

How Plenary Works

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Assembly and Executive

- Devolved legislature for Northern Ireland
- Responsible for making laws on transferred matters in Northern Ireland
- Scrutinising the work of Ministers and Government Departments
- Appoints the NI Executive

NI Executive

- The Executive Committee exercises executive authority on behalf of the Assembly
- Takes decisions on significant issues and matters which cut across the responsibility of two or more Ministers
- Agrees proposals for new legislation in the form of 'Executive Bills' for consideration by the Assembly

NI Executive cont.

- Draws up a Programme for Government for each Assembly mandate
- Agrees budget for approval by the Assembly

Assembly and Executive

- Ministers of the Executive are nominated by the political parties in the Northern Ireland Assembly
- The number of Ministers which a party can nominate is determined by its share of seats in the Assembly (D'Hondt)
- FM & dFM are nominated by the largest and second largest parties respectively and act as chairmen of the Executive

D'Hondt

- 19th Century Belgian lawyer
- System for allocating seats following election
- Seats in Assembly Executive and Chairs and Dep Chairs in Cttee are allocated via D'Hondt
- Works on basis of highest average
- Larger parties gain from this method

Assembly Powers and Functions

- Authority to legislate
- Any competence not explicitly retained by Westminster
- Excepted – retained indefinitely
- Reserved – may transfer in future
- Transferred – ‘not excepted or reserved’

Excepted matters

- The Crown
- International Relations
- Defence
- Immigration
- Taxation (direct)
- National Insurance
- Currency
- Nuclear energy/Space

Reserved matters

- Postal Services
- Telecoms
- Lottery
- Minimum Wage
- Units of Measurement
- Etc

The Assembly Business Week

- Monday – Plenary Session 12 noon start
- Tuesday – Plenary Session 10.30 am start
- Tuesday – Business Committee 12.30pm
- Wednesday – Assembly Liaison Group 12 noon
- Tues/Wed/Thurs – Committee meetings
- Friday – MLA surgery days

Business Office

- Plenary – in the Chamber
- Tabling – the mechanism of getting business to the Chamber
- Assembly Questions – huge untapped resource

Types of Plenary business

- **Speaker's business** – updates on legislation, returning to points of order
- **Matters of the day** – urgent issues of significant concern to Northern Ireland
- **Ministerial statements** – Ministers informing the Assembly about particular issues
- **Executive committee business** - bringing legislation forward
- **Committee business** - bringing reports to the Assembly
- **Private Members' business** – motions for debate and amendments
- **Adjournment debates** – issues relating to constituency matters

PLENARY PAPERS & PREPARATIONS

- Order Paper for each meeting, Speaker's brief, Indicative Timings, speaking lists, log
- Marshalled list of amendments
- Oral questions papers
- Formal legal record of proceedings – MoPs
- Procedural advice to Speaker and Members
- Liaison with Committees and Executive side (via OFMDFM Assembly section).

PLENARY ORDER OF BUSINESS

- Prayers
- Matters of the Day
- Speaker's Business
- Executive Committee Business
- Question Time – **Always 2pm to 3.30pm**
- Questions for Urgent Oral Answer – **Always following Question time**
- Committee Business
- Private Members' Business
- Adjournment Debate

BUSINESS COMMITTEE

- Standing Order 55 – *‘There shall be a standing committee which shall make arrangements for the business of the Assembly and perform such other duties as the Speaker may request or the Assembly determines.’*
- Chaired by the Speaker.
- Up to 12 other Members (Party Whips/Deputies).
- Party delegations entitled to cast the number of votes equivalent to the number of Members who adhere to the Whip of that party.
- Meetings held in closed session.

FUNCTIONS OF BUSINESS COMMITTEE

- Schedules Plenary Business.
- Considers and recommends the membership of Statutory and Standing Committees.
- Recommends the setting up of Ad Hoc Committees.
- Determines the dates of recess.
- Approves establishment of more than one sub-committee.
- Rules on matters of joint concern to committees.

In the Chamber - Speaker's role

- To preside over plenary meetings – includes calling Members to speak.
- To ensure that proceedings are conducted in accordance with Standing Orders.
- To ensure that good order is maintained in the Chamber.
- The Speaker's rulings on all matters of procedure and order are final.

In the Chamber – Clerks' role

- Provision of advice and support to the Speaker and Deputies in upholding the rules governing conduct of business.
- Communication with Party Whips.
- Preparation and maintenance of speaking lists for current and forthcoming items.
- Reading motions into the record.
- Managing divisions, including liaison with Tellers, operating the clock, division bells, and reading the result.
- Keeping the log.
- Maintain contact with Business Office.

In the Chamber - Speaking Opportunities for Members

- Matters of the Day
- Ministerial statements – question and answer session for up to 1 hour
- Bills
- Motions
- Amendments to Motions
- Question Time
- Adjournment Debates

Speaking opps - Contd

- Speaking rights and list
- Not a random process
- D'Hondt
- Time to speak – motions, amendments
- Interventions
- Points of Order

Motions

- Motions are a means of calling for action or noting a particular issue.
- Various types – Executive, Committee, Business, Private Members.
- Selected for debate from No Day Named List by the Business Committee using the *D'Hondt* formula.
- Can cover almost any topic but must comply with certain conventions.

Amendments to motions

- An amendment is used to provide an alternative approach to the same topic or to make a motion more acceptable.
- It must not make the motion unintelligible or ungrammatical and must not negate it or be trifling.
- Must be tabled by 9.30 on Thursday for Monday debate and by 9.30 on Friday for Tuesday debate.
- Selected by the Speaker.

Reaching a Decision

- At the end of any motion the Assembly must come to a decision
- Speaker will ask via oral vote
- If aye's and no's not conclusive – lobby vote
- 3 minutes – division bell
- Simple Majority & Cross Community

CROSS-COMMUNITY SUPPORT

Arrangements to ensure key decisions are taken on a cross-community basis:

- (I) **either** parallel consent, i.e. a majority of those Members present and voting, including a majority of the unionist and nationalist designations present and voting;
- (ii) **or** a weighted majority (60%) of Members present and voting, including at least 40% of each of the nationalist and unionist designations present and voting.

Petition of Concern

- Any decision of the Assembly may be subjected to the requirement of cross-community consent where a Petition of Concern is tabled.
- 30 Member signatures required to become valid.

Matter of the Day

- MotD must be of exceptional public interest, directly affect the people of Northern Ireland and relate to something which has occurred since the Assembly last stood adjourned.
- Must be tabled by 9.30am on any sitting day and be signed by the Party Whip.
- It is an opportunity to make a statement on an issue
- No vote.
- Speaker decides on selection.

Adjournment Debates

- Purpose is to promote a one hour discussion on a matter without requiring a decision of the Assembly
- Will normally be a one line title and relate to a **constituency** issue
- Can be tabled by any Member
- Last item of Business on a Tuesday

ASSEMBLY QUESTIONS

- Assembly Questions allow MLAs to ask Ministers for information or to press for action
- Questions can be tabled for either oral answer in the Assembly chamber or in writing

Types of Questions

- Questions for Oral Answer
- Topical Questions
- Questions for Urgent Oral Answer
- Questions for Written Answer

Questions for Oral Answer

- Oral questions allow Members to hold the Executive (and Members of the Assembly Commission) to account;
- 30 minutes for each Minister to answer questions;
- One oral per Member per Department – four Departments each week two on Monday and two on Tuesday plus the Assembly Commission every 12 weeks;
- The Business Committee agrees the Questions rota;
- Names of those wishing to ask a question submitted to the Business Office up to 1.00 pm Tuesday;
- Names selected in a ballot and text of the questions from those selected submitted each Thursday for answer 2 weeks;
- Random computer shuffle determines the order of the 15 questions;
- Only Members or authorised persons may table.

Topical Questions

- Introduced 9 September 2013
- 15 minutes at the end of each Minister's Question Time slot
- 10 Members listed for a question
- **No notice of the question given** and only the Member listed gets a supplementary
- Must relate to Minister's remit

Questions for Urgent Oral Answer

- A Question for Urgent Oral Answer a special type of oral question and it is not already on the oral list of questions for answering that Monday or Tuesday.
- It is the Speaker's decision to accept or not the Urgent Question
- The matter must be of an urgent nature and of public importance.
- Adequate notice must be given to the member of the Executive – the Minister who is to reply.
- Must be tabled before 10.30 am.
- The Urgent Question will normally be answered immediately after Question Time.

Questions for Written Answer

5 questions allowed per Member per day

- To be tabled by 4pm each day
- Questions list is published the following day;
- Normally scheduled for answer 10 working days following publication but Priority questions can be tabled (normally 2-5 working days), only one per Member per day and cannot ask for large amounts of statistical or historical information
- Answers printed in weekly booklet and consolidated list of outstanding questions - available Monday 8.30am on website and in print form

Admissibility of Questions

Standing Order 19(2)

Questions should not contain:

- statements of facts or names of persons, unless they are strictly necessary to make the question intelligible and can be authenticated;
- arguments, inferences or imputations;

Admissibility Contd

- adjectives, unless they are strictly necessary to make the question intelligible;
- hypothetical matter; or
- requests for expressions of opinion, legal or otherwise
- Minister's remit
- Priority Written Questions

Which Department?

- To ask the Minister whether they plan to bring forward legislation to require restaurants to offer free tap water to customers.
- To ask the Minister whether the road closures during the recent Belfast City Half Marathon were for safety reasons

Contact Info

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- Guidance documents