



Northern Ireland
Assembly

Committee on Procedures

Minutes of Proceedings

1 December 2021

Meeting Location: Room 29 and Starleaf

Present by Video-Conference:

Ms Carál Ní Chuilín MLA (Chairperson)

Mr Thomas Buchanan MLA (Deputy Chairperson)

Mrs Rosemary Barton MLA

Ms Nicola Brogan MLA

Ms Joanne Bunting MLA

Ms Sinead Bradley

Mr Gerry Carroll MLA

Ms Ciara Ferguson MLA

Apologies:

Mr William Humphrey MLA

In Attendance:

Emer Boyle (Committee Clerk)

Paul Gill (Clerk Assistant)

Stewart Kennedy (Assistant Assembly Clerk)



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The meeting commenced at 2.32pm in open session.

1. Apologies

As above.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Wednesday, 17 November 2021.

3. Matters Arising

There were no matters arising.

4. Inquiry into Legislative Consent Motions – Briefing by Research and Information Services (RaISe)

Ms Sinead Bradley MLA and Ms Emma Dellow-Perry (Research Officer) joined the meeting at 2.34pm.

The Chairperson reminded the Committee that additional research was commissioned to seek to understand better the LCM experience since January 2020, in the Assembly and other devolved legislatures.

The Committee noted a memo from the Clerk and a research paper from RaISe.

The Chairperson welcomed Ms Dellow-Perry to the meeting.

Mr Gerry Carroll MLA joined the meeting at 2.39pm.



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Ms Dellow-Perry briefed the Committee on the research paper which was followed by a question and answer and session.

During discussions, the Committee noted a number of important issues relating to data provided in the paper. In particular, the Committee noted that there had been a number of occasions where Ministers had not acted in accordance with the requirements of Standing Order 42A (4), by laying a legislative consent memorandum before the Assembly within the 10 working days prescribed.

The Chairperson thanked Ms Dellow-Perry for her research paper and for the briefing.

Ms Dellow-Perry left the meeting at 15.09pm.

Agreed: The Committee agreed that it was minded to explore, as part of its ongoing Inquiry, whether there may be scope to incorporate additional time, where possible, into the parameters of the existing Standing Order 42A to afford committees further time to carry out their scrutiny on the relevant devolution matter.

Agreed: The Committee agreed to forward the research paper to the Executive and to ask whether it wishes to comment on the issues raised in the paper as the Committee is likely to reflect on them in its report.

5. Review of Private Members' Bill – Oral Evidence from Mr Chris Lyttle MLA

The Committee noted a paper from the Clerk and written responses received from an MLAs, the DUP and the Committee for Finance.

Mr Chris Lyttle MLA joined the meeting at 3.12pm.

The Chairperson welcomed Mr Lyttle to the meeting.

Mr Lyttle provided oral evidence to the Committee on his experience of the PMB process. This was followed by a question and answer session.



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The Chairperson thanked Mr Lyttle for his evidence.

The evidence session was recorded by Hansard.

Mr Lyttle left the meeting at 3.29pm.

6. Review of Private Members' Bill – Oral Evidence from Ms Kellie Armstrong MLA

The Chairperson informed the Committee that this evidence session had been brought forward on the agenda.

Ms Kellie Armstrong MLA joined the meeting at 3.30pm.

The Chairperson welcomed Ms Armstrong to the meeting.

Ms Armstrong provided oral evidence to the Committee on her experience of the PMB process. This was followed by a question and answer session.

The Chairperson thanked Ms Armstrong for her evidence.

The evidence session was recorded by Hansard.

Ms Armstrong left the meeting at 3.51pm.

Agreed: The Committee agreed for officials to provide a summary of the key issues to counterparts in the Speaker's Office and the Bill Office in advance of the evidence sessions to be held at the next committee meeting.

7. EU Related Issues – Section 6A – Consent Decisions

The Chairperson reminded the Committee of the EU Exit issue of "Consent Decisions" which relate to regulations which could be proposed by the British Government under Section 6A of the 1998 Act that seek to limit the legislative competence of the Assembly.



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The Committee noted a paper from the Clerk which provided the background to Section 6A and a summary of the responses received from stakeholders. The Committee noted that a response from the Executive had not been received.

The Committee noted that the relevant period for seeking a consent decision was 40 days, not including recess periods, and that the “freezing powers” would expire on 31 January 2022. The Committee also noted that the last date on which draft regulations would have been able to have been provided to the relevant NI department was 30 November 2021.

Agreed: In light of the fact that it appeared that no such regulations were likely to be proposed and noting that the relevant timeframes in relation to making regulations under these powers would expire at the end of January 2022, the Committee agreed to take no further action on this issue.

8. NI (Ministers, Elections and Petition of Concern) Bill – Update

The Committee noted a briefing note from the Clerk and a written submission from the DUP.

Agreed: The Committee agreed to defer its consideration of this agenda item and to forward the issues paper to the party whips and the Leaders’ Forum for consideration.

9. Correspondence

The Committee noted the following items of correspondence:

- A memo from the Clerk to the Youth Assembly advising Members of the establishment of the Youth Assembly and the Committees it will be working across;
- An invitation from the Human Rights Commission to the 2021 Human Rights Statement;



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- A memo from the Clerk to the AERA Committee, inviting Members to attend the Minister's webinar on the Green Growth Strategy; and
- A memo from the CAMs Office offering Members to attend an online session on 'Personal Security'.

Agreed: The Committee agreed to write to the Clerk of the Youth Assembly to wish them well in their work.

10. Forward Work Programme

The Chairperson informed the Committee that the next meeting will be the last meeting before the Christmas recess period and included in the agenda would be 2 more oral evidence sessions from MLAs on PMBs, evidence from the Bill Office and also the Speaker.

11. Chairperson's Business

The Chairperson informed the Committee that, through correspondence with the Clerk, she had received confirmation of the standing of the Chairperson's Liaison Group and its terms of reference.

Agreed: The Committee agreed for the Clerk to provide Members with this information at the next meeting.

12. Any Other Business

There was no other business.



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13. Date and Time of Next Meeting

Agreed: It was agreed that the next meeting of the Committee would take place on Wednesday, 15 December 2021 at 2.30pm.

The meeting was adjourned at 4.11pm.

Carál Ní Chuilín MLA
Chairperson, Committee on Procedures
15 December 2021