

28 June 1998 SECTION

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 (Executive) Act 1998.

1. 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 powers under these Orders, shall at all times bear in mind the fact that the business of the Assembly is to give effect to the agreement reached at the multiparty talks on Northern Ireland, set out in Command Paper 3872.

NORTHERN IRELAND ASSEMBLY

(3) The Deputy Presiding Officer shall be elected by the Assembly when requested to do so by the Presiding Officer when the latter is unable to act.

2. TAKING SEATS IN THE ASSEMBLY

(1) Members shall take their seats by rising to the Assembly's call of membership and remaining a designated or INITIAL STANDING ORDERS until the arrangements for that shall be determined by the Presiding Officer and all members shall have the opportunity to take their seats in the Assembly 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 is accordance with sub-paragraph (1) shall be final.

(3) A member may change his or her designation of assembly 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.

1. INTRODUCTION

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 powers 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 or when the latter is unable to act.

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 seats 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 sub-paragraph (1) shall be final.

(3) A member may change his or her 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 then 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) Beginning with the second meeting of the Assembly, the Presiding Officer shall at the commencement of each day's business 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 sub-paragraph (5) the business of the Assembly each day shall be such as the Presiding Officer 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 is relevant to the business outlined in the agenda.
- (3) Notice of future business shall be given in writing to the Presiding Officer, who shall prepare at least twice weekly when the Assembly is sitting and at least fortnightly when in recess a Business paper listing the notices received.

(4) Except by the leave of the Assembly, 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. No such leave may be sought in respect of a motion which would require cross-community support.

* (5) The business of the Assembly at its first meeting shall be restricted to the matters set out in the Agenda at Annex A to these Orders and shall be taken in the order specified. No other business may be transacted by the Assembly until the matters on that Agenda have been completed. i.e. no discussion

(6) Sub- paragraphs (1) to (4) 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 of proceedings 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 election 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 or 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 sub-paragraph (3), 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) Except 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 motion - 20 minutes;
- (b) any other member (including a member moving an amendment) - 10 minutes;
- (c) member moving a substantive motion in reply - 15 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 or her speech.

9. AMENDMENTS

(1) An amendment or amendments to motions on the day's Order of Business must be given in writing to the office of the Presiding Officer at least one hour prior to the commencement of the day's business. An amendment must be in the name of at least one member who shall sign the amendment.

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

(3) 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 or her remarks and having called the attention of the Assembly to the conduct of the said member, may direct the member to discontinue his or 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 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 the Presiding Officer thinks it necessary, adjourn the proceedings, or suspend the sitting for such a period as the Presiding Officer thinks fit.

11. CLOSURE OF DEBATE

(1) After a motion has been proposed and provided that each of the parties present has had a reasonable opportunity to contribute to the debate, 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, 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) Except as provided by sub-paragraph (2) or (3), every decision of the Assembly shall be taken by a simple majority of those voting.
- (2) The following, namely:
 - (a) the election of the Presiding Officer and of the Deputy Presiding Officer;
 - (b) any decision concerning the Standing Orders of the Assembly; and
 - (c) a vote on a matter in respect of which a petition of concern has been presented,shall require cross-community support.
- (3) The election of the First Minister and Deputy First Minister shall require parallel consent.
- (4) For the purposes of these Standing Orders -

"cross-community support" means:

 - (a) the support of a majority of those members voting, a majority of the designated Nationalists voting and a majority of the designated Unionists voting; or
 - (b) the support of 60 per cent of the members voting, 40 per cent of the designated Nationalists voting and 40 per cent of the designated Unionists voting,

"parallel consent" means the support of a majority of the members voting, a majority of the designated Nationalists voting and a majority of the designated Unionists voting.
- (5) A petition of concern in respect of any matter shall be in the form of a notice signed by at least 30 members presented to the Presiding Officer. No vote may be held on a matter which is the subject of a petition of concern until at least one day after the petition of concern has been presented.
- (6) The Presiding Officer shall not be entitled to a vote on any matter.
- (7) Voting shall be conducted by either a voice vote or by a show of hands as the Presiding Officer considers appropriate. 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 member, addressing the Presiding Officer, may propose a candidate (a 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; or

(b) if more than one candidate is proposed and seconded as Presiding Officer and has signified that he or 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.

(3) Upon the conclusion of the debate, 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".

(4) If the question be not carried, the Presiding Officer shall put a similar question in relation to the second candidate proposed; whereupon, if resolved in the affirmative, 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) Until a member is elected as aforesaid, the initial Presiding Officer shall continue in office.

(6) A similar procedure shall be followed in relation to any proposal regarding the election of a 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.

(2) Any member, addressing the Presiding Officer, may propose candidates (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.

(4) Upon the conclusion of the debate, 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".

(5) If the question be not carried, the Presiding Officer shall put a similar question in relation to the second pair of candidates proposed; whereupon, if resolved in the affirmative, 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:

(a) their commitment to non-violence and exclusively peaceful and democratic means;

(b) their opposition to any use or threat of force by others for any political purpose;

(c) their commitment 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

(d) their commitment 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.

15. 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, composition and the date by which the committee should report the outcome of its deliberations to the Assembly.

(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 and that each party with at least two members shall have at least one seat on each Committee.

(3) A committee appointed under sub-paragraph (1) 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 sub-paragraph (1) of these Orders shall be such as the committee itself determines, or as the Assembly shall otherwise order.

(6) A full minute shall be taken of all committee meetings which shall be circulated to all members of that Committee.

16. COMMITTEE TO ADVISE THE PRESIDING OFFICER

(1) A Committee of the Assembly may be established to advise the Presiding Officer on the arrangement of the business of the Assembly and on practical issues related to the provision of appropriate facilities for members.

(2) The Committee shall consist of the Presiding Officer (who shall be Chairperson), the Deputy Presiding Officer and not less than eight and not more than sixteen members appointed by the Presiding Officer, following consultation with the leaders of the parties in the Assembly, and shall be such that, so far as is practicable, there is a fair reflection of the parties participating in the Assembly and that each party with at least two members shall have at least one place.

(3) The quorum of the Committee shall be five.

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

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 the Presiding Officer 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 the Presiding Officer 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.

19. SYMBOLS, EMBLEMS AND FLAGS

Apart from any personal badges, no political symbols, emblems or flags shall be displayed in the Assembly. The Presiding Officer's decision on such matters shall be final.

INITIAL AGENDA

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.

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2. Members shall then be invited by the Presiding Officer to take their seats in accordance with paragraph 3 of these Orders and the business of the Assembly shall be as follows:

(a) consideration of any proposals regarding the election of the Presiding Officer;

NIWC notice

roll call vote - 5 min warning

(b) consideration of any proposals regarding the election of the Deputy Presiding Officer;

(c) consideration of any proposals regarding the election of a First Minister (designate) and Deputy First Minister (designate); *no-one yet appointed.*

(d) consideration of any motion to establish a Committee, in accordance with paragraph 15 of these Orders, to assist the Assembly in the consideration of Standing Orders;

parallel consent: may use SDR

(e) consideration of any motion to invite the First Minister (designate) and Deputy First Minister (designate) to consider and, after consultation, make proposals regarding matters referred to the Assembly, under Section 1(2) of the Northern Ireland (Elections) Act 1998 and any other matter connected with the future business of the Assembly, and to report to the Assembly by a specified date;

AND req. of whole 50%+1

Jane

(f) consideration of any motion in the name of the Presiding Officer to establish a Committee in accordance with paragraph of 16 these Orders

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.