

**NATIONAL ASSEMBLY
OF THE
PARLIAMENT OF GUYANA**

**MANUAL OF RULES OF PROCEDURE,
PRACTICES AND CONVENTIONS USED BY
PARLIAMENTARIANS IN THE CONDUCT
OF THE BUSINESS OF THE
NATIONAL ASSEMBLY**

2007

Standing Orders
Manual of Procedure

Prefatory Note

The references in the text to the Constitution are to the Constitution of Guyana and those to May are to the 22nd edition of Sir T. Erskine May's "Parliamentary Practice".

M.B.H.

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NATIONAL ASSEMBLY
MANUAL OF PROCEDURE

CHAPTER 1

Parliament

Parliament

1.1 Parliament is one of three supreme organs of democratic power in Guyana. It consists of the President and the National Assembly and has power to make laws for the peace, order and good Government of Guyana.

National
Assembly

1.2 The National Assembly must consist of at least sixty-five elected Members whose election is on a party list basis to which the system of proportional representation is applied. The system of proportional representation referred to is known as the largest remainder system using the "Hare quota".

Geographical
Constituencies

1.3 Guyana is divided into ten geographical constituencies for the purpose of electing twenty-five of the sixty-five Members of the National Assembly as follows:-

GEOGRAPHICAL CONSTITUENCIES	NUMBER OF MEMBERS OF THE NATIONAL ASSEMBLY ELECTED
No. 1	2
No. 2	2
No. 3	3
No. 4	7
No. 5	2
No. 6	3
No. 7	2
No. 8	1
No. 9	1
No. 10	2
Total	25

National Top-up
Lists

1.4 The remaining forty elected Members of the National Assembly are chosen from lists supplied by contesting parties which are designated “national top-up lists”.

See sec. 11A (2)-(5) of Cap. 103

In the event that the arithmetical calculations of total seats allocated to a party produces the result that a party is allocated a fewer number of seats than those it has already obtained on the basis of the calculations of the geographical constituencies, the allocations based on the distribution of sixty-five seats are then made. The number of geographical constituency seats already allocated to parties remains unchanged at twenty-five seats. The total number of elected Members of the National Assembly is then increased to accommodate the allocations of the number of non-geographical Members. See sec. 11C (5) of Cap. 103

A special characteristic of a party's list worthy to note concerning females is that-

- (i) The total number of females on each party's national top-up list must be at least one-third of the total number of persons on that list.*
- (ii) The total number of females on any party's list for geographical constituencies, taken together, must be at least one-third of the total number of persons on those lists taken together for the geographical constituencies in which that party is contesting.*
- (iii) There shall be no more than twenty percent of the number of geographical constituencies in which a party is contesting for which the party's geographical constituency list contains no female.*
- (iv) In the extraction from the lists and declaration of names of the candidates who have been elected account must be taken –*
 - (a) of the total number of female on each party's national top-up lists and the lists for geographical constituencies taken together, being at least one-third of the number of persons on those lists as mentioned in paragraphs (i) and (iii); and*
 - (b) of the proportion that women formed of the electorate.*

Unelected
Members

1.5 If a person who is not an elected Member of the National Assembly is elected to be Speaker of the National Assembly, he or she becomes a Member of the National Assembly. A Minister and a Parliamentary Secretary who are not elected Members of the National Assembly at the time of their appointments, become Members of the Assembly by virtue of their offices, but they cannot vote in the Assembly. Not more than four Ministers and not more than two Parliamentary Secretaries may be so appointed. Such a person must be qualified to be elected a Member of the National Assembly.

Qualifications
for Election
as Members

1.6 A person is qualified for election as a Member of the National Assembly if he or she -

- (i) is a citizen of Guyana of the age of eighteen years and upwards; and
- (ii) is able to speak and, unless incapacitated by blindness or other physical cause, to read the English language with a degree of proficiency, sufficient to enable him or her to take an active part in the proceedings of the Assembly.

Disqualifications
for
Election as
Members

1.7 The disqualifications for election as Members of the National Assembly are set out in Article 155 of the Constitution and include:-

- (i) allegiance, etc., to a foreign power or state,
- (ii) a person certified to be insane, etc.,
- (iii) a person under sentence of death imposed by a Court, etc.,
- (iv) holding or acting in certain offices, for example, Judge of the Supreme Court of the Judiciary, a member of the Public Service Appellate Tribunal, etc.

1.7.1 Article 155 also empowers Parliament to make further provisions for disqualifications for election as a Member of the National Assembly.

President

1.8 Each list supplied by contesting parties for election of Members of the National Assembly designates one of its candidates as a Presidential candidate, so that an elector voting at an election in favour of a list is deemed to be also voting in favour of a Presidential candidate. If there is one Presidential candidate at an election, that candidate is deemed to be elected as President and is so declared. Where there are two or more Presidential candidates and more votes are cast in favour of a list in which a person is designated as Presidential candidate than in favour of any other list that Presidential candidate is deemed to be elected as President and is so declared by the Chairman of the Elections Commission.

1.8.1 Where there is an equality of votes cast for each list, or where there is an equality of votes in two or more lists, but greater than the number of votes cast in favour of any other list, the Chairman of the Elections Commission, acting in the presence of the Chancellor of the Judiciary and the public, chooses by lot one of the lists in respect of which the votes are equal and declares the Presidential candidate designated in that list as the duly elected President.

Attendance
of the
President
in Assembly

1.9 Article 67 of the Constitution empowers the President to attend the National Assembly and address it at any time. He may also send messages to the Assembly which must be read at the first convenient sitting after it has been received, by the Prime Minister or by any other Minister designated to do so.

Summoning
of a new
Parliament

1.10 A session of a new Parliament is summoned by a proclamation issued by the President. The proclamation indicates the time appointed for the first meeting of the new Parliament and stipulates the place where each session of Parliament is to be held in Guyana and the time the first meeting must begin. The time appointed for the first meeting of Parliament must not be later than four months after the dissolution of the previous Parliament.

Adjournment
of the
National Assembly

1.11 The sittings of the National Assembly may be adjourned from time to time by order of the Assembly.

*The rules for the adjournment of the Assembly may be classified according to the length of the period of adjournment for which the Standing Orders provide: (1) Adjournment to the next day is fixed by Standing Order No. 8(1). At any time before the hour appointed for adjournment, the National Assembly may be adjourned on a motion moved without notice by a Minister after the conclusion of Questions to Ministers. Such an adjournment may be to the next sitting day or *sine die*. (2) Adjournment over the week-end is effected under Standing Order No. 8(1). Adjournment for a prolonged period is called a "recess" and is from 10th August to 10th October. This adjournment is prescribed by Standing Order No. 9. The Speaker has power under Standing Order No. 8(2) to call the Assembly together on an earlier day, if it is represented to him by the Government, or the Speaker himself is of the opinion that the public interest so requires.*

Prorogation
of
Parliament

1.12 A session of Parliament is terminated by prorogation. Parliament is prorogued by a proclamation issued by the President under article 70(1) of the Constitution. The prorogation may be to a specified date. The date so specified may be either postponed or advanced by proclamation issued by the President.

The power to accelerate the meeting of Parliament after prorogation or the power to postpone the meeting of Parliament after is not prescribed by the Constitution or Standing Orders. But in view of Standing Order 112(1) the British practice may be accepted. Unforeseen circumstances may prevail that may cause an acceleration or postponement of a meeting of Parliament after a prorogation to a fixed date.

See May, pp. 232-233

The effect of a prorogation is at once to terminate all current business of Parliament. Not only are sittings of the Assembly at an end, but all proceedings pending are quashed except as stipulated by Standing Orders.

See S.O. No. 80(2) and May, p. 233

Dissolution of
of
Parliament

1.13 Parliament is dissolved in pursuance of a proclamation issued by the President. Under article 70(3) of the Constitution Parliament expires at the end of five years unless dissolved earlier. The life of the Second and Sixth Parliament was prolonged beyond the statutory period, but in other cases Parliament has always been dissolved before the expiration of five years. The life of the Second Parliament was extended as a result of a referendum to enable the revision and promulgation of a new Constitution.

1.13.1 The Constitution Amendment Act (Amendment No. 2) of 1978 extended the life of the Second Parliament from five years to six years and three months. The Constitution (Amendment) (No. 4) of 1991 extended the life of the Sixth Parliament to September 1992.

Proceedings
at Beginning
of New
Parliament

1.14 On the first day of the meeting of a new Parliament, the Clerk of the National Assembly reads the proclamation appointing the place and hour of the first sitting of the National Assembly. He, thereafter, proceeds to make a roll call of the elected Members of the Assembly. The next proceedings are the election of a Speaker and Deputy Speaker.

Time
of taking
Oath or
making
Affirmation

1.15 No Member shall participate in the proceedings of the Assembly until he or she subscribes before the Assembly the oath of office, except he or she does so for the purpose of electing the Speaker and Deputy Speaker at the Commencement of a new Parliament. The oath must be taken, or the affirmation made, by a Member, while the Assembly is duly sitting with the Speaker in the Chair.

At the beginning of a new Parliament, the Speaker and the Deputy Speaker immediately after their election make and subscribe the oath of office, standing at their Tables. After this several Members go to the Clerk's Table where the oath or affirmation is administered to them by the Clerk of the National Assembly. The oath or affirmation may be administered to Members at their Tables. They would then severally sign the Roll of Members.

When a Member is elected to fill a vacancy which occurs after a general election, the usual time for his introduction is immediately after Prayers. He then, in response to an invitation from the Speaker advances to the Table, and takes the oath or makes the affirmation in the form in which it is administered to him by the Clerk at the Table. He then signs the roll and is presented to the Speaker by the Clerk.

Form of
Oath

1.16 The form of the oath is as follows: "I, do hereby solemnly declare that I will bear true faith and allegiance to the people of Guyana, that I will faithfully execute the office of member of the National Assembly without fear or favour, affection or ill will and that in the execution of the functions of that office I will honour, uphold and preserve the Constitution of the Cooperative Republic of Guyana."

Mode of
taking
Oath

1.17 The Member who takes the oath usually holds in his uplifted hand a New Testament/Old Testament if he is a Christian or if he is a Hindu the Bhagavad Gita, if he is a Muslim, the Koran, which is presented to him for this purpose by the Clerk.

Power to
substitute
affirmation
for oath

1.18 If a Member desires he may make a solemn affirmation instead of taking the oath. The affirmation is in the same form as the oath.

Unqualified
Persons

1.19 In accordance with article 58(1) of the Constitution a person who sits and votes in the Assembly, knowing or have reasonable ground for knowing that he is not entitled to do so, is liable to a penalty of two thousand seven hundred and fifty dollars for each day on which he or she sits and votes.

Filling
of a
Vacancy

1.20 If the seat of a Member becomes vacant for any cause other than a dissolution, the Speaker informs the leader of the relevant party's list who further extracts a name from the party's list to fill the vacancy.

See sec. 99A of Cap. 103

A vacancy may arise from (1) death, (2) resignation, (3) acceptance of a disqualifying office, (4) bankruptcy, (5) lunacy or mental illness, (6) conviction of treason or felony, (7) expulsion from the National Assembly (8) absence from sittings in accordance with Standing Order No. 105(2).

Ceremonial
Opening of
Parliament

1.21 It is customary for the ceremonial opening of Parliament to take place at the first meeting of Parliament. This takes place at a designated time after the swearing in of Members. The ceremonial opening takes the form of an address to the National Assembly by the President who out-lines his Government's programme for the next five years but, more particularly, the legislative programme for the first session. At the end of the Address he declares the new Parliament open and then passes the address to the Speaker, who in turn hands it to the Prime Minister.

1.21.1 At the next sitting of the Assembly a motion is made that an address be presented to the President expressing thanks for his speech. This occasion provides an opportunity for backbenchers as a whole to be involved in a debate of the Assembly.

CHAPTER 2

The Speaker, Deputy Speaker, Clerk and Officers of the National Assembly

The Speaker and Deputy Speaker

Speaker
of the
National
Assembly

2.1 At the beginning of each Parliament a Speaker is elected for that Parliament by the National Assembly. If the office of Speaker becomes vacant during the continuance of that Parliament the Assembly on being acquainted by the Clerk of the National Assembly of the vacancy proceeds to the election of a new Speaker.

Mode of
Election
of
Speaker

2.2 A Member, who is desirous in proposing another Member or other suitable person to be elected Speaker, must first ascertain that the Member or other person is willing to serve if elected. Addressing himself to the Clerk, he then proposes the other Member, not being a Minister or a Parliamentary Secretary, or any other suitable person. If the proposal is seconded and no other Member or person is proposed, the Clerk declares the Member or person duly elected to be Speaker of the National Assembly.

2.2.1 If more Members or persons willing to serve if elected, are proposed and seconded, the Clerk proposes the question that the Member or person who was first proposed should be Speaker. If that proposal is agreed to, the Member or person chosen is declared to be the Speaker. If the proposal is negatived he proposes a like question in respect of any other Member or person until the question is carried in favour of one of the Members or other persons proposed.

See S. O. No. 2

Duties
and
Powers
of
Speaker

2.3 The Speaker is the Chairman of the Assembly. In this capacity he presides over the deliberations of the Assembly, maintains order in its debates, decides questions arising on points of order, puts the question for decision, and declares the decision. He acts as Chairman when the National Assembly is in Committee. As a symbol of the powers and privilege of the Assembly the Mace is borne before him when entering and leaving the Chamber, and upon state occasions by the Sergeant-at-Arms and is placed on the Table when the Assembly is in session.

Deputy
Speaker
of the
National
Assembly

2.4 At the commencement of every Parliament, the Assembly elects a Deputy Speaker who is entitled to exercise all the powers vested in the Speaker. Whenever the Assembly is informed by the Clerk at the Table of the unavoidable absence of the Speaker, the Deputy Speaker performs the duties and exercises the powers of the Speaker in relation to all proceedings of the Assembly until the next sitting of the Assembly and so on from day to day, until the Speaker resumes his office.

Mode of
Election
of Deputy
Speaker

2.5 The procedure for the election of a Deputy Speaker of the National Assembly is conducted in a similar manner to the election of the Speaker, save that the Speaker, if present, presides. Unlike the office of Speaker, only a Member of the National Assembly is qualified to be elected to the office of Deputy Speaker.

Election
of
Presiding
Member

2.6 If both Speaker and Deputy Speaker are absent, a Member of the Assembly, who is not a Minister or Parliamentary Secretary, is elected by the Assembly for that sitting. He or she has all the authority and powers of the Speaker when presiding or otherwise performing the functions of the Speaker.

Temporary
Presiding
Officer

2.7 The Deputy Speaker takes the Chair when requested to do so by the Speaker, without any formal communication to the Assembly or Committee. The Deputy Speaker when in the Chair may also at any time ask any Member

present, not being a Minister or Parliamentary Secretary, to take the Chair temporarily without formal communication to the Assembly or to the Committee. Acts done by the Deputy Speaker or the Presiding Member when acting as Speaker, in pursuance of any general or special order of the Assembly, have the same validity as if done by the Speaker.

Clerk
of the
National
Assembly

2.8 The Clerk of the National Assembly is appointed by the President on the advice of the Speaker. He is the chief permanent officer of the Assembly, and attends the sittings of the Assembly and reads the orders of the day, and whatever else is required to be read from the Table.

Specific
Duties
of the
Clerk

2.9 The Clerk is responsible for keeping the Minutes of Proceedings of the Assembly and of Committees of the whole Assembly, which record the names of Members attending, all decisions taken and details of every division held. He submits the Minutes of Proceedings of each sitting to the Speaker for his or her signature and then circulates copies of these to Members before the commencement of the next sitting.

Binding
of Minutes
of Proceedings

2.10 The Clerk causes a bound volume containing the Minutes of Proceedings of each session, marked with all such corrections as the Speaker may have directed to be made therein to be prepared and placed in the records of the Assembly.

Order
Book

2.11 The Clerk is responsible for preparing from day to day an Order Book showing all business appointed for any future day and any notices of questions or motions which have been set down for a future day whether for a day named or not given. The Order Book is open to the inspection of Members at all reasonable hours.

Order Paper and Notice Paper	2.12 The Clerk prepares and circulates to Members before the commencement of each sitting an Order Paper containing the business for that sitting. He also prepares and circulates to all Members, Notice Papers, containing all notices of motions and questions submitted by Members.
Custodian of Records	2.13 The Clerk is the custodian of the Minutes of Proceedings, records, Bills and documents laid before the Assembly. These are open to inspection by all Members of the Assembly and other persons under such arrangements as may be sanctioned by the Speaker.
Staffing Committees	2.14 The Clerk provides every Select Committee of the Assembly with a Clerk and, if so required by the Committee, a shorthand writer.
Deputy Clerk of the National Assembly	2.15 The Deputy Clerk of the National Assembly is appointed by the President on the advice of the Speaker. He or she attends sittings of the Assembly and assists the Clerk in the execution of his duties. Specifically he or she is the Accounting Officer of Parliament Office.
Assistant Clerk	2.16 There is an Assistant Clerk who is appointed by the Public Service Commission after consultation with the Clerk. The Assistant Clerk assists the Clerk to prepare the Minutes of Proceedings of the National Assembly and its Committees, receive notices of Questions, motions and amendments or matters which have to be entered on the Notice Paper.
The Sergeant-at-Arms	2.17 There is a Sergeant-at-Arms who is appointed by the Public Service Commission after consultation with the Clerk of the National Assembly. He precedes the Speaker with the Mace when entering or leaving the Chamber and performs other formal functions. When necessary he is called by the Speaker to facilitate a grossly disorderly Member to vacate the Chamber.

CHAPTER 3

Quorum

Size
of Quorum

3.1 The quorum of Assembly and of a Committee of the whole Assembly consists of one-third of all the elected Members (excluding the Member in the Chair).

Counting
out in
Assembly

3.2 If, while the Assembly or a Committee of the whole Assembly is sitting and any Member draws the attention of the Speaker in the Assembly or of the Chairman in Committee of the whole Assembly to the fact that a quorum is not present, the Speaker or Chairman, as the case may be, directs that Members be summoned as for a division. At the expiration of five minutes from summoning Members, the Speaker counts the Members present. If a quorum is still not present, he or she adjourns the Assembly without question put.

Counting
out in
Committee
of Whole
Assembly

3.3 When the order to summon Members has been given in Committee of the Whole Assembly, the Chairman after the expiration of five minutes, counts the Committee. If he or she ascertains that a quorum is not present, the Assembly resumes and the Speaker counts the Assembly. If a quorum is then present, the Assembly resolves itself into Committee; but if a quorum is not present, the Speaker adjourns the Assembly without question put.

See S.O. No. 7

Chapter 4

Language

Language
in Proceedings

4.1 The proceedings and debates of the Assembly are conducted in the English language and Petitions are to be submitted in the English language.
See S. O. No. 5

CHAPTER 5

Sittings of the Assembly and Arrangement of Business

Ordinary
Sittings

5.1 The Assembly may sit on Monday, Tuesday, Wednesday, Thursday and Friday beginning at two o'clock and ending at 10.00 p.m. the same day, unless previously adjourned, and every adjournment of the Assembly is to the next sitting day. A sitting may be suspended at any time by the Speaker, and unless it is otherwise resolved by the Assembly, he must suspend it at 4.00 p.m. for half an hour and at 7.00 p.m. for one (1) hour. The hours of sitting and suspension of the Assembly may at any time be suspended or varied by the Assembly. The Assembly may also from time to time alter the hours for the beginning and ending of a sitting.

See S. Os. Nos. 8(1) and 10

Sittings on Saturday or Sunday can only take place on a resolution of the Assembly. A motion to that effect may be made after notice or with the leave of the Speaker. As a sitting on either of these days is not subject to any rules of the Assembly regulating the hours of meeting, interruption and adjournment, provision for such matters may be made in the resolution appointing the sitting.

See May, p. 248

Special
Sittings

5.2 Special sittings of the National Assembly are held when the President desires to address the Assembly on the State of the Nation, or when the Government desires that a visiting Head of State, Head of Government or other dignitary address the Assembly.

See S. O. No. 8(6)(a)

Extraordinary
Sittings

5.3 A sitting of the National Assembly on a day earlier than that to which it stands adjourned is described as an extraordinary sitting. For such a sitting the Speaker will give notice to the Clerk for the Assembly to meet at a time stated

by him. After receiving the notice it is the duty of the Clerk to inform each Member in writing or by telegramme of any such earlier sitting.

See S. O. No. 8(2)

Direction to
Clerk in
Writing

5.4 Direction with regard to an extraordinary sitting must be given by the Speaker, signed by him and must bear the business to be transacted at the sitting to which it relates. The Clerk is required to inform each Member personally, if practicable, of the Speaker's direction.

See S.O. No. 8(3)-(4)

Transaction of
Specified
Business

5.5 At an extraordinary sitting no business other than the business specified in the Speaker's direction is transacted without the leave of the Assembly. At the conclusion of the business, unless the Assembly otherwise decides, the Assembly stands adjourned without question being put to the day to which it had originally been adjourned at its last sitting.

See S. O. No. 8(5)

Motion to
Adjourn the
Assembly

5.6 (1) At anytime after the conclusion of Questions to Ministers at any sitting, a Minister may make a motion to adjourn the Assembly in the following words - "That this Assembly do now adjourn."

5.6.1 Any other Member can only move a motion for the adjournment of the Assembly under Standing Order No. 12 (Adjournment – Definite Matter of Urgent Public Importance)

See S. O. No. 11(1)

Interruption
of
Business

5.7 At 9.55 p.m. the proceedings on any business then under consideration are interrupted by the Speaker. If, however, at the time for interruption, the closure is moved, or proceedings under the closure are in progress, the Speaker or Chairman does not leave the Chair until the proceedings under the closure

and on any such further question as is specified in the Standing Orders as to closure have been completed.

See S. O. No. 11(2); as to closure See S. O. No. 44

In practice the rule as to interruption does not prevent the Assembly from completing the proceedings on which a division is in process of being taken at the time for interruption. If a division is in progress at the time appointed for interruption of business, the interruption takes place after the declaration of the result from the Chair. If the division is on an amendment, or on an amendment to an amendment, the Speaker or Chairman proceeds to put in proper sequence all the questions which have already been proposed from the Chair. But if any Member offers to speak upon them, or objects to further proceedings, the Speaker or Chairman must interrupt the business, and on that interruption the closure may be moved. If the closure is carried, the further questions authorized by S. O. No. 44(2) as to closure may then be claimed.

See May, pp. 408-409

Adjournment
of the
Assembly

5.8 After the interruption at 9.55 p. m., or at the conclusion of all exempted business, the adjournment of the Assembly may be moved by a Minister and the motion can be debated for half an hour. At the expiration of half an hour, the Speaker adjourns the Assembly without putting any question.

Exempted
Business

5.9 Certain kinds of business, known as “exempted business”, are not interrupted at 9.55 p.m. and may, though opposed, be entered upon, resumed or proceeded with at any hour. Such business comprises proceedings in pursuance of Standing Order No. 13(m).

Business
Motion

5.10 A Minister without notice may move a motion to the effect that any specified business be exempted, “at this day’s sitting” at the appropriate time under Standing Order No. 13(m). The motion is decided without amendment or debate. If such a motion be agreed to, the business so specified is proceeded with as if it were “exempted business.” The motion may provide for exemption

for a specified period only after ten o' clock or until completed. Not more than one such motion may be made at a sitting.

See S. O. No. 11(3) and May 251-53. This rule applies only to a motion for exempting specified business at a particular sitting. A motion for exempting specified business during more than one sitting is debatable.

Effect
of
Interruption

5.11 At the time for interruption of business -

- (a) if the Speaker is in the Chair, he declares that the debate or proceedings stand adjourned;
- (b) if the Assembly is in Committee, the Chairman leaves the Chair and reports progress, and the Committee must be directed to sit again as the Leader of Government Business directs; and
- (c) if any dilatory motion is pending, it lapses.

The expression "dilatory motion" is meant a motion such as a motion for the adjournment of the Assembly or of the debate, or in Committee that the Chairman do report progress or do leave the Chair.

5.11.1 After the business under consideration at 9:55 p. m. has been disposed of, no business can be taken, unless it is exempted business.

Adjournment
Debate

5.12 On the motion for the adjournment the question is proposed "That this Assembly do now adjourn" and a debate may take place on a matter for which a Minister is responsible until the time for automatic adjournment. But no division can take place on that question, for a division would make the proceedings "opposed business." A Member desirous to raise a matter on the motion for the adjournment must obtain the right to do so from the Speaker. The Minister responsible for the matter is required to reply. Both the Member who obtains the right to raise the matter and the Minister replying are entitled to address the Assembly for fifteen minutes only without an extension of time. At the end of

these addresses, and if time permits, another Member who has obtained the right may similarly raise another matter subject to the same conditions. Any such debate must cease at 10.00 p.m.

5.12.1 When a matter on the motion for the adjournment has been raised before the moment of interruption, the motion does not lapse nor does the debate be interrupted at the moment of interruption, but continues for a maximum of thirty minutes. Thereafter the motion must lapse.

5.12.2 The right to raise a matter on the motion for the adjournment of the Assembly is allotted to two Members only for each sitting day, if necessary by ballot, under the directions of the Speaker.

5.12.3 A Member who wishes to obtain the right to raise a matter on the motion for the adjournment must not give less than three day's written notice of his intention to the Speaker specifying the matter which he or she proposes to raise.
See S. O. No. 11(4)-(7)

Treatment of
Failure to
Obtain Right

5.13 If a Member fails to obtain the right to raise a matter on the motion for the adjournment for the sitting day named in his or her notice, he or she must, at his or her request, be included in any vote held for the next succeeding sitting day, subject to such arrangements as the Speaker may make.
See S. O. No. 11(8)

Adjournment -
Definite
Matter
of
Public
Importance

5.14 A Member intending to propose to make a motion for the adjournment of Assembly for the purpose of discussing a definite matter of urgent public importance must do so at the time appointed by Standing Order No. 13. Before the commencement of the sitting, but not later than 11.00 a.m. on the day of the sitting if the urgency of the matter is then known, the Member wishing to make the motion must hand to the Speaker a written notification of the matter which

he or she wishes to discuss. The Speaker will indicate privately to the Member concerned whether his application should be heard, that is in order.

See S. O. No. 12(1)-(2)

Speaker's
Decision

5.15 In coming to a decision the Speaker must have regard to the extent to which the matter concerns the administrative responsibilities of Ministers of the Government or could come within the scope of ministerial action, and the probability of the matter being brought before the Assembly in time by other means. In declining a request the Speaker ought to state whether or not he is satisfied that the matter is qualified to be discussed without giving his reason for the decision.

Mode of
Moving
Adjournment

5.16 At the sitting a Member, wishing to make such a motion, rises in his place says that he asks leave to move the adjournment of the Assembly for the purpose of discussing a definite matter of urgent public importance and states the matter. If the Speaker is not satisfied that the matter is definite, urgent and of public importance and may be properly be raised on a motion for the adjournment of the Assembly, he must refuse to allow the claim.

See S. O. No. 12(1)-(2)

Leave of
Assembly
to be
Signified

5.17 If the Speaker is satisfied that the claim to make a motion is in order, he asks whether the Member has leave of the Assembly. If leave of the Assembly is not signified, the Speaker will then ask those Members who support the motion to stand in their places, and if at least eighteen elected Members rise accordingly, the motion stands over until 4.30 p.m. on the same day. When that time is reached any proceeding in which the Assembly is engaged must be postponed until the motion for the adjournment is disposed of or until 9.00 p.m., whichever is earlier. At 9.00 p.m., the motion for the adjournment, if not previously disposed of, must lapse and the proceedings which had been postponed must be resumed.

5.17.1 Only one motion for the adjournment of the Assembly under Standing Order No. 12 is allowed at any one sitting.

See S. O. No. 12(3)

The right to move the adjournment of the Assembly for the purpose of discussing a definite matter of urgent and public importance is subject to the following restrictions:

- (i) The motion must not revive discussion on a matter which has been discussed in the same session;*
- (ii) The motion must not anticipate a matter which has been previously appointed for consideration by the Assembly or with reference to which a notice of motion has been previously given;*
- (iii) The motion must not raise a question of privilege;*
- (iv) The discussion on the motion must not raise any question which, according to the rules of the Assembly, can only be debated on a substantive motion after notice, or for the discussion of which an opportunity would arise in the ordinary course, during the same or a subsequent sitting.*

See May, pp. 362-369 of 17th Edition.

Order of
Business

5.18 At each sitting of the Assembly Prayers are read immediately after the entry of the Speaker into the Chamber.

5.18.1 Business is then taken in the following order:-

- (b) Oath of a New Member
- (c) Messages from the President
- (d) Announcements by the Speaker
- (e) Presentation of Petitions
- (f) Presentation of Papers and Reports
- (g) Reports from Committees
- (h) Oral questions without Notice
- (i) Questions on Notice
- (j) Statements by Ministers, including Policy Statements

- (k) Personal Explanations
- (l) Requests for Leave to Move the Adjournment of the Assembly on Definite Matters of Urgent Public Importance
- (m) Motions Relating to the Business or Sitzings of the Assembly and Moved by a Minister
- (n) Introduction of Bills
- (o) Public Business – Government Business, Private Members Business, Committee Business

See S. O. No. 13

An Order Paper, showing the agenda for a sitting, is circulated as early as possible before each sitting, together with notices, bills and any relative documents.

CHAPTER 6

Order Paper

Preparation and Circulation of Order Paper

6.1 The Clerk of the National Assembly prepares an Order Paper (Agenda) for each sitting of the Assembly. The Order Paper lists the business to be considered by the National Assembly in the course of the day and in sequence in which order of business are called on. (See S.O. No. 13). The Order Paper is circulated as early as possible before a sitting together with notices, Bills and any relative documents. If necessary a Supplementary Order Paper is prepared and also circulated at a sitting.

Postponement of Orders

6.2 A Member in charge of an order on an Order Paper may move a motion without notice for its postponement. In his or her absence another Member may be asked to do so.

6.2.1 Notices or orders of the day on the Order Paper not called on before the adjournment of the Assembly are listed on the Order Paper for the next sitting.
See S.O. No. 14

Petitions

6.3 Petitions maybe classified as public and private petitions. Public petitions may pray for an alteration of the general law or the reconsideration of a general administrative decision and they may also pray for redress for local or personal grievances.
See May, p. 809

6.3.1 Private Petitions relate to petitions required to have private bills introduced in the National Assembly.

Form of
Petitions

- 6.4 The form of both petitions is governed by the following rules:-
- (i) A petition must be addressed to the National Assembly;
 - (ii) A petition may be written, printed, lithographed, or typewritten;
 - (iii) A petition must be in the English language, or accompanied by an English translation certified as correct by the Member who presents it;
 - (iv) A petition must be free from interlineations or erasures;
 - (v) A petition must conclude with a prayer, setting out the general object of the petitioner or the nature of the relief asked for;
 - (vi) A petition must be signed by the parties whose names are appended thereto, and by no one else, except in case of incapacity by sickness. Every person signing a petition must write his address after his signature. If signatures are affixed to more than one sheet, the prayer of the petition must be repeated at the head of each sheet. The prayer signifies that part of the petition which expresses the object of the petitioners, as distinguished from formal parts;
 - (vii) No letter, affidavit, appendix, or other document must be annexed to a petition;
 - (viii) A petition must not refer to a debate in the National Assembly, nor to any intended motion, unless a notice of the motion appears on the notice paper;
 - (ix) A petition must be respectful, decorous, and temperate in its language.

Restrictions
on Petitions
Relating to
Public Money

- 6.5
- (i) A Petition for any sum relating to the public service is not received without a recommendation of the Cabinet.
 - (ii) A Petition for compounding or remitting any debt to Guyana is not received without a recommendation of Cabinet.

- Presentation
of
Petitions
- 6.6 A Petition can only be presented by a Member of the Assembly.
- 6.6.1 A Petition must show on its face the name of the Member by whom it is presented.
- 6.6.2 A Member must not present a Petition from himself.
- 6.6.3 A Petition must be presented at the time prescribed by Standing Order No. 13.
- 6.6.4 When a Member rises in his place to present a Petition, he may state concisely the purport of the Petition.
- 6.6.5 On the presentation of a Petition, no debate on or in relation to the Petition is allowed.
- 6.6.6 The Clerk must endorse a Petition before its presentation to the Assembly as being in accordance with the rules in regard to Petitions before its presentation.
- 6.6.7 The Assembly will not receive any Petition –
- (a) which is not addressed to the Assembly and which is not properly and respectfully worded; and
 - (b) which has not at least one signature on the sheet on which the prayer of the Petition appears.
- 6.6.8 All Petitions when presented to the Assembly are ordered to lie upon the Table without question put.

6.6.9 When a Member presenting a Petition moves for it to be read, printed or referred to a Select Committee, any such motion is determined without amendment or debate.

See S. O. No. 15

Reference
of Petitions
to Committee

6.7 Public Petitions, when presented to the Assembly, are ordered to lie on the Table without question put unless a Member when presenting a Petition moves for it to be read, printed, or referred to a Select Committee. Such a motion is determined without amendment or debate.

See S. O. No. 15 and May, p. 852-3, 17th Ed, 809-10, 22nd Ed.

CHAPTER 7

Presentation of Papers and Reports

Origin 7.1 Papers and Reports are presented to the Assembly in pursuance of-

- (a) Provisions of the Constitution, or
- (b) Provisions of an Act of Parliament, or
- (c) A Standing Order, or
- (d) An order of the Assembly.

7.1.1 In addition to the foregoing the Government may present Papers considered of public interest or in keeping with an agreement.

7.1.2 The papers and reports presented in pursuance of the Constitution and Acts of Parliament include annual estimates of revenue and expenditure, financial papers, reports, statutory instruments and other documents, which under numerous constitutional and statutory provisions, are required to be laid before the Assembly.

7.1.3 Presentation of reports in pursuance of Standing Orders pertains mainly to the requirement that Committees must submit a report to the Assembly upon matters referred to them.

See S. O. No. 103

7.1.4 The Assembly by resolution may order papers and other documents be presented to it. The information sought must refer to a matter of public importance and be obtainable through a public authority. A motion for a document may be opposed on grounds of public policy, such as that the disclosure of the information sought is not in the public interest, or that its supply would involve unreasonable cost.

Submission
of Papers
and Reports

7.2 Copies of papers and reports are submitted to the Clerk of the National Assembly who places them on the Order Paper at the earliest opportunity and when necessary on a Supplementary Order Paper.

Mode of
Presentation
of Papers
and
Reports

7.3 The Speaker or a Minister presents papers by reading their titles which are recorded in the Minutes of Proceedings.

7.3.1 When a Minister presents a Paper he/she may make a short explanatory statement of its contents but no debate takes place upon any such statement.

7.3.2 All Papers presented to the Assembly are ordered to lie upon the Table without question put and any motion for the printing thereof are determined without amendment or debate.

7.3.3 A report from any Committee is presented to the Assembly by the Chairman of that Committee or by such other Member of the Committee as the Chairman may designate and is ordered to be published without question put.

7.3.4 The Leader of Government Business may present any Paper containing the reply of the Government to the recommendations or opinions expressed by a Committee of the Assembly and tabled in a report. Such a Paper is ordered to be published without question put.

7.3.5 Papers and Reports presented to the Assembly are distributed to Members of Parliament and the Press. These documents are arranged in volumes and are indexed for the whole session.

See S. O. No. 16

CHAPTER 8

Questions to Ministers

- Nature of Questions
- 8.1 According to Standing Order No. 17, Questions may be put to a Minister relating to the responsibility with which he or she has been assigned and are subject to the rules, as to the interpretation of which the Speaker is the sole judge.
- Oral questions without Notice
- 8.2 Standing Order No. 18 provides for a 20 minute period for Oral questions without Notice to be asked at the appropriate stage in the Order of Business at each sitting of the Assembly. The rules governing these Questions are:-
- (a) the permission of the Speaker must be obtained before the start of the sitting;
 - (b) only Questions that are urgent and important or relate to the business of the day are permitted;
 - (c) questions and answers must be brief and precise and stated without argument or opinion, and
 - (d) supplementary questions, not exceeding two (2) per original Question, may be permitted at the discretion of the Speaker.
- Question on Notice
- 8.3 A Member must give Notice of a Question on Notice in writing to the Clerk, not later than twenty-one (21) clear days before the sitting day on which the answer is required. The notice which must be signed by the Member may be handed to the Clerk when the Assembly is sitting, or may be sent to or left at the Parliament Office at any time during the hours prescribed for the purpose. A Member is permitted to have up to five (5) Questions on the Order Paper at any one time and not more than three (3) of these Questions must be for oral answers. If a Member requires an oral answer to his or her Question he or she must so indicate or mark it with an asterisk.

8.3.1 A Member who has given notice of a Question for oral answer may in writing to the Clerk request that it be converted to a Question for written answer. This must be done on any working day before the sitting day on which the answer is required.

8.3.2 A Member who has given notice of a Question for written answer may in writing to the Clerk request that it be converted to a Question for oral answer. This must be done not less than seven (7) clear days before the sitting day on which the answer is required.

8.3.3 If in the opinion of the Speaker a Question for oral answer is of such a nature as to require a lengthy reply, the Speaker may direct that such Question be converted to a Question for written answer.

See S.O. No. 19

Rules as
to Form
and Contents
of Questions

8.4 The purpose of a question is to obtain information or press for action within the responsibility of the Minister to whom it is addressed; it should not be in effect a short speech, or limited to giving information, or framed so as to suggest its own answer or convey a particular point of view.

See May, p. 296

8.4.1 A question must be addressed to the Minister who is primarily responsible; misdirected questions are transferred by the Clerk on the notification of the Ministries concerned. No alternation in the date for such a question is made unless the Member asking it so directs.

See May, p. 295

8.4.2 The right to ask questions is governed by the following rules:-

- (a) a Question must not contain more than one issue and must be concise;

- (b) a Question must not include the names of persons or statements not strictly necessary to render the Question intelligible;
- (c) a Question must not contain statements which the Member who asks the Question is not prepared to substantiate;
- (d) a Question must not contain arguments, inferences, opinions, imputations, epithets or offensive expressions;
- (e) a Question must not refer to proceedings in a Committee of the National Assembly which have not been reported to the Assembly;
- (f) a Question must not seek information about any matter which is of its nature secret;
- (g) a Question must not reflect on the decision of a court of Law and no Question shall be asked on any matter which is *sub judice*;
- (h) a Question must not be asked for the purpose of obtaining an expression of opinion, the solution of an abstract legal case or the answer to a hypothetical proposition;
- (i) a Question must not be asked as to whether statements in the Media or of private individuals or bodies or persons are accurate;
- (j) a Question must not be asked as to the character or conduct of any person except in his or her official or public capacity;
- (k) a Question must not be asked reflecting on the character or conduct of any person whose conduct can only be challenged on a substantive motion;
- (l) a Question must not refer discourteously to, or seek information about, the internal affairs of any territory within the Commonwealth or of a friendly foreign State;
- (m) a Question must not be asked making or implying a charge of a personal character;
- (n) a Question must not be asked seeking information set forth in accessible or ordinary works of reference;

- (o) a Question fully answered must not be asked again during the same session.

8.4.3 If the Speaker is of the opinion that any Question of which a Member has given notice to the Clerk, or which a Member has sought permission to ask without notice, is an abuse of the right of questioning or infringes any of the provisions of Standing Order No. 20 or any other Standing Order, he or she may direct that it be printed or asked with such alterations as he or she may direct; or that the Member concerned be informed that the Questions is inadmissible.

See S.O. No. 20

Notice Paper – Questions

Preparation and Circulation of Notice Paper 8.5 Standing Order No. 21 provides for the Clerk of the Assembly to immediately prepare and circulate to Members a Notice Paper once a Question on Notice has been approved by the Speaker. The Notice Paper must be in the following format:

NINTH PARLIAMENT OF GUYANA – FIRST SESSION (2006-2007)

NATIONAL ASSEMBLY

NOTICE PAPER NO.

Question No. (Q Opp)

Member Asking:

Minister Answering:

Question

Date Received:

Date for Order Paper:

See S. O. No. 21

CHAPTER 9

Manner of Asking and Answering Questions

Time for
raising questions
on Notice

9.1 Questions on Notice are raised at a sitting at the time appointed by Standing Order No. 13 [Order of Business] and the time allotted for such Questions and answers must not exceed forty (40) minutes.

Mode of
asking and
answering
Questions

9.2 When the time for asking and answering of Questions on Notice arrives, the Speaker calls successively each Member in whose name a Question appears on the Order Paper. The Member so called rises in his or her place and asks the Question by reference to its number on the Order Paper. In the case of a Question for oral reply, the Minister questioned rises in his or her place and gives his or her reply. However, a Minister may decline to answer a Question, if the publication of the answer would in his or her opinion be contrary to the public interest.

See S. O. No. 22(1)-(2)

In the UK a Minister has also been allowed, on the ground of public interest, to answer a question appearing on the Order Paper but not asked. (See May, page 303)

Answers to
Question for
Written
Replies

9.3 In the case of a Question for written reply, the Minister questioned immediately passes copies of the answer to the Clerk of the Assembly who circulates the answer to Members at that sitting and record the Question and the reply in the Minutes of the Proceedings.

See S. O. No. 22(4)

Answering
Questions
in Absence
of Minister

9.4 In the absence of the Minister to whom a Question is addressed, it may be answered by any other Minister duly authorized to give the answer on behalf of the absent Minister.

See S. O. No. 22(5)

Supplementary
Questions
to Oral
Replies

9.5 After an oral answer to a Question has been given, supplementary questions may be asked for the purpose of elucidating the answer given orally, but the Speaker may refuse any such question which in his or her opinion introduces matters not relative to the original Question, or which infringes any of the provisions of Standing Order No. 20 (Contents of Questions).

See S. O. No. 22(6)

9.5.1 When all the Questions on Notice have been called, the Speaker, if time permits, calls again any Question which has not been asked by reason of the absence of the Member in whose name it stands; in which case another Member may, if deputed by the absent Member, on his or her behalf either ask the Question or request its postponement.

See S. O. No. 22(7)

Treatment
of Outstanding/
Questions for
Oral Answers
at Expiration
of Time

9.6 Questions on the Order Paper for oral answers which remain outstanding at the expiration of forty (40) minutes are answered in writing by the Minister to whom the Question was addressed. He immediately passes copies of his or her answer to the Clerk of the Assembly for circulation to Members at that sitting and for inclusion in the Minutes of Proceedings, unless at any time before the the expiration of time a Member, having a Question on the Order Paper for oral answer but whose name has not yet been called by the Speaker, signifies to the Clerk at the Table his or her desire to postpone the Question to a later sitting or to withdraw it.

See S. O. No. 22(8)

Deferral
of
Questions

9.7 At the request of a Minister and with the approval of the Assembly, the answer to a Question on the Order paper may be deferred, once only, for a period of twelve (12) clear days.

See S. O. No. 22(9)

Withdrawal
of
Questions

9.8 A Question may be withdrawn only at the request of the Member in whose name the Question stands on the Order Paper. A withdrawn Question may be asked again provided that notice as required by the Standing Orders is given.

See S. O. No. 22(10)-(11)

CHAPTER 10

Announcements, Personal Explanation and Statements by Ministers Including Policy Statements

Announcement
by the
Speaker

10.1 The Speaker informs the Assembly of the Contents of any letters he may have received from or sent to external authorities. Such letters may include requests to leaders of parties' lists to fill vacancies, replies to communications of condolence or congratulations made by the Assembly to any Member or Official. He may also announce the death or resignation of any Member since the last sitting. At this point he brings to the notice of the Assembly any ministerial change in the Administration. Announcements concerning matters of procedural practice, retirement of officers of the Assembly and other matters affecting the Assembly may be made by him.

Personal
Explanations

10.2 With the leave of the Speaker, a Member may make a personal explanation at the appropriate time although there be no question before the Assembly; but no controversial matter may be brought forward nor any debate arise upon the explanation.

10.2.1 A Member desirous of making a personal explanation must submit to the Speaker in writing what he proposes to say. Once granted leave to proceed, the Member is expected not to depart from the agreed text. Although a debate would not ensue nothing would prevent another Member involved in the personal explanation from giving his view of the matter and to say whether he accepts it or not.

See S.O. No. 23 and May, p. 312

Statements
by Ministers

10.3 Ministers on behalf of the Government make statements in the Assembly at the time appointed under Standing Order No. 13(j) on their domestic and foreign policy; matter of current issues pertaining to current affairs; action pursued by Government affecting the public at large; legislation proposals to be considered

by the Assembly, etc. As no question is before the Assembly no debate is allowed on statements by Ministers.

10.3.1 A Minister proposing to make a statement must give prior notice to the Speaker even though neither his/her permission nor the leave of the Assembly is required.

CHAPTER 11

Public Business

- Notices
of
motions
and
orders of
the day
- 11.1 The ordinary public business of each day is classified as consisting of notices of motions and Bills and orders of the day:
- (i) A notice of motion is a motion of which notice has been previously given.
 - (ii) An order of the day is a matter which has been set down for a particular day in pursuance of an order of the Assembly.

The classification of public business as notices of motions and orders of the day as noted in the practice of the UK is said to be ancient, and is not easily intelligible to persons who are not familiar with the procedure of the House of Commons. A motion may be either (a) substantive and independent, or (b) relating to and arising out of an order of the day, e.g., a motion to put off a stage of a bill, or to amend a bill. A motion becomes an order of the day as soon as the debate on it has been adjourned by order of the House to a particular day.

- Precedence
of Business
- 11.2 Government business has, under Standing Order No. 24(2), precedence at every sitting, except on Wednesdays when Private Members' business has precedence.

- Arrangement
of Government
Business
- 11.3 On days on which Government business has precedence, the Government may arrange that business, whether it consists of orders of the day or of notices of motions or Bills, in such order as they think fit.

See S. O. No. 24(3)

Notwithstanding this rule, if the Government thinks it desirable to grant special facilities for the discussion of a Private Member's Bill or notice of motion, they can give it the same precedence as they can to their own business.

Relative
Precedence
of Private
Members'
Bills

11.4 The relative precedence of public bills, other than Government bills, is determined in the first instance by the order in which they qualify for the Order Paper.

See S. O. No. 24(3)

Relative
precedence
of Private
Members'
Motions

11.5 The relative precedence of notices of motions given by a Member other than a Minister on days on which private Members' notices have precedence, is determined by the order in which they qualify for the Order Paper.

See S. O. No. 24(4)

Questions
for
Debate

11.6 A matter requiring the decision of the Assembly or of a Committee is decided by means of a question put from the Chair on a motion made by a Member. A Member may introduce any Bill or propose any motion for debate in the Assembly, or may present any Petition to the Assembly and the same are disposed of in accordance with the Standing Orders.

11.6.1 However article 171(2) of the Constitution stipulates that without the recommendation or the consent of the Cabinet signified by a Minister, the Assembly must not –

- (a) proceed upon any Bill (including any amendment to a Bill) which, in the opinion of the person presiding, makes provision for any of the following purposes -
 - (i) for imposing or increasing any tax;
 - (ii) for imposing any charge upon the Consolidated Fund or any other public fund of Guyana or for altering any such charge otherwise than by reducing it;

(iii) for the payment, issue or withdrawal from the Consolidated Fund or any other public fund of Guyana of any moneys not charged thereon or any increase in the amount of such a payment, issue or withdrawal; or

(iv) for compounding or remitting any debt due to Guyana; or

(b) proceed upon any motion (including any amendment to a motion) the effect of which, in the opinion of the person presiding, would be to make provision for any of the purposes aforesaid.

See S. O. No. 25(1)

11.6.2 The signification of the recommendation or consent of the Cabinet must be recorded in the Minutes of Proceedings.

See S. O. No. 25(2)

Motion on
matter
already
decided

11.7 When a question for debate has been proposed, debated and decided, it is not competent for any Member to raise a question substantially identical to it in the same session except upon a substantive motion for rescission.

See S.O. No. 25(3)

Admissibility
of
Motions

11.8 For a motion to be admissible, it must satisfy the following conditions, namely:

- (a) It must raise substantially one definite issue;
- (b) It must not contain ironical, unbecoming or offensive expressions or words that would not be permitted in debate;
- (c) It must not contain the names of persons unless they are strictly necessary to render the motion intelligible;
- (d) It must not refer to the conduct or character of persons except in their public capacity;

- (e) It must not revive discussion of a matter which has been discussed in the same session;
- (f) It must not anticipate discussion of a matter which is likely to be discussed in the same session;
- (g) It must not relate to any matter which is under adjudication by a court of Law;
- (h) It must not relate to matters which have been referred to a Committee of the National Assembly for consideration and report;
- (i) It must not relate to a matter with which the Government is not officially concerned.

See S. O. No. 26

Notice of
Motions or
Amendments

11.9 Where notice is required of any intended motion it must be given in writing, signed by the Member and addressed to the Clerk and handed to him when the Assembly is sitting or sent to, or left at, the Parliament Office at any time during the hours prescribed for the purpose.

11.9.1 If the Speaker is of opinion that any notice of motion which has been received by the Clerk infringes the provisions of any Standing Order or is in any other way out of order, he or she may direct that the Member concerned be informed that the notice of motion is out of order; or that the notice of motion be entered in the Order Book with such alterations as he or she may direct.

See S.O. No. 27

Period of Notice

- Government Notice 11.10 A Government motion must not be placed upon the Order Paper for a day earlier than seven (7) days from the day on which the notice was given to the Clerk. With the consent of the Speaker, a Government's motion may be placed upon the Order Paper for the sitting of the day following that on which the notice was given to the Clerk.
See S. O. No .25(1)-(2)
- Private Member's Notice 11.11 Except as provided in paragraph (8) of Standing Order No. 103 (Reports from Select Committees), a Private Member's motion is not placed upon the Order Paper for a day earlier than twelve (12) days from the day on which the notice was published in the Notice Paper.
See S.O. No. 25(3)
- Notice Paper Motions 11.12 Standing Order No. 29 provides for the Clerk of the Assembly to immediately prepare and circulate to Members a Notice Paper once the Speaker approves a motion. The Notice Paper is in the following format:

NINTH PARLIAMENT OF GUYANA-FIRST SESSION (2006-2007)

NATIONAL ASSEMBLY

NOTICE PAPER NO....

Date Received:

Member Giving Notice:

Motion

Date for Order Paper:

Exemption
from
Notice

11.13 As a general rule every motion proposed in the Assembly requires notice, unless it falls within one of the following excepted cases:

- (a) a motion for the amendment of any motion;
- (b) a motion for the adjournment of the Assembly or a debate;
- (c) a motion for the election of a temporary presiding officer under paragraph (1) of Standing Order No. 4 (Presiding in the Assembly and in Committee);
- (d) a motion for the suspension of Standing Orders put with the leave of the Speaker;
- (e) a motion for the withdrawal of strangers;
- (f) a motion that the Assembly resolve itself into Committee;
- (g) a motion made in the Committee of the Whole Assembly, other than the Committee of Supply;
- (h) a motion for the suspension of a Member;
- (i) a motion that a Petition be read, printed or referred to a Select Committee;
- (j) a motion for the printing of a Paper under paragraph (3) of Standing Order No. 16 (Presentation of Papers);
- (k) a motion relating to a matter of privilege;
- (l) a motion arising out of any item of business made immediately after that item is disposed of and before the next item is entered upon;
- (m) a motion to commit a Bill to a Sectoral Committee or to a Select Committee under Standing Order No. 54 or Standing Order No. 58;
- (n) a motion to recommit a Bill under paragraph (1) of Standing Order No. 63 (Recommittal of Bills reported from Committee of the Whole Assembly);
- (o) a motion for withdrawal of a Bill under Standing Order No. 68 (Withdrawal of Bills);

- (p) a motion in respect of which notice has been dispensed with under Standing Order No. 31 (dispensing with notice);
- (q) a motion "That the question be now put" under paragraph (1) of Standing Order No. 44 (Closure of debate).

See S.O. No. 30

Dispensing
with
Notice

11.14 Without the consent of the Speaker and the assent of the majority of the Members present at a sitting a notice cannot be dispensed with in the case of a motion or in respect of any proceedings for which notice is required.

See S.O. No. 31

CHAPTER 12

Privilege Motions

- Mode of Raising Privilege Motions 12.1 Any Member desiring to raise a matter under Standing Order No. 32 must first obtain leave of the Speaker who will determine whether the Member is entitled to raise the matter as a question of privilege. If the Speaker is satisfied that the matter is indeed a question of privilege, he permits the Member to raise it any time after Questions to Ministers, and move that the matter be referred to the Committee of Privileges.
See S. O. No. 32(2)-(3)
- Precedence of Privilege Motion 12.2 A motion directly concerning the privilege of the Assembly takes precedence over all other business.
See S. O. No. 32(1)
- Referral of Motion to Committees of Privileges 12.3 No debate takes place on a motion of privilege but if the Speaker decides that a *prima facie* case has been made out he or she indicates this to the Assembly and refers the matter to the Committee of Privileges.
See S. O. No. 32(4)
- Interruption of Proceedings for Immediate Intervention 12.4 If during a sitting of the Assembly a matter suddenly arises which appears to involve the privileges of the Assembly and which calls for the immediate intervention of the Assembly, the proceedings may be interrupted, save during the progress of a division, by a motion based on such matter.
See S. O. No. 32(5)
- Fifteen Minutes Speech for Mover of Motion 12.5 A Member moving a motion on a matter of privilege is not permitted to speak for more than fifteen minutes.
See S. O. No. (6)

CHAPTER 13

Moving of Motions

Proposing
and
Putting
the
Question

13.1 When a motion has been made and when necessary seconded, the Speaker or the Chairman first proposes the question for consideration and, after debate, if any, puts it for a decision. If a motion embodies two or more separate propositions, those propositions may be proposed by the Speaker or the Chairman as separate questions.

See S. O. No. 33(1)-(2)

Change of
Terms of
Notice of
Motion

13.2 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 an amended notice of the 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 of it. The amended notice of motion runs from the time at which the original notice of motion was given.

See S. O. No. 33(3)

Seconding
of
Motions

13.3 In the Assembly the question upon a Private Member's motion or amendment is not proposed by the Speaker unless the motion or amendment has been seconded. Government Business is not required to be seconded and in Committee of the whole Assembly a seconder is not required for either a Private Member's business or Government business.

See S. O. No. 34

Motions not
Moved or
Seconded

13.4 If a Member does not move a motion or amendment which stands in his or her name when he or she is called on, it is removed from the Order Paper unless deferred by leave of the Assembly or moved by some other Member, duly authorized by that Member. On the other hand Government Business may be moved by any other Minister.

See S. O. No. 35

Withdrawal
of
Motions

13.5 At anytime after a question on a motion has been proposed from the Chair and before the voices of both of the ayes and noes have been collected, the motion may, with the leave of the Assembly or Committee, but not otherwise, be withdrawn by the Member who proposed it.

13.5.1 But if an amendment has been proposed to a question, the original motion cannot be withdrawn until the amendment has been disposed of.

13.5.2 A motion which is withdrawn may be made again in the same Session provided that notice as required by Standing Order No. 27 is given.

See S. O. No.36

If a Member proposes to withdraw a motion, the Speaker or Chairman asks the House or Committee, "Is it your pleasure that the motion (or amendment) be withdrawn?" and if there is no dissentient voice he declares it withdrawn.

See May, p. 339

Amendments to Motions

Amendments
to Motion

13.6 An amendment is a subsidiary motion moved in the course of debate upon another motion which interposes a new cycle of debate and the decision between the proposal and decision of the main motion and question. In its turn the debate on an amendment may be similarly intercepted by the proposal of and decision upon a further subsidiary amendment (amendment to an amendment), or it may be superseded by a dilatory motion. The object of an amendment may be either to modify a question in such a way as to increase its acceptability or to present to the Assembly a different proposition as an alternative to the original question.

See May, p. 343

By the expression "dilatory motion" is meant a motion such as a motion for the adjournment of the Assembly or of a debate, or in Committee that the Chairman do report progress or do leave the Chair.

Modes of
Amending a
Question

13.7 In the Assembly or in a Committee of the Assembly an amendment may be proposed to a motion if it is relevant to it. An amendment may be proposed to an amendment if its is relevant to it; an amendment is not moved which has merely the effect of a negative vote. A question when proposed from the Chair may be amended:-

- (i) by leaving out certain words in order to insert or add other words; or
- (ii) by leaving out certain words; or
- (iii) by inserting or adding other words.

See S. O. No. 37(1) to (3) and May, p. 345

13.7.1 An amendment proposing to omit certain words in order to insert other words is given precedence over an amendment proposing simply to omit the same words. When it is proposed to leave out from [*a certain word*] to [*a certain other word*] the words so named are outside the amendment and define its limit.

Mode of
Putting
Amendments

13.8 An amendment to a motion may be moved and seconded at anytime after the question upon the motion has been proposed by the Speaker or Chairman, and before it has been put at the conclusion of the debate upon the motion. When every amendment has been disposed of, the Speaker or Chairman either again proposes the question upon the motion or proposes the question upon the motion as amended, as the case may require, and after any further debate which may arise, puts the question to the Assembly or Committee for its decision.

- 13.8.1 (a) If the amendment is to leave out certain words, the Speaker or Chairman, after stating the amendment, proposes the question “That the words proposed to be left out be left out of the question or stand part of the question.”
- (b) Upon any amendment to insert, or add words at the end of a motion, the question to be proposed is “That those words be there inserted” (or “added”).
- (c) If an amendment is to leave out certain words in order to insert or add other words instead, the Speaker or Chairman, after stating the amendment first proposes “That the words proposed to be left out, be left out of the question or stand part of the question”, and only if that question is agreed to, does the question then be proposed “That those words be there inserted” (or “added”).
- (d) When two or more amendments are proposed to be moved to the same motion, the Speaker calls upon the movers in the order in which their amendments relate to the text of the motion, or in case of doubt in such order as he or she decides.
- (e) Any amendment may be withdrawn at the request of the mover, by leave of the Assembly, before the question is fully put thereon, provided that there is no dissentient voice.
- 13.8.2 (a) An amendment to an amendment may be moved and if required seconded at any time after the question upon the original amendment has been proposed and before it has been put at the conclusion of the debate on the original amendment.
- (b) The provisions of paragraph (5) of Standing Order No. 37 apply to the discussion of amendments to amendments except that in any question to be put, the words “original amendment” are substituted for the word “question”.
- (c) When every such amendment to an amendment has been disposed of, the Speaker either again proposes the question upon

the original amendment, or proposes the question upon the original amendment as amended, as the case may require.

13.8.3 An amendment, whether in the Assembly or in Committee of the whole Assembly, must be put into writing by the mover and delivered to the Clerk before the question is proposed on it.

13.8.4 When the question upon an amendment to a motion has been proposed by the Speaker or Chairman an earlier part of the motion may not be amended unless the amendment under discussion is withdrawn.

13.8.5 An amendment must not raise any question which, by Standing Order No.37 can only be raised by a substantive motion after notice.

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

See S.O. No. 37(4) to (9) and May, p. 349

CHAPTER 14

Rules of Debate

Mode of
Addressing
the Chair

14.1 A person who desires to speak must rise in his or her place and address himself or herself to the Speaker, or in Committee, to the Chairman.

14.1.1 When a Member rises to speak, his or her name is called by the Speaker or Chairman and if called upon must address his or her observations to the Speaker or Chairman. No Member is permitted to speak unless called upon by the Speaker or Chairman to do so.

See S. O. No. 38(1)-(2)

Rule
against
Speaking
Twice

14.2 If more Members than one rise at the same time, the Speaker or Chairman calls upon the Member who first catches his or her eyes.

As a matter of courtesy a new Member who has not yet spoken in the Assembly is called upon in preference to other Members rising at the same time.

14.2.1 A Member is not permitted to speak more than once on any question except-

- (a) when the Assembly is in Committee;
- (b) in explanation of some material part of his or her speech which he or she claims has been misrepresented, but in so doing he or she must not introduce any new matter;
- (c) in the case of a mover of a substantive motion or the Member in charge of a Bill, in reply;
- (d) a Member who has spoken may speak again when a new question has been proposed by the Speaker or Chairman, such as

a proposed amendment or a motion for the adjournment of the debate;

14.2.2 When a Member speaks to a motion and resumes his seat without moving an amendment that he intended to propose, he cannot subsequently rise to move the amendment, having already spoken to the question before the Assembly.

See May, p. 375

14.2.3 A Member must not read his or her speech except with the leave of the Speaker but he or she may read extracts from books or papers in support of his or her argument, and may refresh his or her memory by reference to notes.

14.2.4 A Member may not speak on a question after the Speaker or Chairman puts it to the vote, that is, after the voices of the Ayes and Noes have been collected.

14.2.5 Any Member may, without prejudice to his or her right to speak at a later period of the debate, second a motion or amendment by rising in his or her place and stating that it is his or her intention to second the motion or amendment.

See S. O. No. 38(3)-(7)

Pecuniary
Interest

14.3 No Member may speak on any matter in which he or she has a direct personal pecuniary interest, without disclosing the extent of that interest.

See S. O. No. 38(8). See also May, p. 421 for the following:

In debate a Member is required to declare 'any relevant pecuniary interest or benefit of whatever nature, whether direct or indirect, that he may have had, may have or expecting to have. It is the responsibility of the Member, having regard to the rules of the House, to judge whether a pecuniary interest is sufficiently relevant to require declaration. The basic test of relevance is similar to that of registration: that a

pecuniary interest should be declared if it might be thought by others to influence the Member's speech. A Member should declare such when it is most relevant to do so, normally at the beginning of his or her remarks: 'it will be a matter of judgment, if his interest is already recorded in the Register, whether he simply draws attention to this or makes a rather fuller disclosure'. Any declaration 'should be sufficiently informative to enable a listener to understand the nature of the Member's pecuniary interest' the rule on declaration applies not only to debates in the House, but to almost all proceedings of the House or its committees in which Members have an opportunity to speak, such as debates in standing committees, presentation of a public petition, and meetings of a select committee at which evidence is heard.

Duration
of Speech

14.4 Members are not entitled to speak for more than thirty minutes on any question except that –

- (a) a mover of a motion is entitled to speak for forty-five minutes on such motion or in reply; and
- (b) the Speaker must grant extensions of time for periods of fifteen minutes to any Member upon the Assembly approving a motion made that such extension be granted. Such motions are put forthwith without debate.

See S. O. No. 38(9)

Right
of
Reply

14.5 The mover of a motion may reply after all the other Members present have had an opportunity of addressing the Assembly and before the question is put, and after such reply no other Member may speak, except that a Minister may conclude a debate on any motion which is critical of the Government or reflects adversely on or is calculated to bring discredit upon the Government or a Government Officer.

See S. O. No. 39

Interruptions

14.6 A Member whilst present in the Assembly during a debate must not interrupt another Member while speaking by disorderly expression or noises or in any other disorderly manner. He may, however, interrupt another Member—

- (a) by rising on a point of order, when the Member speaking shall resume his or her seat, and the Member interrupting must simply direct attention to the point which he or she desires to bring to notice and submit to the Speaker or Chairman for decision; or
- (b) to elucidate some matter caused by that Member in the course of his or her speech, provided that the Member speaking is willing to give way and resumes his or her seat and that the Member wishing to interrupt is called by the Chair.

See S. O. No. 40

Contents of Speeches

Relevancy
of
Debate

14.7 Debate upon any motion, Bill or amendment must be relevant to such motion, Bill or amendment, and a Member must confine his or her observations to the subject under discussion. Where more than one question has been proposed from the Chair, the debate must be relevant to the last question so proposed until it has been disposed of.

See S. O. No. 41(1)

This rule does not prevent a Member from rising to speak on a point of order, or on a question of privilege suddenly arising.

Sub judice
matters

14.8 Members must not make reference to any matter which is *sub judice*, in such a way as might, in the opinion of the Chair, prejudice the interest of parties in connection with it.

See S. O. No. 41(2)

Questions
already
decided

14.9 A Member is out of order to attempt to reconsider any specific question on which the Assembly has come to a conclusion during the current session except upon a substantive motion for rescission.

See S. O. No. 41(3)

Offensive
Language

14.10 It is out of order for a Member to use offensive and insulting language about other Members of the Assembly.

See S. O. No. 41(4)

Mode of
Address of
Members

14.11 A Member must be referred to in the Assembly either with the title “Comrade” before his or her surname or official designation or as the “Honourable Member Mr./Ms

See S. O. No. 41(5)

Improper
Imputation

14.12 A Member must not impute improper motive to any Member of the Assembly.

See S. O. No. 41(6)

Use of
President’s
Name

14.13 The President’s name must not be used to influence the Assembly.

See S. O. No. 41(7)

Conduct
of
President,
etc.

14.14 The conduct of the President or any other person performing the function of President, Members of the Assembly and Judges of the Supreme Court of Judicature or other persons performing judicial functions must not be raised except upon a substantive motion moved for the purpose.

See S. O. No. 41(8)

Scope of Debate

14.15 When an amendment proposes to leave out words and to add or insert other words instead of them, debate upon the question “That the words proposed to be left out be left out of the question” may include both the words proposed to be left out and those proposed to be added or inserted.

14.15.1 On an amendment proposing only to leave out words or to add or to insert words, debate is confined to the omission, addition or insertion of such words, respectively.

14.15.2 Debate upon any motion “That the debate be now adjourned” or “This Assembly do now adjourn” if moved during any debate, or in Committee upon any motion “That the Chairman do report progress and ask leave to sit again”, must be confined to the matter of such motion; and a Member who has made or seconded such motion is not entitled to move or second any similar motion during the same debate: but this paragraph must not be construed as restricting the customary adjournment of the Assembly on the conclusion of the business of the day.

See S. Os. Nos. 11(4) and 42

Anticipation

14.16 Debate on the subject of a Bill of which there is notice for a future day, whether specified or not, or which appears on the Order Paper, must not be anticipated by previous debate on the same subject, otherwise than on a Bill.

14.16.1 Debate on the subject of a motion of which there is notice for a future day, whether specified or not, must not be anticipated by previous debate on the same subject, on an amendment to a motion or to the address in reply to the President's Address, or on a motion for adjournment under S. O. No. 12 or otherwise. In determining whether a debate is out of order under the rules against anticipation, the Speaker must have regard to the probability of the matter being brought before the Assembly within a reasonable time.

See S. O. No. 43 and May, pp. 334-335

Formerly, the House(of Commons) strictly observed a rule against anticipation according to which a motion must not anticipate a matter already appointed for consideration of the House, whether it were a bill or an adjournment debate upon a motion. The rule survives in Standing Order No. 28 (UK), which requires that in determining whether a discussion is out of order on the ground of anticipation the Speaker must have regard to the probability of the matter anticipated being brought before the House within a reasonable time.

Stated generally, the rule against anticipation (which applies to other proceedings as well as motions), as strictly enforced in earlier times, was that a matter must not be anticipated if it contained in a more effective form of proceeding than the proceeding by which it was sought to be anticipated, but it might be anticipated if it were contained in an equally or less effective form. A bill or other order of the day is more effective than a motion; a substantive motion is more effective than a motion for the adjournment of the House or an amendment, and a motion for the adjournment is more effective than a supplementary question.

See May, pp. 334-335

Closure

Forms
of
Closure

14.17 The closure has two principal forms: (1) the ordinary closure, with the extension known as ‘closure upon contingent questions’ to secure an immediate decision on any question already proposed from the Chair, and (2) the power of the Chair to accept a motion “That the question be now proposed’, under Standing Order No. 29 of UK rules.

14.17.1 After a question has been proposed a Member rising in his or her place may claim at any time during the course of debate 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. No debate on that motion is allowed, and if the motion is carried, the debate then before the Assembly ceases and the question before the Assembly is put forthwith.

14.17.2 When the question “That the question be now put” has been carried and the question consequent thereon has been decided, a Member may claim that any further question be put which may be requisite to bring to a decision any question already proposed from the Chair be now put, and if the assent of the Chair is not withheld the question so claimed must be put forthwith, without having recourse to any further closure motion. Every motion made under this Order must be put forthwith and decided without amendment or debate.

See S. O. No. 44 and May, pp. 406-407

14.17.3 A motion under Standing Order No. 44 must not be decided in the affirmative if it appears on a division that less than eighteen Members voted in the majority in support of the motion.

This number should be “twenty-two” that is the equivalent of a quorum. The number eighteen was equivalent to the quorum of fifty-three elected Members under the 1966 Constitution.

Rules for Members Not Speaking

14.18 A Member present in the Assembly during the debate –

- (a) must keep his or her place
- (b) must enter or leave the Assembly with decorum;
- (c) must not cross the Assembly irregularly
- (d) must not read books, newspaper, letters or other documents save such as relate to the business before the Assembly;
- (e) must maintain silence while another Member is speaking and must not interrupt, except in accordance with the Standing Orders; and
- (f) must otherwise conduct himself in a fit and proper manner

See S. O. No. 45

Rule (a) is to prevent sauntering or standing in the Chamber; under (b) a Member should make an obeisance to the Chair when passing to or from his place; (c) instructs a Member not to cross between the Chair and a Member who is speaking from either of the two benches; Rule (e) means that Members must not talk aloud. It is at the Speaker’s discretion to interpret and apply this rule (f). Much will depend on the character, object, degree, and duration of the interruption.

CHAPTER 15

Rules of Order

Responsibility
for Order in
the Assembly
and in
Committee

15.1 The Speaker in the Assembly and the Chairman in Committee of the Whole Assembly are responsible for the observance of the rules of order in the Assembly and Committee, respectively, and their decision upon any point of order is not open to appeal and must not be reviewed by the Assembly except upon a substantive motion made after notice.

See S. O. No. 46(1)

Procedure
when Speaker
or Chairman
Rises

15.2 When the Speaker or Chairman rises during a debate, any Member who is then speaking or offering to speak must immediately resume his or her seat and the Assembly, or the Committee, must be silent, so that the Speaker or Chairman may be heard without interruption.

See S. O. No. 46(2)

Provision
Against
Irrelevance
or Tedious
Repetition

15.3 The Speaker, or the Chairman of the Committee of the whole Assembly, 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 arguments, or of the arguments used by other Members in debate, may direct him or her to discontinue his or her speech and to resume his or her seat.

See S. O. No. 47(1)

Power to
order
withdrawal
of Disorderly
Member

15.4 The Speaker or the Chairman of a Committee of the Whole Assembly may order any Member whose conduct is grossly disorderly to withdraw immediately from the Assembly.

15.4.1 The Speaker, or Chairman, may direct such steps to be taken as required to enforce the order.

15.4.2 The Sergeant-at-Arms is required to act on such orders as may be received from the Chair in pursuance of this rule.

15.4.3 A Member ordered to withdraw under this rule must do so forthwith and must, during the remainder of the day's sitting, absent himself from the precincts of the Assembly.

15.4.4 If the Speaker or Chairman deems that his or her powers under this rule are inadequate, he or she may name the Member, in which event the same procedure is followed as prescribed by Standing Order 47(3) to (8).

See S. O. No. 47(2)

Suspension
of Member
for Disorderly
Conduct

15.5 If a Member is named by the Speaker, or by the Chairman of a Committee of the Whole Assembly, immediately after the commission of the offence of disregarding the authority of the Chair, or of persistently and wilfully obstructing the business of the Assembly or otherwise, then-

- (a) if the offence has been committed in the Assembly, the Speaker calls upon a Minister to move "That Cde./the Hon. Member Mr./Ms be suspended from the service of the Assembly". The Speaker puts the question on such motion forthwith, no seconder being required and no amendment, adjournment or debate being allowed;
- (b) if the offence has been committed in Committee, the Chairman forthwith suspends the proceedings of the Committee and the Assembly resumes. He or she reports the circumstances and the Speaker, on a motion being made thereupon, puts the same question, as if the offence had been committed in the Assembly itself, no amendment, adjournment or debate being allowed;

- (c) if any such motion be carried, and a Member be suspended, his or her suspension on the first occasion continues until the expiration of the fifth day, and on the second occasion until after the expiration of the tenth day on which the Assembly sits after the day on which he or she was suspended, and on the third or any subsequent occasion until the Assembly resolves that such suspension be terminated.

15.5.1 Not more than one Member may be named at the same time, unless several Members present together have jointly committed the offence.

15.5.2 A Member who is directed to withdraw or who is suspended under this Standing Order must forthwith leave the Assembly and its precincts.

15.5.3 If a Member or Members acting jointly who have been directed to withdraw or who have been suspended under this rule, refuse at any time to obey the direction of the Speaker to withdraw from the Assembly and its precincts, the Speaker calls the attention of the Assembly to the fact that recourse to force is necessary in order to compel obedience to his or her direction, and the Member or Members named by him or her as having so refused to obey his or her direction are thereupon without further question put be suspended from the service of the Assembly during the remainder of the session.

15.5.4 If resort to force is necessary, the Speaker may suspend the sitting during the removal of the Member.

15.5.5 A Member who is directed to withdraw or who is suspended under this Standing Order is not entitled to attend the sitting from which he or she was directed to withdraw or in a case of suspension to attend any sitting or enter the precincts of the Assembly until the termination of his or her suspension.

See S. O. 47(3)-(8)

Power of
Speaker to
adjourn Assembly

15.6 In the case of grave disorder arising in the Assembly, the Speaker may, if he or she thinks it necessary to do so, adjourn the Assembly without question put, or suspend the sitting for a time to be named by him or her.
See S. O. No. 47(9)

Resolution
of the Assembly

15.7 Nothing in this rule deprives the Assembly of the power of proceeding against any Member according to any resolution of the Assembly.
See S. O. No. 47(10)

In the United Kingdom the rule concerning the duration of suspension of a Member is as follows –

The suspension of a Member on the first occasion continues until the fifth day, and on the second occasion until the twentieth day on which the House sits after the day on which he was suspended, but on a subsequent occasion it continues until the House resolves that such suspension be terminated. A Member suspended under these rules must forthwith quit the precincts of the House.

CHAPTER 16

Voting

Decision
of
Questions

16.1 All questions proposed for decision in the Assembly or in Committee must be determined by a majority of the votes of the elected Members who are present and voting.

16.1.1 The Speaker or any other Member presiding does not vote unless on any question the votes are equally divided, in which case, he or she exercises a casting vote.

16.1.2 However, a Speaker elected from among persons who are not Members of the Assembly does not have either an original or a casting vote and if, upon any question before the Assembly when such a Speaker is presiding, the votes of the Members are equally divided, the motion is declared lost.

See S.O. No. 48

Collection
of
Voices

16.2 On the conclusion of a debate on a question the Speaker or Chairman states the question either in its original or in its amended form, as the case requires, for the decision of the Assembly. He puts the question by asking those who are of that opinion to say "Aye", and then those who are of a contrary opinion to say "No". Then the Speaker or Chairman collects the voices of the Ayes and of the Noes and declares whether in his opinion the "Ayes" or the "Noes" have it, and if his opinion so declared is challenged by an elected Member, the question is decided by a division.

See S.O. No. 49

Mode of
Voting
in a
Division

16.3 When a division is claimed, it is taken by the Clerk calling each elected Member's name and asking each Member separately how he or she desires to vote and recording the votes accordingly. He then announces the number of those who have voted for, those who voted against the proposal and those who declined to vote. Thereafter the Speaker or Chairman declares the result of the division.

See S.O. No. 50(1)

Recording
Votes

16.4 Every elected Member present, unless he or she expressly says that he or she declines to vote, records his or her vote either for the Ayes or the Noes. The Clerk is required to enter in the Minutes of Proceedings the record of each Member's vote, and the names of those Members who declined to vote.

See S.O. No. 50(2)

Error
in
Division

16.5 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 such claim is made as soon as the Clerk has announced the numbers and before the Chair has declared the result of the division. Upon such claim being made the Speaker or Chairman, at his or her sole discretion may either direct the Clerk to alter the Member's vote or direct a fresh division be held.

See S.O. No. 50(3)

CHAPTER 17

Legislation

17.1 The function of the National Assembly in the legislative process is to pass Bills in accordance with article 164 of the Constitution.

17.2 A Bill is a draft legislative proposal which, when it has passed through its various stages and received the President's assent, becomes an Act of Parliament.

Public and
Private
Bills

17.3 There are two types of Bills: Public and Private Bills. The object of a Public Bill is to alter the general laws. The object of a Private Bill is to alter the law of some particular locality, or to confer rights on or relieve from liability some particular person or body of persons.

In the UK if a Public Bill affects private interest in such a way that, if it were a private Bill it would under the Standings Orders, require preliminary notices before its introduction, it is subject partly to the rules of procedure which govern Private Bills and is usually called a Hybrid Bill.

Public Bills

Introduction
of Private
Members'
Bill

17.4 A Public Bill may be introduced by a Member who is not a Minister or Parliamentary Secretary and is referred to as a Private Member's Bill.

17.4.1 A Member who desires to introduce a Public Bill must give written notice to the Clerk of his or her intention to do so. He or she must also with the notice submit three copies of the Bill along with an explanatory statement of objects and reasons, not containing arguments, which must be circulated to Members by the Clerk.

17.4.2 If leave is granted the Clerk reads aloud the title of the Bill. This is recorded in the Minutes of Proceedings as having been read a first time and ordered to be published without question put.

See S.O. No. 51

Leave to
Introduce
Bill

17.5 A Bill may be introduced by a Member either

(a) in pursuance of an order of the Assembly made on a motion for leave to bring in the Bill, (Private Member's Bill) or

(b) by being presented without an order of the Assembly (Government Bill)

Notice is required either of a motion for leave to bring in a Bill, or of the intention to present a Bill.

Mode of
Introduction
and First
Reading
of Private
Members'
Bill

17.6 A motion for leave to introduce a Private Member's Bill must be set down under Private Members' Business on the Order Paper not earlier than fourteen (14) clear days from the date on which written notice was given to the Clerk.

17.6.1 If a motion for leave to introduce a Private Member's Bill is opposed, the Speaker, after permitting, a brief explanatory statement by the Member moving for leave and by the Member opposing it, may without further debate or amendment, put the question.

17.6.2 If leave is granted, the Clerk reads aloud the title of the Bill, which is recorded in the Minutes of proceedings as having been read a first time and ordered to be published without question put.

See S.O. No. 52

Introduction and First Reading of Government Bills

Leave to
Introduce
Bill

17.7 A Member may move for leave to introduce a Bill of which he or she has given notice. A Bill may be presented to the Assembly on behalf of the Government after notice without an order of the Assembly for its introduction.
See S. O. No. 53(1)

Notice of
Presentation

17.8 A notice of presentation of a Bill on behalf of the Government may be entered on the Order Paper for the day of the sitting on which the Bill is to be presented.
See S. O. No. 53(2)

Bills
Creating a
Charge on the
Consolidated
Fund

17.9 Except on the recommendation or with the consent of the Cabinet signified by a Minister, the Assembly must not proceed upon any Bill, whether a Private Member's or Government Bill (including any amendment to a Bill) which, in the opinion of the person presiding, makes provision for any of the following purposes –

- (a) for imposing or increasing any tax;
- (b) for imposing any charge upon the Consolidated Fund or any other public fund of Guyana or for altering any such charge otherwise than by reducing it;
- (c) for the payment, issue of withdrawal from the Consolidated Fund or any other public fund of Guyana of any moneys not charged thereon or any increase in the amount of such a payment, issue or withdrawal, or
- (d) for compounding or remitting any debt due to Guyana.

See S. O. No. 53(3)

Appointment of Days for Stages of Bills

Proceedings
after First
Reading

17.10 After a Bill has been introduced and read a first time, the Member in charge may either:

- (a) name a day to be appointed for the next stage of the Bill, provided that an interval of not less than seven (7) days must elapse between the first and second reading of a Bill, unless the Assembly, on motion made and question put, agree to proceed with the Bill at an earlier date; or
- (b) move that the Bill be referred to a Sectoral Committee for consideration and report; or
- (c) move that the Bill be referred to a Special Select Committee for consideration and report.

See S. O. No. 54(1)

Instructions
to
Committees

17.11 The Member in charge of the Bill may include in the motion referring the Bill to a Committee to consider the Bill any special powers or instruction in respect of the Committee's consideration of the Bill.

Consideration
of Bills

17.12 A Special Select Committee to which a Bill is referred must examine the Bill and:

- (a) may determine whether to recommend that the Bill be passed, and
- (b) may recommend that amendments be made to the Bill.

Recommendation
of
Amendments

17.13 A Special Select Committee must only recommend amendments that are relevant to the subject matter of the Bill, are consistent with the principles and objects of the Bill and otherwise conform to the Standing Orders.

17.13.1 A Committee may not recommend an amendment to a private Bill that is outside the scope of the notices advertising the intention to introduce or promote the Bill.

17.13.2 A Committee may, in the case of a Bill amending a principal Act, recommend, by leave, a substantive amendment to an Act not amended by the Bill as originally introduced.

Opinion from
other
Committees

17.14 The Special Select Committee to which a Bill is referred may ask any other Committee for its opinion on a Bill, or on a part, clause, schedule or other provisions of the Bill.

17.14.1 For the purpose of giving its opinion, the other Committee may call for submissions, hear evidence and generally consider the part, clause, schedule or other provisions. In giving its opinion to the Special Select Committee on the Bill, it may, if it thinks fit, recommend amendments to the part, clause, schedule or other provisions.

Committee
may divide
Bills

17.15 A Special Select Committee may divide into two or more Bills which:

- (i) is drafted in parts
- (ii) lends itself to division because it comprises more than one subject-matter, and report such Bills separately to the Assembly.

Period
between
First and
Second
Readings

17.16 A Bill must not be read a second time before the expiration of seven (7) days from the date of its publication in the *Gazette* and until it has been printed and circulated to Members.

See S.O. No. 54

Printing and Circulation of Bills

Responsibility
for Printing
of Bills

17.17 The Clerk is responsible for the printing of Bills from the draft handed to him or her by the Member in charge of it. Before a Bill is printed the Clerk must satisfy himself that –

- (a) the Bill is divided into successive clauses numbered consecutively;
- (b) the Bill has in the margin a short summary of each clause; and
- (c) the provisions of the Bill do not go beyond its title.

Circulation
of Bills

17.18 As soon as possible after the printing of a Bill the Clerk must circulate a copy of it, which may be accompanied by a short memorandum explanatory of its contents and objects.

Publication
of
Bill

17.19 The Clerk must as soon as possible cause every Bill to be published in the *Gazette*.

See S.O. No. 55

Second Readings of Bills

Merits
and
Principles
of Bills

17.20 The second reading stage of a Bill is the proper stage for discussing general principles of the Bill, as distinguished from its details and an argument which at this stage enters into the details of a Bill further than is necessary to explain its principles must be stopped as irregular.

See May, p. 525 of 17th Ed.

17.20.1 According to Standing Order No. 56 (1), on the second reading of a Bill a debate may arise covering the general merits and principles of the Bill.

Amendment
to Question
for Second
Reading

17.21 When the motion is moved “That the Bill be now read a second time”, and that question is proposed accordingly from the Chair, a motion may be made to amend the question either –

- (i) by leaving out the word “now” and adding at the end of the question “upon this day six months”, or
- (ii) by leaving out 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 Bill and not deal with details.

See S.O. No. 56

Procedure after Presentation of Report of Sectoral/Special Select Committee

Eliciting
Opinion

17.22 A Sectoral or Special Select Committee to which a Bill has been referred, in accordance with Standing Order No. 54, may circulate the Bill for the purpose of eliciting opinion thereon.

Second
Reading
after
Presentation
of Final
Report

17.23 After presentation of the final report, the Member in charge of the Bill may move that the Bill, as reported by the Sectoral or Special Select Committee, as the case may be, be read a second time. This motion must only be allowed by the Chair if copies of the report have been made available to Members for at least seven days before the day on which the motion is made.

See S.O. No. 57

Committal
of Bills after
Second Reading

17.24 When a Bill has been read a second time it stands committed to a Committee of the whole Assembly, unless the Assembly on a motion decided without amendment or debate commits it to a Select Committee. Such a motion

does not require notice and must be made immediately after the Bill has been read a second time and may be moved by any Member and is put without amendment or debate. If a Bill is committed to a Committee of the whole Assembly, the Member in charge of the Bill may name the day for the Committee.

17.24.1 If a Bill is committed to a Select Committee, no further proceeding is taken on it until the Select Committee presents its report to the Assembly.

See S. O. No. 58(1)-(2)

Referral from
Committee of
Whole Assembly
to Select Committee

17.24.2 On a motion made in the Assembly, a Bill may be withdrawn while under consideration in Committee of the whole Assembly and referred to a Select Committee in respect to the Bill as a whole or to specified clauses.

See S.O. No. 58(3)

The object of sending a Bill to a Select Committee is usually to provide for the taking of evidence.

Functions of Committee on Bills

17.25 The function of a Committee on a Bill is to consider the Bill clause by clause and, if necessary, word by word, and to approve the text or to modify it to reflect the Committee's legislative intentions. The rules as to the admissibility of amendments are explained in detail on pp 524-527, (May), but the general powers of a Committee and the limitations by which it is bound should be clearly borne in mind:-

- (i) A Committee is bound by the decision of the Assembly, given on second reading, in favour of the principle of the Bill, and should not, therefore, amend in a manner destructive of its principle.

- (ii) The objects of a Bill are stated in its long title, which could cover everything contained in the Bill, as introduced. Amendments, however, are not necessarily limited by the title of the Bill, since a Committee is empowered by Standing Order No. 65 to make amendments “relevant to the subject matter of the Bill”, provided that, where such amendments are outside the title, the Committee extends the title so as to cover them.

- (iii) An amendment which is outside the scope (See May, p. 525) of the Bill is out of order and cannot be entertained, unless an instruction has been given by the Assembly to the Committee.

Discussion on
Bills Limited
to Bills

17.26 It is out of order for any Committee to which a Bill is committed to discuss the general merits and principles of the Bill. It must only discuss its details.

Power of
Committee
to Amend
Bills

17.27 Any Committee to which a Bill is committed has power to make such amendments to the Bill as it thinks fit, provided that they are relevant to the subject - matter of the Bill; but if any such amendments are not within the title of the Bill, it amends the title accordingly and report the matter specially to the Assembly.

See S.O. No. 59

CHAPTER 18

Procedure in Committee of the Whole Assembly on a Bill

Consideration
of Clauses

18.1 When a Bill is under consideration in Committee of the Whole Assembly, the Chairman calls the number of each clause in succession or a number of clauses together. If no amendment is proposed, he at once proposes the questions "That the clause stands part of the Bill". Otherwise he calls the first Member whose amendment has been selected, and when all amendments have been disposed of, he or she proposes the question "That the clause (or the clause as amended) or the clauses stand part of the Bill" and, when all Members who wish to speak thereon have spoken, he or she puts that question to the Committee for its decision.

See S. O. No. 60(1)

Until an amendment is moved to a clause, or the question is proposed "that the clause [or "the clause as amended"] stand part of the Bill, there is no question before the Assembly.

Submission of
Amendment
in writing

18.2 Any proposed amendments of which notice has not been given must be handed to the Chairman in writing.

See S. O. No. 60(2)

Admissibility
of
Amendments

18.3 The following provisions apply to amendments relating to Bills -

- (a) An amendment must be relevant to the subject matter of the Bill, and to the subject matter of the clause to which it relates.
- (b) An amendment must not be inconsistent with any clause already agreed to or with any previous decision of the Committee.

- (c) An amendment must not be such as to make the clause which it proposes to amend unintelligible or ungrammatical.
- (d) If an amendment refers to, or is not intelligible without a subsequent amendment or schedule, notice of the subsequent amendment or schedule must be given before or when the first amendment is moved so as to make the series of amendments intelligible as a whole.
- (e) In order to save time and repetition of arguments, the Chairman may allow a single discussion to cover a series of inter-dependent amendments.
- (f) The Chairman may refuse to allow an amendment, which is, in his or her opinion, frivolous or meaningless, to be moved.
- (g) Except on the recommendation or with the consent of the Cabinet, to be signified by a Minister and recorded in the Minutes of Proceedings, the Committee must not proceed upon any amendment which, in the opinion of the Chairman, would make provision for any of the purposes described in paragraph (3) of Standing Order No. 53 (Introduction and First reading of Bills).
- (h) The Chairman may at any time during the discussion of a proposed amendment withdraw it from the consideration of the Committee if, in his or her opinion, the discussion shows the amendment violates the provisions of Standing Order No. 60 (Procedure in Committee of the whole Assembly on a Bill).

See S. O. No. 60(3)

Application
of
S. O. No. 37

18.4 The provisions of paragraphs (5) and (6) of Standing Order No. 37 (Amendments to Motions) apply to the discussion of amendments to Bills, by the substitution where appropriate of the word –

- (i) “clause” for the word “motion” or the word “question”;
- (ii) “Chairman” for the word “Speaker” and
- (iii) “Committee” for the word “Assembly” whenever they appear.

See S. O. No. 60(4)

Postponement
of
Consideration
of a Clause

18.5 The consideration of a clause may, on motion made, be postponed, but the motion may not be made if the clause has been amended, or if a proposed amendment had been negatived, or if the question for a clause standing part of the Bill has been proposed. It is out of order to propose the postponement of the only effective clause of the Bill until the subordinate clauses have been considered or to postpone part of a clause. Postponed clauses are considered after the remaining clauses of the Bill have been considered and before new clauses are brought up.

See S. O. No. 60(5)

Consideration
of New
Clauses

18.6 New clauses are considered after the clauses of the Bill have been disposed of and before consideration of any schedule to the Bill.

See S. O. No. 60(6)

A new clause proposed in substitution for a clause which has been disagreed to may be considered immediately after such disagreement.

Proceedings
on New
Clauses

18.7 When the number of a new clause is called, amendments may be proposed to it. If no amendment is proposed, or when all the proposed amendments have been disposed of, the Chairman proposes the question “That the clause (or the clause as amended) be added to the “Bill”.

18.7.1 When all Members who wish to speak on the amendments have spoken, he or she must put that question to the Committee for its decision.

See S. O. No. 60(7)

Consideration
of
Schedules

18.8 Schedules are disposed of in the same way as clauses and any proposed new schedule is considered after the schedules to the Bill have been disposed of. It is treated in the same manner as a new clause.

See S. O. No. 60(8)

Consideration
of
Preamble

18.9 When every clause or schedule or proposed new clause or schedule has been dealt with, the preamble, if there is one, must be considered and the question put "That this be the preamble to the Bill". No amendment to the preamble is considered which is not made necessary by a previous amendment to the Bill.

See S. O. No. 60(9)

Amendment
to Title
of Bill

18.10 The final stage in the consideration of a Bill in Committee of the Whole House is to amend the title if any amendment to the Bill makes it necessary. The amendment is made at the conclusion of the proceedings detailed above, but no question is put that the title (as amended) stand part of the Bill, nor is any question put upon the enacting formula.

See S. O. No. 60(10)

Question on
Conclusion
of Proceedings

18.11 At the conclusion of the proceedings in Committee on a Bill, the Chairman puts the question "that the Bill (or the Bill as amended) be reported to the Assembly" which must be decided without amendment or debate.

See S. O. No. 60(11)

Reporting of Progress 18.12 If any Member, before the conclusion of proceedings on a Bill, moves to report progress and the motion is carried, the Assembly must resume and the Member in charge of the Bill must report progress to the Assembly and ask leave to sit again, and name a day for the resumption of the proceedings.
See S. O. No. 60(12)

Discontinuance of Consideration of a Bill 18.13 A Committee having met to consider a Bill must proceed with its consideration, except that during the proceedings on a Bill the Member in charge of the Bill may, subject to the discretion of the Chairman, move a motion “That the Committee do not proceed further with the Bill”. If the motion is carried the Member in charge of the Bill must then report the Bill to the Assembly as so far amended or without amendments, as the case may be, explaining the proceedings of the Committee on the Bill.
See S. O. No. 60(13)

Procedure in Select Committee on a Bill 18.14 A Select Committee on a Bill is subject to Standing Orders No. 94 (Procedure in Select Committees) and No. 101 (Divisions in Select Committees). Before reporting the Bill to the Assembly, it must go through the Bill as provided in Standing Order No. 60 (Procedure in Committee of the Whole Assembly on a Bill).
See S.O. No. 61

Procedure on Reporting of Bills from Committee of the Whole Assembly 18.15 When a Committee of the whole Assembly has agreed that a Bill be reported, the Assembly resumes, and the Member in charge of the Bill reports it to the Assembly and either name a future day for the third reading of the Bill or move that it be read the third time forthwith.
See S.O. No. 62

CHAPTER 19

Recommittal of Bill Reported from Committee of the Whole Assembly and Select Committee

Report
from
Committee
of the
Whole
Assembly

19.1 A Member, who desires to delete or amend any provision contained in a Bill as reported from a Committee of the Whole Assembly or to introduce any new provision to the Bill may at any time before a Member rises to move the third reading of the Bill, move that the Bill be recommitted either wholly or in respect only of some particular part or parts of the Bill or some proposed new clause or new schedule.

19.1.1 No notice of such motion being required, and if the motion is agreed to the Bill must stand recommitted. The Assembly may then, upon motion made, resolve itself into Committee to consider the business so recommitted either forthwith or upon a later day.

19.1.2 When the whole Bill has been recommitted, the Committee must go through the Bill as provided in Standing Order No. 60 (Procedure in Committee of the Whole Assembly).

19.1.3 When the Bill has been recommitted in respect only of some particular part or parts or of some proposed new clause or new schedule, the Committee must consider only the matter so recommitted and any amendment which may be moved to it.

19.1.4 At the conclusion of the proceedings in Committee on a Bill recommitted under the provisions of this Standing Order No. 63, the Chairman must put the question "That the Bill (or the Bill as amended on recommittal) be reported to the Assembly". This question is decided without amendment or

debate. So soon as the Bill has been reported, the Member in charge of the Bill may either name a future day for the third reading of the Bill or move that it be read the third time forthwith.

See S. O. No. 63

Procedure on
Bills Reported
from Select
Committees

19.2 The Assembly may proceed to consider a Bill reported from the Select Committee upon a motion “That the report of the Select Committee on the Bill be adopted” on a motion moved under paragraph (8) of Standing Order No. 103 (Reports from Committees).

19.2.1 If that motion is agreed to without amendment, the Assembly may proceed to the third reading of the Bill as reported from the Select Committee.

See S. O. No. 64(1)-(2)

Recommittal
of Bill from
Select Committee
to Committee
of the Whole
Assembly

19.3 Upon a motion to approve the report of the Select Committee on a Bill, a Member may propose an amendment to add at the end of the motion, the words “Subject to the recommittal of the Bill (either of wholly or in respect of some particular part or parts of the Bill or some proposed new clause or new schedule) to a Committee of the whole Assembly”. If this motion is agreed to with such an amendment, the Bill stands recommitted. The Assembly may then, upon motion made, resolve itself into a Committee to consider the business recommitted.

See S. O. No. 64(3)

Proceedings
on the
committed
Bills

19.4 A Committee of the whole Assembly upon a Bill so recommitted must proceed in accordance with paragraph (2) or paragraph (3) of Standing Order No. 63 (Recommittal of Bills reported from Committee of the Whole Assembly) and the conclusion of its proceedings and the remaining proceedings on the Bill must be subject to paragraph (4) of the Standing Order.

See S. O. No. 64(4)

Third Readings of Bills

No Amendments
on Third
Reading

19.5 On the third reading of a Bill no amendments may be proposed to the question "That the Bill be now read a third time and passed" and the question must be put without amendment or debate.

Correction
of
Errors

19.6 Where a Bill is passed by the Assembly, the Speaker has the power to correct patent errors and make such other changes in the Bill as are consequential upon the amendments accepted by the Assembly.

Renumbering
or Lettering
of Clauses

19.7 Where amendments are made in the Bill, the renumbering or lettering of the clauses, sub-clauses and all reference therein, the numbering or lettering of clauses or sub-clauses as required by such renumbering, re-lettering or amendments and any clerical errors may be rectified by the Clerk of the National Assembly.

See S. O. No. 65

CHAPTER 20

Private Bills

Introduction
of
Private
Bills

20.1 Every Bill (not being a Public Bill) intended to affect or benefit some particular person, association or corporate body, herein called a "Private Bill", must be introduced into the Assembly in accordance with the provisions of Standing Order No. 66.

20.1.1 Any Bill (not being a Public Bill) which, in the opinion of the Speaker, appears to affect directly private rights or property, must be introduced into the Assembly as a Private Bill.

20.1.2 A Private Bill is introduced by a Member only:-

- (a) on petition from the promoters stating the objects of and reasons for the Bill, and
- (b) after notice of the Bill has been given by not less than three successive publications of the Bill at the expense of the promoters in the *Gazette* and three notices have been inserted in a newspaper containing a statement of the objects of and reasons for the Bill.

See S. O. No. 66(1)-(3)

Petition to
lodge with
Clerk

20.2 The Petition is presented by being lodged with the Clerk, and is read at the first ordinary sitting of the Assembly after it is lodged. At this stage the Speaker puts the question that the promoters be allowed to proceed.

See S. O. No. 66(4)

Bill to be
Lodged
with Clerk

20.3 When leave to proceed has been granted, a copy of the Bill must, if not previously lodged, be lodged with the Clerk within six months next after such leave has been granted.

See S. O. No. 66 (5)(a)

Publication
of
Bill

20.4 Upon lodging the Bill, the promoters must pay to the Accountant General the cost, as ascertained by the Clerk, of publication in the *Gazette* and in a newspaper together with the prescribed stamp duty except in such cases where the Assembly has remitted the stamp duty.

See S. O. No. 66(5)(b)

Printing and
First Reading
of Private
Bill

20.5 The Clerk causes the Bill lodged with him or her to be printed as early as possible, and at the first ordinary sitting of the Assembly following the publication of notices of the Bill in accordance with paragraph (3) of Standing Order No. 66, the Speaker, if he or she is satisfied that the said notices have been published, puts the question that the Bill be read a first time, upon which no discussion is allowed. After the Bill is read the first time, it stands upon the Order Paper for second reading at the next ordinary sitting of the Assembly.

See S. O. No. 66(5)(c)

Second
Reading of
Private Bill

20.6 Upon the day ordered for the second reading, the Speaker, unless the Assembly otherwise orders, proposes the question that the Bill be read a second time.

See S. O. No. 66(6)

Committee
of the
Whole on
Private
Bill

20.7 When the Bill has been read a second time it stands committed to a Committee of the Whole Assembly, unless the Assembly on motion made commits it to a Select Committee. Such motion must not require notice and must be made immediately after the Bill has been read a second time. The question thereon is put without amendment or debate.

See S. O. No. 66(7)

Proceedings
of Select
Committee
on Private
Bill

20.8 Every Select Committee on a Private Bill must require proof of the facts and other allegations set forth in the Bill as showing that it is expedient that the Bill should be passed, and may take such oral or other evidence as it may think requisite. Thereafter, if the Select Committee finds that the said facts and allegation are not proved, it must report to the Assembly accordingly and thereupon no further proceedings must be taken with reference to the Bill, unless the Assembly makes a special order to the contrary.

20.8.1 If the Select Committee finds that the said facts and allegations had been proved, the Committee must consider the several clauses of the Bill and may strike out clauses, add new clauses, and make any other amendments which it deems necessary. The Committee, in respect of such new clauses and other amendments, must describe their purport in a special report to the Assembly. No new clauses or amendments are allowed in such a Bill which are foreign to the objects of and reasons for the Bill or which are beyond its scope.

S. O. No. 66(8)

Appearance
of
Witnesses

20.9 No person other than a Member is heard in opposition to any Private Bill, unless he or she has previously lodged a petition with the Clerk showing the nature of his or her objections to the Bill, and stating whether his or her objections extend to the whole or some part of the preamble if any, or to the clauses of the Bill, and praying that he or she may be heard by himself or his or her counsel against the Bill.

See S. O. No. 66(9)

Petition
against
Private
Bill

20.10 Subject to the provisions of Standing Order No. 66, all Petitions against a Bill, containing a prayer that the petitioners be heard by themselves or counsel, referred to the Select Committee and the Committee must hear all such opposers who appear to have a *locus standi*.

See S. O. No. 66(10)

Examination
of
Witnesses

20.11 When it is intended to examine witnesses the petitioner or Member requiring such witnesses must deliver to the Clerk, two days at least before the day appointed for their examination, a list containing names, residence and occupation of such witnesses.

See S. O. No. 66 (11)

Evidence
of
Witnesses

20.12 The evidence of every witness must be taken down and read over to the witness who may then desire any correction to be made; and in case no such correction be made, the evidence stands as taken down and not be altered afterwards.

See S. O. No. 66(12)

Examination
of Private Bill
by Select
Committee

20.13 The Select Committee must examine the Bill and make such amendments thereto as it thinks proper, and must report to the Assembly that it has examined the Bill and (if the fact be so) made amendments to it. The Committee may make to the Assembly such recommendations, if any, as it thinks fit.

See S. O. No. 66(13)

Third
Reading of
a Private Bill

20.14 After the report of the Committee has been presented to and adopted by the Assembly, the Speaker puts the question without amendment or debate, that the Bill be read the third time.

See S. O. No. 66(13)

CHAPTER 21

Custody of Bills, etc.

Custody
of
Bills

21.1 Every Bill passed by the Assembly remains in the custody of the Clerk who must, subject to article 164 of the Constitution, at the earliest opportunity, submit the Bill to the President for his or her assent and the President must give his assent in accordance with article 170 of the Constitution.

See S.O. No. 67

Withdrawal
of
Bills

21.2 The Member in charge of a Bill may move a motion, without a notice, for its withdrawal, either before the commencement of Public Business or when any stage of the Bill is reached, but before the question is put.

See S.O. No. 68

Bills
Containing
Substantially
the same
Provision

21.3 Once the second reading of any Bill has been agreed to or negatived, no question shall be proposed during the same session for the second reading of any other Bill containing substantially the same provision.

See S.O. No. 69

CHAPTER 22

Negative Resolutions

22.1 The period prescribed for the purpose of section 22 (1) of the Interpretation and General Clauses Act, Chapter 2:01 (which relates to subsidiary legislation subject to negative resolution of the National Assembly) must be 40 days from the date on which the subsidiary legislation is laid before the Assembly.

22.1.1 Where notice of a motion that any subsidiary legislation subject to negative resolution be annulled is given within 21 days of the date on which the subsidiary legislation is laid before the Assembly, that motion must be debated as soon as practicable and in any event before the expiration of the period prescribed in paragraph (1) hereof.

See S. O. No. 70

See May, pp. 583-584 for the following-

... the commonest type of parliamentary control is a provision in the parent Act that instruments made thereunder, though taking effect forthwith or on some named future date, shall be subject to annulment in pursuance of a resolution of either House of Parliament adopted within a named time-limit. In pre-1948 Acts there were necessarily a specific provision that the instrument, when made, should be laid before Parliament; after 1947, this stage is universally required by the standardized procedure prescribed by the Statutory Instrument Act 1946. If the parent Act stipulates that a statutory instrument made thereunder "shall be subject to annulment in pursuance of a resolution of either House of Parliament," that formula attracts the requirement of laying and the conditions of annulments contained in section 5(1) of that Act. Under the same section, a resolution to annul does not prejudice the making of a new instrument of similar effect or the validity of anything previously done under the instrument.

Though its incidence is infrequent, the negative method is sometimes prescribed in a different form. A draft of the document is required to be laid before Parliament, if, within a time-limit, either House resolves that the instrument be not made (or, in case of an Order in Council, that the draft be not submitted to Her Majesty), then no further proceedings are to be taken thereon, though this procedure does not prevent a fresh draft being laid before Parliament. Power has occasionally been given to both Houses to resolve against part of an instrument subject to annulment.

CHAPTER 23

Financial Procedures

- Presentation of Estimates of Expenditure
- 23.1 The Estimates of revenues and expenditure for a financial year is laid before the Assembly by a Minister before or within ninety days after the commencement of that year (*See article 218(1) of the Constitution*). At the sitting at which the Estimates are presented to the Assembly or at any subsequent sitting, a Minister, (usually the Minister of Finance) after signifying the recommendation or the consent of the Cabinet may, without notice, move a motion for the approval of the Estimates of Expenditure. Such motion creates the occasion for the Minister to make the annual financial statement or budget speech.
- See S. O. No. 71(1)*
- Adjournment of Debate on Motion
- 23.2 After the motion has been proposed the debate thereon is adjourned for not less than two days after which five further days are allotted for the debate on the motion.
- See S. O. No. 71(2)*
- Nature of Debate
- 23.4 The debate, when resumed, is confined to the financial and economic state of the country and the general principles of Government policy and administration as indicated by the budget speech and the Estimates.
- See S. O. No. 71(2)*
- Conclusion of Debate
- 23.5 After Members have spoken and the Minister has replied, or at the end of the sitting on the last day allotted (whichever is earlier), the debate in the Assembly concludes, but the question on the motion is not put at this stage. The Assembly resolves itself into Committee of Supply, without question put, to consider the Estimates of Expenditure.
- See S. O. No. 71(2)-(3)*

Conclusion of
Consideration
of Estimates
and Report

23.6 On conclusion of consideration of the Estimates in Committee of Supply, the Assembly resumes without question put and the Minister reports to the Assembly.

See S. O. 71(4)

Approval
of
Estimates

23.7 The motion for the approval of the Estimates of Expenditure is amended, if necessary, and put, without further debate, as moved or as amended, as the case may be.

See S. O. 71(5)

Interpretation
of Allotted
Day

23.8 For the purpose of Standing Order No. 71 (Estimates of Expenditure) and Standing Order No. 73 (Allotment of Time in Committee of Supply) an allotted day is any day on which the consideration of the motion for approval of the Estimates, whether by the Assembly or in the Committee of Supply, stands as the first Public Business for that day, and on such a day no other Public Business may be taken before 9.00p.m.

See S. O. No. 71(6)

Committee
of Supply

23.9 There is a Committee of the whole Assembly called the Committee of Supply. The deliberation of this Committee is in public.

See S. O. No. 73(1)

Duty of
Committee
of Supply

23.10 It is be the duty of the Committee of Supply to consider the Estimates and supplementary estimates of expenditure and statements of excesses presented to the Assembly.

See S. O. No. 73(2)

Allotment of Time of Committee of Supply 23.11 A maximum of seven days are allotted for consideration of the Estimates of Expenditure in Committee of Supply. If the debate on the motion for the approval of the Estimates in the Assembly is agreed to on a day earlier than the last day allotted for the debate, the day or days thus saved may be added to the days allotted under this rule.

See S. O. No. 73(3)

Moving of Dilatory Motion 23.12 On any day allotted under paragraph (1) of Standing Order No. 73 no dilatory motion may be moved except by a Minister upon proceedings on the Estimates of Expenditure and such proceedings must not be interrupted or postponed under any Standing Order.

Guillotine 23.13 The Speaker may name the hour upon any day allotted under paragraph (1) of Standing Order No. 73 at which proceedings upon any head of expenditure in the Estimates must be concluded. If in the case of any head the hour so named is reached before the business concerned is disposed of, the Chairman puts forthwith any question necessary to dispose of that business. If in the case of any head the proceedings thereon are concluded before the hour named, the next business may be entered upon forthwith.

Business Sub-Committee

Duty of Business Sub-Committee 23.14 There is a Sub-Committee of the Committee of Supply, known as the Business Sub-Committee, which consists of the Speaker as Chairman and not less than six or more than ten Members to be nominated by the Committee of Selection, as soon as may be after the beginning of each session. The duty of the Sub-Committee is to consider the allocation of time for consideration of the Estimates of Expenditure in the Committee of Supply and to report to that Committee upon –

- (i) the number of sittings to be allocated to the consideration of the Estimates;
- (ii) the allocation of the proceedings to be taken at each sitting; and
- (iii) the time at which proceedings, if not previously brought to a conclusion, must be concluded.

See S. O. No. 75(1)

Resolutions
of
Business
Sub-Committee

23.15 All resolutions of the Business Sub-Committee are reported to the Committee of Supply at the commencement of the proceedings at the next sitting of that Committee and are printed and circulated with the Minutes of the Proceedings of the Committee.

See S. O. No. 75(2)

Report
of
Business
Sub-Committee

23.16 (a) Whenever the Business Sub-Committee has reported to the Committee of Supply the Minister in charge of the Estimates may forthwith move "That this Committee doth agree with the Business Sub-Committee in the said resolution (or resolutions)". Such a motion does not require notice and the question on it is decided without amendment or debate.

(b) If the question is resolved in the affirmative, the resolution (or resolutions) operates as a resolution of the Assembly, but if negatived the resolution (or resolutions) stands recommitted to the Business Sub-Committee.

See S. O. No. 76(1)-(2)

Procedure in Committee of Supply

23.17 On consideration of the Estimates of expenditure in Committee of Supply, each head of expenditure is considered with the appropriate details. Any reference in Standing Orders Nos. 75 and 76 to a sub-head or an item means a sub-head or an item in the Estimates for the head then under discussion.

23.17.1 On the consideration of the Estimates the Chairman calls the title of each head of expenditure in turn, and proposes the question “That the sum of \$ for Head stand part of the Estimates” and unless an amendment is proposed under the provisions of the Standing Order No. 76, a debate may take place on that question. Any such debate must be confined to the policy of the service for which the money is to be provided and must not deal with the details of any item or sub-head but may refer to the details of revenues or funds for which that service is responsible.

23.17.2 When the question upon every head of the Estimates has been decided, the Chairman puts the question to the Committee that the Estimates (or the Estimates as amended) be reported to the Assembly. This question is decided without amendment or debate. Upon the question being agreed to, the Assembly resumes, and the Minister in charge of the Estimates reports it to the Assembly.

See S.O. No. 75

Amendments to Heads of Estimates in Committee of Supply

Moving of Amendments	23.18 An amendment can only be moved in the Committee of Supply one day after that on which it was published in the Notice Paper.
Amendment to Increase Alloted Sum	23.19 Only a Minister, after signifying to the Committee Cabinet’s recommendation or consent, may move an amendment to increase the sum allotted to a head, including any subhead and its item. Every such amendment takes the form of a motion “That Head be increased by \$ in respect of Sub-head Item”.
Amendment to Increase Item or Sub-head	23.20 An amendment to increase a head whether in respect of any item or sub-head or of the head itself takes precedence over an amendment to reduce the head in the same respect, and if it is carried no amendment to reduce the head in that respect, is called.

- Amendment to Allocation to Head 23.21 An amendment to any head of expenditure to reduce the sum allotted in it in respect of any item to it may be moved by any Member, and must take the form of a motion “That Head be reduced by \$ in respect of (or by leaving out) Sub-head, Item”.
- Amendment to Sub-head not Itemized 23.22 Any amendment to reduce a head in respect of any sub-head or by leaving out a sub-head can only be in order if the sub-head is not itemized.
- Amendments to Heads without Sub-heads 23.23 An amendment to reduce a head without reference to a sub-head to it is only in order if the head is not divided into sub-heads.
- Amendment to Leave out Head 23.24 An amendment to leave out a head is out of order and must not be placed on the Notice Paper.
- Notice Paper for Amendments 23.25 In case of each head, amendments in respect to items or sub-heads in that heard must be placed upon the Notice Paper and considered in the order in which the items or sub-heads to which they refer stand in the head in the Estimates.
- Precedence of Amendments 23.26 When notice has been given of two or more amendments to reduce the same item, sub-head or head they must be placed upon the Notice Paper and considered in the order of the magnitude of the reductions proposed, the amendment proposing the largest reduction being placed first in each case.
- Confinement of Debate 23.27 Debate on every amendment must be confined to the item, sub-head or head to which the amendment refers, and after an amendment to an item or sub-head has been disposed of, no amendment or debate on a previous item or sub-head of that head is permitted.

Proposal
of
Question

23.28 When all amendments standing on the Notice Paper in respect to any particular head of expenditure have been disposed of the Chairman proposes the question "That the sum of \$ for Head stand part of the Estimates" (or shall proposed the amended question "that the (increased) (reduced) sum of \$ for Head Stand part of the Estimates" as the case may require. The debate on any such question must be subject to the same limitations as apply to a debate arising under paragraph (3) of Standing Order No. 75 (Procedure in Committee of Supply).

See S.O. No. 76

CHAPTER 24

Appropriation Bill

Introduction 24.1 All moneys approved in the Estimates of Expenditure for the service of the country must be appropriated by an Act of Parliament to some distinct use. For this purpose an Appropriation Bill is introduced in the Assembly after the Estimates of expenditure have been approved by resolution of the Assembly.

Issue from the Consolidated Fund 24.2 The Bill provides for the issue from the Consolidated Fund of the sum necessary to meet the expenditure approved by the Assembly in the annual estimates and the appropriation of those sums for the purposes specified in it.

Second and Third Readings 24.3 After the Bill has been published in the *Gazette* and introduced in the Assembly, the Minister without notice moves that the remaining stages be taken forthwith.

No Debate on Second and Third Readings 24.4 No debate takes place on the motions for the second reading and the third reading of the Bill. It is not committed and the question for its second reading and third reading is put without amendment or debate.

Supplementary Estimates

Presentation of Supplementary Estimates 24.5 If in respect of any financial year it is found -

- (a) that the amount appropriated by the Appropriation Act for any purpose is insufficient or that a need has risen for expenditure for a purpose for which no amount has been appropriated by that Act; or
- (b) that any moneys have been expended for any purpose in excess of the amount appropriated for that purpose by the Appropriation Act or for a purpose for which no amount has been appropriated by that Act; or

(c) that advances have been made from the Contingencies Fund for expenditure for which no other provision exists,

a Minister may present a Paper with the supplementary estimate or, as the case may be, the statement of excess showing the sums required or spent. The Paper is ordered to be printed and stand referred to the Committee of Supply without question put. A day is then named for its consideration by the Minister presenting the Paper but not earlier than one day after that on which the Paper was presented.

See S. O. No. 78(1)

Proceedings
on
Supplementary
Estimates

24.6 On the day named under paragraph (1) of Standing Order No. 78, the Committee of Supply stands as the first item of Public Business and the Assembly resolves itself into that Committee without question put.

24.6.1 When the Assembly has resolved itself into a Committee of Supply to consider such a Paper, a Minister may move without notice (the recommendation or the consent of the Cabinet being first signified) “That this Assembly approves the proposal (or proposals) set out in Financial Paper No.”. To this motion amendments may be moved to add words either leaving out or reducing an item or a sub-head of any particular proposal or if there be more than one proposal leaving out any particular proposal:

Provided that when an amendment has been proposed to leave out or reduce any item or sub-head no amendment may be moved to an earlier item or sub-head. Further when an amendment to leave out a proposal (or where there is only one proposal, the question “That this Assembly approves the proposal set out in Financial Paper No.” has been proposed), no amendment to an item or sub-head in that proposal may be moved.

24.6.2 When the motion “That this Assembly approves the proposal (or proposals) set out in Financial Paper No.”, or that motion as amended has been agreed to, the Assembly resumes and the Minister in charge reports that the Committee has come to a Resolution. He/she moves “That this Assembly doth agree with the Committee in the said Resolution”. The question is put forthwith without amendment or debate.

24.6.3 If the consideration of the proposal (or proposals) in a Financial Paper has not been concluded by the time for the suspension or the adjournment, the Assembly must resume and the Minister in charge must, after reporting any Resolutions that may have been agreed to, report progress and ask leave to sit again and then name a day for the resumption of the Committee.

See S. O. No. 78(2)-(5)

Supplementary
Appropriation
Bills

24.7 From time to time, whether in the course of a particular financial year or after its close, a Supplementary Appropriation Bill is presented appropriating only proposals which have been approved by the Committee of Supply and agreed to by the Assembly under Standing Order No. 78 (Supplementary Estimates of Expenditure and Statements of Excesses). There is no debate on the second reading of the Bill. The Bill is not committed and the necessary questions are put forthwith without amendment or debate.

See S. O. No. 79

CHAPTER 25

Committees

Parliamentary
Committees

25.1 Parliamentary Committees perform functions which the Assembly cannot effectively and efficiently execute. These bodies, on account of their composition and method of procedure, are suited for the gathering of evidence from experts and individuals. Because of their direct contact with the public they give to the electorate the assurance that they are allowed to participate in the decision process of the National Assembly. On the other hand the Committees themselves through their oversight and scrutiny of the Executive are able to contribute to a better informed administration and government policy-making process. Committees are microcosms of the National Assembly with their power limited to the extent of the authority delegated to them. Their proceedings are the reflection of the Assembly.

Committees
of the
Assembly

25.2 Committees of the National Assembly are-

- (i) Committees of the Whole Assembly-
 - (a) Committee of the Whole Assembly on A Bill
 - (b) Committee of Supply;
- (ii) Standing Committees;
- (iii) Select Committees-
 - (a) Sessional Select Committees
 - (b) Special Select Committees.

25.2.1 A Committee of the Whole Assembly is appointed in pursuance of a resolution that the Assembly will immediately or at a specified time resolve itself into a Committee for a stated purpose. Whenever the Assembly resolves itself into a Committee of the Whole, the Speaker assumes the Chair as Chairman. The Mace is placed under the Table by the Sergeant-at-Arms. The presence of the Mace on the Table is a sign that the Speaker, or the Deputy Speaker, is in the Chair.

When he or she presides as Chairman of Committee, the Mace is placed on brackets below the end of the Table.

The rules as to the procedures of the Whole Assembly have been dealt with under Committee of the Whole on a Bill and Committee of Supply.

CHAPTER 26

Standing Committees

Standing
Committees

26.1 The following Standing Committees are established at the commencement of each National Assembly:

- (a) the Committee of Selection;
- (b) the Public Accounts Committee;
- (c) the Constitution Reform Committee;
- (d) the Committee on Appointments;
- (e) the Parliamentary Management Committee, and
- (f) the Sectoral Committees –
 - (a) Committee on Natural Resources
 - (b) Committee on Economic Services
 - (c) Committee on Foreign Relations
 - (d) Committee on Social Services

26.1.1 Standing Committees continue for the duration of an Assembly, unless the Assembly provides otherwise. The business and proceedings before a Standing Committee do not lapse by reason of prorogation and are to be proceeded with in the next ensuing session of the same Assembly.

26.1.2 In addition to the above named Committees, the Assembly may establish and appoint further Standing Committees as it considers necessary.

26.1.3 Unless otherwise provided for in Standing Orders, a Standing Committee must consist of such Members of the Assembly as the Committee of Selection determines.

See S. O. No. 80

The Committee of Selection	<p>26.2 The Committee of Selection is appointed as soon as may be after the beginning of each National Assembly to perform the functions allotted to it by Standing Orders and for such other matters as the Assembly may from time to time refer to it. Its main function is the appointment of Members of other Committees.</p> <p><i>See S. O. No. 81(1)</i></p>
Membership	<p>26.3 The Committee of Selection consists of the Speaker as Chairman, and not less than six or more than ten Members to be nominated by the Assembly. The Committee informs the Assembly by means of its Minutes of Proceedings when any Member has been nominated to any Committee.</p> <p><i>See S. O. No. 81(2)</i></p>
No Power to Summons Witness, etc.	<p>26.4 The Committee does not have power to send for persons, papers and records and every recommendation or decision of the Committee of Selection must be reported to the Assembly at the next subsequent sitting.</p> <p><i>See S O. No. 81(3)-(4)</i></p>
Members and Chairman of Public Accounts Committee	<p>26.5 The Public Accounts Committee consists of not less than six or more than ten Members who are nominated by the Committee of Selection at the commencement of each Session. By convention a Minister is not eligible to be nominated as one of its Members. Its Chairman must be a Member of the main opposition party in the Assembly.</p> <p><i>See S. O. No. 82(1)-(2)</i></p>
Functions of the Public Accounts Committee	<p>26.6 The functions of the Public Accounts Committee are to –</p> <p>(i) examine the accounts showing the appropriation of sums granted by the National Assembly to meet public expenditure and such other accounts laid before the Assembly as the Assembly may refer to it together with the Auditor General's Report thereon. In the exercise of this function the PAC ensures that</p>

public money is spent for the purpose authorized by Parliament, that extravagance and waste are minimized, and that sound financial practices are encouraged in estimating and contracting, and in administration in general. The PAC does not concern itself with the appropriateness of the government policy, rather it focuses on the economy and efficiency of its administration;

(ii) exercise general supervision over the functioning of the Auditor General in accordance with the Rules, Policies and Procedures Manual and any other law;

(iii) nominate the members of the Public Procurement Commission for approval by the National Assembly and, thereafter, for appointment by the President;

(iv) determine the emoluments and allowances of Members of the Public Procurement Commission in consultation with the Commission.

See S. O. No.82 (1), articles 223(5), 212X(2), 212Z(9) of the Constitution

Report of
the PAC

26.7 The PAC reports its findings to the National Assembly. It relates its findings, states conclusions and recommendations on matters pertaining to the improvement of managerial and financial practices and control of government departments and other state agencies or entities.

Government
Response

26.8 Within ninety days of the presentation of a report from the PAC, the Government must respond to it by tabling a Treasury Memorandum.
See S. O. No. 82(3)

The
Constitution
Reform
Committee

26.9 Pursuant to article 119A of the Constitution, as soon as may be after the beginning of each National Assembly a Standing Committee for Constitutional Reform is appointed.

Functions	26.10 The purpose of this Committee is to continually review the effectiveness of the working of the Constitution and to make periodic reports thereon to the National Assembly, with proposals for reform as necessary.
Members	26.11 The Constitution Reform Committee consists of not less than six or more than ten Members nominated by the Committee of Selection.
Power to co-opt Experts	26.12 To assist in its work, the Committee has the power to co-opt experts or enlist the aid of other persons of appropriate expertise, whether or not such experts or other persons are Members of the National Assembly. 26.12.1 The Constitution Reform Committee has the same powers, duties and responsibilities in relation to its functions as conferred on Select Committees by Standing Order No. 94. <i>See S.O. No.83</i>
The Committee on Appointments and its purposes	26.13 Pursuant to Article 119C of the Constitution as soon as may be after the beginning of each National Assembly a Standing Committee on Appointments is appointed. Its responsibility is initiating or otherwise taking such action or addressing such matters as may be entrusted to it by the National Assembly in respect of functions required to be discharged by the National Assembly under the Constitution in relation to the appointment of a Member for a Commission established under the Constitution.
Members of Committee	26.14 The Committee on Appointments consists of not less than six or more than ten Members to be nominated by the Committee of Selection.
Duty of Committee	26.15 It is the duty of the Committee to: (a) identify the appropriate bodies for consultation in the appointment of the relevant members of Commissions at (b)(i), conduct the necessary consultation with them and, where necessary, receive nominations from appropriate bodies.

- (b) make recommendations to the National Assembly:-
 - (i) for a consensual mechanism for the Ethnic Relations Commission, the Women and Gender Equality Commission, the Indigenous Peoples' Commission, and the Rights of the Child Commission;
 - (ii) for the appointment of members of the Commissions with the exception of the Public Procurement Commission;
 - (iii) in connection with any other matter referred to it by the Assembly from time to time, and
- (c) report to the National Assembly in relation to each Commission as soon as possible upon the discharge of its functions in relation thereto.

See S. O. No. 84

The
Parliamentary
Management
Committee
and its
Functions

26.16 A Standing Committee known as the Parliamentary Management Committee is appointed as soon as may be after the beginning of each National Assembly to consider and decide on matters relating to the business of the National Assembly, such other matters which the Committee may wish to consider and such other matters referred to it by the National Assembly.

26.16.1 The Committee comprises ten Members, five representing the Government and five representing the Opposition. They are nominated by the Committee of Selection, with the Speaker as the Chairman and in his or her absence, the Deputy Speaker. The Speaker, and the Deputy Speaker, if they are not Members of the Committee, do not have an original or a casting vote.

Quorum

26.17 A quorum of the Committee is five Members, two representing the Government and two representing the Opposition (one of whom must be representative of the main Opposition Party) and the Speaker or, in his or her

absence, the Deputy Speaker. If a meeting which is convened cannot be held for the lack of a quorum, Members of the Committee must be given forty-eight hours notice of the holding of another meeting. The Members who are present at this other meeting will comprise a quorum provided at least one Member of the Opposition is present.

The
Sectoral
Committees
and their
Responsibilities

26.18 Pursuant to Article 119B of the Constitution as soon as may be after the beginnings of each National Assembly there are appointed Standing Committees known as Parliamentary Sectoral Committees as follows:

- (a) Committee on Natural Resources;
- (b) Committee on Economic Services;
- (c) Committee on Foreign Relations;
- (d) Committee on Social Services,

with responsibility for the scrutiny of all areas of Government policy and administration.

See S. O. No. 86(1)

Members
of Sectoral
Committees

26.19 Each Committee consists of seven Members, four representing the Government and three representing the Opposition, who are nominated by the Committee of Selection. The Government and Opposition are entitled to elect one alternate Member each for each Sectoral Committee.

Chairman
and
Vice-Chairman

26.20 Each Sectoral Committee has a Chairman and a Vice Chairman elected from among Members of the Government and Opposition, respectively, and who must alternate annually with two Sectoral Committees, each to be chaired by the Government and Opposition respectively.

See S. O. 86(2)-(3)

Proceedings
of
Sectoral
Committees

26.21 Sectoral Committees are, in the exercise of their responsibilities, to examine all policies and administration for each sector to determine whether the execution of Government policy is in consonance with the principles of good governance and in the best interest of all the people of Guyana.

See S. O. No. 86(4)

Authority
of Sectoral
Committees

26.22 Sectoral Committees have the authority to:

- (a) determine areas of Government activity for scrutiny or specific examination;
- (b) request the Minister assigned responsibility for the sector to submit written or oral information, including government documents and records about any specific area of government policy and administration;
- (c) review existing legislation on government policy and administration for any of the sector;
- (d) summon persons to give evidence in accordance with the Legislative Bodies (Evidence) Act Chapter 1:08 of the Laws of Guyana;
- (e) scrutinize government documents, papers and records;
- (f) visit any government activity or project in Guyana as agreed and arranged by the Sectoral Committee;
- (g) in the discharge of their mandate, utilize the services of experts, specialists and other sources of advice as the Committees may determine;

- (h) establish a timetable for the conduct of their work;
- (i) make recommendations to the Assembly on legislation or any other action to be taken on matters falling within their purview;
- (j) submit periodic reports to the National Assembly on their work.

See S. O. 86(5)

Inquiry Authorised
by the National
Assembly

26.23 The National Assembly may request a Sectoral Committee to inquire into and report on any aspect of the policy or administration of the government within its terms of reference.

See S. O. No. 86(6)

Government
Response

26.24 Within sixty days of the presentation of a report from a Sectoral Committee, the government must, upon the request of the Committee, table a comprehensive response to it.

See S. O. No. 86(7)

CHAPTER 27

Sessional Select Committees

- Select Committees
- 27.1 The following Sessional Select Committees are appointed at the commencement of each session of the National Assembly:
- (a) The Standing Orders Committee;
 - (b) The Assembly Committee;
 - (c) The Committee of Privileges; and
 - (d) The Statutory Instruments Committee
- See S. O. No. 87*
- The Standing Orders Committee, Membership and Power
- 27.2 The Standing Orders Committee consists of the Speaker as Chairman and not less than six or more than ten Members nominated by the Committee of Selection as soon as may be after the beginning of each session.
- 27.2.1 It is the duty of the Committee to consider from time to time and report on all matters relating to the Standing Orders which are referred to it by the Assembly.
- 27.2.2 The Committee does not have the power to send for persons, papers and records unless the Assembly so resolves.
- See S. O. No. 88*
- The Assembly Committee and Membership
- 27.3 The Assembly Committee consist of the Speaker as Chairman and not less than six or more than ten Members to be nominated by the Committee of Selection as soon as may be after the beginning of each session.
- Duty of the Committee
- 27.4 It is the duty of the Committee to consider and advise the Speaker upon all matters connected with the comfort and convenience of Members of the Assembly.

Report
and Power

27.5 This Committee does not have power to send for persons, papers and records unless the Assembly so resolves and it must from time to time report to the Assembly.

See S. O. No. 89

The Committee
of Privileges
and
Membership, etc.

27.6 The Committee of Privileges consists of the Speaker as Chairman and not less than six or more than ten Members to be nominated by the Committee of Selection as soon as may be after the beginning of each session. Matters which appear to affect the powers and privileges of the Assembly are referred to this Committee. It is the duty of the Committee to consider any matter so referred, and to report thereon to the Assembly.

See S. O. No.90

The following is a definition of "privilege" as given by Subhash C. Kashyap in his work "Parliamentary Procedure-Law, Privileges, Practices & precedents, p.1554-

"Privilege means a special or exceptional right or an immunity enjoyed by a particular class of persons or individuals which is not available to the rest of the people. In the legal sense it means an exemption from some duty burden, attendance or inability to which others are subject. In parliamentary parlance the term "privilege" means certain rights and immunities enjoyed by each House of Parliament and its Committees collectively, and by the Members of each House of Parliament individually without which they cannot discharge their function efficiently and effectively. The object of parliamentary privilege is to safeguard the freedom, the authority and dignity of the institution of Parliament and its members. They are granted by the Constitution to enable them to discharge their functions without any let or hindrance. But they do not exempt members from the obligation to the society which apply to other citizens. Privileges of Parliament do not place a Member of Parliament on a footing different from that of an ordinary citizen in the matter of the application of the laws of the land unless there are good and sufficient reasons in the interest of Parliament itself to do so. The fundamental principle is that all citizens including members of Parliament should be treated equally before the law. The privileges are

available to members only when they are functioning in their capacity as members of Parliament and performing their parliamentary duties. “

The
Statutory
Instruments
Committee and
Constitution

27.7 The National Assembly appoints a Sessional Select Committee known as the Statutory Instruments Committee as soon as may be after the beginning of each session. The Committee consists of the Speaker as Chairman and not less than six or more than ten Members nominated by the Committee of Selection.

Duty
of
Committee

27.8 The Statutory Instruments Committee has the duty of considering all such instruments (as defined by the Interpretation and General Clauses Act, Cap 2:01, for the time being in force) as under the authority of any law are to be laid before the Assembly, and are subject to negative resolution within the meaning of the Interpretation and General Clauses Act, and to bring to the special attention of the Assembly any instrument -

- (a) which involves the expenditure of public moneys or imposes or fixes fees for licences or for services;
- (b) which cannot be challenged in the courts on the ground that it is ultra vires, or is only temporarily so challengeable;
- (c) the making of which appears to constitute an unusual or unexpected use of the powers conferred by the law under which it was made;
- (d) which purports to have retroactive effect although the law under which it was made does not, in terms give the Minister such a power;
- (e) the publication or the laying before the Assembly of which appears to have been unduly delayed;

- (f) in respect of which there has been unjustifiable delay in notifying the Speaker that the instrument had come into operation before it was laid before the Assembly;
- (g) the purport or form of which appears to require elucidation;
- (h) which may be in conflict with any provision of the Constitution of the Republic of Guyana; or
- (i) which it considers is not in accordance with the letter, spirit or intention of its enabling Act.

See S. O. No. 91(2)

Affirmative
Resolutions

27.9 The Statutory Instruments Committee, or a Special Select Committee, considers all Regulations or Instruments subject to an affirmative resolution for the purposes set out in the duties of the Committee, stated above, as may be referred to it by the Assembly.

See S.O. No. 91(3)

Consideration
of Merits
or Policy

27.10 The Statutory Instruments Committee must not consider or report on the merits or policy of any regulations.

See S.O. No. 91(4)

CHAPTER 28

Special Select Committees

Special
Select
Committee

28.1 A Select Committee other than a Sessional Select Committee is known as a Special Select Committee. It is be nominated by resolution of the Assembly and consists of such Members as may be nominated by the Committee of Selection.

Election
of Chairman

28.2 A Special Select Committee has power to elect its own Chairman.

Constitution of Select Committees

Constitution
of Select
Committee

28.3 Every Select Committee is constituted as to ensure, as far as possible, that the balance of parties in the Assembly is reflected in the Committee.

See S. O. No. 93(1)

Size of
Select
Committees

28.4 Unless otherwise provided in Standing Orders or by resolution of the Assembly, the Committee of Selection may determine the size of each Committee

See S. O. No. 93(2)

Filling of
vacancy
in Select
Committees

28.5 In the event of the death of a Member nominated to a Committee, or if his or her seat becomes vacant for any other reason, the Assembly or the Committee, as the case may require, must nominate another Member in his or her place, and in so doing must observe the provisions of paragraph (1) of Standing Order No. 93.

See S.O. No. 93(3)

CHAPTER 29

Procedure in Select Committees

- Application of Standing Order No. 94
- 29.1 Except as otherwise provided in Standing Orders, Standing Order No. 94 (Procedure in Select Committees) applies to all Standing and Select Committees.
- See S. O. 94(1)*
- Notice of Meeting
- 29.2 A written notice informing Members of the Committee of a meeting of the Committee must ordinarily be circulated by the Clerk of the Committee no later than three days before the meeting unless the Committee adjourns to a time earlier than three days. The notice must contain a summary of the items, Agenda, of business proposed to be dealt with at the meeting.
- See S. O. No. 94(2)*
- Business to be Transacted
- 29.3 The business to be transacted at every meeting of a Committee must be confined to the matter referred to it by the Assembly and any extension or limitation thereof made by the Assembly, and in the case of a Select Committee on a Bill to the Bill committed to it and relevant amendments.
- See S. O. No. 94 (3)*
- Acting Chairman
- 29.4 When the Chairman is unable to be present at any meeting, the Committee elects another Chairman whose tenure of office is for only the day of his or her election.
- See S.O. No.94 (4)*
- Powers of Select Committees
- 29.5 Unless Standing Orders otherwise direct, a Select Committee may send for persons, papers and records, and has leave to report its opinion and observations together with the minutes of evidence taken before it to the Assembly.
- See S. O. No. 94(5)*

Where it appears to a Committee that anyone within Guyana is able to give any information with respect to the subject-matter of any question referred to it for its determination or has any books, plans or documents in his possession or under his control in any way relating to the subject-matter of that question, that Committee may cause a summons to be issued to the person, or, in any other form the circumstances render expedient, requiring the person to be and to appear before the Committee at the time and place specified, for the purpose of being examined (and, if so required, then and there to produce the books, plans, or documents mentioned in the summons), and thereafter to remain in attendance until permitted to withdraw. The summons is served by the Registrar of the High Court or by a Marshal, and may in the same way as a summons is by law required to be served on a person who is summoned as a witness before the High court in its civil jurisdiction..

(For further details see the Legislative Bodies (Evidence) Act, Cap. 1:08)

Quorum of
Select
Committees

29.6 Unless the Assembly otherwise directs, three Members of a Committee compose the quorum. In ascertaining whether there is a quorum present, the Member in the Chair is included.

See S. O. No. 94(6)

Absence of
Members
without
Permission

29.7 A Member is required to attend all meetings of a Committee and must inform the Chairman if he or she is unable to do so. 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 must so advise the Committee of Selection.

See S. O. No. 94(7)

Place
of
Meetings

29.8 Meetings of a Committee are held within the precincts of the National Assembly, and if it becomes necessary, a Committee may meet at any other place within Guyana, with the consent of the Speaker, or if the Assembly so resolves.

See S. O. No. 94(8)

Meetings
of
Select
Committees

- 29.9 (a) The meetings of a Committee are held in private.
- (b) However, Sectoral Committees and the Public Accounts Committees may sit in Public, unless the Committees determine otherwise. In determining what proceedings shall be held in private, the Committees must strive to reach a decision by consensus, failing which the provisions of Standing Order No. 48 (Decision of questions) must apply.
- (c) All persons other than Members of the Committees and officers of the Committees must withdraw whenever the Committees are deliberating.

See S. O. No. 94(9)

First Meeting
of
Select
Committees

29.10 The first meeting of a Select Committee is held at such time and place as the Chairman in the case of a Sessional Select Committee, or the Speaker in the case of a Select Committee, may appoint. Subsequent meetings are held at such time and place as the Committee may determine. If a Committee fails to do so, the Chairman must, in consultation with the Clerk of the Committee, appoint a time and place.

See S. O. No. 94(10)

Select Committee
not to meet while
the Assembly is
Sitting

29.11 Except by leave of the Assembly no Select Committee may meet while the Assembly is sitting, but a Select Committee may meet at any time when the Assembly is adjourned.

See S. O. No. 94(11)

Summoning
of Witnesses by
Select Committees

29.12 When it is intended to examine any witness, the Member requiring such witness delivers to the Clerk of the Committee the name, residence and occupation of any witness he desires to examine.

29.12.1 If the Committee desires to send for any witness, the Chairman supplies the name, residence and occupation of every such witness to the Clerk of the Committee at least seven days before his or her evidence is required. The Clerk must then send for every such witness on behalf of the Committee.

See S. O. No. 94(12)

Submissions
in Writing
by Witnesses

29.13 (a) A witness must ordinarily be given the opportunity to make a submission in writing before appearing to give oral evidence.

(b) A Committee may expunge from any transcript of proceedings, any evidence or statement that it considers to be irrelevant to its proceedings, offensive or possibly defamatory.

See S. O. No. 94(13)

Recalcitrant
Witnesses

29.14 The Committee may at its discretion refuse to hear any irrelevant evidence or any recalcitrant witness.

See S. O. No. 94(14)

Presence
of Members
of the Assembly
at Select
Committees'
Meetings

29.15 Subject to Standing Order No. 94, any Member of the Assembly (not being a Member of the Committee) may attend any meeting of a Committee, but such a Member will not be able to join in the deliberations; only Members of the Committee of Privileges may attend any meeting of that Committee while the Committee is deliberating.

Advisers and
Expert
Witnesses

29.16 A Committee may seek the assistance of persons as Advisers or Expert Witnesses to the Committee during its consideration of a matter.

See S. O. No. 94(16)

A Select Committee may be granted powers to secure assistance if it appears necessary for it to consider and evaluate complex technical and professional evidence. The Specialist Advisers so secured either supply information which is not readily available or to elucidate matters of complexity within a Committee's terms of reference. A Specialist Adviser may not only attend meetings at which oral evidence is taken but also meetings at which the Committee deliberates.

See May, p. 662

Presence of
Advisers at
Meetings

29.17 Advisers may remain present during relevant proceedings that are not open to the public, unless excluded by the Committee.

See S. O. No. 94(17)

Maintenance
of
Order

29.18 It is the responsibility of the Chairman or Vice Chairman of a Committee to maintain order in the Committee. He/she may order any stranger or other person, not being a Member of the Committee, to withdraw from a meeting if that person's conduct is disorderly. Disorder by Members of a Committee can only be censured by the Assembly on receiving a report from the Committee.

See S. O. No. 94(18)

Appointment
of
Sub-Committees

29.19 A Committee is empowered to appoint a sub-committee or sub-committees and it may prescribe rules for the conduct of a sub-committee's proceedings. These rules must be consistent with the Standing Orders. Subject to any such rules, the same rules for the conduct of proceedings in a Committee must apply to a sub-committee.

See S. O. No. 94(19)

Report of
Select
Committee

29.20 (a) Any Member of a Select Committee may bring up a report for its consideration, and all such reports must be entered in full upon the Minutes of Proceedings of the Committee. When all the reports have been brought up, the Chairman must propose the reports in order until one is accepted as a basis for discussion,

beginning with his or her own report and proceeding with the remainder in the order in which they were brought up. The question to be proposed by the Chairman on any report is "That the Chairman's or (Mr. or Ms. ----'s) report be considered paragraph by paragraph". When this question has been agreed to it is not proposed on any further reports, but any portions of the others may be offered as amendments to the report under consideration, if they are relevant to it.

- (b) The Committee must, thereafter, proceed to go through the report paragraph by paragraph and paragraphs (1) to (7) of Standing Order No. 60 (Procedure in Committee of the Whole Assembly on a Bill) will apply to such consideration as if the report were a Bill and their paragraphs were the clauses of the Bill.
- (c) Upon the conclusion of the consideration of the report paragraph by paragraph and, when all proposed new paragraphs have been considered, the Chairman must put the question that this report be the report of the Committee to the Assembly.

See S.O. No. 94(20)

It is the practice for the Clerk of a Committee to prepare a draft report for the Chairman of the Committee. After this draft is vetted by the Chairman it is circulated before the Committee meets. Usually the Chairman's draft is the only one "received" and placed before the Committee for consideration. The Chairman proposes the question that the draft report be considered (or read a second time) paragraph by paragraph. To this motion amendments are moved in keeping with the rules pertaining to amendments, mode of putting amendments and putting of question on conclusion of a debate.

On the conclusion of debate, the question is put with respect to each paragraph "That this paragraph (or that this paragraph as amended) stand part of the report". New paragraphs may be inserted or added.

The last questions put are "That this report (or that this report, as amended) be the report of the Committee to the Assembly," and "That the Chairman do make the report to the Assembly". Individual Members of a Standing or Select Committee who disagree with certain paragraphs in the report, can record their disapproval by dividing the committee against the proposals to which they object. In accordance with S. O. No. 103(7), the Committee may report the differing views of its Members.

CHAPTER 30

Witnesses

Matter of Concern before giving Evidence

30.1 A person who is to appear before a Committee may raise any matters of concern relating to that evidence with the Clerk of the Committee before appearing before the Committee. Any such matters must be brought to the attention of the Committee.

See S.O. No. 95

Conduct of Examination

Mode of
Procedure
of Questions

30.2 The Committee must, before a witness is called for examination, decide the mode of procedure and the nature of questions that may be asked of the witness.

Questions
by the
Chairman

30.3 The Chairman of the Committee must first ask the witness such question or questions as he or she may consider necessary with reference to the subject matter under consideration or any subject connected therewith according to the mode of procedure mentioned in paragraph (1) of Standing Order No. 96.

Questions by
other Members

30.4 The Chairman will recognize and call other Members of the Committee to ask any other questions.

Relevancy
of Questions

30.5 The Chairman will take care to ensure that all questions put to a witness are relevant to the Committee's mandate.

It is generally the case that members of select committees co-operate with the chair and with each other in questioning witnesses in order more effectively to achieve the purpose for which the committee was appointed by the House. A Member seldom interrupts another except to obtain elucidation of the question being asked or to contribute to the questioning. However, a question put to a witness may be objected to

by a Member. Questions are usually objected to for much the same reasons as those offered by the parties or their counsel in a court of law but members are not confined to objections of this description.

If a question should be objected to, or if any difference should arise in regard to the examination of a witness, witnesses and any strangers who are present are directed by the Chairman to withdraw, and the committee proceeds to consider the matter. When the committee has come to a decision the witness is again called in, and the examination proceeds.

See May, p. 651

Objection
of Witness
to Question

30.6 A witness may object to a question on the ground that it is not relevant. However, the Chairman will then determine whether the question is relevant to the Committee's proceedings and the Chairman's decision in this matter must not be open to dispute.

Request for
Relevant Points
to be covered

30.7 A witness may be asked to place before the Committee any other relevant points that have not been covered and which a witness thinks are essential to be placed before the Committee.

Verbatim
Report
of
Evidence

30.8 The evidence of every witness must be taken down verbatim and sent in proof to the witness by the Clerk of the Committee. The witness must be at liberty, within twelve days from that on which the Clerk sent out the proof, to suggest corrections due to inaccurate reporting, and the evidence must be printed with such of the corrections as may be approved by the Chairman.

See S. O. No. 96 (1)-(7)

Counsel

30.9 A witness may be accompanied by counsel (of witness's choice) and may consult counsel in the course of a meeting at which the witness appears.

30.9.1 Counsel may -

- (a) with the Committee's agreement, address the Committee on the procedure to be followed by the Committee before counsel's client is heard;
- (b) when, in his or her opinion, the client's reputation may be seriously damaged by proceedings of a Committee, request that further witnesses give evidence in the client's interest.

See S.O. No. 97

See May, pp. 652-53 for the following –

Orders specifying the forms of representation open to parties before Select Committees have varied. The most modern type of order is that giving the committee leave to hear counsel to such an extent as it shall see fit; or to hear parties by themselves, their counsel or agents. Orders have added witnesses to or included witnesses within those categories of persons a committee is empowered to hear. Where a Select Committee is to consider a bill, orders have given leave for parties appearing on petitions against a bill to be heard by themselves, their counsel or agents, and for counsel to be heard in support of the bill. More frequently, orders of a more restrictive character have been made. (The House has directed Mr. Attorney General to attend a Committee to present to the Committee evidence in the possession of the Government relative to the subject matter of the inquiry; and has given him leave to examine witnesses).

Witnesses' Expenses

30.10 No expenses may be paid to any witness or proposed witness except with the permission of the Speaker.

See S.O. No. 98

Evidence Containing Allegations

Evidence Containing Allegation 30.11 Committees empowered to sit in public, may, at any stage during its proceedings, consider hearing in private evidence that contains an allegation that may seriously damage the reputation of a person. The Committee may also invite that person to be present during the hearing of such evidence.

Evidence Containing Allegation to be made available to Witness 30.12 A person who is to appear before a Committee will be informed of or given a copy of any evidence (other than secret evidence) or material in the Committee's possession that contains an allegation that may seriously damage the reputation of that person.

Request by Witness of Material and Evidence 30.13 Any person whose reputation may be seriously damaged by proceedings of a Committee may request from the Clerk of the Committee a copy of all material and evidence (except secret evidence) that the Committee possesses concerning that person.

30.13.1 The Committee may consider any such request and may furnish such material if it considers it to be necessary to prevent serious damage to that person's reputation.

See S.O. No. 99(1)-(4)

Confidentiality of Proceedings

30.14 The deliberations of a Committee and proceedings of a Committee or a sub-committee (other than proceedings during the hearing of public evidence, where permissible by Standing Order No. 100 or the Assembly), are not open to the public and remain strictly confidential to the Committee until it reports to the Assembly.

30.14.1 Paragraph (1) does not prevent -

- (a) the disclosure, by the Committee or by a Member of the Committee, of proceedings to a Member of Parliament or to the Clerk or another officer of the Assembly in the course of their duties;
- (b) the disclosure, by the Committee of proceedings to any person for the purpose of assisting in the Committee's consideration of a matter;
- (c) the disclosure of proceedings in accordance with Standing Orders.

30.14.2 A Committee making an interim report or a special report to the Assembly may resolve that some or all proceedings relating to the report remain confidential to the Committee until it reports finally to the Assembly.

See S.O. No. 100

CHAPTER 31

Divisions in Select Committee

- Clerk to
take Division
- 31.1 Every division in a Select Committee is be taken by the Clerk of the Committee asking each Member of the Committee separately how he or she desires to vote and recording the votes accordingly.
- Recording
of
Votes
- 31.2 When a division is claimed in a Select Committee every Member of the Committee present must, unless he or she expressly states that he or she declines to vote, record his or her vote either for Ayes or Noes. The Clerk of the Committee must enter in the Minutes of the Proceedings the record of each Member's vote and the names of those Members who decline to vote.
- Declaration
of Result
of Division
- 31.3 As soon as the Clerk has collected the votes he or she must state the number of Members voting for the Ayes and Noes, respectively, and the Chairman must then declare the result of the division.
- Chairman's
casting Vote
- 31.4 The Chairman does not have an original vote but in the event of an equality of votes he or she gives a casting vote.
- Alteration
of
Votes
- 31.5 If a Member of the Committee states that he or she voted in error or that his or her vote has been wrongly counted, he or she may claim to have his or her vote altered, provided that such request is made as soon as the Clerk has announced the numbers and before the Chairman has declared the result of the division.

See S.O. No. 101

CHAPTER 32

Reports

Premature Publication of Evidence

32.1 The proceeding of and the evidence taken before any Select Committee and any documents presented to and decisions of such a Committee must not be published by any Member of the Committee or by any other person before the Committee has presented its report to the Assembly.

See S. O. No. 102

Reports from Committees

Reports
of Committees

32.2 Every Committee must before the end of the session in which it was appointed, make a report to the Assembly upon the matters referred to it; but if a Committee finds itself unable to conclude its investigation before the end of the session, it may so report to the Assembly, and the Assembly may on consideration of the report resolve that the Committee remains in being and continue its investigation notwithstanding the end of the session.

See S. O. No. 103(1)

Special Report
Relating
to Powers

32.3 A Committee may have leave to make a special report relating to the powers, functions and proceedings of the Committee on any matter which it thinks fit to bring to the notice of the Assembly.

See S. O. No. 103(2)

Presentation
of
Reports

32.4 A report or special report together with the minutes of any evidence taken before that Committee must be presented to the Assembly by the Chairman or other Member deputed by the Committee and may be ordered to lie upon the Table and be printed without question put.

See S. O. No. 103(3)

- Progress Reports
of Standing
Committee
- 32.5 Standing Committees must report to the National Assembly from time to time but must report on the progress of their work for the previous year and their Standing work programme for the ensuing period.
See S. O. No. 103(4)
- Interim
Report
- 32.6 A Committee may from time to time make an interim report informing the Assembly of the progress of its investigation into the matter before it.
See S. O. No. 103(5)
- Special
Report
seeking
Authority
- 32.7 A Committee may from time to time make a special report to the Assembly seeking authority from the Assembly to do something, or seeking guidance from the Assembly on some procedural question which has occurred in the Committee, or informing the Assembly of some other matter connected with its proceedings which it considers should be reported to the Assembly.
See S. O. No. 103(6)
- Reporting
Differing views
- 32.8 A Committee may, in its report, indicate the differing views of its Members.
See S. O. No. 103(7)
- Consideration
of Reports
by Assembly
- 32.9 The report of a Committee may be taken into consideration by the Assembly on a motion "That the report of the Committee on be adopted". Such a motion may be moved by any Member after one day's notice.
See S. O. No. 103(8)

Minutes of Proceedings

32.10 The Minutes of Proceedings of a Committee must record all proceedings upon the consideration of any report or Bill in the Committee and upon every amendment proposed to such a report or Bill together with a note of any division taken in the Committee and of the names of Members voting therein or declining to vote.

See S. O. No. 104

CHAPTER 33

Miscellaneous

Absence of Members 33.1 Any Member who is prevented from attending a sitting of the Assembly must acquaint the Clerk as early as possible of his or her inability to attend.

33.1.1 If without the leave of the Speaker obtained in writing before the end of the last of the sittings referred to in this paragraph, any elected Member is absent from the Assembly for more than six consecutive sittings occurring during the same session and within a period of not longer than two calendar months, he or she must vacate his or her seat in the Assembly under articles 54 and 156 (1) (b) of the Constitution.

See S.O. No. 105

Employment of Members in Professional Capacity

33.2 No Member of the Assembly must appear before the Assembly or any Committee thereof as Counsel or Solicitor for any party or in any capacity for which he or she is to receive a fee or reward.

See S.O. No. 106

See May, p. 426 on the following:

It is inconsistent with the dignity of the House (House of Commons), with the duty of a Member to his constituents, and with the maintenance of the privilege of freedom of speech, for any Member of this House to enter into any contractual agreement with an outside body, controlling or limiting the Member's complete independence and freedom of action in Parliament or stipulating that he shall act in any way as the representative of such outside body in regard to any matter to be transacted in Parliament; the duty of the Member being to his constituents and to the country as a whole, rather to any particular section thereof: and that in particular no Member of the House shall, in consideration of

any remuneration, fee, payment or reward or benefit in kind, direct or indirect, which the Member or any member of his or her family has received or expects to receive –

(i) *advocate or initiate any cause or matter on behalf of any outside body or individual, or*

(ii) *urge any other Member of either House of Parliament, including Ministers, to do so, by means of any speech, Question, Motion, introduction of a Bill or Amendment to a Motion or a Bill.*

(See also HC Resolution dated 6th November 1995)

Report of Debates

33.3 An official report of all speeches made in the Assembly are to be prepared under the supervision of the Clerk, acting under such instructions as the Speaker may give him.

33.3.1 The reports are published in such form as the Speaker may direct, and a copy thereof must be sent to each Member as soon as practicable.

See S. O. No. 107

Strangers

Admission of
Strangers subject
to Rules

33.4 Strangers are admitted to sittings of the Assembly in accordance with rules as the Speaker may make from time to time for that purpose.

Withdrawal
of Strangers
from Sitting

33.5 If, at any sitting of the Assembly, any Member moves that strangers withdraw, the Speaker must forthwith put the question “That strangers do withdraw” without permitting any debate or amendment.

Withdrawal
of Strangers
from Chamber
and Precincts

33.6 The Speaker may, whenever he or she thinks fit, order the withdrawal of strangers from any part of the Chamber and its precincts and may order the doors of the Chamber to be closed.

Strangers to
Obey Order to
Withdraw

33.7 Strangers must withdraw from the Chamber and its precincts when called upon to do so by the Speaker.

See S.O. No. 108

When it is desired to hold a secret meeting the withdrawal of Strangers is followed by a further order "That the remainder of this day's sitting be a secret session".

It is the duty of the Sergeant-at-Arms to see that strangers do not enter or remain in parts of the House appropriated for the exclusive use of Members, do not misconduct themselves in parts of the House to which they are admitted, and withdraw when so ordered; he is armed with the requisite powers for this purpose.

See May, pp. 182-183

Media

33.8 The Speaker may grant a general permission to the representative of any media to attend sittings 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.

See S.O. No. 109

Amendment of Standing Orders

Mode of Amending Standing Orders 33.9 Unless the Speaker otherwise directs, not less than twelve days' notice of a motion to amend the Standing Orders may be given, and the notice must be accompanied by a draft of the proposed amendments. The motion must be set down for the earliest convenient sitting after the expiration of the notice.

33.9.1 When the motion is reached, the mover must move the motion, and after it has been seconded if necessary, the motion must be referred forthwith, without any question being put thereon, to the Standing Orders Committee, and no further proceedings must be taken of any such motion until the Committee has reported thereon.

See S.O. No. 110

Suspension of Standing Orders

33.10 Any one or more of these Standing Orders may after notice, or with the leave of the Speaker, be suspended on a motion made by a Member at any sitting.

See S.O. No. 111

Rules in Cases not Provided for by Standing Orders

33.11 In any matter not herein provided for, resort shall be had to the usage and practice of the Commons of Parliament of Great Britain and Northern Ireland, which must be followed as far as the same may be applicable to the Assembly, and not inconsistent with these Standing Orders or with the practice of the Assembly.

33.11.1 In cases of doubt the Standing Orders of the Assembly must be interpreted in the light of the relevant usage and practice of the House of Commons, but no restriction which the House of Commons has introduced by Standing Order after the making of these Standing Orders shall be deemed to extend to the Assembly or its Members until the Assembly has provided by Standing Order for such restriction.

Common Parliamentary Expressions Explained

Expression	Explanation
Absence, Leave of	It is the duty of every Member to attend the sitting of the Assembly, including its Committees of which he or she is a Member. The duty to attend is recognised by S. O. No. 105(2) which provides for Members to vacate his/her seat if absent for more than six consecutive sittings in the same session within two consecutive months without the grant of leave. S. O. No. 94(7) stipulates that the Chairman of a Committee advise the Committee of Selection when a Member is absent from its meeting on three or more consecutive occasions.
Accountability, Ministerial	Ministers have a duty to Parliament to account, and be held to account, for the policies, decisions and actions of their departments. It is of paramount importance that ministers give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity. Ministers who knowingly mislead Parliament will be expected to offer their resignation to the Prime Minister; Ministers should be as open as possible with Parliament, refusing to provide information when disclosure would not be in the public interest, which should be decided in accordance with relevant statute, and the Government Code of Practice on Access to Government Information ..., similarly, Ministers should require civil servants who give evidence before parliamentary committees on their behalf and under directions to be as helpful as possible in providing accurate, truthful and full information, in accordance with duties and responsibilities of civil servants as set out in the Civil Service Code (January, 1996).

(The foregoing is from Resolutions of both Houses of the U. K. Parliament. The Resolutions were presented as clarifying the roles of Ministers in relation to Parliament. It was not intended to affect or derogate from the duties Ministers owe to Parliament in their capacity as Members of one of the Houses: and imposing on Ministers the additional duty to offer their resignation to the Prime Minister will not affect the right of either House to proceed against them in case of alleged contempt as it might proceed against any other member.

(See May, pp. 63-64)

Adjournment

The period between the adjournment of the Assembly and the resumption of its sitting is called an “adjournment”.

Agenda

The Order Paper may be considered as the Assembly’s “agenda” for any sitting. Committees use the word “agenda”. The style of the Order Paper is in accordance with S. O. No. 13.

Allocation of Time

The allocation of a specified number of days, or hours, to various stages of a Bill and limited amounts of time to particular portions of a Bill. An order made under this procedure is known as “allocation of time order” and as “guillotine motions”.

Allotted days

Where an order or Standing Order allots a certain number of days to a motion or to a stage or stages of a Bill, an allotted day is any day (other than a Wednesday) on which the motion or Bill is put down as the first public business of the day.

Amendments

An amendment is a subsidiary motion moved in the course of a debate upon another motion which interposes a new cycle of

debate and decision between the proposal and decision upon the main motion and question. In its turn the debate on an amendment may be similarly intercepted by the proposal and decision upon a further subsidiary amendment (an amendment to an amendment), or it might superseded by a dilatory motion. (See May, p. 343)

Anticipation

Debate on the subject of a Bill or motion of which there is notice for a future day, whether specified or not, or which appears on the Order Paper must not be anticipated by previous debate on the same subject. In determining whether a debate is out of order under the rule against anticipation, the Speaker must have regard to the probability of the matter being brought before the Assembly within a reasonable time. (See May, pp 334-335)

Appropriation Bill

A Bill authorizing the issue out of the Consolidated Fund sums, as approved by a resolution or resolutions, necessary for the public service of a year.

Assent

When Bills have been finally agreed to (passed) they required the President's "assent" to be declared an "Act of Parliament". It takes the following form-"I assent"
(signed)
President

Bill

A draft legislative proposal which, when it has passed through its various stages and received the President's assent becomes an Act of Parliament. There are public Bills which deal with matters of public general interest and private Bills which are for particular interest or benefit of any person or body.

A Bill may take the following format –

- (i) Short Title
- (ii) Long Title
- (iii) Preamble
- (iv) Enacting Formula
- (v) Clauses
- (vi) Schedules
- (vii) Explanatory Memorandum

A Bill has to pass through the following four stages before being presented to the President for his signature -

- (1) Introduction and First Reading
- (2) Second Reading
- (3) Committee
- (4) Report and Third Reading

Business	Matter considered by the National Assembly as specified by S. O. No. 13 (Order of Business).
Cabinet System	A system in which the plurality of Ministers act corporately as the government executive and individually as ministerial (departmental) administrators.
Chairman (Chairperson)	A person who presides at meetings of Committees.
Charges upon (i) public revenue (ii) public funds, (iii) Consolidated Fund	An obligation or a potential obligation to make payment out of the Consolidated Fund

Chief Whip

A term borrowed from the U. K.'s Parliament where he/she is concerned with mapping out the time of the session; estimating the time likely to be required for each item, and for arranging the business of individual sitting. In carrying out his/her duties there, he/she is directly responsible to the Prime Minister and Leader of the House. He/she with his/her counterpart of the largest opposition party constitutes the "usual channels" through which consultations are held with other parties and Members about business arrangements and other matters of concern of the House. (See May, pp 213-212)

Clauses

The text of a Bill is divided into a series of numbered clauses; each with a descriptive title known as marginal note or side-note printed in the margin.

A clause may be divided into sections, sections into subsections, subsections into paragraphs and paragraphs into sub-paragraphs. Long and complicated bills may be divided into parts.

Clerk of the National
Assembly

Permanent Chief Officer of the National Assembly.
He/she is appointed by the President on advice of the Speaker.

Closure of Debate

After a question has been proposed, a Member rising in his 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 "That the question be now put", must be put forthwith. (See May, pp. 406-409)

"Closure" is to bring to conclusion a proceeding.

Committee	A body composed either of all Members of the Assembly – Committee of the Whole – or a certain number of Members, usually appointed to consider or inquire into and, if so empowered, to take evidence upon some matter and report their opinion or observations thereon for the information of the Assembly, or to consider a Bill, but they may be appointed for any other purpose in which they can assist the Assembly.
Commons, House of	Lower elected Chamber of the U. K. Parliament.
Consolidated Fund	A national account into which all revenues from whatever source are paid.
Constituencies	Demarcated areas for the purpose for returning a Member or Members to Parliament.
Contempt	Any act or omission which obstructs or impedes the Assembly in the performance of its functions, or which obstructs or impedes any Member, or officer of the Assembly in discharge of his/her duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt, though there be no precedent of the offence. (See May, p. 108)
Contingency Fund	A public fund of a specified amount from which advances are made to satisfy urgent need for expenditure for which no other provision exists.
Count of Assembly	If, while the Assembly, or Committee of the Whole, is sitting, notice is taken by a Member that a quorum is not present, the

Speaker, or, in Committee, the Chairman, directs that Members be summoned as for a division. At the expiration of five minutes from this direction, the Speaker, or the Chairman, **counts** the Members present.

Debate

A matter requiring a decision of the Assembly is decided by means of a question put from the Chair upon a motion made by a Member. The essential stages in obtaining a decision of the Assembly are the –

- (i) moving of a motion
- (ii) the proposing of a question by the Chair, and
- (iii) the putting of the question and collection of voices by the Chair.

At the conclusion of the speech (if any) made by the Member moving a motion the Chair proposes the question (which repeats the terms of the Motion) and **debate** may then take place.

(See May, p.328)

Delegated Legislation

Subordinate legislation made by means of statutory instruments subject to various forms of parliamentary procedure. The power to make such legislation is given to Ministers by Acts of Parliament.

Dilatory Motion

A motion for the adjournment of a debate, or of the Assembly during any debate; or in Committee that the Chairman do report progress, or do leave the Chair. If the Speaker, or Chairman, is of the opinion that such dilatory motion is an abuse of the rules of the Assembly he may decline to propose the question thereon to the Assembly.

Discharge of Orders	<p>On the order of the day being read for any stage of a Bill, an order may, on the motion of the Member in charge of the Bill, be made that the order be discharged and the Bill be withdrawn.</p> <p>(See May, pp 320-21)</p>
Disorder	<p>Transgression of rules of debate, making of noise or disturbance while another Member is speaking, other breach of order or decorum not amounting to grossly disorderly conduct. On such an occasion it is the Speaker's duty to intervene and call Members to order.</p> <p>See May, p. 394</p>
Disqualification (for Membership of the National Assembly)	<p>Aliens; persons who are: under 18 years, owe allegiance to a foreign power; are insane; sentenced to death; holding specified offices, etc.</p> <p>(See article 155 of the Constitution)</p>
Dissolution of Parliament	<p>A Parliament ceases to exist after five years, that is five years from the date when the Assembly of a new Parliament first meets, unless sooner dissolved.</p>
Distribution of Parliamentary Papers	<p>Copies of parliamentary papers are made available to Members of Parliament either before a sitting or at the sitting. Copies are made available to the media at the sitting. Some papers may be available for sale by the agency submitting them to the Assembly. Copies may be given to certain approved bodies by Parliament Office.</p>
Estimates	<p>Estimates of revenue and expenditure are required by the Constitution to be prepared and laid before the Assembly within ninety days after the commencement of the financial year which</p>

begins on 1st January. The estimates detail the specific sums that will be needed for the public service and the sources of revenue to meet the estimated expenditure. (The presentation of the estimates of revenue and expenditure imitates the cycle of the “Budget Debate”).

Evidence	Answer or information given by a witness who is examined by a Committee.
Excess Vote (expenditure)	Expenditure incurred in excess of the amount approved for the financial year in question, or where there is no proper parliamentary authority for the service.
Exempted Business	Proceedings, although opposed, on any business to be decided after the expiration of the time for opposed business.
Explanation, Personal	Pertaining to a personal statement made by a Member, with the leave of the Speaker, without any question before the Assembly.
Hansard	This is the name usually used to describe the official report (verbatim) of the Assembly. T. C. Hansard was the first printer and later publisher of the Official series of U.K. Parliamentary Debates.
Hear, hear, Cries of	Words used to denote approbation of the sentiments expressed at the end of a sentence during a Member’s speech. When used otherwise it may cause interruption and serious disorder.
House	Common term for the Assembly in reference to the U.K. House of Commons – a meeting place.

Instructions

Before the Committee to which a Bill has been committed begins its consideration of the Bill, an instruction may be given, the purpose of which is either to empower it to do something which it could not otherwise do, or to define the course of action which it must follow. The first type of instruction, which is called permissive, may be given to a Committee of the whole Assembly, or to any other Committee. The second type, which is called mandatory, may be given only to a Select Committee or to a Committee on Private Bill.

(See May, pp 514-515)

Interest, Pecuniary

S. O. No. 38(8) requires a Member who has a direct personal pecuniary interest in a matter not to speak on it without disclosing the extent of that interest.

(In the U.K. in a debate a Member is required to declare "any relevant pecuniary interest or benefit of whatever nature, whether direct or indirect, that he may have had, may have or may be expecting to have).

Interruption

Public business normally continues until the moment of interruption at 9.55 p.m., but it may be interrupted for suspension at 4.00 p.m. and 7.00 p.m. or at 4.30 p.m. under S. O. No. 12 (Definite Matter of Urgent Public Importance).

Besides these it may be interrupted by a Member rising to move the closure of debate, by a matter of order, which calls for immediate intervention by the Chair, sudden disorder in the Assembly, or on a matter affecting the privilege of a Member or the Assembly.

Leader of Government Business

The Prime Minister is leader of Government Business in the National Assembly. In the U. K. House of Commons he is the Member of the Government who is primarily responsible to the Prime Minister for the arrangements of Government Business in the House of Commons and is known as Leader of the House. He controls the arrangement of business in that House while the programme and details are settled by the Government Chief whip.

Leader of the Opposition

The Leader of the Opposition is elected by and from among the non-governmental Members of the National Assembly at a meeting held under the Chairmanship of the Speaker who does not vote.

(In the U. K. House of Commons, there is an Official Opposition which is the largest minority party which is prepared, in event of the resignation of the government, to assume office. The Leader of the Opposition and some of his colleagues form a group that is known as the "Shadow Cabinet". The Leader of the Opposition is accorded certain rights in asking questions of Ministers and Members of the Shadow Cabinet are given same precedence in asking questions and in debate).

(See May p. 211-2)

Laying of Documents

See Presentation of Papers and Reports

Long title of Bill

The long title sets out in general terms the purposes of the Bill, and should cover everything in the Bill.

Member of the National Assembly	A person who is elected to the National Assembly under provisions' of the Constitution, articles 60(2) and 160(2), and Cap.: 103 of the Laws of Guyana.
Minutes of Evidence	Evidence of a witness before a Committee taken down by shorthand or tape-recorded for later transcription.
Minutes of Proceedings	A record of the business of each sitting kept by the Clerk. The Minutes of Proceedings record what is done or deemed to be done as opposed to what is said in the Assembly.
Molestation	The obstruction of Members in the discharge of their responsibilities to the Assembly. It is a contempt to molest a Member of the Assembly while attending the Assembly or coming to or going from it, or trying by force to influence them in their conduct in the Assembly. See May, p. 121
Motion	A proposal made for the purpose of eliciting a decision of the Assembly. A matter requiring a decision of the Assembly is decided by means of a question put from the Chair upon a 'motion' made by a Member. The essential stages in obtaining a decision of the Assembly are the moving of a 'motion'; the proposing of a question by the Chair; and the putting of the question and collection of voices by the Chair. See May, p. 328
Notice Paper	A document prepared and circulated by the Clerk containing notices of questions and motions given to the Clerk.

Notice of Motion	As a general rule every motion proposed in the Assembly requires notice unless exempted by Standing Order No. 30 (Exemption from Notice). Where notice is required of any intended motion it must be given in writing and handed to the Clerk at the Table or left in Parliament Office.
Notice of Questions	A notice of a question to a Minister is placed upon a Notice Paper unless the question related to a matter of urgency (Oral Questions without Notice).
Oath	Oath of office as set out in the First Schedule of the Constitution to be made and subscribed by a Member before participating in the proceedings of the Assembly.
Officers of National Assembly (Constitutional)	Speaker, Deputy Speaker, Clerk and Deputy Clerk of the Assembly.
Official Report	The regular reporting of parliamentary debates commonly called "Hansard".
Orders of the Assembly	Every question when agreed to becomes an order or a resolution of the Assembly. By its orders the Assembly directs its Committees, its Members, its Officers, the order of its own proceedings and the acts of all persons whom they concern.
Orders of the day	The ordinary public business of the Assembly consists of orders of the day, that is a stage of a Bill or other matter which the Assembly has ordered to be taken into consideration on a particular day.

Parliament	One of the Supreme Democratic Organs consisting of the National Assembly and the President.
Parliament Office	The Secretariat of the National Assembly.
Policy	In the field of government it is the Executive's programme or plan, its decision on what shall be done.
Previous Question	A method employed to withhold from the decision of the Assembly a motion that has been proposed from the Chair is to move the previous question. The form in which the previous question is put is "That the question be not now put". (See May, pp. 341-342)
Private Bill	A draft legislative proposal to alter the law relating to some particular person or body of persons.
Private Member	A Member of Parliament (excluding Ministers and Parliamentary Secretaries)
Private Members' Day	The day on which Private Members' business takes precedence, that is Wednesday.
Privilege	Parliamentary privilege is the sum of the peculiar rights enjoyed by the Assembly collectively and by Members individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals. Privilege, though part of the law of the land, is to a certain extent an exemption from the general law. Certain rights and immunities such as the power to punish for contempt and the power to regulate its own business belong primarily to the

Assembly as a collective body, for the protection of its Members and the vindication of its own authority and dignity.

(See May, p. 65)

Proceedings

The primary meaning of proceedings, as a technical parliamentary term, which it had at least as early as the seventeenth century, is some formal action, usually a decision, taken by the Assembly in its collective capacity.

This is naturally extended to the forms of business in which the Assembly takes action, and the whole process, the principal part of which is debate, by which it reaches a decision. An individual Member takes part in a proceeding by speech, but also by various recognized forms of formal action, such as voting, giving notice of a motion, or presenting a petition or a report from a Committee.

See May, p. 95

Prorogation

Under article 70(1) of the Constitution Parliament may be prorogued by the President at any time. The effect of a prorogation is at once to terminate all current business of Parliament.

Unparliamentary Expressions

According to May, p. 386-387, unparliamentary expressions which call for prompt action by the Chair include –

- (1) The imputation of false or unavowed motives.
- (2) The misrepresentation of the language of another and the accusation of misrepresentation.
- (3) Charges of uttering a deliberate falsehood.
- (4) Abusive and insulting language of a nature likely to create disorder.

Former editions of May, the latest being the 19th Edition, listed words that were deemed unparliamentary.

Public Bill

A draft legislative proposal to alter the general law.

Whips

Party officials who are Members of Parliament. Their common duty is to keep their Members supplied with information about the business of the Assembly, secure the attendance of Members and suggest Members to serve on Committees.

Witnesses

Persons who appear voluntarily before or summoned by a Committee to be examined by the Committee. A Committee cannot require the attendance of witnesses or the production of documents without expressed authority from the Assembly as provided in the appropriate Standing Order or in the order relating to its appointment, or subsequently on a motion to give a Committee the power 'to send for persons, papers and records'.

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