



**MAURITIUS**

**Standing Orders and Rules**  
**of the**  
**National Assembly**  
**1995**

**\*\*\***

**By Authority of the National Assembly**

**October 2024**

**Standing Orders and Rules**  
**of the**  
**National Assembly**  
**1995**

## Table of Contents

|     |   | Page |
|-----|---|------|
| 1.  | Adoption of Practice of House of Commons ....                                       | 1    |
| 2.  | Interpretation ...  | 1    |
| 3.  | Reading of President's Proclamation ...   | 2    |
| 4.  | Oath of Allegiance ...  | 2    |
| 5.  | Language ...  | 2    |
| 6.  | Seating of Members ...  | 2    |
| 7.  | Election of the Speaker, Deputy Speaker and<br>Deputy Chairperson of Committees ... | 2    |
| 8.  | Presiding in the Assembly ...   | 6    |
| 9.  | Sessions ...  | 6    |
| 10. | Sittings ...  | 6    |
| 11. | Adjournment – Definite Matter of Urgent Public Importance ...                       | 8    |
| 12. | Quorum ...  | 9    |
| 13. | Strangers ...   | 9    |
| 14. | Duties of the Clerk ...   | 9    |
| 15. | Minutes ...   | 10   |
| 16. | Official Report ...   | 10   |
| 17. | Arrangement of Business ...   | 10   |
| 18. | Messages ...  | 11   |
| 19. | Papers ...  | 11   |
| 20. | Petitions ...   | 12   |
| 21. | Questions to Ministers ...  | 12   |
| 22. | Contents of Questions ...   | 13   |
| 23. | Private Notice Question ...   | 14   |
| 24. | Notice of Questions ...   | 14   |
| 25. | Manner of asking and answering Questions ...  | 15   |
| 26. | Supplementary Questions ...   | 15   |
| 27. | Admissibility of Questions ...  | 15   |
| 28. | Personal Explanations ...   | 16   |
| 29. | Motions ...   | 16   |
| 30. | Notices of Motion ...   | 17   |
| 31. | Lapse of Motions ...  | 17   |
| 32. | Balloting of Motions ...  | 17   |
| 33. | Withdrawal of Motions ...   | 17   |
| 34. | Motion disposed of in current session ...   | 18   |
| 35. | Amendments to Motions ...   | 18   |
| 36. | Method of dealing with Amendments ...   | 18   |
| 37. | Withdrawal of Amendments ...  | 19   |



## **STANDING ORDERS AND RULES OF THE NATIONAL ASSEMBLY**

### **Adoption of Practice of House of Commons**

1. (1) In cases of doubt these Orders shall be interpreted in the light of the relevant practice of the Commons House of Parliament of Great Britain and Northern Ireland.

(2) In any matter for which these Orders do not provide the said practice shall be followed, but no restrictions which the House of Commons has introduced by Standing Order shall be deemed to extend to the National Assembly, hereinafter referred to as the Assembly, or its Members, until the Assembly shall have provided by Standing Order for such restriction.

### **Interpretation**

2. In these Orders, unless the context otherwise requires –

“Clerk” means the Clerk of the National Assembly;

“Constitution” means the Constitution of Mauritius set out in the Schedule to the Mauritius Independence Order 1968;

“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;

“House” means all the buildings under the Speaker’s management;

“Meeting” means a period during which one or more sittings take place, commencing when the Assembly first sits after being summoned at any time, or after an adjournment of more than a month, and ending when the Assembly is adjourned for a period of more than a month, or at the conclusion of a session;

“Session” means a period commencing with the first sitting of the Assembly after its prorogation or dissolution at any time, and terminating when the Assembly is next prorogued or dissolved without being prorogued, whichever event is the earlier;

“Sitting” means a period during which the Assembly is sitting continuously without adjournment, and includes any period during which the Assembly is in Committee.

[Amended 27 May 2008; 20 March 2015]

### **Reading of President's Proclamation**

3. At the first sitting of the Assembly in each session, Members having assembled at the time and place duly appointed, the Clerk shall read the Proclamation of the President of the Republic summoning the Assembly.

### **Oath of Allegiance**

4. (1) No Member of the Assembly shall take part in the proceedings of the Assembly, other than proceedings necessary for the purposes of this Order, until he or she has made and subscribed the Oath of Allegiance before the Assembly, which is prescribed in Schedule 3 of the Constitution and which shall be administered by the Clerk.

(2) For the purposes of paragraph (1) of this Order, every person authorized by any law in force in Mauritius to make an affirmation or a declaration instead of taking an oath in legal proceedings may, instead of taking the oath mentioned in paragraph (1) of this Order, make an affirmation or a declaration in like terms.

### **Language**

5. The proceedings and debates of the Assembly shall be in the English language, but a Member may address the Assembly in French.

### **Seating of Members**

6. The allocation to Members of seats in the Assembly Chamber shall be made by the Speaker.

### **Election of the Speaker, Deputy Speaker and Deputy Chairperson of Committees**

7. (1) No business shall be transacted in the Assembly, other than the election of a Speaker, at any time when the Office of Speaker is vacant. Accordingly, the Assembly shall -

- (a) at its first sitting after any general election; and
- (b) if the Office of the Speaker becomes vacant at any time before the next dissolution of the Assembly, except in the circumstances mentioned at paragraph (4) of this Order, at its next sitting after the occurrence of the vacancy, elect from among its Members, other than Ministers and Parliamentary Private Secretaries, a Speaker of the Assembly.

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

- (a) Any Member, addressing himself or herself to the Clerk may, subject to paragraph (3) of this Order, propose to the Assembly some other Member then present, and move that he or she "do take the Chair of the Assembly as Speaker". The proposal shall require to be seconded, but no debate shall be allowed.

- (b) If only one Member be so proposed and seconded, he or she shall be called by the Assembly to the Chair, without question put. If more than one Member be so proposed and seconded, the Assembly shall proceed to election by ballot.
- (c) For the purpose of a ballot, the Clerk shall give to each Member present a ballot paper bearing the names of the Members proposed on which the Member may mark his or her vote by placing a cross opposite the name of the Member for whom he or she wishes to vote. Ballot papers shall be folded so as to conceal the vote and shall not be marked in any way by which the Member voting could be identified.
- (d) Ballot papers shall be collected by the Clerk, or by some officer of the Assembly deputed by him or her, and shall be counted by the Clerk at the Table of the Assembly. The result of the ballot shall be declared by the Clerk and the Member having obtained the highest number of votes shall be declared elected by him or her.
- (e)
  - (i) Where more than two candidates have been proposed and at the first ballot no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and balloting shall be continued, the candidate obtaining the smallest number of votes at each ballot being excluded until one candidate obtains more votes than the remaining candidate or the aggregate votes of the remaining candidates, as the case may be.
  - (ii) Where at any ballot among three or more candidates two or more obtain an equal number of votes and one of them has to be excluded from the election under (i) of this subparagraph, the determination, as between the candidates whose votes are equal, of the candidate to be excluded, shall be by lot:

Provided that where, at any final ballot, the votes obtained by the two first Members are equal, the election shall be decided by the drawing of lots in the presence of the Clerk.

- (3) The Office of the Speaker shall become vacant –
  - (a) if he or she ceases to be a Member of the Assembly, otherwise than by reason of a dissolution of the Assembly;
  - (b) if, under the provisions of section 36 of the Constitution, he or she is required to cease to perform his or her functions as a Member of the Assembly;
  - (c) if he or she becomes a Minister or a Parliamentary Private Secretary;

- (d) if the Assembly passes a resolution supported by the votes of two-thirds of all the Members thereof requiring his or her removal from Office;
  - (e) when the Assembly first sits after any general election; and
  - (f) if, by writing under his or her hand addressed to the Assembly through the Clerk, he or she resigns his or her Office.
- (4) When the Office of the Speaker becomes vacant pursuant to an action under section 32(3)(d) of the Constitution, the election of a new Speaker shall take place forthwith.
- (5) When it is necessary to proceed to the choice of a new Speaker in consequence of an intimation to the Assembly by the Speaker of his or her wish to relinquish that Office, the Speaker shall continue to take the Chair and shall perform the duties and exercise the authority of Speaker until a new Speaker has been chosen, whereupon he or she shall leave the Chair and shall cease to perform those duties and to exercise that authority and the Speaker Elect shall take the Chair accordingly.
- (6) The Assembly shall –
- (a) at its first sitting in every session; and
  - (b) if the Office of the Deputy Speaker or that of the Deputy Chairperson of Committees becomes vacant at any time before the next session of the Assembly, at its next sitting after the occurrence of the vacancy or as soon as practicable thereafter, elect from among its Members, other than Ministers or Parliamentary Private Secretaries, a Deputy Speaker and a Deputy Chairperson of Committees of the Assembly.
- (7) The procedure for the election of a Deputy Speaker or a Deputy Chairperson of Committees shall be as follows –
- (a) Any Member, addressing himself or herself to the Speaker, may, subject to the provisions of paragraph (6) of this Order, propose some other Member to the Assembly as its Deputy Speaker or Deputy Chairperson of Committees, as the case may be. The proposal shall require to be seconded, but no debate shall be allowed.
  - (b) If only one Member be so proposed and seconded, he or she shall be declared by the Speaker, without question put, to have been elected. If more than one person be so proposed and seconded, the Assembly shall proceed to election by ballot.
  - (c) For the purpose of a ballot, the Clerk shall give to each Member present a ballot paper bearing the names of the Members proposed on which the Member may mark his or her vote by placing a cross opposite the name of the Member for whom he or she wishes to vote. Ballot papers shall be folded so as to conceal the vote and



shall not be marked in any way by which the Member voting could be identified.

- (d) Ballot papers shall be collected by the Clerk, or by some officer of the Assembly deputed by him or her and shall be counted by the Speaker who will then declare the result of the ballot.
- (e)
  - (i) Where more than two candidates have been proposed and at the first ballot no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and balloting shall be continued, the candidate obtaining the smallest number of votes at each ballot being excluded until one candidate obtains more votes than the remaining candidate or the aggregate votes of the remaining candidates as the case may be.
  - (ii) Where at any ballot among three or more candidates two or more obtain an equal number of votes and one of them has been excluded from the election under (i) of this subparagraph, the determination, as between the candidates whose votes are equal, of the candidate to be excluded, shall be by lot:

Provided that where, at any final ballot, the votes obtained by the two first candidates are equal, the election shall be decided by the drawing of lots in the presence of the Speaker.

(8) The Office of the Deputy Speaker or that of the Deputy Chairperson of Committees shall become vacant –

- (a) in the case of the Deputy Speaker, if he or she ceases to be a Member of the Assembly, otherwise than by reason of a dissolution of the Assembly, and in the case of the Deputy Chairperson of Committees, if he or she ceases to be a Member of the Assembly;
- (b) if, under the provisions of section 36 of the Constitution, he or she is required to cease to perform his or her functions as a Member of the Assembly;
- (c) if he or she becomes a Minister or a Parliamentary Private Secretary;
- (d) if the Assembly passes a resolution supported by the votes of two-thirds of all the Members thereof requiring his or her removal from Office;
- (e) in the case of the Deputy Speaker, when the Assembly first sits either after any general election or after being prorogued and, in the case of the Deputy Chairperson of Committees, when the Assembly first sits after being prorogued; or

- (f) if, by writing under his or her hand addressed to the Assembly through the Speaker, he or she resigns his or her Office.

### **Presiding in the Assembly**

8. (1) The Speaker, or in his or her unavoidable absence, the Deputy Speaker, or in their unavoidable absence, a Member of the Assembly, not being a Minister or a Parliamentary Private Secretary, elected by the Assembly in the manner prescribed by paragraph (2) of Standing Order 7, shall preside at the sittings of the Assembly and he or she shall exercise the same authority as the Speaker:

Provided that the words “as Speaker” occurring in the motion prescribed by sub-paragraph (a) of paragraph (2) of Standing Order 7 shall be replaced by the words “for to-day’s sitting only”.

(2) Unless the Speaker desires to act as Chairperson of a Committee of the whole Assembly, or of a Committee of Supply, the Chairperson of such a committee shall be the Deputy Speaker, or at the request of the Speaker or the Deputy Speaker or in the absence of both the Deputy Chairperson of Committees, or in their absence, a Member of the Assembly elected for that purpose in the manner prescribed by paragraph (2) of Standing Order 7:

Provided that the words “Assembly as Speaker” occurring in the motion prescribed by sub-paragraph (a) of paragraph (2) of Standing Order 7 shall be replaced by the words “Committee for to-day’s sitting only”.

### **Sessions**

9. (1) The Clerk shall give to each Member as much notice as possible of the time and place appointed by the President of the Republic under subsection (1) of section 56 of the Constitution for the beginning of any session of the Assembly.

(2) The President of the Republic may, by Proclamation, prorogue Parliament in accordance with section 57 of the Constitution and the session shall end on that day. The effect of prorogation is at once to suspend all business until Parliament is summoned again. All proceedings pending at the time are quashed, Bills must be re-introduced and the life of all committees sessional or otherwise comes to an end.

(3) For the purposes of this Order, the Chamber means any place within the precincts of the National Assembly which the Speaker shall designate.

### **Sittings**

10. (1) Subject to the terms of any Proclamation by the President of the Republic under subsection (1) of section 56 of the Constitution appointing the time and place for the beginning of any session of the Assembly, the Assembly shall sit on Tuesdays at 11.30 o’clock in the morning or at such other day and time as it may decide:

Provided that if through any unavoidable cause the Assembly cannot sit on the day and at the time appointed or decided then it shall sit on the Tuesday following at 11.30 o’clock in the morning.

(2) Subject to the provisions of paragraph (8) of this Order, at 7.00 o'clock in the evening, except as hereinafter provided, the proceedings on any business under consideration shall be interrupted and, if the Assembly is in Committee, the Chairperson shall leave the Chair and report progress and ask leave to sit again, and if a motion has been made for the adjournment of the Assembly (other than a substantive motion moved by a Minister) or if any motion has been made for the adjournment of the debate, or in Committee that the Chairperson do report progress, or do leave the Chair, such motion shall lapse.

(3) On the interruption of business, the closure may be moved and the provisions of Standing Order 45 shall then apply. If the closure is moved or if proceedings under that Standing Order be then in progress, the Speaker or the Chairperson shall not leave the Chair until the questions consequent thereon have been decided.

(4) A motion to be decided without amendment or debate, may be made by a Minister after notice at the commencement of public business (i.e immediately after Questions) or with the Speaker's consent without notice at any time before 4.00 o'clock in the evening, to the effect that Government business or certain specified items of business be exempted from the provisions of paragraph (2) of this Order:

Provided that, if the motion is made after the commencement of public business and the Assembly is in Committee, the Chairperson shall announce that the Speaker has given his or her consent to such a motion and shall thereupon leave the Chair and the Assembly shall resume, and when the question on such motion has been decided, the Assembly shall again resolve itself into Committee.

If such motion is agreed to, the business so exempted shall not be interrupted at 7.00 o'clock in the evening and may be entered upon at any hour.

(5) No business shall be taken after 7.00 o'clock in the evening other than proceedings under paragraphs (3), (8) and (9) or business exempted under paragraph (4) of this Order.

(6) (a) The Speaker may at any time suspend a sitting until a time to be named by him or her.

(b) A motion that a sitting be suspended for a period may at any time be made by permission of the Speaker, and without notice. Such motions shall fix the period of suspension.

(7) Except as provided in the next paragraph of this Order, the Assembly shall not be adjourned except in pursuance of a resolution.

(8) When a substantive motion for the adjournment of the Assembly (other than a motion made immediately after the conclusion of Questions) has been made by a Minister, the Speaker shall, after the expiration of half an hour after that motion has been made, or at the conclusion of the debate, whichever occurs first, adjourn the Assembly without question put.

(9) On the second Tuesday and thereafter on every alternate Tuesday during any meeting of the Assembly, debate on a motion for the adjournment made under this Standing Order (other than a motion made immediately after Questions) shall be confined

to a single matter for which the Government is responsible, raised by a Member who has obtained the right to raise the matter on the adjournment of the Assembly on that day. Such right shall be decided by ballot under the direction of the Speaker, and shall not be allotted to more than one Member for each day to which this paragraph applies.

(10) The Assembly shall not be adjourned sine die.

(11) Whenever the Assembly stands adjourned and it is represented to the Speaker by Government that the public interest requires that the Assembly shall meet at a time earlier than that to which the Assembly stands adjourned, the Speaker, if he or she is satisfied that the public interest so requires, may give notice that, being so satisfied, he or she appoints a time for the Assembly to meet and the Assembly shall accordingly meet at the time stated in the notice and only Government business shall be transacted on that occasion.

(12) All business undisposed of, other than questions to Ministers, at the adjournment of the Assembly shall be placed on the Order Paper for a subsequent sitting of the Assembly in accordance with directions to be given by the Speaker:

Provided that all business undisposed of on the last sitting day of any session of the Assembly shall lapse.

(13) Any debate interrupted under paragraph (2) of this Order shall, on coming again before the Assembly, be resumed at the point where it was interrupted as if it were a continuous debate, and any Member whose speech was interrupted shall have the right to speak first on such resumption. If such Member does not avail himself or herself of this right his or her speech shall be deemed to have been concluded.

#### **Adjournment – Definite Matter of Urgent Public Importance**

11. (1) A substantive motion for the adjournment of the Assembly shall not be made at any sitting before the conclusion of Questions, and thereafter no such motion shall be made except by a Minister, unless before the commencement of public business a Member rises in his or her place and states that he or she requests leave to move the adjournment of the Assembly for the purpose of discussing a definite matter of urgent public importance, whereupon he or she shall state the matter briefly.

(2) Before the commencement of the sitting the matter for discussion shall be reduced to writing and handed to the Speaker. The Speaker shall refuse to allow the claim unless he or she is satisfied that the matter is definite and urgent and that leave of the Assembly is given without a dissentient voice.

The Speaker shall then call the Member to make his or her motion.

(3) Discussion under paragraph (2) of this Order cannot be raised upon any matter standing upon the Order Paper although such matter be previously withdrawn at the same sitting, nor upon a matter of privilege, nor upon any matter which cannot be debated save upon a substantive motion.

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

### Quorum

12. (1) No business shall be transacted if objection is taken by any Member that there are less than 17 Members besides the Speaker or the person presiding.

(2) If at any time the attention of the Speaker shall be directed to the fact that a quorum is not present he or she shall order the division bells to be rung and if at the expiration of 5 minutes a quorum be not present he or she shall adjourn the Assembly without question put.

(3) A quorum of a Committee of the whole Assembly shall be 17 Members in addition to the Chairperson. If the absence of a quorum be noticed in Committee of the whole Assembly the Chairperson shall proceed in the manner prescribed in paragraph (2) and if a quorum be not present he or she shall leave the Chair and, the Assembly being resumed, report the fact to the Speaker.

(4) If, from the number of Members taking part in a division, including those Members who declined to vote, it appears that a quorum is not present, the division shall be invalid. The business then under consideration shall stand over until the next sitting.

(5) The meetings of any Select Committee, sessional or otherwise, at which no quorum is present fifteen minutes after the time scheduled for the meeting, shall automatically stand adjourned to a date to be fixed by the Chairperson but not less than five days after the date of the original meeting.

### Strangers

13. (1) Strangers may be present in the Assembly Chamber in the places set apart for them under such rules as the Speaker may make for that purpose.

(2) If at any sitting of the Assembly or in Committee, any Member shall take notice that strangers are present, the Speaker, or the Chairperson, as the case may be, shall forthwith put the question "That strangers be ordered to withdraw" without permitting any debate or amendment:

Provided that the Speaker or the Chairperson may, whenever he or she thinks fit, order the withdrawal of strangers from any part of the Assembly Chamber.

### Duties of the Clerk

14. (1) The Clerk shall, not less than three days before the commencement of any sitting of the Assembly, unless the Assembly resolves to meet earlier, send to each Member of the Assembly a copy of the paper to be called the Order Paper, stating the business to be dealt with at the sitting.

(2) The Clerk shall be responsible for the safe custody of records of the Assembly and all papers laid before the Assembly. All such records and papers shall, at all reasonable times, be open to inspection and perusal by Members or by other persons under such arrangements as may be sanctioned by the Speaker.

### Minutes

15. (1) The Clerk shall keep the minutes of the proceedings of the Assembly and of Committees of the whole Assembly and shall circulate a copy of such minutes as soon as possible after each sitting of the Assembly.

(2) The minutes shall record the names of Members attending and all decisions of the Assembly.

(3) In the case of divisions of the Assembly or the Committee of the whole Assembly, the minutes shall include the numbers voting for and against the question, or declining to vote, and the names of the Members so voting or declining to vote.

### Official Report

16. An Official Report containing a report which shall be as nearly as possible *verbatim*, of all speeches made at each sitting, shall be prepared under the supervision of the Speaker and published under the Authority of the Assembly.

### Arrangement of Business

17. (1) The business of the Assembly at each sitting shall be set down upon the Order Paper and transacted in the following order:-

- (a) Administration of Oath of Allegiance to or Affirmation or Declaration by a new Member.
- (b) Messages from the President of the Republic.
- (c) Announcements.
- (d) Presentation of papers, including reports of committees by laying on the Table.
- (e) Presentation of petitions.
- (f) Questions, except as provided for under Standing Order 10(11) and 24(3).
- (g) Statements by Ministers.
- (h) Requests for leave to move motions for the Adjournment of the Assembly on matters of urgent public importance.
- (i) Raising a matter of privilege.
- (j) Personal explanations.
- (k) First Reading of Bills.
- (l) Any motion, Bill or other business which, in the opinion of the Speaker, should precede the remaining business of the day.
- (m) Motions of which notice has been given.
- (n) Bills.

(2) The Speaker may, at any time, allow the Order of Business set out on the Order Paper, to be altered in respect of any particular sitting or sittings.

(3) Notwithstanding anything in these Standing Orders, a Minister may, without notice, move to take the time of the Assembly for urgent business and this question shall be decided without amendment or debate.

### Messages

18. (1) The Speaker shall, before any other business except the administration of Oath to or Affirmation or Declaration by any new Member, read to the Assembly any Message from the President of the Republic delivered to him or her.

(2) A Message from the President of the Republic, if presented to the Assembly by a Minister, may be brought up at any time before the commencement or at the close of public business and shall, at the option of the Minister presenting it, be considered forthwith or be ordered to be considered upon such future day as that Minister shall appoint.

(3) Messages, on behalf of the Assembly, can be introduced, with the leave of the Speaker, at any time during a sitting.

### Papers

19. (1) A list of all papers required to be laid before the Assembly by statute and such other papers including –

- (a) reports and other documents presented by Ministers; and
- (b) reports from Select Committees sessional or otherwise,

shall be distributed to Members at each sitting together with the relevant papers, unless such papers are laid in original.

(2) Papers laid in original shall be deposited in the library of the Assembly.

(3) The presentation of all papers shall be entered in the minutes.

(4) Whenever the Assembly stands adjourned for more than two days and any Select Committee having power to sit notwithstanding any adjournment of the Assembly shall have agreed to a report, such report may, with the leave of the Speaker, be handed over to the Clerk and be deemed to have been presented to the Assembly. The report shall be laid upon the Table when the Assembly next sits.

(5) The provisions of paragraph (4) of this Order equally applies to Government documents which a Minister wishes to lay before the next sitting of the Assembly. Such documents must be laid on the Table when the Assembly next sits.

(6) When any paper is laid on the Table of the Assembly, no opinion shall be expressed, no debate shall take place and no question shall be put.

### **Petitions**

20. (1) All applications to the Assembly shall be in the form of petition, and every petition must be presented by some Member who shall be responsible for the proper and respectful wording thereof.

(2) If signatures are affixed to more than one sheet, the prayer of the petition must be repeated at the head of each sheet. Persons unable to write may affix their marks in the presence of two witnesses.

(3) No reference shall be made in a petition to any debate in the Assembly nor to any intended motion.

(4) It shall not be competent for a Member to present a petition from himself or herself, but a petition from a Member may be presented by another Member.

(5) Every petition shall, before it is presented, be signed at the beginning thereof by the Member in charge of it and deposited at least one clear day with the Clerk who, after examining the petition, shall submit it to the Speaker for approval, and no petition shall be presented unless such approval has been notified by the petition being endorsed "National Assembly. Passed by the Speaker".

(6) Before presenting a petition, the Member in charge thereof shall ascertain and write at the head of it the number of signatures affixed to it and shall satisfy himself or herself that it does not contain language disrespectful to the Assembly.

(7) It shall be competent for any Member to move that any petition be not received on the ground that it does not comply with the requirements of this Order, or on any other ground, and if such motion be seconded and carried, the petition shall not be received.

(8) A Member presenting a petition to the Assembly may state concisely the purpose of the petition.

(9) (a) It shall be competent for any Member to move that such petition be read. In making such motion he or she shall state concisely his or her reasons for wishing to have it read;

(b) no debate shall be permitted on such motion, nor shall any other Member speak upon or in relation to such petition, except to second the motion formally.

(10) A petition, other than a petition for a Private Bill, to which Standing Order 66(3) applies, having been received by the Assembly, shall be referred to the Minister primarily concerned with the subject to which the petition relates, who shall report to the Assembly what action, if any, he or she recommends the Assembly to take thereon.

### **Questions to Ministers**

21. (1) The proper object of a question shall be to obtain information on a matter of fact within the special cognizance of the Minister to whom it is addressed.

(2) Questions may be asked of Ministers relating to public affairs with which they are officially connected, or any matter of administration for which such Ministers are responsible.



(3) Questions relating to matters which are under the control of a statutory body must be restricted to those matters for which a Minister is responsible.

(4) When a question has been refused or amended, and the Member concerned wishes to make representations to the Speaker on the matter, these must be made privately to the Speaker and not raised by way of a point of order in the Assembly.

(5) The Clerk shall have full power to sub-edit questions.

### *Contents of Questions*

22. (1) Every question, including supplementary questions, shall conform to the following rules –

- (a) not more than one subject shall be referred to in any one question and the Speaker shall have power to reject any question which he or she considers to be of excessive length;
- (b) a question shall not refer to any debate that has occurred or to any answer that has been given in the current session;
- (c) a question shall not be asked seeking for information set forth in official publications, statute books or accessible works of reference;
- (d) a question shall not seek information about any matter which is by its nature secret and to discussions between Ministers;
- (e) a question shall not be asked about proceedings in a Committee before that Committee have made their report to the Assembly;
- (f) 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 on which a judicial decision is pending;
- (g) a question shall not ask for an expression of opinion, or for the solution of an abstract legal question or of a hypothetical proposition;
- (h) a question shall not include the names of persons or statements of facts unless they are necessary to make the question intelligible and, in the case of statements of facts, can be authenticated by the Member concerned, nor shall it contain charges which the Member asking the question is not prepared to substantiate;
- (i) a question shall not contain any arguments, expressions of opinion, inferences, imputations, quotations and extracts from newspapers and periodicals, epithets or controversial, ironical or offensive expressions or hypothetical cases;
- (j) a question shall not be asked which makes or implies a charge of a personal character or which reflects upon the character or conduct of persons except in their official or public capacity;

- (k) a question reflecting on the character or conduct of any person whose conduct can only be challenged on a substantive motion shall not be asked;
- (l) a question shall not be asked whether statements in the press or of private individuals or unofficial bodies are accurate;
- (m) a question cannot be asked which renews or repeats in substance a question already answered or to which an answer has been refused or which falls within a class of question which a Minister has refused to answer;
- (n) a question cannot be asked on a matter within the jurisdiction of the Speaker;
- (o) not more than 4 questions shall be placed on the Order Paper by the same Member for the same day.

(2) Questions shall be put only at Tuesday sittings and question time shall not exceed three hours and shall be allocated in the following order:-

- (a) a maximum of 30 minutes for the private notice question of the Leader of the Opposition, if any;
- (b) a maximum of 30 minutes for questions put to the Prime Minister, if any; and
- (c) a maximum of 120 minutes for other questions.

(3) Replies to questions not put within the time limit prescribed in paragraph (2) of this Order shall be circulated to Members and printed in the official report.

- (4) Decisions on the transfer of questions rest with Ministers.
- (5) A question shall not be made a pretext for debate.

#### **Private Notice Question**

23. (1) The Leader of the Opposition who never puts a question on the Order Paper for oral answer, is allowed to ask it by private notice.

(2) A question by private notice cannot anticipate a question for oral answer of which notice has been given and which appears on the Order Paper.

(3) Notices of private notice questions shall be given to the Clerk not later than 9 o'clock in the morning on any sitting day, subject to Standing Orders 10(11) and 24(3).

(4) The time allotted to a private notice question shall be as prescribed in Standing Order 22(2)(a).

#### **Notice of Questions**

24. (1) Notice of questions shall be given in legible writing and be signed by the Member giving the notice. Such notice may be handed to the Clerk at any time when the Assembly is sitting or may be sent to or left at the Clerk's office not later than 2 o'clock and not less than 4 days, excluding Sundays and public holidays, before the sitting.

(2) All questions of which notice has been received by the Clerk within the time limit prescribed in paragraph (1) of this Order shall, unless the Speaker rules the question out of order, be placed upon the Order Paper.

(3) Notice of questions, including private notice questions, shall not be entertained on the following sitting days -

- (a) on the opening of a session when the Speech of the President of the Republic is delivered;
- (b) when the Minister of Finance delivers his or her Budget Speech;
- (c) on any day fixed for the consideration of an Appropriation Bill or a Supplementary Appropriation Bill by the Committee of Supply.

(4) Notice of questions shall indicate the precise subject on which information is sought.

#### **Manner of asking and answering Questions**

25. (1) A question shall be answered by laying an answer on the Table of the Assembly, unless the Member asking the question shall, in the notice of the question, state that he or she requires an oral answer.

(2) If an oral answer to a question is required, the Speaker, when the question is reached on the Order Paper, shall call upon the Member in whose name the question stands and the Member so called shall rise in his or her place and ask the question by reference to its number on the Order Paper and the Minister questioned shall give his or her reply.

(3) If any question remains unanswered when the Assembly adjourns, a written answer shall be sent to the Member who puts the question, and shall be printed in the Official Report.

(4) An answer to a question cannot be insisted upon if the answer is refused by the Minister.

(5) A question which one Minister has refused to answer cannot be addressed to another Minister and a question answered by one Minister cannot be put to another.

#### **Supplementary Questions**

26. (1) Supplementary questions may only be put for the further elucidation of the information requested, and shall be subject to the ruling of the Speaker, both as to relevance and number.

(2) A supplementary question must not introduce matter not included in the original Question.

#### **Admissibility of Questions**

27. The Speaker shall decide whether a question is or is not admissible under these Orders and may disallow any question when, in his or her opinion, it is an abuse of the right of questioning or calculated to obstruct or affect prejudicially the proceedings of the Assembly and shall disallow any question if it infringes any of these Orders. Where a

question is disallowed the question shall not appear on the Order Paper or in any report of the proceedings of the Assembly. Any notice which contains unbecoming expressions or offends against any of these Orders may be amended by the Speaker and may thereupon appear on the Order Paper.

### *Personal Explanations*

28. (1) By leave of the Speaker, a Member may make a personal explanation, although there is no question before the Assembly, but no controversial matter may be brought forward, nor may debate arise again upon the explanation.

(2) The precise contents of the proposed personal explanations must be submitted in advance to the Speaker to ensure that they are appropriate. The Member granted the privilege of making such a statement shall not depart from the text approved by the Speaker.

(3) Notwithstanding the arrangement mentioned in Standing Order 17(1) and paragraph (2) of this Order, the Speaker may, at any time, allow a Member to offer a personal explanation.

### *Motions*

29. (1) Unless otherwise provided by these Standing Orders, notice shall be given of any motion which it is proposed to make with the exception of the following –

- (a) a motion relating to a matter of privilege;
- (b) a motion made in a Committee of the Assembly;
- (c) a motion to amend any motion upon which the question has already been proposed from the Chair;
- (d) a motion for the suspension of Standing Orders put with the permission of the Speaker;
- (e) a motion for the adjournment of the Assembly or of a debate;
- (f) a motion that a petition be read;
- (g) a motion for the withdrawal of strangers;
- (h) a motion for the suspension of a Member; and
- (i) a motion arising out of any item of business immediately after that item is disposed of and before any fresh matter is entered upon.

(2) A motion of no confidence in the Government, if any, shall be debated as early as possible but not later than one month after notice thereof has been received and once only in any session.

(3) A motion directly concerning the privileges of the Assembly shall be taken at the time appointed. The proceedings of the Assembly may be interrupted at any moment, save during the progress of a division, by a motion based on a matter of privilege when a matter has recently arisen which directly concerns the privileges of the Assembly.

### **Notices of Motion**

30. (1) Notices of motion shall be given in writing and be signed by the Member giving the notice. Such notices may be handed to the Clerk at any time when the Assembly is sitting or may be sent to or left at the Clerk's Office within the time prescribed for the purpose.

(2) The Speaker may disallow a notice which, in his or her opinion, contains unbecoming expressions, or which infringes the rules of debate, or is otherwise irregular. Any such notice may be amended by the Speaker, with the consent of the Member who gave the notice and may thereupon appear on the Order Paper.

(3) All motions of which notice has been received by the Clerk not less than five days before a sitting shall unless, the Speaker rules the motion out of order, be circulated to all Members.

(4) If a Member desires to vary the terms of a motion standing in his or her name, he or she may do so by giving to the Clerk an amended notice of motion, provided that such amendment does not in the opinion of the Speaker, materially alter any principle embodied in the original motion or the scope thereof.

(5) Motions whose contents are cognate may be debated together, unless a dissentient voice is expressed.

### **Lapse of Motions**

31. (1) A motion of which notice has been given shall lapse if not moved at the proper time unless the Assembly directs that it shall be moved at some other time, and any motion which by these Orders is required to be seconded and is not so seconded, shall lapse.

(2) A Member who has a motion standing in his or her name may authorize in writing some other Member to move that motion in his or her stead:

Provided that a motion standing in the name of a Minister may be moved by another Minister.

### **Balloting of Motions**

32. The Order in which Private Members' Motions shall be taken shall be decided by ballot which shall be conducted in such manner as the Speaker may direct.

### **Withdrawal of Motions**

33. (1) A Member who has made a motion may withdraw it by leave of the Assembly there being no dissentient voice. But if the question has been proposed on an amendment to a motion, the original motion may not be withdrawn until the amendment has been disposed of.

(2) A motion which has been withdrawn by leave of the Assembly may be made again on notice given, but in the case of a Private Members' Motion its order of priority shall again be subject to ballot.

### **Motion disposed of in current session**

34. It shall not be competent for any Member, without the leave of the Speaker, to offer a motion raising a question substantially identical with a question on a motion or an amendment to a motion which has already been disposed of in the current session.

### **Amendments to Motions**

35. (1) A question, when proposed from the Chair, may be amended –
- (a) by leaving out certain words in order to insert or add other words;
  - (b) by leaving out certain words; or
  - (c) by inserting or adding other words.
- (2) An amendment must be relevant to the question to which it is proposed.
- (3) An amendment must not raise any question which, according to these Orders, can only be raised by a substantive motion after notice.
- (4) An amendment must not be moved if substantially identical with an amendment already disposed of.
- (5) An amendment must not be moved if it is substantially a direct negative of the original proposition or of the words which it is proposed to amend.
- (6) Amendments shall be moved in the order of the words of the Bill or Motion to which they relate and when an amendment of any part of a question has been proposed from the Chair an earlier part cannot be amended unless the amendment so proposed has been withdrawn. If two or more amendments are offered at the same place, the Speaker or the Chairperson shall determine the order in which they shall be moved.
- (7) Unless otherwise permitted by the Chair, any proposed amendment of which notice has not been given shall be handed to the Chair in writing before they are moved.
- (8) Before proposing an amendment, the Speaker or the Chairperson may call upon the Member who offers it to give such explanation of its objects as may enable him or her to form a judgment upon it.
- (9) The mover of an amendment shall address himself or herself to the main question and thus loses his or her right to speak again on the main motion after the amendment has been disposed of.

### **Method of dealing with Amendments**

36. (1) If the amendment is to leave out certain words in order to insert others, the Speaker or the Chairperson, after stating the amendment, shall first propose the question “That the words proposed to be left out stand part of the question (or clause)” and if the question is put and negatived, he or she shall propose the question that the words proposed by the amendment be there inserted.

(2) If the amendment is to leave out certain words, the Speaker or the Chairperson, after stating the amendment, shall propose the question that the words proposed to be left out stand part of the question (or clause).

(3) If the amendment is to insert or add certain words, the Speaker or the Chairperson, after stating the amendment, shall propose the question that the proposed words be there inserted or added.

(4) If an amendment is moved to a proposed amendment, the last mentioned amendment shall be dealt with as if it were the original question until all amendments thereto have been disposed of.

#### **Withdrawal of Amendments**

37. An amendment may be withdrawn by leave of the Assembly, provided there is no dissentient voice, before the question is fully put.

#### **Seconding of Motions and Amendments**

38. The question on any motion or amendment shall not be proposed from the Chair in the Assembly unless it shall have been seconded, but in Committee a seconder shall not be required.

#### **Rules of Debate**

39. (1) A Member desiring to speak shall rise in his or her place and if called upon shall address his or her observations to the Chair.

(2) When he or she has finished his or her observations, he or she shall resume his or her seat, and any other Member wishing to address the Assembly or Committee may rise.

(3) If two or more Members rise at the same time, the Speaker shall call the Member who first catches his or her eye.

(4) The mover of any motion or amendment may speak in support thereof; but no further debate shall be allowed, nor shall any question thereon be put to the Assembly until the motion or amendment be duly seconded.

(5) No Member shall speak more than once to any question except –

- (a) in Committee;
- (b) in explanation, as provided for in paragraph (7) of this Order;
- (c) in the case of the mover of a substantive motion in the Assembly, in reply;
- (d) with the pleasure of the Assembly, no dissentient voice being expressed:

Provided that any Member may second a motion or amendment by rising in his or her place and bowing to the Chair, without prejudice to his or her right to speak at a later period of the debate.

(6) A Member who has spoken to a main question may speak again when a new question has been proposed from the Chair such as a proposed amendment.

(7) A Member who has spoken to a question may again be heard to offer explanation of some material part of his or her speech which has been misunderstood, but he or she must not introduce new matter.

(8) No Member may speak to any question after it has been put from the Chair.

(9) A Member shall not read his or her speech, but he or she may read extracts from written or printed papers in support of his or her arguments and may refresh his or her memory by reference to notes. Reading of speeches is permitted for opening addresses, such as the presentation of Bills.

(10) The discretion of the Speaker or the person presiding in calling Members to address the Assembly cannot be challenged.

(11) No Member shall address the Assembly on a particular question after the speech, if any, of the Leader of the House, except the mover of a motion for his or her winding-up speech, unless the Leader of the House has indicated to the Speaker his or her intention of addressing the Assembly at an early stage in the debates.

(12) Members, other than Ministers who should be addressed according to the portfolio held by them, can only be referred to by the constituency they represent.

(13) No Member shall interrupt any other Member except –

- (a) on a point of order, as provided by Standing Order 41; or
- (b) to elucidate some matter raised by the Member speaking in the course of his or her speech, provided that the Member speaking is willing to give way and resume his or her seat, and the Member wishing to interrupt is called by the Speaker or the Chairperson.

(14) Whenever the Speaker, or the person presiding, rises during a debate, any Member then speaking, or offering to speak, must sit down and the Assembly or Committee shall be silent so that the Speaker or the person presiding may be heard without interruption.

#### **Contents of Speeches**

40. (1) A Member shall confine his or her observations to the subject under discussion and may not introduce matter not relevant thereto.

(2) It shall be out of order to use unbecoming words or expressions or to use offensive language about Members of the Assembly.

(3) No Member shall impute improper motives to any other Member.

(4) Reference shall not be made to any matter on which a judicial decision is pending, in such a way as might, in the opinion of the Chair, prejudice the interests of parties thereto.

(5) The conduct of the President and the Vice-President of the Republic or the person performing the functions of the President's Office, the Speaker, Members of



the Assembly, Judges, Members of Statutory Commissions or other persons engaged in the administration of Justice shall not be raised except upon a substantive motion moved for that purpose; and in any amendment, question to a Minister, or remarks in a debate dealing with any other subject, reference to the conduct of the persons aforesaid shall be out of order.

(6) It shall be out of order to attempt to reconsider any specific question upon which the Assembly has come to a conclusion during the current session except upon a substantive motion for rescission.

(7) The proceedings and report of a Select Committee shall not be referred to before they have been presented to the Assembly.

### **Points of Order**

41. (1) Any Member deviating from the provisions of these Orders may be immediately called to order by the Speaker or the Chairperson, or by a Member rising to a point of order. A Member rising to a point of order shall direct attention to the point he or she desires to bring to notice and submit it to the Speaker or the Chairperson for decision.

(2) When the point of order has been stated, the Member who raises it shall resume his or her seat, and no other Member, except with the leave of the Speaker or the person presiding, shall rise until the Speaker or the Chairperson has decided the point, after which the Member who was addressing the Assembly or Committee at the time the point was raised, shall be entitled to proceed with his or her speech unless the decision prevents him or her. The Speaker or the person presiding, whose decision shall be final, may reserve such decision until a later stage of the proceedings or at another sitting.

(3) No debate is allowed on a remark which has been ruled out of order by the Speaker or the person presiding.

(4) The Speaker, or the person presiding, shall be responsible for the observance of the rules of order in the Assembly or in any Committee thereof and his or her decision upon any point of order shall not be open to appeal, comments or remarks and cannot be reviewed except upon a substantive motion made in the Assembly after notice.

### **Relevancy in Debate**

42. (1) Debate upon any motion, Bill or amendment shall be relevant to such motion, Bill or amendment, except in the case of a motion for the adjournment of the Assembly.

(2) Where an amendment proposes to leave out words and insert words instead of them, debate upon the first question proposed on the amendment may include both the words proposed to be left out and those proposed to be inserted.

(3) On an amendment proposing to leave out words or to insert words, debate shall be confined to the omission or insertion respectively of such words.

### *Dilatory Motions*

43. (1) Any motion made during a debate by a Member who wishes to postpone to some future occasion the further discussion of a question which has been proposed from the Chair shall be known as a dilatory motion. Such motion may be for the adjournment of the debate or for the adjournment of the Assembly or, in Committee of the whole Assembly that the Chairperson do report progress and ask leave to sit again, or do leave the Chair.

(2) The debate on a dilatory motion shall be confined to the matter of such motion; and no Member, having moved or seconded such motion, shall be entitled to move or second any similar motion until a new question has been proposed from the Chair.

(3) If the Speaker or the person presiding shall be of opinion that any such dilatory motion is an abuse of the rules of the Assembly, he or she may decline to propose it.

(4) No amendment shall be made to a motion for the adjournment of the Assembly or of a debate.

(5) A Member who has spoken to a main question is not entitled to move a dilatory motion.

### *The Question*

44. On the conclusion of the debate on a question, the Speaker or the Chairperson shall state the question either in its original form or in its amended form, as the case requires, and put the question.

### *Closure*

45. (1) After a question has been proposed, a Member rising in his or her place may claim to move "That the question be now put" and unless it appears to the Chair that the motion is an abuse of the rules of the Assembly, or an infringement of the rights of the minority, the question "That the question be now put" must be put forthwith and decided without amendment or debate.

(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) When a clause of a Bill is under consideration, a motion may be made that the question that certain words of the clause, defined in the motion stand part of the clause, or that the clause stand part of, or be added to the Bill, be now put, and if the assent of the Chair is given, such question shall be put forthwith and decided without amendment or debate.

### *Anticipation*

46. (1) It shall be out of order to anticipate a Bill by discussion of a motion dealing with the subject matter of the Bill on a day before that appointed for the consideration of that Bill.

(2) It shall be out of order to anticipate a Bill or a motion by discussion upon an amendment or a motion for the adjournment of the Assembly.

(3) In determining whether a discussion is out of order on the ground of anticipation, regard shall be taken by the Speaker to the probability of the matter anticipated being brought before the Assembly within a reasonable time.

#### **Irrelevance or Repetition**

47. The Speaker or the person presiding, after having called the attention of the Assembly, or of the Committee, to the conduct of a Member, who persists in irrelevance, or tedious repetition either of his or her own argument or of the arguments used by other Members in debate, may direct him or her to discontinue his or her speech.

#### **Disorderly Conduct**

48. The Speaker or the person presiding shall order any Member or Members whose conduct is grossly disorderly to withdraw immediately from the House during the remainder of that day's sitting. But if on any occasion the Speaker or the person presiding deems that his or her powers under the previous provisions of this Order are inadequate, he or she may name such Member or Members, in which event the same procedure shall be followed as is provided by Standing Order 49.

#### **Suspension of Members**

49. (1) Whenever a Member shall have been named by the Speaker, or by the person presiding, immediately after the commission of the offence of disregarding the authority of the Chair, or of persistently and willfully obstructing the business of the Assembly by abusing its rules or otherwise, then, if the offence has been committed by such Member in the Assembly, the Speaker shall forthwith put the question, on a motion being made, "That such Member be suspended from the service of the Assembly"; and if the offence has been committed in a Committee of the whole Assembly, the Chairperson shall suspend the proceedings of the Committee and report the circumstances to the Assembly; and the Speaker or the person presiding, shall, on a motion being made forthwith, put the same question, as if the offence had been committed in the Assembly itself.

(2) If any Member be suspended under paragraph (1) of this Order, his or her suspension shall last until such time as the Assembly, by resolution, shall decide.

(3) Not more than one Member shall be named at the same time, unless two or more Members present have jointly disregarded the authority of the Chair.

(4) If a Member, or two or more Members acting jointly, who has or have been suspended under this Order from the service of the Assembly, shall refuse to obey the direction of the Speaker or the person presiding, the Speaker or the person presiding shall call the attention of the Assembly to the fact that recourse to force is necessary in order to compel obedience to his or her directions, and the Member or Members named by him or her as having refused to obey his or her directions shall thereupon and without any further question being put, be suspended from the service of the Assembly during the remainder of the session.

(5) Suspension from the service of the Assembly shall not, unless the Assembly so decides, exempt the Member so suspended from serving on any committee to which he or she may have been appointed before his or her suspension.

(6) Members who are ordered to withdraw or are suspended from the service of the Assembly shall forthwith withdraw from the precincts of the House.

(7) In the case of grave disorder arising in the Assembly, the Speaker may, if he or she thinks is necessary to do so, adjourn the Assembly without putting any question, or suspend the sitting up to a time to be named by him or her on the same day.

(8) Nothing in this Order shall be deemed to prevent the Assembly from proceeding against any Member for any breach of order not specified herein or from proceeding in any other way it thinks fit in dealing with the breaches of order herein mentioned.

### **Short Speeches**

50. (1) The Speaker may announce at the commencement of public business or at any time during the sitting that, because of the number of Members wishing to speak in a debate on one of the matters specified in paragraph (2) of this Order, he or she will limit the time during which a Member shall address the Assembly; and whenever the Speaker has made such an announcement he or she may during the time limit so allotted direct any Member to resume his or her seat forthwith.

(2) This Order shall apply to debates on –

- (a) the second reading of Public Bills;
- (b) motions in the name of any Member.

### **Voting**

51. (1) Save as otherwise provided in these Orders, all questions proposed for decision in the Assembly shall be determined by a majority of the votes of the Members present and voting by the following method –

- (a) the question shall be put by the Speaker or, in a Committee of the whole Assembly, by the Chairperson and the vote shall be taken by voices, Ayes and Noes, and the result shall be declared by the Speaker or the Chairperson. If the opinion of the Speaker or the Chairperson as to the decision on the question is challenged by any Member, the division bells shall be rung for two minutes and a division shall, subject to the provisions of paragraph (2) of this Order, be taken by the Clerk asking each Member separately in accordance with precedence, beginning with the Member who stands last in that order. A Member may state that he or she declines to vote and in such case the Clerk shall record his or her name as having declined to vote;

- (b) no Member of the Assembly shall be precluded from so voting by reason only that he or she holds the Office of Speaker or Deputy Speaker or is presiding in the Assembly;
- (c) if the votes cast are equally divided, the Speaker or the person presiding shall have and shall exercise a casting vote.

(2) If the Speaker or the Chairperson is of opinion that a division is unnecessarily claimed, he or she may, as soon as the division bells have ceased to ring, take the votes of the Assembly by calling successively upon those Members who support and upon the Members who challenge his or her decision to rise in their places, and may thereupon, as he or she thinks fit, either declare the determination of the Assembly or direct the Clerk to proceed as in sub-paragraph (a) of paragraph (1) of this Order.

(3) If a Member states that he or she voted in error or that his or her vote has been counted wrongly, he or she may claim to have his or her vote altered, provided that his or her claim is made as soon as the numbers of the votes have been announced and before the Speaker or the Chairperson has declared the result of the division.

(4) A Member holding the office of Attorney-General in accordance with section 69(4) of the Constitution shall not be entitled to vote in the Assembly.

(5) A Member shall not vote on any matter in which he or she may have a direct personal pecuniary interest, but a motion to disallow a Member's vote on this ground shall be made only as soon as the numbers of the Members voting on the question shall have been declared. If the motion for the disallowance of a Member's vote shall be agreed to, the Speaker or the person presiding shall direct the Clerk to correct the numbers voting in the division accordingly. In deciding whether a motion for the disallowance of a Member's vote shall be proposed from the Chair, the Speaker, or, in any Committee of the Assembly, the Chairperson, 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 Mauritius and whether his or her vote was taken on a matter of State policy.

### **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 or she 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.

(2) Notice of introduction of a Government Bill shall, except as provided by Standing Order 65 (Urgent Bills) be given by publication in the Government Gazette not less than 15 days before it is to be read for the first time, and a copy of the Bill shall be distributed to every Member of the Assembly.

(3) (a) A Member wishing to make a motion for leave to introduce a Private Member's Bill shall send to the Clerk notice of his or her motion containing the long and the short titles of his or her proposed Bill;

(b) Leave being granted on a question put and carried, the Member desirous of introducing such Bill shall deliver a copy thereof to the Clerk;

(c) The Bill shall thereupon be published in the Government Gazette not less than 15 days before it is to be read for the first time, and circulated to Members.

(4) A Member in charge of a Bill shall on the first reading thereof move formally that the Bill be read a first time. Upon such motion being seconded, the Bill shall be read a first time without question put.

[Amended 20 March 2015]

#### **Reading of Bills**

53. Upon an order being made for a Bill to be read the Clerk shall, at the first and third readings, read the short title of the Bill only and, at the second reading, the long title only.

#### **Printing of Bills**

54. (1) The Clerk shall be responsible for the printing of a Bill from the draft handed over to him or her by the Member in charge of the Bill, and he or she shall satisfy himself or herself that –

- (a) the Bill is divided into clauses numbered consecutively;
- (b) a title for each clause is printed before each clause;
- (c) the provisions of the Bill do not go beyond its long title;
- (d) the provisions of the Bill comply with the provisions of Standing Order 73 (Public Money), in the case of a Private Bill;
- (e) if the Bill is a Private Bill, the provisions of Standing Order 66(7) must have been complied with.

(2) Every Bill published shall be accompanied by a printed statement signed by the Member in charge of the Bill. Such statement shall state fully the objects of and the reasons for the Bill. Where a Bill amends the whole or part of a section of an Act already in existence, the relevant part of such section shall be set out in full. If the expenditure of public money is involved, where possible, an estimate of the probable cost to the Government that will be caused by such enactment shall be supplied by the Member in charge of the Bill and circulated with the Bill.

#### **Appointment of Days for Stages of Bills**

55. (1) Unless notice is given immediately after the first reading of a Bill (other than a Private Bill to which Standing Order 66 applies) that it is intended to proceed with the second reading of the Bill at the next sitting, or that the Bill carries a Certificate of Urgency under Standing Order 65, an interval of not less than 7 days must elapse between the first and second readings.

(2) At the conclusion of each subsequent stage of a Bill, the Member in charge thereof may move without notice a motion that the next stage of the Bill shall be taken either during that day's sitting (except in the case of the Appropriation Bill, to which Standing Order 66(8) applies) or at a later sitting.

### **Debate on Second Reading**

56. On a motion being made and seconded "That a Bill be now read a second time", a debate may arise covering the principles and general merits of the Bill. An amendment may be made to this motion by omitting all or some of the words after "That" and substituting words which state some special reason against the second reading of the Bill, but such words must be strictly relevant to the principles of the Bill and not deal with the details.

### **Committal of Bills**

57 (1) When a Bill, other than a Private Bill, has been read a second time it shall stand committed, in the case of an Annual or Supplementary Appropriation Bill, to a Committee of Supply and in the case of any other Bill, to a Committee of the whole Assembly unless the Assembly, on motion made, commits it to a Select Committee to be nominated by the Speaker. Such motion shall not require notice, must be made immediately after the Bill is read a second time and may be made by any Member.

(2) A Bill, other than an Annual or Supplementary Appropriation Bill, while under consideration in Committee of the whole Assembly may, on motion made in the Assembly, be withdrawn from that Committee and be referred to a Select Committee to be nominated by the Speaker, and the reference to the Select Committee may be in respect of the Bill as a whole or of a specified clause or clauses.

### **Committee Stage of Bills**

58. (1) When a motion that the Assembly do resolve itself into Committee on a Bill has been agreed to, or whenever the Committee Stage of a Bill is reached on the Order Paper, the Speaker shall leave the Chair without question put.

(2) Any Committee to which a Bill is committed shall not discuss the principles of the Bill but only its details.

(3) Any such Committee shall have power to amend or delete any clause and to add any new clause or schedule, provided that any amendments and additions shall comply with the following conditions –

- (a) they must be relevant to the subject matter of the Bill and to the subject matter of the clause to which they relate;
- (b) they must not be inconsistent with any clause already agreed to or any decision already come to by the Committee;
- (c) if they refer to, or are not intelligible without, a subsequent amendment or schedule, notice of the subsequent amendment or schedule, unless the Chairperson permits otherwise, must be given before or when the first amendment is moved, so as to make the series of amendments intelligible;

- (d) if an amendment is not within the title of the Bill, the title shall be amended accordingly and the same shall be reported to the Assembly.

**Procedure in Committee of the whole Assembly on Bills**

59. At the Committee Stage of a Bill –

- (a) the Clerk shall call the number of each clause in succession and shall read the heading to each clause and if no amendment is offered, the Chairperson shall, after a convenient number of clauses has been called, put the question “That clauses .... to ..... stand part of the Bill”;
- (b) if any Member announces, while the clauses are being called that he or she wishes to move an amendment to, or make some comment on, a clause, the Chairperson shall forthwith put the question with regard to all the clauses which have been called but not yet agreed to, excluding the clause indicated by the Member which shall then be considered;
- (c) after the clause has been so considered, and after any proposed amendment thereto has been agreed to or negatived, the Chairperson shall put the question “That clause .....(or clause .... as amended) stand part of the Bill”;
- (d) the consideration of the schedule (or schedules), if any, including new schedules, the preamble, if any, and the long title shall follow the consideration of the clauses, including new clauses;
- (e) a clause in the Bill as printed may be postponed, unless upon an amendment thereto a question shall have been fully put from the Chair;
- (f) such postponed clauses shall be considered after the remaining clauses of the Bill and before any new clauses which may have been deferred for consideration have been brought up;
- (g) new clauses may be considered at their appropriate places in the Bill, or they may be deferred for consideration until after the clauses in the Bill as printed have been disposed of;
- (h) on the title of any new clause being read by the Clerk, the clause shall be deemed to have been read the first time. The question shall then be proposed “That the clause be read a second time”, and if it is agreed to, amendments may then be proposed to the new clause. The final question to be proposed shall be “That the clause (or the clause as amended) be added to the Bill”;
- (i) new schedules shall be considered and treated in the same way as new clauses;
- (j) when a clause or schedule has been agreed to by the Committee or amended and agreed to, it shall not be competent for the Committee to resume consideration thereof;



- (k) before the proceedings have terminated, any Member may move to report progress, and if such motion is carried the Chairperson shall leave the Chair and make his or her report to the Assembly, and shall ask leave to sit again;
- (l) at the conclusion of the proceedings, the Chairperson shall put the question “That I do report the Bill (or the Bill as amended) to the Assembly”, which shall be decided without amendment or debate.

#### **Select Committee on Bills**

60. (1) The provisions of Standing Order 59(a) to (j) and (l) shall apply to the consideration of Bills by a Select Committee.

(2) A Select Committee to which a Bill shall have been referred shall present a report to the Assembly explaining its recommendations, and if the recommendations involve any amendments a reprint of the Bill shall be attached to the report with all amendments printed in italics and all deletions clearly indicated, and a copy of the Bill so amended shall be distributed to every Member of the Assembly.

(3) The report of a Select Committee upon a Bill shall be presented by the Chairperson of the Committee and the report shall be set down for consideration on a day appointed by the Speaker.

(4) Consideration of a Bill reported from a Select Committee shall take place upon a motion “That the report from the Select Committee be approved”.

(5) Upon consideration of a Bill reported from a Select Committee, the Assembly shall consider only those amendments, if any, made by the Committee, but may further amend those amendments.

(6) (a) Upon consideration of a Bill reported from a Select Committee, a motion may be made by any Member that the Bill be recommitted to the Select Committee with reference to particular amendments made by the Select Committee.

(b) Upon considerations of a Bill reported from a Select Committee, a motion may be made by any Member that the Bill be recommitted to a Committee of the whole Assembly either wholly or in respect of some particular part or parts or of some proposed new clause or new schedule.

(c) A motion made under paragraph (1) or (2) of this Order shall be in the form of an amendment to a motion made under paragraph (4) of this Order by adding the words “subject to the committal of the Bill...” (to the Select Committee of the whole Assembly, as the case may be, or for the purpose indicated).

#### **Reporting of Bills from Committee of whole Assembly**

61. Every Committee of the whole Assembly shall proceed to consider the Bill or Bills referred to it. The Chairperson shall report every Bill which the Committee has ordered to be reported, with or without amendment as the case may be, and, if so ordered, shall also report progress.

### **Third Reading of Bills**

62. (1) A Bill having passed through a Committee of the whole Assembly, or having been reported to the Assembly by a Select Committee and the report of the Select Committee having been approved by the Assembly, may, on motion made forthwith, be read the third time and passed, or, if the Assembly so direct, the third reading may be postponed.

(2) If, on the third reading of a Bill, any Member who desires to amend or delete any provision contained in the Bill or to introduce any fresh provision, may move that the Bill be recommitted to a Committee of the whole Assembly. At the conclusion of the proceedings of a Committee on a Bill so recommitted, the provisions of Standing Order 59(1) and paragraph (1) of this Order shall apply:

Provided that with the Speaker's permission, amendments for the correction of errors or oversights may be made to a Bill on a motion for the third reading without recommitment.

### **Withdrawal of Bills**

63. The Member in charge of a Bill standing on the Order Paper may make a motion without notice for its withdrawal either before the commencement of public business or when any stage of the Bill is reached.

### **Assent to Bills**

64. (1) A Bill when passed shall be submitted to the President of the Republic for his or her Assent or other Order.

(2) The Assembly may, subject to the provisions of section 46(2)(d) of the Constitution, recommit a Bill to a Committee of the whole Assembly for reconsideration if the Assembly so decides in accordance with any suggestion made by the President of the Republic.

(3) When the Assembly has reconsidered a Bill it shall be returned to the President of the Republic by the Clerk with a report of the Assembly's decision and of the voting thereon. If the Assembly has amended the Bill, the amendments shall be embodied in it.

### **Urgent Bills**

65. Notwithstanding anything in any Standing Order, when a Certificate of Urgency signed by the Prime Minister in respect of a proposed Bill has been laid upon the Table by a Minister, the Bill to which the Certificate relates may be introduced forthwith and may, provided that copies are available for the use of Members, be proceeded with throughout all its stages at the same sitting.

### **Private Bills**

66. (1) A Bill other than a Government measure, which has for its intention the promotion of the interests of some particular person, association or corporate body or whereby the private rights or property of any particular person, association or corporate body may be directly affected (referred to in these Orders as a Private Bill) shall not be

introduced except in pursuance of a petition from the parties interested in promoting it, stating the nature and objects of the Bill, and alleging concisely any reasons which the promoters think fit to urge.

(2) Such petition shall be subject to the provisions of Standing Order 20(1) to (9) relating to petitions.

(3) A petition for a Private Bill having been received by the Assembly, the Speaker shall put the question that the promoters be allowed to proceed. No debate shall take place.

(4) Notice shall be given to all parties concerned of the general nature and objects of a Private Bill by advertisement in the Government Gazette and such advertisement shall be inserted three times in successive issues of the Government Gazette and the last insertion shall appear at least one month before the first reading of the Bill.

(5) Where leave to proceed is granted, a copy of the Bill must be lodged with the Clerk within three months next after such leave is granted and, on the lodging of the Bill, the Clerk shall be entitled to demand for his or her own use a fee of 500 rupees and the promoters shall, at the same time, produce a certificate under the hand of the Accountant General certifying that the sum of 1,500 rupees to meet the expenses of printing has been deposited with him or her and a bond executed by two sufficient persons obliging them to pay on demand to the Clerk for payment to the Accountant General, any excess over the sum of 1,500 rupees of the expenses of printing. Should the cost of printing fall short of 1,500 rupees, the difference shall be returned to the promoters.

(6) The promoters of a Private Bill authorizing the construction of works shall not be allowed to proceed until they have deposited with the Clerk an estimate of the expense of the undertaking, signed by the person making the same, and they shall also deposit with the Accountant General a sum not less than 5 per centum on the amount of such estimate and in every such Bill there shall be inserted a clause to the effect that, if the works authorized to be made are not completed before the expiration of a time to be limited by the Bill for such completion, the sum deposited with the Accountant General shall be forfeited to the Government.

(7) The Clerk shall cause the Bill so lodged to be printed, circulated to Members and published in at least three successive issues of the Government Gazette, and at a sitting of the Assembly held not less than one month after such publication, the Speaker, if he or she is satisfied that the provisions of paragraph (4) of this Order have been complied with, shall, on motion made and seconded, put the question "That the Bill be now read a first time", upon which no discussion shall be allowed. After the Bill is read the first time, the promoters may make any amendments which they think fit; but the Speaker, if he or she considers such amendments beyond the scope of the petition for the Bill, shall report his or her opinion to the Assembly.

(8) When the Bill has been read the first time, the Speaker shall, on motion made and seconded, at the next sitting of the Assembly unless the Assembly otherwise orders, propose the question "That the Bill be now read a second time". If this be resolved in the affirmative, the Bill shall be referred to a Select Committee to be nominated by the Speaker.

(9) The Committee on a Private Bill shall require proof of the facts and other allegations set forth in the preamble to the Bill as showing that it is expedient that the Bill should be passed, and may take such oral or other evidence as they may think requisite, and thereafter if the Committee find that the said facts and allegations are not proved, they shall report accordingly; but if the Committee find that the said facts and allegations have been proved, the Committee shall consider the several clauses of the Bill, and may strike out clauses, add new clauses, and make any other amendments which they shall deem necessary, and all such new clauses and other amendments shall be reported to the Assembly. No clause shall be allowed in such Bill which is foreign to the import of the notice required by paragraph (4) of this Order. No clause affecting any private right or interests shall be allowed in such a Bill unless circumstances are set forth in the Bill which render such clause justifiable and expedient.

(10) (a) In any case in which individual rights or interests may be pecuniarily affected by any Private Bill, all parties so affected may lodge with the Clerk within one month of the date of the last publication of the Bill in the Government Gazette, a petition against all or any of the provisions of the Bill, and may be heard upon such petitions before the Committee to whom the Bill is referred, either in person or by counsel. The petition shall show the nature of the objections to the Bill and whether the objections extend to the whole or some part of the preamble or to the clauses of the said Bill.

(b) When it is intended to examine any witnesses, the petitioner or Member of the Assembly requiring such witnesses shall deliver to the Clerk, two days at least before the day appointed for their examination, a list containing the names, residence and occupation of such witnesses and the Clerk shall thereupon invite such witnesses to attend before the Committee upon the day appointed.

#### **Committee of the whole Assembly**

67. (1) A Committee of the whole Assembly shall consider only such matters as shall have been referred to them by the Assembly.

(2) (a) A Committee of the whole Assembly shall be appointed by resolution that the Assembly resolves itself into Committee.

(b) When such resolution has been agreed to, the Speaker shall leave the Chair without question put, unless he or she wishes to preside over the proceedings.

(3) The rules as to procedure in the Assembly shall apply to procedure in Committee of the whole Assembly except that -

- (a) a motion shall not require notice;
- (b) a motion need not be seconded; and
- (c) a Member may speak more than once to the same question.

(4) The proceedings in Committee shall be recorded in the Minutes.

#### **Private Members' Day**

68. Once during any meeting, one sitting shall be reserved for private members' business.

**Sessional Select Committees**

69. (1) ***Committee of Selection***

- (a) There shall be a committee to be known as the Committee of Selection appointed at the beginning of every session to perform the functions allotted to them by these Standing Orders, and for such other matters as the Assembly may from time to time refer to it.
- (b) The Committee of Selection shall consist of the Speaker as Chairperson and of such Members of the Assembly as may be nominated by the Speaker after such consultation with Members of the Assembly as he or she considers necessary. The Speaker shall inform the Assembly when any person has been nominated by the Committee of Selection to a Committee.

(2) ***Public Accounts Committee***

- (a) There shall be a committee to be known as the Public Accounts Committee to consist of a Chairperson to be appointed by the Speaker and not more than nine Members to be nominated by the Committee of Selection at the beginning of each session. It shall be the duty of the Committee to examine the audited accounts showing the appropriation of the sums granted by the Assembly to meet the public expenditure and such other accounts laid before the Assembly as the Assembly may refer to the Committee together with the Director of Audit's report thereon.
- (b) The Committee shall have power, in the exercise of the duties mentioned at paragraph (a) of this Order, send for persons and records, to take evidence, and to report from time to time.
- (c) If the Chairperson is unable to be present at any meeting, the Committee shall elect another Chairperson whose tenure of office shall be for the day of his or her election only.
- (d) In discharging its duties under this Order, while examining accounts showing the appropriation of funds granted by the Assembly and such other accounts which the Assembly had referred to it, the Committee has to satisfy itself –
  - (i) that the monies shown in the accounts as having been disbursed were legally available for, and applicable to, the services or purpose to which they have been applied or charged;
  - (ii) that the expenditure conformed to the authority which governed it;

- (iii) that every re-appropriation has been made in accordance with the provisions made in this behalf under appropriate rules; and
- (iv) that cases involving negative expenditure and financial irregularities wherever they have occurred in the financial year under study, having regard to the financial report and the estimates as approved by the House, are subjected to scrutiny.

(3) ***Standing Orders Committee***

- (a) There shall be a committee to be known as the Standing Orders Committee to consist of the Speaker as Chairperson, the Deputy Speaker and four other Members to be nominated by the Committee of Selection after the beginning of each session. It shall be the duty of the Committee to consider from time to time and report on all matters relating to the Standing Orders which may be referred to them by the Assembly.
- (b) If a notice of motion involves any proposal for the amendment of Standing Orders, the notice shall be accompanied by a draft of the proposed amendments and the motion when proposed and seconded shall stand referred to the Standing Orders Committee and no further proceedings shall be taken on any such motion until the Standing Orders Committee have reported thereon.

(4) ***House Committee***

There shall be a committee to be known as the House Committee, to consist of the Deputy Speaker as Chairperson and five Members to be nominated by the Committee of Selection after the beginning of each session, to consider and advise the Speaker on all matters connected with the comfort and convenience of Members of the Assembly. The minutes of the meetings of this Committee shall be circulated to all Members of the Assembly.

(5) ***Broadcasting Committee***

- (a) There shall be a committee to be known as the Broadcasting Committee to consist of a Chairperson and eight members to be nominated by the Committee of Selection at the beginning of every session.
- (b) It shall be the duty of the Committee to consider and report on all matters relating to the Live Broadcasting of the Proceedings of the House and matters ancillary thereto, including, recommending to the Speaker, who shall prescribe same –
  - (i) the Rules of Coverage;
  - (ii) the Guidelines for the Use of Signal/Footage; and
  - (iii) the Rules/Guidelines to use Parliamentary proceedings from the National Assembly on the Internet.

- (c) The Committee shall monitor compliance with those Rules and Guidelines, hear any complaint for breach thereof and impose such sanctions as it deems appropriate, including censure, restriction of access to the press gallery, suspension or cancellation of licence to broadcast audio or video signal/footage and recordings or to use such audio or video signal/footage and recordings on the internet.

[Added 07 June 2016]

(6) ***Parliamentary Gender Caucus***

- (a) There shall be a Committee to be known as the Parliamentary Gender Caucus (the Caucus) to be appointed at the beginning of every session. The objective of the Caucus shall be to work for the promotion and attainment of gender equality.

(b) **Membership**

- (i) Subject to paragraph (ii), the Caucus shall consist of the Speaker as Chairperson, the Deputy Speaker as Deputy Chairperson and not more than 15 members to be nominated by the Committee of Selection.
- (ii) The composition of the Caucus shall, as far as possible, reflect party representation and such other political representation and be gender balanced.

(c) **Meetings**

- (i) In the absence of both the Chairperson and the Deputy Chairperson, the Caucus shall elect another Chairperson whose tenure of office shall be for the day of his or her election only.
- (ii) The Caucus shall hold its first meeting at such time and place as the Chairperson shall appoint. Subsequent meetings shall be held at such times and places as the Caucus may determine.

(d) **Quorum and decisions**

A quorum shall consist of 5 members. Decisions shall, as far as possible, be reached by consensus. In case consensus cannot be reached, the decision shall be by majority vote.

(e) **Duties**

It shall be the duty of the Caucus to –

- (i) recommend the carrying out of –
  - (A) periodical gender assessments of government policies;
  - (B) research on salient gender issues; and

- (ii) facilitate networking with organisations and institutions in Mauritius and abroad in all such activities,  
with a view to promoting gender equality and participation.
- (f) **Powers**  
In the discharge of its duties under this Order, the Caucus shall have power to engage into agreements, as required, with such stakeholders, public and private as necessary.
- (g) **Reporting**  
The Caucus shall, as and when necessary, lay a report outlining its activities and achievements in the Assembly.
- (h) **Proceedings**  
Except as otherwise provided in this Order, the proceedings before the Caucus shall be governed by the other provisions of the Standing Orders and Rules of the Assembly relating to Select Committees.

[Added 06 December 2016]

**Select Committees – General Provisions and Procedure**

70. (1) A Select Committee, other than a Sessional Select Committee, shall be appointed by resolution of the Assembly on a motion made (which, except as provided by Standing Order 57, shall require notice) and shall consist of such Members as may be nominated by the Speaker.

(2) Such Committee may be ordered by the Assembly to consider or take evidence upon any Bill or matter and to report their opinion for the information and assistance of the Assembly.

(3) (a) The terms of reference of any Select Committee, other than a Sessional Select Committee, shall be those contained in the resolution of the House setting up such a Committee. It shall be a breach of privilege for any Committee to contravene such a resolution.

(b) The scope of the enquiry by a Select Committee shall be defined by the terms of the “Order” under which they are appointed, but they may be enlarged or restricted by an instruction from the Assembly.

(4) The Committee shall elect their own Chairperson. If the Member so elected is unable to be present at any meeting, the Committee shall elect another Chairperson whose tenure of office shall be for the day of his or her election only.

(5) Except as otherwise provided in these Orders, the procedure in any Select Committee shall be the same as the procedure in a Committee of the whole Assembly so far as such procedure may be applicable.



(6) (a) A Sessional Select Committee shall hold their first sitting at such time and place as the Chairperson shall appoint. Subsequent sittings shall be held at such time and places as the Committee may determine.

(b) A Select Committee, other than a Sessional Select Committee, shall hold their first sitting at such time and place as the Speaker shall appoint. Subsequent sittings shall be held at such times and places as the Committee may determine:

Provided that no Select Committee shall sit outside the Assembly buildings unless power to do so has been specifically given to that Committee by the Assembly.

(7) A Select Committee shall have the services of a Clerk and the right to the services of a shorthand writer.

(8) Unless the Assembly directs otherwise, three Members or, if the number of the Select Committee, sessional or otherwise, does not exceed four, two Members shall be the quorum.

(9) (a) In the case of any vacancy occurring in a Select Committee, another Member of the Assembly may be appointed in his or her place by the Committee of Selection in the case of a Member nominated by it and by the Speaker in the case of a Member who he or she has nominated. Every nomination under this Order shall be announced to the Assembly at its next sitting. A vacancy in the Committee of Selection shall be filled by the Speaker.

(b) A vacancy shall occur on any Committee for the following reasons:-

(i) resignation for personal reasons to the satisfaction of the Speaker;

(ii) resignation due to personal interest in an enquiry or activities of a Committee;

(iii) resignation from the Assembly;

(iv) death or incapacity due to illness; and

(v) discharge by the Speaker for repeated unjustified absences.

(10) The Chairperson of a Select Committee shall have an original but not a casting vote.

(11) A Select Committee may continue their deliberations although the Assembly may be adjourned.

(12) The evidence taken before a Select Committee and any documents presented to such Committee shall not be published by any Member of such Committee or by any other person until the Committee have made their report to the Assembly.

(13) Publication of a draft report which has been submitted to a Committee, before such report has been agreed to by the Committee and presented to the House, shall be treated as a contempt under the National Assembly (Privileges, Immunities and Powers) Act.

(14) (a) Every Select Committee shall make a report to the Assembly upon matters referred to them before the end of the session in which the Committee was appointed, but if a Committee find themselves unable to complete their investigations before the end of the session they may so report to the Assembly. The report from a Select Committee shall be presented by its Chairperson and shall be laid on the Table.

(b) Select Committees shall have leave to make a special report on any matters which are relevant to their terms of reference which they may think fit to bring to the notice of the Assembly.

(c) The procedure for the anticipated laying of a report shall be as laid down in paragraph 19(4) of these Standing Orders.

(d) The opinion of the majority Members of the Committee shall be the opinion of the Committee and the Chairperson shall affix his or her signature thereon in the name of the Committee. The report shall not be accompanied by any counter-statement, memorandum of dissent or protest from any Member. In case a Committee cannot agree to a report, the matter shall be referred to the Speaker who shall so inform the Assembly.

(e) If the report becomes the subject of a motion for consideration by the Assembly, remarks shall be confined to the contents thereof.

#### **Select Committees – Evidence**

71. (1) Any Committee of the Assembly may be authorized by the Assembly to take evidence and to order any person attending before such committee to produce any paper, book, record or document in the possession of or under the control of such person. The procedure of such committee in taking evidence shall be subject to the provisions of sections 10 to 15 of the National Assembly (Privileges, Immunities and Powers) Act.

(2) The evidence of every witness before the Committee shall be taken down and sent in proof to the witness. The witness shall be at liberty to suggest corrections due to inaccurate reporting and the evidence shall be printed with such corrections as may be approved by the Chairperson.

(3) A witness shall answer every question asked or shall submit written answers in the light of questions asked, but a witness may be allowed to defer his or her answers and submit same on an appointed day.

(4) The Committee shall, before a witness is called for examination, decide the mode of procedure and the nature of the question that may be asked of him or her.

(5) Questions asked of a witness must relate to –

(a) the terms or order under which the Committee has been appointed; or

(b) any matter directly connected therewith.

(6) A witness shall be required to speak to any statement provided to the Committee and to supply factual and background material to assist in the understanding of the issues involved, but the witness shall not be asked any question seeking his or her personal views on any matter.

(7) A witness shall not be asked questions which elicit evidence seeking to identify a ministerial or government decision. If such answers are volunteered, they will be subject to objections by any Member of the Committee.

(8) Questions will not require official witnesses to advocate or defend Government policy or to reveal any matter concerning internal management or administration.

(9) Questions asked from a witness must be related to matters for which he or she is responsible or for which he or she has been delegated to depone.

- (10) (a) Witnesses shall not answer questions relating to -
- (i) Cabinet documents or proceedings;
  - (ii) communication between officers and Ministers;
  - (iii) communication between Ministers;
  - (iv) material, the publication of which may be injurious to national interest;
  - (v) opinion of judicial officers;
  - (vi) legal advice to Ministers and departments;
  - (vii) communication between officers and third parties relating to formulation of policy; and
  - (viii) material which, by statute, is required to be kept secret.
- (b) If, on objection taken, a question is decided to be improper and inadmissible, it shall be expunged from the minutes of proceedings.
- (c) There shall be prefixed the name of the enquiring Member at the beginning of each question or series of questions asked of a witness under examination.
- (d) Objection shall be considered by the Committee in the absence of the witness and in case no unanimity is obtained they shall be referred to the Speaker whose ruling shall be final.

(11) All questions and answers before a Committee shall be recorded *verbatim* as much as possible.

(12) The record shall be submitted to corrections, if any, and returnable to the Clerk within 7 days, failing which the reporter's copy shall be treated as authoritative. The corrections are to be confined to clerical mistakes and cannot improve or alter the substance or form of any question or answer by additions and deletions.

### **Financial Resolutions**

72. Except upon the recommendation of a Minister, the Assembly 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 the alteration of taxation otherwise than by reduction;
    - (ii) for the imposition of any charge upon the Consolidated Fund or other public funds of Mauritius or the alteration of any such charge otherwise than by reduction;
    - (iii) for the payment, issue or withdrawal from the Consolidated Fund or other public funds of Mauritius of any monies not charged thereon or any increase in the amount of such payment, issue or withdrawal; or
    - (iv) for the composition or remission of any debt to the Government;
  - (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 of those purposes; or
  - (c) receive any petition that, in the opinion of the person presiding, requests that provision be made for any of those purposes.

### **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) After the motion for the second reading of the Bill has been made and seconded, the debate thereon shall be adjourned until the next sitting and, when resumed, shall be confined to the general principles of Government policy and administration as indicated by the Bill and the Estimates.

(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 the Speaker, after such consultation with Members as he or she 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. The 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 Chairperson shall put forthwith any question necessary to dispose of that Vote or clause.

(5) The schedules to an Appropriation Bill shall be dealt with before the clauses of the Bill.

(6) On the consideration of a schedule, the Chairperson 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) A motion for the re-committal of the Appropriation Bill can only be moved by a Minister.

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

(11 A) 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.

(12) When an Appropriation Bill has been considered and passed through the Committee, the Assembly shall resume, and the Chairperson of the Committee shall report the Bill to the Assembly with or without amendment.

(13) The third reading of the Appropriation Bill shall take place not earlier than the sitting following that at which the Bill is reported.

(14) Not less than one clear day after the date on which an Estimate of Supplementary Expenditure is laid on the Table of the Assembly, the Minister of Finance, or such other Member of the Assembly as the President of the Republic may appoint, shall move that the said Estimate be referred to the Committee of Supply.

[Amended 27 May 2008; 20 March 2015]

### **Contempt of the Assembly**

74. Offences provided for in the National Assembly (Privileges, Immunities and Powers) Act shall be dealt with in the following manner -

(1) A Member who wishes to raise a privilege complaint shall give written notice of the matter to the Speaker on a sitting day as soon as reasonably practicable after the Member had notice of the alleged contempt or breach of privilege.

(2) In case the Speaker considers that the matter is of an urgent character (e.g. that it raises a continuing contempt which needs rapid intervention or that the offender is entitled to know that he or she might be committing a contempt), he or she will inform the Member that he or she is prepared to rule on the same day.

(3) If the Speaker decides that there is no urgency, he or she will so inform the Member in writing and it will not be in order for the latter to raise the matter with the Speaker in the Assembly. The Speaker will indicate the day on which he or she will announce his or her decision, which will be within his or her discretion but as soon as reasonably practicable after the receipt of the complaint.

(4) On the day appointed by the Speaker for his or her decision in case he or she considers that the circumstances reported to him or her amount to an offence under the National Assembly (Privileges, Immunities and Powers) Act, he or she will so inform the Assembly and the Member who raised the matter with him or her will immediately table a motion, no amendment, adjournment or debate being allowed, setting out briefly the nature of the complaint and seeking that the matter be referred to the Director of Public Prosecutions for appropriate action.

(5) Where the Speaker is of opinion that the circumstances reported to him or her does not amount to an offence under the National Assembly (Privileges, Immunities and Powers) Act, the matter shall lapse.

(6) A Member who reports a privilege complaint to the Speaker may, at any time before the Speaker announces his or her decision to the Assembly, withdraw his or her complaint.

*Miscellaneous*

75. On motion made with the permission of the Speaker and question put and carried, any one of these Standing Orders may be suspended at any sitting to enable any special business to be considered or disposed of.

76. No Member of the Assembly shall appear before the Assembly or any Committee thereof as advocate, proctor or counsel for any party or in any capacity for which he or she is to receive a fee or reward.

77. The Speaker shall have power to regulate the conduct of business in the Assembly in all matters not provided for in these Orders.

78. The Speaker shall be responsible for the management of the buildings and the general administration of the Assembly Chamber.

79. The Speaker shall not be bound to give any reason in support of any of his or her decisions.

---