



**LESOTHO**

**STANDING ORDERS  
OF THE NATIONAL ASSEMBLY OF  
LESOTHO**

**STANDING ORDERS  
NATIONAL ASSEMBLY OF LESOTHO**

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# NATIONAL ASSEMBLY STANDING ORDERS

## CHAPTER I INTRODUCTORY

### 1. Interpretation

(1) In these Standing Orders, unless the context otherwise requires –  
“Chairman” in the case of a Committee of the Whole House means the Speaker or any person acting as Chairman in terms of Standing Order No. 9 (Presiding in the House), and in the case of a select committee means the Chairman thereof;

“Clerk” means the Clerk of the National Assembly and includes an acting Clerk and a Clerk-Assistant when the latter is at the Table;

“Constitution” means the 1993 Constitution of Lesotho;

“House” means the National Assembly of Lesotho;

“Meeting” means any sitting or sittings of the House commencing when the House first meets after being summoned at any time and terminating when the House is adjourned *sine die* or at the conclusion of a session;

“Member” means a Member of the National Assembly and includes, except for the purpose of Chapters 1, 2, 7 and 11 of these Standing Orders and where otherwise specified or where the context requires, a Senator who, being a Minister, is participating in the proceedings of the House;

“Minister” means a Minister of the Government of Lesotho and includes an Assistant Minister;

“Printing” includes all mechanical and photographic methods of producing words in a visible form;

“Public Business” means proceedings on motions of which notices have been given and on bills which have been presented to or introduced into the House;

“Sergeant at Arms” means any person appointed to perform the duties and functions of Sergeant at Arms;

“Session” means a period commencing when Parliament first meets after a general election or prorogation and ending when Parliament is next thereafter prorogued or dissolved without having been prorogued;

“Sitting” means a period during which the House is sitting continuously without adjournment and includes any period during which the House is in committee;

“Speaker” includes any other member of the House presiding for the time being in the House in terms of Standing Order No. 9 (Presiding in the House);

- (2) In calculating a period of a day or days named in these Standing Orders account shall be taken of Saturdays but no account shall be taken of a Sunday or a public holiday unless the House sits on that Sunday or public holiday.

## **2. Oath or Affirmation of Allegiance**

- (1) Except for the purpose of the election of a Speaker at the commencement of a new Parliament, no Member shall sit or vote until he has made and subscribed before the House the oath or affirmation of allegiance in the form prescribed by law, and no Minister being a Senator shall participate in any proceedings of the House until he has made and subscribed the oath or affirmation of allegiance before the Senate.
- (2) The Clerk shall from time to time transmit to the Clerk of the Senate the names of Members who have made and subscribed before the House the oath or affirmation of allegiance.

## **3. Quorum**

- (1) The quorum of the House and of a Committee of the Whole House shall consist of thirty Members besides the person presiding.
- (2) If objection is taken by any Member that a quorum is not present, the Speaker shall direct that Members be summoned, the Member taking objection having to remain within the Chamber, and if after ten minutes shall have expired the Speaker is satisfied that a quorum is not present he shall adjourn the House without question put.
- (3) If in Committee of the Whole House the attention of the Chairman is drawn to the fact that a quorum is not present he shall act as provided in paragraph (2) of this Standing Order save that if after ten minutes have expired he is satisfied that a quorum is not

present he shall leave the chair, the House shall be resumed, and the Speaker shall count the House. If a quorum is then present the House shall again resolve itself into a committee, but if a quorum is not present the Speaker shall adjourn the House without question put.

- (4) If, from the number of Members taking part in a division, including those who have abstained from voting, it appears that a quorum is not present, the division shall be invalid, the question on which it was held shall stand over until the next sitting, and the procedure prescribed in paragraph (2) or paragraph (3) of this Standing Order shall be followed.

#### **4. Absence of Members**

A Member who has obtained the leave of the Speaker to be or to remain absent from a meeting shall so inform the Clerk at the earliest opportunity.

#### **5. Language**

- (1) Speeches may be delivered in the English or the Sesotho language. Speeches shall be interpreted from the one language into the other if the Speaker so directs.
- (2) The text of Bills laid before the House shall be in the English language, but if the Speaker so directs a translation into Sesotho shall be provided of the text of the memorandum attached to a Bill under the provisions of paragraph (3) of Standing Order No. 52 (Publication and Circulation of Bills).
- (3) Petitions and papers presented under Standing Order No. 22 (Presentation of Petitions) or Standing Order No. 23 (Presentation of Papers and Tabling of Reports) may be presented in the English or the Sesotho language, but if the Speaker so directs a translation from the one language into the other shall be provided.
- (4) Notices of questions and motions and amendments thereto may be given in the English or the Sesotho language. If the Speaker so directs a translation shall be provided from the one language into the other, and for this purpose the Speaker may direct that the Order Paper and Notice Paper be printed in both the English and the Sesotho languages.
- (5) The minutes of Proceedings shall be prepared, submitted for signature to the Speaker, and circulated in the English language



but if the Speaker so directs a translation into the Sesotho language shall be made and circulated.

- (6) Notwithstanding anything in this Standing Order no proceedings of the House shall be invalidated, adjourned or delayed by reason only of the fact that an interpretation or translation from English into Sesotho or from Sesotho into English has not been provided.

## CHAPTER II OFFICERS OF THE HOUSE

### 6. Election of Speaker

(1) Whenever there is a vacancy in the office of Speaker, whether as the result of the dissolution of Parliament or otherwise, the House shall as soon as a quorum is present, proceed to elect a Speaker.

(2) The procedure for the election of a Speaker shall be as follows:-

- a) Every Member who wishes to propose a person for election as Speaker shall ascertain previously whether that person is willing to serve if elected.
- b) A Member addressing himself to the Clerk shall propose that such a person be elected as Speaker and move "That (name of the person) do take the chair of this Honourable House". The proposal shall be seconded but no debate shall be allowed.
- c) If only one person is so proposed and seconded as Speaker, he shall be declared by the Clerk, without question put, to have been elected. If more than one person is proposed and seconded, the House shall proceed to elect the Speaker by ballot.
- d) There shall be a maximum of three candidates, who may be proposed under sub-paragraph (c) of this paragraph, and no Member who has already proposed or seconded a candidate may propose or second another candidate, and no Member may propose or second his own candidature.
- e) For the purpose of the ballot, the Clerk shall give to each Member present a ballot paper on which the Member may write the name of the person for whom he wishes to vote. Ballot papers shall be folded so that the name written thereon shall not be seen. The Clerk shall then call the names of all the Members of the House and each Member present when his name is called shall come to the Table and drop his ballot paper into a container on the Table in such a way as not to disclose for whom he is voting; and a Member shall not drop into the container a ballot paper which is not his own. The Clerk shall then count the ballot

papers and the result thereof shall be reported by him to the House.

- f) If a candidate receives more votes than any other candidate, the Clerk shall declare him elected.
  - g) If two candidates receive the same number of votes and that number of votes exceeds the number of votes received by the third candidate, a further ballot shall be taken in the manner prescribed in sub-paragraphs (e) and (f) of this paragraph, but votes shall be cast only for one or other of the candidates who received an equal number of votes. If all three candidates receive the same number of votes a further ballot shall be taken in a similar manner save that votes may again be cast for all three candidates.
  - h) A Member, who arrives after the names of the Members have been called by the Clerk but before the Clerk has begun to count the ballot papers, shall be entitled to record his vote.
- (3) (a) If the Clerk is satisfied that a ballot paper does not comply with provisions of this Standing Order, he may reject it and proceed with the election, or declare the ballot or the whole election void, ordering the proceedings for the ballot or the whole election to be begun afresh.
- (b) If the Clerk is satisfied that the provisions of the Standing Order have not been or are not being carried out properly in any other respect he may declare a particular ballot or the whole election void, ordering the proceedings for the ballot or the whole election to be begun afresh.
- (4) As the ballot papers are counted they shall be placed in a box. When a person has been declared elected as Speaker the box shall be sealed in the presence of the House and kept in the custody of the Clerk for one calendar month and then, subject to any direction he may receive from the House, the Clerk shall burn the ballot papers and certify to the House that this has been done.

## **7. Speaker Takes the Chair**

The person elected as Speaker after being called to the chair may, there beside the chair, express his sense of the honour conferred on him and shall then descend to the Table to take the oath or make the affirmation of allegiance and thereafter return to the chair. The Clerk shall then administer the oath or affirmation to any Member present who have not yet been sworn or made affirmation.

## **8. Election of Deputy Speaker**

- (1) At its first convenient sitting at the commencement of a new Parliament or after the occurrence of a vacancy in the office of Deputy Speaker, the House shall proceed at the time appointed in Standing Order No. 17 (Order of Business at a Sitting) to the election of a person (not being a Minister) to be Deputy Speaker
- (2) The procedure for the election of Deputy Speaker shall be as nearly as may be the same as that prescribed by Standing Order No. 6 (Election of Speaker) for the election of a Speaker, except that the Speaker shall preside.

## **9. Presiding in the House**

- (1) There shall preside at any sitting of the House –
  - (a) The Speaker;
  - (b) In the absence of the Speaker, the Deputy Speaker; or
  - (c) In the absence of the Speaker and the Deputy Speaker, such Member of the House as the House may elect for that purpose.
- (2) If both the Speaker and the Deputy Speaker are absent, the Clerk shall announce the fact to the House, and a motion may forthwith be made and seconded that a named Member preside for that day only. Such motion shall be decided without amendment or debate, the question being put by the Clerk, and a second motion naming another Member shall not be moved unless the first has been negatived.
- (3) Whenever the House resolves itself into a Committee of the Whole House, the Speaker shall leave the chair of the House and unless he has designated the Deputy Speaker to act as Chairman, he shall so act himself and sit himself at the Clerk's table at the right of the Clerk as Chairman of the Committee. When the House resumes the Speaker or the Deputy Speaker shall return to the chair of the House.

## **10. Duties of the Clerk and of his Department**

- (1) The Clerk shall be responsible for keeping the minutes of proceedings of the House and of the Committees of the Whole House. The minutes of proceedings shall record the names of Members attending, all decisions taken, and details of every division held.

(2)The Clerk shall submit the minutes of proceedings of each sitting to the Speaker for his signature and shall then circulate copies to Members before the commencement of the next sitting.

(3)The Clerk shall be responsible for preparing from day to day an Order Book showing all future business of which notice has been given. The Order Book shall be open to the inspection of Members at all reasonable hours.

(4)The Clerk shall be responsible for preparing for each sitting-

- (a) an Order Paper showing the business for that sitting;  
and
- (b) a Notice Paper recording all notices entered in the Order Book on the previous day if the House then sat, or in the case of the first sitting after an adjournment over one or more days, all notices entered in the Order Book since the House last sat.

(5) The Clerk shall be responsible for the custody of the votes, records, Bills and other documents laid before the House, which shall be open to inspection by Members of the House and other persons under arrangements approved by the Speaker.

(6) The Clerk, acting under the direction of the Speaker, shall be responsible for the production of an official report of all speeches made in the House and in Committee of the Whole House.

(7) The Clerk shall be responsible for providing every select committee of the House with a clerk and with a recorder whenever the committee have informed him that they wish to take oral evidence.

(8) The Clerk and the Members of his department shall perform the further duties laid upon them in these Standing Orders, and all other duties in the service of the House ordered by the House or directed by the Speaker.

## **CHAPTER III**

### **SESSIONS, MEETINGS AND SITTINGS**

#### **11. First Meeting of a New Parliament**

On the first day of meeting of a new Parliament, pursuant to a summons by His Majesty, Members having assembled at the time and place appointed, the Clerk shall read the summons and the House shall thereafter proceed forthwith to the election of a Speaker.

#### **12. First Sitting of a Session**

At the first sitting of a session, not being the first session of a new Parliament, the Clerk shall first read the summons appointing the time and place for the opening of the session and shall then administer the oath or affirmation to any Members present who have not yet been sworn or made affirmation.

#### **13. His Majesty's Speech and Motion for Address**

(1) If His Majesty has signified that he wishes to open Parliament by delivering a speech, the Speaker shall inform the House of the time and place appointed by His Majesty for the delivery of such speech, and at which time it shall be resumed in the place so appointed.

(2) If His Majesty does not wish to deliver an opening speech, or immediately after such a speech has been delivered, the sitting may be suspended for such a period, or adjourned until such a day, as the Speaker decides.

(3) On the resumption of the sitting or on the day to which the House has been adjourned under paragraph (2) of this Standing Order, a motion may be moved without notice for an address of thanks to his Majesty for his speech.

(4) Motions under this Standing Order shall be moved in the following form: "That an humble address be presented to His Majesty as follows: We, the National Assembly of Lesotho here assembled, beg leave to offer our humble thanks for the speech which has been addressed by you to this Honourable House." Amendments to this motion may be moved only by way of adding words at the end.

(5) Should no speech be delivered by His Majesty, a motion, for which one clear day's notice shall be required, may be moved in the following form: "That this House has no confidence in the Government of Lesotho", to which may be added reasons for so stating and to which shall be added the name of

a Member of the House for His Majesty to appoint in the place of the Prime Minister.

#### **14. Meetings**

(1) Meetings of the House during each session shall be held on such days and shall begin at such hour, as the Speaker shall determine after consultation with the Government.

(2) Written notice of the day and hour of every meeting of the House other than the first meeting of a new session shall be given by the Clerk to the Members at least fourteen days before the day of the meeting but in cases of emergency the Speaker may dispense with such notice and in that event the longest possible notice shall be given.

(3) The Speaker may any time after he has determined the day and hour upon which a meeting is to begin, change the day or hour so determined to an earlier or later day or hour after consultation with Government, and the Clerk shall as soon as possible sent to every Member a notice of the altered day and hour determined by the Speaker.

#### **15. Days of Sitting**

(1) Subject to the provisions of paragraph (2) of this Standing Order the House shall sit on Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays only, but shall not sit on a public holiday.

(2) The House may, if it has so decided on a motion moved by a Minister, sit on a Saturday, Sunday or public holiday named in the motion.

(3) Every adjournment of the House shall be till the next sitting day unless the House had decided on a motion moved by a Minister to adjourn to an earlier or later day or *sine die*.

#### **16. Hours of Sitting**

(1) Every sitting other than the first sitting of a meeting shall begin at 10.30 a.m. and every sitting shall be concluded not later than 5.00 p.m. "except on Tuesdays when the sitting shall begin at 2.30 p.m. and be concluded not later than 5.00 p.m. and Fridays when the sitting shall begin at 9.00 a.m. and be concluded at 1.00 p.m. ".

(2) Except as provided in paragraph (3) of this Standing Order, at 5 p.m. or on the earlier conclusion of all business on the Order Paper, the Speaker shall adjourn the House without question put.

(3) If the Speaker is of opinion that the proceedings on which the House is engaged could be concluded by a short extension of the sitting he may permit the sitting to be continued to 5.15 p.m.

(4) Subject to the provisions of the next succeeding paragraph, the Speaker may at any time suspend a sitting or adjourn the House.

(5) If the House is in committee when the Speaker is required or proposes to adjourn the House, he shall return to the chair of the House before adjourning it.

(6) If a division is in progress at an hour at which the Speaker is required under the preceding paragraphs of this Standing Order to suspend the sitting or adjourn the House, the sitting shall not be suspended nor the House adjourned nor, if the House is in Committee, shall the Speaker return to the Chair of the House, until the result of the division has been declared and (if no objection is taken) any further questions contingent upon the main question have been decided.

## **17. Order of Business at a Sitting**

(1) The business of each sitting, other than the first sitting of a session, shall be transacted in the following order:

- (a) Prayers
- (b) Administration of oath or affirmation of Allegiance.
- (c) Reading by the Speaker of messages received from His Majesty.
- (d) Other announcements by the Speaker.
- (e) Obituary and other ceremonial speeches.
- (f) Election of Deputy Speaker.
- (g) Presentation of petitions.
- (h) Presentation of papers and tabling of reports from Select Committees.
- (i) Asking and answering of questions put to the Government.
- (j) Statements by Ministers.
- (k) Applications for leave to move the adjournment of the House under Standing Order No. 29 (motions for adjournment – Definite matter of urgent public importance).
- (l) Statements on business and motions relating to business made or moved by a Minister.
- (m) Personal explanations
- (n) Raising of matter of privilege
- (o) Motions for leave to introduce Bills and presentations of Bills.
- (p) Other public business set out in the Order Paper.



## 18. Conclusion of a Meeting

(1) On a motion for the adjournment of the House *sine die* moved under paragraph (3) of Standing Order No. 15 (Days of Sitting) a Member who is not a Minister, and who has obtained the right to do so, may raise any matter for which the Government is responsible. When he has concluded his speech a Minister may reply. Thereafter every other Member who is not a Minister, and who has obtained the right to do so, may successively raise a matter for which the Government is responsible. After each Member so speaking has concluded his speech a Minister may reply.

(2) A Member who wishes to raise a matter under the provisions of paragraph (1) of this Standing Order shall give notice of the matter in writing to the Speaker not less than one clear day before the sitting at which he wishes to do so: Provided that the Speaker may in his discretion dispense with written notice.

(3) The Speaker shall determine the order in which Members may raise matters of which they have given notice under paragraph (1) of this Standing Order. If more than fifteen Members have given notice he shall determine the order by means of a ballot: Provided that Members who raised a matter on the adjournment at the conclusion of the previous meeting shall be placed after those Members who did not.

(4) On a day on which a motion is to be moved under paragraph (1) of this Standing Order the Speaker may extend the hours of sitting of the House to an hour decided by him and he shall announce that hour not later than the beginning of the sitting. If the motion has not been moved or having been moved has not been agreed to by that hour or, if no such hour has been appointed, by 5.00 p.m. the Speaker shall then adjourn the House without question put *sine die*.

**CHAPTER IV**  
**BUSINESS OF THE HOUSE**

**19. Precedence of Public Business**

- (1) For the purpose of this Order –
- a) “Government business” means proceedings on motions of which notice has been given by, and on Bills in charge of Ministers;
  - b) “Private Members’ business” means proceedings on motions (other than motions for leave to introduce a Bill) of which notice has been given by, and on Bills in charge of, Members other than Ministers.

(2) Subject to the provisions of paragraph (6) of this Standing Order, Government business shall have priority on the Order Paper for all sittings other than on Fridays, and private Members’ business shall have priority on Fridays.

(3) Government business shall be set down on the Order Paper in such order as the Government may direct.

(4) Subject to the provisions of paragraph (6) of this Standing Order, private Members’ business entered in the Order Book for any day shall be set down on the Order Paper for that day in such order as the business committee may determine. In making such determination the business committee shall have regard to, but shall not be bound by, the order in which the business in question appears in the Order Book.

(5) Any public business on the Order Paper which has not been disposed of at the conclusion of a sitting shall be placed on the Order Paper for the next sitting, and the provisions of paragraph (3) and (4) of this Standing Order shall apply *mutatis mutandis*.

(6) Where any private Members’ business is entered in the Order Book for, or has been postponed to, any day other than a Friday, if the Government and the Member in whose name such business stands agree that such business shall be taken before any item of Government business for that day, it shall be set down on the Order Paper accordingly.

**20. Business for which the Recommendation of the Cabinet is Required.**

- (1) Except on the recommendation of the Cabinet signified by a Minister (which shall not include an Assistant Minister) the House shall not -
- (a) Proceed upon any Bill (including any amendment to a Bill) that, in the opinion of the person presiding, makes provision for any of the following purposes:-

- (i) For the imposition of taxation or alteration of taxation otherwise than by reduction;
  - (ii) For the imposition of any charge upon the Consolidated Fund or any other public fund of Lesotho or the alteration of any such charge otherwise than by reduction;
  - (iii) For the payment, issue or withdrawal from the Consolidated Fund or any other public fund of Lesotho of any monies not charged thereon or any increase in the amount of such a payment, issue or withdrawal; or
  - (iv) For the composition or remission of any debt due to the Government of Lesotho; or
- (b) Proceed upon any motion (including any amendment to a motion) the effect of which, in the opinion of the person presiding, would be to make provision for any these purposes.

(2) The recommendation of the Cabinet shall be signified-

- (a) in the case of a Bill, on the presentation thereof;
- (b) in the case of an amendment to a Bill, on the mover being called to move the amendment;
- (c) in the case of a motion or an amendment to a motion, on the mover being called to move that motion or an amendment.

(3) The signification of the recommendation of the Cabinet shall be recorded in the minutes of proceedings.

## **21. Obituary and Ceremonial Speeches**

Obituary and ceremonial speeches shall be made only after notice to the Speaker and only by those Members who have obtained his leave.

## **22. Presentation of Petitions**

(1) A petition may be presented to the House only by a Member, which in this context shall not include a Minister who is a Senator.

(2) Every petition shall be signed at the beginning thereof by the Member presenting it and deposited for at least one clear day with the Clerk who, after examining it, shall submit it for the Speaker's approval. No petition shall be presented until such approval has been given and evidenced by the Clerk endorsing the petition "Passed by the Speaker".

(3) No speech shall be made by a Member presenting a petition beyond a summary statement of the number and description of the petitioners and the substance of the petition, and no argument may be adduced for or against the objects of the petition.

### **23. Presentation of Papers and Tabling of Reports**

(1) A paper may be presented to the House only by a Minister.

(2) A report from a select committee may be tabled only by the chairman of that committee, or, in his unavoidable absence, by another Member authorized by him in that behalf.

### **24. Nature of Questions**

A Member who is not a Minister may address a question to the Government relating to a public matter for which the Government is officially responsible, in which he seeks information on that matter or asks for official action. These questions shall be designated either for oral answer in the House or for written answer.

### **25. Notice of Questions**

(1) A question shall not be asked without notice except as provided in paragraph (5) of this Standing Order.

(2) A Member shall give notice of a question by delivering to the office of the Clerk, not later than five clear days before the day on which an answer is required, a copy thereof fairly written and subscribed with his name.

(3) If a Member wishes to ask a question orally he shall mark his notice with the word "oral" and state the day on which he wishes to ask it.

(4) A Member may not at any one sitting ask orally more than three questions of which notice has been given.

(5) If a Member asks the permission of the Speaker to ask a question orally without notice on the ground that it is of an urgent character and relates to a matter of public importance or to the arrangement of business, the Speaker may permit the question to be asked without notice if he is satisfied that it is of that nature, and that sufficient private notice of the question has been given or is to be given by the Member concerned to the Government to enable the question to be answered.

## 26. Contents of Questions

(1) A question shall conform to the following rules:-

(a) A question shall not include the names of persons, or statements, which are not strictly necessary to make the question intelligible.

(b) A question shall not contain a statement which the Member who asks the question is not prepared to substantiate.

(c) A question shall not contain arguments, inferences, opinions, imputations or epithets, or tendentious, ironical or offensive expressions.

(d) A question shall not refer to debates or answers to questions in the current session.

(e) A question shall not refer to proceedings in a committee before that committee has made its report to the House

(f) A question shall not seek information about a matter which is of its nature secret.

(g) A question shall not reflect on the decision of a court of law or be so drafted as to be likely to prejudice a case pending in a court of law.

(h) A question shall not be asked for the purpose of obtaining an expression of opinion, the solution of an abstract case, or the answer to a hypothetical proposition.

(i) A question shall not be asked whether statements in the press or of private individuals or private concerns are accurate.

(j) A question shall not be asked about the character or conduct of any person mentioned in paragraphs (7) and (8) of Standing Order No. 43 (Contents of Speeches); and a question shall not be asked about the character or conduct of any other person except in his official and public capacity.

(k) A question shall not be asked seeking information which can be found in accessible documents or ordinary works of reference.

(1) A question which has been fully answered shall not be asked again during the same session.

(2) If the Speaker is of the opinion that a question of which a Member has given notice to the Clerk or which a Member has sought to ask without notice, infringes any of the provisions of Standing Order No. 24 (Nature of Questions) or of this Standing Order he may direct:

- (a) that it be placed on the Order Paper with such alterations as he may direct; or
- (b) in the case of a question which a Member has sought to ask without notice, that it may be so asked with such alterations as he may direct; or
- (c) that the Member concerned be informed that the question is out of order.

## **27. Asking and Answering of Questions**

(1) Every question in respect of which a Member has given due notice under the provisions of Standing Order No. 25 (Notice of Questions) shall be put on the Order Paper for the day on which the Member has stated that he wishes to ask it.

(2) The questions to be asked on each sitting day shall be placed on the Order Paper by the Clerk in the order in which notice of them was received by him and when a Member has given notice of several questions at the same time, in the order indicated by the Member.

(3) When each question for which an oral answer is required is reached on the Order Paper the Speaker shall call on the Member in whose name the question stands. The Member called shall then rise in his place and ask the question by reference to its number on the Order Paper and the Minister who is to answer it shall give his reply.

(4) After an oral answer has been given to a question supplementary questions may be put by any Member for the purpose of elucidating that answer, but the Speaker shall refuse to allow a supplementary question to be answered if in his opinion it introduces matter which is not related to the original question or answer or which infringes any of the provisions of Standing Order No. 24 (Nature of Questions) or Standing Order No. 26 (Contents of Questions).

(5) A Member shall not address the House on a question, and a question shall not be made a pretext for a debate.

(6) If a Member is not present to ask his question when his name is called and no other Member has been authorized by him to ask the question or if the question has not been reached by the conclusion of the time allotted to questions, an answer shall be circulated with the minutes of proceedings unless the Member who has asked the question has previously signified his wish to postpone the question.

(7) No question shall be taken later than half an hour after the conclusion of the preceding business except questions asked with the permission of the Speaker under paragraph (5) of Standing Order No. 25 (Notice of Questions).

(8) In the case of a question to which an oral answer is not required the Minister who is to answer it shall send copies of the answer to the Member who asked the question and to the Clerk, who shall cause the answer to be printed in a supplement to the minutes of proceedings.

## **28. Statements by Ministers**

(1) A Minister who wishes to make a statement on some public matter for which the Government is officially responsible shall inform the Speaker of his wish before the beginning of the sitting at which he wishes to make the statement.

(2) No debate may arise on such a statement but the Speaker may in his discretion allow short questions to be put to the Minister making the statement for the purpose of elucidating it, but shall not allow the asking of any further such question after the lapse of twenty minutes after the conclusion of the making of the statement.

## **29. Motions of Adjournment – Definite Matter of Urgent Public Importance**

(1) Any Member who is not a Minister may on any day, other than the first day of a session, rise in his place and state he asks leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance.

(2) A Member who wishes to ask leave to move the adjournment of the House shall, before the commencement of the sitting, hand to the Speaker a written notification of the matter which he wishes to discuss. The speaker shall refuse to allow the claim unless he is satisfied that the matter is definite, urgent and of public importance.

(3) If the Speaker is so satisfied and either –  
a) leave of the House is given; or

- b) if it is not given, at least fifteen Members rise in their places to support the request;

The motion shall stand over until 2.30pm on the same day, and at that hour any proceedings on which the House is engaged shall stand postponed until the motion for the adjournment of the House has been negatived or withdrawn or postponed to the next sitting day as the case may require. If the motion for the adjournment of the House is agreed to, any proceedings which have been proposed or business which has not yet been reached shall be placed on the Order Paper for the next sitting day.

- (4) No second motion under this Order shall be made on the same day.

### **30. Personal Explanation**

(1) A Member who wishes to make a personal explanation shall submit the terms of the proposed statement in full to the Speaker not later than the day preceding that on which he wishes to make it. No personal explanation may be made without the Speaker's leave.

(2) In making a personal explanation a Member shall not bring forward controversial matter and when he resumes his seat the House shall proceed to the next business.

### **31. Matters of Privilege**

(1) A Member who wishes to raise a matter which he believes to affect the privileges of the House shall do so soon as possible after the matter comes to his attention. Such Member shall inform the Speaker of his wish, stating the facts to which he wishes to draw attention, at least one hour before the commencement of the sitting at which he wishes to raise the matter.

(2) When a Member is called by the Speaker to raise a matter of privilege he shall briefly state the facts to which he wishes to draw the attention of the House and grounds on which he believes that those facts affect the privileges of the House.

(3) The Speaker shall then state whether, in his opinion, the matter may or may not affect the privileges of the House: Provided that if he deems it necessary he may defer his decision until the next sitting of the House.

(4) If the opinion of the Speaker is that the matter raised may affect the privileges of the House a Member may without notice move a motion



based on that matter of privilege and the motion shall be debated forthwith. No amendment shall be allowed and no speech shall exceed ten minutes, and the Speaker shall thirty minutes after the mover of the motion has begun his speech put the question necessary to decide the motion.

(5) If during a sitting of the House a matter suddenly arises which in the opinion of the Speaker appears to involve the privileges of the House and which calls for the immediate intervention of the House, the proceedings may be interrupted, save during the progress of a division, by a motion based on such matter and the provisions of paragraph (4) of this Standing Order shall apply to proceedings upon such a motion.

(6) For the purposes of this Standing Order the term Member shall not include a Minister who is a Senator.

## **CHAPTER V MOTIONS**

### **32. Notice of Motions and Amendments**

(1) Except as otherwise provided in these Standing Orders no motion or amendment shall be moved in the House unless notice of it has been given as provided in this Standing Order and Standing Order No. 33 (Manner of giving Notice of Motions and Amendments).

(2) Save as otherwise provided in these Standing Orders, one clear day's notice shall be required for a motion which is to be moved by a Minister, and six clear days' notice shall be required for a motion to be moved by any other Member.

(3) If notice of a motion is required it shall not be dispensed with except by leave of the Speaker and with the assent of the majority of Members present at the time.

(4) Except as otherwise provided in these Standing Orders no amendment shall be moved to a motion unless-

(a) notice of the amendment has been given not later than the day before that on which the motion concerned is to be considered by the House; or

(b) the Speaker or the Chairman gives leave to dispense with the notice of the amendment; or

© notice is not required or has been dispensed with in regard to the motion which that amendment proposes to amend.

### **33. Manner of Giving Notice of Motions and Amendments**

(1) Notice of a motion or an amendment thereto shall be given by the delivery of a copy of the motion or amendment, signed by the Member wishing to move the motion or amendment, to the office of the Clerk between the hours of 10.30 a.m. and 5 p.m. on a day on which the House sits or between the hours of 11.30 a.m. and 4.30 p.m. on a day on which the House does not sit; provided that notices shall not be received on a Saturday or Sunday or public holiday unless the House sits on such a day.

(2) Notices dispatched by post and delivered to the office of the Clerk by the postal authorities outside the hours aforementioned shall be deemed for the purposes of this Standing Order to have been delivered on the next occasion on which the office of the Clerk is open for the acceptance of notices in accordance with paragraph (1) of this Standing Order.

(3) A notice of a motion or an amendment shall be submitted to the Speaker who shall direct-

- (a) that it be printed in the terms in which it was handed in; or
- (b) that it be printed with such alterations as he may direct; or
- © that it be returned to the Member who signed it as being in his opinion out of order.

(4) No request for leave to dispense with notice of a motion or an amendment shall be entertained by the Speaker or Chairman unless a written copy of the motion or amendment has been provided for him by the Member wishing to move that motion or amendment.

### **34. Manner of Debating Motions.**

(1) No Member other than a Minister may move a motion to which he has not subscribed his name, but a Minister may move a motion which stands in the name of any other Minister.

(2) A Member called upon by the Speaker or Chairman to move a motion shall rise in his place and after making such remarks as he may wish to make he shall move the motion, stating its terms.

(3) Every motion moved (except in Committee of the Whole House) shall require seconding unless otherwise provided in these Standing Orders. The Speaker shall not propose the question on a motion which is not so seconded.

(4) When a motion has been moved, and if necessary seconded, the Speaker or Chairman shall propose the question thereon to the House or the Committee in the same terms as the motion. Debate may then take place on that question and may continue, subject to the provisions of Standing Order No. 42 (Closure of Debate), so long as any Member who is entitled to speak wishes to speak.

(5) When no more Members wish to speak the Speaker or Chairman shall put the question to the House or the Committee for its decision.

(6) When an amendment or several amendments have been proposed to a question under Standing Order No. 35 (Amendments to Motions) the Speaker or Chairman, after all amendments have been disposed of, shall again propose the question on the motion, or shall propose the question on the motion as amended, as the case may require. After further debate, if any arises thereon, he shall put the question to the House or the Committee for its decision.

### 35. Amendments to Motions

(1) Subject to the provisions of paragraph (4) of Standing Order No. 32 (Notice of Motions and Amendments) a Member who has risen to speak on a question proposed by the Speaker or Chairman may propose an amendment to that question: Provided that no Member other than a Minister may move an amendment to which he has not subscribed his name, but a Minister may move an amendment which stands in the name of any other Minister.

(2) An amendment shall not require seconding.

(3) An amendment to a motion shall take one of the following forms:

- a) To leave out one or more of the words of the motion.
- b) To insert one or more words in the motion.
- c) To add one or more words at the end of the motion.
- d) To leave out one or more words of the motion and insert one or more words instead.
- e) To leave out one or more words at the end of the motion and add one or more words instead.

(4)

(a) On every amendment the question to be proposed shall be "That this amendment be made."

(b) When two or more amendments are proposed to be moved to the same motion the Speaker or Chairman shall call on the movers in the order in which their amendments relate to the text of the motion, or in cases of doubt in the order decided by the Speaker or Chairman.

(5)

(a) An amendment to an amendment which a Member wishes to propose may be moved at any time after the question on the original amendment has been proposed and before it has been put at the conclusion of the debate on the original amendment.

(b) An amendment to amendment shall be disposed of in the same way as an amendment to a motion, the question to be proposed being "That this amendment to the amendment be made."

(c) When every amendment to an amendment has been disposed of the Speaker or Chairman shall again propose the question on the original amendment, or propose the question on the original amendment as amended, as the case may require, the question to be

proposed in the latter case being “That this amendment as amended be made.”

### **36. Withdrawal of Motions and Amendments**

(1) A motion or an amendment may be withdrawn at the request of the mover by leave of the House or Committee after the question has been proposed from the chair and before the question is fully put thereon if there is no dissenting voice (which in this context shall not include the voice of a Minister who is a Senator). A motion or an amendment which has been so withdrawn may be proposed again if notice required by these Standing Orders is given.

(2) If the question has been proposed on an amendment to a motion or to another amendment, the original motion or amendment may not be withdrawn until the amendment thereto has been disposed of.

(3) A notice of motion or amendment may be removed from the Notice Paper at any time before it is called if the Member in whose name the motion or amendment stands gives instructions to that effect to the Clerk.

(4) If a Member who is rising to move a motion or amendment states, before the question thereon has been proposed, that it is no longer his intention to move such a motion or amendment, the Chair shall not propose the question.

## **CHAPTER VI RULES OF DEBATE**

### **37. Time and Manner of Speaking.**

(1) A Member shall speak standing and shall address his observations to the Speaker or Chairman.

(2) Whenever the Speaker or Chairman rises during a debate, any Member then speaking or offering to speak shall sit down, and the Members shall be silent so that the Speaker or Chairman, as the case may be, may be heard without interruption.

(3) If two or more Members rise at the same time to speak the Speaker or Chairman shall select one Member and call him to speak.

(4) When a Member has finished speaking he shall resume his seat and any other Member wishing to speak shall rise.

(5) A Member may not read his speech but may read extracts from books or papers in support of his argument and may refresh his memory by reference to notes.

### **38. Interruptions**

A Member shall not interrupt another Member except by rising –

(a) on a point of order, when the Member speaking shall resume his seat and the Member interrupting shall simply direct attention to the point which he wishes to bring to notice and submit it to the Speaker or Chairman for decision;

(b) to elucidate some matter raised by that Member in the course of his speech, if the Member speaking is willing to give way and resumes his seat and the Member wishing to interrupt is called by the Speaker or Chairman;

(c) to claim closure under Standing Order No. 42 (Closure of Debate) ; or

(d) to move a motion approving a declaration of emergency under Standing Order No. 79 (Declaration of Emergency).

### **39. Occasions when a Member may Speak more than Once**

(1) A Member shall not speak more than once on a question except-

- (a) in committee; or
  - (b) in explanation as provided in paragraph (2) of this Standing Order; or
  - (c) in the case of the mover of a motion, in reply as provided in paragraph (5) of this Standing Order; or
  - (d) in the case of Ministers,
    - (i) when replying to Members raising matters on the motion for the adjournment of the House under the provisions of Standing Order No. 18 (Conclusion of a Meeting); or
    - (ii) with the leave of the Speaker and of all Members present at the time.
- (2) A Member who has spoken on a question may again be heard if the Speaker so permits, to explain some part of his speech which has been misunderstood, but when speaking he shall not introduce a new matter.
- (3) A Member who has spoken on a question may speak again on an amendment proposed to that question and on a motion that the debate be now adjourned, moved during the debate on that question.
- (4)
- (a) When an amendment proposed to a question has been debated and disposed of, neither the mover of that amendment nor a Member who spoke on the main question before the amendment was moved may speak again on the main question or on the main question as amended.
  - (b) When a motion that the debate be now adjourned has been debated and disposed of, neither the mover of that motion nor any Member who has spoken on the main question before the motion was moved may speak again on the main question or on the main question as amended.
- (5) In the House the mover of a motion may reply after all the other Members present have had an opportunity of addressing the House and before the question is put. After his reply no other Member may speak. The mover of an amendment shall not have a right of reply.
- (6) No Member may speak on a question after it has been fully put by the Speaker or Chairman.

#### **40. Time Limit of Speeches**

- (1) Except where otherwise provided in these Standing Orders, when the Speaker is in his chair no speech shall exceed 40 minutes, except in the case of –

- (a)
    - (i) the Prime Minister and the Leader of the Opposition
    - (ii) Ministers or Members in charge of Bills or motions, who shall not be so restricted in regard to the length of time they may speak; and
  - (b) one Minister or Member (other than the Prime Minister and the Leader of the Opposition) speaking in reply to the mover, who shall not exceed one hour: Provided that on a government Bill or motion the Speaker may grant this privilege to one other Member of the Opposition Parties.
- (2) In Committee of the Whole House on a Bill or other matter no Member shall speak longer than ten minutes on each occasion except in the case of Ministers or Members in charge of business before the committee, who shall not be so restricted.
- (3) During a motion moved under paragraph (b) of Standing Order No. 59 (Procedure on Reporting of Bills), or the third reading of a Bill, no speech shall exceed ten minutes.
- (4) During the consideration of Senate amendments to a Bill, no Member shall speak on any one amendment for more than ten minutes other than the Minister or Member in charge of the Bill who may speak for twenty minutes.
- (5) During a debate on a motion for the adjournment of the House under Standing Order No. 18 (Conclusion of a Meeting), no speech shall exceed ten minutes unless further time is allowed by the Speaker in a particular case.

#### **41. Adjournment of Debate**

- (1) A Member who has risen to speak on a question proposed by the Speaker in the House may move without notice that the debate be now adjourned. Thereupon the Speaker shall propose the question on that motion, no seconder being required.
- (2) When a motion that the debate be adjourned has been agreed to, the debate on the question then before the House shall stand adjourned and the House shall proceed to the next item of business.
- (3) When a motion that the debate be now adjourned has been negatived, the debate on the question then before the House shall be continued and no further motion that the debate be now adjourned shall be



moved during that debate except by a Minister or the Member in charge of the business under discussion.

- (4) When the House is in committee a Member may move that further proceedings of the committee be now adjourned. If the motion is agreed to, the Chairman shall leave the chair of the Committee and the House shall resume, but if the motion is negatived the Committee shall continue its proceedings.
- (5) It shall not be in order to move an amendment to a motion moved under the provisions of this Standing Order.

#### **42. Closure of Debate**

- (1) After a question has been proposed any Member may at any time during the course of debate whether or not any other Member is speaking or that Member has himself previously spoken, rise in his place and claim to move "That the question be now put". Thereupon the Member speaking shall resume his seat and unless it appears to the chair that the motion is an abuse of the rules of the House or an infringement of the rights of the minority, the question "That the question be now put" shall be put forthwith. No debate on that motion shall be allowed, and if the motion is carried, the debate then before the House shall cease and the question before the House shall be put forthwith.
- (2) When the motion "That the question be now put" has been carried, and the question consequent thereon has been decided, any Member may claim that any other question already proposed from the chair be now put and if the assent of the chair is given such question shall be put forthwith and decided without amendment or debate.
- (3) A motion under this Standing Order shall not be decided in the affirmative if it appears on a division that less than twenty Members voted in the majority in support of the motion.

#### **43. Contents of Speeches**

- (1) A Member shall restrict his observations to the subject under discussion and shall not introduce matter irrelevant to that subject.
- (2) No Member shall refer to any matter on which a judicial decision is pending.
- (3) It shall be out of order to attempt to reconsider a specific question on which the House has taken a decision during the current session

except on a motion to rescind that decision made with the permission of the Speaker.

- (4) It shall be out of order to use offensive and insulting language about either House of Parliament or any Member thereof.
- (5) A Member shall not impute improper motives to another Member.
- (6) The name of His Majesty shall not be used to influence the House.
- (7) The conduct of His Majesty, of Judges or other persons performing judicial functions, shall not be referred to.
- (8) The personal conduct of a Member of the Senate or the House shall not be referred to except on a motion moved for that exclusive purpose.
- (9) The proceedings and report of a select committee shall not be referred to before they have been presented to the House.
- (10) No Member may allude to any debate or proceedings of the current session in the Senate, or to any measure pending therein.

#### **44. Behaviour of Members not Speaking**

During a sitting –

- (a) All Members shall enter or leave the House with decorum;
- (b) No Member shall cross the floor of the House unnecessarily or between the chair and the Member who is speaking;
- (c) Members shall not read newspapers, books, letters or other documents except such matter herein as may be directly connected with the business of the House; and
- (d) While a Member is speaking all other Members shall be silent and shall not make unseemly interruptions.

## **CHAPTER VII VOTING**

### **45. Decision of the Question**

- (1) Save as may be otherwise provided by any law in force for the time being, all questions put to the House shall be decided by a majority of the votes of the Members present and voting.
- (2) The Speaker or Chairman if he is a Member shall have an original but not a casting vote and if on a question before the House the votes are equally divided, the question shall be declared by the Speaker or Chairman to have been negated.

### **46. Collection of Voices**

- (1) When the Speaker or Chairman has put a question to the House or to the committee for its decision, he shall first call upon those Members who are in favour of the question to say "Aye" and then upon those who are against to say "No".
- (2) As soon as the Speaker or Chairman has collected the voices of the Ayes and of the Noes, the question being then fully put, no other Member may speak to it.
- (3) The Speaker or Chairman shall, according to his judgement of the number of voices on either side, then state that he thinks the Ayes have it or that he thinks the Noes have it, as the case may be. If no Member challenges his statement as provided in the next succeeding paragraph he shall declare the question to have been so decided.
- (4) A Member may challenge the statement of the Speaker or Chairman that he thinks that the Ayes or the Noes have it, by claiming a division. Whenever a division is claimed it shall be held forthwith in the manner prescribed in Standing Order No. 47 (Divisions).
- (5) If the Speaker or Chairman considers that a division has been unnecessarily claimed he may call upon the Members who challenge his decision to rise in their places; and if less than ten such Members so rise, he shall declare the question to have been decided according to his original statement, and shall direct that the names of the Members who rose in their places be recorded in the minutes of proceedings.
- (6) In every instance where the Constitution lays down that a fixed majority is necessary to decide any question, the Speaker or Chairman shall not collect the voices but shall direct that a division be taken.

## 47. Divisions

- (1) When a division has been claimed a bell shall be rung for two minutes. On the conclusion of that time the doors of the Chamber shall be shut and no further Members shall enter or leave the Chamber.
- (2) The votes shall then be taken by the Clerk who shall ask each Member separately in alphabetical order how he wishes to vote. A Member shall upon his name being called give his vote by saying "Aye" or "No" or by expressly stating that he abstains from voting.
- (3) A Member shall vote according to his voice given under paragraph (1) of Standing Order No. 46 (Collection of Voices), and the vote of a Member who has claimed a division shall be recorded among those cast in the sense counter to the statement of the Speaker or Chairman under paragraph (3) of that Standing Order.
- (4) As soon as the Clerk has counted the votes the Speaker or Chairman shall state the numbers voting for the Ayes and for the Noes respectively and the number of Members present who abstained from voting and shall then declare the result of the division, and such declaration shall not thereafter be challenged.
- (5) If a Member states that he voted in error or that his vote has been counted wrongly or that he has not heard his name called, he may claim to have his vote altered or recorded as the case may be, if his statement is made before the Speaker or Chairman has declared the result of the division.

## **CHAPTER VIII RULES OF ORDER**

### **48. Decision of Chair Final**

The Speaker or the Chairman shall be responsible for the observance of the rules of order in the House and Committee respectively. His decision on a point of order shall not be open to appeal and shall not be reviewed by the House except on a motion made after notice.

### **49. Order in the House and Committee**

- (1) The Speaker or the Chairman after having called the attention of the House or the Committee to the conduct of a Member who persists in irrelevance or tedious repetition of his own or other Members' arguments in the debate, may direct him to discontinue his speech.
- (2) The Speaker or Chairman shall order a Member whose conduct is grossly disorderly to withdraw immediately from the House for the remainder of that day's sitting, and the Clerk shall act on orders received by him from the chair to ensure compliance with this order.
- (3) If, on any occasion, the Speaker or the Chairman deems that the powers conferred under the preceding paragraph are inadequate to deal with any Member who has committed the offence of disregarding the authority of the chair or of contravening the rule of order in the House by persistently and wilfully obstructing or otherwise, he may name such Member.
- (4) Whenever any Member has been so named –
  - (a) If the offence was committed by such Member in the House, the Speaker shall call upon a Minister to move, "That (naming the Member) be suspended from the service of the House". The Speaker shall put the question on such motion forthwith no amendment, adjournment or debate being allowed;
  - (b) If the offence was committed in Committee of the Whole House, the Chairman shall forthwith suspend proceedings, the House shall be resumed and the Chairman report the circumstances to the House, where upon the procedure provided for in the preceding sub-paragraph shall be followed.
- (5) If any Member is suspended under this Standing Order his suspension on the first occasion in any session shall continue for one week, on the

second occasion for a fortnight and on the third or any subsequent occasion for one month.

(6) On receiving from a Member so suspended a written expression of regret the Speaker shall lay it before the House, and it shall be entered in the minutes of proceedings. On a motion being made for the discharge of the order of suspension the question thereon shall be decided without amendment or debate if the question is agreed to the order shall be discharged and the Member shall be re-admitted.

(7) In the case of grave disorder arising in the House, the Speaker may, if he thinks it necessary to do so, adjourn the House without question put, or suspend the sitting for a time to be named by him.

(8) For the purpose of paragraphs (3) to (6) of this Standing Order, the term "Member" shall not include a Minister who is a Senator.

## **CHAPTER IX PROCEDURE ON BILLS**

### **50. Origination of Government Bills**

- (1) A Minister presenting a Bill shall give notice thereof not later than the previous day in terms of paragraph (1) of Standing Order No. 3 (Manner of giving notice of Motions and Amendments).
- (2) Before presenting a Bill the Minister shall furnish the Speaker with a copy of the Bill in order to enable him to decide whether the Bill makes provision for any of the proposals set out in sub-paragraph (a) of paragraph (1) of Standing Order No. 20 (Business for which the Recommendation of the Cabinet is Required). If the Speaker is of the opinion that a Bill would make such a provision he shall so inform the Minister concerned, and except on the recommendation of the Cabinet the House shall not receive the Bill.
- (3) When called by the Speaker the Minister concerned shall rise in his place and after, if necessary, signifying the recommendation of the Cabinet he shall present the Bill by laying a copy of it on the Table. The recommendation of the Cabinet shall be recorded in the minutes of proceedings.
- (4) The Clerk shall then read the short and long titles of the Bill which shall then be deemed to have been read the first time.

### **51. Origination of Bills by Private Members**

- (1) A Member who is not a Minister and who wishes to present a Bill shall give notice of motion for leave to be given to bring in the Bill, such motion to include the terms of the long title of the Bill which is proposed to be brought in. Should the Speaker be of the opinion that such a Bill would necessarily make provision for any of the proposals set out in sub-paragraph (a) of paragraph (1) of Standing Order No. 20 (Business for which the Recommendation of the Cabinet is Required) he shall decline to allow such motion to be moved except upon the recommendation of the Cabinet.
- (2) When a motion for leave to bring in a Bill has been agreed to, the Member in charge shall submit as soon as practicable a copy of the proposed text of the Bill. The Speaker shall as soon as may be thereafter examine the proposed text of the Bill so submitted, to determine whether it –

- (a) is properly drafted in the form prescribed in paragraph (2) of Standing Order No. 52 (Publication and Circulation Bills) and that the memorandum required by paragraph (3) of that Standing Order has been attached to the Bill; and
  - (b) makes provision for any of the purposes set out in sub-paragraph (a) of paragraph (1) of Standing Order No. 20 (Business for which the Recommendation of Cabinet is required).
- (3) If the Speaker is of opinion that the provisions of sub-paragraphs (a) of paragraph (2) of this Standing Order have not been complied with he shall inform the Member concerned that the proposed Bill is not in a form which may be received by the House. No further proceedings shall be taken on that Bill.
- (4) If the Speaker is of opinion that the provisions of sub-paragraph (a) of paragraph (2) of this Standing Order have been complied with he shall certify the proposed Bill as proper to be received by the House.
- (5) A Bill which the Speaker has so certified may be presented by the Member who originally submitted it on giving six clear days' notice of presentation.
- (6) When called by the Speaker the Member concerned shall rise in his place and shall present the Bill by laying a copy of it on the Table. The Bill shall then be read the first time in the manner prescribed in paragraph (4) of Standing Order No. 50 (Origination of Government Bills) provided that where the Speaker has determined that the Bill makes provision for any of the purposes set out in sub-paragraph (a) of paragraph (1) of Standing Order No. 20 (Business for which the Recommendation of the Cabinet is Required), he shall not call upon the Member to present the Bill unless the Cabinet's recommendation thereto is signified.

## **52. Publication and Circulation of Bills**

- (1) As soon as a Bill has been presented the Clerk shall cause the text thereof, as contained in the copy on the Table, to be published in the Gazette or in such other manner as the Speaker may direct.
- (2) When a Bill is published –
- (a) the Bill shall be given a short title corresponding to the title by which it is to be cited if it becomes law;



- (b) the Bill shall be given a long title setting out the purposes of the Bill in general terms and no provision which is outside the scope or contrary to the purpose of such long title shall be included in the text of the Bill;
  - (c) the clauses of the Bill shall be preceded by the enacting formula provided by law;
  - (d) the Bill shall be divided into clauses, numbered consecutively and having a title in the margin or at the head of each clause; and
  - (e) matters of detail dependent on the provisions of the Bill may be annexed to the Bill in the form of a schedule or schedules.
- (3) A memorandum stating the object of the Bill shall be attached to every Bill and shall be provided by the Member presenting it.
- (4) In the case of a Bill involving the expenditure of public money an indication of the cost shall be annexed to the Bill. The annexure shall be provided –
- (a) by the Minister of Finance in the case of a Government Bill; and
  - (b) by the Member presenting it in the case of any other Bill.
- (5) As soon as possible after the presentation of Bill the Clerk shall cause a copy of it to be sent to every Member.

### **53. Notice of Second Reading**

- (1) After a Bill has been read the first time it shall be deemed to have been ordered to be set down for second reading upon a future day.
- (2) A Bill shall not be placed on the Order Paper for second reading on a day earlier than four clear days after the date of its publication under Standing Order No. 52 (Publication and Circulation of Bills).

### **54. Second Reading**

- (1) On the second reading of a Bill a debate may arise covering the general merits and principles of the Bill.
- (2) To the question that the Bill be now read a second time an amendment may be proposed to leave out all the words after “that” in order to add words stating the object and motives on which opposition to the Bill is

based, but these words must be strictly relevant to the principle of the Bill and not deal with its details.

- (3) No amendment which is not of the kind specified in the preceding paragraph may be proposed to the question that the Bill be now read a second time.
- (4) When a motion for the second reading of a Bill has been negatived or amended no further proceedings shall be taken on that Bill.

## **55. Committal of Bills**

- (1) When a motion for the second reading of a Bill has been agreed to, the Bill shall stand committed to a Committee of the Whole House unless -
  - (a) The House, on a motion which may be moved without notice by any Member at any time before the House has resolved itself into a Committee of the Whole House on the Bill, commits the Bill to a select committee provided no speech on a motion under this subparagraph shall exceed ten minutes, and that the Speaker shall, thirty minutes after the mover has begun his speech, put the question necessary to decide the motion; or
  - (b) the Speaker is of opinion that the Bill would specially benefit or otherwise specially affect some particular person or association or corporate body, in which case he shall direct that the Bill be committed to a select committee.
- (2) Proceedings on a Bill in Committee of the Whole House shall not be begun earlier than two clear days after the day on which the Bill was read a second time, unless a motion, for which no notice shall be required, and which shall be decided forthwith without amendment or debate, is moved by the Member in charge of the Bill, that the House resolve itself into committee on the Bill forthwith.
- (3) Proceedings on a Bill in a select committee shall not be begun earlier than three clear days after the day on which the Bill was read a second time.

## **56. Functions of committees on Bills**

- (1) The main principles of a Bill which has been read a second time have been accepted by the House and shall not be discussed in committee.

- (2) A committee on a Bill shall have power to make amendments in the Bill as they think fit if the amendments (including new clauses and new schedules) are relevant to the subject matter of the Bill.

#### **57. Procedure in Committee of the Whole House on a Bill**

- (1) A Committee of the Whole House on a Bill shall first consider the clauses of the Bill and proposed new clauses.
- (2) A clause of a Bill may be postponed unless a decision has already been taken on an amendment to it. Postponed clauses shall be considered after the remaining clauses of the Bill have been considered and before new clauses are brought up.
- (3) A proposed new clause shall be considered after the clauses of the Bill have been disposed of and before consideration of schedules to the Bill: Provided that a new clause proposed in place of a clause which has not been agreed to may be considered immediately after the disagreement.
- (4) When a clause comes up for consideration in the committee, the Chairman shall first call the clause –
  - a) by its number in the case of the Bill; or
  - b) by its title in the case of a proposed new clause.
- (5) On the number of a clause of the Bill being called, the Member in charge of the Bill may with the leave of the Chairman make a brief statement in explanation of the clause; thereafter amendments may be proposed to the clause in accordance with paragraphs (7) to (11) of this Standing Order.
- (6) If no amendments are proposed to a clause of a Bill, or when all proposed amendments have been disposed of, the Chairman shall propose the question “That the clause (or the clause as amended) stand part of the Bill” and when all Members who wish to speak thereon have spoken, subject to the provisions of Standing Order No. 42 (Closure of Debate), he shall put that question to the committee for its decision.
- (7) The provisions of paragraph (4) of Standing Order No. 32 (Notice of Motions and Amendments) and the provisions of Standing Order No. 33 (Manner of giving Notice of Motions and Amendments) shall apply to notices of amendments to a Bill subject to the replacement of the word “motion” by the word “clause”.

(8) The provisions of paragraphs (2), (3) and (4) of Standing Order No. 35 (Amendments to Motions) shall apply to the discussion of amendments to Bills, modified where appropriate by the replacement of the words “motion” and “question” by the word “clause”.

(9) No Member shall move an amendment which is inconsistent with a clause already agreed to or which is inconsistent with a decision which the committee has already given. If the Chairman is of the opinion that the discussion has shown that the amendment contravenes the provisions of this paragraph, he may withdraw it from the consideration of the committee at any time during the discussion of the amendment.

(10) The Chairman may refuse to allow an amendment to be moved if in his opinion -

- (a) it would make the clause or schedule which it proposes to amend unintelligible or ungrammatical; or
- (b) it is frivolous; or
- (c) it amounts to a proposal to omit the whole substance of a clause for the purpose of inserting other provisions.

(11) Except on the recommendation of the Cabinet, the committee shall not proceed on any amendment which in the opinion of the Chairman would make provision for any of the proposals set out in sub-paragraph (a) of paragraph (1) of Standing Order No. 20 (Business for which Recommendation of the Cabinet is required).

(12) On the title of any new clause being called, the clause shall be deemed to have been read a first time. The question shall then be proposed “That the clause be read a second time”; if this question be agreed to, amendments may then be moved as if the clause were a clause of the Bill, and the provisions of paragraphs (7) to (11) of this Standing Order shall apply accordingly. If no amendments are proposed, or when all proposed amendments have been disposed of, the Chairman shall propose the question “That the clause (or the clause as amended) be added to the Bill”.

(13) When all the clauses of the Bill and every proposed new clause have been disposed of, the committee shall next consider the schedules to the Bill and proposed new schedules, and shall proceed on the schedules in the same way as on clauses of the Bill and proposed new clauses.

(14) An amendment, proposed new clause, or proposed new schedule upon which a question has been proposed may be withdrawn at the request of the mover by leave of the committee before the question has been fully put on it, if no Member objects.

(15) If the question has been proposed on an amendment -

- a) to an amendment;
- b) to a proposed new clause; or
- c) to a proposed new schedule;

the original amendment, the new clause or the new schedule may not be withdrawn until the amendment thereto has been disposed of.

(16) If an amendment to the long title or to the short title of the Bill is made necessary by an amendment to the Bill, it shall be made at the conclusion of all proceedings on clauses and schedules, but no question shall be put that the title (or the title as amended) stand part of the Bill, nor shall a question be put on the enacting formula.

(17) When all proceedings on the Bill have been concluded the Chairman shall return to the chair of the House and shall report the Bill to the House with or without amendment.

#### **58. Procedure in Select Committee on a Bill**

(1) A select committee on a Bill shall be subject to all provisions of Standing Order No. 76 (Procedure of Select Committees) but before reporting the Bill to the House it shall go through the Bill in the same manner as a Committee of the Whole House as prescribed in Standing Order No. 57 (Procedure in Committee of the Whole House on a Bill): Provided that no amendment shall be made by a select committee to a Bill which would have any effects set forth in sub-paragraph (a) of paragraph (1) of Standing Order No. 20 (Business for which the Recommendation of the Cabinet is required).

(2) When a Bill has been amended in a select committee the whole text of the Bill as amended shall, if practicable, be printed as part of the report of the select committee, but if this is not practicable the text of every clause or schedule amended, and of every new clause or new schedule added, shall be so printed.

#### **59. Procedure and Reporting of Bills**

As soon as a Bill has been reported from a Committee of the Whole House the Member in charge may –

- (a) give notice of his intention to move the third reading on a future day, in which case the Bill may be placed on the Order Paper for third reading on a day not earlier than two clear days thereafter;

- (b) move without notice that the House proceed to the third reading forthwith. No amendment may be moved to such a motion other than by way of substituting words to the effect that the Bill be recommended to a Committee of the Whole House, and the debate on any such amendment shall be governed by the provisions of paragraph (2a) of Standing Order No. 60 (Motion for Re-committal of a Bill Reported from Committee of the Whole House) as if the amendment were itself a motion for re-committal. If neither the motion to proceed to third reading forthwith nor the amendment is agreed to the provisions of paragraph (a) of this Standing Order shall apply.

#### **60. Motion of Re-committal of Bill reported from Committee of the Whole House**

- (1) If any Member desires further amendments to a Bill as reported from a Committee of the Whole House or to introduce any new provision therein, he may, unless the House has resolved to proceed to the third reading forthwith, after giving such private notice of the further amendments or provisions as the Speaker may deem adequate, move without notice, immediately before the Member in charge of the Bill moves the third reading thereof, that the Bill be recommitted either wholly or in respect only of some specified clause or clauses or schedule or schedules of the Bill; or some proposed new clause or new schedule.
- (2) When a motion for re-committal has been moved and seconded no amendments may be proposed to it except amendments to widen the scope of the proposed re-committal.
  - (a) No speech on a motion for re-committal or an amendment thereto shall exceed ten minutes, and the Speaker shall thirty minutes after the mover of the motion began his speech, put any question which may be necessary to decide the motion and any amendments which may have been moved to it.
- (3) When a motion for re-committal is agreed to, the Bill shall stand recommitted as required by the motion and the House shall immediately resolve itself into a Committee of the Whole House to consider it.
- (4) When a motion for re-committal is negatived the House shall forthwith proceed to the third reading of the Bill.

#### **61. Proceedings on Re-committal of Bill Reported from Committee of the Whole House**

- (1) When the whole of a Bill has been recommitted the committee shall go through the Bill as provided in Standing Order No. 57 (Procedure in Committee of the Whole House on a Bill).
- (2) When a Bill has been recommitted in respect only of some specified clause or clauses or schedule or schedules of the Bill, or some proposed new clause or new schedule, the committee shall consider only the matter so recommitted and shall proceed on every such clause or schedule in the manner provided in paragraphs (1) to (15) of Standing Order No. 57 (Procedure in Committee of the Whole House on a Bill) and may thereafter if necessary consider amendment of the long or short title of the Bill as provided in paragraph (16) of that Standing Order: Provided that if the Speaker considers it necessary or desirable he may require the whole Bill to be recommitted in terms of paragraph (1) of this Standing Order.
- (3) When all proceedings in committee of the whole House on a recommitted Bill have been completed, the Chairman shall return to the chair of the House and report the Bill as amended (or not amended) on re-committal, to the House. The House shall forthwith proceed to the third reading of the Bill.

## **62. Proceedings on Bill Reported from Select Committee.**

- (1) When a Bill has been reported from a select committee the House may consider the Bill as reported on a motion that the report of the Select Committee on the Bill be adopted. Not less than one clear days' notice shall be given of such a motion.
- (2) If that motion is agreed to without comments the House may proceed to the third reading of the Bill as if it were a Bill reported from a Committee of the Whole House under paragraph (1) of Standing Order No. 59 (Procedure on Reporting of Bills).
- (3) On a motion to adopt the report of a select committee on a Bill moved under paragraph (1) of this Standing Order, a Member may propose an amendment of the Bill (either wholly or in respect of some particular part or parts of the Bill or of some proposed new clause or new schedule) to a Committee of the Whole House". If the motion is agreed to with that amendment the Bill shall stand so re-committed and proceedings on re-committal shall be subject to the provisions of Standing Order No. 61 (Proceedings on Re-committal of Bills reported from Committee of the Whole House) as if the Bill were a Bill reported from a Committee of the Whole House.

### **63. Third Reading**

- (1) The House shall proceed to the third reading of a Bill on a motion that this Bill be read the third time and do pass. Debate on that motion shall be confined to the contents of the Bill and no amendment may be moved to the motion.
- (2) Amendments for the correction of errors or oversights may, with the Speaker's permission, be made to the Bill before the question for the third reading of the Bill is put by the Speaker, but no amendments of a material character shall be proposed.
- (3) When a motion for the third reading of a Bill has been agreed to, the Clerk shall write at the end of the Bill the words, "Passed by the National Assembly this day", giving the date.
- (4) When a motion for the third reading of a Bill has been negatived, no further proceedings shall be taken on that Bill.
- (5) A copy of the Bill passed by the House, certified as a true copy by the Speaker and with such additional certification as may be required, shall be forwarded by the Clerk to the Senate together with a message desiring the Royal Assent.

### **64. Procedure on Senate Messages Concerning Bills**

- (1) When a message has been received from the Senate that they have agreed to a Bill without amendment, the Clerk shall present a copy of the Bill, certified by the Speaker as a true copy, to His Majesty for Assent.
- (2) When amendments have been made by the Senate to a Bill, or amendments which the House has made to Senate amendments to a Bill, consideration of such amendments shall be put down for such day as the Member in charge of the Bill shall appoint: Provided that with the leave of the Speaker and the assent of the majority of Members present (among whom there shall not in this context be included any minister who is a Senator) the amendments may be considered forthwith.
- (3) On the order being read for the consideration of Senate amendments, such amendments shall be read in turn by the Clerk and an amendment or amendments may then be proposed to the Senate amendment. If no amendment to the Senate amendment be proposed or made, the question shall then be put that this House do agree with the Senate in that



amendment; but if an amendment has been made the question shall be that the House do agree with the Senate amendment as amended.

- (4) If any Senate amendment is disagreed to, an amendment to the Bill in lieu thereof may be proposed.
- (5) After the last Senate amendment to a Bill has been considered if any of the Senate amendments have been amended or if further amendments have been agreed to in lieu thereof, the question shall be proposed forthwith that a message be sent to the Senate desiring their concurrence to those amendments. If such question be agreed to the provisions of this paragraph and paragraphs (3) and (4) of this Standing Order shall apply to any further amendments which may be made by the Senate; but if such question be disagreed to, the provisions of paragraph (6) of this Standing Order in the case of a Bill to which the Senate amendments have been disagreed to shall apply.
- (6) On the conclusion of all proceedings under paragraphs (3), (4) and (5) of this Standing Order the Clerk shall, if the Senate amendments have been agreed to, present the Bill to His Majesty as provided in paragraph (1) of this Standing Order. If any or all of the Senate amendments have been disagreed to, the Clerk shall, unless the House has otherwise resolved, in like manner present to His Majesty Senate amendments which may have been agreed to by the House, together with a further certificate by the Speaker in accordance with paragraph (4) of Section 80 of the Constitution.
- (7) If the Senate
  - (a) has not signified its agreement to a Bill, or to all amendments made by the House to Senate amendments to a Bill at the expiry of the period stated in paragraphs (1) or (3) of Section 80 of the Constitution, whichever may be appropriate; or
  - (b) has signified by message its disagreement to the second or third reading of a Bill before the expiry of such period, the Clerk shall, unless the House shall otherwise resolve, forthwith present the Bill to His Majesty as provided in paragraph (4) of Section 80 Of the Constitution.

## **65. Withdrawals of Bills**

The Member in charge of a Bill may, at the beginning of the proceedings on a Bill at a sitting, announce that he withdraws the Bill.

## **66. Bills of the Same Provisions**

Once the second reading of a Bill has been agreed to or negatived, no question shall be proposed during the same session for the second reading of another Bill containing substantially the same provisions. On a Member rising to move the second reading of such a Bill the Speaker shall direct that the Bill be withdrawn.

## **CHAPTER X FINANCIAL PROCEDURE**

### **67. Annual Financial Statement and Budget Debate**

- (1) On the day which the estimates of expenditure for the public services during the whole of a financial year have been laid before the House, the Minister of Finance may move a motion that this House gives general approval to the financial proposal contained in the estimates of revenue and expenditure for the year and that estimates of expenditure be referred to the committee of supply. In moving that motion he may make a statement on economic policy and on the financial proposals contained in the estimates or revenue and expenditure for the year.
- (2) The motion shall not require seconding and when the question has been proposed on it the debate shall stand adjourned for not less than three clear days.
- (3) When the debate is resumed it shall take place on the general principles of financial and economic policy set forth by the mover of the motion and it may also take place on the financial proposals contained in the estimates of revenue and expenditure for the year.

### **68. Allocation of Time in Committee of Supply**

- (1) The business committee shall allot a maximum number of days for consideration of the annual estimates and in so doing shall determine -
  - (a) the order in which the committee of supply shall consider the heads of those estimates, and
  - (b) the length of time to be allotted for the consideration of any head or part of head.
- (2) If the end of the time allotted for a head or part of a head is reached before that head or part of a head has been disposed of, the Chairman shall forthwith put the question necessary to dispose of that head or that part of head.

### **69. Procedure in Committee of Supply**

- (1) In committee of supply upon the estimates, the Chairman shall call the title of each head of expenditure in the order laid down by the business committee, and shall propose the question that the sum of M..... for head..... stand part of the estimates, and unless an amendment is

proposed under the provisions of paragraphs (2), (3) and (4) of this Standing Order, debate may take place on that question.

- (2) No amendment in respect of the annual estimates may be moved unless two clear days' notice has been given of the amendment, except as provided in paragraph (2) of Standing Order No. 70 (Reports from the Committee of Supply).
- (3) An amendment to increase a head or part of a head may be proposed only by a Minister and the recommendation of the Cabinet shall be signified before it is moved. An amendment to decrease a head or part of a head, may be moved by any Member.
- (4) An amendment to increase or reduce the sum allotted to a head of expenditure whether generally, or in respect of any item therein, shall take the form of a motion, that head ..... be (increased/reduced) by M..... in respect of (or by leaving out) sub-head ..... item .....sub-item..... .
- (5) An amendment to increase a head or part of a head shall be considered before an amendment to reduce it. In debating an amendment proposing an increase it shall be in order to argue that the head or part of the head should be decreased in respect of the item or sub-head to which the amendment refers, but if that amendment is agreed to, no amendment to reduce the head in respect of the same item or sub-head may be proposed.
- (6) If notice has been given of two or more amendments to reduce a head or part of a head in respect of the same item or sub-head, they shall be considered in the order of magnitude of the reduction proposed, starting with the amendment proposing the greatest reduction. If such an amendment is agreed to no other amendment shall be proposed in respect of the same item or sub-head.

## **70. Reports from the Committee of Supply**

- (1) When the committee of supply have completed consideration of every head of expenditure, the Chairman shall return to the chair of the House and shall report thereafter to the House the estimates as amended (or not amended as the case may be) by the committee of supply. The Speaker shall thereafter ask the Minister of Finance whether he wishes to make a statement under paragraph (2) of this Standing Order. If the Minister of Finance does not wish to make a statement, the House shall be deemed to have agreed to the estimates, as amended or not amended, as the case may be, by the committee of supply. If the Minister of Finance makes a statement in

regard to any head or heads of the estimates, all other heads shall be so deemed to have been agreed to.

- (2) If, on being asked by the Speaker, the Minister of Finance states that he wishes to propose a further amendment to any head or heads, those heads shall thereupon stand recommitted to the committee of supply and on a day fixed by the business committee the House shall again resolve itself into committee of supply to consider the head or heads. The Minister of Finance shall give not less than one clear day's notice of any amendment which he wishes to propose.
- (3) When the committee of supply reconsider the recommitted head or heads, they shall consider only those amendments of which the Minister of Finance has given notice, in the order in which they relate to those heads. No separate question shall be put on a head and when every amendment has been disposed of the Chairman shall return to the chair of the House and shall thereupon report the head or heads to the House as further amended (or not amended as the case may be) after re-committal. The head or heads shall then be deemed to have been agreed to by the House as further amended (or not amended as the case may be) after re-committal.

## **71. Annual Appropriation Bill**

- (1) Proceedings on an annual appropriation Bill shall be as provided in Chapter IX of these Standing Orders (Procedure on Bills) as modified by this Standing Order.
- (2) As soon as all proceedings under the provisions of Standing Order No. 70 (Reports from the Committee of Supply) have been brought to a conclusion, the Minister of Finance may present an annual appropriation bill forthwith, no notice being required.
- (3) As soon as an annual appropriation bill has been published under paragraph (1) of Standing Order No.52 (Publication and Circulation of Bills) it shall be deemed to have been read a second time and considered in committee and the Minister of Finance may give not less than two clear days' notice of his intention to move the third reading.
- (4) The business committee may allot not more than one day for the third reading of an annual appropriation bill and the debate on the bill shall be confined to the general principles of the expenditure for which it provides. If proceedings on the third reading have not ended by 5.00 p.m. the Speaker shall at that hour put the question that the Bill be read the third time.

## **72. Supplementary Estimates**

- (1) An estimate of expenditure in addition to that provided for in the annual estimates shall be known as a supplementary estimate.
- (2) A supplementary estimate shall when laid before the House stand referred to the committee of supply and the provisions of Standing Order Nos. 68 (Allocation of time in Committee of Supply) and 70 (Reports from Committee of Supply) shall apply *mutatis mutandis* to the proceedings on it.

## **73. Supplementary and final Appropriation Bills**

A supplementary estimate shall when laid before the House stand referred to the committee of supply and the provisions of Standing Order No. 71 (Annual Appropriation Bill) except that the Minister of Finance may move that the Bill be read the third time at any time after it has been published, and shall not be required to give notice of such motion.

## **CHAPTER XI SELECT COMMITTEES**

### **74. Appointment and Functions of Select Committees**

(1) The House may in each session appoint, under Standing Order or by an order specially made, one or more select committees to consider matters or Bills which the House may refer to the committee.

(2) A select committee appointed under Standing Order shall be termed a sessional select committee.

(3) The quorum of a select committee shall be one-third of the members excluding the chairman, a fraction of a whole number being disregarded.

(4) A sessional committee may from time to time report to the House concerning the matters referred to them.

(5) A select committee, other than a sessional select committee, shall as soon as they have completed considering the matter or Bill referred to them, report to the House thereon and the committee shall thereupon be dissolved. If the committee are of the opinion that they will not be able to complete consideration of the matter or Bill before the end of the session they shall so report to the House.

(6) On prorogation or dissolution of Parliament every select committee of the House shall be dissolved.

### **75. Sessional select committees**

(1) The sessional select committees to be appointed under this Standing Order shall be nominated as soon as possible after the beginning of each session.

(2) There shall be a sessional select committee designated the business committee, to consist of the Leader of the House as Chairman and not less than six other Members to be nominated by the Speaker, who in making such nomination shall have regard to the composition of the House.. The business committee shall determine the size of every other select committee (unless the House itself has determined such size in its order appointing such committee) and shall unless these Standing Orders otherwise provide, nominate the chairman and members of such a committee. The business committee may, if it so decides, determine the length of time to be allotted to any stage of the Bill or to any Government motion. At the end of the time allotted the Speaker or Chairman as the case may be shall forthwith put the question or questions necessary to dispose of the matter which, in the case of a Government Bill, shall

include the questions on any amendments to the Bill of which notice may have been given by the Government; such amendments shall not be required to be formally moved before the question thereon is put. The business committee shall also perform such other duties as are assigned to them in these Standing Orders and consider such other matters connected with the business of the House as the House or the Speaker may refer to the committee. The committee may sit on days on which the House Stands adjourned.

- (3) There shall be a sessional select committee designated the House Committee to consider matters connected with the comfort and convenience of Members when attending the House, and to advise the Speaker on these matters.
- (4) There shall be a sessional select committee designated the Committee on Standing Orders, presided over by the Speaker, to consider matters connected with the rules and Standing Orders and such other matters as may be referred to it by the House. The Clerk of the House shall be the clerk of the committee.
- (5) There shall be a sessional committee designated the Public Accounts Committee for the examination of the accounts showing the appropriation of the sums granted by Parliament to meet the public expenditure and such other accounts as are laid on the Table of the House. The committee shall have the power to send for persons, papers and records and to report from time to time, but shall not examine matters covered by section 50 of Lesotho Bank Order, 1971. The Committee may sit on days on which the House stands adjourned, provided that such sitting shall not exceed 28 days in any one financial year.
- (6) There shall be a sessional select committee designated the Staff Committee to consider matters connected with the staff of the National Assembly and to advise the Speaker on these matters.
- (7) There shall be a sessional select committee designated the Committee of Privileges to consider and/or investigate all complaints of alleged breaches of privilege and contempt against the House, its Members, its Officers or its Speaker which may be referred to it by the House or by its Speaker or which otherwise come to its notice, and the Committee of Privileges shall have the power to send for persons, papers and records, and to report back its findings to the House in order to enable the House to take such further action as may be necessary, and may sit even during adjournments of the House.
- (8) There shall be a sessional select committee designated the Committee on HIV/AIDS to ensure a broad-based facilitation of Parliamentary advocacy,



debate and discussion. To prepare occasional reports and to oversee and monitor policy and legislation on HIV/AIDS through a process of consultation, training and information exchange. The committee shall have power to call expert witnesses and to receive testimony and documentation through committee hearings.

## **76. Procedure of Select Committees**

- (1) The deliberations of a select committee shall be confined to the matter or matters referred to them by the House, and in the case of a select committee on a Bill shall be confined to the Bill committed to them and relevant amendments.
- (2) A select committee shall sit at the times determined by the chairman on any day on which the House is sitting, but shall not sit on any day on which the House stands adjourned, unless so authorized under these Standing Orders. The sittings of a select committee shall be held in private unless the committee otherwise orders.
- (3) If the chairman is unable to be present at a sitting the committee shall elect another chairman whose tenure of office shall be for the day of his election.
- (4) The clerk to the committee appointed under paragraph (7) of Standing Order No. 10 (Duties of the Clerk and of his Department) shall attend every meeting of the committee and shall keep the minutes of proceedings of the committee.
- (5) Divisions in a select committee shall be taken by the clerk to the committee who shall ask each Member of the committee separately how he wishes to vote and record the votes accordingly. In the event of an equality of votes the question shall be declared by the chairman to have been negatived.
- (6) The chairman of a select committee shall have an original vote but not a casting vote: Provided that he shall not have an original vote if he is not a member of the House.
- (7)
  - (a) A Member of a select committee may bring a report up for their consideration and the report shall be entered in full on the minutes of proceedings of the committee. When all the reports have been brought up the chairman shall propose the reports in order until one is accepted as a basis for discussion, beginning with his own report and proceeding with the remainder in the order in which they were brought up. The question to be proposed by the chairman on a report shall be that the chairman's (or

Mr .....’s) report be read a second time paragraph by paragraph. When this question has been agreed to, it shall not be proposed on further reports but portions thereof may be offered as amendments to the report under consideration if they are relevant to it.

(b) The committee shall then go through the report paragraph by paragraph and the provisions of paragraphs (2) to (12), (14) and (15) of Standing Order No. 57 (Procedure in Committee of the Whole House on a Bill) shall apply as if the report were a Bill and the paragraphs were the clauses of the Bill.

(c) When consideration of the report paragraph by paragraph is concluded and when all proposed new paragraphs have been considered the chairman shall put the question that this report be the report of the committee to the House.

(8) A select committee may make a special report on any matters relating to the powers, functions and proceedings of the committee which they think fit to bring to the notice of the House.

(9) The minutes of the proceedings of the committee shall record all proceedings on consideration of a report in the committee and on every amendment proposed to the report or Bill, with a note of divisions, if divisions were taken in the committee, showing the names of Members voting in the division or declining to vote.

(10) A report or special report, with the minutes of proceedings of a select committee and the minutes of evidence, if evidence was taken, shall be laid on the Table of the House by the chairman of the committee: Provided that if the House be not sitting when the report of a select committee is due to be made, the report shall be deemed to have been laid upon the Table of the House if it is delivered to the Clerk by the Chairman of the committee.

## **77. Examination of Witnesses by Select Committee**

(1) No Select Committee shall call a person to give evidence on oath unless it has power to send for persons, papers and records, and no Select Committee shall have that power unless it has been specifically conferred on the committee by an order of the House.

(2) When a Select Committee has power to send for persons, papers and records, resolves that a person be summoned to give evidence before them on oath, the clerk to the committee shall send to such a person a summons to attend the committee on a day named in the summons which shall not be earlier than six clear days after the day on which the summons is dispatched.

- (3) The evidence of a witness shall be taken down and shall be submitted to him for signature: Provided that if the evidence be not returned signed by the witness within fourteen days after it has been submitted to him, it may be laid upon the Table without such signature.

#### **78. Premature Publication of Evidence**

The evidence taken before a select committee and documents presented to the committee shall not be published by a Member of the committee or by any other persons before the committee have presented their report to the House.

## **CHAPTER XII MISCELLANEOUS MATTERS**

### **79. Declaration of Emergency**

- (1) Whenever the Prime Minister has declared, by Proclamation, published under Section 23 of the Constitution, that a state of emergency exists, a motion to approve such declaration shall not require notice, and may be moved by a Minister at any time during the transaction of any other business; and any proceedings which may be interrupted by the moving of such motion shall stand adjourned until the conclusion of the debate on such motion.
- (2) It shall not be in order for any Member, other than a Minister, to move that the debate on a motion to approve a declaration of emergency be now adjourned.

### **80. Personal Pecuniary Interest**

- (1) A Member shall not move any motion or amendment relating to a matter in which he has a direct personal pecuniary interest or speak on any such matter, whether in the House or in any committee, without disclosing the nature of that interest, and shall in no circumstances vote on any such matter.
- (2) A motion to disallow a Member's vote on the grounds of personal pecuniary interest shall be moved only as soon as the numbers of the Members voting on the question shall have been declared.
- (3) The Speaker or Chairman shall have discretion whether or not to propose the question upon such a motion, and in exercising such discretion shall have regard to the character of the question upon which the division was taken and to the consideration whether the interest therein of the Member whose vote is challenged is direct and pecuniary and not an interest in common with the rest of the citizens of Lesotho or whether his vote was given on a matter of State policy.
- (4) On the question for the disallowance of a Member's vote being proposed, the Member shall be heard in his place and shall then withdraw from the House or Committee for the duration of the debate and any vote on the question.
- (5) If the motion for disallowance of the Member's vote is agreed to, the Speaker or Chairman shall direct the Clerk to correct the numbers voting in the division accordingly.

### **81. Employment of Members in Professional Capacity**

No Member shall appear before the House or a committee thereof as a legal practitioner for or on behalf of a party or in a capacity for which he is to receive a fee or reward.

### **82. Admission of Press and Public**

Members of the public and of the press shall be admitted as spectators to sittings of the House under rules made by the Speaker from time to time. The Clerk shall ensure that all such rules are complied with.

### **83. Withdrawal of Strangers**

- (1) A Member may without notice at any time rise and move that strangers do withdraw, specifying whether the withdrawal is to be for the remainder of that day's sitting or during the consideration of certain business. When that motion has, if necessary, been seconded the Speaker or Chairman shall propose the question thereon and the House or committee shall dispose of it before proceeding further with the business which was before it when the motion was moved.
- (2) The Speaker or Chairman may at any time order strangers to withdraw and the doors of the chamber to be closed.
- (3) When an order has been made by the House or committee, or by the Speaker or Chairman, for the withdrawal of strangers, members of the public and of the press shall forthwith withdraw from the chamber and the Clerk shall ensure that the order is complied with.
- (4) An order for the withdrawal of strangers shall not apply to any Minister who, being a Senator is participating in the proceedings of the House, or to any other Senator present in any portion of the galleries allocated for the use of Senators; and no Minister or Senator shall be prevented from entering the House or its galleries, as the case may be, during the currency of such an order.

### **84. Suspension of Standing Orders**

If the object or effect of a question may be to suspend a Standing Order, the question shall not be proposed except after one clear day's notice or with the consent of the Speaker.

## **85. Procedure In Case of Doubt**

In a matter not provided for in these Standing Orders and in any other case of doubt the usage and practice of the Commons House of Parliament of Great Britain and Northern Ireland shall be followed as far as applicable to the House and as far as it is not inconsistent with these Standing Orders or with the practice of the House; but no restriction which the House of Commons has introduced by standing orders shall extend to the House or its Members until the House has provided by standing order for a similar restriction.