

# **Guidance on the proper conduct of Assembly business**

Issued by the Llywydd under  
Standing Order 6.17

March 2020

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## **Guidance on the proper conduct of Assembly Business**

Issued by the Presiding Officer under [Standing Order 6.17](#) following consultation with the Business Committee

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## General Provisions: Tabling and Laying

### Admissibility of Business

01. The Presiding Officer is the final authority as to the acceptability of business but in practice delegates this authority to the Table Office. The Table Office's decision to refuse to accept an item of business is subject to appeal to the Presiding Officer. There is no formal process for appeals. Members should contact the Presiding Officer directly if they are not satisfied with a decision by the Table Office.

### Tabling Procedures

02. Business must be tabled either through the Table Office System or on designated forms, available on the intranet or from the Table Office, which may be tabled in person or emailed to the Table Office inbox ([tableoffice@assembly.wales](mailto:tableoffice@assembly.wales)).
03. If any one item of business is tabled in the names of more than one Member, each Member included on the form must either approve the co-submitted item through the Table Office System; sign a hard copy of the form and hand it to the Table Office or send a copy via email to the Table Office inbox.
04. Members may authorise another Member or a member of their staff to table business on their behalf. Table Office should be notified of any authorisation, and will maintain a list of any authorisation given. Table Office will ensure access to the Table Office System will be given to anyone authorised to table on behalf of a Member as soon as possible.

### English and Welsh

05. Any document laid or business tabled by the Presiding Officer, the Commission, the government, any committee or the Chief Executive and Clerk of the Assembly, must be laid or tabled in both English and Welsh, so far as is appropriate in the circumstances and reasonably practicable. ([SO15.4](#))

### Notice Periods

06. [Standing Orders](#) specify notice periods for the tabling of certain items of business. The following notice periods must apply unless Standing Orders provide otherwise:

- I. **Oral Questions**: Questions to the First Minister must be tabled at least three working days before they are to be answered; questions to Ministers, the Counsel General and the Commission must be tabled at least five working days before they are to be answered ([SO12.59](#));
- II. **Written Questions**: At least five working days before they are to be answered ([SO14.3](#));
- III. **Motions**: At least five working days before they are to be debated ([SO12.20](#));
- IV. **Amendments**: At least three working days before the motion is to be debated ([SO12.22](#)); and
- V. **Adding a name to a motion or amendment**: Any time up until the end of the working day before it is due to be considered in Plenary ([SO12.21 and SO12.22\(ii\)](#)).

*NB different rules apply to amendments to Bills. For further information please contact the clerking team supporting the Bill in question.*

07. **Standing Orders** provide that a working day is any day unless it is:
  - I. A Saturday or a Sunday;
  - II. Christmas Eve, Christmas Day, Maundy Thursday or Good Friday;
  - III. A day which is a bank holiday in Wales; or
  - IV. A day appointed for public thanksgiving or mourning.
08. In practice, this means that to be considered at a Tuesday Plenary meeting, a motion must be received in Table Office during its agreed office hours no later than the previous Tuesday. An amendment to this motion must be received in Table Office during its agreed office hours no later than the previous Thursday. Where a bank holiday etc. intervenes, this deadline will change.
09. The receipt, by the Clerk (in practice the Table Office), of any document or business on a working day during its agreed office hours (including receipt by electronic means) constitutes (as the case may be) the laying of the document or the tabling of the business ([SO15.5](#)). The Presiding Officer has ruled that it is



the time of receipt by Table Office, and not the time any business was sent, that must be considered. Any business received outside the agreed office hours is recorded as if it had been tabled or laid on the following working day.

### **Declaration of Financial Interests**

10. It is an offence under [Section 36 of the Government of Wales Act 2006](#) for Members to take part in any Assembly proceedings without complying with the provisions of [Standing Order 2](#) relating to registering and declaring interests. [Standing Order 13.8A and 17.24A](#) also require Members to declare relevant interests relating to them or any family member which could reasonably be thought by others to influence Member's contribution. When tabling business, Assembly Members should therefore declare any interest they have in the matter concerned. Space is provided on the relevant forms. Business tabled with a declaration of relevant interest is marked with an [R] on the order paper. If Members are in any doubt they should seek advice from the Table Office or the Registrar of Members' Interests.

### **Withdrawal of Business**

11. Business may be withdrawn by the Member or those authorised to table on behalf of the Member, by giving notice to the Table Office either in person or by e-mail. The following rules apply:

- I. [Motions](#) can be withdrawn at any point before they are moved, although Table Office should be given notice of at least two hours.
- II. The Table Office will notify Assembly Members of any such withdrawals forthwith by electronic means. If a withdrawal has not been made, a Member may consider (as an alternative) that the motion or amendment may not be moved. Once a motion or amendment has been moved it can only be withdrawn with the unanimous agreement of the Assembly.
- III. Once Members have added their name to a motion or amendment they, or those authorised to table on their behalf, may withdraw it either in person or by e-mail at any point before it is moved, although Table Office should be given notice of at least two hours.
- IV. Withdrawing Oral Questions is detrimental to the Assembly's ability to scrutinise Ministers, and Members therefore should only do so where they

cannot attend Plenary due to unforeseen or unavoidable circumstances. The Presiding Officer will expect Members to provide an explanation of the reason for withdrawal. Oral Questions can only be withdrawn before the start of Plenary. Any requests to withdraw after this point cannot be accepted by Table Office and the question will instead be 'not asked'.

On receiving notice of the withdrawal of an oral question, the Table Office will confirm receipt to the sender, and notify the Welsh Government's Cabinet Division as well as Chamber Secretariat and the Record of Proceedings.

If the question is withdrawn before the start of Plenary, the question will be shown as being withdrawn on the published list of questions.

V. *Written Questions* may be withdrawn at any time during Table Office opening hours before the day they are due for answer. Written questions cannot be converted for oral answer.

VI. *Statements of Opinion* may be withdrawn by a Member without reference to any of those who have subscribed to it later. However, if a statement is tabled jointly by two or more members, they must all be in agreement if the statement is to be withdrawn. Members may also withdraw their name as subscribers to a statement or any amendment at any time.

## Questions

### Oral and Written Assembly Questions

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#### Introduction

12. [Standing Orders 12 and 14](#) provide for Assembly Members to ask Oral and Written Assembly Questions to the First Minister, a Minister, the Counsel General or the Assembly Commission on any matter relating to their responsibilities. This chapter sets out the purpose, related procedures and the form and content of Assembly Questions.

#### Purpose

13. The purpose of tabling Assembly Questions is to obtain information or press for action. Assembly Questions and answers are published in the Assembly's official [Record of Proceedings](#) and are therefore important ways in which Members can hold the Welsh Government and the Assembly Commission to account.
14. Assembly Questions are not the only means by which Members can obtain information from the Welsh Government. Depending on the nature of the information sought, the Research Service, requests under the [Freedom of Information Act 2000](#) or writing directly to Ministers are all options open to Members. Clerks may consider reminding Members of these alternatives, particularly where questions are out of order.

#### Categories of Questions

15. [Standing Orders](#) provide three avenues for obtaining answers to Assembly Questions:
  - [Questions for oral answer](#) that are tabled with the intention that they should be given an oral answer in the Assembly during designated Question Time in Plenary meetings;
  - [Questions for written answer](#) to which the answers are not given orally in the Assembly but are instead sent in written form directly to the Assembly Member and subsequently published in the Assembly's official Record;
  - [Topical questions](#) are tabled at short notice for oral answer in Plenary but can only be asked if the Presiding Officer is satisfied that it relates to a

matter of national, regional or local significance where an expedited Ministerial response is desirable, and where the subject matter has arisen since the deadline for tabling topical questions the previous week; and

- [Emergency questions](#) are tabled without notice (though 2 hours must pass between the question being tabled and it being asked) for answer in Plenary and can only be asked if the matter is judged by the Presiding Officer to be a matter of urgent national significance which necessitates an immediate response from the government.

### **Procedures – The Role of the Presiding Officer and Table Office**

16. The Presiding Officer is responsible for facilitating the tabling of questions and has discretion as to the admissibility, content and length of questions (see Appendix 1). In practice the Presiding Officer has delegated these functions to the Table Office, though he or she remains the final authority on such matters.
17. Assembly Members are responsible for the form and content of their questions, although Table Office Clerks are available to offer confidential and impartial advice to Members on such matters. Appendix 1 sets out the criteria used by Table Office when considering the admissibility of Assembly Questions. Where a question has been ruled unacceptable, Table Office will explain the reasons why it was ruled out of order, and where possible, provide assistance with amendments to bring the question in order. Minor points of grammar and drafting will be corrected by the Table Office if necessary.

### **Timetable for Oral Questions**

18. The statement and announcement of forthcoming Business made in accordance with [Standing Order 11.11](#) will include the dates and times of forthcoming questions to each Minister, the Counsel General or the Assembly Commission.
19. [Standing Order 12.56](#) provides for the First Minister to answer questions once in each week that the Assembly meets in Plenary and for Ministers, the Counsel General and the Assembly Commission to answer at least once in every 4 weeks that the Assembly meets in Plenary. In practice, questions are taken in a set rotation which, apart from questions to the Commission, is determined by the Welsh Government. The Business Committee schedules the rotation for Commission questions.

20. Table Office will remind Members at the end of each week of the oral question ballots that will be conducted the following week.
21. Specific tabling days are scheduled towards the end of each main recess period so that oral questions can be answered in the first week following a recess. The Table Office will produce a list of dates and times that has been agreed with the Business Committee. The list will be emailed to Members.

### **Number and Order of Questions**

22. There is no limit on the number of Written Questions Members are able to table when the Assembly is sitting.
23. [Standing Order 12.63](#) provides for Members to enter their names into the ballot under [Standing Order 12.61](#) once for oral questions to the First Minister, a particular Welsh Minister or the Counsel General (if they are answering questions in relation to any responsibilities they may have other than those of the government's law officer); Members can remove themselves from the ballot completely if they wish.
24. Party Leaders may not enter their names into the ballot for the First Minister.
25. There is no ballot for questions to the Counsel General (in relation to his or her law officer responsibilities) or Assembly Commission. Any Member may table up to two questions for any scheduled session to the Counsel General (in relation to his or her law officer responsibilities), but only one for the Commission.
26. [Standing Order 12.64](#) specifies how the order in which Oral Questions are answered is determined. In practice, Table Office will ask Members to submit their names in advance of each of the ballots to be held under [SO 12.61](#). Table Office will conduct the ballot(s) and contact, by e-mail, those Members who have been drawn as the top 16 names in each ballot asking them to submit a question by the agreed deadline. Table Office will then conduct a further shuffle to determine the final order of the questions.
27. Only the first 12 questions will go forward for answer and the remaining four questions will fall. The final order of questions is then published on the Assembly's website and Members are notified of the number of their question on the order paper by email, or whether the question was not selected at all. If

12 questions are not tabled to a particular Minister, then any questions received after the published deadline, up until five working days before they are due to be answered, will be added to the list of questions and taken in the order in which they are received.

### **Procedure for Oral Questions in Plenary**

28. The Presiding Officer starts Question Time by calling the name of the Assembly Member whose question is first on the list. The Assembly Member reads the question, which should not differ from the version that was tabled. The Presiding Officer then invites the First Minister, Minister, Counsel General or member of the Commission, as appropriate, to provide an answer.
29. The Presiding Officer has ruled that answers must be succinct. They should not be expanded into statements. Exceptionally, the answer to a question requiring a lengthy answer may be published in the Record of Proceedings instead of being given orally, but those answering should endeavour to provide a helpful short oral answer which refers to the substantive reply being sent to the Member, as well as being made available in the [Record](#).
30. If a Member is not present to ask his or her oral question, the Presiding Officer calls the next question on the agenda. If a Member knows in advance that they will be unable to attend a Plenary meeting to ask a question they have tabled, they should withdraw the question by informing the Table Office.
31. Following an answer, the Presiding Officer invites the Member who asked the original question to ask a follow up question (a supplementary question) that relates to the original question. When the first supplementary question has been answered the Presiding Officer may call other Members to ask related supplementary questions. Decisions on who is called to ask supplementary questions are entirely at the discretion of the Presiding Officer and cannot be challenged.
32. Any oral questions that are not answered during the period allocated for oral questions will receive a written answer on the same day. If all questions are answered before the allocated time is complete, the Presiding Officer will call for the next item on the agenda.

### **Grouping of Questions**

33. There may be occasions where a Welsh Minister or a member of the Commission wishes to give a single reply to more than one question where they are on the same or a closely related topic. This is known as ‘grouping’. For oral questions, grouping is a matter for the person answering the questions to propose, but ultimately for the Presiding Officer to agree. For written questions, only questions from the same Member can be grouped. Table Office is not responsible for the grouping of questions and will not offer any advice on grouping. Any queries regarding grouping will be referred to Chamber Secretariat in the first instance.

### **Transfer of Questions**

34. If officials supporting the Welsh Government consider that a question has been addressed to the wrong Minister they will notify the Member if it is to be transferred and explain why. The decision is not taken in the Table Office. If an Oral Question is transferred the Member will receive a written reply, and loses the chance of receiving an oral answer in Plenary. By convention, questions are not transferred after Table Office’s office hours (as agreed by Business Committee), 2 working days before they are due for answer.
35. When a question is transferred, a formal notice is sent by officials supporting the Welsh Government to the Member and also to the Table Office who will use the information as a precedent to avoid future transfers.

### **Publication of Oral and Written Questions and Answers**

36. Questions are given a unique reference number by the Table Office. The 12 Oral Questions that are chosen in the shuffle are published in the order that they are to be answered. Answers to Oral Questions are published in the Record of Proceedings. Written Questions are published the day after they are tabled and are listed by Ministerial portfolio. Answers to Written Questions are published in the order paper where the related question first appeared.

### **Amendments to tabled questions**

37. Members may make minor typographical amendments to questions tabled for written or oral answer up to one day before the question is due to be answered. Significant amendments that would alter the subject matter or nature of the question will not be accepted.

## Topical Questions

38. [Standing Order 12.68A](#) provides for Members to ask topical questions to a member of the government for which the usual notice has not been given.
39. A topical question may only be asked if the Presiding Officer is satisfied that the question relates to a matter of national, regional or local significance where an expedited Ministerial response is desirable. The Presiding Officer will also expect that the subject matter of the topical question has arisen since the deadline for tabling topical questions the previous week.
40. Business Committee has allocated time for topical questions to be taken immediately after oral questions in Plenary on Wednesday. Members may submit requests for topical questions between 9am on Monday and 10am on Wednesday. In exceptional circumstances, the Presiding Officer may consider requests for topical questions submitted after this deadline if they relate to a matter which has arisen since the 10am deadline. Members can only table one topical question request per week and they are subject to the same rules as to form, content and order as all Assembly questions. While a Member who has tabled a Topical Question may then withdraw it and submit another, the Presiding Officer may give lower priority to Members who do so, especially if other Members have tabled Topical Questions on the same topic.
41. Once an application for a topical question has been made, the Table Office will circulate each request to government officials for information and will notify the Presiding Officer that an application has been made. Decisions on whether or not to accept such requests are entirely at the discretion of the Presiding Officer.
42. If the Presiding Officer is satisfied that the application meets the criteria set out above, and decides to allow the Member to ask the question during the time allocated for topical questions on Wednesday, the Table Office will immediately inform the Member and the government. The government will determine which Minister or Deputy Minister will answer the question. Table Office will also notify all Assembly Members of the topical questions accepted ahead of the relevant Plenary meeting taking place, and the questions will be published to the Plenary agenda.



43. It is up to the Presiding Officer to determine how many topical questions to select within the time allocated. The Presiding Officer does not have to select any question if it did not meet the criteria set out above, even if it were the only question tabled that week.

### **Emergency Questions**

44. Standing Order 12.67 provides for Members to ask an emergency question without notice in Plenary if the Presiding Officer is satisfied that it is of urgent national significance, and relates to a matter which has arisen suddenly and which necessitates an immediate response from the government. The Presiding Officer will decide whether, and at what time, the emergency question may be asked although they would normally be scheduled as the first item of business in Plenary. Under Standing Orders, at least two hours must pass between an application for an emergency question being made and it being asked. Emergency questions are subject to the same rules as to form, content and order as all Assembly questions.
45. Once an application is made, the Table Office will circulate the request to Assembly and government officials for advice and will notify the Presiding Officer that an application has been made. Decisions on whether or not to accept such requests are entirely at the discretion of the Presiding Officer. The Presiding Officer may consult the appropriate member of the government or member of the Commission on the issue of urgent national significance but is not required to do so.
46. If the Presiding Officer is satisfied that the application meets the dual criteria of urgency and national significance, and decides to allow the Member to put the question at the next available Plenary meeting, the Table Office will immediately inform the Member and the appropriate member of the government or member of the Commission. Table Office will also notify all Assembly Members that an emergency question has been accepted.

## Leaders' and Spokespeople's Questions

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### Format

47. The formats for Spokespeople's Questions and Leaders' Questions are very similar, and work as follows:
- during Questions to the First Minister, each opposition group leader will be called to ask questions without notice to the First Minister. The same convention applies to opposition group spokespeople's questions to a portfolio Minister during their oral question time sessions. The number of questions to be asked is at the discretion of the Presiding Officer;
  - leaders' or spokespeople's questions will not be tabled in advance and the leading question will not be published on the agenda, thus allowing them to be on any matter in the case of the First Minister, or any matter within the Minister's or the Leader of the House's portfolio during questions to them;
  - the Plenary agenda will note when leaders or spokespeople will be called to ask their questions – this will generally be after Question 2;
  - spokespeople will remain free to enter the ballot and table a question in the normal way, and to request supplementaries on other tabled questions, although lower priority will be provided to them when being called for supplementaries;
  - leaders may not enter the ballot for First Minister's Questions, but are free to enter all other OAQ ballots.
  - While there is no set time for leaders' and spokespeople's questions, the Presiding Officer expects questions to be short, and, except where there are exceptional circumstances, for spokespeople to use their questions to pursue a broad theme.

### *Rotation*

48. Both Leaders and Spokespeople are called according to a rotation agreed by the Business Committee.

### *Notification of Spokesperson*

49. Party groups' spokespeople portfolios do not correlate exactly with Ministerial portfolios, and so for some OAQ sessions a group may have more than one Member who could potentially fulfil the spokesperson role.
50. The Business Committee agreed that each party could only have one Member fulfil the spokesperson role for any OAQ session; i.e. all questions will have to be asked by the same Member.

### *Deputy Ministers*

51. The general expectation is that spokespeople's questions will be answered by the Minister, unless it is immediately obvious that the questions relate to an area for which the Deputy Minister is responsible. In any case, it is for the Minister and Deputy to decide who responds.

### *Informing the Government*

52. The Business Committee agreed that the government should have advance notice of who will be fulfilling the spokesperson's role for each party during an OAQ session. Following changes to Ministerial Responsibilities in January 2019, the Presiding Officer informed Business Managers that, should Members wish to direct their spokespeople questions to a Deputy Minister, they should discuss this privately with the government or the relevant Minister in advance, and that they should then notify the Presiding Officer through the Plenary Requests mailbox.

### *Substitutions*

53. Where a Member is unable to attend an OAQ session where they would normally fulfil the role of their group's leader or spokesperson on that topic, another Member who does not have specific responsibility for any area of the Minister's portfolio may take their place. The Presiding Officer will only expect such substitutions to happen in the absence of the usual spokesperson(s).

## Statements

### Oral Statements

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#### *Types of oral statement*

54. In accordance with [Standing Order 12.50](#), oral statements may be made by the following individuals:
- the Presiding Officer;
  - a member of the Welsh Government;
  - a member of the Commission about any matter coming within the responsibilities of the Commission;
  - 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 includes, for example, statements by Committee Chairs, and introductory statements on a piece of Member proposed legislation by the Member in Charge of that legislation).
55. The Business Statement and Announcement is another specific type of oral statement. 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.
56. The Business Statement and Announcement is made in Plenary by the Minister responsible for government business each week, in accordance with [Standing Order 11.11](#). 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 Siambr on a matter of concern to the Member, and Members' contributions must be framed in those terms. As for other statements, Members must ask questions, and not make long speeches. Members should not use the BSA to question the Minister on matters relating to the scheduling of non-government business, or other matters which are the responsibility of the Business Committee.

### *Notice of oral statements*

57. In accordance with [Standing Order 12.16](#), 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.

### *Timing and length of oral statements*

58. Statements are usually allocated a maximum time on the Plenary Agenda. 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*

59. In accordance with [Standing Order 12.51](#), the Presiding Officer may permit questions to be asked of a Member making a statement.

60. 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.

61. 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*

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

### *Personal statements*

63. In accordance with [Standing Order 12.52](#), 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.

64. [Standing Order 12.53](#) requires personal statements to be brief and factual. It also specifies 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.

65. In practice, personal statements have been a rare occurrence, though in the Fifth Assembly this Standing Order has been used to enable Members to make '90 second statements', for which time is made available every Wednesday.

### *Statements by committee chairs*

66. Standing Order 12.50 states that statements may be made by either the Presiding Officer, a member of the government or the Commission, or:

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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.

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67. Committee chairs may make a statement under this provision to inform the Assembly of their committee's work and priorities.
68. Statements by committee chairs may serve a different purpose to debates on committee reports, and may, among other things, be used to:
- scope out a committee's inquiry at its outset;
  - scope out a committee's future work programme; and
  - provide an update on a committee's recommendations.
69. It is up to chairs, in consultation with their committees, to decide when they wish to make a statement. Chairs, or clerking teams working on their behalf, will be expected to request time for a statement at least two weeks before it is to be made so that it can appear on the Business Statement and Announcement.
70. The item will normally be allocated 30 minutes.
71. The structure of the statement will be the same as for a government statement: after the statement is made, Members will be allowed questions, with the committee Chair responding to each in turn.
72. While members of the government are free to question the committee Chair like any other Member, no government response is required.
73. As a courtesy to Members, it is normally expected that a copy of the statement, in Welsh and English, is issued to them via email ahead of its delivery.

## 90 Second Statements

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### Structure

74. 90 Second Statements appear as a regular item on Wednesday's Plenary agenda, immediately after questions.
75. The item is allocated 5 minutes in total and Members are able to speak for a maximum of a minute and a half. This will allow at least three Members to be called each week.
76. There is no opportunity for other Members to ask follow-up questions, and no response is required by the government or anyone else.

### Procedure

77. 90 Second Statements will be taken under [Standing Order 12.52 and 12.53](#), which state that the Presiding Officer may allow a member to make a personal statement, and that such statements must be brief, factual, and not subject to debate.
78. Any Member may make a 90 Second Statement on any subject of concern and can be used, for example, to;
  - raise matters of pressing concern to their constituents;
  - draw attention to local issues;
  - mark anniversaries or significant dates;
  - pay tributes.
79. The usual rules of order apply to Member Statements, including sub judice, and contempt of court, and the Presiding Officer will call to order any Member who abuses the privilege of being called to make a statement. As there is no right of reply to a statement, they should not be used for personal attacks on other Members or individuals outside the SiambR who cannot defend themselves, nor as an alternative method of asking questions. Neither should they be used to raise matters which can be appropriately raised via other business procedures; these matters would include subjects relating to Ministerial functions open to scrutiny via alternative means.

### **Requesting a Statement**

80. Requests must be made to the Presiding Officer by noon on the Wednesday that a Member wishes to make the statement.
81. When requesting a statement, Members should indicate briefly the subject matter they intend to speak on. In the event of the item being over-subscribed, the Presiding Officer will use their discretion to select statements based on the information provided.
82. Members will be notified ahead of time if the Presiding Officer intends to call them to make a 90 Second Statement.

### **Use of audio-visual material**

83. Members may use photos or video to accompany their statement, but any such material must not include a sound track.



## Statement on the Draft Budget

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84. [Standing Order 20.8](#) states that a Welsh Minister may make a statement in plenary on the draft budget as soon as possible after the outline budget proposals are laid, and that the statement may be debated.
85. The statement may be debated, rather than be subject to questions only.
86. The Presiding Officer will in the first instance call the Minister to make the statement, which is expected to last up to 15 minutes.
87. The Presiding Officer will then call other speakers in turn. The first speaker from each group will be allocated up to 10 minutes, with subsequent speakers allowed up to 5 minutes [in the usual way](#). While Members won't be confined to only asking questions, their contributions should include a question or questions.
88. The Minister will not be invited to respond to each contribution in turn as would normally be the case on statements, but will be called to respond to all contributions at the end of the item and will be allocated up to 10 minutes to do so.
89. Interventions will be permitted, except for on the Minister when making the initial statement.

## Written statements

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90. In accordance with [Standing Orders 14.6 and 14.7](#), written statements can be issued by the government or the Commission on any matter within their respective responsibilities.
91. All written 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.

## Motions and Amendments

### General

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92. Business in Plenary meetings must proceed on the basis of motions proposed, except for:
- I. statements;
  - II. introduction of new Members;
  - III. obituary tributes to former Members and others;
  - IV. oral questions;
  - V. matters for Urgent Debate; and
  - VI. topics for Short Debate.
93. Except where [Standing Orders](#) provide otherwise, amendments may be proposed to any motion. In general, motions and amendments may be tabled by any Member (although there may be specific exclusions for certain types of motion and amendment – e.g. Annual Budget Motions). [Standing Orders 12.19 to 12.49](#) provide an outline of the main procedures relating to motions and amendments and should be referred to in conjunction with this document.
94. In accordance with [Standing Orders 12.21 and 12.22](#) Members may indicate their support for any motion or amendment by adding their name to it. Any Member wishing to add their name to a motion or amendment must notify Table Office prior to the end of the last working day before that motion or amendment is due to be debated.

### Format

95. All motions and amendments must be submitted either through the Table Office System or on the designated form, available on the Intranet and in hard copy from the Table Office. Names can also be added to a particular motion or amendment through the Table Office System or by using the same designated form.
96. There are no hard and fast rules on the format of motions. However the numbering convention for motions set out in the sample motion below should

be used as far as is reasonably practicable. This format follows the convention previously adopted, and makes it easier to describe which parts of motions are being referred to in any amendments.

### Sample Motion

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To propose that the National Assembly for Wales:

1. this should be the first tier of bullet points within motions; and
  2. the first tier should be numbered:
    - a) this should be the second tier of bullet points within motions; and
    - b) the second tier should be lettered:
      - i) this should be the third tier of bullet points within motions; and
      - ii) the third tier should be numbered in Roman numerals.
- 

### Sample amendment

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In sub-point 2 (b) (ii) after “should” insert “always”.

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### Types of motion: Named/No Named Day

97. Motions will be accepted and published as either “Named Day” or “No Named Day”. A “Named Day” motion is one where a specific date for a debate on the subject of the motion has been included in the statement or announcement of business made in accordance with [Standing Order 11.11](#). “No Named Day” motions are ones where no date for debate has yet been agreed.
98. It should be noted that [Standing Orders](#) makes no reference or distinction between these two types of motion. However, this is an established convention to distinguish agreed business from other proposed business.
99. Although a “No Named Day” motion may be tabled at any time, it cannot be debated until the normal notice period for the motion in question has expired and must in all other ways comply with [Standing Orders](#). Notice periods commence on the day that motions are tabled. Members may especially wish to consider seeking permission from the Business Committee for time to be

allocated to debate a “No Named Day” motion, or, alternatively, submit them for consideration as [Member Debates](#) or [Debates on Members’ Legislative Proposals](#).

100. If the Assembly resolves to defer debate on a “Named Day” motion to another day, amendments tabled in relation to the motion need not to be tabled again and “travel with” the original motion.

### **Refusal of Motions**

101. Subject to the overriding discretion of the Presiding Officer, the Table Office will refuse to accept motions on the following grounds:

- I. if they do not relate to Wales or the functions and powers of the Welsh Government or the Assembly Commission;
- II. if they are in breach of the Assembly’s [Standing Orders](#);
- III. if they are in breach of the [Government of Wales Act 2006](#) (as amended) or any other relevant legal provisions;
- IV. if they contain language considered by the Presiding Officer to be disorderly, discriminatory, offensive or which detracts from the dignity of the Assembly; or
- V. if they bring into question the proper conduct of Assembly business.

102. In addition, motions must not be overly long. The clerks at the Table Office will be able to give advice to Members on all matters concerning the acceptability of a motion.

### **Amending a motion**

103. Except where Standing Orders provide otherwise, Members may propose amendments to any motion. Amendments are tabled in the same way as the original motion.

### **Purpose of Amendments**

104. The object of an amendment may be either to modify a motion in such a way as to increase its acceptability or to present to the Assembly a different proposition as an alternative to the original motion. Amendments must be within the scope of the subject of the original motion. Where they seek to

present a different proposition this should not be a direct negation of the terms of the motion. The proper method of expressing a contrary opinion is by voting against a motion.

105. Amendments may:

- I. leave out certain words;
- II. leave out certain words in order to insert or add others; and
- III. insert or add certain words.

### **Refusal and Selection of Amendments**

106. Acting under the instructions of the Presiding Officer, the Table Office will refuse to accept amendments:

- I. if they do not relate to Wales or the functions and powers of the Welsh Government or the Assembly Commission;
- II. if they are in breach of the Assembly's [Standing Orders](#);
- III. if they are in breach of the [Government of Wales Act 2006](#) (as amended) or other relevant legal provisions;
- IV. if they raise issues tangential to the motion, are irrelevant to the subject matter or outside the scope of the original motion;
- V. if they are a direct negation of the motion;
- VI. if they contain language considered by the Presiding Officer to be disorderly, discriminatory, offensive or which detracts from the dignity of the Assembly; or
- VII. if they bring into question the proper conduct of Assembly business.

107. The Presiding Officer may also decline to select an amendment where he or she considers that the proper conduct of the business of the Assembly makes it appropriate to do so. For example, it is custom and practice that the Presiding Officer will not select amendments to 'take note' motions on Committee reports, so that the focus of the debate remains on the report itself.

## **Order of Amendments**

108. In order to facilitate debate, the Presiding Officer will generally exercise discretion to order and number amendments on the agenda so that they are considered in the order in which they arise in the text of the motion. Where amendments arise in the same place in the text, the Presiding Officer will order, and call Members to propose, amendments either in the order in which they were tabled or in the order in which he or she considers will facilitate debate.

## **Grouping of Amendments**

109. The Presiding Officer has discretion to group amendments to motions. It is made clear on the Agenda which amendments will be considered together in debate (although changes may be made at any time).

110. In order to facilitate debate, the Presiding Officer may choose to group amendments by political party (and thus call one speaker from each party to speak to all their amendments). He or she may also group amendments by subject matter.

## **Procedure in the Siambur – Proposal of Motions**

111. Generally, any Member present in the Siambur can move most motions although there are certain exceptions set out in [Standing Orders](#). When the relevant item of business is reached, the Presiding Officer will call the Member who is to propose the motion. If the motion is not moved the motion falls and business moves to the next item on the agenda for the day.

## Withdrawing an amendment

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### Withdrawing an amendment before it is moved

112. A Member can withdraw an amendment before it is moved by giving notice to the Table Office.
113. An amendment can be withdrawn at any point before it is moved although there is precedent for the Table Office to be given 2 hours' notice, so as to allow time for the Agenda to be amended and the Presiding Officer and Business Managers to be informed. In practice, this means that an amendment can be withdrawn during a Plenary meeting.
114. An amendment must be withdrawn by the Member who tabled it: usually the Business Manager.

### Withdrawing an amendment after it is moved

115. When Members are called in a debate to move amendments, they are called to move all the amendments tabled by their group in that debate. Unless the Member specifies otherwise, those amendments are taken as having been moved.
116. If the Member subsequently wishes to withdraw an amendment that has been moved, it is only possible if no Member objects ([Standing Order 12.20](#)). The Member should inform the Presiding Officer or Assembly before the end of the debate. There is precedent for either the Member who tabled the amendment (the Business Manager) or the Member who moved it to do this.
117. The Presiding Officer must then ask the Assembly whether any Member objects to the withdrawal. If a Member does object, the amendment will be voted on as usual.

### Amendments not moved

118. When being called to move their amendments, it is possible for the Member to decide not to move one or more amendments.
119. If this is the case, the Member should indicate clearly in their speech that they are not moving the amendment, having informed the Presiding Officer of their intention beforehand if possible. Any amendment which is not moved is not voted on.



## Conventions for dealing with Opposition motions and amendments to such motions

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### Opposition Debates

120. On 7 July 2009, the Business Committee agreed to introduce a mechanism for dealing with motions and amendments relating to opposition debates.

### Tabling

121. The usual rules in relation to [tabling](#) apply to motions and amendments tabled under these conventions.

### Procedure

122. Where no amendment or amendments are tabled to an opposition motion proposed under [Standing Order 12.19](#), or if no amendment has been selected, at the end of the debate the Presiding Officer will make an initial proposal that “the motion be agreed”. If any Member objects, an electronic vote on the motion will be taken at Voting Time.

123. If amendments to the motion have been tabled and selected, the Presiding Officer will make an initial proposal that “the motion be agreed without amendment”. If any Member objects to the proposal, a recorded vote will be taken at Voting Time in accordance with usual practice.

124. If the Assembly votes against the proposal that “the motion be agreed without amendment”, the Assembly will vote on any amendments to the motion, before voting on the motion, as amended.

125. If the initial proposal that “the motion be agreed without amendment” is disagreed to and all amendments are disagreed to, the motion will fall. (The reasoning behind this being that the Assembly would have already taken a decision not to agree to the motion as originally worded i.e. without amendment).

126. In accordance with [Standing Order 12.23\(iii\)](#), the Presiding Officer may decline to select an amendment where she considers that the proper conduct of business makes it appropriate to do so. The Presiding Officer will not deselect amendments which seek to “delete all” of the original motion. There will also be an expectation that opposition parties will not table amendments to their own motions. Other rules applying to the tabling and selection of amendments will continue to apply.

## **Other non-government debates**

127. The Presiding Officer may decide to apply these conventions to other types of non-government business where she considers it appropriate to do so.

## Urgent Debates

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### General principles

128. The procedure for holding an Urgent Debate is set out in [Standing Orders 12.69 – 12.71](#) and takes place in two parts:

- the **initial proposal** to hold the debate, which is subject to the Assembly's agreement; and
- if the Assembly so agrees, the **Urgent Debate** itself.

129. Urgent Debates may be held on matters within the government or the Commission's responsibilities.

### Proposal for an Urgent Debate

130. The Presiding Officer may allow a Member to propose that an Urgent Debate be held in Plenary, provided that:

- the **Presiding Officer has been notified** of the proposed matter for discussion **at least one hour** before the beginning of the meeting;
- the Presiding or Deputy Presiding Officer has been able to provide the relevant individual (member of the government or Assembly Commissioner) with the opportunity to **comment in private** to them on the matter;
- the Presiding or Deputy Presiding Officer is satisfied that the matter is of **urgent public importance**, and has informed the proposing Member and relevant responding individual (member of the government or Assembly Commissioner) of their decision.

131. The procedure for allowing a Member to propose an Urgent Debate is therefore very similar to that for requesting a emergency question. It should also be noted, however, that whereas a decision to allow an urgent question lies with the Presiding or Deputy Presiding Officer alone, a decision to allow an Urgent Debate has to be approved by a majority of Members in Plenary following the Presiding Officer's permission for the proposal to proceed.

## Consideration of the proposal in Plenary

132. For an Urgent Debate to proceed, a **proposal to consider a matter of urgent public importance** must be put before Plenary. Generally, this will take place following ministerial questions.
133. The Member proposing the Urgent Debate will be **permitted 3 minutes** to deliver a speech in favour of the proposal. Where the matter relates to functions of the government, the relevant member of the government will be permitted 3 minutes to respond. Where the matter relates to Commission functions, an Assembly Commissioner will be permitted 3 minutes to deliver his/her response.
134. Once the proposal to conduct an Urgent Debate has been made and the member of the government / Commissioner's response has been given, the Presiding Officer **must put the proposal to a vote immediately**. The proposal can be approved on the nod unless any Member objects and wishes it to be put to a recorded vote.
135. If the proposal is rejected by a simple majority, the Urgent Debate will not take place. If accepted, [Standing Orders](#) require that the **Urgent Debate is scheduled** during the same meeting or, if the Presiding Officer so decides, the one immediately following.

## The Urgent Debate

136. Urgent Debates take place on a particular matter, and not on a motion. In accordance with [Standing Order 12.19\(v\)](#), a **motion does not need to be tabled** in the Table Office for an urgent debate to proceed. As such, there is no mechanism for amendments to be tabled.

## Arrangements for scheduling the Urgent Debate

137. If the Assembly resolves to consider the matter which has been proposed, it must do so at that meeting, or (if the Presiding Officer so decides) at the one immediately following.
138. The Presiding Officer may make appropriate arrangements for the **adjustment of the timetable** to accommodate an Urgent Debate:

- If the Urgent Debate is proposed by a member of the government, [Standing Order 11.18\(ii\)](#) requires that time is found within government business time to accommodate the debate.
- If the Urgent Debate is proposed by a Member who is not a member of the government, or by a member of the Commission and relates to the Commission’s functions, Standing Orders require that time must be found within Assembly business time to debate the matter.

139. As Urgent Debates do not proceed on the basis of a substantive motion, **no vote is taken at the end of the item**: they are intended for discussion rather than decision.

## Debates Proposed by Individual Members

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### Short Debates

140. The Assembly Timetable published in accordance with [Standing Order 11.9](#) includes dates, for a period of not less than 6 months, on which Short Debates will be held in Plenary. In accordance with [Standing Order 12.72](#) the Presiding Officer must hold a ballot to determine the name of the Member, or Members, other than a Member of the government, who may propose a topic for a relevant Short Debate(s).
141. Under [Standing Order 12.72](#), it is the Presiding Officer who decides when the relevant ballot will be held, and how it will be run (for example, the Standing Order allows the Presiding Officer to select the name of more than one Member who may propose a topic for Short Debate). Table Office will inform all Members of any decision made by the Presiding Officer under [Standing Order 12.72](#), including the details of how the ballot will be run.
142. Any Member wishing to be entered into the draw for the Short Debate must submit their name to the Table Office in advance. The successful Member or Members will be notified immediately following the ballot, and in accordance with usual tabling deadlines, Members will be required to table their chosen topic at least five working days before it is due to be debated.
143. The topic can be provided to Table Office in any format but it:
- I. must not contain language considered by the Presiding Officer to be disorderly, discriminatory, offensive or which detracts from the dignity of the Assembly;
  - II. must not bring into question the proper conduct of Assembly business.
  - III. must not be subject to any other specific requirements in Standing Orders or in statute; and
  - IV. should give a clear indication of the subject area.
144. Table Office may refuse to accept a chosen topic if it does not comply with these rules. A topic for the Short Debate cannot be amended.

## Member Debates

145. In accordance with [Standing Order 11.21\(iv\)](#), time must be made available in each Assembly year for debates on motions proposed by any Member who is not a member of the government (otherwise known as ‘Member Debates’). The time allocated to these debates and their frequency is determined by the Business Committee. Table Office will inform all Members of when each debate will take place.
146. Members are invited to table a motion before the close of business (5pm) on the Thursday two weeks prior to the debate and must find at least two other Members, one of which must represent a different political party, to support it. To achieve the required level of support Members can: jointly propose a motion with Members of different parties; seek the support of Members from other parties once the motion has been tabled; or combine a jointly tabled motion with additional support. The Business Committee then considers the motions tabled by individual members a week before the debate and decides on merit which motion to select for debate.
147. The Business Committee has agreed to select motions which will deliver a balance of the following features over time:
- motions that raise specific local or regional matters or issues of national policy in a local or regional context;
  - motions which focus on matters of particular significance and resonance at that point in time or are likely to attract public interest;
  - motions which are likely to generate a vigorous debate in the Siambur with a high level of participation;
  - motions where opinion does not divide obviously along party lines;
  - motions which add to the diversity of debate in the Siambur;
  - motions that attract high levels of support from Members. While this would not be the determining factor, the motion could be given higher priority.
148. Once a motion for a Member Debate has been considered on two occasions by the Business Committee it will no longer be considered.

## Debates on Members' Legislative Proposals

149. A 30 minute slot will be made available once every half term on a Wednesday Plenary agenda to debate No Named Day Motions on legislative proposals from individual Members. The Business Committee will announce these dates early on in each term to give Members the maximum window for tabling. For each scheduled debate, Members will be invited to table motions for consideration by a set deadline, as happens with Member Debates. The Table Office will notify Members of such deadlines in advance. The Business Committee will then select from among the motions tabled a week prior to the scheduled debate.
150. Unlike Member Debates, there is no requirement to secure the support of other Members before motions on legislative proposals are considered for debate. However, the Business Committee may take the level of support for different motions into account in deciding which motion to schedule. Only one motion proposed or supported by any individual Member will be considered by Business Committee at a time.
151. Once a motion for a Member Debate has been considered on two occasions by the Business Committee it will no longer be considered. Once a proposal has been debated by the Assembly on a certain subject, Business Committee will not consider for debate any other motion on the same subject unless a case can be made that a motion on the same subject should be considered for a second time in light of certain developments.
152. To be considered, the motion must be a 'take note' motion, inviting the Assembly to note the proposal for legislation. So that the focus is solely on the proposal as tabled by the Member, the Presiding Officer will not select any amendments to such motions for debate.
153. Motions can include proposals for new legislation of any type within the Assembly's legislative competence, including Bills, Statutory Instruments, Orders in Council (under [Section 109 of the Government of Wales Act 2006](#)) and new devolved taxes (under [Section 116C](#)).

## Structure

154. The 30 minute debate will be structured as follows:
- Eight minutes for the Member to open and close;



- Other Members called to speak (three minutes per Member rather than the usual five minutes);
- Six minutes for the Minister/Deputy Minister to respond.

### **Motion and supporting documentation**

155. The Business Committee's aim in introducing these debates is to provide a mechanism for Members to debate proposals for legislation, outside the confines of the Assembly's legislative process and to provide individual Members with an opportunity to debate potential ideas for legislation and test the level of support in the Assembly outside the confines of the formal legislative process.
156. The motion, if agreed, would therefore have no binding effect. There would be no requirement for the Welsh Government, an individual Member or an Assembly committee to introduce legislation as a result of the motion being agreed.
157. Motions can include proposals for new legislation of any type within the Assembly's legislative competence, including Bills, Statutory Instruments, Orders in Council (under [Section 109 of the Government of Wales Act 2006](#)) and new devolved taxes (under [Section 116C](#)).
158. The motion itself should make clear the aims and objectives of the proposed legislation, for example:
- 
- To propose that the National Assembly for Wales:
1. Notes a proposal for a Bill on healthier school meals.
  2. Notes that the purpose of this Bill would be to:
    - (a) improve the nutritional standards of school meals, based on best practice and research, which would provide children with at least a third of their nutritional needs;
    - (b) place a duty on education authorities to ensure that meals provided at schools complies with nutritional regulations that ensure the provision of a meal that provides largely a third of a child's daily nutritional needs; and

(c) allow education authorities to specify particular foods or drinks which fail to satisfy the nutritional regulations so that they can be banned from school premises.

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159. In accordance with [Standing Order 12.25](#), Members are expected to make any supporting documents and/or additional information referred to in the motion available to all Members at the same time that they table the motion.

## Presiding Officer and Deputy: Voting in Siambro Proceedings (Presiding Officer's Guidance)

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160. In accordance with [Standing Orders 6.20 and 6.21](#), the Presiding Officer and Deputy Presiding Officer may only vote in Plenary when:

- a casting vote is required; or
- 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).

161. Should a decision on a motion or amendment result in a tie, the Presiding Officer must use their “casting vote”, in accordance with [Standing Order 6.20](#).

162. [Standing Order 6.20](#) states that where there is an equality of votes,<sup>1</sup> the casting vote by the Presiding Officer must be given:

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

163. Underlying this are three principles derived from use in many Commonwealth Parliaments:

- that the chair should always vote for further discussion;
- where no further discussion is possible, decisions should not be taken without majority support; and
- that an original text should be preferred to an amended text.

164. In most cases, these will result in the Presiding Officer and Deputy using their casting vote to defeat a motion and always to defeat an amendment. The Presiding Officer would vote in favour of a motion if its acceptance would result in further consideration by the Assembly.

165. Instances where the Presiding Officer may use their casting vote in favour of a motion, would be when the Assembly is deciding whether to agree the general principles of a Bill (the Stage 1 debate), a motion seeking leave to introduce a

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<sup>1</sup> Motions which require the agreement of two-thirds of Members of the Assembly are, of course, not subject to a casting vote, for example, a motion to suspend Standing Orders.

Member Bill, and a proposal for an [Urgent Debate](#). For example, as the effect of using the casting vote to agree the Stage 1 motion would be to allow the Bill to progress to Stage 2 and Stage 3 proceedings (likewise with any decision on a related financial resolution), this would therefore give the Assembly a further opportunity to consider the Bill.

166. The judgements made by the Presiding Officer when exercising their casting vote will establish precedents to guide similar decisions in the future.

## Timings for Debates

167. \*NB the Chair may extend or limit this allocation at his/her discretion, but will usually announce at the beginning of the debate if this is the case.

| Government Debates                         |                                  |                                  |                                  |                                  |
|--|----------------------------------|----------------------------------|----------------------------------|----------------------------------|
|  | 30 minute debate                 | 45 minute debate                 | 60 minute debate                 | 90 minute debate                 |
| Minister/Deputy Minister to open and close | 10 mins in total                 | 15 mins in total                 | 15 mins in total                 | 20 mins in total                 |
| Movers of amendments                       | 5 mins                           | 5 mins                           | 5 mins                           | 5 mins                           |
| Other speakers                             | 5 mins*                          | 5 mins*                          | 5 mins*                          | 5 mins*                          |
| Minister/Deputy Minister to close          | (Time remaining from allocation) | (Time remaining from allocation) | (Time remaining from allocation) | (Time remaining from allocation) |

| Opposition Debates                 |                                  |                                  |                                  |
|------------------------------------|----------------------------------|----------------------------------|----------------------------------|
|                                    | 60 minute debate                 | 30 minute debate                 | 90 minute debate                 |
| Party speaker(s) to open and close | 15 mins in total                 | 8 mins in total                  | 20 mins in total                 |
| Movers of amendments               | 5 mins                           | 3 mins                           | 5 mins                           |
| Other speakers                     | 5 mins*                          | 3 mins*                          | 5 mins*                          |
| Government speaker                 | 8 mins                           | 6 mins                           | 12 mins                          |
| Party speaker to close             | (Time remaining from allocation) | (Time remaining from allocation) | (Time remaining from allocation) |

| <b>Committee Report Debates</b>          |                                  |                                  |
|--|----------------------------------|----------------------------------|
|  | <b>30 minute debate</b>          | <b>60 minute debate</b>          |
| Chair of the Committee to open and close | 8 mins in total                  | 15 mins in total                 |
| Other Speakers                           | 5 mins*                          | 5 mins*                          |
| Minister/Deputy Minister to reply        | 5 mins in total                  | 8 mins in total                  |
| Chair of the Committee to close          | (Time remaining from allocation) | (Time remaining from allocation) |

| <b>Member Debates</b>               |                                  |                                  |
|-------------------------------------|----------------------------------|----------------------------------|
|                                     | <b>30 minute debate</b>          | <b>60 minute debate</b>          |
| Individual Member to open and close | 8 mins in total                  | 15 mins in total                 |
| Other Speakers                      | 5 mins*                          | 5 mins*                          |
| Minister/Deputy Minister to reply   | 5 mins in total                  | 8 mins in total                  |
| Individual Member to close          | (Time remaining from allocation) | (Time remaining from allocation) |

| <b>Members' Legislative Proposals</b> |                                  |
|---------------------------------------|----------------------------------|
|                                       | <b>30 minute debate</b>          |
| Individual Member to open and close   | 8 mins in total                  |
| Other Speakers                        | 3 mins*                          |
| Minister/Deputy Minister to reply     | 6 mins in total                  |
| Individual Member to close            | (Time remaining from allocation) |

| <b>Motion for Annulment</b>         |                                  |
|-------------------------------------|----------------------------------|
|                                     | <b>30 minute debate</b>          |
| Individual Member to open and close | 8 mins in total                  |
| Other Speakers                      | 5 mins*                          |
| Minister/Deputy Minister to reply   | 6 mins in total                  |
| Individual Member to close          | (Time remaining from allocation) |

| <b>Legislative Consent Motions</b>         |                                  |                                  |                                  |                                  |                         |
|--|----------------------------------|----------------------------------|----------------------------------|----------------------------------|-------------------------|
|  | <b>90 minute debate</b>          | <b>60 minute debate</b>          | <b>45 minute debate</b>          | <b>30 minute debate</b>          | <b>15 minute debate</b> |
| Minister/Deputy Minister to open and close | 20 mins in total                 | 15 mins in total                 | 10 mins in total                 | 10 mins in total                 | 5 mins                  |
| Committee Chair                            | 10 mins                          | 5 mins                           | 5 mins                           | 5 mins                           | 5 mins                  |
| Movers of amendments                       | 5 mins                           | 5 mins                           | 5 mins                           | 5 mins                           | 5 mins                  |
| Other Speakers                             | 5 mins                           | 5 mins*                          | 5 mins*                          | 5 mins*                          | 5 mins*                 |
| Minister/Deputy Minister to close          | (Time remaining from allocation) | (Time remaining from allocation) | (Time remaining from allocation) | (Time remaining from allocation) | 5 mins                  |

| <b>Statement on the Draft Budget (90 mins)</b>         |         |
|--|---------|
| Minister/Deputy Minister to open                       | 15 mins |
| 1 <sup>st</sup> speaker from each non-government group | 10 mins |
| Other Speakers   | 5 mins  |
| Minister/Deputy Minister to close                      | 10 mins |

| <b>Debate on the Draft Budget (120 mins)</b>                                    |                                  |
|---|----------------------------------|
| Minister/Deputy Minister to open  | 20 mins in total                 |
| Chair of the Finance Committee  | 10 mins                          |
| 1 <sup>st</sup> speaker from each non-government group and movers of amendments | 10 mins                          |
| Other Speakers  | 5 mins                           |
| Minister/Deputy Minister to close   | (Time remaining from allocation) |

| <b>Urgent debate proposed by a Member who is not a member of the government</b>  |                                  |                                  |
|--|----------------------------------|----------------------------------|
|  | <b>60 minute debate</b>          | <b>90 minute debate</b>          |
| Proposing Member to open and close   | 15 minutes in total              | 20 minutes in total              |
| Other speakers   | 5 mins                           | 5 mins                           |
| Member of the government / Commissioner (if the debate hasn't been proposed by a member of the government or commission) | 8 mins                           | 12 mins                          |
| Proposing Member to close  | (Time remaining from allocation) | (Time remaining from allocation) |

| <b>Urgent debate proposed by a member of the government / Member of the Commission</b> |                                  |                                  |
|--|----------------------------------|----------------------------------|
|  | <b>60 minute debate</b>          | <b>90 minute debate</b>          |
| Minister/Deputy Minister/ Commissioner to open and close                               | 15 minutes in total              | 20 minutes in total              |
| Other speakers   | 5 mins*                          | 5 mins*                          |
| Minister/Deputy Minister/ Commissioner to close  | (Time remaining from allocation) | (Time remaining from allocation) |



| <b>Debates seeking the Assembly's leave to introduce a Member-proposed Bill</b> |                                  |
|---|----------------------------------|
|   | <b>60 minute debate</b>          |
| Member in charge of the legislation to open and close                           | 15 mins in total                 |
| Minister/Deputy Minister to speak on behalf of the government                   | 8 mins                           |
| Other Speakers  | 5 mins*                          |
| Member in charge to close   | (Time remaining from allocation) |

| <b>Stage 1 (Government) Bill Debates</b>                                       |                                  |
|--|----------------------------------|
|  | <b>60 minute debate</b>          |
| Minister/Deputy Minister to open and close                                     | 15 mins in total                 |
| Chair of the Committee   | 8 mins                           |
| Chair of the Finance Committee (if appropriate)                                | 5 mins                           |
| Chair of the Constitutional and Legislative Affairs Committee (if appropriate) | 5 mins                           |
| Movers of amendments   | 5 mins                           |
| Other Speakers   | 5 mins*                          |
| Minister/Deputy Minister to close  | (Time remaining from allocation) |

| <b>Stage 1 (Member–Proposed) Bill Debates</b>                                  |                                  |
|--|----------------------------------|
|  | <b>60 minute debate</b>          |
| Member in charge to open and close   | 15 mins in total                 |
| Chair of the Committee   | 8 mins                           |
| Chair of the Finance Committee (if appropriate)                                | 5 mins                           |
| Chair of the Constitutional and Legislative Affairs Committee (if appropriate) | 5 mins                           |
| Movers of amendments   | 5 mins                           |
| Minister/Deputy Minister to speak  | 8 mins                           |
| Other Speakers   | 5 mins*                          |
| Member in charge to close  | (Time remaining from allocation) |

| <b>Stage 1 (Committee–Proposed) Bill Debates</b>                               |                                  |
|--|----------------------------------|
|  | <b>60 minute debate</b>          |
| Chair of the Committee in charge to open and close                             | 15 mins in total                 |
| Chair of the Finance Committee (if appropriate)                                | 5 mins                           |
| Chair of the Constitutional and Legislative Affairs Committee (if appropriate) | 5 mins                           |
| Movers of amendments   | 5 mins                           |
| Minister/Deputy Minister to speak  | 8 mins                           |
| Other Speakers   | 5 mins*                          |
| Chair of the Committee in charge to close                                      | (Time remaining from allocation) |

**Stage 3 Bill Debates – All speakers have 10 minutes.**

| <b>Stage 4 Bill Debates</b>   |                                  |
|---|----------------------------------|
|   | <b>15 minute debate</b>          |
| Minister/Deputy Minister/Member in Charge to open and close                   | 5 mins in total                  |
| Other Speakers  | 5 mins                           |
| Minister/Deputy Minister (penultimate speaker if it is not a government bill) | 5 mins                           |
| Minister/Deputy Minister/Member in Charge to close                            | (Time remaining from allocation) |

## Statements of Opinion

168. Standing Order 14.9 provides for Assembly Members, other than a member of the government, to table Statements of Opinion not exceeding 100 words on a matter affecting Wales. These Statements of Opinion may be supported, opposed or amended by any other Member.

169. Statements of Opinion are a mechanism for Members to draw attention to issues of concern or highlight achievements by putting their views on a subject on record and canvassing support from other Members.

### Content of Statements

170. A Statement may bear one name or may be co-submitted with other Assembly Members. There is no limit to the number of Members who may give support to the Statement.

171. Assembly Members may table amendments to another Member's statement but only if they have not supported it, as this indicates the Member's agreement with the whole of the statement. Amendments must be tabled in the same way as the original statement and must not increase the total length of the Statement to over 100 words.

172. Amendments may be supported in exactly the same way as a Statement.

173. A record of all Statements of Opinion and the Members who have raised, subscribed to or amended them will be maintained by the Table Office and published to the Internet.

174. Statements of Opinion and amendments to support or oppose them remain current for the rest of the Assembly in which they were tabled. At the end of an Assembly they fall, although they can be tabled again as new Statements in the next Assembly.

175. When raising a Statement of Opinion or submitting an amendment to one, it is important to remember that they must not:

- I. exceed 100 words;

II. contain language considered by the Presiding Officer to be disorderly, discriminatory, offensive or which detracts from the dignity of the Assembly;

III. refer to matters sub-judice; or

IV. bring into question the proper conduct of Assembly business.

176. The Presiding Officer is the final authority on the admissibility of a Statement.

## Laid documents

177. [Standing Order 15](#) makes provision for certain categories of documents to be laid before the Assembly.

### Laying Procedure

178. Where [Standing Order 15](#) provides for a document to be laid, the person undertaking the laying must:

- I. complete the relevant form (available from the Table Office or via the Intranet);
- II. identify the specific legislation or Standing Order provision that requires the document to be laid;
- III. submit the form to the Table Office together with one hard copy of the document in both English and Welsh, so far as is appropriate in the circumstances and reasonably practicable; and
- IV. where the document is available electronically, submit an electronic version of the document to the Table Office.

179. Forms may be submitted electronically but cannot be processed unless accompanied by an electronic version of the document or until the hard copies of the document and form are received in the Table Office.

### Access to Documents

180. The Table Office will ensure that records and details of all documents laid are published. Members may view copies of the documents in the Library or obtain their own personal copies via the Internet.

### Documents Circulated for Information

181. Where there is no entitlement to lay a document under [Standing Order 15](#), that document cannot be formally laid before the Assembly. Documents being sent to Assembly Members for information may be e-mailed or placed in the Library, or both.

## Other relevant procedures and practices

### Principles for conduct in the Siambr

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#### Key principles

182. The rules of debate are governed by [Standing Order 13](#). 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 in the Siambr and order in Plenary meetings.

#### General principles

183. In addition, the following points outline general principles relating to Members' attendance at, and participation in, Plenary meetings:

- Members should give priority to attending Plenary meetings;
- Members may not bring food, drink (except water) or intrusive electronic equipment into the Siambr;
- Members may speak in proceedings only when called to do so by the Presiding Officer;
- the calling of speakers is at the discretion of the chair;
- only one Member may speak at a time;
- Members may speak in either English or Welsh;
- Members called to speak by the Presiding Officer may either stand or sit in their places and must address the chair;
- when the Presiding Officer is speaking, Members may not speak and if standing must resume their seats;
- Members wishing to speak are expected to have been present in the Siambr throughout the item of business, and to stay for the remainder of an item if they have spoken.

#### Rules of debate

184. [Time limits](#) for speeches will be set by the Presiding Officer and notified to Members; however, the standard time limit will usually be 5 minutes. If the

Presiding Officer receives many requests to speak during a debate, he/she may, in accordance with [Standing Order 13.5](#), announce a further time limit for contributions. The Presiding Officer may also direct a Member who has exceeded the time limit to stop speaking.

185. When calling Members to speak, the chair shall give regard to the balance of party representation in the Assembly.
186. As a general principle, all speeches must be relevant to business, concise and avoid tedious repetition ([Standing Order 13.4](#)).
187. Usually a Member may speak only once on any matter unless he/she has proposed the motion and wishes to exercise a right of reply or, with leave of the Presiding Officer, wishes to briefly explain some material point in his/her original speech ([Standing Order 13.6](#)).
188. A Member who is speaking may give way to another Member who wishes to intervene for the purposes of clarification. Interventions should be brief and the intervening Member may not give way to a second Member who wishes to intervene. Members should be aware that, under [Standing Order 13.7](#), there is no right of intervention and it is not a matter for the chair if the Member speaking refuses to give way.
189. Debates are not intended to be a series of set speeches and it is undesirable for Members to read out prepared speeches without taking account of earlier contributions. It is courteous for Members to remain to hear any comments made in response to their speech. Members should notify the chair in advance if they are unable to attend for the entire debate and should also present apologies to the Siamb.

### **Language and conduct**

190. In accordance with [Standing Order 13.9](#), the Presiding Officer is to maintain order in Plenary meetings and must call to order any Member who:
- i. is engaging in conduct which would, in the opinion of the Presiding Officer, constitute a criminal offence or contempt of court;
  - ii. is obstructing the business of the Assembly;
  - iii. seeks to raise a matter outside the scope of the debate or motion;



- iv. is guilty of discourteous or unbecoming conduct;
- v. is using disorderly, discriminatory or offensive language or language which detracts from the dignity of the Assembly;
- vi. refuses to conform to any Standing Order or other requirement for the conduct of Members; or
- vii. disregards the authority of the chair.

191. The Presiding Officer will decide what constitutes disorderly language; however, racist, sexist, or ageist references will be considered both discriminatory and offensive.

192. Members must comply with any directions given by the Presiding Officer about any conduct for which he/she has been called to order ([Standing Order 13.10](#)).

193. Under [Standing Order 13.11](#), the Presiding Officer may also ask a Member to withdraw from Assembly proceedings for the remainder of the day if he/she considers the Member's conduct such as to warrant withdrawal.

194. If a Member does not withdraw from proceedings when the Presiding Officer asks him/her to do so, a motion to exclude the Member from Assembly proceedings may be proposed by the Presiding Officer and must be voted on immediately. If the motion is agreed, the exclusion of the Member takes immediate effect in accordance with [Standing Order 13.13](#).

195. During the period of a Member's exclusion the Member shall not be entitled to receive any salary from the Assembly and shall not be permitted to attend any Assembly proceedings ([Standing Order 13.14](#)).

196. Under [Standing Order 12.18](#), in any case where the Presiding Officer thinks it appropriate to do so (including any case of grave disorder arising in Plenary meetings), he/she may adjourn proceedings without putting any proposition to the vote, or may suspend proceedings for a specified time.

### **Absolute privilege**

197. Under [section 42 \(1\) of the Government of Wales Act](#), for the purposes of the law of defamation, any statement made in Assembly proceedings is absolutely privileged. Personal allegations against Members or other persons will usually be considered offensive; this includes allegations of uttering falsehoods,

allegations of corrupt or unfair or illegal practices and allegations of deliberate misrepresentation.

### **Sub judice**

198. In accordance with [Standing Order 13.15](#), Members are forbidden from raising or pursuing in Plenary meetings any matter which relates to active court proceedings (as defined by [Schedule 1 to the Contempt of Court Act 1981](#)), or where the Children's Commissioner for Wales, the Commissioner for Older People in Wales, or the Public Services Ombudsman for Wales has decided to conduct an examination of a case, until the time when judgement has been given or a report has been made by either Commissioner or Ombudsman, unless the Presiding Officer is satisfied that:

- i. the matter is clearly related to a matter of general public importance or a ministerial decision is in question;
- ii. the matter does not relate to a case which is to be heard, or is being heard, before a criminal court or before a jury or to a case which is to be heard, or is being heard, in family proceedings; and
- iii. the Member does not, in his or her comments, create a real and substantial risk of prejudice to the proceedings of a court either generally or in respect of a particular case.

### **Relations with the Judiciary**

199. In accordance with [Standing Order 13.16](#), Members must not, in Plenary meetings, make criticisms of the conduct of judges of the courts of the UK in the discharge of their judicial office.

200. In addition, under [Standing Order 13.17](#), the Assembly must not discuss individual judicial appointments.

### **Members not speaking in debate**

201. Members who are not speaking will be expected to listen courteously to the debate and should not interrupt the Member speaking.

202. Any messages from officials or staff outside the Siambr should be sent electronically to the Member or passed to the Ushers within the Siambr.

## Use of Audio–visual content

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### Introduction

203. The ICT facilities in the Siambr provide opportunities for Members to use audio–visual material during proceedings.
204. The Presiding Officer will approve any material on a case by case basis and will rule on its admissibility. Requests to use audio–visual facilities during the course of debate in the Siambr should be directed to Chamber Secretariat (“[Plenary Requests](#)” mailbox).
205. In order to ensure the smooth running of plenary and appropriate use of audio–visual facilities, it is essential that Assembly officials are consulted as early as possible.
206. Any audio–visual material must be submitted to Chamber Secretariat by 4.00pm on the Monday of the week it is due to be used in Plenary. This allows officials to check the material as well as securing the Presiding Officer’s approval.
207. Members will also need to give consideration to the following issues:

### Content

208. Any materials will be subject to the usual rules of order, in accordance with the Presiding Officer’s Protocol on [Conduct in the Siambr / Rules of Debate](#), unless otherwise stated. Members are reminded that the use of audio visual aids should enhance and complement the Member’s speech, not replace it.
209. Members are responsible for the content of any supporting audio–visual material which they use in the course of Assembly proceedings. Members will wish to ensure that the use of any such material enhances debate and does not become a source of distraction or distortion.
210. The Presiding Officer will consider any legal implications when ruling on the admissibility of an audio–visual material. Video clips, photographs, maps and music go beyond traditional speech–based means of making contributions and raise particular issues. Members should proceed with caution as the use of images, video clips, and maps may have implications in relation to copyright issues.

211. Members should also note that any presentations shown in Plenary or Committee Meetings may be broadcast and shown on Senedd.tv, and as such the PRS music licence which covers the performance or playing of music in the Senedd does not apply. Music under rights management should therefore not be used.
212. Members are data controllers for the purposes of the [Data Protection Act 1998](#). As such Members should ensure that all identifiable individuals featured in a presentation have given appropriate consent for their personal data to be used in it and published via the various platforms the presentation will appear on (such as Senedd TV, etc).

### Length

213. The Presiding Officer requires that any material which contains audio does not last longer than approximately 90 seconds. Due to the length of the item, it is not appropriate for video with audio to be shown during a [90 Second Statement](#). Photographs, slides, and text which do not contain audio can be played on the screens for the duration of the relevant Member's contribution if appropriate.

### Format

214. The ICT facilities in the Siambr are compatible with many formats of presentation programs. However, such materials should be made available in advance to Chamber Secretariat officials as noted above in paragraph 206. This will allow time for ICT services and broadcasters to advise and ensure that the format is compatible with the Siambr IT system. Technical advice can be sought in advance from ICT services (<mailto:Assemblyictservicesdesk@assembly.wales>).
215. Members should consider whether or not the content of any audio-visual presentation will be suitable to be broadcast. Please ensure that any images or video clips used in presentations are of broadcast quality in terms of size and resolution. Technical guidance on image and video resolution can be sought in advance from ICT and Broadcasting (<mailto:Assembly.Broadcasting@assembly.wales>).
216. Presentations should be submitted to Chamber Secretariat in digital file format either by email or on a USB drive. Preferences are:

- Audio – MP3/WAV
- Video – MP4/AVI/WMV/MOV
- Images – JPG/PNG
- Presentations – PPT (PowerPoint)

### **Accessibility**

217. A presentation shown in the Siambur may be viewed on screens in the public gallery, Members' desks and shown on broadcast. However, Members should be aware of accessibility issues. Chamber Secretariat officials will be able to provide advice to ensure that the presentation is accessible to all members of the public.

218. Any contributions, such as those outlined above, presented to Members in the course of Assembly proceedings become part of the Assembly records. A hyperlink to the material used will be included in the [Record of Proceedings](#) along with a transcript of any audio.

### **Equality**

219. The Assembly is legally required to give equal status to the English and Welsh languages ([section 35 of the Government of Wales Act 2006](#)). Assembly Members should make every effort to provide bilingual materials. However, this may not be possible in all circumstances and further advice may be sought from officials.

## Proxy Voting

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### Introduction

220. The procedures for exercising a Proxy Vote are set out under Standing Orders 12.41A–H. These Standing Orders will cease to have effect on 6 April 2021.

### Eligibility

221. Proxy voting is available to Members who are absent from the Assembly for reasons of childbirth, care of an infant or child as a result of a new adoption or surrogacy arrangement, or who have suffered a miscarriage or stillbirth.

222. A Member must demonstrate eligibility for the scheme by notifying the Llywydd of their intention to take parental leave, and providing any additional documentation or forms of notification that the Llywydd deems appropriate.

223. The scheme is not compulsory and Members are free to vote in person or use any other informal pairings available to them.

224. In the event of any ambiguity, the Llywydd will use his or her discretion to determine compliance with the proxy voting scheme.

### Duration

225. The maximum duration of the dispensation to vote by proxy is:

- six months for the biological mother of a baby; the primary or single adopter of a baby or child; or the primary or single carer of a baby or child in a surrogacy arrangement; and
- two weeks for the biological father or the partner of the person giving birth who has parental responsibility for the child; the second adopter of a baby or child; or the secondary carer of a baby or child in a surrogacy arrangement.

226. Subject to the Llywydd's discretion, any period of proxy voting taken by the biological mother of a baby; the primary or single adopter; or primary or single carer in the case of a surrogacy arrangement must normally start at or before the relevant date (the due date, adoption date, or surrogacy date) and should be taken as a continuous period. That period may be of up to a maximum of six months, including periods when the Assembly is in recess or dissolved.

227. Any period of proxy voting taken by the biological father or the partner of the person giving birth who has parental responsibility for the child; the second adopter; or the secondary carer in a surrogacy arrangement must be taken in one continuous period of up to two weeks and must end within 56 days of a child's birth or placement for adoption.

228. A Member must specify in writing to the Llywydd the dates on which the absence will begin and end, subject to the maximum durations permitted (paragraphs 226 and 227). During that period the Member is entitled to cast a vote by proxy.

229. The Llywydd's discretion will be used to determine eligibility and maximum durations for proxy voting when Members or their partners have suffered a miscarriage or stillbirth. In determining such factors, the Llywydd will be mindful of statutory entitlements.

### **Designation of a proxy**

230. When specifying the dates of absence, the Member eligible for proxy voting must name the Member who has agreed to carry out their proxy vote, thereby vouching that an agreement has been entered into.

231. A Member is free to choose any other Member to carry out their proxy vote, subject to the agreement of the other Member and notification to the Llywydd.

### **Publishing the arrangement**

232. On receipt of this information, and once the Llywydd has determined compliance, the Llywydd will lay a certificate setting out the name of the Member nominated as proxy and the start and end dates.

233. The 'votes summary' for each Plenary or Committee of the Whole Assembly meeting will note that a proxy vote has been cast by listing the Member and how they voted in the usual way, in accordance with Standing Orders 12.48 and 17.35, and by noting which Member cast a proxy vote on their behalf.

### **Varying the arrangement**

234. A Member who wishes to change the Member who is their proxy, to end their period of proxy voting earlier than originally notified, or to cast a vote in person on (a) specific item(s) of business, or suspend the arrangement for a

period of time, must give written notice to the Llywydd as soon as is reasonably practicable after the circumstances that have led to the request become known (for example, publication of Plenary agenda, tabling of motion). The Llywydd will use his or her discretion to determine compliance in these circumstances.

235. The Llywydd will issue and lay a new certificate under paragraph 232 if required.

236. Changes of proxy made for a specified period will take effect from the start (or end) of the day(s) specified.

### **Exercising the proxy vote**

237. A Member eligible to vote by proxy must agree with the Member nominated as their proxy when the proxy vote will be cast and how it will be exercised on each vote.

238. A Member designated as a proxy must act in strict accordance with the instruction given by the absent Member.

239. A Member designated as a proxy may cast their own vote one way and the proxy vote in the other, and may cast a proxy vote without casting their own vote at all.

240. A Member registered as voting by proxy who wishes to vote in person will be entitled to do so, provided that the Llywydd has been notified as soon as is reasonably practicable after the circumstances that have led to the request became known (paragraph 234). The Llywydd's discretion will be used to determine compliance in these circumstances.

241. A Member eligible to vote by proxy must inform the Member nominated as their proxy of any relevant interest which prohibits them from voting under Standing Order 2.9.

### **Practical arrangements for voting by proxy**

242. The Clerk will make practical arrangements with the Member nominated as proxy to exercise the proxy vote.



## Office holders

### Election of the Presiding Officer and Deputy

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244. The procedures for the election of the Presiding Officer and Deputy Presiding Officer are set out in [Standing Order 6](#).

245. At the first meeting following an Assembly election, the Presiding Officer will be elected first, followed by the election of the Deputy Presiding Officer. The incumbent Presiding Officer cannot both chair proceedings and be nominated for election as Presiding Officer. Should the incumbent Presiding Officer wish to stand as Presiding Officer, the Clerk will chair the election proceedings.

### Secret ballot arrangements

246. A secret ballot is required in the event of any Member objecting to a single nomination or if there is more than one nomination. The Chair will adjourn the meeting and announce the time at which voting will close. The bell will be rung to indicate that the voting booths are open. The arrangements for a secret ballot will be as follows:

247. The secret ballot will be held in Briefing Room 13 in the Senedd, opposite the rear of the Siambr. Ushers will be on hand to direct Members.

248. Ballot forms will be printed once the candidates are known. A different colour will be used for each round of voting (if necessary).

249. Members will be issued with their ballot papers on entering the room. Their names will be checked on a list by Chamber Secretariat officials.

250. Voting will take place in a voting booth. Ballot papers will be placed within a ballot box.

251. Voting will last until all Members have voted or for 30 minutes (whichever is shorter).

252. The Clerk of the Assembly will be responsible for supervising the voting and counting of votes.

253. If there is only one nomination, Members will be asked to vote for or against the Member nominated. In the case of multiple nominations, Members will be

asked to select their preferred candidate. In both instances Members may also abstain.

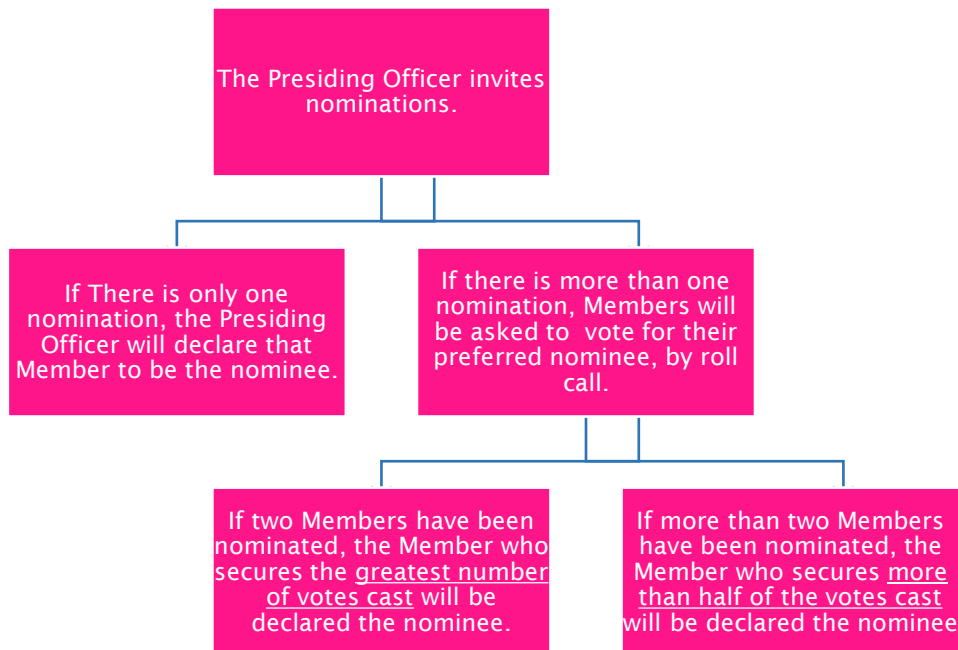
254. If two Members have been nominated and the secret ballot results in a tie, further secret ballots will take place until one candidate has received more than half of the votes cast.
255. If more than two Members have been nominated and no Member receives more than half of the votes cast in a ballot, the candidate with the lowest number of votes will be eliminated. Further secret ballots will take place until one candidate has received more than half of the votes cast.
256. The bell will be rung to reconvene the meeting and the Chair will announce the result of the election in the Siambur. The Member elected as Presiding Officer will take the oath if they have not already done so, and will immediately take the chair for any remaining items of business on the Plenary agenda, including the election of the Deputy Presiding Officer.

## Nomination of the First Minister

257. The Assembly is required to nominate a First Minister within 28 days of an Assembly election. The procedure for nominating the First Minister is set out in [Standing Order 8](#).

258. Nominations for the appointment of First Minister can take place during the first Plenary meeting after an election or at any subsequent Plenary meeting, subject to the Assembly resolving to do so in accordance with [Standing Order 12.11](#). The Assembly will be invited by the Presiding Officer to agree that nominations take place. If any Member objects, an electronic vote will be called. Nomination proceedings will only take place if a majority of Members voting agree.

259. The process for nominating the First Minister is outlined below:



## Roll Call

260. If a roll call is required, the Presiding Officer will ask each Member present (in alphabetical order) to state the name of their preferred candidate. Members will also be given the option to abstain. The Presiding Officer and Deputy Presiding Officer are not permitted to vote.

261. If two Members have been nominated (or if there are two remaining candidates after others are eliminated) and the roll call results in a tie, further votes by roll call will take place. The Presiding Officer may suspend or adjourn the meeting

at any time if he or she thinks it appropriate to do so. A nomination may be withdrawn in between rounds of voting.

262. If more than two Members have been nominated and no Member receives more than half of the votes cast, the candidate with the lowest number of votes will be eliminated. Further votes by roll call will take place until one candidate has received more than half of the votes cast.

### **Nomination result**

263. The Presiding Officer will immediately recommend to Her Majesty that the Member nominated by the Assembly be appointed as First Minister. This will be done by sending an e-mail to the Palace on the Presiding Officer's behalf.

264. The nominee for the appointment of First Minister may wish to make a speech immediately after his or her nomination.

## Election of a committee chair

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265. In accordance with [Standing Orders 17.2A–D](#), for each committee established by the Assembly, the Business Committee must table a motion to allocate each chair to a political group. In tabling that motion, the Committee must have regard to the political balance of chairs. The Assembly must then consider that motion, and at least two-thirds of Members must agree to it for it to be passed.
266. Similarly, in accordance with [Standing Orders 17.2L–R](#), if the position of a chair becomes vacant, the Business Committee:
- must consider the effect of that vacancy on the balance of committee chairs between political groups; and
  - may table a motion to propose to change the political group of the vacant chair, or the chair of any other committee.
267. Following the outcome of the above consideration, a vacancy must be filled by an election.

### Invitation of nominations

268. The Presiding Officer will invite nominations for the chair of a committee in Plenary.
269. Only a Member from the political group that has been allocated that committee may be nominated as chair, and only a Member of the same political group may make the nomination. For political groups of more than 20 Members, the nominee must be seconded by another Member within the same political party (for political groups with less than 20 Members no seconder is required).
270. The Presiding Officer may invite nominations for several chairs at the same session, but no Member may be nominated for more than one committee chair at a time.
271. If only one Member is nominated, the Presiding Officer must ask the Assembly if any Member objects. If there are no objections the Presiding Officer must declare that Member elected as chair of the committee. If any Member objects, the Presiding Officer must make arrangements for the election to take place by secret ballot. The Member must receive more than half of the votes cast in that ballot to be elected.

272. If there are two or more nominations, the Presiding Officer must make arrangements for the election to take place by secret ballot.
273. If nominations are required for more than one vacant chair, and two or more nominations are received for any one committee, the Presiding Officer will continue with the nominations for other vacancies until all nominations have been made.
274. At the end of the process, the Presiding Officer will announce the time and date of the secret ballot/s of those committee chairs that need to be elected.

### **Secret ballot process**

275. *If there are two nominations:* Members will be asked to select their preferred candidate. The Presiding Officer must declare elected the Member who has secured the greatest 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.
276. *If there are more than two nominations:* Members will be asked to 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 will be distributed among the remaining candidates according to the next preferences. This process of exclusion and distribution will be repeated until one candidate obtains more than half the votes cast.
277. If there is an equality of votes between the two remaining candidates a further secret ballot must take place.

### **Secret ballot arrangements**

278. The Presiding Officer will announce the date and time of the secret ballot(s), which will normally be as soon as practically possible after nominations have been taken. Members will be informed by email that the voting booths are open. The arrangements for the secret ballot/s will normally be as follows:
- The secret ballot(s) will normally be held in Briefing Room 13 in the Senedd, opposite the rear of the Siambr. Commission staff will be on hand to direct Members.

- Members will be issued with their ballot papers on entering the room. Their names will be checked on a list by Chamber Secretariat officials.
- A different colour will be used for each ballot paper for each committee chair election.
- Voting will take place in a voting booth. Ballot papers will be placed within a ballot box.
- The Clerk of the Assembly will be responsible for supervising the voting and counting of votes.

### **Announcing the results**

279. The Presiding Officer will announce the results of the secret ballot(s) as soon as practicable after the process has completed.

## Appendix 1 – Form and Content of Assembly Questions

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Members should observe the following criteria when tabling Assembly Questions:

### 1. Delegated Responsibilities

- 1.1 Assembly Questions may be tabled to the First Minister, a Welsh Minister, the Counsel General or the Assembly Commission on any matter relating to their responsibilities. The First Minister may answer oral questions relating to any matter within the remit of any Welsh Minister. However, Written Questions on detailed policy issues relating to the responsibility of Welsh Ministers must be directed to the appropriate Minister.
- 1.2 Questions can ask for information regarding the actions of Ministers or the Commission in relation to non devolved matters, or matters outside their responsibilities, but cannot ask for direct action on those matters.
- 1.3 The responsibilities of individual Welsh Ministers are published on the [Cabinet pages](#) of the Welsh Government's website. The responsibilities of the Assembly Commission are set out in Section 27 and Schedule 2 to the Government of Wales Act 2006.

### 2. Proper Form of Questions

- 2.1 Language – Questions containing language considered by the Presiding Officer to be disorderly, discriminatory or offensive or which detracts from the dignity of the Assembly will not be accepted.
- 2.2 Length – Questions should be drafted as concisely as possible (no more than 50 words). This is particularly relevant for Oral Questions.
- 2.3 Open Questions – such as asking about the First Minister's engagements for the day, or an open ended question on the Welsh Government's priorities, will not be accepted. The focus of a question must be clear from its wording. Examples of open questions and suggested alternatives are in [Appendix 2](#).
- 2.4 Scope – Questions should be worded as to indicate a particular subject matter. Questions may be deemed inadmissible if they are vague or meaningless. Questions should not seek an answer to hypothetical propositions. Questions should not (primarily) convey information or put forward a particular point of view.



### 3. Other Considerations

- 3.1 Answered Questions – Questions that have previously been answered by the same Minister, or which renew, or repeat in substance one that has been answered, or has been refused an answer may not be asked again for an interval of three months. However, questions that seek updates on, for example, statistical information may be acceptable.
- 3.2 Factual basis – Extracts from newspapers or books and paraphrases of, or quotations from, speeches etc. are not admissible but the facts on which a question is based may be briefly set out within the framework of a question, provided the Member asking it makes him or herself responsible for the accuracy of such facts.
- 3.3 Accuracy of statements – questions cannot query whether statements made in the press, or by private individuals, or unofficial bodies are accurate. However, questions that refer to the content of messages from another government to the Assembly are admissible.
- 3.4 Personal reflections – Questions must not reflect on the character or conduct of an Assembly Member. A question is not admissible if it introduces names of persons in any way unless leaving out such details would render the question unintelligible.
- 3.5 Legal Matters – Questions seeking an expression of opinion on a question of law may not be accepted. Questions may not be asked about matters in respect of which court proceedings have been initiated, or where notice of appeal has been given, until the time when judgement has been given (Standing Order 13.15). Questions which reflect on the decision of a court of law are not acceptable. Questions relating to the sentence passed by a judge or which criticise the judiciary are inadmissible (Standing Order 13.16).
- 3.6 Readily available information – Questions seeking information that the Assembly Member can easily obtain of their own accord or through another source are not admissible.

## Appendix 2 – Examples of Open Questions Tabled

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1. What are the Welsh Government's priorities for 2013? – Tabled to the First Minister

*Open as it could cover any aspect of this Ministerial portfolio. As tabled to the First Minister, this question could be reworded to include detail on any aspect of the Welsh Government's responsibilities.*

2. Will the First Minister make a statement on the Welsh Government's priorities for the new year? – Tabled to the First Minister

*Open as it could cover any aspect of this Ministerial portfolio. As tabled to the First Minister, this question could be reworded to include detail on any aspect of the Welsh Government's responsibilities.*

3. Will the Minister provide an update on policies he intends to deliver in 2013? – Tabled to the Minister for Education and Skills

*Open as it could cover any aspect of this Ministerial portfolio.*

4. What steps is the Minister taking to improve the lives of the residents of Cardiff and the valleys? – Tabled to the Minister for Housing, Regeneration and Heritage

*Open as it could cover any aspect of this Ministerial portfolio.*

5. Will the Minister outline his budget priorities for the next 12 months? – Tabled to the Minister for the Environment and Sustainable Development.

*Open as it could cover any aspect of this Ministerial portfolio.*

6. Will the Minister provide an update on her department's activities in South Wales Central? – Tabled to the Minister for Business, Enterprise, Technology and Science

*Open as it could cover any aspect of this Ministerial portfolio.*

7. Will the First Minister make a statement on the Welsh Government's priorities for young people in Wales? – Tabled to the First Minister

*Although limited to a particular age group, this is open as it could cover aspect from a wide range of Ministerial portfolios.*

8. Will the First Minister outline the Welsh Government's plans for North Wales in 2013? – Tabled to the First Minister

*Although limited to the Member's electoral region, this is open as it could cover any aspect of all Ministerial portfolios.*

9. Will the Minister outline his priorities for north Wales in the next twelve months? – Tabled to the Minister for Housing, Regeneration and Heritage

*Although limited to a particular region, this is open as it could cover any aspect of all Ministerial portfolios.*

10. Will the First Minister provide an update on the progress of the Programme for Government? – Tabled to the First Minister

*Even though the Programme for Government is a published record of the government's commitments, etc. we consider this question to be open as it could cover any aspect of all Ministerial portfolios.*

11. Will the First Minister outline how the Programme for Government is delivering for people in Torfaen? – Tabled to the First Minister

*As questions above, and although this question is limited to a particular constituency we consider this question to be open as it could cover any aspect of all Ministerial portfolios.*

### **Suggested Alternative Questions to the above**

1. What action will the Welsh Government take during 2013 to help the rural economy?
2. Will the First Minister make a statement on the Welsh Government's priorities for social care in the new year?
3. Will the Minister provide an update on policies for higher education he intends to deliver in 2013?
4. What steps is the Minister taking to improve ~~the lives of~~ access to the arts for the residents of Cardiff and the valleys?
5. Will the Minister outline his budget priorities for renewable energy projects for the next 12 months?

6. Will the Minister provide an update on her department's activities in relation to supporting businesses in South Wales Central?
7. Will the First Minister make a statement on the Welsh Government's educational priorities for young people in Wales?
8. Will the First Minister outline the Welsh Government's plans for the economy in North Wales in 2013?
9. Will the Minister outline his priorities for sport in north Wales in the next twelve months?
10. Will the First Minister provide an update on the progress against key targets for education set out in the Programme for Government?
11. Will the First Minister outline how the economic priorities set out in the Programme for Government are delivering for people in Torfaen?