Appendix 1

28. Petition of Concern

(1) This Standing Order supplements section 42 of the 1998 Act (petitions of concern).

(2) If, in respect of a matter to be voted on by the Assembly, a petition is presented by 30 or more members and on the day after the consideration period, confirmed by 30 or more members, the vote on the matter subject to the petition—
   (a) shall require cross-community support; and
   (b) shall not take place until after the day the petition is confirmed by 30 or more members.

(3) The petition may be accompanied by a statement to the Business Office setting out the grounds and rationale upon which it is being presented.

(4) Except where paragraph (5) applies, the petition must be presented to the Business Office not later than 4:00pm on the last working day before the day on which the debate on the matter subject to the petition is due to take place.

(5) In exceptional circumstances, the Speaker may permit the petition to be presented to the Business Office not later than one hour before the debate on the matter subject to the petition is due to take place.

(6) A matter may not be the subject of a petition if it —
   (a) concerns a sanction in relation to the conduct of a Minister or member;
   (b) concerns a vote on the Second Stage of a Bill (debate on the general principles of a Bill);
   (c) concerns a vote on a motion or question which has no express legal or procedural effect.

(7) The Speaker shall determine whether a motion or question has an effect mentioned in paragraph (6)(c).

(8) The members presenting or confirming a petition must include —
   (a) one member who belongs to a political party and one member who belongs to a different political party;
   (b) one member who belongs to a political party and one member who does not belong to a political party and did not belong to a political party when returned as a member; or
   (c) two members who do not belong to a political party and did not belong to a political party when returned as members.

(9) A petition may not be presented or confirmed by the Speaker, the Principal Deputy Speaker or a Deputy Speaker.

(10) If the day on which a petition is to be confirmed by 30 or more members is not a working day, it must be confirmed on the next day that is a working day.

(11) In paragraph (10), “working day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday in Northern Ireland.

(12) In this Standing Order —

“the 1998 Act” means the Northern Ireland Act 1998;

“the consideration period” means the period of 14 days beginning with the day on which the petition is presented.

28A. Petition of Concern: Consideration Period

(1) This Standing Order supplements Standing Order 28.

(2) During the consideration period—

(a) the matter to which a petition relates may be referred to a committee established under section 13(3)(a) of the 1998 Act; and

(b) the Assembly may consider reports on conformity with equality requirements and (in the case of a Bill) any information provided pursuant to Standing Orders 30(6) or 85(4).

(3) In this Standing Order, “the 1998 Act” and “the consideration period” have the same meaning as in Standing Order 28.

36A. Petition of Concern: Consideration Stage

(1) This Standing Order supplements Standing Order 28 and applies where 30 or more members wish to present a petition of concern ('petition') in respect of any provision of a Bill, or any amendment to a Bill at Consideration Stage.

(2) Paragraphs (4) and (5) of Standing Order 28 do not apply where this Standing Order applies.

(3) Save as provided in paragraph (4), the petition must be presented no later than 4:00pm on the last working day before the first day on which the Consideration Stage is scheduled.

(4) Where –

(a) the Speaker considers that exceptional circumstances have prevented compliance with paragraph (3), the Speaker may permit a petition to be presented on the first day on which the Consideration Stage is scheduled, not later than one hour before the debate on the Consideration Stage is due to take place; or

(b) an amendment has been moved without notice, the Speaker may permit a petition to be presented to that amendment.

(5) Save as provided for in paragraph (4)(b), no petition may be presented after the first day on which the Consideration Stage of a Bill is scheduled.

40A. Petition of Concern after Consideration Stage

(1) This Standing Order supplements Standing Order 28 and applies where 30 or more members wish to present a petition of concern ('petition') in respect of any amendment to a Bill at a relevant stage.

(2) Paragraphs (4) and (5) of Standing Order 28 do not apply where this Standing Order applies.

(3) A relevant stage is—

(a) Further Consideration Stage,
(b) Exceptional Further Consideration Stage,
(c) Reconsideration Stage.

(4) The provisions of paragraphs (3) – (5) of Standing Order 36A apply to that petition as if for reference to 'Consideration Stage' there were substituted reference to the relevant stage.