



**Northern Ireland
Assembly**

ASSEMBLY AND EXECUTIVE REVIEW COMMITTEE (AERC)

MINUTES OF PROCEEDINGS

**WEDNESDAY 26 FEBRUARY 2020, ROOM 21, PARLIAMENT BUILDINGS,
BALLYMISCAW, STORMONT**

Present: Mervyn Storey MLA, Chairperson
Maolíosa McHugh MLA, Deputy Chairperson
Jonathan Buckley MLA
Alex Easton MLA
Robbie Butler MLA
Colin McGrath MLA
Jim Allister MLA
Kellie Armstrong MLA

Apologies: Gerry Kelly MLA

In Attendance: Shane McAteer, Assembly Clerk
Clairita Frazer, Senior Assistant Assembly Clerk
Aoibheann Baker, Assistant Assembly Clerk
Jim Nulty, Clerical Supervisor

Members agreed that agenda item 1 will be held in closed session.

The meeting commenced at 10.30am in closed session.

1. Procedures and Administrative Arrangements

Members noted the following guidance documents:

- 1.1 Committee Membership;
- 1.2 Staff contact details;

1.3 Arrangements for Committee meetings;

Agreed: The Committee agreed that, due to scheduling clashes with other Assembly committees, future meetings of AERC will be scheduled on a Wednesday at 9:30am in Room 21, Parliament Buildings. This decision will be reviewed at a later date if required.

Agreed: The Committee agreed that future meetings of the Committee will generally be held in public session unless individual agenda items require to be held in closed session due to the nature of business being considered.

Agreed: The Committee agreed that modest refreshments will be provided for Committee meetings.

1.4 Guide to the Powers and Operation of Standing Committees and Ad Hoc Committees for Chairpersons and Members;

The Chairperson drew members' attention to the guidance on privilege and matters of sub-judice contained within the "Guide to the Powers and Operation of Standing Committees and Ad Hoc Committees for Chairpersons and Members".

Mr McGrath joined the meeting at 10:35am

1.5 Guide to the Role of the Committee Chairperson;

1.6 Guide to the Role and Functions of Committee Office;

1.7 Committee Protocol on conduct and courtesy in Committee meetings;

Agreed: The Committee agreed to adopt the protocol on conduct and courtesy in Committee meetings.

Mr Easton joined the meeting at 10:39am

1.8 Outcomes of an effective Committee

Agreed: The Committee agreed to provisionally adopt the guidance on "Outcomes of an effective Committee", subject to its use in the AERC context being reviewed at a later date.

1.9 Guidance on timescales for interaction between Assembly Committees and Departments

Agreed: The Committee agreed to provisionally adopt the "Guidance on timescales for interaction between Assembly Committees and Departments", subject to its use in the AERC context being reviewed at a later date.

1.10 Committee approach to meeting preparation and questioning; and

Agreed: The Committee agreed to revisit options for meeting preparation and questioning at a later date as part of the Committee's strategic planning work.

1.11 Committee approach to dealing with correspondence;

Agreed: The Committee agreed to adopt the guidance on “Committee approach to dealing with correspondence”, subject to its use in the AERC context being reviewed at a later date.

The meeting moved into open session at 10.44am.

2. Apologies

As above.

3. Declaration of Interests

The Chairperson reminded members of the requirement to register relevant financial and other interests in the Register of Members’ Interests.

Members were also advised of the ongoing requirement to declare relevant financial or other interests as and when they arise on the Committee. In that regard, members were advised that any financial or other interests which relate to the remit of the Committee, or which are likely to be relevant to a substantial part of its work, should be drawn to the attention of the Committee at this stage.

Mr Allister declared an interest as the sponsor of the Private Members’ Bill entitled “Functioning of Government (Miscellaneous Provisions) Bill” which would be discussed under agenda item 4.

4. Functions of AERC and next steps in development of Work Programme

Members received a briefing from the Committee Secretariat on the functions of AERC and potential next steps in the development of the Committee’s forward work programme.

The Committee discussed the Functioning of Government (Miscellaneous Provisions) Bill which was introduced to the Assembly on 3 February 2020 and, subject to passing Second Stage, would be referred to the appropriate committee for Committee Stage scrutiny. Members noted that Standing Order 64 provides options where a matter may be of “concern” to two or more relevant Assembly committees. It was also noted that, in accordance with Standing Order 64A which would be the most efficient approach to the matter, the Chairperson will meet with the chairpersons of the other relevant committees, following today’s meeting, to agree which committee the matter should fall for disposal. The Chairperson sought the view of the Committee in that regard.

Mr McGrath declared an interest as Chairperson of the Committee for the Executive Office.

Mr Allister, as the Bill sponsor, indicated that he considered clauses 5 and 12 of the Bill to be of particular interest to AERC.

Agreed: The Committee agreed that the provisions in the Functioning of Government (Miscellaneous Provisions) Bill appeared to be of relevance mostly to the Finance Committee and that it would therefore be best placed to take the lead in the Committee Stage scrutiny of the Bill, in accordance with Standing Order 64A. The Chairperson

indicated that he would reflect the Committee's position at his subsequent meeting with the chairpersons of the other relevant committees.

Members discussed the Committee's approach to identifying and prioritising potential topics for its forward work programme.

Agreed: The Committee agreed that, in order to inform the development of its forward work programme, it will:

- write to the First Minister and deputy First Minister requesting a meeting with the Committee Chairperson and Deputy Chairperson to discuss any suggested topics that they may have for the Committee's consideration;
- write to the political parties and independent MLAs represented in the Assembly to seek their views on potential topics for the AERC forward work programme;
- commission research, including comparative research on the work of similar committees in other legislatures;
- where applicable, seek a briefing from The Executive Office on the detail and timetable for any work relevant to AERC arising from the "New Decade, New Approach" Implementation Programme;
- consider any other developments that might give rise to work commitments for AERC; and
- hold a strategic planning session to agree the Committee's priorities.

5. Committee Induction Plan

Members received a briefing from the Committee Secretariat on the draft Committee Induction Plan.

Agreed: The Committee agreed the proposed Induction Plan.

The Committee discussed whether it has the power to initiate work and consider matters, including topics considered by the AERC in a previous mandate, without requiring to have these matters referred to it by the Assembly under Standing Order 59(3)(b).

Agreed: The Committee agreed that the Clerk will seek advice to confirm the position and revert to the Committee.

6. Correspondence

None.

7. Any Other Business

None.

8. Date, Time and Place of Next Meeting

Members noted that the next meeting of the Committee will be scheduled once an initial topic list has been compiled for consideration. This will be following the applicable steps agreed under agenda item 4.

Agreed: The Committee agreed that the Clerk will inform members of the outcome of the meeting of committee chairpersons, which was scheduled for this afternoon to determine which committee would lead on any Committee Stage of the Functioning of Government (Miscellaneous Provisions) Bill.

The Chairperson adjourned the meeting at 11.04am

Mervyn Storey MLA
Chairperson
Assembly and Executive Review Committee
6 May 2020