



**STANDING ORDERS**  
**OF THE**  
**HOUSE OF REPRESENTATIVES**  
**OF**  
**ANTIGUA AND BARBUDA**  
**REVISED EDITION 2020**

**MADE BY THE HOUSE OF REPRESENTATIVES THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2020 PURSUANT TO  
SECTION 57 CONSTITUTION OF ANTIGUA AND  
BARBUDA, 1981 CAP. 23**



**STANDING ORDERS OF THE HOUSE**

**OF**

**REPRESENTATIVES OF ANTIGUA AND BARBUDA**

---

**CONTENTS**

---

Standing Order	Subject	Page
1.	Purpose	1
2.	Interpretation and Application of Standing Orders	1
3.	Definitions	1-2
4.	Election of a Speaker	2-3
5.	Election of a Deputy Speaker	3-4
6.	Oath	4
7.	Presiding in the House and in Committee	4-5
8.	Language	5
9.	Duties of the Clerk	5
10.	Parties	5
11.	Quorum	5-6
12.	Sittings of the House	6
13.	Adjournment of the House	6
14.	Adjournment-Definite Matters of Urgent Public Importance	6-7
15.	Broadcasting and the Opportunity to Respond	7-8
16.	Order of Business	8
17.	Order Paper	8
18.	Petitions and Papers-Presentation of Petitions	8-9
19.	Presentation of Papers	10
20.	Personal Explanations	10
21.	Statements by Ministers	10-11
22.	Questions	11
23.	Prime Minister's Questions	11
24.	Urgent Questions	11-12
25.	Questions for which Notice is Required	12
26.	Manner of Answering Questions which require Notice	13-14
27.	Contents of Questions	14-15
28.	Notice Paper Question	15
29.	Privilege Matters	15-16
30.	Arrangement of Public Business	16
31.	Notice of Motions or Amendments	17
32.	Exemption from Notice	17
33.	Dispensing with Notice	18
34.	Moving of Motions	18
35.	Seconding of Motions	18
36.	Motions not moved or seconded	18
37.	Withdrawal of Motions	18-19

38	Amendments to Motions	19-20
39	Time and Manner of Speaking	20-21
40	Length of Speeches and Debates	21-22
41	Right to Reply	22
42	Interruptions	22
43	Contents of Speeches	22-23
44	Matters Sub Judice	23
45	Scope of Debate	23-24
46	Anticipation	24
47	Closure of Debate	24-25
48	Rules for members not Speaking	25
49	Responsibility for Order in the House and in Committee	25
50	Order in the House and in Committee	26-28
51	Decisions of Questions	28
52	Collection of Voices	28
53	Division	29
54	Restrictions with respect to Money Bills	29
55	Private Members' Bills	29-30
56	Introduction and First Reading of Private Members' Bills	30
57	Introduction and First Reading of Government Bills	30
58	First Reading of Senate Bills	30
59	Appointment of Days for Stages of Bills	31
60	Printing and Circulation of Bills	31
61	Procedure in select Committee upon First Reading	31
62	Second Reading of bills	31
63	Committal of Bills after Second Reading	32
64	Procedure in Committee on Bills after Second Reading	32
65	Procedure in Committee of the Whole House on a Bill	32-34
66	Procedure on Reporting from Committee of the Whole House	35
67	Procedure on Bills Reported from Select Committees Appointed Under Standing Order (84)	35-36
68	Third Reading of Bills (Final Stage)	36-37
69	Procedure on Senate Amendments	37-38
70	Private Bills	38-40
71	Custody of Bills and Assent	40
72	Withdrawal of Bills	40
73	Bills containing substantially the same Provisions	40
74	Lapsed and the Procedure for Carrying Over	40-41
75	Statutory Instruments	41
76	Presentation and Second Reading of Appropriation Bill	41
77	Procedure on Examination of Estimates in Standing Finance Committee	42-43
78.	Third Reading of the Appropriation Bill	43
79	Supplementary Appropriation Bills	43
80	Sessional Select Committees	43-44
81	Standing Orders Committee	44
82.	House Committee	44
83	Committee of Privileges	44
84	Special select Committees	44-45
85	Joint Select Committees	45
86	General Powers of Select Committees	45
87	General Procedure in Select Committees	45-47
88	Premature Publication of Evidence	47
89.	Report from Select Committees	48

<b>90</b>	<b>Absence of Members</b>	<b>49</b>
<b>91</b>	<b>Absence of Members from Committees</b>	<b>49</b>
<b>92</b>	<b>Employment of Members in Professional Capacity</b>	<b>49</b>
<b>93</b>	<b>Visitors</b>	<b>49</b>
<b>94</b>	<b>Media</b>	<b>50</b>
<b>95</b>	<b>Amendment of Standing Orders</b>	<b>50</b>
<b>96</b>	<b>Suspension of Standing Orders</b>	<b>50</b>
<b>97</b>	<b>General Authority of the Speaker</b>	<b>50</b>
<b>98</b>	<b>Intituling, Numbering and Presentation of Bills for Assent</b>	<b>50-51</b>
	<b>Appendix</b>	
<b>Appendix I</b>	<b>Time Limit of Speeches</b>	<b>51-53</b>
<b>Appendix II</b>	<b>General Rules for the Broadcasting of House Proceedings</b>	<b>53-54</b>
	<b>Radio and Broadcasting of Committee Proceedings</b>	<b>54</b>
<b>Appendix III</b>	<b>General Rules for the Conduct of Proceedings of Committees</b>	<b>54</b>
	<b>Notice of Meeting</b>	<b>54-56</b>
	<b>General Provisions for Evidence</b>	<b>56-57</b>
	<b>Hearing of Evidence</b>	<b>57-59</b>
	<b>Natural Justice</b>	<b>59-60</b>
	<b>Information on Proceedings</b>	<b>60-61</b>
<b>Appendix IV</b>	<b>Oath of Allegiance</b>	<b>62</b>
	<b>Oath of Office</b>	<b>62</b>

**THESE STANDING ORDERS MAY BE CITED AS THE STANDING  
ORDERS OF THE HOUSE OF REPRESENTATIVES, REVISED EDITION  
2020**

**PURPOSE**

1. These Standing Orders contain rules for the conduct of the proceedings of the House and for the exercise of the powers possessed by the House. They are not intended to diminish or restrict the rights, privileges and immunities of the House and its Committees collectively or of its Members individually.

**INTERPRETATION AND APPLICATION OF STANDING ORDERS**

2. (1) In any matter not provided for in these Standing Orders, the Speaker or the Chairperson of the Committee of the Whole House shall rule on the matter and decide on the procedure to be followed. The decision of the Speaker or the Chairperson shall, as far as is practicable, be based on the usage, form or practice of the House.

(2) In cases of doubt, the Standing Orders of this House shall be interpreted in the light of the relevant usage and practice of the House and of other parliamentary usage, tradition or practice of other Commonwealth jurisdictions.

**DEFINITIONS**

3. For the purposes of these Standing Orders, unless the context otherwise requires, the following expressions shall have the meanings hereby assigned to them:-

- (a) **“Clerk” means the clerk of the House or, if the office is vacant or the clerk is absent from duty, the person appointed to act as clerk of the House and includes any person authorised by the Clerk to perform any of the functions or exercise any of the power of the Clerk under these Standing Orders.**
- (b) **“Governor General” means the Governor General of Antigua and Barbuda.**
- (c) **“Independent Senator” means a person appointed to the Senate by the Governor General.**
- (d) **“Leader of the House” means the Minister who is primarily responsible to the Prime Minister for the arrangement of government business in the House.**
- (e) **“the House” means the House of Representatives and reference to “the House of Representatives” and “the House” include reference to a Committee of the Whole House.**
- (f) **“Speaker and Deputy Speaker” means the respective persons holding the Office as Speaker and Deputy Speaker.**

- (g) “the Chairman” means the Chairman of a Committee of the whole House or of a Select Committee, as the context indicates.
- (h) “Privilege” means the special rights and immunities belonging to the House, its committees and its members in accordance with section 58 of the Constitution and as may be prescribed by Parliament from time to time.
- (i) “Private Member’s motion” means a motion not moved by a Member of the Cabinet with the authority of the Cabinet.
- (j) “Stranger” means any person who is not a Member of the House other than the Clerk, or any other servant of the House on official duty in the House.
- (k) “Territory” means the State of Antigua and Barbuda.

## CHAPTER II

### General Provisions

#### ELECTION OF A SPEAKER

4. (1) At the first sitting of the House immediately after a general election, before the House proceeds to attend to any other business, the Clerk shall call upon the House to elect a Speaker.

(2) The election of Speaker shall be conducted in the following manner:

- (a) for the purpose of the election of a Speaker, the Clerk shall preside and call for nominations;
- (b) the Speaker may be elected either from among the Members of the House who are not Ministers or Parliamentary Secretaries or subject to **section 42(2) of the Constitution**, from among persons who are not Members of either House;
- (c) no debate shall be allowed upon the proposals for filling the office of Speaker.

#### MEMBER OR OTHER PERSON NOMINATED AS SPEAKER

3) Any Member may rise in his place and propose that such other Member or person (hereinafter referred to as “candidates”), duly qualified in accordance with **paragraph 2(b) of this Standing Order** and having consented, “take the Chair of this House as Speaker”. The motion shall be seconded.

4) The proposer may make a brief address, not to exceed two minutes, on the candidate’s nomination.

*If unopposed, elected*

5) The Clerk shall then ask “Is there any further nomination?” and if there is no further nomination, the Clerk shall without question put, declare the candidate so nominated and seconded to have been elected as Speaker.

#### **WHERE THERE ARE TWO NOMINATIONS**

6) If two (2) candidates are nominated for election as Speaker, the Clerk shall propose the question that the candidate who was first proposed should be the Speaker. If that proposal is approved by a majority of the Members of the House, the Clerk shall declare that candidate to have been elected as Speaker. If the proposal is negated, the Clerk shall propose a like question in respect of the other candidate. In the event of a tie, the Clerk shall proceed in accordance with paragraph (10) of this Standing Order.

#### **WHEN THERE ARE MORE THAN TWO NOMINATIONS**

7) If more than two (2) candidates are nominated for election as Speaker, a ballot shall be conducted by the Clerk.

8) Upon the conclusion of the ballot, if a candidate receives the votes of a majority of the Members of the House, the Clerk shall declare that candidate to have been elected as Speaker.

9) Otherwise, the candidate with the fewest number of votes shall be eliminated and the ballot held again for the remaining candidates until one candidate receives the vote of a majority of Members of the House.

10) If after the holding of a ballot referred to in paragraph (9) of this Standing Order the votes remain equal, the Clerk must determine by lot which candidate is to be eliminated.

#### **SPEAKER TAKES THE CHAIR**

11) Once elected, the Speaker shall be escorted to the dais and take the Chair. The Mace shall then be laid upon the Table.

12) Whenever the office of Speaker becomes vacant, before the House proceeds to attend to any other business, the Clerk shall call upon the House to elect a Speaker and the procedure contained in the preceding paragraphs shall apply.

#### **ELECTION OF A DEPUTY SPEAKER**

**5.** (1) Whenever the House first meets after any general election, and before it proceeds to conduct any other business except the election of the Speaker, it shall elect a member of the House to be Deputy Speaker and if the office of Deputy Speaker falls vacant, the House shall, in accordance with section 42(3) of the Constitution of Antigua and Barbuda proceed to elect a Member to be Deputy Speaker.

2) The election of the Deputy Speaker shall be conducted in a similar manner to the election of the Speaker, save that the Speaker shall preside.

### **OATH**

6. 1) Except for the purpose of electing a Speaker, and Deputy Speaker after a general election, no Member of the House shall take part in the proceedings thereof until he has made and subscribed the oath of allegiance in the form set out in the Appendix IV to these Standing Orders; provided that any person authorised by law to make an affirmation instead of taking an oath may make and subscribe the affirmation in the form set out in the appendix V to these Standing Orders.

2) Immediately following the election of a Speaker and Deputy Speaker after a general election, the Clerk shall administer the oath first to the Speaker and Deputy Speaker and then to the other Members.

3) At any other time, the oath shall be administered by the Clerk immediately after Prayers.

### **PRESIDING IN THE HOUSE AND IN COMMITTEE**

7. 1) The Speaker or in his absence the Deputy Speaker, shall preside at sittings of the House and shall act as Chairman of Committees of the whole House and Standing Finance Committee.

2) During any period where the Speaker is absent on account of illness, or is for any other reason unable to perform the functions of his office, those functions shall be assumed and performed by the Deputy Speaker until such time as the Speaker resumes his office.

3) When the Speaker is unavoidably absent from any day's sitting, an announcement of the Speaker's absence shall be made by the Clerk at the Table of the House. The Deputy Speaker shall then take the Chair and shall be vested with all the powers of the Speaker until the next sitting of the House.

4) When the Speaker and Deputy Speaker are both absent, the Clerk shall call upon the House to elect a Member to preside over that sitting of the House. Such Member must not be a Minister or Parliamentary Secretary and the election shall be conducted in a similar manner to the election of the Speaker described in Standing Order 4 (Election of a Speaker).

5) Except as may be otherwise provided in these Standing Orders, the Deputy Speaker or other Member presiding shall have all the authority and power of the Speaker when presiding or otherwise performing the functions of the Speaker.

6) The Speaker may, without any formal communication to the House or the Committee, request the Deputy Speaker to take the Chair.

7) The Speaker, or in his absence the Deputy Speaker, may at any time ask any Member present, not being a Minister or a Parliamentary Secretary, to take the Chair temporarily without any formal communication to the House or to the Committee.

### **LANGUAGE**

8. 1) The proceedings and debates of the House shall be in the English language.

2) Every Petition, Paper and written communication referred to in these Standing Orders shall also be in the English language.

### **DUTIES OF THE CLERK**

9. 1) The Clerk shall be responsible for keeping the Minutes of Proceedings of the House and Committee of the whole House, which shall record the names of Members attending, all decisions taken and details of every division held.

2) The Clerk shall submit the Minutes of Proceedings of each sitting to the Speaker for his signature and shall then circulate copies thereof to Members before the commencement of the next sitting.

### **PARTIES**

10. The Speaker shall recognize a party for parliamentary purposes, if such party has at least one Member elected to the House of Representatives.

### **QUORUM**

11.1) The Quorum of the House and of a Committee of the whole House shall consist of six Members besides the person presiding at the sitting.

2) If any Member draws the attention of the Speaker in the House or of the Chairman in Committee of the whole House to the fact that a quorum is not present, the Speaker or Chairman, as the case may be, shall direct Members to be summoned as if for a division.

3) When the order to summon Members has been given in the House, the Speaker shall, after the expiration of ten minutes, count the House. If a quorum is not then present he shall adjourn the House without question put.

4) When the order to summon Members has been given in Committee of the whole House the Chairman shall, after the expiration of five minutes count the Committee. If he ascertains that a quorum is not then present, the House shall resume and the Speaker shall count the House. If a quorum is then present, the House shall again resolve itself into Committee, but if a quorum is not present, the Speaker shall adjourn the House without question put.

5) 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 and the House or Committee shall be counted in accordance with paragraph (3) or paragraph (4) of this Order.

6) The Members to be summoned by the Clerk under this Standing Order shall be those Members who are within the Precincts of the Parliament.

## **CHAPTER II**

### **Sittings of the House**

#### **SITTINGS OF THE HOUSE**

12. 1) An ordinary sitting of the House shall begin at 9:30 a.m. or at such other time as the House may from time to time determine, or in the absence of such decision, as the Speaker may direct.

2) When the House has adjourned to a specified date no further notice shall be necessary unless such date shall be more than seven days after the adjourned sitting.

3) The Speaker may, at any time, for the convenience of Members, suspend the sitting for a stated period.

4) If, at any time, it is represented to the Speaker by the Prime Minister that the public interest requires that the House should sit on an earlier day, or on a later day than that in which it would otherwise sit under this Order the Speaker may direct the Clerk to give notice accordingly notwithstanding that the notice of sitting may be less than seven days.

5) If the House has been adjourned *sine die* and it is represented to the Speaker by the Prime Minister that the public interest requires that the House should sit with less than seven days' notice, the Speaker may direct the Clerk to Summon the House accordingly.

#### **ADJOURNMENT OF THE HOUSE**

13. A Minister may move "That this House do now adjourn" at any time after the conclusion of questions at any sitting, but any other Member may only move such a motion under Standing Order No. 14.

#### **ADJOURNMENT – DEFINITE MATTERS OF URGENT PUBLIC IMPORTANCE**

14. 1) Any Member, other than a Member of Cabinet, may at any time appointed under item "k" of the Standing Order No. 16 rise in his place and ask leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance.

2) A Member who wishes so to ask leave to move the adjournment of the House shall, before the commencement of the sitting, hand to the Speaker a written notification of the matter which he wishes discuss. The Speaker shall refuse to allow the claim unless he is satisfied that the matter is definite, urgent and of public importance and may properly be raised on a motion for the adjournment of the House.

### **BROADCASTING AND THE OPPORTUNITY TO RESPOND**

**15.** 1) The proceedings of the House shall ordinarily be broadcast, gavel to gavel, on television, radio and the Internet and in accordance with the rules and standards adopted by the House as set out in Appendix II to these Standing Orders, as may be amended by order of the House from time to time.

2) A person, not being a Member, who has been referred to in the House by name, or in such a way as to be readily identifiable, may make a submission to the Speaker in writing-

- (a) claiming that as a result of the reference, to have been adversely affected in reputation or claiming injury to occupation, trade or office;
- (b) submitting a response to the reference; and
- (c) requesting that the response be incorporated in the parliamentary record.

3) A submission must be made within two (2) weeks of the reference having been made and must be succinct and strictly relevant to the reference that was made. It must not contain anything offensive in character.

4) The Speaker shall consider whether in all the circumstances of the case the response should be incorporated into the parliamentary record.

5) In that consideration, the Speaker—

- a. shall take account of the extent to which the reference is capable of adversely affecting, or damaging the reputation of the person making the submission;
- b. may confer with the person making the submission and with the Member who referred to that person in the House;
- c. must be satisfied that—
  - i. the subject matter is not trivial; or
  - ii. the submission is not frivolous, vexatious or offensive in character.

6) The Speaker shall not consider or judge the truth of the reference made in the House or of the response to it.

7) If the Speaker decides that the response should not be incorporated in the parliamentary record, the Speaker shall direct the Clerk to so inform the person concerned and that no further action will be taken.

8) If the Speaker decides that the response should be incorporated in the parliamentary record, he shall order that the submission, as may be amended by him, be read by the Clerk at the next subsequent sitting after his determination.

### **CHAPTER III**

#### **Business of the House**

#### **ORDER OF BUSINESS**

**16.** Unless the House otherwise directs, the business of each sitting shall be transacted in the following order:-

- (a) Entry of Speaker
- (b) Prayers
- (c) Confirmation of Minutes
- (d) Oath of Allegiance of a new Member
- (e) Messages from the Governor-General
- (f) Announcement by the Speaker
- (g) Presentation of Petitions
- (h) Presentation of Papers and Report from Select Committees
- (i) Prime Minister's Question
- (j) Questions to Ministers
- (k) Requests for leave to move the adjournment of the House on matters of urgent public importance
- (l) Statement by Ministers
- (m) Personal Explanations
- (n) Motions relating to the business of sitting of the House and moved by a Minister
- (o) Introduction of Bills
- (p) Public Business
- (q) Government Business
- (r) Committee Business
- (s) Private Member's Business

#### **ORDER PAPER**

**17. 1)** The Clerk shall prepare an Order Paper for each sitting of the House.

2) The Order Paper shall be circulated as early as possible before each sitting.

#### **PETITIONS AND PAPERS – PRESENTATION OF PETITIONS**

**18. 1)** A Petition shall be endorsed by the Clerk as being in accordance with the rules in regard to Petitions prior to its presentation to the House.

2) Every Petition must conclude with a prayer setting forth the general objects of the Petition.

3) The House will not receive any Petition which—

- a. is not addressed to the House and which is not properly and respectfully worded;
- b. has not at least one (1) signature on the sheet on which the prayer of the Petition appears;
- c. in the opinion of the Speaker, refers to a matter not within the cognizance of the Executive or the Parliament; and
- d. in the opinion of the Speaker, requests that provision be made for imposing or increasing any charge on the revenues or other funds of the State or for altering any such charge otherwise than by reducing it or for compounding or remitting any debt due to the State, unless on the recommendation of the Cabinet signified by a Minister.

#### *ANNOUNCEMENT OF PETITIONS AND RESPONSES*

4) The Clerk shall announce Petitions lodged for presentation and the announcement shall state in each case:

- a. the Member who lodged it;
- b. the identity and number of petitioners; and
- c. the subject matter of the Petition.

5) All Petitions shall be ordered to lie upon the Table without question put. Immediately after the announcement, any Member may move for a Petition to be read and any such motion shall be put without amendment or debate.

#### *ACTION ON PETITIONS*

6) After a Petition is presented to the House, the Clerk shall within seven (7), refer a copy of the Petition to the Minister responsible for the administration of the matter raised in the Petition. The Minister shall, within thirty (30) days of the date of the letter from the Clerk, lodge a written response with the Clerk. Such response shall be ordered to lie upon the Table without question put and shall be circulated at the next sitting of the House.

7) If a Petition remains without a response at the expiration of the period of thirty (30) days, the matter of the failure of the Minister to respond shall be deemed referred to the appropriate **Joint Select Committee under Standing Order (85)**.

8) The provisions of paragraphs (6) and (7) of this Standing Order shall not apply to a Petition from the promoters of a Private Bill **under Standing Order (70) (Private Bills)**.

## **PRESENTATION OF PAPERS**

**19.** 1) A Petition shall be endorsed by the Clerk as being in accordance with the rules in regard to Petitions, prior to its presentation to the House.

2) A paper shall ordinarily be presented by a Minister and its presentation shall be recorded in the Minutes of Proceedings.

3) A Minister presenting a paper may make a short explanatory statement of its contents but no debate shall then take place upon any such statement.

4) All papers presented to the House shall be ordered to lie upon the Table of the House without question put and any motion for the printing thereof as a House Paper shall be determined without amendment or debate.

5) The Speaker shall cause to be presented all papers required in law to be laid from bodies and authorities that do not fall within the purview of a Minister's responsibility.

## **PERSONAL EXPLANATIONS**

**20.** 1) With the leave of the Speaker, a Member may make a personal explanation at the time appointed under Standing Order 16 (Order of Business) although there is no question before the House but no controversial matter may be brought forward nor any debate upon the explanation.

2) A personal explanation shall not exceed ten (10) minutes.

## **STATEMENTS BY MINISTERS**

**21.** 1) A Minister may make a statement in the House, with the approval of the Cabinet on government policy, legislative proposals he intends to submit to Parliament, or the course he intends to adopt in the transaction and arrangement of public business.

2) A Minister who intends to make a ministerial statement shall, before the commencement of the sitting, inform the Speaker of his intention to make a ministerial statement and the subject of the statement and provide the Speaker with a copy of the statement.

3) A statement by a Minister shall not exceed fifteen (15) minutes.

4) The Speaker may permit one (1) question for the purpose of elucidation, to be asked by one Member from each of the parties in Opposition to the Government and the Minister, if he can then answer, shall reply. Such question shall not exceed fifteen (15) seconds in length, must be asked without argument or opinion, and shall not address more than one matter of general government policy.

5) Any reply in accordance with paragraph (4) of this Standing Order shall be limited two (2) minutes.

## **CHAPTER IV**

### **Questions**

#### **QUESTIONS**

**22.** Questions may be asked of a Minister relating to any subject or department under the Minister's administrative responsibility. The right to ask a question shall be subject to the rules set out in this chapter, and the Speaker shall be the sole judge on the interpretation of these rules.

#### **PRIME MINISTER'S QUESTIONS**

**23.** 1) At every sitting of the House, there shall be Prime Minister's Question Time at the time designated in the Order of Business.

2) During Prime Minister's question time, questions may be put to the Prime Minister relating to current matters of national importance or on the general performance of the Government and Government agencies.

3) The Prime Minister's question time shall not exceed thirty (30) minutes.

4) A question to the Prime Minister shall not exceed fifteen (15) seconds in length, must be asked without argument or opinion, and shall not address more than one matter of general government policy.

#### **URGENT QUESTIONS**

**24.** 1) There shall be a fifteen (15) minute period for urgent questions at the appropriate stage in the Order of Business at each sitting of the House which shall be subject to the following rules:

- a. any Member desiring to ask a question on the ground of urgency in the public interest shall submit to the Clerk a copy of the proposed question marked "urgent question" at least one (1) hour prior to the commencement of the sitting;
- b. the Speaker shall approve the question if the proposed question relates to a matter that is urgent and has arisen suddenly and he considers it to be one which requires immediate response in the public interest;
- c. the Speaker shall call upon the Member to ask the question at the appropriate stage in the Order of Business;
- d. an urgent question shall not exceed fifteen (15) seconds in length and must be asked without argument or opinion;

- e. answers must not exceed two (2) minutes in length and must be relevant to the question asked;
- f. the Speaker may permit the Member asking an urgent question to ask no more than two (2) supplementary questions; and
- g. a Minister may decline to answer a question if, in his opinion, the publication of the answer would be contrary to the public interest.

2).The Speaker shall instruct the Clerk to immediately inform the relevant Minister personally, if practicable, as well as by other means of communication, of the urgent question as approved.

## **25. QUESTIONS FOR WHICH NOTICE IS REQUIRED**

(1) Notice of a question may be handed by a Member to the Clerk when the House is sitting, or may be sent, by hand, fax or e-mail, or left at the Clerk's office. Wherever possible, every such notice must be signed by the Member giving it.

(2) A question for which notice has been given must state whether an oral or written answer is required.

(3) A Minister may decline to answer a question if, in his opinion the publication of the answer would be contrary to the public interest.

### *ORAL ANSWER*

(4) A question for oral answer shall not –

- (a) be placed on the Order Paper earlier than twenty-one (21) days after it has been approved by the Speaker;
- (b) be of excessive length; and
- (c) require an answer which will involve extensive details.

(5) A Member is entitled to a maximum of three (3) questions for oral answer on the Order Paper at any one time.

(6) If in the opinion of the Speaker a question for oral answer is of such as to require a lengthy reply, he may direct that such question be converted to a question for written answer.

### *WRITTEN ANSWER*

(7) A question for written answer shall be submitted to the Clerk and shall qualify for answer not less than twenty-eight (28) days after it has been approved by the Speaker.

## **26. MANNER OF ASKING AND ANSWERING QUESTIONS WHICH REQUIRE NOTICE**

(1) A Member shall not publish his question prior to such question being approved by the Speaker.

(2) Answers to questions which Ministers propose to give in the House shall not be released for publication until the answers have been given on the floor of the House or laid on the Table.

Oral answer

(3) The time allotted for answering oral questions on notice shall not exceed forty (40) minutes.

(4) The Speaker shall call in turn upon each Member in whose name a question stands upon the Order Paper, in the order in which the questions are printed. The Member so called shall then rise in his place and ask the question as it appears on the Order Paper.

(5) The Minister questioned shall rise in his place and give his reply, which shall be strictly relevant thereto and shall not exceed five (5) minutes.

### *SUPPLEMENTARY QUESTIONS*

(6) After an oral answer to a question has been given, no more than four (4) 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 opinion introduces matters not relative to the original question, or which infringes any of the provisions of Standing Order 27 (Contents of Questions).

(7) A supplementary question shall be held to be out of order by the Speaker if, in his opinion—

- (a) it does not arise from the main question or its answer;
- (b) it gives information rather than seeking information;
- (c) it involves more than one (1) separate issue;
- (d) it seeks confirmation or denial of an opinion; or
- (e) it infringes any of the rules regarding questions.

(8) In the absence of a Member in whose name a question stands, question may be asked by any other Member duly authorized to ask the question on behalf of the absent Member.

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

(10) Questions on the Order Paper for oral answer which remain outstanding at the expiration of forty (40) minutes shall be answered in writing by the Minister to whom the question was addressed, who shall immediately pass copies of his answer to the Clerk for circulation to Members at that sitting and for inclusion in the Minutes of Proceedings. However, at any time before the expiration of question time a Member having an unanswered question on the Order Paper may signify to the Clerk at the Table his desire to postpone the question to a later sitting.

#### *WRITTEN ANSWER*

(11) In the case of a question on the Order Paper for written reply, the Minister questioned shall immediately submit a written and electronic copy of the answer to the Clerk who shall send the answer to Members electronically before the end of that sitting and shall cause the question and the reply to be recorded in the Official Report.

#### *DEFERRAL OF QUESTIONS*

(12) At the request of a Minister and with the approval of the House, without debate, the answer to a question on the Order Paper may be deferred once only for a maximum period of fourteen (14) days. A question so deferred is not to be taken into account for the purpose of Standing Order 25(5).

(13) If such a question remains unanswered at the expiration of fourteen (14) days, the Member who asked the question may, at the conclusion of question time, ask that the Speaker write to the Minister concerned, seeking reasons for the delay in answering.

#### *WITHDRAWAL OF QUESTIONS*

(14) A question may be withdrawn only at the request of the Member in whose name the Question stands on the Order Paper.

(15) A question withdrawn from the Order Paper may be asked again provided that notice as required by these Standing Orders is given.

### **CONTENTS OF QUESTIONS**

**27.** 1) Every question shall conform to the following rules. A question shall not –

- a. contain more than one issue and shall be concise;
- b. contain preambles, opinions, statements of facts, extracts from newspapers or books, or quotations, or names of persons unless they are necessary to render the question intelligible;
- c. contain arguments, allegations, inference, imputation, epithets, ironical expressions, or hypothetical matter;

- d. be repetitive, ask for an expression of opinion, or seek legal interpretation or opinion;
- e. refer to proceedings before a Committee of the House which have not been reported to the House or to matters which have been referred to a Commission of Enquiry;
- f. refer to any matter which in the opinion of the Speaker is sub judice under **Standing Order 42;**
- g. be asked for the purpose of obtaining an expression of opinion, the solution of an abstract legal question, or the answer to a hypothetical proposition;
- h. reflect on the character or conduct of any person except in his official or public capacity;
- i. reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion under **Standing Order 41(7); (Content of speeches)**
- j. refer discourteously to, or seek information about, the internal affairs of any country within the Commonwealth or of a friendly foreign State;
- k. seek information set forth in accessible official publications or ordinary works of reference; or
- l. raise an issue already decided in the House or which has been fully answered during the same session or for which an answer has been refused.

2) If the Speaker is of the opinion that any question of which a Member has given notice to the Clerk is an abuse of the right of questioning or infringes any of the provisions of this or any other Standing Order, he may direct—

- a. that the Member concerned be informed that the question is out of order, or
- b. that the question be printed and entered in the order book with such alterations as he may direct.

## **28. NOTICE PAPER QUESTION**

Once a question on notice has been approved by the Speaker the Clerk shall immediately prepare and circulate to the Members a Notice Paper setting out particulars of the question.

## **29. PRIVILEGE MATTERS**

(1) A matter directly concerning the privileges of the House shall take precedence over all other business.

(2) Any Member desiring to raise a matter under this Standing Order shall first obtain leave of the Speaker who will determine whether the Member is entitled to raise the matter as a question of privilege.

(3) If permission is given by the Speaker under paragraph (2) of this Standing Order, the Member so permitted may raise it any time after Questions and request that the matter be referred to the Committee of Privileges.

(4) No debate shall ensue on a matter raised under this Standing Order but if the Speaker decides that a prima facie case has been made out he shall so state and refer the matter to the Committee of Privileges.

(5) If during a sitting of the House a matter suddenly arises which appears to involve the Privileges of the House and which calls for the immediate intervention of the House, the proceedings may be interrupted, except during the progress of a division, by a motion based on such matter.

(6) No Member moving a matter under this Standing Order may speak for more than five (5) minutes.

## **CHAPTER V**

### **Public Business**

#### **ARRANGEMENT OF PUBLIC BUSINESS**

**30.** 1) Public Business shall consist of Motions and Bills.

2) Government Business shall consist of Motions proposed to be made and Bills sponsored by Ministers or Parliamentary Secretaries and shall be set down in such order as the Government thinks fit.

3) Private Business shall consist of Motions and Bills proposed by Private Members, Private Business shall be set down on the Order Paper in the order in which it was entered in the Order Book.

4) Committee Business consists of motions for the consideration of Committee reports in accordance with **Standing Order (89) (Reports from Select Committees)**. Such motions shall be placed on the Order Paper for the next Sitting of the House of Representatives.

#### **NOTICE OF MOTIONS OR AMENDMENTS**

**31.** 1) Where, under these Standing Orders notice is required, such notice shall be given in writing, signed by the Member and addressed to the Clerk. Such notice shall be handed to the Clerk when the House is sitting or sent by hand, fax or e-mail to, or left at the Clerk's office at any time during the hours prescribed for the purpose.

2) If the Speaker is of the 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 may direct—

- a. that the Member concerned be informed that the notice of motion is out of order; or
- b. that the motion be approved with such alterations as he may direct.

3) Not more than two (2) motions in the name of the same Member may be entered on the Order Paper of any sitting. The provision of this paragraph shall not apply to a Minister.

### **EXEMPTION FROM NOTICE**

**32.** 1) Unless the Standing Orders otherwise provide, notice shall be given of any motion which it is proposed to make, with the exception of the following –

- a. A motion for the amendment of any motion;
- b. A motion for the adjournment of the House or of a debate;
- c. A motion for the election of a temporary presiding officer under paragraph (1) of Standing Order No. 7 (Presiding in the House 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 House resolve itself into Committee;
- g. A motion made in Committee of the whole House other than the Committee of Supply;
- h. A motion for the suspension of a Member;
- i. A motion that a petition do lie upon the Table and be read, printed or referred to a Select Committee;
- j. A motion for the printing of a paper **under paragraph (4) of Standing Order No. 19 (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 recommit a Bill under **paragraph (1) of Standing Order No. 63 (Committal of Bills after second reading);**
- n. A motion for the withdrawal of a Bill under **Standing Order No. 72 (Withdrawal of Bills);**
- o. A motion in respect of which Notice has been dispensed with under **Standing Order No. 33 (Dispensing with Notice);**
- p. a motion “That the question be now put” under **paragraph (1) of Standing Order 47 (Closure of debate).**

### **DISPENSING WITH NOTICE**

**33.** Notice shall not be dispensed with in the case of a motion or in respect of any proceedings for which notice is required, except with the consent of the Speaker and the assent of the majority of the Members present at the time.

### **MOVING OF MOTIONS**

**34.** 1) Subject to the Constitution and to these Standing Orders, it shall be competent for any Member to propose by way of motion any matter for debate in the House.

2) On a motion made and when necessary seconded, the Speaker shall propose the question to the House, and after debate, if any, shall then put the question for the decision of the House.

3) If a motion embodies two or more separate propositions, the propositions may be proposed by the Speaker as separate questions.

4) If a Member desires to vary the terms of a motion standing in his name, he may do so by giving an amended notice of motion; provided that such amendment does not, in the opinion of the Speaker, materially alter any principle embodied in the original motion or the scope thereof. Such amended notice of motion shall run from the time at which the original notice of motion was given.

### **SECONDING OF MOTIONS**

**35.** 1) In the House the question upon a motion or amendment shall not be proposed by the Speaker unless such motion or amendment has been seconded; provided that Government business shall not require seconding.

2) In Committee a seconder shall not be required.

### **MOTIONS NOT MOVED OR SECONDED**

**36.** 1) If a Member does not move a motion or amendment which stands in his name when he is called on, it shall be removed from the Order Paper unless some other Member, duly authorised by him in writing, moves it in his stead; provided that Government business may be moved by a Minister.

2) No question shall be proposed upon a motion or amendment, which under these Standing Orders is required to be seconded, if it is not so seconded, and no record of proceedings upon the motion or amendment shall be entered in the Minutes of Proceedings.

### **WITHDRAWAL OF MOTIONS**

**37.** 1) A motion may be withdrawn, at the request of the mover, after it has been moved, by the leave of the House or Committee, before the question is put thereon, provided there is no dissentient voice.

2) A motion so withdrawn may be made again; provided that notice, as required by these Orders' is given.

3) If an amendment has been proposed to a question, the original motion cannot be withdrawn until the amendment has been disposed of.

### **AMENDMENTS TO MOTIONS**

**38.** 1) If a Member wishes to vary the terms of a motion standing in his name, he may do so by giving an amended notice of motion; provided that such amendment does not, in the opinion of the Speaker, materially alter any principle embodied in the original motion or the scope thereof. Such amended notice of motion shall run from the time at which the original notice of motion was given.

2) After a question has been proposed by the Speaker, but before it has been put, it may be amended, unless otherwise provided for in these Standing Orders.

#### *FORMS OF AMENDMENT*

3) Any Member may propose that a Motion be amended by—

- a. deleting words;
- b. deleting words in order to substitute other words; or
- c. inserting or adding words,

but an amendment may not be a direct negative.

4) An amendment which is of the same effect as one previously disposed of shall not be accepted.

5) An amendment must be relevant to the question that it proposes to amend.

6) An amendment which is meaningless or which is frivolous shall not be accepted.

7) An amendment may not contain reflections on a Member.

8) An amendment shall not raise any question which, by these Standing Orders, can only be raised by a substantive motion after notice.

#### *AMENDMENTS TO BE WRITTEN AND SIGNED*

9) An amendment must be in writing, signed by the mover and given to the Clerk.

No notice of an Amendment is necessary

10) A motion by way of amendment to a question already proposed from the Chair may be moved without notice.

#### *SECONDING OF AMENDMENTS*

11) The question upon an amendment to a motion shall not be proposed by the Speaker unless such amendment has been seconded, however, government business shall not require seconding.

#### *AMENDMENTS PROPOSED FROM THE CHAIR*

12) After an amendment has been moved and where necessary seconded, the Speaker shall propose the amendment to the House. The debate will include original question and the question on the amendment.

#### *AMENDMENTS PUT AN AGREED TO (QUESTION, AS AMENDED, PUT)*

13) When amendments have been agreed to, the original question, as amended, will be put to the House.

#### *AMENDMENT PROPOSED BUT NOT AGREED TO*

14) When amendments have not been agreed to, the original question will be put to the House.

#### *ORDER OF MOVING AMENDMENTS*

15) Each amendment shall be disposed of before another amendment to the same question may be moved. The Speaker shall call upon the movers in the order in which their amendments relate to the text of the original question, or in the case of doubt in such order as the Speaker shall decide.

#### *AMENDMENT TO AMENDMENT*

16) An amendment may be moved to a proposed amendment. Such further amendment shall be seconded at any time after the question upon the original amendment has been proposed but before it has been put.

#### *WITHDRAWAL OF AMENDMENT*

17) After the Speaker has proposed the question on an amendment, the amendment cannot be withdrawn without leave.

## **CHAPTER VI**

### **Rules of Debate**

#### **TIME AND MANNER OF SPEAKING**

**39.** 1) No Member shall speak unless called upon by the Speaker in the House or Chairman in Committee.

2) A Member desiring to speak shall rise in his usual place and if called upon shall address his observations to the Speaker. While speaking, a Member must not turn his back to the Chair.

3) If two or more Members rise at the same time, the Speaker or Chairman shall call upon the Member who first catches his eyes.

4) A Member may use an appropriate visual aid to illustrate the point being made during his speech; provided that the aid does not inconvenience other Members or obstruct the proceedings of the House. Such an aid may be displayed only with the prior permission of the Speaker.

5) Before participating in consideration of any item of business in the House in which he has a financial interest, a Member should disclose the extent of that interest.

6) No Member shall speak more than once on any question except—

a. when the House is in Committee;

b. in explanation as prescribed in paragraph (8) of this Standing Order; or

c. in the case of a mover of a substantive motion or the Member in charge of a Bill, in reply.

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

8) A Member who has spoken on a question may again be heard to offer explanation of some material part of his speech which he claims has been misrepresented, but he shall not introduce new matter. Such a Member must first be recognized by the Speaker and the explanation shall not exceed two (2) minutes.

9) A Member who has spoken may speak again when a new question has been proposed by the Speaker, such as a proposed amendment.

10) A Member shall not read his speech except with the leave of the Speaker but he may read extracts from books or papers in support of his argument, and may refresh his memory by reference to written notes. For this purpose he may use a computer or other electronic device, provided that such device does not, in the opinion of the Chair, disturb the proceedings of the House.

11) No Member may speak on any question after it has been put to the vote by the Speaker or Chairman.

### **LENGTH OF SPEECHES AND DEBATES**

**40. (1) The limits for speeches are set out in Appendix 1.**

**(2) The ruling of the Speaker or Chair as to the time taken by any Member shall be final.**

**(3) Notwithstanding paragraph (1) of this Standing Order, the House may limit the length of a debate on any matter, provided that there is agreement**

**between the Leader of the House and Whips of the Opposition Parties in the House.**

**(4) In any debate in which a time limit is imposed on the entire debate by agreement between the Leader of the House and the Whips of the debate by agreement between the Leader of the House and the Whips of the Opposition Parties in the House, the Speaker shall ensure that the time is equally apportioned among the parties represented in House.**

#### **41. RIGHT TO REPLY**

1) The mover of a motion may reply after all the other Members present have had an opportunity of addressing the House and before the question is put, and after such reply no other Member may speak, except as provided in paragraph (2) of this Standing Order.

2) A Minister may conclude a debate on any motion that is critical of the Government or reflects adversely on, or is calculated to bring discredit upon the Government or a Government officer.

#### **42. INTERRUPTIONS**

1) No Member shall interrupt another Member except –

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

2) A point of order should strictly relate to specific breaches of the Standing Orders. A point of order takes precedence over other business until ruled on by the Speaker.

3) A Member raising a point of order must put the point succinctly and shall be heard in silence.

#### **43. CONTENTS OF SPEECHES**

1) Subject to these Standing Orders, debate upon any motion, bill or amendment shall be relevant to such motion, bill or amendment, and a Member shall confine his observations to the subject under discussion.

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

3) It shall be out of order to use offensive and insulting language about Members of either House or to threaten a Member.

4) A Member shall be referred to in the House by reference to his constituency or to his official portfolio.

5) No Member shall impute improper motive to any Member of either House.

6) The Governor General's name shall not be used to influence the House.

7) The conduct of the Governor General or any other person performing the function of Governor General, Members of the Senate, the House or Judges of the Supreme Court or other persons performing judicial functions shall not be raised except upon a substantive motion moved for the purpose.

#### **44. MATTERS SUB JUDICE**

1) Subject always to the discretion of the Speaker and to the right of the House to legislate on any matter, a Member shall not raise or pursue any matter which relates to active proceedings until the matter is ended by judgment or discontinuance, unless the Speaker is satisfied that—

- a. the matter is clearly related to a matter of general public importance or a ministerial decision is in question;
- b. the matter does not relate to a case that is awaiting or under adjudication, particularly those matters before a jury; and
- c. the Member does not in his comments create a real and substantial danger of prejudice to the fair determination of a matter.

2) By alleging that a matter is sub judice a Member shall be confirming to the House that paragraph (1) is applicable and shall accept responsibility for so advising the House

#### **45. SCOPE OF DEBATE**

##### **MOTIONS DEBATE TOGETHER**

1) With the leave of the House, motions may be debated together where—

- a. the content of two or more motions interrelate; or
- b. a number of motions relate to a single subject of debate.

2) If the House agrees to proceed in accordance with paragraph (1), the first motion shall be moved and the joint debate shall then take place. Upon the conclusion of the debate, the questions shall be put on the first motion. The second and

subsequent motions shall thereafter be moved in consecutive order, and the questions on them shall be put from the Chair individually and without further debate.

#### *ADJOURNMENT OF THE DEBATE*

3) During the course of a debate a motion may be made for the adjournment of the debate or of the House and unless it appears to the Chair that the motion is an abuse of the rules of the House or an infringement of the rights of the minority, the question shall be put by the Chair without amendment or debate.

4) A Member who has moved or seconded such a motion shall not be entitled to move or second any similar motion during the same debate.

5) This shall not be construed as restricting the customary right of the Leader of the House or any other Minister to move the adjournment of the House on the conclusion of the business of the day.

#### **46. ANTICIPATION**

1) It shall be out of order to anticipate a Bill by discussion upon a motion dealing with the subject matter of that Bill.

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

3) In determining whether discussion is out of order on the grounds of anticipation, regard shall be had by the Chair to the probability of the matter anticipated being brought before the House within a reasonable time.

#### **47. CLOSURE OF DEBATE**

**1) After a question has been proposed any Members may, at any time during the course of debate, rise in his place and claim to move “That the question be now put” and unless it appears to the Chair that the motion is abuse of the rules of the House or an infringement of the rights of the minority, the question “That the question be now put” shall be out forthwith. No debate on that motion shall be allowed, and if the motion is carried, the debate then before the house shall cease and the question before the House shall be put forthwith.**

**2) When the motion “That the question be now put” has been carried, and the question consequent thereon has been decided any Member may claim that any other question already proposed from the Chair be now put and if the consent of the chair is given such question shall be put forthwith and decided without amendment or debate.**

**3) A motion under this Standing Order shall not be decided in the affirmative if it appears on a division that less than seven Members voted in the majority in support of the motion.**

**4) The provisions of this Order shall apply only when, in the House the Speaker, or in Committee the Speaker or Deputy Speaker is in the Chair.**

#### **48. RULES FOR MEMBERS NOT SPEAKING**

1) A Member present in the House during the debate—

- (a) shall enter or leave the House with decorum;
- (b) shall bow to the Speaker on entering or leaving the Chamber;
- (c) shall not leave the House when the Speaker is addressing the House;
- (d) shall not pass between the Speaker and any Member who is speaking;
- (e) shall maintain silence while another Member is speaking and shall not interrupt, except in accordance with these Standing Orders;
- (f) shall not engage **excessively** in cross talk or converse noisily with another Member or otherwise disturb the proceedings;
- (g) shall avoid running commentaries when another Member is speaking;
- (h) shall not sit with his back towards the Chair;
- (i) shall not read books, newspapers, letters or other documents unless they relate to the business before the House;
- (j) shall not use any electronic device in such a manner that in the opinion of the Speaker disturbs the proceedings of the House;
- (k) shall avoid talking or laughing in the lobby loud enough to be heard in the chamber;
- (l) shall otherwise conduct himself in a fit and proper manner; and
- (m) shall wear business attire.

2) The Speaker shall draw the attention of the House to any Member who, despite warning, persists in breaching any provision of this Standing Order and may thereafter take action in accordance with Standing Order 46 (Order in the House and in Committee).

### **CHAPTER VII**

#### **Rules of Order**

#### **49. RESPONSIBILITY FOR ORDER IN THE HOUSE AND IN COMMITTEE**

1) The Speaker in the House and the Chairman in Committee shall be responsible for the observance of the rules of order in the House and Committee respectively and their decision upon any point of order shall not be open to appeal and shall not be reviewed by the House except upon a substantive motion made after notice.

2) When the Speaker, or Chairman, rises any Member then speaking or wishing to speak shall immediately resume his seat and the House or the Committee, shall be silent.

## 50. ORDER IN THE HOUSE AND IN COMMITTEE

1) The Speaker or the Chairman after having called the attention of the House or of the Committee to the conduct of a Member who—

- a. has used objectionable, abusive, insulting or offensive word or language or unparliamentary expressions and on being called to order has refused to withdraw such words or language or expressions and has not offered an apology for the use thereof; or
- b. persists in irrelevant or tedious repetition either of his own arguments, or of the arguments used by other Members in debate; or engages in **excessive cross** talk or converses noisily with another Member or otherwise disturb the proceedings,

and after having first warned the Member, may direct that Member to discontinue his speech and to resume his seat, or direct that the Member withdraw from the Chamber for a specified period of time as the case may require.

2) Any Member may, after the Speaker or Chairman has under paragraph (1) of this Standing Order once called the attention of the House or Committee to the said conduct of a Member in a debate, move that the Member be no longer heard and such motion shall be put without amendment or debate.

3) A Member, referred to in paragraphs (1) and (2) of this Standing Order, shall immediately take his seat, or withdraw from the Chamber as the case requires.

### *GROSS DISORDER*

4) Conduct shall be deemed to be grossly disorderly, if during proceedings, the Member concerned—

- a. creates actual disorder;
- b. uses or threatens violence against a Member or other person;
- c. acts in a manner that displays flagrant disobedience to rulings of the Chair;  
or
- d. acts in any other way to the serious detriment of the dignity or orderly procedure of the House.

5) The Speaker may order any Member whose conduct is grossly disorderly to withdraw immediately from the House during the remainder of that day's sitting.

6) The Speaker may direct such steps to be taken as are required to enforce an order made by him pursuant to paragraph (5) of this Standing

Order.

### *SUSPENSION FROM THE SERVICE OF THE HOUSE*

7) If on any occasion the Speaker considers that his powers under the previous provision of this Standing Order are inadequate, the Speaker may name such Member under this Standing Order, by mentioning the name of the Member concerned. In such circumstances, the procedure prescribed in the next succeeding paragraphs shall be followed:

- the Speaker shall mention the Member by name;
- immediately following the naming, a Member shall move a motion that (“Mr/Mrs/Ms.) \_\_\_\_\_” be suspended from the service of the House;
- the Speaker shall put the question “that \_\_\_\_\_ be suspended from the service of the House”;
- this question must be resolved without amendment, adjournment or debate;
- if the offence has been committed in Committee of the Whole House, the Chairman shall immediately suspend the proceedings of the Committee, resume the House and report the circumstances and the procedure provided for in the preceding subparagraphs of this Standing Order shall be followed; and
- the Member so named must immediately leave the Chamber and its precincts and shall stand suspended from the service of the House.

### *DURATION OF SUSPENSION*

8) If a Member is suspended pursuant to paragraph (7) of this Standing Order—

- a. for a first time in a session, the suspension will be for three (3) Sittings;
- b. for a second time in a session, the suspension will be for six (6) Sittings; and
- c. on any subsequent occasion within the same session, for a period to last until the House orders that the Member’s suspension shall terminate or, in default of such order, for the remainder of the session.

9) Any personal remuneration or allowance to which a Member is entitled as a Member of the House of Representatives shall cease in respect of the period of his suspension.

10) Not more than one (1) Member shall be named at the same time, unless several Members present together have jointly committed the offence.

11) If any Member who has been directed to withdraw or who has been suspended under this Standing Order, refuses at any time to obey the direction of the Speaker to withdraw from the House and the Precincts of the Parliament, the Speaker shall call the attention of the House to the fact that recourse to force is necessary in order to compel obedience to his direction, and the Member named by him as having so

refused to obey his direction shall, without further question put, be immediately suspended from the service of the House during the remainder of the session.

12) If resort to force is necessary, the Speaker may suspend the sitting during the removal of the Member. The Speaker may request the assistance of any police officer in ejecting the offending Member.

13) A Member who is directed to withdraw or who is suspended under this Standing Order shall not be entitled to attend the sitting from which he was directed to withdraw or in a case of suspension to attend any sitting or Committee or enter the precincts of the House until the termination of his suspension.

14) In the case of grave disorder arising in the House, the Speaker may, if he thinks it necessary to do so, suspend the sitting for a specified period or adjourn the House without question put.

15) A Member suspended under this Standing Order shall not enter the Chamber, vote or serve on a Committee or lodge questions or notices of motion, during the period of his suspension.

16) Nothing in this Standing Order shall be taken to deprive the House of the power of proceeding against any Member according to any resolution of the House.

## **CHAPTER VIII**

### **Voting**

#### **51. DECISIONS OF QUESTIONS**

1) Except as otherwise provided in the Constitution or in these Standing Orders all questions proposed for decision in the House or in Committee shall be determined by a majority of the votes of the Members thereof present and voting.

2) The Speaker or any other Member presiding shall not vote unless on any question the votes are equally divided, in which case, he shall have and exercise a casting vote and any reason stated shall be entered in the Minutes of Proceedings.

#### **52. COLLECTION OF VOICES**

1) At the conclusion of a debate upon any question the Speaker or Chairman shall put that question for the decision of the House, and shall collect the voices of the Ayes and the Noes, after which no further debate may take place upon that question.

2) The result shall be declared by the Speaker or Chairman stating "I think the Ayes have it" or "I think the Noes have it" as the case may be, but any Member may challenge the opinion of the Chair by claiming a division.

### **53. DIVISION**

1) If a division is called for, it shall be taken by the Clerk calling each Member's name individually and recording the each vote accordingly.

2) The Clerk shall then announce the number of those who have voted for, those who voted against the proposal and those who declined to vote and the Speaker or Chairman shall declare the result of the division.

3) The Clerk shall enter in the Minutes of Proceedings the record of each Member's vote.

4) If a Member states that he voted in error or that his vote has been counted wrongly, he may request to have his vote altered provided that such request is made as soon as the Clerk has announced the numbers and before the Chair has declared the result of the division. Upon such request being made the Speaker or Chairman, at his sole discretion shall either direct the Clerk to alter that Member's vote or direct a fresh division be held.

## **CHAPTER IX**

### **Legislation**

### **54. RESTRICTIONS WITH RESPECT TO MONEY BILLS**

1) Except on the recommendation or with the consent of the Cabinet, the House shall not proceed upon any Bill (including any amendment to a Bill) which, in the opinion of the Chair, 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 Antigua and Barbuda or for altering any such charge otherwise than by reducing it;
- c. for the payment, issue or withdrawal from the Consolidated Fund or any other public fund of Antigua and Barbuda 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 Antigua and Barbuda.

### **55. PRIVATE MEMBERS' BILLS**

1) Subject to the provisions of these Standing Orders, a Private Member desiring to introduce a Bill, shall give written notice to the Clerk of his intention to do so and shall together with the notice submit three (3) copies of the Bill to the Clerk, along

with an explanatory statement of objects and reasons which shall not contain arguments.

2) Copies of the Notice and the Bill together with the explanatory statement of objects and reasons shall be circulated to Members by the Clerk within two (2) days of its receipt.

## **56. INTRODUCTION AND FIRST READING OF PRIVATE MEMBERS' BILLS**

1) A motion for leave to introduce a Private Member's Bill shall be set down under Private Members' Business on the Order Paper not earlier than seven (7) clear days from the date on which written notice was given to the Clerk.

2) A motion for leave to introduce a Private Member's Bill shall be heard on the first sitting day after the expiration of the period of notice required under paragraph (1).

3) The Speaker shall permit the Private Member moving for leave to make an explanatory statement which shall not exceed five (5) minutes.

4) The Speaker shall permit any Member opposing the Bill to address the House for a period not exceeding two (2) minutes in duration.

5) On a motion for leave under this Standing Order any debate thereon shall be limited to a maximum of fifteen (15) minutes in duration.

6) If leave is granted, the Bill shall be put down for introduction at the next sitting. The Clerk shall read aloud the title of the Bill which, without question put, shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be published.

## **57. INTRODUCTION AND FIRST READING OF GOVERNMENT BILLS**

1) A notice of the presentation of a Bill on behalf of the Government may be entered on the Order Paper for the sitting day on which the Bill is to be presented.

2) Leave shall not be required for the introduction of a Government Bill. The Clerk shall read aloud the title of the Bill which, without question put, shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be published.

## **58. FIRST READING OF SENATE BILLS**

When a Bill has been brought from the Senate, the Clerk shall read aloud the title of the Bill which, without question put, shall be recorded in the Minutes of Proceedings as having been read a first time.

## **59. APPOINTMENT OF DAYS FOR STAGES OF BILLS**

- 1) 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 not being less than four (4) clear days after the date of its first reading;
  - b. move that the second reading of the Bill be taken at an earlier date or forthwith, such motion shall be put without amendment or debate; or
  - c. move that the Bill be referred to a Committee for consideration and report, such motion shall be put without amendment or debate.

## **60. PRINTING AND CIRCULATION OF BILLS**

- 1) The Clerk shall be responsible for the printing of Bills from the draft handed to him by the Member in charge of the Bill.
- 2) Before any Bill is printed, the Clerk shall satisfy himself that—
  - a. the Bill is divided into successive clauses numbered consecutively;
  - b. the Bill has at the head a short summary of each clause; and
  - c. the provisions of the Bill do not go beyond its title.
- 3) As soon as possible after the printing of a Bill, the Clerk shall cause the publication of the Bill in the Gazette and circulate a copy to every Member.

## **61. PROCEDURE IN SELECT COMMITTEE UPON FIRST READING**

- 1) Any Select Committee, to which a Bill is committed under Standing Order 59 shall be empowered to discuss the general merits and principles of the Bill.
- 2) The Select Committee shall be subject to Standing Order 86 (General Procedure in Select Committee) and Standing Order 51 (Decision of Questions), as far as may be applicable.
- 3) When the Bill has been reported from the Select Committee, the House may proceed to consider the Bill as reported upon a motion moved by the Chairman of the Committee (or any other person deputed) “That the report of the Select Committee on the \_\_\_\_\_ Bill be adopted.”.
- 4) The Member in charge of the Bill may then move that the Second Reading of the Bill, as adopted by the House, on report, be taken on such day as the Member may appoint; such motion shall be put without amendment or debate.

## **62. SECOND READING OF BILLS**

On the second reading of a Bill a debate may arise covering the general merits and principles of the Bill subject to Standing Order 61 (4).

### **63. COMMITAL OF BILLS AFTER SECOND READING**

1) When a Bill has been read a second time it may be committed to a Select Committee unless the House on motion made and question put commits it to the Committee of the Whole. Such motion shall not require notice and must be made immediately after the Bill has been read a second time and may be moved by any Member. The question thereon shall be put without amendment or debate.

2) When a Bill has been committed to a Select Committee, no further proceedings shall be taken thereon until the Select Committee has presented its report to the House, provided that if the report is delayed for more than two regular sittings of the House the Chairman of the Committee (or in his absence any person authorized by the Committee) must report progress to the House at the next sitting of the House immediately after the expiration of that period and, thereafter at each sitting until the final report is presented.

3) A Bill, while under consideration in Committee of the Whole House, may, on motion made in the House, be withdrawn from that Committee and be referred to a Select Committee, and the reference to a Select Committee may be in respect of the Bill as a whole, or to specified clauses.

### **64. PROCEDURE IN COMMITTEE ON BILLS AFTER SECOND READING**

1) Any Committee to which a Bill is committed after second reading shall not discuss the general merits and principles of the Bill but only its details.

2) Any such Committee shall have power to make such amendments to the Bill as it thinks fit; provided that the amendments, including new clauses and new schedules, are relevant to the subject matter of the Bill; but if any such amendments are not within the title of the Bill, it shall amend the title accordingly, and shall report the same to the House.

3) Before reporting to the House the Committee shall go through the Bill as provided in Standing Order 65(Procedure in Committee of the Whole House on a Bill).

4) The Select Committee shall be subject to Standing Order 86 (General Procedure in Select Committee) and Standing Order 51 (Decision of Questions), as far as may be applicable.

### **65. PROCEDURE IN COMMITTEE OF THE WHOLE HOUSE ON A BILL**

1) The Clerk in Committee of the Whole House shall call the number of each clause in succession—

- a. the Chairman shall propose the question “that the clause stand part of the Bill”;

- b. a discussion shall ensue, during which amendments may be moved. Amendments must be in writing and handed to the Clerk for circulation;
- c. at the conclusion of the discussion, if amendments have been proposed, the Chairman shall put the question “that the clause be amended as circulated” and if that question is approved, the Chairman shall put the question “that the clause, as amended, now stand part of the Bill”; and
- d. if no amendments were proposed, the Chairman shall put the question “that the clause now stand part of the Bill”.

2) A group of clauses appearing in succession can be called by the Clerk together if no amendments are proposed thereto.

3) The following provisions shall 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 intelligent 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; or
- e. the Chairman may refuse to allow an amendment, which is, in his opinion, frivolous or meaningless, to be moved.
- f. amounts to a proposal to omit the whole substance of a clause for the purpose of inserting other provisions.

4) In order to save time and repetition of arguments, the Chairman may allow a single discussion to cover a series of inter-dependent amendments.

5) Except on the recommendation or with the consent of the Cabinet, the Committee shall not proceed upon any amendment which, in the opinion of the Chairman, would make provision for any of the purposes described in Standing Order 52 (Restrictions with respect to money Bills).

6) The Chairman may at any time during the discussion of a proposed amendment withdraw it from the consideration of the Committee if, in his opinion, the discussion shall have shown that the amendment violates the provisions of this Standing Order.

7) A clause may be postponed, unless a decision has already been taken upon the amendment thereto. Postponed clauses shall be considered after the remaining clauses of the Bill have been considered and before new clauses are brought up.

8) Any proposed new clause shall be considered after the clauses of the Bill have been disposed of and before consideration of any schedule to the Bill, except that a new clause proposed in substitution for a clause which has been disagreed to may be considered immediately after such disagreement.

9) On the title of any clause being read by the Clerk, the clause shall be deemed to have been read a first time. The question shall then be proposed “that the clause be read a second time”; if this 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”.

10) Schedules shall be disposed of in the same way as clauses and any proposed new schedule shall be considered after the schedules to the Bill have been disposed of and shall be treated in the same manner as a new clause.

11) When every clause or schedule or proposed new clause or schedule has been dealt with, the preamble, if there is one, shall be considered and the question put “that the preamble to the Bill be approved”. No amendment to the preamble shall be considered which is not made necessary by a previous amendment to the Bill.

12) If an amendment to the title of the Bill is made necessary by an amendment to the Bill, it shall be made at the conclusion of the proceedings detailed above, but no question shall be put that the title (as amended) stand part of the Bill, nor shall any question be put upon the enacting formula.

13) At the conclusion of the proceedings in Committee on a Bill, the Chairman shall put the question “that the Bill (or the Bill as amended) be reported to the House” which question shall be decided without amendment or debate.

14) If any Member, before the conclusion of proceedings on a Bill, moves to report progress and such motion is carried, the House shall resume and the Member in charge of the Bill shall report progress to the House and ask leave to sit again, and name a day for the resumption of the proceedings.

15) The Committee having met to consider a Bill shall 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 shall then report the Bill to the House as so far amended or without amendments, as the case may be, explaining the proceedings of the Committee on the Bill.

## **66. PROCEDURE ON REPORTING FROM COMMITTEE OF THE WHOLE HOUSE**

1) At the conclusion of Committee of the Whole, the Member in charge of the Bill shall report to the House. The Member shall inform the House that the Bill was “approved with (or without) amendments” and move “that the House agree with the Committee’s report” whereupon the Speaker shall forthwith put the question.

2) If the question on the report is agreed to by the House, 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 forthwith read a Third time and passed.

### *RECOMMITTAL OF BILLS REPORTED FROM COMMITTEE OF THE WHOLE HOUSE*

3) The question on any Motion moved under paragraph (1) of this Standing Order shall be put forthwith, no amendment, adjournment or debate being allowed, unless any Member desires to delete or amend any provision contained in a Bill, or to introduce any new provision therein, in which case he may propose any amendment to add, at the end of the Motion, the words “subject to the re-committal of the Bill (in respect of some specified part or of some proposed new clause or new schedule) to a Committee of the Whole House”, and if that Motion is agreed to with such an amendment, the Bill shall stand so re-committed.

4) The House shall either forthwith or upon a day named by the Member in charge of the Bill resolve itself into Committee to consider the matters so recommitted.

5) When the whole Bill has been recommitted, the Committee shall go through the Bill as provided in Standing Order 65 (Procedure in Committee of the Whole House).

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

7) At the conclusion of the proceedings in Committee on a Bill recommitted under the provisions of this Standing Order, the Chairman shall put the question “that the Bill (or the Bill as amended) on recommitment be reported to the House” which question shall be decided without amendment or debate. As 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 forthwith read a Third time and passed.

## **67. PROCEDURE ON BILLS REPORTED FROM SELECT COMMITTEES APPOINTED UNDER STANDING ORDER 84**

1) When a Bill has been reported from a Select Committee appointed under Standing Order 84, the House may proceed to consider the Bill as reported from the Select Committee upon a motion “that the House adopt the Report of the Select

Committee on the ..... ” moved **under paragraph (7) of Standing Order 89 (Reports from Select Committees)**.

2) If that motion is agreed to without amendment, the Speaker shall put the question that “the Bill be now read a Third time and passed”; such question to be decided without amendment or debate.

3) Upon a motion to approve the report of the Select Committee on a Bill, any Member may propose an amendment to add at the end of the motion, the word; “Subject to the recommittal of the Bill (either 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 House” and if that motion is agreed to with such an amendment, the Bill shall stand so recommitted. The House may then, upon motion made, resolve itself into a Committee to consider the business so recommitted.

4) A Committee of the Whole House upon a Bill recommitted under the provisions of this Standing Order shall proceed in accordance with paragraph (3) or **paragraph (4) of Standing Order 65** on Recommittal of Bills reported from a Committee of the Whole House, and the conclusion of its proceedings and the remaining proceedings on the Bill shall be subject to **paragraph (7) of that Standing Order**.

## **68. THIRD READING OF BILLS (FINAL STAGE)**

1) The Third Reading shall be the final stage of a Bill. 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”.

### *COMMUNICATION BETWEEN THE HOUSE*

2) When a Bill which originated in the House has been read a Third and final time, a printed copy of it, signed by the Clerk and endorsed by the Speaker, shall be sent to the Senate, together with a message informing the Senate that the Bill has been passed by the House and desiring the concurrence of the Senate.

3) When a Bill which originated in the Senate has been read a Third and final time and passed by the House without amendment, the Clerk shall retain the Bill and a message shall be sent to the Senate “that the House of Representatives has agreed to the..... Bill without amendment” and a printed copy shall be submitted to the Governor General for his Assent.

4) When a Bill which originated in the Senate has been read a Third and final time and passed by the House with amendment, the Clerk shall cause this list of amendments made in the House together with the amended version of the Bill, signed by the Clerk and endorsed by the Speaker, to be returned to the Senate, with a

message desiring the concurrence of the Senate in the amendment, made by the House of Representatives.

5) When the Senate has agreed to any amendments inserted by the House in a Bill to which paragraph (4) of this Standing Order relates, or has returned to the House a Bill to which paragraph (2) of this Standing Order relates with an intimation—“that the Bill has been read a Third and final time and passed without amendment”, a printed copy shall be submitted to the Governor General for his Assent.

6) Where amendments are made in the Bill, any errors in the renumbering or re-lettering of the clauses and any consequential amendments and any other clerical errors may be rectified by the Clerk.

## **69. PROCEDURE ON SENATE AMENDMENTS**

1) When a Bill is returned from the Senate with amendments, the consideration of such amendments may, with the consent of the Speaker, be immediately entered upon, or may be put down for such future day as the Member in charge of the Bill shall appoint.

2) Upon a motion being made “that the Senate amendments to the Bill be now considered” an amendment may be proposed that—

- a. the word “now” be deleted from the question; and
- b. consideration of such amendments be deferred to a later date.

3) When the House proceeds to the consideration of Senate amendments, each amendment shall be read by the Clerk and may be agreed to. Upon any such amendment being disagreed to, an amendment may be proposed to a Senate amendment but not to the Bill, unless the proposed amendment is relevant to or consequent upon either the acceptance or rejection of a Senate amendment.

4) When the House has concluded the consideration of the Senate amendments—

- a. if such amendments have been agreed to, a message shall be sent to the Senate informing them “that the House of Representatives has agreed to the amendments to the .....”;
- b. if such amendments have been amended, a message shall be sent informing the Senate that the House has amended the Senate amendments to which they desire the concurrence of the Senate; and
- c. if such amendments have been disagreed to, a message shall be sent informing the Senate “that the House of Representatives has disagreed to the Senate Amendments to the Bill for the following reasons.....”.

5) When the House has disagreed to a Senate amendment, if the Senate returns the Bill with a message that it insists upon the amendment, the House may either—

- a. agree to the said amendment, in which case the provisions of paragraph (4)(a) of this Standing Order shall apply;
- b. amend such amendments in which case the provisions of paragraph (4)(b) of this Standing Order shall apply;
- c. postpone the consideration of the Senate amendment for six (6) months or any other period decided by the House;
- d. order the withdrawal of the Bill; or
- e. subject to the provisions of sections 54(1) and 55(1) of the Constitution, present the Bill as passed by the House of Representatives to the Governor General for his Assent notwithstanding the disagreement of the Senate.

## **70. PRIVATE BILLS**

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” shall be introduced into the House under the provisions of this Standing Order.

2) Any Bill (not being a Government Bill) which in the opinion of the Speaker, appears to affect directly private rights or property, shall be introduced into the House as a Private Bill under the provision of this Standing Order.

3) A Private Bill shall be 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 (3) successive publications of the Bill at the expense of the promoters in the Gazette and three (3) notices have been published in any newspaper circulating in Antigua and Barbuda or at the website of Parliament, containing a statement of the objects of, and reasons for the Bill.

4) The petition shall be presented by being lodged with the Clerk, and shall be read at the first ordinary sitting of the House after it is lodged. Immediately after it is read, the Speaker shall put the question that the promoters be allowed to proceed.

- a. When leave to proceed has been granted, a copy of the Bill shall, if not previously lodged, be lodged with the Clerk within two (2) months next after such leave has been granted.
- b. Upon lodging the Bill, the promoters shall pay to the Accountant General the cost, as ascertained by the Clerk, of publication in the Gazette and in a newspaper circulating in Antigua and Barbuda or at the website of Parliament of Antigua and Barbuda print electronic media together with the prescribed stamp duty except in such cases where the House has remitted the stamp duty.

c. The Clerk shall cause the Bill lodged with him to be printed as early as possible, and at the first ordinary sitting of the House following the publication of notices of the Bill in accordance with paragraph (3)(b) of this Standing Order, the Speaker, if he is satisfied that the said notices have been published, shall put the question that the Bill be read a first time, upon which no discussion shall be allowed. After the Bill is read the first time, it shall stand upon the Order Paper for second reading at the next ordinary sitting of the House.

5) Upon the day ordered for the second reading, the Speaker shall, unless the House otherwise orders, propose the question that the bill be read a second time.

6) Every Select Committee on such a Bill shall 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 allegations are not proved, it shall report to the House accordingly and no further proceedings shall be taken with reference to the Bill, unless the House makes a special order to the contrary.

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

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

9) Subject to the provisions of this Standing Order, all petitions against a Bill, containing a prayer that the petitioners be heard by themselves or counsel shall stand referred to the Select Committee and the Committee shall hear all such opposers who appear to have a *locus standi*.

10) When it is intended that witnesses be examined the petitioner or Member requiring such witnesses shall deliver to the Clerk at least fourteen (14) days before the day appointed for their examination, a list containing names, residence and occupation of such witnesses.

11) The evidence of every witness shall be taken down and read over to the witness who may then desire any correction to be made; and in case no such

correction shall be made, the evidence shall stand as taken down and not be altered afterwards.

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

13) After the report of the Committee has been presented to, and adopted by the House, the Speaker shall put the question without amendment or debate, that the Bill be read a third time.

## **71. CUSTODY OF BILLS AND ASSENT**

1) Every Bill passed by the House and the Senate shall remain in the custody of the Clerk who shall, at the earliest opportunity, submit the Bill to the Governor General for his Assent.

2) In accordance with sections 54 and 55 of the Constitution, the Clerk shall present to the Governor General for his Assent any Bill passed by the House but not agreed to by the Senate.

## **72. WITHDRAWAL OF BILLS**

The Member in charge of a Bill may, by leave of the House, withdraw the Bill at any stage.

## **73. BILLS CONTAINING SUBSTANTIALLY THE SAME PROVISIONS**

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

## **74. LAPSED BILLS AND THE PROCEDURE FOR CARRYING OVER**

1) A Bill shall lapse if Parliament is prorogued or dissolved before the Bill has reached its final stage in Parliament.

2) A Private Bill is exempt from the provisions of paragraph (1) of this Standing Order during a period of prorogation.

3) The House may, notwithstanding paragraph (1) of this Standing Order, on motion moved without amendment or debate, agree to the resumption of proceedings on a Bill in the following session.

## **75. STATUTORY INSTRUMENTS**

A Statutory Instrument which is required to be laid in Parliament shall be submitted forthwith to the Clerk for laying on the Table simultaneous with its submission for publication.

## **CHAPTER X**

### **Financial Procedures**

## **76. PRESENTATION AND SECOND READING OF APPROPRIATION BILL**

1) Any Bill containing the estimated financial requirements for expenditure on all the services of the Government of Antigua and Barbuda for the current or succeeding financial year shall be known as the Appropriation Bill. Estimates containing the details of the said financial requirements shall be laid on the Table when the Appropriation Bill is presented.

2) When the Appropriation Bill has been presented, the motion for the second reading of the Bill shall be proposed forthwith, and the Minister of Finance shall make his annual financial statement, or budget speech.

3) After the Minister of Finance has made his budget speech the motion for the second reading of the Bills shall be seconded, and the debate thereon shall be adjourned to a date to be named by the Minister of Finance. The debate on the second reading of the Bill shall be confined to the financial and economic state of Antigua and Barbuda and the general principles of Government policy and administration as indicated in the Bill and Estimates.

4) On the conclusion of the debate the Appropriation Bill on the Estimates shall stand referred to a Committee of the whole House to be known as the Standing Finance Committee. The deliberations of the Committee shall be in public.

## **77. PROCEDURE ON EXAMINATION OF ESTIMATES IN STANDING FINANCE COMMITTEE**

- (1) The Standing Finance Committee shall consider the Estimates of Expenditure in relation to the Heads of Expenditure in the order submitted by the Leader of the Opposition.
- (2) The Leader of the Opposition shall have the right to determine the order in which the Heads of Expenditure shall be considered and shall notify the Speaker and the Government in writing on the day named by the Minister for resumption of the debate on the Appropriation Bill for the approval of the Estimates of Expenditure; provided that in the event of failure of the Opposition to exercise the right conferred under this paragraph, the Government shall have the right to determine the order.
- (3) In its consideration of each Head identified the Standing Finance Committee may seek clarification from the relevant Accounting Officers and technocrats.
- (4) No amendment to the Estimates shall be moved in standing Finance Committee under this Standing Order until one (1) clear day after the day on which notice of the amendment was given to the Clerk.
- (5) An amendment to any Head of Expenditure to increase the sum allotted thereto whether in respect of any item or subhead or of the Head itself may only be moved by a Minister who shall signify to the Committee the recommendation of the Cabinet to the increase in accordance with Standing Order 65 (5) (Procedure in Committee of the Whole House on a Bill). Every such amendment shall take the form of a motion “that Head .....be increased by \$.....(in respect of sub-head....., item.....) (sub item.....)”.
- (6) An amendment to increase a Head whether in respect of any item or sub-head or of the Head itself shall take 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 shall be called.
- (7) An amendment to any Head of Expenditure to reduce the sum allotted thereto in respect of an item therein may be moved by any Member, and shall take the form of a motion “that Head ..... be reduced by \$..... in respect of (or by leaving out) sub-head..... item.....”
- (8) It shall be out of order to make an amendment which-
  - (a) reduces a Head in respect of any sub-head;
  - (b) reduces a Head without reference to a sub-head therein; and

(c) excludes a Head or sub-Head;

Unless specific reference is made to the relevant sub-item, item or sub-head as the case may be.

9) When notice has been given of two or more amendments to reduce the same item, sub-head, or Head they shall be considered in the order of the magnitude of the reductions proposed, the amendment proposing the largest reduction being placed first in each case.

10) Debate on every amendment shall 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 shall be permitted.

11) When all amendments in respect of any particular Head of Expenditure have been disposed of, the Chairman shall put the question “that Head... be (increased) (reduced) by the sum of \$.....”. There shall be no debate on any such question.

## **78. THIRD READING OF THE APPROPRIATION BILL**

As soon as the Appropriation Bill has been reported to the House a motion for the third reading shall be made by a Minister. Such motion shall not require to be seconded and shall be decided without amendment or debate.

## **79. SUPPLEMENTARY APPROPRIATION BILLS**

If from time to time whether in the course of a particular financial year or after its close a Supplementary Appropriation Bill is presented, the rules and procedure relating to an Appropriation Bill shall apply.

# **CHAPTER XI**

## **Committees**

### **80. SESSIONAL SELECT COMMITTEES**

1) There shall be the following Sessional Select Committees:

- a. The Standing Order Committee;
- b. The House Committee;
- c. The Committee of Privileges.

2) Members of the House appointed to Sessional Select Committees shall be chosen by the Speaker as soon as possible after the beginning of each Session.

3) Sessional Select Committees shall meet in private.

## **81. STANDING ORDERS COMMITTEE**

1) The Standing Orders Committee shall have the duty of considering from time to time and reporting on all such matters relating to the Standing Orders as may be referred to it by the House.

2) The Speaker shall be a member and the Chairman of the Standing Orders Committee.

3) The Standing Orders Committee shall consist of three (3) Members inclusive of the Chairman.

## **82. HOUSE COMMITTEE**

1) The House Committee shall have the duty of considering and advising the Speaker on matters connected with the comfort and convenience of Members of the House, and from time to time reporting to the House its Minutes of Proceedings.

**2) The Leader of the House shall be a member and the chairman of the House Committee.**

3) The Leader of the House shall be a member and the Chairman of the House Committee.

4) The House Committee shall consist of four (4) Members inclusive of the Chairman.

## **83. COMMITTEE OF PRIVILEGES**

1) The Committee of Privileges shall have the duty of considering and reporting on any matter referred to it by the Speaker or the House, in accordance with **Sections 57 and 58 of the Constitution (Privilege Matters) and Standing Order 50 (Order in the House and in Committee)**. It shall be the duty of the Committee to consider any matter so referred and to report thereon to the House.

2) The Speaker shall be a member and the Chairman of the Committee of Privileges.

3) The Committee of Privileges shall consist of four (4) Members inclusive of the Chairman.

## **84. SPECIAL SELECT COMMITTEES**

1) The House may, from time to time, appoint Special Select Committees.

2) A Special Select Committee shall be appointed by Order of the House which shall specify the terms of reference of the Committee and shall consist of such

Members as may be directed by Order of the House and, in the absence of such direction, shall consist of such Members as may be chosen by the Speaker.

## **85. JOINT SELECT COMMITTEES**

1) A Select Committee of the House of no more than three (3) Members may be appointed to sit with a Select Committee of the Senate of equal number, to form a Joint Select Committee.

2) A quorum of a Joint Select Committee shall be such fixed number of Members as specified by Order of the Houses or, in the absence of such Order, as the Committee may decide; such quorum may only require that each House be represented.

3) Subject to these Standing Orders, a Joint Select Committee shall elect its own Chairman.

4) A Joint Select Committee may be appointed at the request of either House with the approval of the other House.

## **86. GENERAL POWERS OF SELECT COMMITTEES**

1) In addition to powers granted by these Standing Orders, Select Committees shall also have the following powers, namely to:

- a. send for persons, papers and records;
- b. sit notwithstanding any adjournment of the House;
- c. adjourn from place to place;
- d. report from time to time;
- e. appoint specialist advisers either to provide information which is not otherwise readily available, or to elucidate on matters of complexity within the Committee's order of reference;
- f. communicate with any other Committee on matters of common interest; and
- g. meet concurrently with any other Committee for the purpose of deliberating, taking evidence or considering draft reports.

## **87. GENERAL PROCEDURE IN SELECT COMMITTEES**

### **GENERAL**

1) If the Chairman is unable to be present at any meeting, a Committee shall elect another Chairman whose tenure of office shall be for the day of his election, except that in the case of a Joint Select Committee (Standing), the Vice-Chairman shall preside.

2) Unless the House or these Standing Orders otherwise directs, a quorum shall be two (2) Members. In ascertaining whether there is a quorum present, the Member in the Chair shall not be excluded.

3) The deliberations of a Select Committee shall be confined to the matter referred to it by the House and any extension or limitation thereof made by the House and, in the case of a Select Committee on a Bill, to the Bill committed to it and relative amendments.

4) Where, by resolution of the House or under these Standing Orders, a Chairman is appointed, such Chairman shall appoint the time and place for the holding of the first meeting of the Committee. In all other cases, the first meeting of a Select Committee shall be summoned by the Speaker and the first order of business shall be the Election of a Chairman of the Committee. If at such meeting a Chairman is not elected, the Speaker shall appoint a Member of the Committee to be the Chairman.

5) Subsequent meetings shall be held at such time and place as the Chairman or Vice-Chairman shall, in consultation with the Clerk, appoint such time and place.

#### *SEEKING EVIDENCE*

6) When it is intended to examine any witness or request papers and records, the Member requiring such evidence shall deliver to the Clerk of the Committee the name and contact details of the witness he desires to examine or the details of the papers required, as the case may be, and the Committee shall decide if and when to request the attendance of the witness or to call for the papers.

7) Pursuant to paragraph (6), the Clerk of the Committee shall request any person to attend and give evidence before the Committee or request that papers and records that are relevant to its proceedings be produced.

#### *THE EXERCISE OF POWERS TO SEND FOR PERSONS, PAPERS AND RECORDS*

8) A Select Committee may require, by Order, that a summons be issued to any person—

- a. to attend before that Committee to be examined and give evidence; and
- b. to produce papers and records in that person's possession, custody or control to that Committee.

9) Every summons issued under paragraph (8) of this Standing Order—

- a. must state the time and place at which it is to be complied with by the person to whom it is addressed; and
- b. shall be signed by the Clerk on behalf of the House and served by the Sergeant-at-arms of the Parliament under the Speaker's direction at least seven (7) days before his evidence is required.

#### *MEMBER OF PARLIAMENT AS WITNESS*

10) If resolved by a Committee, the Chairman may write to a Member of Parliament requesting the Member to attend and give evidence before the Committee or request that papers and records that are relevant to its proceedings be produced.

11) If the Member refuses to attend the Committee will not take any further action, except to report the matter to the House.

#### *ADVISORS TO WITNESSES*

12) A witness may be accompanied by an Advisor who may be an Attorney-at-law of the witness's choice and may consult with such Advisor in the course of a meeting at which the witness appears.

#### *EVIDENCE*

13) The evidence of every witness shall be taken down verbatim and sent in proof to the witness. The witness shall be at liberty, within fourteen (14) days from that on which the Clerk of the Committee sent out the proof, to suggest corrections due to inaccurate reporting, and the evidence shall be printed with such of the corrections as may be approved by the Chairman.

14) A Committee may, at its discretion, refuse to hear any irrelevant evidence or any recalcitrant witness.

15) A Committee shall exercise its discretion in determining whether it shall treat any evidence tendered before it as secret or confidential.

16) A Committee may, by resolution, authorise its Chairman or Vice-Chairman to continue meetings in order to receive evidence if it appears that a quorum can no longer be sustained, except that a quorum shall be required whenever a vote, resolution or other decision is taken.

17) General rules governing the conduct of proceedings before Committees are set out in Appendix III to these Standing Orders.

### **88. PREMATURE PUBLICATION OF EVIDENCE**

1) The proceedings of and the evidence taken at a meeting of a Select Committee or Sub-Committee, and any documents presented to, and decisions of, such a Committee shall not be published by any Member thereof or by any other person before the Committee has presented its report to the House.

2) This Standing Order does not apply to evidence, whether oral and written, taken before a public meeting of a Committee held in accordance with these Standing Orders, any Order of the House or resolution of that Committee.

## **89. REPORTS FROM SELECT COMMITTEES**

1) Every Committee, with the exception of the Standing Committees shall, before the end of the Session in which it was appointed, make a report to the House upon the matter referred to it; but where a Committee finds itself unable to conclude its investigation before the end of the Session, it may so report to the House.

2) A report of a Committee may contain the opinions and observations of the Committee, and may be accompanied by the Minutes of evidence taken before the Committee.

3) A Committee may make a special report relating to its powers, functions and proceedings on any matter that it thinks fit to bring to the notice of the House.

4) The Secretary to the Committee shall prepare a Draft Report for the Chairman's consideration. The Draft Report thereafter shall be submitted for the consideration of the Committee. However, alternative drafts may be submitted for consideration by any other Member at the request of the Chairman.

5) The report finally to be adopted shall be such as is agreed to, with amendments (if any), by all the Members of the Select Committee or, failing unanimous agreement, then such as is agreed to by a majority of the Members.

6) Any Member dissenting from the report of a majority of the Committee may put in a concise written statement of his reasons for such dissent or if he so desires he may submit a minority report and such statement or minority report shall be appended to the report.

7) The report of a Committee shall be presented to the House by the Chairman or other Member deputed by the Committee, including any minority report and shall be ordered to be laid on the Table, and be printed, without question put.

8) The Minutes of the Proceedings of a Committee shall accompany the report of the Committee and shall be dealt with as the House may direct.

9) The minutes of proceedings of a Committee shall record—

- a. the names of the Members present each day of the sitting of the Committee;
- b. the names of the witnesses examined; and
- c. in the event of a division taking place, the question proposed, the names of the proposer and the respective votes thereon of the Members present and the names of the Members (if any), who declined to vote.

10) The Report of a Committee may be taken into consideration by the House on a motion "that the Report of the Committee on . . . . be adopted". Such a motion may be submitted to the Clerk to be kept as a part of the records of the House

## **CHAPTER XII**

### **MISCELLANEOUS**

#### **90. ABSENCE OF MEMBERS**

(1) Any Member who is unable to attend a sitting of the House shall inform the Clerk as early as possible of his inability to attend and seek leave of absence.

(2) If any Member is absent from the House for more than three consecutive Sittings occurring during the same Session without the leave of the Speaker, the seat of such Member shall become vacant.

#### **91. ABSENCE OF MEMBERS FROM COMMITTEES**

If a Member fails to attend three (3) consecutive meetings of a Committee of which he is a Member without the permission of the Chairman of the Committee, such absenteeism shall be referred to the Speaker by the Chairman.

#### **92. EMPLOYMENT OF MEMBERS IN PROFESSIONAL CAPACITY**

No Member of the House shall appear before the House or Committee thereof as Counsel or in any other professional capacity for any party or in any capacity for which he is to receive a fee or reward.

#### **93. VISITORS**

(1) Visitors may be present in the House Chamber in the places set apart for them, under such rules as the Speaker may make from time to time for that purpose.

(2) If, at any sitting of the House, any Member shall move that visitors withdraw, the Speaker shall immediately put the question "That visitors do withdraw" without permitting any debate or amendment.

(3) The Speaker may, whenever he thinks fit, order the withdrawal of visitors from any part of the Chamber and its precincts, and may order the doors of the Chamber to be closed.

(4) Visitors must withdraw from the Chamber and its precincts when called upon by the Speaker to do so.

(5) Visitors must preserve silence, and must conduct themselves in a fit and proper manner during a sitting.

(6) The admission of visitors to those portions of the Chamber and dining rooms reserved for the exclusive use of Members shall be regulated in accordance with the Orders made by the Speaker.

## **94.MEDIA**

(1) The Speaker may grant a general permission to the representative of any journal or newspaper or other medium of public information to attend the sittings of the House, under such rules as he may make from time to time for that purpose.

(2) If such rules are contravened, such permission may be revoked.

## **95.AMENDMENT OF STANDING ORDERS**

(1) Unless the Speaker shall otherwise direct, not fewer than fourteen (14) days' notice of a motion to amend the Standing Orders shall be given, and the notice shall be accompanied by a draft of the proposed amendments.

(2) The motion shall be set down for the earliest convenient sitting after the expiration of the notice.

(3) When the motion is reached, the mover shall move the motion, and after it has been seconded, if necessary, the motion shall be deemed referred, without any question being put thereon, to the Standing Orders Committee or to a Select Committee. No further proceedings shall be taken on any such motion until the Committee has reported.

4) This Standing Order shall not be construed so as to deprive the House of the power of referring, by resolution, the Standing Orders or any part thereof to the Standing Orders Committee for consideration and report.

## **96. SUSPENSION OF STANDING ORDERS**

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

(2) A motion under this Standing Order shall be decided without amendment or debate.

## **97.GENERAL AUTHORITY OF THE SPEAKER**

The Speaker shall be responsible for the general direction and control of the precincts of the Parliament.

## **98. INTITULING, NUMBERING AND PRESENTATION OF BILLS FOR ASSENT**

(1) All Bills shall be distinguished by titles, and matters having no proper relation to each other shall not be provided for in the same Bill (and no provision having indefinite duration shall be included in a Bill expressed to have limited duration).

(2) All Bills which have been assented to shall be distinguished by consecutive numbers commencing in each year with the number one. Any Bill which has been

passed by the House in one year but is not assented to in that year, shall be numbered in the sequence of the year in which it passed the House.

(3) All Bills passed by the House shall be authenticated by the Speaker or other persons who presided at the sitting of the House when such Bills were passed.

(4) The Speaker shall cause every Bill which shall be passed by the House to be printed in fair and legible type, and three impressions, or copies of the same shall be made, and he shall cause the same to be carefully compared by the Clerk of the House with the original Bill and after the same has been verified by the Clerk to be exact counterparts, they shall be certified by the Clerk so to be.

(5) The Clerk shall forward under his hand such counterparts of the Bill to the Governor-General for his assent in the usual manner.

## APPENDIX I

### TIME LIMIT ON SPEECHES

A Member may speak for the periods as specified below—

#### Motions

Mover	30 minutes
Any other Member	20 minutes
Mover in reply	20 minutes

Other than the mover, if the Member so requests during or immediately upon the expiry of a speech, the time for the speech may be extended by the House for a further time not exceeding 15 minutes.

#### Ministerial Statement

Minister	15 minutes
----------	------------

#### Personal Explanation

Member	10 minutes
--------	------------

#### Explanatory Statement – Papers

Minister	3 minutes
----------	-----------

#### Matters on the Adjournment of the House

Each Member	10 minutes
-------------	------------

#### Definite Matters of Urgent Public Importance

Presenter	20 minutes
First Minister	20 minutes
Other Member/Minister	5 minutes
Maximum time for discussion	60 minutes in total

## BILLS

### Private Members' Bills

#### Introduction and First Reading

Mover	5 minutes
Other Members	2 minutes
Debate	15 minutes in total

### Appropriation Bill

#### Second Reading

Mover	unspecified
Opposition's response	unspecified
Any other Member	90 minutes
Mover in reply	30 minutes

Other than the mover and the Opposition's response, if the Member speaking so requests during or immediately upon the expiry of a speech, the time for the speech may be extended by the House for a further time not exceeding 10 minutes.

### Other Bills

#### Second Reading

Mover	60 minutes
Any other Member	30 minutes
Mover in reply	30 minutes

Other than the mover, if the Member speaking so requests during or immediately upon the expiry of a speech, the time for the speech can be extended by the House for a further time not exceeding 15 minutes.

### In Committee

All Members – unlimited periods not exceeding 5 minutes each.

## **APPENDIX II**

### **GENERAL RULES FOR THE BROADCASTING OF HOUSE PROCEEDINGS**

(1) The House authorizes the broadcasting, including re-broadcasting, of its gavel to gavel proceedings by the Government's television and radio station, ~~ABS~~.

2) The House authorizes the broadcasting of excerpts of its proceedings by radio and television stations, in accordance with the following conditions:

The following rules apply in relation to broadcasting of excerpts of proceedings:

- (a) broadcasts of excerpts shall be used only for the purposes of fair and accurate reports of proceedings, and shall not be used for-
  - (i) political party advertising or election campaigns;
  - (ii) satire and ridicule;
  - (iii) the purpose of maliciously attacking someone's reputation or character;  
or
  - (iv) commercial sponsorship or commercial advertising;
- (b) reports of proceedings shall be such as to provide a balanced presentation of differing views;
- (c) excerpts of proceedings which are subsequently withdrawn may be broadcast only if the withdrawal is also reported;
- (d) the instructions of the Speaker in respect of the broadcasting of excerpts, which are not inconsistent with these conditions, shall be observed.

### **RADIO AND BROADCASTING OF COMMITTEE PROCEEDINGS**

The following rules apply in relation to radio and television broadcasting, including rebroadcasting, of the proceedings of a committee:

- (a) recording and broadcasting of proceedings of a Committee may occur only in accordance with an order of the House or with the authorization of the Committee by a deliberate decision of the committee;
- (b) a Committee may authorize the broadcasting of only its public proceedings;
- (c) a Committee may determine conditions, not inconsistent with these rules, for the recording and broadcasting of its proceedings, may order that any part of its proceedings not be recorded or broadcast, and may give instructions for the observance of conditions so determined and Orders so made. A Committee shall report to the House any wilful breach of such conditions, orders or instructions;
- (d) broadcasting of committee proceedings shall be for the purpose only of making fair and accurate reports of those proceedings, and, in particular—

- (i) shall not be the subject of commercial sponsorship or be used for commercial advertising;
  - (ii) ridicule and satire; and
  - (iii) shall not be used for election advertising;
- (f) where a Committee intends to permit the broadcasting of its proceedings, a witness who is to appear in those proceedings shall be given reasonable opportunity, before appearing in the proceedings, to object to the broadcasting of the proceedings and to state the ground of the objection. The Committee shall consider any such objection, having regard to the proper protection of the witness and the public interest in the proceedings, and if the Committee decides to permit broadcasting of the proceedings notwithstanding the witness' objection, the witness shall be so informed before appearing in the proceedings.

### **APPENDIX III**

## **GENERAL RULES FOR THE CONDUCT OF PROCEEDINGS OF COMMITTEES**

### **NOTICE OF MEETING**

(1) A written notice informing members of the Committee of a meeting of the Committee must be circulated by the Clerk of the Committee no later than the day before the meeting. The notice must contain a summary of the items of business proposed to be dealt with at the meeting.

(2) The requirement for a written notice to be circulated may be waived if all Members of the Committee agree.

#### *Secretary*

(3) It shall be the responsibility of the Clerk to provide every Select Committee with a Clerk of Committee who shall serve as its Secretary.

#### *Giving notice of business*

(4) Members of a Committee may give notice of business or motions to be considered by the Committee either orally at a meeting of the Committee or in writing to the Clerk of the Committee.

(5) Notices given at a meeting and notices given to the Clerk of the Committee before 2:00 p.m. on the day before a meeting shall be placed on the agenda for the next meeting of the Committee.

(6) Nothing in these rules affects the Chairman's power to rule on whether a proposed notice is in order.

### *Question previously decided*

(7) A motion or an amendment that is the same in substance as a motion or amendment that was agreed to, or defeated in a Select Committee may be proposed again in the Committee in the same session only by leave or if notice has been given.

### *Name of members present*

(8) The name of the Members of a Select Committee present at a meeting shall be recorded in the Committee's minutes.

### *Members may be present*

(9) Subject to this Standing Order, any Member of the House (not being a Member of the Committee) may attend any meeting of a Select Committee but cannot participate in the proceedings except by leave of the Committee.

(10) The Minister or Member in charge of a Bill may take part in the proceedings of the Committee even though not a Member of the Committee but may not vote on any question put to the Committee.

(11) Except by leave of the Committee, only Members of the Privileges Committee may attend any meeting of that Committee while the Committee is deliberating.

### *Advisors*

(12) A committee may invite any person to be present during relevant proceedings that are not open to the public to assist it in its consideration of any matter.

(13) Advisors may remain present during relevant proceedings that are not open to the public, unless excluded by the Committee.

### *Attendance by visitors*

(14) A Select Committee may invite any person to be present during relevant proceedings that are not open to the public to assist it in its consideration of any matter.

### *Voting*

(15) A Member may require that the respective votes or abstentions of each Member present on a question put to a Select Committee be recorded in the Committee's minutes.

### *Disorder*

(16) The Chairman may order any Member (not being a Member of the Committee) to withdraw from a meeting if that Member's conduct is disorderly.

(17) The Chairman may order any Member (not being a Member of the Committee) to withdraw from a meeting if that Member's conduct is disorderly.

(18) A Select Committee may resolve to exclude a Member of the Committee from its meeting if that Member's conduct is highly disorderly. The Member may be excluded for up to the remainder of the meeting held on that day.

## **GENERAL PROVISIONS FOR EVIDENCE**

### *WRITTEN SUBMISSION*

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

### *RETURN OF EVIDENCE*

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

### *PRIVATE EVIDENCE*

(21) Some or all of the evidence to be given to a Select Committee may, by leave, be heard or received in private.

(22) The Committee may require all visitors or any visitor to withdraw from a meeting while evidence is being heard in private.

(23) Evidence heard or received in private shall be confidential to the Committee until it reports to the House.

### *SECRET EVIDENCE*

(24) A Select Committee may, by leave, declare evidence to be secret evidence where—

- (a) information that it wishes to obtain can be obtained only if it can assure a witness, or other person in possession of that information, that evidence given to it will remain confidential; or
- (b) it is satisfied that it is necessary to do so to protect the reputation of any person.

(25) All visitors must withdraw from a meeting while secret evidence is being heard.

(26) Secret evidence may not be disclosed to any other person by the Committee or by any Member of the Committee or by any other person, unless the House

expressly authorises such disclosure. Following the Committee's report to the House, secret evidence is delivered into the custody of the Clerk.

#### *APPLICATION FOR EVIDENCE TO BE PRIVATE OR SECRET*

(27) Before providing written evidence to a Select Committee, a person may apply for that evidence to be received in private or in secret. A witness must give reasons for any such application. Where practicable, witnesses shall be informed before providing written evidence that such an application may be made.

(28) Before giving evidence in private, a witness must be informed that the evidence will become available when the Committee reports to the House or, if it may seriously damage the reputation of any person, will be made available to that person.

(29) Before giving evidence in secret, a witness must be informed that secret evidence may be disclosed and that the House has the power to order the disclosure of such evidence.

### **HEARING OF EVIDENCE**

#### *PUBLIC ATTENDANCE AT HEARING*

(30) The proceedings of any Select Committee during the hearing of evidence on a Bill or other matter, which is the subject of consideration by the Committee, other than private or secret evidence may be open to the public, by order of the House or resolution of the Committee.

#### *MATTERS OF CONCERN BEFORE GIVING EVIDENCE*

(31) 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 will be brought to the attention of the Committee.

#### *CONDUCT OF EXAMINATION*

(32) The examination of witnesses shall be conducted by the Chairman, with the approval of the Committee.

(33) The Chairman, and every Member through the Chairman, may put questions to a witness.

#### *RELEVANCE OF QUESTIONS*

34) The Chairman will take care to ensure that all questions put to a witness are relevant to the Committee's proceedings and that the information sought by those questions is necessary for the purpose of those proceedings.

35) A witness may object to a question on the ground that it is not relevant. The Chairman will then determine whether it is relevant to the Committee's proceedings.

### *OBJECTIONS TO ANSWER*

36) Where a witness objects on any ground to answering a relevant question put to the witness, the witness will be invited to state the ground upon which objection to answering the question is taken.

### *COMMITTEE CONSIDERATION OF OBJECTIONS*

37) Where a witness objects to answering a question on any ground, the Select Committee, unless it decides immediately that the question should not be pressed, will then consider in private whether it will insist upon an answer to the question, having regard to the importance to the proceedings of the information sought by the question.

38) If the Committee decides that it requires an answer to the question, the witness will be informed of that decision, and shall be required to answer the question.

39) The Committee may decide that the public interest would best be served by hearing the answer in private or secret.

40) Where a witness declines to answer a question to which the Committee has required an answer, the Committee may report this fact to the House.

### *WITNESSES EXPENSES*

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

42) No Select Committee, Chairman, Member or other person may give any undertaking, promise or assurance to any person that any expenses of a witness or proposed witness will be paid out of public money without first obtaining the authority of the Speaker.

### *TRANSCRIPTS OF EVIDENCE*

43) All oral evidence given before a Committee must be transcribed.

44) Reasonable opportunity will be afforded to witnesses to make corrections of errors of transcription in any transcript of their evidence.

## **NATURAL JUSTICE**

### *DISQUALIFICATION FOR APPARENT BIAS*

45) A Member who has (whether in the House or outside the House) made an allegation of crime or expressed a concluded view on any conduct or activity of a criminal nature, identifying by name or otherwise a person as being responsible for or associated with that crime, conduct or activity (referred to as apparent bias), may not participate—

- a. in any Select Committee inquiry into that person's responsibility for, or association with that crime, conduct or activity; or

- b. in any other proceedings in a Select Committee that may seriously damage the reputation of that person.

#### *COMPLAINTS OF APPARENT BIAS*

46) A complaint of apparent bias on the part of a Member of a Select Committee may be made by any Member (whether or not a Member of the Committee) or by any person appearing or about to appear before the Committee whose reputation may be seriously damaged by proceedings of the Committee.

47) A complaint of apparent bias must be made, in writing, to the Chairman before the next sitting.

48) The Chairman, after considering any information or comment from the Member against whom the complaint is made, shall decide whether the Member is disqualified by reason of apparent bias.

49) Any Member of a Committee who is dissatisfied with the Chairman's decision on a complaint of apparent bias may refer the matter to the Speaker for decision. The Speaker's decision shall be final.

#### *EVIDENCE CONTAINING ALLEGATIONS*

50) At any stage during a Select Committee's proceedings, the Committee may consider hearing in private, evidence that contains an allegation that may seriously damage the reputation of a person.

51) The Committee may also invite that person to be present during the hearing of such evidence.

52) A person who is to appear before a Committee shall 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.

#### *ACCESS TO INFORMATION BY PERSON WHOSE REPUTATION MAY BE SERIOUSLY DAMAGED*

53) Any person whose reputation may be seriously damaged by proceedings of a Select Committee may request from the Clerk of the Committee a copy of all material, evidence (except secret evidence), records or other information that the Committee possesses concerning that person.

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

55) The Committee may furnish such material in a form different from that requested if to provide it in the form requested would impose undue difficulty, expense or delay.

### *IRRELEVANT OR UNJUSTIFIED ALLEGATIONS*

56) When a witness gives evidence that contains an allegation that may seriously damage the reputation of a person and the Select Committee is not satisfied that the evidence is relevant to its proceedings or is satisfied that the evidence creates a risk of harm to that person, which risk exceeds the benefit of the evidence, the Committee will give consideration—

- a. to returning any written evidence and requesting that it be resubmitted without the offending material;
- b. to expunging that evidence from any transcript of evidence; or
- c. to seeking an order of the House preventing the disclosure of that evidence.

### *RESPONDING WHERE ALLEGATION MAY SERIOUSLY DAMAGE REPUTATION*

57) Any person against whom an allegation has been made that may seriously damage the reputation of that person—

- a. will be given a reasonable opportunity to respond to the allegation by written submission and appearance before the Committee; and
- b. may ask that further witnesses give evidence to the Committee in that person's interest.

58) A response made or further evidence given under this Standing Order shall be received or heard—

- a. in private, if the allegation was made in private evidence or in advice; or
- b. in secret, if the allegation was made in secret evidence.

## **INFORMATION ON PROCEEDINGS**

### *CONFIDENTIALITY OF PROCEEDINGS*

59) The proceedings of a Select Committee or a Sub-Committee other than during the hearing of evidence are not open to the public and remain strictly confidential to the Committee until it reports to the House.

60) Paragraph (59) 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 House in the course of their duties;
- b. the disclosure of proceedings in accordance with Standing Orders.

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

### *CONFIDENTIALITY OF REPORTS*

62) A report or a draft of the report of a Select Committee or a Sub-Committee is strictly confidential to the Committee until it reports to the House.

63) Paragraph (62) does not prevent–

- a. the disclosure, by the Committee or by a Member of the Committee, of a report or a draft report to a Member of Parliament or to the Clerk or another officer of the House in the course of their duties; or
- b. the disclosure of a report or a draft report in accordance with Standing Orders.

64) When a Select Committee has adopted a report, the report shall be signed by the Chairman on behalf of the Committee, or by some other Member of the Committee authorized to do so by the Committee and shall be presented to the House.

**APPENDIX IV**  
**(STANDING ORDER NO.6)**  
**FORMS OF OATHS**  
**Oath of Allegiance**

I ....., do swear (or solemnly affirm) that I will faithfully bear true allegiance to Her Majesty Queen Elizabeth the Second, Her Heirs and Successors, according to law.

So help me God. (To be omitted in affirmation.)

**APPENDIX V**  
**Oath of Office**

I ....., do swear (or Solemnly affirm) that I will **honour, uphold and preserve the Constitution of Antigua and Barbuda and the law, that I will conscientiously, impartially and to the bests of my ability discharge my duties as .....and do right to all manner of people without fear or favour, affection or ill will.**

So help me God. (To be omitted in affirmation)