



# Government of Wales Act 2006

## 2006 CHAPTER 32

### PART 1

#### [<sup>F1</sup>SENEDD CYMRU]

##### *Proceedings etc.*

### 31 Standing orders

- (1) [<sup>F1</sup>Senedd] proceedings are to be regulated by standing orders (referred to in this Act as “the standing orders”).
- (2) The standing orders must include provision for preserving order in [<sup>F1</sup>Senedd] proceedings, including provision for—
  - (a) preventing conduct which would constitute a criminal offence or contempt of court, and
  - (b) a sub judice rule.
- (3) The standing orders may include provision for excluding [<sup>F2</sup>a Member of the Senedd] from [<sup>F1</sup>Senedd] proceedings.
- (4) The standing orders may include provision for withdrawing from [<sup>F2</sup>a Member of the Senedd] any or all of the rights and privileges of membership of the [<sup>F1</sup>Senedd].
- (5) The standing orders—
  - (a) must include provision requiring the proceedings of the [<sup>F1</sup>Senedd] to be held in public, and for proceedings of a committee of the [<sup>F1</sup>Senedd] or a sub-committee of such a committee to be held in public except in circumstances provided for in the standing orders, and
  - (b) may include provision as to the conditions to be complied with by members of the public attending the proceedings (including provision for excluding any member of the public who does not comply with the conditions).
- (6) The standing orders must include provision—

*Status: Point in time view as at 06/05/2020.*

*Changes to legislation: Government of Wales Act 2006, Cross Heading: Proceedings etc. is up to date with all changes known to be in force on or before 13 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (a) for reporting the proceedings of the [F1Senedd], and for reporting proceedings of committees of the [F1Senedd] and sub-committees of such committees which are held in public, and
  - (b) for publishing the reports of proceedings as soon as reasonably practicable after the proceedings take place.
- (7) The [F1Senedd] may by resolution remake or revise the standing orders; but if the motion for a resolution to remake or revise the standing orders is passed on a vote, it has no effect unless at least two-thirds of the [F3Members of the Senedd] voting support it.
- (8) The Clerk must from time to time publish the standing orders.

**Textual Amendments**

**F1** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 2\(19\)](#) (with [Sch. 1 para. 2\(11\)-\(14\)](#))

**F2** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 2\(15\)](#) (with [Sch. 1 para. 2\(11\)\(12\)\(14\)](#))

**F3** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 2\(17\)](#) (with [Sch. 1 para. 2\(11\)\(12\)\(14\)](#))

---

**Commencement Information**

**I1** Ss. 1-94, 97-106 in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

**F432 Participation by UK Ministers etc.**

.....

**Textual Amendments**

**F4** S. 32 omitted (31.3.2017) by virtue of [Wales Act 2017 \(c. 4\)](#), [ss. 15\(a\)](#), 71(2)(b) (with [Sch. 7 paras. 1, 6](#))

**F533 Consultation about UK Government's legislative programme**

.....

**Textual Amendments**

**F5** S. 33 omitted (31.3.2017) by virtue of [Wales Act 2017 \(c. 4\)](#), [ss. 15\(b\)](#), 71(2)(b) (with [Sch. 7 paras. 1, 6](#))

**34 Participation by Counsel General**

- (1) If not [F2a Member of the Senedd] the Counsel General may participate in [F1Senedd] proceedings to the extent permitted by the standing orders, but may not vote.
- (2) And the standing orders may in other respects provide that they are to apply to the Counsel General if not [F2a Member of the Senedd ] as to [F2a Member of the Senedd].

*Status: Point in time view as at 06/05/2020.*

*Changes to legislation: Government of Wales Act 2006, Cross Heading: Proceedings etc. is up to date with all changes known to be in force on or before 13 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (3) The Counsel General may, in any [F1Senedd] proceedings, decline to answer any question or produce any document concerning the operation of the system of criminal prosecution in any particular case if considering that answering the question or producing the document—
- (a) might prejudice criminal proceedings in the case, or
  - (b) would otherwise be contrary to the public interest.

#### Textual Amendments

- F1** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\), s. 42\(2\), Sch. 1 para. 2\(19\)](#) (with [Sch. 1 para. 2\(11\)-\(14\)](#))
- F2** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\), s. 42\(2\), Sch. 1 para. 2\(15\)](#) (with [Sch. 1 para. 2\(11\)\(12\)\(14\)](#))

#### Commencement Information

- I2** Ss. 1-94, 97-106 in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

## 35 Equality of treatment

[F6(1) The [F1Senedd] must, in the conduct of [F1Senedd] proceedings, give effect, so far as is both appropriate in the circumstances and reasonably practicable, to the principle that the English and Welsh languages should be treated on a basis of equality.]

[F6(1) The official languages of the [F1Senedd] are English and Welsh.

(1A) The official languages must, in the conduct of [F1Senedd] proceedings, be treated on a basis of equality.

(1B) All persons have the right to use either official language when participating in [F1Senedd] proceedings.

(1C) Reports of [F1Senedd] proceedings must, in the case of proceedings which fall within section 1(5)(a) (proceedings of the [F1Senedd]), contain a record of what was said, in the official language in which it was said, and also a full translation into the other official language.

(1D) Paragraph 8 of Schedule 2 makes provision about how the [F1Senedd] Commission must enable effect to be given to subsections (1) to (1C).]

(2) The [F1Senedd] must make appropriate arrangements with a view to securing that [F1Senedd] proceedings are conducted with due regard to the principle that there should be equality of opportunity for all people.

#### Textual Amendments

- F1** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\), s. 42\(2\), Sch. 1 para. 2\(19\)](#) (with [Sch. 1 para. 2\(11\)-\(14\)](#))
- F6** S. 35(1)-(1D) substituted for s. 35(1) (13.11.2012) by [National Assembly for Wales \(Official Languages\) Act 2012 \(anaw 1\), ss. 1, 3\(b\)](#)

#### Commencement Information

- I3** Ss. 1-94, 97-106 in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

*Status: Point in time view as at 06/05/2020.*

*Changes to legislation: Government of Wales Act 2006, Cross Heading: Proceedings etc. is up to date with all changes known to be in force on or before 13 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## 36 Integrity

- (1) The standing orders must include provision—
  - (a) for a register of interests of [<sup>F3</sup>Members of the Senedd], and
  - (b) for the register to be published and made available for public inspection.
- (2) The standing orders must require [<sup>F3</sup>Members of the Senedd] to register in the register of interests registrable interests, as defined for the purposes of this subsection.
- (3) The standing orders must require any [<sup>F7</sup>Member of the Senedd] who has—
  - (a) a financial interest, as defined for the purposes of this subsection, or
  - (b) any other interest, or an interest of any other kind, as so defined,
 in any matter to declare that interest before taking part in [<sup>F1</sup>Senedd] proceedings relating to that matter.
- (4) The standing orders may include provision for preventing or restricting the participation in any [<sup>F1</sup>Senedd] proceedings of [<sup>F2</sup>a Member of the Senedd ] who has an interest within subsection (2) or (3) in any matter to which the proceedings relate.
- (5) The standing orders must include provision prohibiting [<sup>F2</sup>a Member of the Senedd] from—
  - (a) advocating or initiating any cause or matter on behalf of any person, by any means specified in the standing orders, in consideration of any payment or benefit in kind of a description so specified, or
  - (b) urging, in consideration of any such payment or benefit in kind, any other [<sup>F7</sup>Member of the Senedd] to advocate or initiate any cause or matter on behalf of any person by any such means.
- (6) The standing orders must include provision about (or for the making of a code or protocol about) the different roles and responsibilities of [<sup>F1</sup>Senedd] constituency members and [<sup>F1</sup>Senedd] regional members; and—
  - (a) [<sup>F1</sup>Senedd] constituency members must not describe themselves in a manner which suggests that they are [<sup>F1</sup>Senedd] regional members, and
  - (b) [<sup>F1</sup>Senedd] regional members must not describe themselves in a manner which suggests that they are [<sup>F1</sup>Senedd] constituency members.
- (7) [<sup>F2</sup>a Member of the Senedd ] who—
  - (a) takes part in [<sup>F1</sup>Senedd] proceedings without having complied with, or in contravention of, any provision included in the standing orders in pursuance of subsections (2) to (4), or
  - (b) contravenes any provision included in the standing orders in pursuance of subsection (5),
 commits an offence.
- (8) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (9) A prosecution for an offence under subsection (7) cannot be instituted except by or with the consent of the Director of Public Prosecutions.
- (10) The validity of any [<sup>F1</sup>Senedd] proceedings is not affected by any contravention or failure to comply with any provision included in the standing orders in pursuance of this section.

*Status: Point in time view as at 06/05/2020.*

*Changes to legislation: Government of Wales Act 2006, Cross Heading: Proceedings etc. is up to date with all changes known to be in force on or before 13 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(11) In this section—

- (a) references to [F2a Member of the Senedd] (apart from those in subsection (6)) include the Counsel General, if not [F2a Member of the Senedd], and
- (b) “financial interest” includes a benefit in kind.

#### Textual Amendments

- F1** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 2\(19\)](#) (with [Sch. 1 para. 2\(11\)-\(14\)](#))
- F2** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 2\(15\)](#) (with [Sch. 1 para. 2\(11\)\(12\)\(14\)](#))
- F3** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 2\(17\)](#) (with [Sch. 1 para. 2\(11\)\(12\)\(14\)](#))
- F7** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 2\(16\)](#) (with [Sch. 1 para. 2\(11\)\(12\)\(14\)](#))

#### Commencement Information

- I4** Ss. 1-94, 97-106 in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

**Status:**

Point in time view as at 06/05/2020.

**Changes to legislation:**

Government of Wales Act 2006, Cross Heading: Proceedings etc. is up to date with all changes known to be in force on or before 13 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.