

**MAURITIUS NATIONAL ASSEMBLY**

**SIXTH NATIONAL ASSEMBLY**

**FIRST SESSION**

**First Report  
of the  
Standing Orders Committee**

*14 March 2015*

# MAURITIUS NATIONAL ASSEMBLY

## SIXTH NATIONAL ASSEMBLY

### FIRST SESSION

#### Report of the Standing Orders Committee

#### 1 ESTABLISHMENT OF THE COMMITTEE

Your Committee consists of Mrs Santi Bai Hanoomanjee, GCSK, Speaker of the Assembly as Chairperson, Honourable Adrien Charles Duval, MP, Deputy Speaker and four other Members nominated by the Committee of Selection.

#### 2 NOTICE OF MOTION

On 06 March 2015, the Rt Honourable Prime Minister gave notice of the following motion standing in his name and the motion was circulated to the Honourable Members on the same day (*vide annex I*), together with a draft proposal of the amendments to Standing Orders 2, 52 and 73 (*vide annex II*) –

*“This Assembly is of opinion that in view of the enactment of the Finance and Audit (Amendment) Act 2015 which provides for simplified estimates to be laid before the Assembly for the appropriation, by vote of expenditure, of the sums necessary to meet the financial requirements on all the services of the Government, it is necessary and expedient that the Standing Orders Committee be empowered, and it is hereby empowered, to look into the Standing Orders and Rules of the National Assembly (1995) presently in force, more specifically Standing Orders 52 and 73, with a view to the making recommendations for the necessary changes to be brought to the provisions relating to the procedure in connection with the Appropriation Bill”.*

#### 3. ADOPTION OF THE MOTION INVOLVING PROPOSALS FOR AMENDMENT OF THE STANDING ORDERS

3.1 At the sitting of the Assembly held on Friday 13 March 2015, the House agreed to the motion standing in the name of the Rt Honourable Prime Minister and the proposal for amendments stood referred to the Standing Orders Committee.

#### 4. MEETING

4.1 Your Committee held a meeting on Saturday 14 March at 11.00 a.m.

#### 5. SECRETARIAL ASSISTANCE

5.1 Your Committee was served by the Clerk as Secretary who was assisted by the Deputy Clerk and the Committee proceedings were taken down verbatim by *Hansard* Reporters and Sub-editors.

#### 6. METHODOLOGY

6.1 Your Committee reviewed the draft of the proposed amendments to the Standing Orders and Rules of the National Assembly (1995) which was circulated to Honourable Members when the notice of motion was circulated.

#### 7. EXPERT ASSISTANCE

7.1 Your Committee considered it fit to hear the Financial Secretary and his representatives and the Parliamentary Counsel, who were invited to provide clarifications and explanations on the proposed amendments.

#### 8. RECOMMENDATIONS

8.1 Your Committee recommends the adoption of the amendments proposed to Standing Orders 2, 52 and 73 of the Standing Orders and Rules of the National Assembly (1995), as per amendments circulated, and subject to the further amendments approved at the meeting.

8.2 Your Committee recommends the adoption of the amendment proposed to Standing Order 2, as per the proposed amendment circulated, wherein the word "Estimates" is defined to read as follows –

**"Estimates" –**

- (a) means the annual estimates of revenue and expenditure, both recurrent and capital, in respect of the services of the Government, prepared on a 3-fiscal year rolling basis, the estimates for the first year of every such period of 3 fiscal years requiring approval by the National Assembly; and
- (b) includes any supplementary estimates so approved.

8.3. Your Committee further recommends the adoption of the proposed new paragraphs (1)(a) and (b) of Standing Order 52, as per the proposed amendment circulated, to read as follows –

Introduction of Bills

52. (1) (a) Subject to the provision of Standing Order 66 any Member may move for leave to introduce a Bill of which he has given notice but a Bill may be introduced on behalf of the Government after notice without an order of the Assembly.

(b) A Finance Bill may, in addition to the measures relating to taxation and national finance announced in a Budget Speech, contain provisions relating to the other measures announced therein and provide for matters connected, consequential or incidental to those measures.

8.4 Your Committee further recommends the adoption of the proposed amendments to paragraphs (1), (3), (4), (6) to (9) and (11) of Standing Order 73, with the addition of a new paragraph (11A), as follows –

Appropriation Bill

73. (1) During each year, there shall be introduced into the Assembly an Appropriation Bill which shall provide for the issue from the Consolidated Fund of the sums necessary to meet the estimated financial requirements for expenditure in respect of all the services of the Government for the succeeding financial year and for the appropriation of those sums by vote of expenditure. The details of these financial requirements shall be in conformity with the schedules to the Bill and with the Estimates which shall, at the same time, be laid before the Assembly.

(2) .....

.....

(3) When the Bill has been read a second time, it shall stand committed to a Committee of the whole Assembly, to be called the Committee of Supply, to which the Estimates shall then also stand referred. Discussions at the Committee shall be confined to the details of the Estimates and shall not refer to the general principles of Government policy and administration.

(4) There may be allotted a maximum number of days to be determined by Mr Speaker, after such consultation with Members as he may deem fit, for discussion of the Appropriation Bill with the Estimates in the Committee of Supply or for consideration of any Vote on Account. Mr Speaker may allot the time to be given for each Vote of Expenditure specified in the schedules to the Appropriation Bill and for the clauses of that Bill.

If in the case of any Vote or clause the end of the allotted time is reached before the Vote or clause is disposed of, the Chairman shall put forthwith any question necessary to dispose of that Vote or clause.

(5) .....

(6) On the consideration of a schedule, the Chairman shall call the title of each Vote of Expenditure in turn, and unless any amendment thereto is thereupon moved, shall propose the question "That the sum of Rs ... for Vote .... stand part of the schedule."

(7) Any Member may move an amendment to reduce by Rs .... The sum to be allotted for any Vote of Expenditure in respect of any sub-head or item therein. No motion for the reduction of any item provided by statute can be presented.

(8) (a) When several amendments are proposed to the same Vote of Expenditure, they shall be disposed of in the order in which the sub-heads or items to which they relate appear in the Estimates, and debate on each amendment shall be confined to the sub-head or item which is sought to be reduced.

(b) When several amendments are proposed to the same sub-head or item, the amendment seeking the smallest reduction shall be first proposed and an amendment to omit the sub-head or item shall only be proposed after all motions for reduction have been disposed of.

(9) No amendment for an increase in the sum allocated for any Vote, sub-head or item, or the addition of a new Vote, sub-head or item, shall be made except on the motion of a Minister who shall signify to the Assembly the recommendation or consent of the President of the Republic to such increase or addition in accordance with the provisions of this Standing Order.

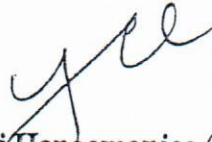
(10) .....

(11) When all amendments in respect of any particular Vote of Expenditure have been disposed of, the Chairman shall propose the question "That the sum (or the amended sum) of Rs .... for Vote .... stand part of the schedule."

(11A) On the question "That the sum (or the amended sum) of Rs .... for Vote .... stand part of the schedule", discussion shall be confined to the details of expenditure contained in the Vote and shall not refer to the general principles of Government policy and administration.

#### 9. ACKNOWLEDGEMENTS

Your Committee would like to express its thanks to all the persons who have provided assistance to Your Committee.



Santi Bai Hanoomanjee (Mrs), GCSK  
*Speaker*

14 March 2015

MAURITIUS NATIONAL ASSEMBLY

PARLIAMENT HOUSE

PORT LOUIS

NOTICE OF MOTION

The Clerk of the National Assembly presents her compliments to Honourable Members and has the honour to inform them that the Rt Honourable Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit has, today 06 March 2015, given notice of the following motion standing in his name –

*“This Assembly is of opinion that in view of the enactment of the Finance and Audit (Amendment) Act 2015 which provides for simplified estimates to be laid before this Assembly for the appropriation, by vote of expenditure, of the sums necessary to meet the financial requirements on all the services of the Government, it is necessary and expedient that the Standing Orders Committee be empowered, and it is hereby empowered, to look into the Standing Orders and Rules of the National Assembly 1995 presently in force, more specifically Standing Orders 52 and 73, with a view to making recommendations for the necessary changes to be brought to the provisions relating to the procedure in connection with the Appropriation Bill”.*

06 March 2015

MAURITIUS NATIONAL ASSEMBLY  
PARLIAMENT HOUSE  
PORT LOUIS

The motion for the amendment of the Standing Orders and Rules  
of the National Assembly 1995

The Clerk of the National Assembly presents her compliments to Honourable Members and, in regard to the above motion standing in the name of the Rt. Honourable Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit, has the honour to submit herewith, copy of the draft proposed amendments to the Standing Orders and Rules of the National Assembly 1995.

Draft of the proposed amendments

- (a) In Standing Order 2, by deleting the definition of "Estimates" and replacing it by the following definition -

"Estimates" -

- (a) means the annual estimates of revenue and expenditure, both recurrent and capital, in respect of the services of the Government, prepared on a 3-fiscal year rolling basis, the estimates for the first year of every such period of 3 fiscal years requiring approval by the National Assembly; and
- (b) includes any supplementary estimates so approved;

- (b) In Standing Order 52, in paragraph (1), by adding the following new subparagraph (b), the existing provision being lettered (a) -

(b) A Finance Bill may, in addition to the measures relating to taxation and national finance announced in a Budget Speech, contain provisions relating to the other measures announced therein and provide for matters connected, consequential or incidental to those measures.



(c) In Standing Order 73 -

(i) by deleting paragraph (1) and replacing it by the following paragraph -

(1) During each year, there shall be introduced into the Assembly an Appropriation Bill which shall contain the estimated financial requirements for expenditure on all the services of the Government for the succeeding financial year and for the appropriation of those sums by vote of expenditure. The details of these financial requirements shall be in conformity with the schedules to the Bill and with the Estimates which shall, at the same time, be laid before the Assembly.

(ii) by deleting paragraphs (3) and (4) and replacing them by the following paragraphs -

(3) When the Bill has been read a second time, it shall stand committed to a Committee of the whole Assembly, to be called the Committee of Supply, to which the estimates shall then also stand referred. Discussions at the Committee shall be confined to the details of the estimates and shall not refer to the general principles of Government policy and administration.

(4) There may be allotted a maximum number of days to be determined by Mr Speaker, after such consultation with Members as he may deem fit, for discussion of the Appropriation Bill with the estimates in the Committee of Supply or for consideration of any Vote on Account. Mr Speaker may allot the time to be given for each Vote of Expenditure specified in the schedules to the Appropriation Bill and for the clauses of that Bill.

If in the case of any Vote or clause the end of the allotted time is reached before the Vote or clause is disposed of, the Chairman shall put forthwith any question necessary to dispose of that Vote or clause.

(iii) by deleting paragraphs (6) to (9) and replacing them by the following paragraphs -

(6) On the consideration of a schedule, the Chairman shall call the title of each Vote of Expenditure in turn, and unless any amendment thereto is thereupon moved, shall propose the question "That the sum of Rs .... for Vote .... stand part of the schedule."

(7) Any Member may move an amendment to reduce by Rs ... the sum to be allotted for any Vote of Expenditure in respect