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DRAFT 17 June 1998

(1) These initial Standing Orders are notified to the Presiding Officer of the Northern Ireland Assembly (hereafter referred to as "the Assembly") by the Secretary of State for Northern Ireland in accordance with Paragraph 1(2) of the schedule to the Northern Ireland (Electoral Act) 1998.

2. GENERAL RULE FOR THE CONDUCT OF BUSINESS

(1) The Presiding Officer's ruling shall be final on all questions of procedure and order.

(2) The Presiding Officer, in exercising duties under these Orders, shall at all times have regard to the fact that the purpose of the Assembly is to take part in preparations to give effect to the agreement reached at the multi-party talks on Northern Ireland, set out in Command Paper 3685.

(3) The Deputy Presiding Officer shall be appointed by the Presiding Officer when requested to do so by the Presiding Officer.

NORTHERN IRELAND ASSEMBLY

3. TAKING SEATS IN THE ASSEMBLY

(1) Members shall take their seats by signing the Assembly's roll of membership and registering a designation of identity as Member, Minister or Other. The arrangements for this shall be determined by the Presiding Officer. All members shall have the opportunity to take their seat in the prescribed manner before any other formal business is conducted in the Assembly.

INITIAL STANDING ORDERS

(2) The decision of the Presiding Officer as to whether a member has taken his or her seat in accordance with paragraph 2(1) of these Orders shall be final.

(3) A member may change their designation of identity by giving seven days written notice to the Presiding Officer. The Presiding Officer shall immediately circulate this notice to all Members.

(4) A member may resign his or her seat by giving written notice to the Presiding Officer.

1. INTRODUCTION

(1) These Initial Standing Orders are notified to the Presiding Officer of the New Northern Ireland Assembly (hereafter referred to as "the Assembly") by the Secretary of State for Northern Ireland in accordance with Paragraph 10(1) of the Schedule to the Northern Ireland (Elections) Act 1998.

2. GENERAL RULE FOR THE CONDUCT OF BUSINESS

- (1) The Presiding Officer's ruling shall be final on all questions of procedure and order.
- (2) The Presiding Officer, in exercising duties under these Orders, shall at all times have regard to the fact that the purpose of the Assembly is to take part in preparations to give effect to the agreement reached at the multi-party talks on Northern Ireland, set out in Command Paper 3883.
- (3) The Deputy Presiding Officer may act as Presiding Officer when requested to do so by the Presiding Officer.

3. TAKING SEATS IN THE ASSEMBLY

- (1) Members shall take their seats by signing the Assembly's roll of membership and registering a designation of identity - Nationalist, Unionist or Other. The arrangements for this shall be determined by the Presiding Officer and all members shall have the opportunity to take their seat in the prescribed manner before any other formal business is conducted in the Assembly.
- (2) The decision of the Presiding Officer as to whether a member has taken his or her seat in accordance with paragraph 2(1) of these Orders shall be final.
- (3) A member may change their designation of identity by giving seven days written notice to the Presiding Officer. The Presiding Officer shall immediately circulate the notice to all Members.
- (4) A member may resign his or her seat by giving written notice to the Presiding Officer.

4. QUORUM

- (1) The quorum of the Assembly shall be 10 members.
- (2) If at any time the attention of the Presiding Officer is directed by a member to the fact that a quorum is not present, the Presiding Officer shall cause an announcement to be made; and if at the expiration of 5 minutes a quorum is then not present, the Presiding Officer shall adjourn the Assembly forthwith; but if a quorum is present it shall not be in order to draw the attention of the Presiding Officer to the absence of a quorum for a period of one hour from that time.

5. SITTINGS OF THE ASSEMBLY

- (1) The Presiding Officer, at the commencement of each day's business shall direct that a period of two minutes silence be observed, which Members may spend in personal prayer or meditation.
- (2) A general announcement shall be made five minutes before the Presiding Officer takes the Chair at a sitting or a resumed sitting.
- (3) The Presiding Officer may at any time suspend sittings of the Assembly for up to 15 minutes, or longer with the leave of the Assembly.

6. BUSINESS OF THE ASSEMBLY

- (1) Subject to the provisions of paragraph 6(5) of these Orders the business of the Assembly each day shall be such as the Presiding Officer having regard to the views of the Business Committee, may direct.
- (2) The Presiding Officer shall prepare an agenda for each sitting day showing the business to be taken, together with such other information as the Presiding Officer thinks fit.
- (3) Notice of future business shall be given in writing to the Presiding Officer, who shall prepare from time to time a Business paper listing the notices received.

(4) Except by leave or order of the Assembly, and in no event where a decision is required to be made by cross-community voting, no motion may be proposed unless notice of it has appeared in a Business Paper circulated at least one day before that on which the motion is to be taken.

(5) The business of the Assembly at its first meeting shall be restricted to the matters set out in the Order Paper at Annex A to these Orders and shall be taken in the order specified. No other business may be transacted until the matters in the Order Paper have been completed whether or not successfully.

(6) Paragraphs 6(2) to 6(4) of these Orders shall not apply to the first meeting of the Assembly.

7. MINUTES OF PROCEEDINGS

(1) The Presiding Officer shall arrange for proceedings of the Assembly to be noted, and, after perusal and signature by the Presiding Officer, a copy of the minutes shall be circulated to all members.

(2) The minutes of proceedings for each day's sitting shall include a record of the names of those members who attended.

8. SPEECHES IN THE ASSEMBLY

(1) No motion or amendment (other than a motion for the replacement of the Presiding Officer or the Deputy Presiding Officer or the election of the First Minister and Deputy First Minister) shall require to be seconded.

(2) A member shall not address the Assembly unless called on to speak by the Presiding Officer; and when the Presiding Officer rises to speak, the member addressing the Assembly shall cease speaking and resume his/her place.

(3) A member may not speak more than once to the same motion, but a right of reply shall be allowed to a member who has moved a motion.

(4) Notwithstanding paragraph 8(3) of these Orders, any member may seek to intervene while another Member is speaking, subject to that member's consent, but may not persist in so doing if the person speaking refuses to give way.

(5) Unless by the leave of the Assembly, a member may not speak in debate on any motion for longer than the periods specified below:

- (a) member moving a substantive motion - up to 20 minutes;
- (b) each other member (including a member moving an amendment) - up to 10 minutes.

(6) The Presiding Officer, after having called the attention of the Assembly to the conduct of a member who persists in irrelevance or tedious repetition, may direct the member to discontinue his/her speech.

9. AMENDMENTS

(1) When an amendment has been moved to any motion, the question to be proposed shall be that the amendment be made.

(2) In respect of any motion, the Presiding Officer shall have power to select the amendments to be proposed.

10. ORDER IN THE ASSEMBLY

(1) If any member of the Assembly:

- (i) persistently and intentionally obstructs the business of the Assembly; or
- (ii) is guilty of disorderly conduct; or
- (iii) uses objectionable words which he/she refuses to withdraw; or
- (iv) intentionally refuses to conform to any Standing Order; or

(v) intentionally disregards the authority of the Presiding Officer,

the Presiding Officer, having (if appropriate) called on the member to withdraw his/her remarks and having called the attention of the Assembly to the conduct of the said member, may direct the member to discontinue his/her speech, or to withdraw immediately from the debating chamber and its precincts. Any member so ordered to withdraw shall do so forthwith, and shall not be entitled to take part in any future proceedings for the remainder of that day's sitting.

(2) In the case of general disorder arising in the Assembly, the Presiding Officer may, if he/she thinks it necessary, adjourn the proceedings, or suspend the sitting for such a period as he/she thinks fit.

11. CLOSURE OF DEBATE

(1) After a motion has been proposed, any member who has not already spoken to it, or to any amendment which has been moved, may move that the question be now put; and unless it shall appear to the Presiding Officer that such motion is an abuse of these Standing Orders of the Assembly, the question that the question be now put shall be put forthwith, and decided without amendment or debate.

(2) If such a motion has been carried, the Presiding Officer may call whatever amendments are necessary to bring to a decision any question which has already been proposed. Such further amendments shall be put forthwith, and decided without amendment or debate.

12. VOTING

(1) For an affirmative decision on a matter other than a designated key decision requiring cross-community support, it shall be necessary for assent to be indicated by a simple majority of those voting.

(2) Key decisions requiring cross-community support include the replacement of the Presiding Officer and of a Deputy Presiding Officer, the election of the First Minister and Deputy First Minister and any decisions the Assembly may reach in relation to Standing

Orders (whether for the Assembly during the 'shadow' phase or those which are intended to apply after powers have been transferred to the Assembly).

(3) Where in relation to other matters which the Assembly is to decide a Petition of concern is presented, that decision shall be taken on a cross-community basis. Petitions of concern shall be in the form of a notice signed by 30 Assembly members; and shall be presented to the Assembly Presiding Officer.

(4) Except in connection with the Assembly's first meeting, at least one day's notice shall be given before any vote is taken on an issue requiring cross-community support.

(5) Where a decision needs to be taken on a cross-community basis a motion or proposal must, in order to be adopted, secure the support of:

(a) either a majority of those members present and voting, including a majority of each of the unionist and nationalist designations present and voting ("parallel consent");

(b) or a weighted majority (60%) of members present and voting, including at least 40% of each of the nationalist and unionist designations present and voting.

(6) The Presiding Officer shall not be entitled to a vote.

(7) If, in the course of a sitting, the opinion of the Presiding Officer as to the decision of a question is challenged, the Presiding Officer shall cause a general announcement to be made, and after an interval of three minutes shall ask each member by name, in alphabetical order, to declare Aye or No in respect of the question put. A member may abstain from voting. The Presiding Officer shall then announce the number of votes cast, and the determination of the Assembly.

13. ELECTION OF THE PRESIDING OFFICER

(1) Any Assembly Member, addressing the Presiding Officer, may propose a candidate (an Assembly Member, whether or not present, and including the person nominated by the Secretary of State as the initial Presiding Officer), to the Assembly for its Presiding Officer and move "That [x] be Presiding Officer of this Assembly", which motion will require to be seconded and to be followed by a statement (which may be

given orally or in writing) from the candidate proposed and seconded that nomination is accepted.

(2) When a candidate is proposed and seconded and has accepted nomination, the Presiding Officer shall then ask "Is there any further proposal?" and:

(a) if there is no further proposal, the Presiding Officer shall say "The time for proposals has expired" and a debate relevant to the election may then take place in which no member may speak more than once; or

(b) if more than one candidate is proposed and seconded as Presiding Officer and has signified that he/she accepts nomination, the Presiding Officer shall, after each proposal has been made and seconded and the nomination has been accepted, say "Is there any further proposal?", and if there is no further proposal the Presiding Officer shall say "The time for proposals has expired", and a debate relevant to the election may then take place in which no Assembly Member shall speak more than once.

(3) Upon the conclusion of the debate as aforesaid, or, if there is no debate, the Presiding Officer shall put the question "That [x] (being the only candidate proposed or the candidate first proposed) be Presiding Officer of this Assembly" and shall invite the members present when their names are called to indicate by voting whether they support or oppose the candidate's nomination, or abstain; and the question shall not be regarded as having been carried unless it fulfils the requirements of paragraph 12(5) of these Orders.

(4) If the question be not carried as aforesaid, the Presiding Officer shall put a similar question in relation to the second candidate proposed; whereupon, if resolved in the affirmative (as aforesaid), that candidate shall be declared by the Presiding Officer to be elected and shall forthwith take the chair; and this shall be done in relation to each candidate proposed as often as necessary until a candidate is chosen to be Presiding Officer.

(5) If no member is elected as aforesaid, the procedure for election shall be repeated after a period specified by the Presiding Officer (who may wish to consult with members of the Assembly, as (s)he sees appropriate, in that period), until a candidate is chosen to be Presiding Officer.

(6) A similar procedure shall be followed in relation to any proposal regarding the election of a Deputy Presiding Officer to replace the person nominated by the Secretary of State as the initial Deputy Presiding Officer.

14. ELECTION OF FIRST MINISTER AND DEPUTY FIRST MINISTER

(1) The First Minister and Deputy First Minister of the Assembly shall be jointly elected by the members. Any Assembly Member may propose candidates (Assembly Members, whether or not present), to the Assembly for its First Minister and Deputy First Minister. The motion will require to be seconded and to be followed by a statement (which may be given orally or in writing) from the candidates proposed and seconded that they accept nomination.

(2) Any Assembly Member, addressing the Presiding Officer, may propose candidates (Assembly Members, whether or not present), to the Assembly for its First Minister and Deputy First Minister and move "That [x] be First Minister and [x] be Deputy First Minister of this Assembly", which motion will require to be seconded and to be followed by statements (which may be given orally or in writing) from the candidates proposed and seconded that they accept nomination.

(3) When a pair of candidates is proposed and seconded and has accepted nomination, the Presiding Officer shall then ask "Is there any further proposal?" and:

(a) if there is no further proposal, the Presiding Officer shall say "The time for proposals has expired" and a debate relevant to the election may then take place in which no member may speak more than once; or

(b) if more than one pair of candidates is proposed and seconded as First and Deputy First Minister and have signified that they accept nomination, the Presiding Officer shall, after each proposal has been made and seconded and the nominations have been accepted, say "Is there any further proposal?", and if there is no further proposal the Presiding Officer shall say "The time for proposals has expired", and a debate relevant to the election may then take place in which no Assembly Member shall speak more than once.

(4) Upon the conclusion of the debate as aforesaid, or, if there is no debate, the Presiding Officer shall put the question "That [x and x] (being the only candidates

proposed or the candidates first proposed) be First Minister and Deputy First Minister of this "Assembly" and shall invite the members present when their names are called to indicate by voting whether they support or oppose the candidates' nomination, or abstain; and the question shall not be regarded as having been carried unless it fulfils the requirements of paragraph 12(5) of these Orders.

(5) If the question be not carried as aforesaid, the Presiding Officer shall put a similar question in relation to the second pair of candidates proposed; whereupon, if resolved in the affirmative (as aforesaid), those candidates shall be declared by the Presiding Officer to be elected and this shall be done in relation to each pair of candidates proposed as often as necessary until candidates are chosen to be First Minister and Deputy First Minister.

(6) The Presiding Officer shall immediately ask those members of the Assembly chosen to be First Minister and Deputy First Minister to affirm to the Assembly their commitment to non-violence and exclusively peaceful and democratic means and their opposition to any use or threat of force by others for any political purpose; and undertake to work in good faith to bring into being the arrangements set out in the Agreement reached in the multi party negotiations on 10 April 1998 and to observe the spirit of the Pledge of Office at Annex B to these Orders. If they do not do so the election shall be void.

(7) If no member is elected as aforesaid, the procedure for election shall be repeated after a period specified by the Presiding Officer (who may wish to consult with members of the Assembly, as he sees appropriate, in that period), until candidates are chosen to be First Minister and Deputy First Minister. The election of First Minister and Deputy First Minister shall be completed before the end of the first meeting of the Assembly.

15. BUSINESS COMMITTEE

(1) There shall be a committee of the Assembly known as the Business Committee which shall advise the Presiding Officer on the arrangement of the business of the Assembly and perform such other duties as the Presiding Officer may request or the Assembly determine.

(2) The Business Committee shall consist of the Presiding Officer (who shall be Chairman) and not less than nine and not more than seventeen members appointed by the Presiding Officer, following consultation, and shall be such that, so far as is

practicable, there is a fair reflection of the parties participating in the Assembly providing that each party is entitled to at least one place.

(3) The Presiding Officer of the Assembly shall nominate two members, either of whom, in his/her unavoidable absence, shall act as Chairperson of the Business Committee.

(4) The quorum of the Business Committee shall be five.

(5) The procedures of the Business Committee shall be such as the Committee shall determine.

16. COMMITTEES OF THE ASSEMBLY

(1) Committees to assist the Assembly in the consideration of matters referred to it shall be appointed by motion made after notice, setting out terms of reference, quorum and composition.

(2) Committees shall consist of not less than 10 and not more than 18 members and shall be such that, as far as is practicable, there is a fair reflection of the parties participating in the Assembly providing that each party is entitled to at least one seat.

(3) A committee appointed under paragraph 16(1) of these Orders may sit at any time.

(4) Members of the press and public may be admitted at the discretion of the committee.

(5) The procedures of a committee appointed under paragraph 16(1) of these Orders shall be such as the committee itself determines, or as the Assembly shall otherwise order.

17. VISITORS

- (1) Visitors shall be admitted under supervision only to such places in the Assembly and its precincts as may be specified by the Presiding Officer.
- (2) For the purposes of this Rule, the term "visitors" includes all persons other than members and officers of the Assembly and members of the news media.
- (3) The Presiding Officer may, if he/she thinks fit, order the withdrawal of visitors from sittings of the Assembly and its committees.
- (4) Visitors shall not be permitted to take into the Assembly any mobile telephone, camera, tape recorder, briefcase or large bag.

18. NEWS MEDIA

- (1) Notwithstanding anything contained in paragraph 17 of these Orders, unless otherwise ordered, members of the news media shall be admitted under supervision only to such places in the Assembly and its precincts as may be specified by the Presiding Officer.
- (2) The Presiding Officer may, if he/she thinks fit, order the withdrawal of the news media from sittings of the Assembly and its committees.
- (3) Members of the news media shall not be permitted to take into the Assembly any mobile telephone, tape recorder, briefcase or large bag.
- (4) Unless the prior permission of the Presiding Officer has been sought and granted, members of the news media shall not be permitted to take into the Assembly any camera.
- (5) Unless the prior permission of the Presiding Officer has been sought and granted, members of the news media shall not be permitted to photograph, interview or record in areas not designated for the purpose.

ANNEX A

After those members who wish to do so have taken their seats the business of the Assembly shall be as follows:

1. Presiding Officer to bring to the attention of the Assembly:
 - (a) the Presiding Officer's letter of appointment;
 - (b) the notice sent to the Presiding Officer regarding the time and place of the first meeting of the Assembly;
 - (c) the statutory remit of the new Assembly.
 - (d) any matters referred to the Assembly under Section 1(2) of the Northern Ireland (Elections) Act 1998
2. Consideration of any proposals regarding the replacement of the Presiding Officer
3. Consideration of any proposals regarding the election of a First Minister (designate) and Deputy First Minister (designate)
4. Consideration of any motion to establish a Business Committee
5. Consideration of any motion to establish a Committee to assist the Assembly in its consideration of any matter referred to it under Section 1(2) of the Northern Ireland (Elections) Act 1998
6. Consideration of any proposal to invite the First Minister (designate) and Deputy First Minister (designate) to consider and make proposals regarding any matter referred to the Assembly under Section 1(2) of the Northern Ireland (Elections) Act 1998.

ANNEX B

Pledge of Office

To pledge:

- (a) to discharge in good faith all the duties of office;
- (b) commitment to non-violence and exclusively peaceful and democratic means;
- (c) to serve all the people of Northern Ireland equally, and to act in accordance with the general obligations on government to promote equality and prevent discrimination;
- (d) to participate with colleagues in the preparation of a programme for government;
- (e) to operate within the framework of that programme when agreed within the Executive Committee and endorsed by the Assembly;
- (f) to support, and to act in accordance with, all decisions of the Executive Committee and Assembly;
- (g) to comply with the Ministerial Code of Conduct.

CODE OF CONDUCT

Ministers must at all times:

- observe the highest standards of propriety and regularity involving impartiality, integrity and objectivity in relationship to the stewardship of public funds;
- be accountable to users of services, the community and, through the Assembly, for the activities within their responsibilities, their stewardship of public funds and the extent to which key performance targets and objectives have been met;
- ensure all reasonable requests for information from the Assembly, users of services and individual citizens are complied with; and that Departments and

their staff conduct their dealings with the public in an open and responsible way;

- follow the seven principles of public life set out by the Committee on Standards in Public Life;
- comply with this code and with rules relating to the use of public funds;
- operate in a way conducive to promoting good community relations and equality of treatment;
- not use information gained in the course of their service for personal gain; nor seek to use the opportunity of public service to promote their private interests;
- ensure they comply with any rules on the acceptance of gifts and hospitality that might be offered;
- declare any personal or business interests which may conflict with their responsibilities. The Assembly will retain a Register of Interests. Individuals must ensure that any direct or indirect pecuniary interests which members of the public might reasonably think could influence their judgement are listed in the Register of Interests;