

**NATIONAL ASSEMBLY OF THE SECOND SESSION OF
THE EIGHTH PARLIAMENT OF GUYANA (2002 – 2006)**

REPORT OF THE STANDING ORDERS COMMITTEE

OF THE NATIONAL ASSEMBLY

ON THE DRAFT STANDING ORDERS

Presented to the National Assembly

By

The Chairman of the Committee

On

2nd May, 2006.

**REPORT OF THE STANDING ORDERS COMMITTEE
OF THE NATIONAL ASSEMBLY
ON THE DRAFT STANDING ORDERS**

Introduction

The Standing Orders Committee is established by Standing Orders 70(3)(a) and is required to consider from time to time and report on all matters relating to the Standing Orders referred to it by the National Assembly.

Members of the Standing Committee

2. The Standing Order Committee consists of:

- (i) His Honour, the Speaker, Mr. Hari Narayen Ramkarran, S.C., M.P. –
Chairman

- (ii) **Members from the People's Progressive Party/Civic (5):**
The Hon. Mr. Reepu Daman Persaud, O.R., J.P., M.P.
The Hon. Bibi S. Shadick, M.P.
Mr. Komal Chand, C.C.H., J.P., M.P.
Mr. Bernard De Santos, S.C., M.P.
Mr. Ramesh C. Rajkumar, M.P.

- (iii) **Members from the People's National Congress/Reform (3):**
Mrs. Deborah J. Backer, M.P.
Mr. Basil Williams, M.P.
Ms. Judith David, M.P.

- (iv) **Member from the Guyana Action Party/Working People's Alliance (1):**
Mrs. Sheila V.A. Holder, M.P.

MOTION TO APPROVE THE DRAFT STANDING ORDERS IN THE REPORT OF THE SPECIAL SELECT COMMITTEE ON THE NEEDS ASSESSMENT OF THE GUYANA NATIONAL ASSEMBLY

3. On Thursday, 13th April, 2006, the Minister of Health, moved the following motion in the National Assembly:-

BE IT RESOLVED:

That the National Assembly approves the Draft Standing Orders which are included as APPENDIX II in the Report of the Special Select Committee on the Needs Assessment of the Guyana National Assembly.

Referral to Standing Orders Committee

4. In accordance with Standing Order No. 82(3), the motion moved by the Minister of Health was referred to the Standing Orders Committee.

Meetings of the Committee

5. The Committee met on Monday, 24th April, and Friday, 28th April, 2006.

Consideration of the Draft Standing Orders

6. The Committee considered the Draft Standing Orders and now submits the following recommendations:

CHAPTER I

Oath of Members, Election of Speaker, Duties of Clerk, Quorum

Recommendation 1

7. The Committee recommends that Draft Standing Orders No. 1 to 7 be **accepted as proposed**.

CHAPTER II

Sittings of the Assembly

Recommendation 2

8. The Committee recommends that Draft Standing Order No. 8 be amended as follows:-

Add the following as paragraph (6) –

“(6) There shall be special sittings of the National Assembly:-

(a) When the President desires to address the Assembly on the State of the Nation.

(b) When the Government desires that a visiting Head of State, Head of Government or other dignitary shall address the Assembly.”.

Recommendation 3

9. The Committee recommends that Draft Standing Order No. 9 be **accepted as proposed**.

Recommendation 4

10. The Committee recommends that Draft Standing Order No. 10 be **amended** as follows –

Substitute the words “Leader of Government Business” for the words “Leader of the Assembly” in paragraph (2).

CHAPTER III

Arrangements of Business

Recommendation 5

11. The Committee recommends that the Draft Standing Orders Nos. 12 to 13 be **accepted as proposed**.

Recommendation 6

12. The Committee recommends that Draft Standing Order No. 14 be **amended** as follows -

Substitute the words "Leader of Government Business" for the words "Leader of the Assembly" in paragraph (5).

CHAPTER IV

Questions

Recommendation 7

13. The Committee recommends that Draft Standing Orders No. 15 to 18 be **accepted as proposed**.

CHAPTER V

Personal Explanations

Recommendation 8

14. The Committee recommends that Draft Standing Order No. 19 be **accepted as proposed**.

CHAPTER VI

Public Business

Recommendation 9

15. The Committee recommends that Draft Standing Orders No. 20 to 31 be **accepted as proposed.**

CHAPTER VII

Rules of Debate

Recommendation 10

16. The Committee recommends that Draft Standing Orders No. 32 to 39 be **accepted as proposed.**

CHAPTER VIII

Rules of Order

Recommendation 11

17. The Committee recommends that Draft Standing Orders Nos. 40 to 42 be **accepted as proposed.**

CHAPTER IX

Voting

Recommendation 12

18. The Committee recommends that Draft Standing Orders Nos. 43 and 44 be **accepted as proposed.**

CHAPTER X

Legislation

Recommendation 13

19. The Committee recommends that Draft Standing Orders Nos. 45 to 52 be **accepted as proposed.**

Recommendation 14

20. The Committee recommends that Draft Standing Order No. 53 be amended as follows:

In paragraph (1) –

- (i) add the words “or a number of clauses together” after the word “succession” in line 2;
- (ii) add the words “or the clauses” after the words “(or the clause as amended)”.

Recommendation 15

21. The Committee recommends that Draft Standing Order Nos. 54 to 62 be **accepted as proposed.**

CHAPTER XI

Financial Procedures

Recommendation 16

22. The Committee recommends that Standing Orders Nos. 63 to 72 be **accepted as proposed.**

CHAPTER XII

Committees

Recommendation 17

23. The Committee recommends that Draft Standing Orders Nos. 73 to 74 C be **accepted as proposed.**

Recommendation 18

24. The Committee recommends that Draft Standing Order No. 74D be **amended** as follows:

Add the following as paragraph (3) –

“(3) The Statutory Instruments Committee or a Special Select Committee shall consider all Regulations or Instruments subject to an affirmative resolution for the purposes set out in the aforesaid paragraph (2) as may be referred to it by the Assembly.”.

Recommendation 19

25. The Committee recommends that Draft Standing Order No. 76 be **accepted as proposed.**

Recommendation 20

26. The Committee recommends that Draft Standing Order No. 77 be **amended** as follows –

Substitute the following for paragraph (7):

“If a Member is absent from three or more consecutive sittings of a Committee without the permission of the Chairman of the Committee, the Chair shall so advise the Committee of Selection.”.

Recommendation 21

27. The Committee recommends that Draft Standing Orders No. 77A to 80 be **accepted as proposed.**

Recommendation 22

28. The Committee recommends that Draft Standing Order No. 81 be amended as follows -

- (i) Renumber paragraphs (4) to (8) as (5) to (9);
- (ii) Insert the following as paragraph (4) –
“Standing Committees shall report to the National Assembly from time to time but shall report on the progress of its work for the previous year and its work programme for the ensuing period.”.

CHAPTER XIII

Miscellaneous

Recommendation 23

29. The Committee recommends that Standing Orders Nos. 82 to 85 be accepted as proposed.

Recommendation 24

30. The Committee recommends that Draft Standing Order No. 86 be amended as follows -

“The Speaker may grant a general permission to the representative of any media to attend sitting of the Assembly under such rules as the National Assembly may make from time to time for that purpose. If such rules are contravened, such permission may be revoked.”.

Recommendation 25

31. The Committee recommends that Draft Standing Orders 85 to 89 be **accepted as proposed**.

Ombudsman's Report for Debate in the National Assembly

Recommendation 26

32. The Committee notes that under existing provisions either the Government or the Opposition can present a motion for debate. It, therefore, recommends that no special provision be made for a debate on the Ombudsman's Report in the National Assembly.

Bills to be certified by Attorney General for Constitutional Consistency

Recommendation 27

33. The Committee recommends that there be no special provision for Bills to be certified by the Attorney General for Constitutional consistency, as it is the duty of the Attorney General to ensure Constitutional consistency and, even if she/he does, a court might not agree.

Other Issues

Recommendation 28

34. The Committee recommends that the Clerk be authorized to –
- (a) render the language of the Standing Orders Gender Neutral;
 - (b) make corrections of minor errors and discrepancies; and
 - (c) renumber paragraphs in numerical sequence.

Coming into operation of the Standing Orders

Recommendation 29

35. The Committee recommends that these Standing Orders take effect from the commencement of the new Parliament.

Recommendation 30

36. The Committee recommends that the **Legislative Bodies Evidence Act**, Chapter 1:08 and such other material as the Clerk considers appropriate be appended to the Standing Orders.

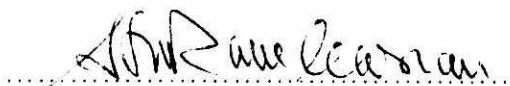
Consistency with Evidence Act

37. The Committee did not take action on this recommendation. It was satisfied that where complicated or contentious issues relating to the law of evidence arise, a Committee might seek legal advice from the Attorney General's Chambers or request the presence of a lawyer or from a lawyer in private practice.

Report of the Committee

38. The Committee has agreed that the foregoing be its Report to the National Assembly.

39. The Report is duly submitted.



Hari N . Ramkarran, S.C., M.P.

Speaker of the National Assembly

Chairman

2nd May, 2006.