

The Speaker



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Assembly

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Mr Stephen Moutray MLA
Chairperson, Assembly and Executive Review Committee
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BELFAST
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10 November 2015

Dear Stephen,

ASSEMBLY AND EXECUTIVE REFORM (ASSEMBLY OPPOSITION) BILL

Thank you for your letter inviting the Business Committee to make a written submission on the Assembly and Executive Reform (Assembly Opposition) Bill.

I note that you particularly draw the Business Committee's attention to Clause 10 and Clause 17 which relate to membership of the Business Committee.

Initial Standing Orders (1998) specified a minimum of eight and a maximum of sixteen members to be appointed to the Business Committee by the Speaker following consultation with the leaders of the parties in the Assembly. They required that membership should be a fair reflection of the parties participating in the Assembly and that each party with at least two members should have at least one place.

The situation has evolved since then. By 2002, Standing Orders had been amended to require, as now, that each party delegation present at the committee is entitled to cast the number of votes equivalent to the number of members who adhere to the whip of that party. They also ceased to refer to any membership entitlement on the basis of party size.

Standing Order 55 now requires the Speaker to be the Chairperson of the Business Committee and membership is restricted to a maximum of twelve. Standing Orders are silent on the appointment of members and, with the agreement of the Assembly, the Business Committee currently comprises the whips of the five main parties.

Clauses 10 and 17 might therefore significantly impact on the membership of the Business Committee but the extent to which they might do so cannot be established at this stage until other implications of the Bill are clarified, in particular Clause 8.

Clause 8 requires Standing Orders to make provision for enhanced speaking rights for the Opposition and to include a minimum of 15 days per year to be set aside for Opposition business.

Typically the Assembly sits for 70-75 days per year so this Standing Order would allocate approximately 20 per cent of the time available to the Opposition. With this much plenary time allocated automatically, is there a need, or is it appropriate, for the Opposition to be represented on the Business Committee and what exactly would its role be in terms of selecting and allocating business? Furthermore, it is not clear from the Bill what the Sponsor's intention is towards private members' business. For example, when does he intend that parties represented on the Executive would be able to submit private members' motions?

The Business Committee therefore recommends that during its scrutiny of the Bill the Assembly and Executive Review Committee seeks to establish more clearly what the Sponsor's exact intention is for the implementation of Clause 8 and only then could an assessment of the impact of Clauses 10 and 17 be made.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Mitchel McLaughlin', with a stylized flourish at the end.

MITCHEL MCLAUGHLIN MLA
Chairperson, Business Committee
"Respect - A First Step"