



Lord Alderdice of Knock
Initial Presiding Officer
The New Northern Ireland Assembly
Parliament Buildings
Stormont
BELFAST
BT4 3XX

26 November 1999

Dear Lord Alderdice,

REVISED INTERIM STANDING ORDERS

As you know it is my responsibility, under paragraph 10 of the Schedule to the Northern Ireland (Elections) Act 1998, to determine the Standing Orders of the Assembly during the shadow period. Following my letter to you of 24 November which enclosed draft interim Standing Orders, it is hereby determined that Standing Orders on the appointment of Ministers (designate) and the establishment of shadow Statutory Committees, should become Standing Orders 22 and 23 with immediate effect. The previous Standing Orders 22 and 23 are hereby revoked.

The effect of these revised Standing Orders will be to bring the provisions of Standing Orders 22 and 23 into line with the corresponding provisions in Sections 18 and 29 respectively of the Northern Ireland Act.

PETER MANDELSON

ADDITIONAL STANDING ORDERS 26 November 1999

(22) APPOINTMENT OF MINISTERS (DESIGNATE)

- (1) Where a determination has been made and approved in accordance with Standing Order 21, the Presiding Officer shall, at the next meeting of the Assembly, supervise the allocation and, subject to paragraph (14), taking up of the Ministerial offices (designate) in accordance with the procedure set out in this Standing Order.
- (2) Having regard to the consolidated list of political parties and their members referred to in Standing Order 20, the Presiding Officer shall ask the nominating officer of the political party for which the formula in paragraph (8) gives the highest figure to select an available Ministerial office (designate) and nominate a person to hold it who is a member of his party and of the Assembly.
- (3) Immediately following the making of a nomination under this Standing Order, the Presiding Officer shall ask whether the nominee is willing to take up the office to which he has been nominated.
- (4) Where the nominee indicates his willingness to take up the office he shall do so by affirming to the Assembly the Pledge of Office in Schedule 4 to the Northern Ireland Act 1998.
- (5) Subject to paragraph (6), if:
 - (a) the nominating officer does not make the selection or nomination referred to in paragraph (2) within a maximum period of 5 minutes, or
 - (b) the nominee does not take up the selected Ministerial office (designate) in accordance with paragraph (4) within that period,the Presiding Officer shall ask the nominating officer of the political party for which the formula in paragraph (8) gives the next highest figure to select an available Ministerial office (designate) and nominate a person to hold it who is a member of his party and of the Assembly.
- (6) Paragraph (5) shall not operate where the Presiding Officer allows a brief adjournment up to a maximum of 15 minutes at the request of a nominating officer who needs further time to consider a nomination.
- (7) Paragraphs (2) to (6) shall be applied as many times as may be necessary to secure that each of the Ministerial offices (designate) has been allocated and taken up.
- (8) The formula is:

$$\frac{S}{1 + M}$$

where S = the number of seats which were held by members of that party on the day on which the Assembly first met following its election on 25 June 1998.

M = the number of Ministerial offices (designate) (if any) which are held by members of the party.

- (9) Where the figures given by the formula for two or more political parties are equal, each of those figures shall be recalculated with S being equal to the number of first preference votes cast for the party at the Assembly election on 25 June 1998.
- (10) The holding of office as First Minister (designate) or Deputy First Minister (designate) shall not prevent a person being nominated to hold a Ministerial office (designate).
- (11) A Minister (designate) ceases to hold office if:
- (a) he resigns by notice in writing to the First Minister (designate) and the Deputy First Minister (designate);
 - (b) he ceases to be a member of the Assembly;
 - (c) he is dismissed as such by the nominating officer of the party on whose behalf he was nominated and the Presiding Officer is notified of his dismissal in writing; or
 - (d) he is excluded from holding office under a resolution passed by the Assembly in accordance with Standing Order 24, paragraph (1).

In any of these circumstances the Presiding Officer shall, within 10 days of the vacancy occurring, ask the nominating officer of the party on whose behalf the previous incumbent was nominated to nominate a person to hold the office who is a member of his party and of the Assembly.

- (12) Where:
- (a) a resolution of the Assembly under Standing Order 24, paragraph (2), has been passed which causes one or more Ministerial offices (designate) to become vacant; or
 - (b) the period of exclusion imposed by such a resolution comes to an end

all Northern Ireland Ministers (designate) shall cease to hold office and the Presiding Officer shall supervise the allocation and taking up of the Ministerial offices (designate) in accordance with the procedure set out in this Standing Order.

(13) Where:

(a) the Assembly has resolved under Standing Order 24, paragraph (2), that a political party does not enjoy its confidence; and

(b) the party's period of exclusion has not come to an end,

the party shall be disregarded for the purposes of any application of paragraphs (2) to (10).

(14) On the completion of the procedure for the appointment of Ministers (designate) under this Standing Order, the persons appointed shall only continue to hold Ministerial office (designate) if they include at least 3 designated Nationalists and 3 designated Unionists.

(23) ESTABLISHMENT OF SHADOW STATUTORY COMMITTEES

(1) Where a determination has been made and approved in accordance with Standing Order 21, the Standing Orders Committee shall, as soon as practicable, bring forward a motion establishing Committees of members of the Assembly (Shadow Statutory Committees) to advise and assist each Northern Ireland Minister (designate) in the formulation of policy with respect to matters within his responsibilities. Each Committee will have responsibility for undertaking a scrutiny, policy development and consultation role with respect to each of the Ministers (designate) which it will advise and assist. The motion shall specify:

(a) the Northern Ireland Minister or Ministers (designate) which each Committee will advise and assist;

(b) the number of members to be appointed to each Committee in accordance with paragraph (2) (b). Notwithstanding Standing Order 15, the number of members to be appointed to each Committee shall be 11.

(2) Where the Ministerial offices (designate) have been allocated and taken up in accordance with Standing Order 22 and the Assembly has approved a motion brought forward in accordance with paragraph (1), the Presiding Officer shall, as soon as practicable, supervise:

(a) the appointment of a Chairman and Deputy Chairman to each Committee in accordance with the procedure set out in this Standing Order; and thereafter

(b) the appointment of members to each Committee having regard to the balance of parties in the Assembly and in such a way as to ensure that the opportunity of membership of a Committee is available to all members of the Assembly other than Ministers (designate) and Junior Ministers (designate).

- (3) Having regard to the consolidated list of political parties and their members referred to in Standing Order 20, the Presiding Officer shall ask the nominating officer of the political party for which the formula in paragraph (8) gives the highest figure to select an available Shadow Statutory Committee and nominate a person who is a member of his party and of the Assembly, to be Chairman or Deputy Chairman of it.
- (4) Immediately following the making of a nomination in accordance with paragraph (3), the Presiding Officer shall ask whether the nominee is willing to take up the office for which he has been nominated and if the nominee indicates his willingness to take up office then the Presiding Officer shall announce his appointment.
- (5) Subject to paragraph (6), if:
- (a) the nominating officer does not make the selection or nomination referred to in paragraph (3) within a maximum period of 5 minutes; or
- (b) the nominee does not take up the selected office in accordance with paragraph (4) within that period
- the Presiding Officer shall ask the nominating officer of the political party for which the formula in paragraph (8) gives the next highest figure to select an available Shadow Statutory Committee and nominate a person who is a member of his party and of the Assembly to be Chairman or Deputy Chairman of it.
- (6) Paragraph (5) shall not operate where the Presiding Officer allows a brief adjournment up to a maximum of 15 minutes at the request of a nominating officer who needs further time to consider a selection or nomination.
- (7) Paragraphs (3) to (6) shall be applied as many times as may be necessary to secure that a Chairman and Deputy Chairman are appointed to each of the Shadow Statutory Committees.
- (8) The formula is:

$$\frac{S}{1 + C}$$

where S = the number of seats which were held by members of that party on the day on which the Assembly first met following its election on 25 June 1998.

C = the number (if any) of Chairmen and Deputy Chairmen of Committees established under this Standing Order which are held by members of the party

- (9) Where the figures given by the formula for two or more political parties are equal, each of those figures shall be recalculated with S being equal to the number of first preference votes cast for the party at the Assembly election on 25 June 1998.

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- (10) A Minister (designate) or junior Minister (designate) may not be the Chairman or Deputy Chairman of a Shadow Statutory Committee.
- (11) No member may be nominated to serve as a Chairman or Deputy Chairman of a Shadow Statutory Committee if he is the Chairman or Deputy Chairman of another Statutory Committee
- (12) In making nominations of members to be Chairmen or Deputy Chairmen of Committees under this Standing Order, nominating officers shall prefer Committees in which they do not have a party interest over ones in which they do have a party interest. For these purposes, a nominating officer has a party interest in a Committee if it is established to advise and assist a Minister (designate) who is a member of his party
- (13) A Chairman or Deputy Chairman to a Shadow Statutory Committee shall cease to hold office if:
- (a) he resigns by notice in writing to the Presiding Officer;
 - (b) he ceases to be a member of the Assembly; or
 - (c) he is dismissed as such by the nominating officer of that party on whose behalf he was nominated and the Presiding Officer is notified of his dismissal in writing.

In any of these circumstances, the Presiding Officer shall, within 10 days of the vacancy occurring, ask that the nominating officer of the party on whose behalf the previous incumbent was nominated nominate a person to hold the office who is a member of his party and of the Assembly. The vacancy shall then be filled by applying paragraphs (4) to (6) as appropriate.