



STANDING ORDERS AND RULES

OF THE

RODRIGUES REGIONAL ASSEMBLY

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Published by the Secretariat of the Regional Assembly

September 2015

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STANDING ORDERS AND RULES
OF THE
RODRIGUES REGIONAL ASSEMBLY

1. Adoption of Practice of the National Assembly

(1) In cases of doubt these Orders shall be interpreted in the light of the relevant practice of the National Assembly of the Republic of Mauritius.

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

2. Interpretation

In these Orders and Rules, unless the context otherwise requires:-

“Act” means the Rodrigues Regional Assembly Act 2001;

“Assembly” means the Rodrigues Regional Assembly;

“Chairperson” includes the Deputy Chairperson or any other person called upon to preside the Assembly or a Committee, other than one of the Standing Committees mentioned in section 59 of the Act;

“Clerk” means the Clerk of the Assembly;

“Estimates”-

(a) means the annual estimates of revenue and expenditure, both recurrent and capital, prepared on a 3-fiscal year rolling basis, the estimates for the first year of every such period of 3 fiscal years requiring approval by the Regional Assembly; and

(b) includes any supplementary estimates so approved;

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

“Member” means a Member of the Assembly;

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

“Visitor” means any person other than the Chairperson, the Deputy Chairperson, a Member or an officer of the Assembly.

3. Reading of President's Proclamation

At the first sitting of the Assembly after an ordinary election, Members having assembled at the time and place duly appointed, the Clerk shall read the Proclamation of the President of the Republic summoning the Assembly.

4. Oath of Allegiance

(1) No Member shall take part in the proceedings of the Assembly, other than proceedings necessary for the purposes of this Order, until he has made and subscribed the Oath prescribed in the First Schedule to the Act.

(2) For the purposes of paragraph (1) of this Order, instead of taking the oath any person may make an affirmation or a declaration in like terms.

5. Language

The proceedings and debates of the Assembly shall be in the English or French language.

6. Seating of Members

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

7. Election of the Chairperson and Deputy Chairperson

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

(2) The Assembly shall –

(a) at its first sitting after any ordinary election; and

(b) if the Office of the Chairperson becomes vacant at any time before the next dissolution of the Assembly, at its next sitting after the occurrence of the vacancy,

elect a Chairperson and Deputy Chairperson as provided by sections 13 and 15 of the Act.

8. Presiding in the Assembly

(1) The Chairperson, or in his absence, the Deputy Chairperson, or in the absence of both, a Member of the Assembly, not being a Commissioner, elected by the Assembly for the purpose, shall preside at that sitting of the Assembly and he shall exercise the same authority as the Chairperson.

(2) Unless the Chairperson desires to act as chairperson of a Committee of the whole Assembly, the chairperson of such a Committee shall be the Deputy Chairperson or, in the absence of both, a Member of the Assembly elected by the Assembly for that particular purpose.

9. Sittings

(1) Subject to the terms of any Proclamation issued by the President fixing the time and place for the beginning of any sitting of the Assembly and any unavoidable cause, the Assembly shall sit on Tuesdays at 10.30 a.m. or on such other day and at such time as it may decide.

(2) Where by reason of any unavoidable cause, the Assembly cannot sit on the day and at the time appointed or decided, then it shall sit on the Tuesday following at 10.30 a.m.

(3) Subject to the provisions of paragraph (11) of this Order, at 7.00 o'clock in the evening, except as hereinafter provided, the proceedings on any business under consideration shall be interrupted and, if the Assembly is in Committee, the chairperson shall leave the Chair and report progress and ask leave to sit again, and if a motion has been made for the adjournment of the Assembly (other than a substantive motion moved by a Commissioner) or if any motion has been made for the adjournment of the debate, or in Committee that the chairperson do report progress, or do leave the Chair, such motion shall lapse.

(4) On the interruption of business, the closure may be moved and the provisions of Standing Order 41 shall then apply. If the closure is moved or if proceedings under that Standing Order be then in progress, the Chairperson shall not leave the Chair until the questions consequent thereon have been decided.

(5) A motion, to be decided without amendment or debate, may be made by a Commissioner after notice at the commencement of public business (i.e. Immediately after Questions), or with the Chairperson's consent without notice at any time before 4.00 o'clock in the evening to the effect that business of the Executive Council or certain specified items of business be exempted from the provisions of paragraph (3) of this Order:

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

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

(6) No business shall be taken after 7.00 o'clock in the evening other than proceedings under paragraphs (4), (11) and (12) or business exempted under paragraph (5) of this Order.

(7) The Chairperson may at any time suspend a sitting until such a time to be fixed by him.

(8) A motion that a sitting be suspended for a period may be made at any time, by permission of the Chairperson, without notice.

(9) A motion made under paragraph (8) shall fix the period of suspension.

(10) Subject to the provisions of paragraph (11) of this Order, the Assembly shall not be adjourned except in pursuance of a resolution.

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

(12) On the second Tuesday and thereafter on every alternate Tuesday during any meeting of the Assembly, debate on a motion for the adjournment made under this Standing Order (other than a motion made immediately after Questions) shall be confined to a single matter for which the Regional Assembly is responsible, raised by a Member who has obtained the right to raise the matter on the adjournment of the Assembly on that day. Such right shall be decided by ballot under the direction of the Chairperson, and shall not be allotted to more than one Member for each day to which this paragraph applies.

(13) The Assembly shall not be adjourned *sine die*.

(14) Whenever the Assembly stands adjourned and the Chief Commissioner informs the Chairperson that public interest requires that the Assembly should meet earlier than the time to which it stands adjourned, the Chairperson, may give notice that he appoints a time for the Assembly to meet and the Assembly shall accordingly meet at the time stated in the notice for the exclusive transaction of Government business.

(15) All business undisposed of at the adjournment of the Assembly, other than questions to Commissioners, shall be placed on the Order Paper for a subsequent sitting of the Assembly, in accordance with directions given by the Chairperson.

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

10. Adjournment – Definite Matter of Urgent Public Importance

(1) A substantive motion for the adjournment of the Assembly shall not be made at any sitting before the conclusion of Questions, and thereafter no such motion shall be made except by a Commissioner.

(2) Notwithstanding the provisions of paragraph (1), a Member may, before the commencement of public business, request leave to move the adjournment of the Assembly for the purpose of discussing a definite matter of urgent public importance, whereupon he shall state the matter briefly.

(3) Before the commencement of the sitting, the matter for discussion shall be reduced to writing and handed to the Chairperson who may refuse to allow same unless he is satisfied that the matter is definite and urgent and that leave of the Assembly is given without any dissentient voice.

(4) The Chairperson shall then call the Member to make his motion.

(5) Discussion under paragraph (3) of this Order shall not be raised upon any matter standing on the Order Paper nor upon any matter which cannot be debated without a substantive motion.

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

11. Quorum

(1) No business shall be transacted if objection is taken by any Member that there are less than 7 members besides the Chairperson or the person presiding.

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

(3) A quorum of a Committee of the whole Assembly shall be 7 Members in addition to the chairperson. If the absence of a quorum be noticed in Committee of the whole Assembly the Chairperson shall proceed in the manner prescribed in paragraph (2) and if a quorum be not present he shall leave the Chair and, the Assembly being resumed, report the fact to the Chairperson.

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

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

12. Visitors

(1) Visitors shall be allowed to be present in the Assembly Chamber in the places set apart for them by the Chairperson.

(2) The Chairperson may order the withdrawal of strangers from any part of the Assembly Chamber, whenever he thinks it fit to do so.

13. Duties of the Clerk

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

(2) In case of a special meeting of the Assembly, or if the Assembly meets earlier than the time to which it stands adjourned, the Clerk shall give to the Members at least 24 hours notice, as provided by section 60(2) of the Act.

(3) The Clerk shall be responsible for the safe custody of records of the Assembly and all papers laid before it.

(4) All records and papers of the Assembly shall, at all reasonable times, be opened for inspection and perusal for the benefit of Members or other persons under such arrangements as may be decided by the Chairperson.

14. Minutes and Official Reports

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

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

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

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

15. Arrangement of Business

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

- (a) Administration of Oath/Affirmation by a new Member;
- (b) Messages from the President of the Republic;
- (c) Announcements;
- (d) Presentation of papers, including reports of committees, by laying on the Table;

- (e) Assembly Bills enacted by Parliament;
- (f) Regional Assembly Regulations negated by the National Assembly;
- (g) Questions, except as provided for under Standing Orders 9 (9) and at the sitting convened for the purposes of section 12,13 and 14 of the Act;
- (h) Statements by Commissioner;
- (i) Requests for leave to move motions for the adjournment of the Assembly on matters of urgent public importance;
- (j) Raising a matter of privilege;
- (k) Personal explanations;
- (l) Any motion, bill or other business which, in the opinion of the Chairperson, should precede the remaining business of the day;
- (m) Motions of which notice has been given;
- (n) Bills.

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

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

16. Messages

The Chairperson shall, before any other business, read to the Assembly any Message from The President of the Republic delivered to him.

17. Papers

(1) A list of all papers required to be laid before the Assembly by statute, and reports and other documents presented by Commissioners shall be distributed to Members at each sitting together with the relevant papers.

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

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

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

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

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

18. Questions to Commissioners

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

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

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

(4) Questions shall consist of one set which shall include questions-

(a) to the Chief Commissioner; and

(b) from the Minority Leader.

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

19. Content of Questions

(1) Every question, including a supplementary question shall, conform to the rules as hereunder provided.

(2) No question shall -

(a) cover more than one subject;

(b) refer to any debate that has occurred or to any answer that has been given less than a year before;

- (c) be asked seeking for information set forth in official publications, statute books or accessible works of reference;
- (d) seek information about any matter which is by its nature secret;
- (e) be asked about proceedings in a Committee before that Committee has made its report to the Assembly;
- (f) reflect on the decision of a Court of Law or be so drafted as to be likely to prejudice a case on which a judicial decision is pending;
- (g) ask for an expression of opinion, or for the solution of an abstract legal question or of an hypothetical proposition;
- (h) include the names of persons or statements of facts unless they are necessary to make the question intelligent and, in the case of statements of facts, can be authenticated by the Member concerned;
- (i) contain charges which the Member asking the question is not prepared to substantiate;
- (j) contain any arguments, expression of opinion, references, imputations, quotations and extracts from newspaper and periodicals, epithets or controversial, ironical or offensive expressions or hypothetical cases;
- (k) be asked which makes or implies a charge of a personal character or which reflects upon the character or conduct of persons except in their official or public capacity;
- (l) reflect on the character of conduct of any person whose conduct can only be challenged on a substantive motion;
- (m) be asked as to whether statements in the press or of private individuals or unofficial bodies are accurate;
- (n) ask, renew or repeat in substance a question already answered or to which an answer has been refused or which falls within a class of questions which a Commissioner has refused to answer;
- (o) be asked on a matter within the jurisdiction of the Chairperson.

(3) The Chairperson may reject any question which he considers to be unduly long.

(4) Not more than four questions shall be placed on the Order Paper by the same Member for the same day.

(5) Questions shall be put only at Tuesday sittings and question time shall not exceed three hours.

(6) Replies to questions not put within the time limit prescribed in paragraph (5) of this Order shall be circulated to Members.

(7) No question shall be made a pretext for debate.

20. Notice of questions

(1) Notice of questions given in writing and signed by the Member may be handed to the Clerk at any time when the Assembly is sitting or may be sent to or left at his office not less than 4 working days before the sitting.

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

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

(i) when the Commissioner to whom responsibility for the subject of Finance is assigned delivers his speech on the Draft Estimates.

(ii) on any day fixed for consideration of the Draft Estimates.

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

21. Manner of asking and answering questions

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

(2) Where an oral answer is required, the Chairperson, when the question is reached on the Order Paper, shall call upon the Member in whose name the question stands and the Member so called shall ask the question by reference to its number on the Order Paper and the Commissioner concerned shall give his reply.

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

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

(5) A question which one Commissioner has refused to answer shall not be addressed to another Commissioner and a question answered by one Commissioner may not be put to another.

22. Supplementary questions

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

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

23. Admissibility of questions

(1) The Chairperson shall decide whether a question is or is not admissible under these Orders and may disallow any question which, in his opinion, is an abuse of the right of questioning or is calculated to obstruct or affect prejudicially the proceedings of the Assembly or infringes any of these Orders.

(2) Where a question is disallowed, the question shall not appear on the Order Paper or in any report of the proceedings of the Assembly.

(3) Any notice which contains unbecoming expressions or offends against any of these Orders may be amended by the Chairperson and may thereupon appear on the Order Paper.

24. Personal explanations

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

(2) The precise contents of the proposed personal explanations shall be submitted in advance to the Chairperson to ensure that they are appropriate.

(3) The Member granted the privilege of making a personal explanation shall not depart from the text approved by the Chairperson.

(4) Notwithstanding paragraph (2) and the arrangements mentioned in Standing Order 15(1), the Chairperson, may, at any time, allow a Member to offer a personal explanation.

25. Motions

(1) Unless otherwise provided by these Standing Orders, notice shall be given of any motion which it is proposed to make, except-

(a) a motion made in a Committee of the Assembly;

(b) a motion to amend any motion upon which the question has already been proposed from the Chair;

- (c) a motion for the adjournment of the Assembly or of a debate;
- (d) a motion for the withdrawal of visitors;
- (e) a motion for the suspension of a Member;
- (f) a motion arising out of any item of business immediately after that item is disposed of and before any fresh matter is entered upon;
- (g) a motion for the suspension of any Standing Order made with the permission of the Chairperson;
- (h) a motion relating to a matter of privilege.

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

26. Notices of Motion

(1) A notice of motion signed by the Member giving the notice shall be handed to the Clerk, or addressed to his Office, within the time prescribed for the purpose.

(2) The Chairperson may disallow a notice which, in his opinion—

- (a) contains unbecoming expressions;
- (b) infringes the rules of debate; or
- (c) is otherwise irregular.

(3) Any notice may be amended by the Chairperson, with the consent of the Member who gave the notice, and may thereupon appear on the Order Paper.

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

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

(6) Motions whose contents are cognate may be debated together.

27. Lapse of motions

- (1) A motion of which notices has been given shall lapse—
 - (a) if not moved at the proper time, unless the Assembly directs that it shall be moved at some other time;
 - (b) if not seconded.

(2) A Member who has a motion standing in his name may authorize in writing some other Member to move same in his stead.

(3) A motion standing in the name of a Commissioner may be moved by another Commissioner.

28. Balloting of Motions

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

29. Withdrawal of Motions

- (1)
 - (a) A Member may, by leave of the Assembly, withdraw a motion in respect of which a question has been proposed if there is no dissentient voice.
 - (b) Where an amendment has been proposed, the original motion shall not be withdrawn until the amendment has been disposed of.

(2) A motion which has been withdrawn by leave of the Assembly may be made again on notice given, provided that a Private Member's Motion order of priority shall again be subject to ballot.

30. Motion disposed of in current year

No Member shall, without the leave of the Chairperson, offer a motion raising a question substantially identical with a question on a motion or an amendment to a motion which has been disposed of less than a year before.

31. Amendments to Motions

- (1) A question, when proposed from the Chair, may be amended —
 - (a) by leaving out certain words in order to insert or add other words;
 - (b) by leaving out certain words; or
 - (c) by inserting or adding other words.

- (2) An amendment must be relevant to the question to which it is proposed.
- (3) No amendment shall raise any question which, according to these Orders, can only be raised by a substantive motion after notice.
- (4) No amendment shall be moved if substantially identical with an amendment already disposed of.
- (5) No amendment shall be moved if it is, substantially, a direct negative of the original proposition or of the words which it is proposed to amend.
- (6) Amendments shall be moved in the order of the words of the Bill or Motion to which they relate and when an amendment of any part of a question has been proposed from the Chair an earlier part cannot be amended unless the amendments so proposed have been withdrawn.
- (7) Unless otherwise permitted by the Chair, any proposed amendment of which notice has not been given shall be handed to the Chair in writing before they are moved.
- (8) Before proposing an amendment the Chairperson may call upon the Member to offer such explanations as may be necessary to enable him to form a judgment upon it.
- (9) The mover of an amendment shall address himself to the main question and shall lose the right to speak again on the main motion after the amendment has been disposed of.

32. Method of dealing with Amendments

- (1) If the amendment is to leave out certain words in order to insert others, the Chairperson, after stating the amendment, shall first propose the question “that the words proposed to be left out stand part of the question (or clause)” and if the question is put and negatived, he shall propose the question that the words proposed by the amendment be there inserted.
- (2) If the amendment is to leave out certain words the Chairperson, after stating the amendment, shall propose the question that the words proposed to be left out stand part of the question (or clause).
- (3) If the amendment is to insert or add certain words, the Chairperson, after stating the amendment, shall propose the question that the proposed words be there inserted or added.
- (4) If an amendment is moved to a proposed amendment, the last mentioned shall be dealt with as if it were the original question until all amendments thereto have been disposed of.

33. Withdrawal of Amendments

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

34. Seconding of Motions and Amendments

(1) The question or any motion or amendment shall not be proposed from the Chair in the Assembly unless it has been seconded.

(2) No secondment shall be required in Committee.

35. Rules of Debate

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

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

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

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

(5) Except in Committee –

(a) no Member shall, without special leave from the Chair, speak more than once on any question;

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

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

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

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

(9) The discretion of the Chairperson or the person presiding in calling Members to address the Assembly shall not be challenged.

(10) No member shall address the Assembly on a particular question after the speech, if any, of the Chief Commissioner, except the mover of a motion for his winding-up speech, unless the Chief Commissioner has indicated to the Chairperson his intention of addressing the Assembly at an early stage in the debates.

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

(a) on a point of order;

(b) to elucidate some matter raised by the Member speaking in the course of his speech, provided that the Member speaking is willing to give way and resume his seat, and that the Member wishing to interrupt is called by the Chairperson.

(12) Whenever the person presiding, rises during a debate, any Member then speaking shall sit down and the Assembly or Committee shall allow the person presiding to be heard without interruption.

36. Content of Speeches

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

(2) No Member shall use unbecoming words or expressions or use offensive language about Members of the Assembly.

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

(4) No Member shall refer to any matter on which a judicial decision is pending if, in the opinion of the Chair, it may prejudice the interest of the parties.

(5) The conduct of the President and the Vice President of the Republic or the person performing the functions of the President's Office, the Chairperson, Members of the Assembly, Judges, or other persons engaged in the administration of Justice shall not be raised except upon a substantive motion moved for that purpose: and in any amendment, questions to a Commissioner, or remarks in a debate dealing with any other subject, reference to the conduct of the persons aforesaid shall be out of order.

(6) No Member shall attempt to reconsider any specific question upon which the Assembly has come to a conclusion within the last twelve months except upon a substantive motion for rescission.

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

37. Point of Order

(1) Any Member infringing the provisions of these Orders shall be immediately called to order by the Chairperson or by a Member rising to a point of order.

(2) A Member rising to a point of order shall direct attention to the point he desires to bring to notice to the Chairperson.

(3) When the point of order has been stated, the Member who raises it shall resume his seat, and no other Member, except with the leave of the Chairperson, shall rise until the Chairperson has decided the point.

(4) The Chairperson, whose decision shall be final, may reserve such decision under subsection (3) to a later stage of the proceedings or another sitting.

(5) No debate shall be allowed on a remark which has been ruled out of order by the Chairperson.

(6) The Chairperson shall be responsible for the observance of the rules of order in the Assembly or in any Committee thereof and his decision upon any point of order shall be final.

38. Relevancy in debate

Debate upon any matter shall be relevant to such matter.

39. Dilatory Motions

(1) Any motion made during a debate for the purpose of postponing to some future occasion the further discussion of a question which has been proposed from the Chair shall be known as a dilatory motion.

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

(3) Where the Chairperson considers such dilatory motion to be an abuse of the rules of the Assembly, he may decline to propose it.

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

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

40. The Question

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

41. Closure

(1) After a question has been proposed, a Member may move “that the question be now put”.

(2) Unless the Chairperson considers the motion to be 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” shall be put forthwith and decided without amendment or debate.

(3) When the motion “that the question be now put” has been carried and the question consequent thereon has been decided, any Member may claim that any other question already proposed from the Chair “be now put”, and if the Chair assents, such question shall be put forthwith and decided without amendment or debate.

42. Anticipation

(1) It shall be out of order to anticipate—

(a) a bill by discussion of a motion dealing with the subject matter of the bill on a day before that appointed for the consideration of that bill;

(b) a bill or a motion by discussion upon an amendment or a motion for the adjournment of the Assembly.

(2) In determining whether a discussion is out of order on the ground of anticipation, the Chairperson shall have regard to the probability of the matter anticipated being brought before the Assembly within a reasonable time.

43. Irrelevance or Repetition

The Chairperson, after having called the attention of the Members to the conduct of a Member who persists in irrelevance or tedious repetition of his own argument or of the arguments used by other Members in debate, may direct such Member to discontinue his speech.

44. Disorderly conduct

(1) The Chairperson shall order any Member whose conduct is grossly disorderly to withdraw immediately from the Chamber during the remainder of that day’s sitting.

(2) Where the Chairperson considers that his powers under paragraph (1) are inadequate, he may name such Member in which case Standing Order 45 shall apply.

45. Suspension of Members

(1) Where a Member has been named, the Chairperson shall forthwith put the question, on a motion being made, “that such Member be suspended from the service of the Assembly”.

(2) Where the offence has been committed in a Committee of the whole Assembly, the Chairman shall suspend the proceedings of the Committee and report the circumstances to the Assembly, and the Chairperson shall, on a motion being made forthwith, put the same question, as if the offence had been committed in the Assembly itself.

(3) If any Member be suspended under paragraph (1) of this Order, his suspension shall last until such time as the Assembly, by resolution, shall decide provided that under no circumstance shall a suspension last more than seventy five days.

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

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

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

(7) In the case of grave disorder arising in the Assembly, the Chairperson may adjourn the Assembly without putting any question or suspend the sitting up to the time to be named by him on the same day.

46. Short Speeches

(1) The Chairperson may announce at the commencement of public business or at any time during the sitting that, because of the number of Members wishing to speak in a debate on a motion, he will limit the time during which a Member shall address the Assembly.

(2) Where the Chairperson makes an announcement under paragraph (1) he may at any time direct a Member to resume his seat.

47. Voting

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

(2) The question shall be put by the Chairperson or, in a Committee by the chairperson and the vote shall be taken by voices, Ayes and Noes, and the result shall be declared by the Chairperson or the chairperson.

(3) If the opinion of the Chairperson or the chairperson as to the decision on the question is challenged by any Member, (the division on the question is challenged by any Member), the division bells shall be rung for two minutes and a division shall, subject to the provisions of paragraph (2) of this Order, be taken by the Clerk asking each Member separately in accordance with precedence, beginning with the Member who stands last in that order.

(4) A Member may state that he declines to vote and in such case the Clerk shall record his name as having declined to vote.

(5) No Member of the Assembly shall be precluded from so voting by reason only that he holds the Office of Chairperson or Deputy Chairperson or is presiding in the Assembly.

(6) If the votes cast are equally divided, the vote and the casting vote of the Chairperson or the person presiding shall be exercised and laid down in Sections 15 and 57 of the Act.

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

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

(9) A Member shall not vote on any matter in which he may have a direct personal pecuniary interest, but a motion to disallow a Member's vote on this ground shall be made only as soon as the numbers of the Members voting on the question shall have been declared.

(10) If the motion for the disallowance of a Member's vote shall be agreed to, the Chairperson or the person presiding shall direct the Clerk to correct the numbers voting in the division accordingly.

(11) In deciding whether a motion for the disallowance of a Member's vote shall be proposed from the Chair, the Chairperson shall have regard to the provision of Section 56 of the Act.

48. Introduction of Bills

(1) A Public Bill may be introduced into the Assembly after notice without any order.

(2) Notice of introduction of a Bill shall, except as provided by Standing Order 61 (Urgent Bills), be given to every Member not less than 15 days before it is to be read for the first time, and a copy of the Bill shall be distributed to every Member.

(3) No Private Bill or Private Members' Bill shall be introduced into the Regional Assembly.

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

49. Reading of Bills

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

50. Printing of Bills

(1) The Clerk shall be responsible for the printing of a bill from the draft handed over to him by the Member in charge of the Bill, and he shall satisfy himself that-

- (a) the bill is divided into clauses numbered consecutively;
- (b) a title for each clause is printed before each clause; and
- (c) the provisions of the bill do not go beyond its long title.

(2) Every bill published shall be accompanied by a printed statement signed by the Commissioner in charge of the bill. Such statement shall state fully the objects of and the reasons for the bill. Where a bill amends the whole or part of a section of an Act already in existence, the relevant part of such section shall be set out in full.

51. Stages of Bills

A bill may be proceeded with through all its stages at the same sitting.

52. Debate on Second Reading

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

53. Committal of Bills

(1) When a bill, has been read a second time it shall stand committed to a Committee of the whole Assembly unless the Assembly, on motion made, commits it to a Select Committee to be nominated by the Chairperson. Such motion shall not require notice, must be made immediately after the bill is read a second time and may be made by any Member.

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

54. Committee Stage of Bills

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

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

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

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

55. Procedure in Committee of the Whole Assembly on Bills

At the Committee Stage of Bill –

- (a) the Clerk shall call the number of each clause in succession and shall read the heading to each clause and if no amendment is offered, the Chairperson shall, after a convenient number of clauses has been called, put the question “That clausesto stand part of the Bill”;

- (b) if any Member announces, while the clauses are being called that he wishes to move an amendment to, or make some comment on, a clause, the Chairman shall forthwith put the question with regard to all the clauses which have been called but not yet agreed to, excluding the clause indicated by the Member which shall then be considered;
- (c) after the clause has been so considered, and after any proposed amendment thereto has been agreed to or negatived, the Chairperson shall put the question “That clause(or clauseas amended) stand part of the Bill”;
- (d) the consideration of the schedule (or schedules), if any, including new schedules, if any, and the long title shall follow the consideration of the clauses, including new clauses;
- (e) a clause in the Bill as printed may be postponed, unless upon an amendment thereto a question shall have been fully put from the chair;
- (f) such postponed clauses shall be considered after the remaining clauses of the Bill and before any new clauses which may have been deferred for consideration have been brought up;
- (g) new clauses may be considered at their appropriate places in the Bill, or they may be deferred for consideration until after the clauses in the Bill as printed have been disposed of;
- (h) on the title of any new clause being read by the Clerk, the clause shall be deemed to have been read the first time. The question shall then be proposed “That the clause be read a second time” and if it is agreed to, amendments may then be proposed to the new clause. The final question to be proposed shall be “That the clause (or the clause as amended) be added to the Bill”;
- (i) new schedules shall be considered and treated in the same way as new clauses;
- (j) when a clause or schedule has been agreed to by the Committee or amended and agreed to, it shall not be competent for the Committee to resume consideration thereof;
- (k) before the proceedings have terminated, any Member may move to report progress, and if such motion is carried the Chairperson shall leave the Chair and make his report to the Assembly, and shall ask leave to sit again;
- (l) at the conclusion of the proceedings, the Chairperson shall put the question “That I do report the Bill (or the Bill as amended) to the Assembly”, which shall be decided without amendment or debate.

55A. Draft Estimates

(1) Not later than 31 March in every year there shall be introduced in the Assembly the Draft Estimates of recurrent revenue, recurrent expenditure, capital revenue and capital expenditure for the succeeding financial year.

(2) When the motion for approval of the Draft Estimates has been seconded, the debate thereon shall be adjourned until the next sitting, and, when resumed, shall be confined to the general principles of the Executive Council policy and administration as indicated in the motion.

(3) After the speeches of the Members, the Draft Estimates shall stand referred to a Committee of the Whole House to be called the Draft Estimates Committee.

(4) There may be allotted a maximum number of days to be determined by the Chairperson after such consultation with Members as he may deem fit, for discussion of the Draft Estimates in the Draft Estimates Committee. The Chairperson may allot the time to be given for each Vote of Expenditure in the Draft Estimates.

Where, in the case of any Vote, the end of the allotted time is reached before the Vote is disposed of, the Chairperson shall put forthwith any question necessary to dispose of that Vote.

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

(6) Any Member may move an amendment to reduce by Rs the sum to be allotted for any Vote of Expenditure in turn, and unless any amendment thereto is thereupon moved, the Chairperson shall propose the question "That the sum of Rs for Vote..... stand part of the Draft Estimates."

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

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

(8) No amendment for an increase in the sum allocated for any Vote, sub-head or item, or the addition of a new Vote, sub-head or item, shall be made except on the motion of the Chief Commissioner.

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

(10) On the question “That the sum (or the amended sum) of Rs for Vote stand part of the Draft Estimates”, discussion shall be confined to the details of expenditure contained in the Vote and shall not refer to the general principles of the Executive Council policy and administration.

(11) When the Draft Estimates have been considered and passed through the Draft Estimates Committee, the Assembly shall resume, and the Chairperson of the Committee shall report the Draft Estimates to the Assembly with or without amendment.

56. Select Committee on Bills

(1) The provisions of Standing Order 55 (a) to (j) and (l) shall apply to the consideration of bills by a Select Committee.

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

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

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

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

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

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

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

57. Reporting of Bills from Committee of Whole Assembly

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

58. Adoption Stage of Bills

(1) A Bill having passed through a Committee of the Whole Assembly, or having been reported to the Assembly by a Select Committee and the report of the Select Committee having been approved by the Assembly, may, on motion made forthwith, be adopted, or, if the Assembly so direct, the adoption stage may be postponed.

(2) If, at the adoption stage of a Bill, any Member who desires to amend or delete any provision contained in the Bill or to introduce any fresh provision, may move that the Bill be recommitted to a Committee of the Whole Assembly. At the conclusion of the proceedings of a Committee on a Bill so recommitted, the provisions of Standing Order 56(1) and paragraph (1) of this order shall apply:

Provided that with the Chairperson’s permission, amendments for the correction of errors or oversights may be made to a Bill on a motion for the adoption stage without being recommitted.

59. Withdrawal of Bills

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

60. Endorsement of Bills

Where a Bill has been adopted, it shall be –

- (a) endorsed with a certificate from the Chairperson to that effect;
- (b) sealed up in one single document; and
- (c) transmitted to the Chief Commissioner for submission to the Minister in accordance with section 30 of the Act.

61. Urgent Bills

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

62. Committee of the Whole Assembly

(1) A Committee of the Whole Assembly shall be appointed by resolution that the Assembly resolves itself into Committee.

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

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

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

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

63. Public Accounts Committee

(1) There shall be a committee to be known as the Public Accounts Committee to consist of a chairperson to be appointed by the Chairperson and not more than four other Members to be elected by the Assembly.

(2) The Committee shall examine the audited accounts showing the appropriation of the sums granted by the Assembly to meet the public expenditure and other accounts laid before the Assembly together with the Director of Audit's report thereon.

(3) The Committee may, in the exercise of the duties mentioned above, send for persons and records, to take evidence, and to report from time to time.

(4) Where the Chairperson is unable to be present at any meeting, the Committee shall elect a chairperson for the day only.

(5) In discharging its duties under this Order, while examining accounts showing the appropriation of funds granted by the Assembly and such other accounts which the Assembly had referred to it, the Committee shall satisfy itself –

- (a) that the monies shown in the accounts as having been disbursed were legally available for, and applicable to, the services or purpose to which they have been applied or charged;
- (b) that the expenditure conformed to the Authority which governed it;
- (c) that every re-appropriation has been made in accordance with the provisions made in this behalf under appropriate rules; and
- (d) that cases involving negative expenditure and financial irregularities wherever they have occurred in the financial year under study, having regard to the financial report and the estimates as approved by the Assembly, are subjected to scrutiny.

64. Standing Orders Committee

(1) There shall be a Standing Orders Committee to consist of the Chairperson, the Deputy Chairperson and three other Members to be elected by the Assembly.

(2) The Committee shall consider from time to time and report on all matters relating to the Standing Orders which may be referred to them by the Assembly.

(3) If a notice of motion involves any proposal for the amendment of Standing Orders, the notice shall be accompanied by a draft of the proposed amendments and the motion when proposed and seconded shall stand referred to the Standing Orders Committee and no further proceedings shall be taken on any such motion until the Standing Orders Committee has reported thereon.

65. House Committee

There shall be a Committee to be known as the House Committee, to consist of the Deputy Chairperson as chairperson and four members to be elected by the Assembly to consider and advise the Chairperson on all matters connected with the comfort and convenience of Members of the Assembly. The minutes of the meetings of this Committee shall be circulated to all Members of the Assembly.

66. Financial Resolutions

Except upon the recommendations of a Commissioner, the Assembly shall 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 the imposition of taxation or the alteration of taxation otherwise than by reduction;
- (ii) for the imposition of any charge upon the Rodrigues Consolidated Fund or other public funds of Rodrigues or the alteration of any such charge otherwise than by reduction;
- (iii) for the payment, issue or withdrawal from the Rodrigues Consolidated Fund or other public funds of Rodrigues of any monies not charged thereon or any increase in the amount of such payment, issue or withdrawal; or
- (iv) for the composition or remission of any debt due to the Government;

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

(c) receive any petition that, in the opinion of the person presiding, requests that provision be made for any of those purposes.

67. Regional Assembly Regulations

Regulations required to be made under section 31 of the Act shall be introduced by way of motion.

68. Miscellaneous

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

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

(3) The Chairperson shall have power to regulate the conduct of business in the Assembly in all matters not provided for in these Orders.

(4) The Chairperson shall be responsible for the management of the buildings and the general administration of the Assembly Chamber.

(5) The Chairperson shall not be bound to give any reason in support of any of his decisions.

69. Contempt of the Assembly

Offences provided for in the National Assembly (Privileges, Immunities and Powers) Act which have been extended to the Assembly under section 65 of the Act shall be dealt with in the following manner–

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

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

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

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

(5) Where the Chairperson is of opinion that the circumstances reported to him does not amount to an offence, the matter shall lapse.

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