

Proxy Voting Scheme

14 March 2025

Proxy Voting Scheme

Introduction

1. Standing Order 27A makes provision for Members voting by proxy where, amongst other things, the Speaker has published a proxy voting scheme (the Scheme) in accordance with Standing Order 27(3).
2. This is the Scheme, which the Speaker has published on 14 March 2025, and which applies until such time as the Speaker publishes a new or amended Scheme.
3. In developing the Scheme, the Speaker has had regard to the Committee on Procedures' report on Proxy Voting for Parental Leave in Plenary, published on 9 October 2024.
4. Under the Speaker's authority, the Business Office will manage the administrative arrangements set out in the Scheme.
5. The Business Office is open from 9.00am to 5.00pm, or until the Assembly rises, whichever is later. During periods of recess, opening hours are from 10.00am to 4.00pm. The Business Office is located in Room 32, Parliament Buildings. Members can call into the Business Office, contact it on Tel. 028 905 21257 or email business.office@niassembly.gov.uk for further advice on the Scheme.

Members who may arrange for their votes to be exercised by a proxy

6. Members are personally responsible, and are accountable to their constituents, for how they choose to exercise their votes at the Assembly. A Member may choose to vote in person or not to vote at all.
7. Further to Standing Order 27A(2), a Member who meets any of the conditions set out below may arrange for their vote to be exercised by a proxy.
8. Those conditions are that:
 - (a) The Member could, if an employee¹, exercise a right to maternity leave, paternity leave, adoption leave, shared parental leave or parental bereavement leave,
 - (b) The Member is affected by complications arising from pregnancy, including miscarriage, stillbirth and baby loss, or
 - (c) The Member has fostering responsibilities of a kind prescribed in paragraph 9.

¹ 'employee' has the meaning given by Article 3 of the Employment Rights (Northern Ireland) Order 1996. Members may clarify whether they could, if an employee, exercise any of these rights by contacting HR Member Services (hrrservicestomembers@niassembly.gov.uk)

9. The following fostering responsibilities are prescribed:
- (a) Where a Member is registered for long-term foster care, short-term foster care or kinship care with either:
 - (i) One of the five Health and Social Care Trusts, or
 - (ii) An independent fostering agency such as Barnardo's, Action for Children, Kindercare Fostering Northern Ireland or Foster Care Associates Northern Ireland; and
 - (b) A child is placed through that agency with the Member for care.
10. A Member shall be eligible to arrange for his or her vote to be exercised by a proxy on each and every occasion that any of the conditions above are met. However, in respect of any single occasion, an eligible Member may only make this arrangement once (albeit that an arrangement may be varied).
11. A Member and their proxy must comply with the terms of this Scheme to avail of proxy voting.

Members who may act as a proxy

12. Any Member may act as a proxy, except the Speaker, Principal Deputy Speaker or Deputy Speakers.
13. A Member may only designate one Member to act as their proxy at any one time.
14. A Member designated as a proxy, however, may exercise votes on behalf of multiple Members.
15. Tellers have an essential role in overseeing voting during divisions, ensuring transparency and fairness. To that end, tellers are expected to stay in their designated lobby for the duration of a division. Therefore, a Member designated as a proxy is strongly discouraged from acting as a teller, and must only do so in exceptional circumstances when no other teller could reasonably be appointed.
16. A Member designated as a proxy may not transfer that responsibility to another Member. If they are unable to exercise a Member's votes, it is their responsibility to make every attempt to contact the Member to inform them.

The process by which a Member may designate a proxy

17. An eligible Member may designate a proxy by sending a notification to the Speaker by email to the following address: proxy.vote@niassembly.gov.uk.
18. The notification must contain:

- (a) The name of the Member (M) who wishes to designate a proxy;
 - (b) The name of the Member (P) who will be designated as the proxy;
 - (c) Confirmation that P is willing to be designated as the proxy;
 - (d) Details of the period during which P will be designated as the proxy (which should include the start date and end date, and which must be no longer than the maximum period relating to the relevant condition²); and
 - (e) A statement confirming that one of the conditions set out in Standing Order 27A(2) (and referred to Paragraph 8 above) applies.
19. The notification can be in the format of an email, or a Business Office proforma (attached at Appendix 1), which is available from the Business Office and the Members' Portal.
20. The Member must send the email (or proforma) directly from their Northern Ireland Assembly email address. The Business Office is unable to accept an email from an authorised member of staff or from a non-Assembly email address. The Member should also copy in the Member who has agreed to act as the proxy (P), using that proxy's Northern Ireland Assembly email address. This will act as verification that that Member has consented to act as proxy. If the email is not copied to the proxy, verification will be sought from the Business Office and this may delay the start of the proxy period.
21. The Business Office can also accept a hard copy of the form, with wet signatures from both the Member and their proxy.
22. On behalf of the Speaker, the Business Office will send an email to the Member and their proxy to acknowledge receipt of the notification, and will either:
- (a) Request further information from the Member, if necessary; or
 - (b) Confirm the dates that the proxy voting arrangements will be in place.

The period for which a proxy vote may be exercised

23. An eligible Member may only designate a proxy for one single continuous period in respect of any occasion on which they meet the relevant conditions.
24. The maximum period on each occasion for which a proxy vote may be exercised depends upon the condition that applies. Further details are set out in Appendix 2. There is no minimum period.
25. The period shall include any recess periods.
26. Any period will automatically end upon the dissolution of the Assembly and a new application shall be required should that Member be returned to the new Assembly. Any new application shall not exceed the end of the relevant maximum period, starting from the date on which the original period began.

² See Appendix 2 for details of the maximum periods relating to each condition.

Deadline for submitting notification to the Speaker for proxy voting

27. A Member who wishes to arrange for their vote to be exercised by a proxy must notify the Speaker no later than 4.00pm on the working day prior to the sitting at which the arrangement is due to begin.

How a Member may vary or withdraw that proxy

28. A Member who has a proxy voting arrangement in place can change that arrangement at any time by sending a notification by email to proxy.vote@niassembly.gov.uk or submitting it in hard copy to the Business Office.
29. If the Member wishes to nominate another Member to act as proxy on their behalf, the notification should contain:
- (a) The name of the Member (M) who wishes to change their proxy voting arrangements;
 - (b) The name of the new Member (P) who will be designated as the proxy
 - (c) Confirmation that P is willing to be designated as the proxy; and
 - (d) Detail of the period during which P will be designated as the new proxy (including the start date and end date, which must not exceed the date on which the original arrangements expired).
30. If emailing, the Member must send the notification directly from their Northern Ireland Assembly email address.
31. The Member should also copy in the Member who has agreed to act as the proxy (P), and the Member who previously agreed to act as the proxy, using both Members' Northern Ireland Assembly email address.
32. If the Member wishes to vote in person for a specific debate, the notification should contain the date, or the name and date of the debate, that they wish to exercise their vote in person.
33. However, it is not necessary for a Member to vary or withdraw their proxy voting arrangement in order to vote in person on any item of business set out in paragraph 46.
34. If the Member wishes to end their proxy voting arrangements early, the notification should contain the revised end date of the proxy voting arrangement.
35. All such notifications may also be submitted in hard copy to the Business Office, with wet signatures from both the Member and their proxy.
36. All such notifications must be received no later than 4pm on the working day prior to the sitting on which the change is to be applied.

37. In each of the circumstances above, it is the Member's responsibility to inform the Member who previously acted as proxy that that arrangement is no longer in place.

Details of how a proxy vote may be exercised

38. A proxy vote may be exercised only in a plenary session of the Assembly.
39. Party whips and the representative of the smaller parties on the Business Committee will be made aware of the proxy voting arrangements. Information will also be placed in both lobbies for tellers.
40. During a division the proxy should inform the lobby clerk and tellers in the lobby in which the vote is being cast, that they are exercising a proxy vote.
41. It is the responsibility of the proxy to ensure they exercise the Member's vote. It is not the responsibility of lobby clerks or tellers to remind the proxy to exercise the vote.
42. The proxy will exercise the Member's vote by communicating the Member's name to the lobby clerk and tellers in the relevant lobby. That Member's vote shall then be included in the numbers counted as cast in that lobby.
43. The proxy may exercise a proxy vote without exercising their own vote. If the proxy also wishes to exercise their own vote, they should make that clear to the lobby clerks and tellers.
44. The proxy may exercise their own vote in one lobby and the proxy vote in the other lobby.
45. The proxy may exercise a vote on behalf of a Member wishing to abstain by exercising the Member's vote in both lobbies.
46. A proxy may not exercise a vote on behalf of a Member on any of the following—
- (a) a Bill to which section 7A of the 1998 Act applies,
 - (b) the democratic consent process at Schedule 6A of the 1998 Act,
 - (c) any motion which requires the support of a number of members of the Assembly which equals or exceeds two thirds of the total number of seats in the Assembly, and
 - (d) any motion which requires the support of a number of members of the Assembly which equals or exceeds two thirds of the total number of members voting on the motion.
47. If a Member wishes to exercise their vote on any item of business set out in paragraph 46 above, they must do so in person even where they have a proxy voting arrangement in place.

48. From the date that the proxy voting arrangement is to take effect, a Member may not exercise their own vote, unless either:

- (a) they have arranged to do so for a specific item of business/sitting, as set out in the section on how a Member may vary or withdraw that proxy, or
- (b) it relates to an item of business set out in paragraph 46.

49. A proxy vote does not count towards a quorum in a plenary session.

50. A proxy vote must be recorded as such in the Official Report and Journal of the Proceedings of the Assembly.

Other matters

51. It is for the Member who has put in place arrangements to vote by proxy to instruct their proxy how their vote should be exercised.

52. It is the responsibility of the proxy to exercise the Member's votes in strict accordance with any instruction given by that Member.

53. Both the Member and the proxy must adhere to the requirements of this Scheme in order to avail of proxy voting.

54. Any dispute between a Member and their proxy about the exercising of a proxy vote shall not affect the outcome of that division as confirmed by the Speaker.

55. The Speaker's ruling shall be final on all questions in relation to the implementation of this Scheme.

Review

56. The Speaker will periodically review the operation of this Scheme, and may choose to publish a new or amended Scheme.



Notification of Proxy Voting

Members should use this form to notify the Speaker that they wish to avail of proxy voting.

I (print your name) _____ wish to notify
the Speaker that I nominate (print the name of your proxy) _____
to vote on my behalf, from _____ to _____.
(this period must not exceed the maximum period for the relevant condition as set out in Appendix 2)

I confirm that one of the conditions set out in Standing Order 27A(2) has been met, and that the period for which I am seeking proxy voting arrangements does not exceed the maximum period for that condition (as set out in Appendix 2 to the Proxy Voting Scheme).

Signature of Member

Date

I confirm that I am willing to act as a proxy for the named Member, and to vote in accordance with their instructions.

Signature of Proxy

Date

(Please return this form to the Business Office, Room 32, Parliament Buildings)

Please see the [Business Office Privacy Notice](#) for how this information is processed.

Maximum periods for which a proxy vote may be exercised

Standing Order	Relevant Condition	Maximum Period
27A(2)(a)	The Member could, if an employee, exercise a right to maternity leave	Up to 39 weeks
27A(2)(a)	The Member could, if an employee, exercise a right to paternity leave	Up to 3 weeks
27A(2)(a)	The Member could, if an employee, exercise a right to adoption leave	Up to 39 weeks
27A(2)(a)	The Member could, if an employee, exercise a right to shared parental leave	Up to 39 weeks (Members should note that employees access shared parental leave taking account of the leave taken by their partner/ spouse. Members should therefore be aware themselves that the period they access within the maximum 39 week period should take account of the shared parental leave also taken by their partner.)
27A(2)(a)	The Member could, if an employee, exercise a right to parental bereavement leave	Up to 2 weeks (During this period, it is important that Members are aware of the welfare support available to them)
27A(2)(b)	The Member is affected by complications arising from pregnancy, including miscarriage, stillbirth and baby loss	Up to 39 weeks ⁱ (The specific period Members will need to take will vary on a case by case basis depending on their own personal and individual circumstances. During this period, it is important that Members are aware of the welfare support available to them)
27A(2)(c)	The Member has fostering responsibilities of a kind prescribed in the Scheme	Up to 3 weeks

Should a Member need to clarify whether they could, if an employee, exercise any of the rights referred to in Standing Order 27A(2)(a), they can do so by contacting HR Member Services (hrrservicestomembers@niassembly.gov.uk).

ⁱShould further statutory provision be made for leave for employees in relation to any of the conditions specified the Speaker may review the maximum periods in this guidance in the context of that statutory position