding Officer) be removed from the Assembly Commission.
- 87.** The allocation of time in Plenary to debate a motion of this kind would be a matter for the Business Committee to decide.
- 88.** If any such motion is agreed in Plenary, that Member is removed from the Commission with immediate effect.

Other Assembly appointments

- 89.** In accordance with Standing Orders, where the Assembly may, under any enactment, remove from office the holder of a relevant office, that removal from office is (subject to any conditions imposed by that enactment) to be made by resolution of the Assembly in Plenary.
- 90.** A motion proposing that any such office holder be removed must be tabled by at least 6 Members. If such a motion is tabled, Standing Orders require time to be made available as soon as possible for the motion to be debated. In any event, such a debate must take place within five working days of the motion having been tabled.

Motions to suspend Standing Orders

- 91.** It is possible to suspend any Standing Order (or part thereof) for a specific purpose and in respect of a particular day. Standing Orders are sometimes suspended in order to bring forward an item of business to be considered by the Assembly at short notice.
- 92.** Any Member may table a motion to suspend a Standing Order (or part thereof), however it must be tabled not less than one working day before it is to be considered by the Assembly in Plenary.
- 93.** The Presiding Officer may permit such a motion to be proposed without notice if he or she is satisfied that to do so would not be an abuse of the Assembly's procedures or an infringement of the rights of minorities in the Assembly.
- 94.** A motion to suspend Standing Orders is only valid if at least two-thirds of Members voting support it.

Decisions on motions and amendments – voting

- 95.** The purpose of any motion or amendment is to obtain a decision from the Assembly. This is done by voting. Standing Orders require Members to cast their votes individually and in person but they are not obliged to vote.

Voting and voting time

- 96.** Decisions (or votes) on motions and amendments may be taken immediately after they are debated or may be deferred until a designated time or particular point on the Plenary Agenda (usually referred to as "Voting Time"). Voting Time for each Plenary meeting is agreed by Business Committee at its weekly meeting.
- 97.** In accordance with Standing Orders, at the end of proceedings on an item of business, the Presiding Officer must invite the Assembly to agree any question necessary to dispose of the business. If no Member objects, the business is deemed agreed by the Assembly (referred to as "agreed on the nod"). If any Member objects, the business is deferred until Voting Time, when a recorded vote is taken electronically.
- 98.** The only exception to this rule occurs if the Business Committee decides to allocate a time or point during the day's Plenary business at which the relevant vote is to be taken. This will be marked on the Plenary Agenda in advance of the meeting.

The Bell

- 99.** Before a vote is taken, if at least 3 Members so request, the bell must be rung to alert Members to the fact that a vote is about to take place. In accordance with Standing Orders, five minutes after the bell began ringing, the vote or votes must be taken.

Electronic voting

- 100.** If a vote is required, such votes are usually taken electronically and are therefore recorded individually.
- 101.** At the base of the computer there is a slot for a card which identifies each Member. There are also three buttons:
 - **Green:** to vote in favour
 - **White:** to abstain

– **Red:** to vote against

102. Members are requested to vote by the Presiding Officer. Members vote by pressing the button of their choice. The results are shown on display screens in the Siambur at the end of each vote. Once the vote is closed it is not possible for the Member to change the vote cast.

103. All voting results are published after the meeting in the Votes and Proceedings and the Record of Proceedings. A Vote Summary is also published containing the full details of how each Member voted on each item of business.

Voting by show of hands

104. If the electronic voting system fails for any reason, the Presiding Officer may decide to run the vote by show of hands. This is provided that no more than two Members object. Should a vote by show of hands occur, all Members in favour of the motion or amendment will be asked to raise their right hand and keep it raised until notice is given. The Clerk will count those voting in favour. All Members who are against the motion will be asked to raise their hands in the same manner next, followed by all those who wish to abstain.

Voting by roll call

105. Alternatively, the Presiding Officer may choose to conduct the vote by roll call, in alphabetical order of all Members present. All Members will be called and asked in turn if they are in favour or against the motion or amendment, or wish to abstain. The Clerk will record the result of the vote(s).

106. If more than two Members object to a show of hands, then the vote would have to be taken by roll call.

Use of the casting vote

107. In accordance with Standing Orders, should a decision on a motion or amendment result in a tie, the Presiding Officer must use their casting vote. This is referred to as a “casting vote”.

108. Where there is an equality of votes, the casting vote by the Presiding Officer must be given:

- a. in the affirmative where further discussion of the matter before the Assembly is possible; and
- b. in the negative where further discussion is not possible or where there is a vote on an amendment.

The validity of a vote

109. In accordance with Standing Orders, a vote is not valid unless at least 10 Members participate. If there are fewer than 10 Members present to participate, that business must be held over and the Presiding Officer will make arrangements for the vote to be taken at another time.

Restrictions on voting

110. The Presiding Officer and Deputy Presiding Officer may only vote in Plenary when:

- a. a casting vote is required (see paragraphs 108 – 109 for information on the use of the casting vote); and

- b. legislation requires a resolution or motion to be passed on a vote in which the number of Members voting in favour is not less than two-thirds of the total number of Assembly seats (that is, 40 out of 60 Members).

111. In accordance with Standing Orders, any Member who is required to declare a formal interest in a matter before taking part in any Assembly proceedings must not vote on any item of business which relates to that matter.

Debates

112. Debates are one of the most frequent items of business on the Plenary Agenda and proceed on the basis of motions and amendments (see paragraphs 46 – 51 on motions and amendments).

Types of debate

113. Many types of debate are brought forward in Plenary, including:

- Government debates;
- Opposition group debates on a topic of their choice;
- Committee debates relating to a report published by the committee;
- Debates proposed by individual Members other than members of the government; and
- Legislative debates.

Timing and structures of debates

114. Other than in the case of government debates, the time allocated for all other types of debates and their frequency are determined by the Business Committee.

115. Other than government debates, the subject of debates are not included in the Business Statement and Announcement, but are published a week beforehand when the relevant motion is tabled.

116. A typical debate begins with a Member moving the motion and introducing the topic. Who moves the motion depends on the type of debate. For example, a Welsh Minister would introduce a government debate and the Chair of a committee would normally introduce a debate on a report produced by that committee.

117. If a Member has tabled an amendment to the motion, they are invited to move their amendment and explain why they are asking the Assembly to amend the original motion. The Presiding Officer will then call other Members who have requested to speak on the topic.

118. In practice, most motions and amendments are tabled in advance by the Business Managers of each political group, but are often moved in the Siambur by the group member who has responsibility for the policy portfolio that the motion or amendment relates to.

119. In debates other than government debates, the Minister may participate, and usually responds as the penultimate speaker to the points raised by Members. Finally, the Member who introduced the debate makes their closing remarks to the Assembly.

120. At the end of a debate, the Presiding Officer asks the Assembly to agree the motion. If any Member objects, the motion must be put to the vote. Members may be asked to vote immediately, or may be asked to do so at a designated 'voting time' (see paragraphs 95 – 98 for more information on decisions on motions and amendments).

Member debates

- 121.** Member debates proceed on the basis of motions, like all other debates.
- 122.** There are two main mechanisms set out in Standing Orders by which these debates can be brought forward. Any Member who is not a member of the government may table a 'No Named Day' motion and encourage other individual Members to add their names in support. The Business Committee would then decide whether to allocate time for the motion to be debated. Alternatively, the Presiding Officer can hold a ballot to determine the name of Member(s) who may be allocated time for a motion in their name to be debated.
- 123.** In practice these two mechanisms are rarely used, and instead, to encourage motions from individual Members the Business Committee will, usually once every half-term, schedule a Member Debate and invite all individual Members to table a motion for debate. To be eligible for consideration, a motion must be tabled or supported by at least three Members representing two different groups. The Business Committee then selects one motion for debate from amongst the eligible ones tabled.

Short Debates

- 124.** Short Debates differ from other debates as they proceed on the basis of a topic as opposed to a tabled motion. As such, they do not require a decision by the Assembly in the form of a vote.
- 125.** Any Member, other than a member of the government, may be selected from a ballot held by the Presiding Officer and may then put forward a topic for general debate on a topic of interest or a constituency matter.

Structure of the Short Debate

- 126.** In accordance with Standing Orders, the Member who succeeded in the ballot will open the debate and speak for their allocated time.
- 127.** The Member may permit other colleagues to contribute within this allocation of time for a maximum of 1 minute each. If the Member intends to allow others to contribute, he or she should announce this at the beginning of the debate and is responsible for ensuring that enough time within the allocation is left for the contributing Member(s).
- 128.** Standing Orders state that a Minister (or a Commissioner if the matter falls within the responsibilities of the Assembly Commission) may respond to the debate. There is no requirement for the Welsh Government (or the Assembly Commission) to reply, but it is common practice for them to do so.

Legislative Debates

- 129.** The Assembly may make laws, known as Acts of the National Assembly for Wales. Proposed Acts are known as Bills; and a Bill becomes an Act of the Assembly when it has been passed by the Assembly in Plenary and has received Royal Assent.
- 130.** There is generally a four-stage process for the consideration of a Bill involving:
- Stage 1 – The Bill is typically given to a specific committee to consider. The committee typically asks people what they think the Bill should do, holds meetings to discuss the Bill with experts and members of the public, and produces a report of their findings. All 60 Members then debate the general principles of the Bill in Plenary, and vote on whether they agree with its general principles (if they do not, the Bill does not progress any further).;

- Stage 2 – Individual Members propose amendments to the wording of the Bill, which are then debated and voted on in Committee;
- Stage 3 – Individual Members propose amendments to the wording of the Bill, which are then debated and voted on in Plenary;
- Stage 4 – a vote by the Assembly in Plenary to pass the final text of the Bill.

131. There is an optional, additional amending stage, called the Report stage, which can take place between stages 3 and 4, if proposed by the Minister or Member in Charge and agreed by the Assembly.

132. The timetable for the committee stages of the Bill's consideration is agreed by the Business Committee.

Structure of a Stage 1 debate

133. The Minister or Member in Charge will open the debate and speak for their allocated time.

134. The Chair of the responsible committee will always speak during a Stage 1 debate on a Bill. The speech will usually summarise the committee's final report on the Bill and highlight key findings and recommendations.

135. The Chairs of the Finance Committee and Constitutional and Legislative Affairs Committee may also speak if those Committees have reported on the Bill.

136. Amendments may be tabled to a motion to agree the general principles of a Bill. However the Presiding Officer has indicated that amendments will only be selected for debate if they are worded so that, if the motion as amended were agreed to, it would not cast any doubt on whether the Assembly had agreed to the general principles of the Bill. Time is given for movers of amendments to speak, followed by contributions from any other backbench Member.

137. The Minister or Member in Charge will close the debate and speak for the remainder of their allocated time.

Structure of a Stage 3/Report Stage debate

138. Stage 3 proceedings consist of the moving and disposal of those amendments selected for debate. The debate follows the order of the Groupings List, while votes on amendments are taken in the order the amendments appear on the Marshalled list.

139. For each group of amendments the debate takes the following form:

- a. Presiding Officer calls the proposer of the lead amendment (the first in the group) to move their amendment and speak to it and the other amendments in the group;
- b. Presiding Officer invites proposers of other amendments in the group to speak to their amendment and the others in the group (these amendments are not moved at this Stage, but will be called when the time comes to vote on them);
- c. Presiding Officer invites other Members to speak on the amendments in the group;
- d. Presiding Officer invites the Minister or Member in Charge of the legislation to comment;
- e. Presiding Officer invites the proposer of the lead amendment to respond to the debate.

- 140.** The Presiding Officer will then 'put the question' that the lead amendment be agreed. If no Member objects the amendment is agreed to. If any Member does object the Presiding Officer will call an immediate electronic vote.
- 141.** Once a group of amendments has been debated and the lead amendment agreed or not agreed, the Presiding Officer will move onto the next amendment in the Marshalled List. This could either be the lead amendment in the next group of amendments, or an amendment that has already debated in a previous group.

Stage 4 – Final Stage

- 142.** After completion of Stage 3 (or Report Stage) proceedings in Plenary, any Member may table a motion that the Bill be passed. Such a motion may not be considered until at least five working days after the completion of Stage 3 (or Report Stage) proceedings. Alternatively, with the agreement of the Presiding Officer, any Member may move without notice that the Bill be passed immediately after the completion of Stage 3 (or Report Stage) proceedings.

Royal Assent

- 143.** If there is no legal challenge within four weeks of Members agreeing to the final text of the Bill, the Queen will formally agree to make the Bill into an Act of the Assembly (this is known as 'Royal Assent').
- 144.** A Bill receives Royal Assent when 'Letters Patent under the Welsh Seal signed with Her Majesty's own hand signifying Her Assent' are notified to the Clerk.
- 145.** Upon a Bill receiving Royal Assent, the Presiding Officer will make an announcement to that effect during Plenary at the next available opportunity.

Oral questions

Background

- 146.** Assembly Members may table Assembly Questions for oral answer in Plenary to the First Minister, Welsh Ministers, the Counsel General and the Assembly Commission about any matter falling within their areas of responsibility. Oral Questions are answered during a designated Question Time in Plenary.
- 147.** Questions and answers are published in the Assembly's official Record of Proceedings. Oral questions are one of the most important ways in which Members can hold the Welsh Government and Assembly Commission to account.

Timetable for oral questions

- 148.** In accordance with Standing Orders the First Minister answers questions each week, whilst Welsh Ministers and the Counsel General answer questions on a four week rotation. Questions to the Assembly Commission also take place once every four weeks, in accordance with the Assembly timetable.
- 149.** If the First Minister, Welsh Minister or Counsel General is unable to answer oral questions on a day when he or she would normally do so, Standing Orders permit another Welsh Minister to answer those questions.

Tabling oral questions

- 150.** The Presiding Officer conducts a ballot to determine the names of Members who may table questions for a designated Question Time. Each Member may enter their name into the ballot once for the First Minister and twice for other Ministers. Group Leaders cannot enter the ballot for questions to the First Minister as there is a dedicated time set aside for group Leaders to ask questions without notice to the First Minister, normally after the second tabled question has been asked.
- 151.** The Member selected must then table his or her oral question at least five working days before the question is due to be answered. Questions must relate to the responsibilities of the Minister concerned. A computer randomly selects the order in which the questions are to be asked in Plenary and they are published on the Assembly website.
- 152.** There is no ballot for questions to the Assembly Commission and the Counsel General; any Member wishing to table a question may do so.

Question time proceedings in Plenary

- 153.** During Question Time the relevant Member is called to ask their tabled question in the order listed on the Plenary Agenda. The Member will read out the text of their question and will be provided with an oral answer from the Minister or Commissioner.

Timing for questions

- 154.** The indicative time allocated for oral questions will appear on the Business Statement and Announcement. However, Standing Orders set out the following maximum times:
- a. the First Minister answers oral questions for a maximum of 60 minutes (since 19 February 2013, the Government has allocated 45 minutes to Questions to the First Minister);
 - b. the Welsh Ministers and Counsel General answer oral questions for a maximum of 45 minutes;
 - c. the Assembly Commission answers oral questions for a maximum of 30 minutes.
- 155.** By convention, individual oral questions are allocated four minutes each. This is an indicative timing and, depending on the number of Members requesting to ask supplementary questions, may be allowed to run beyond 4 minutes at the Presiding Officer's discretion.

Supplementary questions

- 156.** Once the Minister (or Commissioner) has replied, the Presiding Officer must call the Member to ask one other question which is related to their tabled question.
- 157.** Other Members may also be called to ask a related supplementary question, i.e. a question on the same subject as the original question, at the Presiding Officer's discretion. The Minister replies to each supplementary question in turn.

Number of supplementary questions

- 158.** Generally, a Member is permitted to ask one supplementary question. By convention, a Member who is the group spokesperson for a particular field (e.g. Economy and Transport) is permitted to ask two supplementary questions to the Minister responsible for that subject.

Leaders' questions

159. There is a dedicated time for leaders' questions after the second tabled question to the First Minister is answered each week. Each leader of the opposition groups is permitted to ask one question to the First Minister, followed by two supplementaries. The order in which the leaders are called from week to week is rotated. No other Member may ask a supplementary question during this time.

Spokespeople's Questions

160. As of September 2014, during Ministerial question time, group Spokespeople are given an opportunity to ask "Spokespeople's Questions" after the second tabled question, again on a rota basis. Each opposition group spokesperson can ask one question to a portfolio Minister (or Deputy Minister) followed by two additional supplementary questions. No other Members are permitted to ask supplementary questions during spokespeople's questions.

Grouped questions

161. When two or more tabled questions are similar the Presiding Officer may allow those questions to be grouped together for answer. It is a matter for the Minister or Commissioner answering the question to make this request to the Presiding Officer.

162. The Presiding Officer will call the Member to ask the first question of the grouping. This is the question which appears first on the Plenary Agenda. The Minister or Commissioner will normally reply by noting that the Presiding Officer has given his or her permission to group the question for answer and proceeds to give a response. The Member who tabled the first question of the grouping will then be invited to ask his or her supplementary. Other tabled questions which have been grouped for answer are not read aloud but the Members who tabled them are called to ask their supplementary questions subsequently.

163. When two or more questions have been grouped, the time allotted for each question will be added together.

Closed questions

164. Closed questions are questions which refer to a specific area or region of Wales. The Presiding Officer will normally only call other Members who represent the constituency or region mentioned in the question to ask supplementary questions.

165. By convention, group Leaders or spokespersons may be called to ask supplementary questions on closed questions, even if they do not represent the region or constituency in question. They are expected, however, to ensure that their supplementaries relate directly, in geographic terms, to the tabled question.

Answers to questions

166. The answer given by a Minister or Commissioner to any tabled question or supplementary question is a matter for them. The Presiding Officer will not normally rule on their content.

167. Although questions cannot be tabled to Deputy Welsh Ministers, they may answer questions on behalf of a Welsh Minister on any matter on which they assist. In accordance with previous rulings, arrangements for allocating responsibilities for answering questions to a Deputy Welsh Minister are a matter for the Welsh Government, not the Presiding Officer.

Withdrawing questions

168. Questions originally tabled for oral answer may be withdrawn by the tabling Member at any time before the start of the Plenary meeting in which they are due to be answered.

Questions not asked

169. If a tabled question was not withdrawn before the relevant Plenary meeting, but is not asked for any reason, it becomes a question “not asked”.

Questions not reached

170. In accordance with Standing Orders, where any tabled oral question is not reached, the Member must receive a written answer on the same day. The written answer is published in the Record of Proceedings.

Written Questions

171. Members can also table questions specifically for written answer. There is no limit on the number of written questions a Member can table. All written answers are published in the Record of Proceedings. Written questions do not form any part of Plenary proceedings.

Oral statements

Types of oral statement

172. In accordance with Standing Orders, oral statements may be made by the following individuals:

- a. the Presiding Officer;
- b. a member of the Welsh Government;
- c. a member of the Commission about any matter coming within the responsibilities of the Commission; and
- d. any other Member, where the subject matter of the statement relates to a function of the Assembly for which they are responsible, with the agreement of the Presiding Officer (this could include, for example, an introductory statement on a piece of Member proposed legislation by the Member in Charge of that legislation).

173. The Business Statement and Announcement is another specific type of oral statement. For detailed information about this, see paragraphs 41 – 42.

Notice of oral statements

174. In accordance with Standing Orders, statements by the Presiding Officer, a member of the Welsh Government or the Assembly Commission can be made without notice. In practice, this means that they can be added to the Plenary Agenda at any point. This contrasts to the notice required for debates or decisions on motions which require five days’ notice (unless the relevant Standing Order is suspended – see paragraph 91 – 94 for information on the suspension of Standing Orders).

Timing and length of oral statements

175. Statements are usually allocated a maximum time on the Plenary Agenda. However, it has become usual practice for statements not to exceed 1000 words or 10 minutes in order to allow sufficient time for Members to question the Member delivering the statement.

Questions on oral statements

- 176.** The Presiding Officer may permit questions to be asked of a Member making a statement.
- 177.** Group spokespeople will normally be called first to ask questions, followed by any other Member who has indicated a desire to speak. Members are called at the Presiding Officer's discretion.
- 178.** Individual contributions are not subject to an allocated time limit. Accepted practice has developed whereby group spokespeople are permitted to give a short preamble before their questions are asked. Other speakers should ask a maximum of two questions and those questions should be succinct.

Interventions on oral statements

- 179.** By convention, Members should not normally intervene on a Member who is delivering a statement.

Personal statements

- 180.** In accordance with Standing Orders, the Presiding Officer may allow a Member to make a personal statement subject to receiving written notice of their intention to do so in advance.
- 181.** Personal statements must be brief and factual. Standing Orders also specify that personal statements cannot be subject to debate. In practice, this means that no other Member can be called to contribute to any such item of business.
- 182.** In practice, personal statements have been a rare occurrence and have previously been made, for example, when Members have crossed the floor or resigned as a committee chair.

Written statements

- 183.** Written statements can be issued by the Government or the Commission on any matter within their respective responsibilities.
- 184.** All written Ministerial statements are published on the Assembly's website alongside the Record of Proceedings. Written statements issued by the Government are also published on the Government's website.

Urgent business

Urgent oral questions

- 185.** In accordance with Standing Orders, Members may apply to the Presiding Officer to ask urgent oral questions to Ministers or Commissioners. These questions are taken without notice and are subject to different tabling rules to ordinary oral questions.

Criteria for urgent oral questions

- 186.** In accordance with Standing Orders, a question will be deemed urgent if the Presiding Officer believes it is of urgent public importance that the question is asked.
- 187.** If an urgent question were tabled that relates to Assembly Commission functions, the decision on whether it is of urgent public importance is taken by the Deputy Presiding Officer as opposed to the Presiding Officer. This is to ensure that there is no conflict of interest as a consequence of the Presiding Officer's role as Chair of the Commission. No such urgent questions have been tabled thus far.

Timing for urgent oral questions

- 188.** Urgent questions can be taken during Plenary at any time determined by the Presiding Officer but Standing Orders require that the Presiding Officer is given at least two hours notice. In practice, urgent questions are normally taken at the end of oral question time.
- 189.** Urgent questions do not have allocated time under Standing Orders but the practice is that an indicative timing of 10 minutes was allocated for all urgent questions.

Supplementary questions to urgent oral questions

- 190.** Members may be called to ask supplementary questions once the Minister has replied to the urgent question as tabled. Members are called at the Presiding Officer's discretion and will normally be allowed only one supplementary.

Grouped urgent oral questions

- 191.** Precedent exists for urgent oral questions to be grouped for answer. When two or more urgent oral questions are grouped, the indicative 10 minutes allotted for each question will be added together.

Urgent debates

- 192.** Urgent debates are permitted in Plenary meetings on a proposal by any Member, subject to the procedure and requirements outlined in Standing Orders. Urgent debates may be held on matters within the Welsh Government's or the Assembly Commission's responsibilities.
- 193.** A Member must apply to the Presiding Officer for an urgent debate on a topic. For the application to proceed, the Presiding Officer must be satisfied that the issue is of urgent public importance. If the Presiding Officer agrees, the Member must then make the case for a debate to the whole Assembly; and the debate will only go ahead if the Assembly agrees to it.

The urgent debate itself

- 194.** Urgent debates take place on a particular matter, and not on a motion. No motion needs to be tabled for such debate to proceed and, as such, no vote is taken at the end of the debate. Urgent debates are intended for discussion rather than decision.
- 195.** The proposing Member will open any urgent debate. Other Members who wish to speak will normally be called at the Presiding Officer's discretion. The relevant Minister or Commissioner will be called as the penultimate speaker, before the proposing Member closes the debate.

