

NORTHERN IRELAND ASSEMBLY
BUSINESS COMMITTEE

TUESDAY 8 FEBRUARY 2022
SENATE CHAMBER

MINUTES

The meeting began at 1.05pm.

Present:

The Speaker (Chairperson)
Ms C Bailey
Ms J Bunting
Mr R Butler
Mr T Clarke
Ms D Kelly
Mr C McGrath
Mr A Muir
Mr J O'Dowd

In attendance:

Dr A McGarel	Clerk of Business
Mr P Gill	Clerk Assistant
Dr G McGrath	Director of Parliamentary Services
Ms L Hogg	Clerk/Chief Executive
Ms R Ellis	Legal Services
Mr R Ramsey	Adviser to the Speaker
Ms F Leneghan	PS to the Speaker
Ms P Devlin	Assistant Assembly Clerk
Mr M O'Hare	Clerical Supervisor

Observers:

Mr D McCreedy **The Executive Office**

1 **Apologies**

1.1 Apologies were received from Sinéad Ennis and Paula Bradshaw.

2 **Minutes of previous meeting**

2.1 The minutes of the meeting on 1 February 2022 were **agreed**.

3 **Matters Arising**

3.1 There were no matters arising.

4 **Scheduling of an Additional Sitting to Facilitate Filling Vacancies in the Office of First Minister and deputy First Minister**

4.1 The Speaker noted that, as Members were aware, the First Minister had resigned his position last week and as a result the deputy First Minister also ceased to hold office at that time.

4.2 The Speaker advised that Section 16B of the 1998 Act sets out the requirements for filling vacancies in the office of the First Minister and deputy First Minister and that under current law, there is a statutory requirement for them to be filled within a period of seven days, and the seven-day period since Mr Givan's resignation would end at midnight on Thursday 10 February.

4.3 The Speaker informed Members that it would therefore be necessary for the Business Committee to agree to facilitate the nomination process taking place before this by scheduling an additional sitting on Thursday 10 February with Filling of vacancies in the offices of the First Minister and deputy First Minister listed as the single item of business.

4.4 The Speaker advised that legislation extending the seven-day period to up to 24 weeks was proceeding through the House of Commons and if it received Royal Assent before midnight on Thursday 10 February it would have effect in respect of Mr Givan's resignation, but until that legislation came into force, the Assembly was required to put the necessary measures in place to facilitate the filling of the vacancies in those offices.

4.5 Members **agreed** to schedule a sitting to appoint a First Minister and deputy First Minister with the caveat that the additional sitting would take place only if, by the time the sitting was due to commence, the period for filling the offices, as provided for by section 16B(3) of the Northern Ireland Act 1998, had not been increased.

4.6 Members **agreed** to the Speaker's proposed approach for that sitting, and **agreed** the Order Paper for Thursday 10 February.

5 **Finalisation of the Order Papers for the Plenary Meetings in Week Commencing 14 February**

Monday 14 February

Members' Statements

- 5.1 Members **noted** that Members' Statements remained scheduled.

Assembly Business

- 5.2 Members **agreed** to schedule a Business Committee motion to suspend Standing Orders 10(2) to 10(4) at the start of the sitting.

Executive Committee Business

- 5.3 Members **noted** receipt of correspondence from the Minister for the Economy, explaining that due to essential departmental business in Dubai, he will not be available to answer questions on Monday 14 February and had been unable to secure the agreement of another suitable Executive Minister to respond on his behalf. The Minister had requested that his questions would be rescheduled in the next available time slot.
- 5.4 The Speaker noted his disappointment at the late notice, as Members had already submitted their questions and these had been published. Some Members also indicated their disappointment at this late cancellation.
- 5.5 Members **noted** that since the last meeting, Consideration Stage of the School Age Bill had been added for the Minister of Education, and that this could only proceed if the accelerated passage motion and second stage of the Bill were agreed by the Assembly later that afternoon.
- 5.6 Members **agreed** to schedule an untimed debate for Consideration Stage of the School Age Bill, and **agreed** that it would be removed from the Order Paper before issue if the Assembly did not consent to accelerated passage, or if second stage of the Bill did not pass.
- 5.7 The Speaker expressed the view that, although the Committee had recently been discussing how best to speed up the passage of legislation through the Assembly, he was concerned by such tight scheduling of an amending stage of a Bill.
- 5.8 The Speaker advised Members that the deadline for amendments would be 9.30am the following day, Wednesday 9 February, and urged Members to bring this deadline to the attention of their party colleagues and those whom they represent.

- 5.9 Members **noted** that otherwise Executive Business remained as scheduled at the last meeting.
- 5.10 Members **noted** that First Stage of the General Teaching Council (Directions) Bill would be included on Indicative Timings once legislative competence had been established.

Committee Business

- 5.11 Members **noted** that a timed debate on the report of the Ad Hoc Committee on a Bill of Rights remained scheduled.
- 5.12 Members **agreed** to schedule a motion for the Audit Committee on their Review of the Governance and accountability arrangements for the NIAO and NIPSO, with an hour and a half for the debate and standard timings.

Private Members' Business

- 5.13 Members **noted** that there was insufficient time available for Private Members' business.
- 5.14 Members **agreed** the Order Paper for Monday 14 February.

Tuesday 15 February

- 5.15 Members **agreed** that the first item of business would be the completion of any unfinished Executive and Committee business from Monday.

Executive Committee Business

- 5.16 Members **noted** that Executive business remained as scheduled at the last meeting.
- 5.17 Members **noted** that because the Minister for Infrastructure was seeking accelerated passage for the Motor Vehicle (Compulsory Insurance) Bill, their prior agreement was that no time limits would apply to individual contributions.
- 5.18 Members **agreed** that if the motion seeking accelerated passage for the Bill did not pass, time limits on individual contributions would then be applied to second stage.

- 5.19 Members **agreed** to allow up to 20 minutes for the Minister to move and 10 minutes for the wind, up to 15 minutes for the Committee Chair and up to 10 minutes for all other contributors.

Private Members' Business

- 5.20 Members **noted** that Consideration Stage of the Autism (Amendment) Bill remained scheduled.
- 5.21 Members **agreed** the Order Paper for Tuesday 15 February.

6 **Provisional Arrangements for the Plenary Meetings in Week Commencing 21 February**

Monday 21 February

Members' Statements

- 6.1 Members **noted** that Members' Statements were scheduled as usual.

Assembly Business

- 6.2 Members **agreed** to schedule a Business Committee motion to suspend Standing Orders 10(2) to 10(4) to give the flexibility to allow the sitting to continue beyond 7pm.

Executive Committee Business

- 6.3 Members **noted** that Question Time was scheduled for the Executive Office and Minister of Finance.
- 6.4 So that it was not necessary to suspend Standing Order 20(1) at the beginning of each sitting when questions to the Executive Office were scheduled, Members **agreed** to remove TEO from the Question Time rota until the offices of the First Minister and deputy First Minister had been filled.
- 6.5 Members **agreed** to reschedule questions to the Minister for the Economy in place of TEO questions (para 5.3) and offer Members who had previously been successful in the ballot the opportunity to retain their original question or submit a new one.
- 6.6 Members **noted** that the Executive had listed seven items of business:

- Final Stage of the Protection from Stalking Bill
 - Further Consideration Stage of the School Age Bill
 - The Environment (2021 Act) (Commencement and Saving Provision) Order (NI) 2022
 - Supply Resolution for the NI Spring Supplementary Estimates 2021-22
 - Supply Resolution for the NI Spring Supplementary Estimates Vote on Account 2022-23
 - First Stage of the Budget Bill
 - Further Consideration Stage of the Climate Change (No. 2) Bill
- 6.7 Members **agreed** to schedule a single, four-and-a-half-hour debate for both Supply Resolution motions, with 30 minutes for the Minister of Finance to use between moving and winding, 10 minutes for the Finance Committee Chair and 7 minutes for all other speakers.
- 6.8 Members **agreed** to schedule untimed debates for all other items.
- 6.9 A member sought clarification on the scheduling of Further Consideration Stage of the Climate Change (No. 2) Bill, and was advised that confirmation would be sought before papers issued.
- 6.10 The TEO official confirmed that no additional business was expected at that time.

Private Members' Business

- 6.11 Members **agreed** that insufficient time was available to schedule Private Members business.
- 6.12 Members **agreed** the Provisional Order Paper for Monday 21 February, subject to confirmation of the scheduling of Further Consideration stage of the Climate Change (No. 2) Bill.

Tuesday 22 February

Assembly Business

- 6.13 Members **agreed** that the first item of business for Tuesday would be to complete any unfinished Executive and Committee business from Monday.

Executive Committee Business

- 6.14 Members **noted** that Question Time was scheduled for the Minister of Health.

- 6.15 Members **noted** that the Executive had listed nine items of business:
- Further Consideration Stage of the Welfare Supplementary Payments (Amendment) Bill
 - Consideration Stage of the Private Tenancies Bill
 - Consideration Stage of the Motor Vehicles (Compulsory Insurance) Bill
 - A motion seeking Accelerated Passage for the General Teaching Council (Directions) Bill
 - Second Stage of the General Teaching Council (Directions) Bill
 - Legislative Consent Motion for the Health and Care Bill 2021 – Virginity Testing and Hymenoplasty
 - Legislative Consent Motion for the Health and Care Bill 2021 – ALB Transfer of Functions
 - Legislative Consent Motion for the Health and Care Bill 2021 – mandatory reporting of healthcare payment data
 - Second Stage of the Budget Bill
- 6.16 Members **agreed** to schedule untimed debates for all items.
- 6.17 Members **agreed** to consider time limits on individual contributions to second stage of the General Teaching Council (Directions) Bill at the next meeting, to be applied only if the Assembly does not consent to the Bill proceeding via accelerated passage.
- 6.18 A member asked if time limits on contributions could be applied to Second Stage of the Budget Bill, and was advised that this would be inconsistent with recent practice and the Committee’s agreement that limits are applied only when a bill is not proceeding via accelerated passage, but officials would clarify at the next meeting if limits on individual contributions had ever been applied for Budget Bills previously.
- 6.19 The TEO Official advised that no additional business was expected at that time.

Private Members’ Business

- 6.20 Members **agreed** that insufficient time was available to schedule Private Members business.
- 6.21 Members **agreed** the Provisional Order Paper for Tuesday 22 February.

7 Correspondence

- 7.1 Members **noted** receipt of a letter from the Audit Committee on issues arising from its small membership and quorum.
- 7.2 Following discussion, the Committee **agreed** to reply to the Audit Committee indicating that at this stage in the mandate it would be more appropriate for an

incoming Audit Committee to consider these issues but that the Chairperson might wish to write directly to whips asking them to encourage their members to attend Audit Committee meetings whenever possible.

7.3 Members **noted** receipt of a letter from the Committee for the Executive Office asking them to consider waiving the conventional 4 weeks between Introduction and Second Stage for the Fair Employment (School Teachers) Bill.

7.4 Following discussion, Members **agreed** to reply to the Committee for the Executive Office advising that it was not the 4-week convention that was preventing the scheduling of a second stage debate for this bill, but pressure on plenary time.

8 **Any Other Business**

8.1 Members **noted** that work on speeding up voting systems in the Chamber was ongoing.

8.2 There was no other Business.

9 **Date and time of next meeting**

9.1 Members **agreed** that the next Committee meeting would take place on Tuesday 15 February at 1pm in the Senate Chamber, Parliament Buildings.

The Speaker brought the meeting to a close at 1.32pm

**The Speaker
Chairperson**