



Northern Ireland  
Assembly

## Research and Information Service Briefing Paper

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# Role and accountability of Speakers/Presiding Officers in legislatures in the UK and Ireland

**Ray McCaffrey**

This information is provided to Members of the Legislative Assembly (MLAs) in support of their duties, and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as professional legal advice, or as a substitute for it.

## 1 Introduction

This briefing paper has been prepared following a request from the Assembly & Executive Review Committee (AERC). The Committee asked for:

- a comparative research paper on the role, powers and accountability of the Speaker, which examines arrangements across applicable legislatures.

Speaker-specific academic research on the topic of Speakers/Presiding Officers is relatively sparse. This briefing relies largely on publicly available guidance published by legislatures, the relevant Standing Orders and information provided by officials in other legislatures.

While many aspects of the role of Speakers/Presiding Officers are set out in Standing Orders, others have developed over time through rulings made over many years by previous Speakers/Presiding Officers.

## 2 Northern Ireland Assembly

The Speaker has three main roles – “procedural, corporate and representational.”<sup>1</sup> The procedural roles are largely set out in the Northern Ireland Act 1998 and Assembly Standing Orders.

The Speaker is supported in his work by a small staffing unit.

### 2.1 Election of the Speaker and Deputy Speakers

Section 39 of the Northern Ireland Act 1998 provides for the election of the Speaker of the Assembly (the Speaker is referred to as Presiding Officer in the 1998 Act). This is the first item of business for any new Assembly and the Speaker must be elected on a cross-community basis. Section 39(2) states:

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<sup>1</sup> NIA website: <https://www.niassembly.gov.uk/assembly-business/office-of-the-speaker/>

(2) A person elected Presiding Officer or deputy shall hold office until the conclusion of the next election for Presiding Officer under subsection (1) unless—

(a) he previously resigns;

(b) he ceases to be a member of the Assembly otherwise than by virtue of a dissolution; or

(c) the Assembly elects from among its members a person to hold office as Presiding Officer or deputy in his place.<sup>2</sup>

The Speaker is supported in their role by a Principal Deputy Speaker and two Deputy Speakers. The Speaker and the Deputy Speakers must be elected on a cross-community basis. The Principal Deputy Speaker is elected from among the three Deputy Speakers, as provided for in Standing Order 5A(3):

A nomination to act as Principal Deputy Speaker shall not take effect unless the person nominated agrees to act as Principal Deputy Speaker and the nomination is approved by resolution of the Assembly.

## 2.2 Procedural

The Speaker has a number of procedural roles as defined in legislation and Standing Orders. These include the scrutiny of legislation to ensure it is within the competence of the Assembly, the selection of amendments to motions and legislation, and calling on members to participate in debates and ask questions.

Standing Order 1(2) gives the Speaker wide authority on matters of procedure, stating:

The Speaker's ruling shall be final on all questions of procedure and order.<sup>3</sup>

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<sup>2</sup> Northern Ireland Act 1998:

<https://www.legislation.gov.uk/ukpga/1998/47/part/IV/crossheading/presiding-officer-and-commission>

<sup>3</sup> Northern Ireland Assembly Standing Orders: <https://www.niassembly.gov.uk/assembly-business/standing-orders/standing-orders-as-amended-01-july-2025/#a1>

Information on the Assembly's website expands on the issue of the authority of the Speaker:

The chief characteristics of the office of Speaker are authority and impartiality. In debates, all speeches are addressed to the Speaker and his choice of Members to speak is not open to dispute. In giving a ruling or preserving order in the Chamber, the Speaker must be heard in silence. No Member may stand when the Speaker is standing. Comments on the character or the actions of the Speaker may be punished as breaches of privilege. The Speaker cannot be criticised in a debate or by any form of proceedings except a substantive motion.<sup>4</sup>

### **2.2.1 Legislative competence**

As per Standing Order 30(3), the Speaker must be satisfied that any Bill to be introduced falls within the legislative competence of the Assembly.

### **2.2.2 Amendments**

The Speaker's authority in relation to the selection of amendments is set out in Standing Order 15(5):

#### **15. Amendments**

(5) In respect of any motion or Bill under consideration in the Assembly, the Speaker shall have power to select the new clauses, schedules or amendments to be proposed and may, if he or she thinks fit, call upon any member who has given notice of any amendment to give such explanation of the object of the amendment as may enable him or her to form a judgement upon it.<sup>5</sup>

Amendments may be proposed at Consideration Stage and Standing Order 36(1) states:

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<sup>4</sup> Northern Ireland Assembly website : <https://www.niassembly.gov.uk/assembly-business/office-of-the-speaker/role-of-the-speaker/>

<sup>5</sup> Northern Ireland Assembly Standing Orders

Any amendments proposed to be made to a Bill at Consideration Stage shall be deposited with the Clerk in time for inclusion on a Notice Paper circulated on a day before the day appointed for the Consideration Stage. Amendments shall be arranged in the order in which the Bill is to be considered. Amendments may be moved, at the discretion of the Speaker, in very exceptional circumstances without such notice.<sup>6</sup>

### 3 House of Commons

The position of presiding officer in the House of Commons dates back to the 13<sup>th</sup> century, although Sir Thomas Hungerford was the first to be formally recognised as 'Speaker' in the Official Record in 1377.<sup>7</sup>

The Speaker essentially has three broad roles as defined by Erskine May:

- First, the Speaker is the spokesperson or representative of the House in its relations with the Crown, the House of Lords and other authorities and persons outside Parliament.
- Second, the Speaker presides over the debates of the House of Commons and enforces the observance of all rules for preserving order in its proceedings.
- Third, the Speaker has administrative responsibilities, including chairing the House of Commons Commission. In carrying out these duties, the Speaker is assisted by a small personal staff.<sup>89</sup>

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<sup>6</sup> Northern Ireland Assembly Standing Orders

<sup>7</sup> See House of Commons Library paper 'The office and role of Speaker', May 2025: <https://researchbriefings.files.parliament.uk/documents/CBP-9974/CBP-9974.pdf>

<sup>8</sup> According to Paragraph 6.20 of Erskine May: The Speaker has a personal staff, some of whom are appointed by the Speaker and not by the House of Commons Commission. Its principal members are: the Speaker's Secretary and Chief of Staff who is in charge of the Speaker's Office and, besides assisting the Speaker in the House, deals with their official and social relations with Members and outside bodies and persons; two Deputy Chiefs of Staff who focus on Chamber Business and External Affairs; the Speaker's Chaplain, who reads prayers at the beginning of every sitting; and the Trainbearer who attends the Speaker in the Chamber and on ceremonial occasions.

<sup>9</sup> <https://erskinemay.parliament.uk/section/6000/the-speaker-of-the-house-of-commons>

These three roles – representative, presiding officer and administrative – are similar, to varying degrees, to those undertaken by the Speaker’s counterparts in the other UK legislatures and Dáil Éireann.

### 3.1 Election of the Speaker

Unlike the Northern Ireland Assembly, Scottish Parliament and Senedd, there is no statutory basis for the role of the Speaker in the House of Commons. Standing Order 1B provides for the election of the Speaker in circumstances where: the re-election of the incumbent Speaker is opposed by MPs; the Speaker has not been re-elected; or the Speaker has decided to resign before the meeting of a new Parliament.

Previous research from the House of Commons sets out the process and is reproduced in figure 1.

#### **Figure 1: Election of the Speaker, House of Commons**

Candidates must be nominated by at least 12 Members (and not more than 15), of whom at least three must have been elected to the House for a different party (or of no party) from the candidate. Each Member may nominate no more than one candidate.<sup>46</sup> The candidates’ order of speaking is determined by lot, and the tradition is that these speeches include self-deprecating remarks.

Once all the candidates have addressed the House, the first secret ballot takes place. Using both the Aye and No Lobbies, Members are handed a ballot paper with a list of candidates and they place an “X” next to the candidate of their choice. It is not a transferable vote.<sup>47</sup> The Mother or Father of the House then announces the result of the first ballot in alphabetical order.

If no Member receives more than 50% of ballots cast, then the House proceeds to a second ballot. The candidate with the fewest votes is eliminated, as are any candidates who received less than 5% of the votes cast. Any other candidates who wish to withdraw have 10 minutes in which to

inform the Chair. The House is suspended while new ballot papers are printed.

The Chair then announces the candidates for the next ballot and, after a period of voting, announces the result. If, again, no Member receives more than 50% of ballots cast, then there will be a further round. Once again, the candidate who receives the fewest, and those who received fewer than 5% of votes leave the contest. There are further rounds of voting until a candidate secures more than 50% of the ballots cast

Speakers usually continue in their role for the duration of the Parliament, unless they resign or die. Removals are rare, and the “last Speaker to be removed by a vote of no confidence was Sir John Trevor in 1695.”<sup>10</sup>

Speaker Martin resigned in 2009 following criticism of his handling of the expenses scandal and Speaker Hoyle was the subject of a motion of no confidence in 2024. It was subsequently withdrawn.<sup>11</sup>

## 3.2 Maintenance of order

The Speaker has wide-ranging powers to impose order on the proceedings of the House. As Erskine May explains:

In so large and active an assembly as the House of Commons, it is absolutely necessary that the Speaker should be invested with authority to repress disorder and to give effect promptly and decisively to the rules and orders of the House. The ultimate authority on all these matters is the House itself; but the Speaker is the executive officer by whom its rules are enforced.<sup>12</sup>

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<sup>10</sup> See House of Commons Library paper ‘The office and role of Speaker’, May 2025

<sup>11</sup> As above

<sup>12</sup> Extract from Erskine May: <https://erskinemay.parliament.uk/section/4891/powers-of-the-chair-to-enforce-order>

### 3.3 Legislation

Under Standing Order 32(1) the Speaker has the power to select amendments to motions or bills:

#### **32. Selection of amendments**

(1) In respect of any motion or any bill under consideration on report or any Lords amendment to a bill, the Speaker shall have power to select the amendments, new clauses or new schedules to be proposed thereto.

The House of Commons Library paper provides context to this power:

The Speaker has the power to select amendments to a bill under consideration by the House. This was first introduced in limited form in 1909 when a special resolution of the House was required. It was established as a permanent feature in 1919 via Standing Order.<sup>13</sup>

As the Commons paper explains, this has not been without controversy in recent years:

During 2019 Speaker Bercow had significant influence in selecting which amendments to Brexit-related legislation could be voted on. Bercow was criticised for these interventions but argued that he was acting within his powers and enforcing clear rules in a non-partisan way.<sup>14</sup>

## 4 Scottish Parliament

The Scotland Act 1998 and Standing Orders of the Scottish Parliament set out the procedural functions of the Presiding Officer.

### 4.1 Election of the Presiding Officer and Deputy Presiding Officers

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<sup>13</sup> See House of Commons Library paper 'The office and role of Speaker', May 2025

<sup>14</sup> As above

As with the Northern Ireland Assembly and other legislatures, the first item of business to be conducted following a Scottish parliamentary election is the election of a Presiding Officer and deputies.<sup>15</sup> The Presiding Officer of the Scottish Parliament is supported in their role by two deputies. The election of the Presiding Officer at the meeting of a new parliament proceeds as follows:

**Figure 2: election of the Presiding Officer of the Scottish Parliament, extract from Standing Orders**

2. The vote at an election shall be by secret ballot...Where there is more than one candidate, there may be more than one round of voting in accordance with paragraphs 7 to 12.

3. The result of any vote under this Rule is valid only if the number of members who voted is more than one quarter of the total number of seats for members. For this purpose, in calculating the number of members who voted—

(a) account shall be taken not only of those voting for or against a candidate, but also of those voting to abstain; and

(b) where there is more than one round of voting the result of each round of voting shall be treated as a separate result and the number of members who voted shall be taken to be the total number who voted in that round.

If the result of any vote at an election is invalid under this Rule, no candidate shall be elected at that election.

4. Each candidate may appoint a member to act as a scrutineer on that candidate's behalf. Each scrutineer may monitor the counting of votes by the Clerk and may request the Clerk to perform a count again. The Clerk may refuse such a request only if the Clerk considers it unreasonable.

5. Any member may, at the beginning of a round of voting, obtain a ballot paper from the Clerk. Any member who obtains a ballot paper shall

<sup>15</sup> Scotland Act 1998: <https://www.legislation.gov.uk/ukpga/1998/46/part/II/crossheading/presiding-officer-and-administration>

immediately mark that member's vote on that ballot paper and then put the ballot paper in the ballot box provided for that purpose by the Clerk. That member may not thereafter obtain another ballot paper or vote during that round of voting.

6. Where there is only one candidate in a round of voting, a member may vote for or against that candidate or to abstain. At the completion of that round of voting the Clerk shall count the votes and inform the person chairing the meeting of the number of votes for the candidate, the number of votes against the candidate and the number of votes to abstain. The candidate shall be elected if a simple majority of votes in the candidate's favour is obtained.

7. Where there is more than one candidate in a round of voting, a member may vote for one of those candidates or to abstain. At the completion of each round of voting in which there is more than one candidate, the Clerk shall count the votes and inform the person chairing the meeting of the number of votes for each candidate and the number of votes to abstain.

8. Where there are 2 candidates in a round of voting, a candidate shall be elected if a simple majority of votes in that candidate's favour is obtained.

9. Where there are more than 2 candidates in a round of voting and the number of votes for one candidate exceeds the total number of votes for all the other candidates, that candidate shall be elected.

10. Where there are more than 2 candidates in a round of voting but no candidate is elected under paragraph 9, the candidate or candidates with the smallest number of votes shall be eliminated and there shall then be a further round or rounds of voting until—

- (a) a candidate is elected in accordance with paragraph 6, 8 or 9;
- (b) paragraph 11 applies; or
- (c) the result of any vote is invalid under this Rule.

11. Where in any round of voting the candidates all receive the same number of votes no candidate shall be elected at that election.

12. A candidate may withdraw that candidate's candidature at any stage between the rounds of voting mentioned in paragraphs 7 to 10.

13. In counting the votes, the Clerk may disregard any ballot paper if, in the Clerk's opinion, it does not clearly indicate the voter's choice.

14. When a candidate has been elected in accordance with this Rule the person chairing the meeting shall announce the name of the candidate who has been elected.

15. Where no candidate is elected at an election held in accordance with this Rule, the person chairing the meeting shall announce that fact and arrange for another election to be held as soon as possible. The Clerk shall notify members of the day and time appointed for the voting period at that election.

The Presiding Officer or their deputies may be removed via the procedure set out at Rule 3.4:

1. A member may by motion propose that the Presiding Officer or a deputy Presiding Officer be removed from office. The motion is valid only if it is seconded by another member.
2. The Presiding Officer or deputy Presiding Officer is removed from office if the Parliament so decides. Such a decision shall, if taken by division, require an absolute majority.<sup>16</sup>

Standing Orders require the Presiding Officer and their deputies to "act impartially, taking account of the interests of all members equally".<sup>17</sup>

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<sup>16</sup> Rules (Standing Orders) of the Scottish Parliament: <https://www.parliament.scot/about/how-parliament-works/parliament-rules-and-guidance/-/media/24b42bf2da6742b4b8391a4738eb4385.ashx>

<sup>17</sup> As above

The Presiding Officer has the authority to rule on disputes “about the interpretation or application of the Parliament’s procedures”<sup>18</sup> and their ruling is final.

Rule 7.2.1 provides for the calling of speakers and content of debates:

No member except the Presiding Officer may speak unless called upon to do so by the Presiding Officer. In deciding who should be called, the Presiding Officer shall have regard to the nature of the business under consideration.<sup>19</sup>

Members are expected to adhere to the rulings of the Presiding Officer, as per Rule 7.3.1:

Members shall at all times conduct themselves in a courteous and respectful manner and shall respect the authority of the Presiding Officer. In particular, members shall not speak or stand when the Presiding Officer is speaking.<sup>20</sup>

### **Procedures relating to legislation**

The Presiding Officer is required to make sure that any bill introduced is within the legislative competence of the Parliament, as required by section 31(2) of the Scotland Act 1998. Bills must also be in the ‘proper form’ as prescribed by the Presiding Officer, meaning they must adhere to a particular form and structure.

Committees of the Scottish Parliament, unlike those in the Northern Ireland Assembly, may amend bills at committee stage.

### **Selection of amendments**

The Presiding Officer enjoys wide discretionary power in the selection of amendments. As with bills, the Presiding Officer determines the ‘proper form’ of

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<sup>18</sup> Scottish Parliament, Guidance on Chamber Business: <https://www.parliament.scot/-/media/files/parliamentary-guidance/guidance-on-chamber-business.pdf>

<sup>19</sup> Rules of the Scottish Parliament

<sup>20</sup> As above

amendments that members must use. Regarding admissibility of amendments, the Guidance on Public Bills states:

### **Determining admissibility**

4.30 The clerks in the Legislation Team will seek to ensure that all amendments are in proper form and also aim, where possible, to ensure that amendments submitted conform to the other criteria above. Where there is a doubt about the admissibility of an amendment, the clerks will seek to raise this with the member as soon as possible. The clerks will seek, wherever possible, to assist a member to make any changes that are required to make an amendment to achieve the member's policy intention admissible. If this is not possible, the clerks will seek to advise the member about any possible alternative approaches. Application of the admissibility criteria in practice can be complex. In any case of dispute about the admissibility of an amendment, the decision rests with the convener at Stage 2 and the Presiding Officer at Stage 3 (Rule 9.10.4). Conveners and Presiding Officers do not normally give reasons for decisions on admissibility.<sup>21</sup>

The guidance goes on to state in relation to the selection of amendments:

There is no selection of amendments at Stage 2 or Reconsideration Stage, and all admissible amendments may be debated. But at Stage 3 the Presiding Officer has the power to select which amendments of those that have been lodged (and are admissible) are to be taken (Rule 9.8.4). The decision of the Presiding Officer on selection is final and the reasons for selection are normally not given.

The purpose of selection is to ensure that proceedings on the Bill can be completed in a reasonable time and to avoid repeating unnecessarily discussion of issues fully debated at Stage 2. In making the selection, the

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<sup>21</sup> Scottish Parliament, Guidance on Public Bills: <https://www.parliament.scot/-/media/files/parliamentary-guidance/guidance-on-public-bills-session-6-version-2.pdf>

Presiding Officer aims to apply the following criteria (striking a balance between them, if need be):

Trivial amendments or amendments that are technically defective (e.g. “probing” amendments which, if agreed to, would leave the Bill in need of further amendment) should not be selected, to allow the debate to concentrate on the more important issues and on amendments that could improve the resulting legislation. Selection should not, however, reduce the range of important issues considered.

Amendments which raise issues fully considered at Stage 2, particularly where the Stage 2 debate made it obvious that there was little real merit in the amendment or little support for it, should not be selected. The fact that an amendment was disagreed to on division at Stage 2 is less important than the nature of the issue raised, and the overall level of support expressed in debate should be the guide.

## 5 Senedd

The Government of Wales Act 2006 and relevant Standing Orders set out the role and function of the Presiding Officer of the Senedd. The Presiding Officer is supported in their role by one Deputy Presiding Officer.

### 5.1 Election of the Presiding Officer

Section 25 of the Government of Wales Act 2006 provides for the election of a Presiding Officer and one deputy at the first meeting of the Senedd following a general election (this refers to a Senedd election). The process for the election of the Presiding Officer is set out at figure 3:

#### **Figure 3: Election of the Presiding Officer, Senedd**

Subject to Standing Order 6.4, the proceedings for the election of a Presiding Officer at the first meeting after a Senedd election are to be chaired by the

Presiding Officer who held office immediately before the Senedd election (“the former Presiding Officer”).

If: at the first meeting after a Senedd election the former Presiding Officer is unwilling or unable to act; or at any election of a Presiding Officer at any other time the Deputy is unwilling or unable to act, or there is no Deputy in office, the proceedings for the election of a Presiding Officer are to be chaired by the Clerk.

No Member who chairs proceedings for the election of a Presiding Officer may be nominated for election as Presiding Officer in those proceedings.

At the election of a Presiding Officer or a Deputy, the chair must invite nominations. A nomination is, in the first instance, valid only if seconded by a Member who is not a member of the political group to which the nominating Member belongs.

If it appears that no Member is likely to be nominated and seconded by members who do not belong to the same group, the chair must adjourn the proceedings and may, on their resumption, accept nominations which are seconded by members of the same political group as the nominating Member.

If there is only one nomination, the chair must propose that the Member nominated be elected as Presiding Officer (or Deputy as the case may be). If that is opposed, or if there are two or more nominations, the chair must make arrangements for the election to take place by secret ballot. If two Members have been nominated, the chair must declare elected the Member who has secured the greater number of votes cast in the ballot.

If more than two Members have been nominated and no Member receives more votes than the total number of votes cast for all the other candidates in a ballot, the candidate (or candidates) who has received the smallest number of votes is excluded and further secret ballots held until one candidate obtains more votes than the total number of votes cast for all the other candidates; and if there is an equality of votes between the two remaining candidates (or the only two candidates) a further secret ballot must take place.

6.10A. A candidate may withdraw their candidature following any secret ballot held under Standing Order 6.10.

6.10B. If, as a result of exclusions and withdrawals, there is one remaining candidate who has not secured more votes than the total number of votes cast for all the other candidates in any secret ballot, the chair must propose that the Member be elected as Presiding Officer. If that is opposed the chair must make arrangements for the vote to take place by secret ballot. The Member elected as Presiding Officer must immediately take the oath or make an affirmation if he or she has not already done so, and then take the chair.

The Presiding Officer or Deputy Presiding Officer may be removed from office by the Senedd, as per section 25(5)(c).<sup>22</sup> This is given effect by Standing Order 6.26 and 6.27:

6.26 If a motion:

(i) that the Presiding Officer be removed from office; or

(ii) that the Deputy be removed from office,

is tabled by at least six Members, time must be made available as soon as possible for the motion to be debated; and in any event such a debate must take place within five working days of the motion having been tabled.

6.27 If the Senedd resolves that the Presiding Officer or Deputy be removed from office, the office of Presiding Officer or Deputy, as the case may be, is immediately vacant.<sup>23</sup>

## 5.2 Functions of the Presiding Officer

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<sup>22</sup> Government of Wales Act 2006:

<https://www.legislation.gov.uk/ukpga/2006/32/part/1/crossheading/presiding-officer-and-administration>

<sup>23</sup> Standing Orders of the Senedd: [https://senedd.wales/media/n33df5ry/english\\_digital.pdf](https://senedd.wales/media/n33df5ry/english_digital.pdf)

Standing Order 6.15 makes provision for the functions of the Presiding Officer. Of particular relevance are SO 6.15(ii) and (iv), which provide respectively that these functions include determining questions as to the interpretation or application of Standing Orders, and any specific functions conferred by any enactment, the Senedd or the Standing Orders.

Standing Order 6.16 provides that the Presiding Officer's determinations on the interpretation and application of Standing Orders are final; there is no scope for appeal.

Standing Order 6.19 states that "In carrying out the functions of the Presiding Officer, the Presiding Officer and Deputy must demonstrate impartiality at all times."<sup>24</sup>

In line with Presiding Officers in other legislatures, the Presiding Officer is responsible for maintaining order during Senedd plenary. Standing Order 13.10 states:

13.10 A Member must comply with any directions given by the Presiding Officer about any conduct for which he or she has been called to order.<sup>25</sup>

### 5.3 Legislation

It is for the Presiding Officer, under Standing Orders, to determine if a bill is within the legislative competence of the Senedd, and he or she must provide a written statement to that effect on the Bill's introduction. The Presiding Officer must also state if they conclude that any provisions of a bill are outwith the competence of the Senedd.

As is the case with the Scottish Parliament, legislation may be amended at committee stage. There are also similarities in terms of bills and amendments having to adhere to the 'proper form' as determined by the Presiding Officer.

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<sup>24</sup> Standing Orders of the Senedd

<sup>25</sup> As above

Information provided by officials in the Senedd for the purposes of this research stated:

...amendments are inadmissible if they are not in proper form, not relevant to the Bill or its provisions, are inconsistent with the general principles, or inconsistent with a decision already taken at the relevant amending stage.

Decisions on the admissibility of amendments during plenary amending stages have always been a matter for the Presiding Officer.

In practice, routine decisions on the interpretation and application of Standing Orders regarding the admissibility of amendments are taken by clerks on the Presiding Officer's behalf. Decisions may be escalated to the Presiding Officer at clerks' discretion (for example, if issues are finely-balanced, or matters are particularly controversial or sensitive), or if requested by a tabling Member.

The Presiding Officer's decisions are final, and...

- No reasons have to be given for any decision.
- There is no formal route of appeal (either against a Member's amendment being found inadmissible, or another Member's amendment being found admissible).<sup>26</sup>

## 6 Dáil Éireann

Article 15.9 of the Constitution of Ireland (Bunreacht na hÉireann) provides that each House of the Oireachtas will elect a Chairman (Ceann Comhairle) and Deputy Chairman "and shall prescribe their powers and duties".<sup>27</sup>

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<sup>26</sup> Information provided by Senedd officials

<sup>27</sup> Constitution of Ireland: <https://www.irishstatutebook.ie/eli/cons/en/html#part4>

Standing Orders further provide for the election of the Ceann Comhairle, which is by way of a secret ballot. The Ceann Comhairle may be removed by a special Resolution of the House.<sup>28</sup>

## 6.1 Procedural role

The Ceann Comhairle has the responsibility to maintain order and interpret Standing Orders. Standing Order 75 sets this out in greater detail:

### Figure 4: Role of the Ceann Comhairle

#### 75. Role of the Chair in maintaining order and making rulings

- (1) For the purpose of this Standing Order, “Cathaoirleach” shall mean—
- (a) the Ceann Comhairle, the Leas-Cheann Comhairle, or a temporary Cathaoirleach acting pursuant to Standing Order 18, or
  - (b) a Cathaoirleach, Leas-Chathaoirleach or a temporary Cathaoirleach of a Committee appointed pursuant to these Standing Orders.
- (2) The Cathaoirleach is the sole judge of order in proceedings and has authority to suppress disorder, and to enforce prompt obedience to his or her ruling.
- (3) The Cathaoirleach has authority to interpret Standing Orders and to rule on matters which are not expressly covered in Standing Orders, including but not limited to matters relating to relevance, repetition and appropriate use of privilege during debate.

## 6.2 Legislation

The Ceann Comhairle must be satisfied that any bill introduced complies with Standing Orders.

<sup>28</sup> SO 16 of Dail Eireann::  
[https://data.oireachtas.ie/ie/oireachtas/parliamentaryBusiness/standingOrders/dail/2025/2025-04-07\\_consolidated-dail-eireann-standing-orders-april-2025\\_en.pdf](https://data.oireachtas.ie/ie/oireachtas/parliamentaryBusiness/standingOrders/dail/2025/2025-04-07_consolidated-dail-eireann-standing-orders-april-2025_en.pdf)

Guidance published on the Oireachtas website highlights the authority of the Ceann Comhairle in the selection of amendments:

Under Standing Orders, the Ceann Comhairle may disallow an amendment if it is not relevant to a Bill or in conflict with its intentions, or in the case of amendments proposed by non-Government Members, if it might give rise to public expenditure or additional taxation. If an amendment is disallowed, its proposer will be advised in writing. No discussion is permitted on disallowed amendments.<sup>29</sup>

Further information on amendments is contained in the guidance *Introduction to the legislative process*, and a relevant extract is set out below:

The Bills Office assesses the admissibility of all amendments against Standing Orders and may submit them to the Ceann Comhairle or the Cathaoirleach for disallowance. The main issues for consideration in terms of admissibility of amendments are:

- Whether the amendment is relevant to the provisions of the Bill (Dáil) / relevant to the subject matter of the Bill (Seanad)
- Relevancy of the amendment to the scope of the Bill (Dáil) or whether an amendment is in conflict with the principle of the Bill as read a second time
- Whether the amendment could have the effect of imposing or increasing a charge on the Exchequer [only a Minister or Minister of State may move such an amendment and no new charge can be introduced at Report Stage]
- Whether the amendment would have an effect i.e. not merely a declaratory statement
- Report Stage amendments must arise out of Committee proceedings however, in the case of ministerial amendments a re-committal motion can be agreed

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<sup>29</sup> Oireachtas, Guide to Procedure: <https://www.oireachtas.ie/en/procedure-guide-dail/legislation/amendments-to-bills/#:~:text=Under%20Standing%20Orders%2C%20the%20Ceann%20Comhairle%20may,an%20a%20amendment%20is%20disallowed%2C%20its%20proposer%20will>

- If a Bill has been considered in Committee of the whole House, amendments which were rejected / negatived at Committee Stage cannot be resubmitted for Report Stage
- The Chair of the relevant House rules amendments in or out of order based on Standing Orders and the Rulings of the Chair

Submissions on admissibility are made by the Bills Office on amendments which may be considered to contravene Standing Orders. The Chair of the relevant House makes the final decision regarding admissibility. Decisions on admissibility may come late in the day, and the Bills Office may not be able to confirm which amendments are out of order until the day of the meeting.<sup>30</sup>

## 7 Conclusion

Across the legislatures examined, the position of Speaker or Presiding Officer is characterised by a combination of procedural, administrative and representational responsibilities. While the specific powers and mechanisms of accountability differ between jurisdictions, there are several common themes that can be identified.

First, all Speakers and Presiding Officers are expected to uphold the impartiality and integrity of parliamentary proceedings. This includes ensuring that debates are conducted in an orderly manner, that Members are treated fairly, and that Standing Orders are applied consistently. Their role in selecting amendments, managing legislative stages and interpreting procedural rules reflects their importance in maintaining the credibility of parliamentary decision-making.

Second, the frameworks for appointment and removal demonstrate a balance between institutional stability and democratic oversight. Whether elected by secret ballot, by open vote, or through cross-community support, each system seeks to confer legitimacy while safeguarding the independence of the

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<sup>30</sup> Oireachtas, introduction to the Legislative Process: [https://data.oireachtas.ie/ie/oireachtas/corporate/other/2022/2022-06-24\\_introduction-to-the-legislative-process\\_en.pdf](https://data.oireachtas.ie/ie/oireachtas/corporate/other/2022/2022-06-24_introduction-to-the-legislative-process_en.pdf)

office-holder. Removal procedures, though rarely invoked, function as important constitutional safeguards.

Finally, while each legislature operates within its own constitutional and procedural context, all recognise the Speaker or Presiding Officer as a central figure in protecting the rights of Members and the integrity of parliamentary proceedings.