

## Rules of Procedure

The Pensions Council (An Chomhairle Pinsean) was established by statute to *“advise the Minister, either on its own initiative or at the Minister’s request, on matters relating to pensions generally”*. Under the statute the Minister *“shall determine the procedures of the Pensions Council.”*

The Council shall follow the following procedural rules:

1. The Council shall meet at least six times per year on such days and times as the Council may decide in advance.
2. If the quorum (six members) is not present twenty minutes after the appointed time, the meeting of the Council shall be cancelled.
3. If the Chairperson is not present at a meeting and there is a quorum, members may designate a chairperson among themselves.
4. Notwithstanding that personal responsibility rests with individual members to assess and declare any conflict of interest arising for them, the matter of conflict of interest will be a standing item on the agenda for each meeting and will normally be tabled at the beginning of each Council meeting.
5. Subject to Paragraph 6 below, all items of business on which the Council will be asked to take decisions must be listed on the Agenda of the meeting. Notice of meeting, draft agenda and working papers will normally be sent to Council members one week in advance. Notices and papers will be posted to the members’ area of the Pensions Council website which, together with an e-mailed notice of the posting, constitutes valid delivery of notice and working papers.
6. Opinions of the Council may be reached by consensus or by a majority of members voting for or against. Members who do not support a proposal shall be entitled to have their opposition or abstention recorded with the Opinion.
7. Where notice of a proposal has not been circulated in advance of a meeting, it shall not be approved at that meeting except by unanimity (i.e. nem con).
8. Members who are unable to attend a particular meeting may submit a vote in writing on any proposal to be discussed at that meeting, provided that the proposal has been circulated in advance of the meeting and has not, in the opinion of the Chairperson, been altered in any significant or substantial way during that meeting.

9. In exceptional circumstances, where urgent Council approval is required for matters requiring urgent attention, decisions can be taken by written procedure, usually by email or alternatively by telephone. That is, decisions can be taken without calling a physical meeting of the Council. In such circumstances for a decision to be deemed to have been properly taken:
- At least seven members of the Council must have replied; and
  - A majority of the votes cast must be in favour of the proposal. In the case of an equal division of votes, the Chairperson shall have a second or casting vote. In doing so, he/she may take account of the nature of the decision involved.

The calling of any such incorporeal meeting shall be a matter for the Chairperson or any other member of the Council duly authorised by the Chairperson.

10. The minuted report of discussion on a proposal should indicate whether the proposal was:
- (i) Approved; or
  - (ii) Not approved; or
  - (iii) Noted; or
  - (iv) Deferred for consideration; or
  - (v) State such other instruction as the Council confirmed.
11. A proposal to rescind a minuted decision of the Council, or change the Standing Orders shall be forwarded in writing to the Chairperson at least ten working days before the Council meeting at which it is desired to have it discussed.
12. Where a member fails to attend more than four meetings in any 12-month period, and fails to give a satisfactory explanation for his/her non-attendance, the Chairman shall contact the member regarding his/her position on the Council and, if considered appropriate, report on the matter to the Minister.

### **Sub-groups and submissions to meetings from stakeholders**

13. The Council may establish sub-groups and shall agree the terms of reference and composition, of any such groups. At the discretion of the Council, sub-groups may include non-members of the Council.
14. The Council and sub-groups of the Council may invite or consider submissions from stakeholders or third parties. Where stakeholders or third parties request permission to address the Council or sub-group they shall be required to submit in writing a copy of their submission at least one week before the meeting in

question. At the meeting they must leave ample time for questions relating to their submission and other relevant matters. While all members of the Council have an equal right to question and comment on any oral submissions made to the Council, the Council may designate up to two members to lead the questions.

15. The Council may commission research or expert advice, and may in proper cases pay for that research or advice, subject to the relevant rules or regulations relating to public expenditure.

### **Transparency**

16. Attendance records at Council and sub-group meetings and expenses paid to individual members, and members of subgroups shall be published at least once a year.
17. Minutes of each meeting shall be published as soon as possible after they have been approved.
18. Briefing documents, reports or submissions to a meeting shall be published with the minutes of that meeting, subject to exceptions relating to intellectual property rights, commercial or personal confidentiality, or other compelling reason that, in the opinion of the Chairperson, would justify non-publication or a delay in publication.

### **Chairperson**

19. The Chairperson's duties include the following:
  - a) To conduct the meetings in an orderly and efficient manner;
  - b) To ensure that all members have a fair and equal opportunity to contribute to the discussions and work of the Council;
  - c) To take due account of the expertise and experience of members of the Council so as to maximize the potential of the Council to contribute to public policy;
  - d) To ensure, as far as possible, that the Council and members comply with these standing orders and any other relevant code or requirement;
  - e) If a disagreement rises between a member and the Chairperson relating to the discharge of the Chairperson's functions, the member may raise the matter with the Council, whose decision shall be final.