



REPUBLIC OF THE GAMBIA

National Assembly

Standing Orders

[Revised Edition 2019]

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STANDING ORDERS OF THE NATIONAL ASSEMBLY

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IN EXERCISE of the powers conferred on the National Assembly by section 108 of the Constitution of the Republic of The Gambia, these Standing Orders are hereby made.

INTERPRETATION

1. Interpretation

(1) In these Standing Orders, unless the context otherwise requires:

“Assembly” means the National Assembly;

“Bill” means the draft of a statute (or Act of the National Assembly) and includes a Private, a Committee and a Public Bill;

“Chairperson” means the person presiding over a Committee of the Whole Assembly or a Committee;

“Clerk” means the Clerk of the Assembly or the person or office performing the duties of the Clerk;

“Constitution” means the Constitution of the Republic of The Gambia;

“Deputy Majority Leader” means the Member of the Assembly elected or designated by the party or parties holding the majority of seats in the Assembly as their recognised Deputy Leader in the Assembly;

“Deputy Minority Leader” means the Member of the Assembly elected or designated by the party or parties holding the second highest number of seats in the Assembly as their recognised Deputy Leader in the Assembly;

“Majority Leader” means the Member of the Assembly elected or designated by the party or parties holding the majority of seats in the Assembly as their recognised Leader in the Assembly;

“Member” means a Member of the Assembly;

“Minister” means a person holding a portfolio in Cabinet which includes the Attorney General;

“Minority Leader” means the Member of the Assembly elected or designated by the party or parties holding the second highest number of seats in the Assembly as their recognised Leader in the Assembly;

“Motion” is a means of initiating an Assembly debate, in which a course of action is proposed and/or an Assembly decision sought on a relevant issue. Motions may be tabled by Ministers, Committee Chairs on behalf of Committees and by Members;

“Recess” means a period of at least four weeks between the second and third Ordinary Sessions of the Assembly during which parliamentary business would not normally be transacted;

“Sergeant-at-Arms” means any person for the time being performing the duties of the Sergeant-at-Arms;

“Session” means a series of periodic sittings commencing when the Assembly first sits after it has been summoned after a dissolution or recess and terminating when the Assembly is dissolved or goes into recess;

“Sitting” means the day on which the Assembly is sitting continuously without adjournment and includes any day on which the Assembly is in Committee of the Whole Assembly;

“Speaker” includes the Deputy Speaker, and any Member of the Assembly elected to preside in the absence of the Speaker and Deputy Speaker;

“Stranger” means any person other than an elected or nominated Member, who is not directly involved in the parliamentary business of the sitting or committee meeting in question. It includes those engaged in delivering media services;

“Table Office” is that office of the Assembly to which responsibility for the provision and management of table services has been delegated by the Clerk and is the source of advice on parliamentary procedure;

“Whip” means a Member designated by a party to take responsibility for that party’s engagement with the transaction of business in the Assembly.

(2) In these Standing Orders, whenever a document is required to be provided or made available to Members, the document shall be considered to have been so provided or made available if placed in the Member’s pigeonhole or in such other manner as the Speaker may direct.

THE SPEAKER

2. The Speaker and Deputy Speaker

The Speaker of the Assembly and the Deputy Speaker shall be elected by the Members of the Assembly from among the nominated Members.

3. Election of Speaker

(1) On the first sitting day of a new Assembly, or on the first sitting after a vacancy has arisen in the office of Speaker, the Assembly shall proceed to elect a Speaker.

(2) The Chief Justice shall preside at the election of the Speaker.

(3) Any Member, addressing himself or herself to the Chief Justice, may propose a nominated Member for the office of Speaker and move “That [naming the nominated member] do take the office of Speaker”. If that motion is seconded, the nominated Member will be asked if he or she accepts the nomination.

(4) Where a nominee is proposed and seconded and has accepted the nomination, the Chief Justice shall ask for any further proposals, and –

(a) if there is no further proposal, the Chief Justice will say “The time for proposals has expired” and will call the nominee to take up the office of Speaker without any question being put.

(b) if more than one nominated Member is proposed and seconded the Chief Justice shall cause the Independent Electoral Commission to conduct an election of Speaker.

4. Election of Deputy Speaker

(1) On the first sitting day of a new Assembly, or on the first sitting after a vacancy has arisen in the office of Deputy Speaker, the Assembly shall proceed to elect a Deputy Speaker.

(2) The Speaker shall preside at the election of the Deputy Speaker.

(3) Any Member, addressing himself or herself to the Speaker, may propose a nominated Member for the office of Deputy Speaker and move “That [naming the nominated member] do take the office of Deputy Speaker. If that motion is seconded, the nominated Member will be asked if he or she accepts the nomination.

(4) Where a nominee is proposed and seconded and has accepted the nomination, the Speaker shall ask for any further proposals, and –

(a) if there is no further proposal, the Speaker will say “The time for proposals has expired” and will call the nominee to take up the office of Deputy Speaker without any question being put;

(b) if more than one nominated Member is proposed and seconded the Speaker shall cause the Independent Electoral Commission to conduct an election of Deputy Speaker.

5. Oath of Allegiance

(1) No Member of the Assembly shall sit or vote therein, save for the purpose of electing a Speaker, until he or she has taken and subscribed the Oath of Allegiance.

(2) The Oath of the Speaker shall be administered by the Chief Justice.

(3) The Oath of the Members shall be administered by the Clerk and presided over by the Speaker on the first day of a new Assembly, immediately after the election of the Speaker, or on any other day, immediately after Prayers.

6. Presiding over the Assembly

(1) The Speaker shall preside at any sitting of the National Assembly and shall have neither an original nor a casting vote.

(2) In the absence of the Speaker, the Deputy Speaker shall preside.

(3) In the absence of both the Speaker and the Deputy Speaker, a Member of the Assembly elected for the purpose shall preside.

(4) When either the Deputy Speaker or a Member of the Assembly elected for the purpose takes the Chair, he or she shall be invested with all the powers of the Speaker until the next sitting of the Assembly or until the Speaker shall again be present.

(5) The Speaker may at any time ask the Deputy Speaker to take the Chair temporarily without formal communication to the Assembly.

7. Functions of the Speaker

(1) The Speaker shall act as Chairperson of –

- (a) Committee of the Whole Assembly including the Committee of Supply;
- (b) The Assembly Business Committee;
- (c) The Committee of Selection; and
- (d) The Assembly Committee.

(2) The Speaker shall, in so far as he or she considers it necessary, and in consultation with the Assembly Business Committee, allocate blocks of seats in the Chamber for the use of parties or groups of Members in the Assembly, which reflects the majority and minority arrangements of the parties.

(3) When the Assembly moves into Committee of the Whole Assembly, the Speaker shall leave the Chair and shall preside as Chairperson from the table; the Mace shall be removed from the Table.

(4) The Speaker, Clerk and Table Clerks shall be required to wear gowns during the proceedings of each Sitting of the Assembly.

8. Speaker's Rulings

(1) In all cases where matters are not expressly provided for by these Standing Orders, any questions on procedure or order shall be decided by the Speaker.

(2) The decisions made in paragraph (1) shall be based on –

- (a) the Constitution;
- (b) Statute Law;
- (c) the precedents, customs, procedures, traditions and practices of the Assembly; and

(d) the precedents, customs, procedures, traditions and practices of other jurisdictions to the extent that they are applicable to the Assembly.

(3) The Speaker's ruling shall be final on all questions of procedure and order.

(4) The Table Office shall compile all the Speaker's Rulings at the end of each Session for a bound volume and circulated to members.

9. Vacancies in the Office of Speaker

(1) Vacancies may arise in the office of Speaker or Deputy Speaker if he or she –

(a) Dies while in office;

(b) Resigns from office;

(c) Ceases to be a member of the Assembly; or

(d) Is removed from office by a resolution of the Assembly supported by the votes of not less than two-thirds of all the Members.

(2) No business shall be transacted in the Assembly other than the election of the Speaker or Deputy Speaker when either of the offices is vacant.

(3) Whenever it is necessary to elect a new Speaker because the office of Speaker has become vacant for any reason, the Chair shall be taken by the Chief Justice to preside over the election of a new Speaker.

(4) In the absence of the Deputy Speaker, the Assembly may by motion elect a Member to preside over the election of a new Speaker; during which, proceedings shall be supervised by the Clerk.

(5) Whenever it is necessary to elect a new Speaker because of notification by the Speaker of his or her intention to relinquish that office, he or she shall continue to take the Chair until a new Speaker has been elected; whereupon he or she shall leave the Chair and shall cease to perform those duties and to exercise that authority and the Speaker-elect shall take the Chair accordingly.

OPERATIONS OF THE ASSEMBLY

10. Sessions

(1) There shall be four Ordinary Sessions of the Assembly each year.

(2) There shall be a period of recess between the Second and Third Ordinary Sessions.

(3) The duration of each Session and recess shall be determined by the Assembly Business Committee.

(4) The Clerk shall despatch an Agenda for each Ordinary Session to every Member not less than fourteen days before the date of the commencement of that Session.

11. Sittings

(1) Subject to the authority of the Assembly Business Committee to determine the time for commencement of business in plenary and to Standing Order 14(2) [Order of Business], sittings of the Assembly shall commence at 10:00 a.m. and shall continue until 6:00 p.m. unless the Assembly is previously adjourned.

(2) The allocation of time for business within these sittings shall be determined by the Assembly Business Committee, except that –

(a) There shall be periods for questions as set out in Standing Order 41 [Questions for Oral Answer];

(b) On the completion of business at the last sitting of each Session, there shall be a debate on the motion on the adjournment of the Assembly.

(3) Additional sittings may be arranged –

(a) by the Assembly Business Committee according to the exigencies of the Assembly;

(b) on such dates as the Speaker may determine, in consultation with the Assembly Business Committee, to meet the requirements of the Constitution; or

(c) within seven days of a request for a sitting of the Assembly by not less than one quarter of all the Members.

(4) Unless the Assembly otherwise directs for good cause, sittings of the Assembly shall be open to the public.

(5) The first Order Paper of a Session, agreed by the Assembly Business Committee, shall be issued by the Clerk to all Members at least two days before the sitting. Thereafter, Order Papers must be issued at least one day in advance of sittings.

12. Quorum

(1) The presence of at least one half of all Members shall be necessary before the commencement of a sitting. If there is not a quorum present when the Speaker takes the Chair at the appointed time, immediately after Prayers the Speaker shall direct Members to be summoned by the ringing of the division bell and whips will be expected to ensure Members of their parties are in attendance. If, after the expiration of two minutes, one half of the Members are not present the Speaker shall defer commencement to a later time, not exceeding one hour, or the Assembly shall remain adjourned until the next sitting day.

(2) If at any other time the attention of the Speaker is directed to the fact that there is less than one quarter of the Members present, excluding the Speaker, he or she shall direct Members to be summoned by the ringing of the division bell. If, after the expiration of two minutes, one quarter of the Members are not present, he or she shall immediately, without question put, either –

(a) suspend the sitting to a later time, not exceeding one hour; or

(b) adjourn the Assembly until the next sitting day.

(3) If it is noticed that less than one quarter of the Members are present, excluding the Chairperson, in a Committee of the Whole Assembly the Chairperson shall leave the Chair and the Assembly shall be resumed. If the Speaker is satisfied that less than one quarter of Members, excluding the Speaker are present, he or she will proceed as in paragraph (2). If the Speaker is satisfied that a quarter of Members are present, excluding the Speaker, the Assembly shall forthwith again resolve itself into Committee.

(4) Where the Assembly is suspended under paragraph (2)(a), the outstanding business on the Order Paper for that day shall be, subject to any direction of the Assembly Business Committee to the contrary, the first business when the Assembly resumes.

(5) Where the Assembly is adjourned under paragraph (2)(b), the outstanding business on the Order Paper for that day shall be, subject to any direction of the Assembly Business Committee to the contrary, the first business when the Assembly next sits.

13. Adjournment

(1) The Speaker may, at any time, suspend a sitting or adjourn the Assembly.

(2) A motion for the extension of a sitting of the Assembly may be moved by a Member, at least, no later than half an hour before the time fixed for the adjournment and if carried the sitting shall continue accordingly.

(3) If the business of the Assembly at any sitting is completed earlier than the time fixed for the adjournment of the Assembly, a Member may move a motion that the Assembly be adjourned.

(4) Any debate interrupted by the adjournment of the Assembly or a committee of the Assembly shall on its resumption continue from the point where the same was interrupted as if it were a continuous debate, and any Member whose speech was interrupted shall have the right to speak first on such resumption. If such Member does not avail himself or herself of his or her right, his or her speech shall be deemed to have been completed.

(5) On the completion of business at the last sitting of each Session, the Majority Leader, or Minority Leader, or in their absence, either of their Deputy or in the absence of all, any other Member, shall move the motion for the adjournment of the Assembly sine-die.

(6) Notwithstanding anything contained in paragraphs (2), (3), (4) and (5) of these Standing Orders, the following business shall not be interrupted by a motion for the adjournment of the Assembly –

(a) a motion made under the provisions of paragraph (k) of Standing Order 53 [Motions which may be made without notice];

(b) any business in respect of which the provisions of Standing Order 77 [Certificate of Urgency] are in force;

(c) any business in respect of which the provisions of Standing Orders 86 to 89 [Annual Estimates; Annual Appropriation Bill; Supplementary Estimates; Supplementary Appropriation Bills] inclusive are in force.

14. Order of Business

(1) Before a sitting is begun, Prayers shall be said by the Speaker (Appendix A).

(2) The business at each sitting shall be transacted in the following order –

(a) Administration of Oaths;

(b) Communication from the Chair;

(c) Communication from the President of the Republic;

(d) Correction and approval of Record of Votes and Proceedings;

(e) Matters of the day;

(f) Laying of papers and reports;

(g) Questions;

(h) Statements by Ministers;

(i) Personal explanations;

(j) Bills;

(k) Subsidiary legislation;

(l) Motions introduced by the Vice President, Minister, Committee Chair or a Member;

(m) Adjournment;

(n) Motion for debate on the adjournment.

(3) The order of business as set out in paragraph (2) may be varied by the Speaker in case of emergency, or with the agreement of the Assembly Business Committee.

(4) Members or any person in the Chambers shall be called to order and stand in silence whenever the Speaker enters the Chamber.

15. Functions of the Assembly Business Committee

(1) The Assembly Business Committee shall be appointed as soon as possible after an election and consist of:

(a) The Speaker as *ex officio* and shall be the Chairperson;

(b) As many other Members as corresponds to the number of parties in the Assembly with each party having the right to nominate a single member to the Committee;

(c) Each of the Members nominated in accordance with (1)(b) shall be entitled to appoint a substitute Member to attend the Committee meetings on his or her behalf;

(d) Members not representing a political party who have joined together to form a group, of a size to be agreed by the Committee, for the purposes of nominating a group representative under paragraph (1)(b).

(2) The Speaker shall nominate two Members of the Committee, either of whom, in the Speaker's absence, shall act as Chairperson of the Committee.

(3) The procedures of the Assembly Business Committee shall be such as the Committee may determine.

(4) Each party delegation or group present at the Committee, whether comprises Members or their substitutes, shall be entitled to cast the number of votes equivalent to the number of Members within that party or group. For the purposes of this order, the Speaker shall not be allowed to vote.

(5) It shall be the duty of the Assembly Business Committee, to –

(a) prepare and, if necessary, from time to time adjust the Assembly agenda with the approval of the Assembly;

(b) determine the business of each sitting and the order in which it shall be taken, subject to Standing Order 14 [Order of Business];

(c) determine the dates of recess; and

(d) perform such other duties as these Standing Orders shall require, the Speaker may request or the Assembly determines.

(6) The Head of Table Office, under the supervision of the Clerk, shall be responsible for administering the Assembly Business Committee.

(7) The Assembly Business Committee shall meet in private.

16. Voting

(1) Every decision of the Assembly shall be taken by a simple majority of those voting except as otherwise provided for in the Constitution or these Standing Orders.

(2) After putting the question, the Speaker shall judge whether the question be carried or not by taking voices “aye” and “no” and the result shall be declared by the Speaker.

(3) If any Member calls for a division, the Speaker shall direct that the division bell be sounded if –

(a) the Speaker is unsure whether or not a question is carried having taken voices; or

(b) the Speaker’s assessment as to whether a question is carried by voices is queried by a Member or Members.

(4) After five minutes have elapsed, the Speaker shall put the question again and if paragraph (3)(a) or (b) still applies, the Speaker shall announce a division.

(5) Unless the Speaker directs otherwise for the convenience of the Assembly, voting on a division shall be by electronic voting or show of hand.

(6) During electronic voting, Members shall cast their votes by pressing either the “Yes,” “No,” or “Abstain” button using their electronic key pads.

(7) Voting may proceed for four minutes during which time the division bell shall be rung intermittently and Members not in the Chamber may take their seats and record their vote.

(8) When four minutes have elapsed, the Speaker will direct that no more Members shall be allowed to take their seats to vote.

(9) A Member may vote in a division although he or she did not hear the question put.

(10) A Member shall not be obliged to vote.

(11) If the votes in a division are equal the question shall not be carried.

(12) A vote shall not be taken if a quorum is not present.

(13) When all Members have voted, the Speaker shall announce the result and a record of how Members voted shall be kept and included in the Record of Votes and Proceedings with the exception of votes in respect of –

the election or removal of a person holding office under the Constitution or any other law, which shall be in secret and no record retained.

(14) A Member may change his or her electronic vote as often as required during the four minutes provided for in paragraph (7) but once the voting period has closed a Member's vote may not be altered.

(15) In any instance where the Constitution requires a fixed majority to decide on a question, the Assembly shall not proceed to a vote on that question unless and until a number of Members equivalent to such fixed majority is present at the time for voting. [Amendment 25th June, 2020]

RULES OF ORDER

17. Behaviour of Members

During a sitting –

- (a) all Members shall enter and leave the Chamber with decorum;
- (b) no Member shall cross the floor of the Chamber unnecessarily;
- (c) When the Assembly adjourns, Members shall stand in their places until the Speaker leaves the Chamber;
- (d) Members shall not read newspapers, books, letters or other documents except when making reference to such parts therein as may be directly connected with the business of the Assembly and with the permission of the Speaker;
- (e) Members shall not use mobile phones or any other electronic devices in the Chamber or at Committee Meetings;
- (f) while a Member is speaking all other Members shall be silent and shall not make unseemly interruption;
- (g) no Member shall, without the consent of the Speaker, bring into the Assembly anything other than papers, books or other documents directly connected with business of the Assembly;
- (h) clapping shall not be permitted in the Chamber.

18. Point of Order

Any Member deviating from these Standing Orders may be immediately called to order by the Speaker or by any other Member rising on a point of order. A Member rising on a point of order, in accordance with Standing Order 32(1)(a) [Permissible interruptions], shall direct attention to the point he or she desires to bring to notice and submit the same to the Speaker for decision.

19. Decision of Speaker

When the question of order has been stated, the Member who raised it shall resume his or her seat and no other Member, except by leave of the Speaker, shall rise until the Speaker has decided the question, after which the Member who was addressing

the Assembly at the time the question was raised shall be entitled to proceed with his or her speech, subject to the ruling of the Speaker.

20. Responsibility of Speaker for order

The Speaker in the Assembly and the Chairperson in any Committee shall be responsible for the observance of the rules of order in the Assembly and Committee respectively, and his or her decision upon any point of order shall not be open to appeal and shall not be reviewed by the Assembly except on a substantive motion made after notice.

21. Discipline and Suspension of Members

(1) The Speaker or Chairperson, after having called the attention of the Assembly or Committee to the conduct of a Member who persists in irrelevance or tedious repetition either of his or her arguments or of the arguments used by other Members in debate, may direct the Member to discontinue his or her speech.

(2) The Speaker or Chairperson may, after having called the attention of the Assembly or Committee to the grossly disorderly conduct of a Member who –

(a) wilfully assaults, molests, obstructs or acts in a disorderly manner towards the Speaker or any other Member;

(b) persistently and wilfully obstructs the business of the Assembly or Committee;

(c) wilfully assaults, obstructs or resists any police constable or officer of the Assembly acting under the authority of the Speaker or Chairperson;

(d) uses unacceptable language which he or she refuses to withdraw;

(e) persistently or wilfully refuses to conform with the Standing Orders; or

(f) persistently or wilfully disregards the authority of the Speaker.

order the Member to withdraw immediately from the Chamber or Committee meeting during the remainder of the day's sitting.

(3) If the direction to withdraw under paragraph (2) is not complied with at once or if on any occasion the Speaker or Chairperson deems that his or her powers under that paragraph are inadequate, he or she may name such Member or Members in pursuance of Standing Order 22(1) [Naming of a Member].

22. Naming of a Member

(1) If a Member shows disregard for the authority of the Chair, or abuses the rules of the Assembly by persistently and wilfully obstructing the business of the Assembly, or otherwise, the Speaker shall direct the attention of the Assembly to the incident, mentioning by name the Member concerned. A motion may then be moved upon which the Speaker shall forthwith put the question, no

amendment, adjournment or debate being allowed, "That such Member be suspended from the service of the Assembly". If such an offence shall have been committed in a Committee of the Whole Assembly, the Chairperson shall forthwith suspend the proceedings of the Committee and report the circumstances to the Assembly: and the Speaker shall, on a motion being moved, thereupon put the same question, without amendment, adjournment or debate, as if the offence had been committed in the Assembly itself.

(2) Not more than one Member shall be named at the same time unless several Members present together have jointly disregarded the authority of the Chair.

(3) If a Member be suspended under the provisions of this Standing Order, his or her suspension shall last for the next three sittings exclusive of the sitting in which he or she was suspended.

(4) The Speaker or Chairperson, whether acting under Standing Order 21(2) [Discipline and Suspension of Members] or paragraph (1) of this Standing Order, may direct such steps to be taken as are required to enforce his or her order.

(5) Members who are suspended under paragraph (1) of this Standing Order, or who are directed to withdraw under Standing Order 21(2) [Discipline and Suspension of Members], shall forthwith withdraw from the precincts of the Assembly.

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

(7) Any Member suspended under the provisions of this Standing Order shall not be entitled during the period of such suspension to the sitting allowance which would have been payable had he or she not been suspended.

MAJORITY AND MINORITY LEADERS

23. Majority and Minority Leaders

(1) There shall be in the Assembly a Majority Leader, Deputy Majority Leader, Minority Leader and Deputy Minority Leader.

(2) The largest party or coalition of parties in the Assembly shall elect or designate –

(a) a Member of the Assembly belonging to their party or coalition to be the Majority Leader in the Assembly.

(b) a Member of the Assembly belonging to their party or coalition to be the Deputy Majority Leader in the Assembly.

(3) The second largest party or coalition of parties in the Assembly shall elect or designate –

(a) a Member of the Assembly belonging to their party or coalition to be the Minority Leader in the Assembly.

(b) a Member of the Assembly belonging to their party or coalition to be the Deputy Minority Leader in the Assembly.

(4) Elections or designations referred to in this order shall be conducted or agreed within the parties or coalition of parties and the Speaker notified as soon as possible.

(5) The elections referred to in paragraph (4) shall be conducted based on the democratic elective principles.

(6) Party or coalition of parties may remove any elected or designated Leader or Deputy Leader at any time by a majority of votes of all members of that party or coalition of parties in the Assembly and the Speaker notified.

(7) If any doubt arises as to who is or was at any material time the Majority Leader, Deputy Majority Leader, Minority Leader or Deputy Minority Leader, the question shall be at the discretion of the Speaker and certified in writing.

(8) Nothing in this Standing Order shall prevent parties from appointing whips to take responsibility for their party's engagement with the transaction of business in the Assembly.

RULES OF DEBATE

24. Attendance of the President

(1) In accordance with the Constitution, the President shall at least once in each year attend a sitting of the Assembly to address the Assembly on the condition of The Gambia, the policies of the government and the administration of the State to be known as State of the Nation Address; and such an address should take place within the first quarter of the year.

(2) In addition, the Assembly may request the President to attend a sitting of the Assembly for the discussion of a matter of national importance.

(3) The Speaker shall remain in the Chair during a Presidential address.

25. Attendance of the Vice President and Ministers

(1) As prescribed by the Constitution, the Vice-President or a Minister shall report on any matter concerning a department or other business of government committed to his or her charge; and when requested to do so by the Assembly, attend any sitting and respond to issues raised during proceedings.

(2) The Assembly shall allow time for the Vice-President or a Minister to speak whenever any bill or other matter concerning a department or other business of government committed to his or her charge is debated.

(3) The Vice-President and Ministers attending debates shall be seated in the Ministers' Gallery but shall be required to come to the front bench when participating in a debate.

26. Speaking in debate

(1) No Member except the Speaker or Chairperson may speak unless called upon to do so by the Speaker or Chairperson. In deciding who should be called, the Speaker or Chairperson shall have regard to the nature of the business under consideration.

(2) A Member shall speak standing and shall address his or her observations to the Speaker or Chairperson. Subject to the approval of the Speaker or Chairperson, a Member unable to stand conveniently by reason of sickness or infirmity may be permitted to speak while seated.

(3) When the Speaker or Chairperson intervenes during proceedings in the Assembly, or in Committee of the Whole Assembly, every other Member shall be seated.

(4) The Speaker shall not take part in any debate before the Assembly.

(5) In the event that the Speaker wishes to take part in any debate, he or she shall vacate the Chair for the Deputy Speaker or any other Member elected as Speaker for that purpose.

(6) If two or more Members indicate at the same time that they wish to speak, the Member called upon by the Speaker or Chairperson shall be entitled to speak.

(7) When the Member has finished his or her observations he or she shall resume his or her seat and any other Member wishing to address the Assembly shall indicate in the established way that they wish to speak.

(8) No Member may speak in a debate once the question has been put by the Speaker.

27. Reference to other Members

(1) The President, Vice-President, Minister or Attorney-General shall be referred to by the official designation of the office which he or she holds.

(2) A Member elected for a constituency shall be referred to as the Honourable Member for the constituency.

(3) A nominated Member shall be referred to by name.

28. Speeches not to be read

(1) A Member shall not read his or her speech, but he or she may read extracts from books or papers in support of his or her arguments, and may refresh his or her memory by reference to notes.

(2) The Speaker may allow a Member to read a speech in particular cases where the Speaker is satisfied that it is necessary for precision in statement of facts.

29. Content of Speeches

(1) Every Member shall restrict his or her observations to the subject under discussion.

(2) Reference shall not be made to any matter in respect of which legal proceedings are active, in such a way as might, in the opinion of the Speaker or Chairperson, prejudice the interest of parties thereto.

(3) It shall be out of order to attempt to reconsider any specific question upon which the Assembly has taken a decision during the current session except upon a motion to rescind that decision for which notice must be given.

(4) It shall be out of order to use offensive and insulting language about Members of the Assembly.

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

(6) The name of the President of the Republic of The Gambia shall not be used to influence the Assembly.

(7) The conduct of the Speaker or judges or other persons performing judicial functions in respect of those functions, shall not be referred to except on a substantive motion.

30. Scope of Debate

(1) Debate upon any motion or amendment to a motion or upon any bill, part of a bill or amendment to a bill shall be relevant thereto, except in the case of a motion for debate on the adjournment of the Assembly.

(2) When an amendment to a motion or to a bill proposes to leave out words and to insert or add other words instead of them, debate upon the question to leave out words may include both the words to be left out and those proposed to be inserted or added.

(3) On an amendment proposing only to leave out words or to insert or add words, debate shall be confined to the omission, insertion or addition of words as the case may be.

31. Occasions when a Member may speak more than once

(1) No member may speak more than once on any proposition except –

(a) in Committee;

(b) in explanation, as provided in paragraph (2);

(c) the mover of a substantive motion in the Assembly, in reply at the end of a debate thereon;

(d) the mover of an amendment to a motion in the Assembly, in reply at the end of a debate thereon; but before the reply by the mover of the motion;

(e) a Member who has already spoken on the substantive motion may speak to an amendment moved after he or she has spoken;

(2) A Member who has spoken to a question proposed to the Assembly may again be heard, if the Speaker so permits, to explain some part of his or her speech which has been misunderstood; but when so speaking he or she shall not introduce any new matter.

(3) Any Member may second a motion or amendment by rising in his or her place and saying, "I beg to second"; and this shall not prejudice his or her right to speak later in the debate on that motion or amendment.

32. Permissible Interruptions

(1) No Member, except the Speaker, shall interrupt another Member except –

(a) by rising to question, on a Point of Order, whether proper procedures have been, or are being, followed; or

(b) to elucidate, on a point of clarification, some matter raised by another Member in the course of his or her speech, provided that the Member speaking is willing to give way and resume his or her seat.

(2) The Member who has the floor when a Point of Order is raised shall resume his or her seat immediately and the Member raising the point of order shall resume his or her seat as soon as the point has been made. Except by leave of the Speaker, no other Member shall rise until the Speaker has decided the matter and when effect has been given to the decision, the Member who had the floor shall be entitled to proceed, unless otherwise prevented by the decision.

33. Anticipation

It shall be out of order to anticipate the discussion of a bill which is before the Assembly by discussing the subject matter of that Bill on a motion.

34. Closure of debate

(1) After the question on a motion, the mover of which has a right of reply, has been proposed, any Member may rise in his or her place and move, "That the mover be now called upon to reply" and unless the Speaker is of the opinion that such a motion is an abuse of the rules of the Assembly or an infringement of the rights of Members, the question, "That the mover be now called upon to

reply” shall be put forthwith and decided without amendment or debate and if agreed to, the mover may immediately reply to the debate, and as soon as the mover has concluded, or immediately if the mover does not wish to reply, the Speaker shall put the question on the motion.

(2) After the question on a motion, the mover of which has no right of reply, has been proposed, any Member may rise in his or her place and move, “That the question be now put” and unless the Speaker is of the opinion that such a motion is an abuse of the rules of the Assembly or an infringement of the rights of Members, the question, “That the question be now put” shall be put forthwith and decided without amendment or debate and if agreed to, the Speaker shall immediately put the question on the motion.

LAYING OF PAPERS

35. Laying of Papers

(1) Subsidiary legislation, papers or accounts to be laid or presented to the Assembly shall be delivered to the Clerk on any day that the Clerk’s office is open and the Assembly is not dissolved.

(2) The Clerk shall cause the listing of all documents laid and presented in the Record of Votes and Proceedings.

(3) Documents so delivered and listed in this way shall be deemed for all purposes to be laid or presented.

(4) The Vice President or Minister laying or presenting a paper may make a short explanatory statement in the Assembly on its contents, at the conclusion of which no questions shall be asked.

(5) The Vice President or Minister, or other body laying or presenting documents to the Assembly, shall at the time of laying provide to the Clerk [Table Office] an electronic copy and sufficient copies of the document for distribution to Members.

(6) A copy of documents laid or presented to the Assembly shall be provided to the relevant Committee and the Assembly Library. All documents laid or presented in the Assembly Library shall be considered public.

QUESTIONS

36. Questions to Vice President, Ministers and the Assembly Authority

(1) The Vice President and Ministers shall by order of the Assembly be requested to attend sittings of the Assembly to answer oral questions, topical questions and urgent oral questions asked of them.

(2) A Member may ask questions of –

(a) the Vice President or a Minister, on matters relating to their official responsibilities; or

(b) a Member representing the Assembly Authority, on matters relating to the Assembly Authority's official responsibilities.

(3) A question may be –

- (a) for oral answer (see Standing Order 41);
- (b) a topical question for oral answer (see Standing Order 44);
- (c) for urgent oral answer (See Standing Order 45); or
- (d) for written answer (see Standing Order 46).

(4) A Member may ask –

- (a) up to five questions for oral answer during any one Assembly Session, and no question shall have sub-parts; and
- (b) no more than one topical question per question day during any one Assembly Session. "Question day" means any Wednesday or any other day on which questions not disposed of on a Wednesday are scheduled to be answered.

(5) A question, other than a topical question, must –

- (a) be in writing;
- (b) indicate the type of answer sought, within the meaning of paragraph (3);
- (c) be submitted to the Table Office by the Member on a day when that office is open; and
- (d) be submitted by hand, by post, or electronically.

(6) The Vice President or a Minister shall take no more than 10 clear days to respond to a question for written answer from the Assembly.

(7) A question must be answered as clearly and as fully as possible.

37. Notice of questions

(1) A question, unless it is a question for urgent oral answer, may not be asked without notice.

(2) Notice of a question shall be given by Members –

- (a) in writing to the Table Office at least 21 clear days before the Session at which it is intended to be asked; and

(b) in compliance with any written guidance issued by the Table Office under the auspices of the Speaker.

(3) The Table Office shall publish all admissible questions.

38. Admissibility of questions

(1) Every question shall conform to the following rules –

(a) a question shall not include the names of persons or statements not strictly necessary to render the question intelligible and which the Member cannot authenticate;

(b) a question shall not contain any statement which the Member who asks the question is not prepared to substantiate;

(c) a question shall not contain arguments, inferences, opinions, imputations, epithets or tendentious, ironical or offensive expressions or hypothetical matters;

(d) adjectives, unless they are necessary to make the question intelligible;

(e) a question shall not refer to proceedings in a Committee which have not been reported to the Assembly, except to the extent permitted by the Speaker;

(f) a question shall not reflect on the decision of a court of law or be so drafted as to be likely to prejudice a case under trial;

(g) a question shall not be asked for the purpose of obtaining an expression of opinion, the solution of an abstract case or the answer to a hypothetical proposition;

(h) a question shall not be asked as to whether statements in the press or of private individuals or private concerns are accurate;

(i) a question shall not be asked as to the character or conduct of any person except in his or her official or public capacity;

(j) a question fully answered shall not be asked again during the same Session;

(k) a question shall not be asked reflecting on the character or conduct of any person whose character or conduct may only be challenged on a substantive motion; and

(l) a question of excessive length may not be asked.

(2) No speech shall be made by any Member in asking a question, and no debate shall be permitted on any question.

39. Speaker's duties as to questions

(1) The Speaker, subject to Standing Order 38, shall be the sole judge of the admissibility of a question.

(2) If the Speaker is of the opinion that any question which a Member proposes to ask infringes the provisions of Standing Orders, or is in any way an abuse of the right of questioning, he or she may direct –

(a) that the Member concerned be informed that the question is out of order; or

(b) that the question be allowed in such form and with such alterations as he or she considers proper.

40. Rota for questions to Vice President, Ministers and the Assembly Authority

(1) Time shall be made available in each Session for –

(a) questions for oral answer and topical questions to the Vice President and Ministers; and

(b) questions for oral answer to Members answering on behalf of the Assembly Authority.

(2) Unless the Assembly shall otherwise order, the sequence in which Ministers and other Members shall be called to answer questions shall be in accordance with the Rota for Questions to the Vice President, Ministers and the Assembly Authority, prepared by the Assembly Business Committee and approved on a motion by the Assembly.

41. Questions for oral answer

(1) Questions for oral answer shall be taken on those Wednesdays on which the Assembly is in Session. Where questions to the Assembly Authority are to be taken, they shall be taken immediately after questions to the Vice President and Ministers.

(2) Any question which appears on the Order Paper and which is not disposed of by the time the Assembly adjourns on a Wednesday shall be placed on an Order Paper, approved by the Assembly Business Committee, for answer on another day of that week. Any question which appears on the Order Paper and which is not disposed of by the time the Assembly adjourns on a Friday, shall receive a written answer within two clear working days.

(3) Questions shall appear on the Order Paper in the order in which they were received.

(4) If for any reason the Assembly does not sit on a day when questions for oral answer would normally be taken, the Assembly Business Committee shall allocate additional time for questions on another sitting day during that Session.

(5) The Speaker shall, from time to time, consult the Assembly Business Committee on the need to provide additional time for questions.

42. Oral questions: Procedure in the Chamber

(1) When the time for asking questions arrives, the Speaker shall call successively each Member in whose name a question stands on the Order Paper. The Member shall rise and ask his or her question by reading it from the Order Paper.

(2) If the Member is not present to ask his or her question when the Member's name is called and unless he or she has notified to the Speaker, before the start of questions to the Vice President or the relevant Minister, his or her desire to postpone the question, or has authorised another Member to read the question on his or her behalf, the Vice President, the Minister or the Member answering on behalf of the Assembly Authority shall cause an answer in writing –

(a) to be provided to the Member within two clear working days from the date on which it was scheduled to be answered; and

(b) to be circulated to all Members with the Minutes.

43. Supplementary questions

(1) Supplementary questions may be put for the purpose of elucidating an oral answer.

(2) The Member in whose name the question is listed may ask up to two supplementary questions. Up to five other Members may ask one further supplementary question each. In any event, no more than seven supplementary questions may be taken per question listed for oral answer.

(3) The time taken to ask a supplementary question shall be no longer than one minute and an answer to a supplementary question shall be no longer than two minutes. This period may be extended at the discretion of the Speaker.

(4) A supplementary question shall not be in order if it introduces matters not included in the original question and the answers provided. For the avoidance of doubt, whether a supplementary question is within remit shall be determined, on answering, by the Vice President, Minister or Member answering questions on behalf of the Assembly Authority.

44. Topical questions

(1) Topical questions to the Vice President or a Minister shall be taken immediately after questions listed for oral answer to the Vice President or that Minister.

(2) A Member who wishes to ask a topical question of the vice President or a Minister at a particular sitting shall submit his or her name to the Table Office no later than 12 noon on the Friday before the week in which the Minister to whom it is addressed is scheduled to answer questions.

(3) The Speaker shall allow five topical questions for each Minister or, as the case may be, the Vice President scheduled to answer questions on a specified day.

(4) The Speaker shall determine, by means of random selection, names of the Members that may ask topical questions. The order in which Members may ask topical questions shall be determined by means of random selection.

(5) Supplementary questions to topical questions may be put for the purpose of elucidating an answer to a topical question.

(6) The Member listed to ask a topical question may ask up to two supplementary questions. Up to three other Members may ask one further supplementary question each. In any event, no more than five supplementary questions may be taken per topical question.

(7) The time taken to ask a supplementary question shall be no longer than one minute and an answer to a supplementary question shall be no longer than two minutes. This period may be extended at the discretion of the Speaker.

(8) If for any reason the Assembly does not sit on a day when topical questions would normally be taken, the Assembly Business Committee shall allocate additional time for topical questions on another sitting day during that Session.

(9) The Speaker shall inform –

(a) Members; and

(b) the Vice President or Ministers to whom questions will be addressed at a sitting

in advance, of the names and the order in which topical questions are to be taken.

45. Questions for urgent oral answer

(1) A question for urgent oral answer may be taken if, in the opinion of the Speaker, it is of an urgent nature and relates to a matter of public importance. The question may only be asked on a sitting day.

(2) A Member may ask a question if –

(a) it is submitted before 10:30am; and

(b) the Vice President, Minister or the Member answering on behalf of the Assembly Authority has been given three hour' notice.

(3) Subject to Standing Order 14, the time for taking the question shall be at the discretion of the Speaker.

(4) Standing Order 43 [Supplementary questions] shall apply to questions for urgent oral answer as it applies to questions for oral answer.

(5) The Speaker shall notify –

(a) Members; and

(b) the Vice President or Minister to whom the question will be addressed at the sitting

in advance, the time the question for urgent oral answer is to be taken.

46. Questions for written answer

(1) A Member may ask up to five questions for written answer in the period between the adjournment of a Session and the commencement of following Session.

(2) All admissible written questions received by the Table Office before 2pm on any working day shall be published on that day.

(3) The Vice President, Minister or Member of the Assembly Authority to whom a question for written answer is addressed shall answer it by the end of 10 working days after it is tabled.

(4) The Vice President, Minister or a Member of the Assembly Authority to whom a written question is addressed shall cause the answer to be published in the Official Report (Hansard).

STATEMENTS

47. Statements by Ministers

(1) The Vice President or Ministers may make statements to the Assembly on matters relating to their official responsibilities, which may be either –

(a) oral ministerial statements (see Standing Order 48); or

(b) written ministerial statements (see Standing Order 49).

(2) A statement shall be oral unless the Vice President or Minister considers it appropriate to make a written statement, having regard to, among other things, whether the statement relates to a matter of public importance and when the Assembly will next sit.

48. Oral Ministerial statements

(1) The Vice President or Minister may deliver an oral ministerial statement in the Assembly.

(2) The Vice President or Minister shall make a written copy of the statement available to Members as early as possible and in any event at least 30 minutes

before delivering the statement in the Assembly. Where this has not been possible he or she shall state to the Assembly the reason.

(3) The written copy, whether or not embargoed, shall not be given to members of the news media before it is made available to Members.

(4) The Vice President or Minister making the oral statement shall provide an electronic copy and sufficient written copies of the statement to be delivered to the Clerk for distribution to the Members.

(5) Notice of a statement shall be given to the Speaker not later than 9:30 am on the working day before the day, or in cases of urgency three hours before, it is due to be made and the Speaker shall communicate such information to Members as soon as is practicable.

(6) After a statement has been delivered in the Assembly a period of questions on the statement, which shall last no more than one hour, may then ensue. The Speaker shall determine the period taking into consideration the content of the statement, the number of Members wishing to ask questions and the pressure of other business.

(7) Statements shall ordinarily be made outside the times specified in Standing Orders for questions and adjournment debates. However, where a statement is of urgent public importance it may impinge upon those times. In such cases, the Speaker shall make arrangements for appropriate additional time to be scheduled by the Assembly Business Committee for questions and/or an adjournment debate unless, by leave, the Assembly determines to dispense with this requirement.

49. Written ministerial statements

(1) The written statement shall be delivered to the Table Office for distribution to members not less than 24 hours (or in cases of urgency 2 ½ hours) before it is –

(a) made public; or

(b) given, whether or not embargoed, to members of the news media;

whichever comes first.

(2) The Vice President or Minister making the written statement shall provide an electronic copy and sufficient copies of the statement to be delivered to the Speaker for distribution to the Members.

(3) The text of a statement shall be included in the Official Report (Hansard).

50. Personal explanations

(1) Any Member may, at the discretion of the Speaker, make a personal explanation on matters of a personal nature to a sitting of the Assembly.

(2) An explanation made under this Standing Order shall be brief, non-argumentative and strictly personal and shall not be such as would cause debate or give rise to further explanations.

(3) A Member wishing to make a personal explanation shall notify the Speaker, and submit the text of the proposed explanation in writing.

(4) If the Speaker decides that a personal explanation may be made, the Speaker shall notify the Assembly Business Committee which shall include notice of that explanation on an Order Paper.

(5) Where a personal explanation is made, it may not deviate from the text approved by the Speaker.

(6) No Member shall be permitted to ask questions at the conclusion of a personal explanation nor shall any debate arise thereon.

51. Matters of the day

(1) A Member may seek leave of the Speaker to make a statement to the Assembly on a matter which fulfils the criteria specified in paragraph (3).

(2) A Member seeking leave shall submit a formal request in writing to the Clerk, not later than the time provided for in paragraph (4), outlining the subject matter of the proposed statement.

(3) In deciding whether to grant leave to a Member who has made a formal request under paragraph (1), the Speaker shall take account of the following criteria –

(a) whether the proposed statement relates to a matter which has occurred and has come to public attention since the Assembly last stood adjourned;

(b) whether the proposed statement relates to a matter which is of exceptional public interest;

(c) whether the proposed statement relates to a matter which directly affects the people of The Republic of The Gambia;

(d) that the specific subject matter of the proposed statement is not, and has not previously been, the subject of or directly related to a statement, application, notice or referral made or given under this or any other Standing Order.

(4) A request under this Standing Order shall be made no later than –

(a) 9:30am on any sitting day; or

(b) If the Speaker is satisfied that the event or incident to which the formal request relates came to the attention of the Member at such time that the

Member could not reasonably have made a formal request by the time stipulated in sub-paragraph (a), such later time as the Speaker may direct.

(5) As soon as possible after receipt of a formal request under this Standing Order, the Speaker shall decide whether to give a Member who had made a formal request under this Standing Order leave to make a statement, and shall immediately notify the Member of that decision.

(6) If the Speaker gives leave for a statement to be made, he or she shall allow the Member to make the statement as soon as reasonably practicable.

(7) The Speaker may select, from among those Members in the Chamber indicating their wish to speak, a number of other Members to make a statement on the chosen matter of the day.

(8) No individual statement on a matter of the day shall exceed three minutes, and the time allowed for a matter of the day shall not exceed 30 minutes in total.

(9) No Member may intervene during a Member's statement under this Standing Order and there shall be no questions and no vote shall be taken at the conclusion of the statement or statements.

MOTIONS

52. Notice of motions

(1) Notice of a motion shall be given by being handed in writing to the Table Office not less than five clear days before the sitting at which it is intended to be debated.

(2) All notices shall be signed by the Vice President, Minister, Committee Chairperson or Member proposing the motion.

(3) When a notice of a motion is received, the Table Office shall record the date and hour of its receipt and submit it to the Speaker.

(4) Subject to the decision made under Standing Order 57 [Speaker's duties as to motions and amendments], all notices received by the Table Office shall be printed the next day in their original terms and stand referred to the Assembly Business Committee for scheduling or returned to the Vice President, Minister, Committee Chairperson or Member submitting it as inadmissible.

(5) Where a motion received under sub-paragraph (3) relates to the Speaker, the Table Office shall submit it to the Deputy Speaker.

53. Motions which may be made without notice

The following motions may be made without notice –

(a) a motion by way of amendment to a question already proposed by the Speaker;

- (b) a motion for the adjournment of the Assembly;
- (c) a motion for the adjournment of a debate;
- (d) a motion for the withdrawal of strangers;
- (e) a motion for the committal of a bill or motion to a Committee, including a Committee of the Whole Assembly, or for the adoption by the Assembly of a report of a Committee, including a Committee of the Whole Assembly;
- (f) a motion for the Assembly to resolve itself into a Committee of the Whole Assembly;
- (g) a motion made in Committee of the Whole Assembly;
- (h) a motion for the reconsideration of a bill;
- (i) a motion for the suspension of a Member;
- (j) a motion for the election of a Member to preside in the Assembly in the absence of the Speaker and Deputy Speaker;
- (k) a motion agreed by the Speaker to be a matter of urgency;
- (l) a motion to extend a sitting under Standing Order 13(2) [Adjournment];
- (m) a motion to move any stage of an Appropriation Bill or a Supplementary Appropriation Bill;
- (n) a motion to introduce a bill to which a Certificate of Urgency is attached;
- (o) a motion to consider a bill to which a Certificate of Urgency is attached;
- (p) a motion for second stage of a bill;
- (q) a motion for consideration stage of a bill reported by a Committee of the Whole Assembly;
- (r) a motion to extend the Committee Stage of a bill under Standing Order 66(4).

54. Motions for debate on the adjournment of a Session

- (1) On the completion of business at the last sitting of each Session, the Majority Leader, or Minority Leader, or in their absence any other Member, shall move the motion for debate on the adjournment.
- (2) The debate on the motion on the adjournment of a Session may continue without limit beyond the time fixed for the adjournment of the Assembly.

(3) During the debate on the motion on the adjournment of a session no Member shall speak for more than fifteen minutes except that the Speaker may at his or her discretion allow the mover of the motion extra time for his or her reply.

55. Removal of the President from office

(1) The Assembly may cause the removal of the President from office by passing a motion of no confidence in him or her supported by two-thirds of the Members.

(2) Where a no confidence motion is passed in accordance with paragraph (1), the Speaker shall request the Independent Electoral Commission to call for a referendum within thirty days of the passing of such motion to endorse or reject the decision of the National Assembly; and where such decision is endorsed the President shall vacate the office.

(3) Under the conditions prescribed by the Constitution, the Assembly may cause the removal of the President on the grounds of mental or physical inability, by passing a motion for his or her removal supported by two-thirds of the Members.

(4) Under the conditions prescribed by the Constitution, the Assembly may cause the removal of the President for misconduct by passing a motion for his or her removal supported by not less than two-thirds of the Members.

56. Motions of censure

(1) The Assembly may pass a motion of censure against a Minister or Vice-President supported by two-thirds of all the Members on the grounds of;

(a) his or her inability, arising from any cause, to perform the functions of his or her office;

(b) abuse of office or violation of any provision of the Constitution;

(c) his or her misconduct in office.

(2) A motion of censure shall be initiated by a petition, signed by not less than one-third of all the Members of the Assembly, to the President through the Speaker stating the grounds on which they are dissatisfied with the conduct or performance of the Minister or Vice-President.

(3) The President shall cause a copy of the petition to be given to the Minister or Vice-President immediately he or she receives it.

(4) The motion of censure may not be debated until at least fourteen days have elapsed after the petition has been sent to the President.

(5) The Minister or Vice-President concerned has the right to attend and be heard during the debate on the motion.

(6) In this order 'misconduct in office' means that the person concerned has –

- (a) conducted himself or herself in a manner which brings or is likely to bring his or her office into contempt or disrepute;
- (b) dishonestly done any act which is pre-judicial or inimical to the economy of The Gambia or dishonestly omitted to act with similar consequences.

57. Speaker's duties as to motions and amendments

The Speaker, or in the event of Standing Order 52(5) [Notice of motions] the Deputy Speaker, may direct that a motion is inadmissible if he or she is of the opinion that;

- (a) it infringes, or the debate on it is likely to infringe, on any of these Standing Orders;
- (b) it is contrary to the Constitution or an Act of the Assembly, without expressly proposing appropriate amendment to the Constitution or Act of the Assembly;
- (c) it is too long;
- (d) it is framed in terms which are inconsistent with the dignity of the Assembly; or
- (e) it contains or implies allegations which the Speaker is not satisfied that the mover can substantiate.

58. Amendments to motions

- (1) Notice of an amendment shall be given by being handed in writing to the Table Office not less than two clear days before the sitting at which the motion to which the amendment relates is intended to be debated.
- (2) All notices shall be signed by the Vice President, Minister, Committee Chairperson or Member proposing the amendment.
- (3) When a notice of an amendment is received, the Table Office shall record the date and hour of its receipt and submit it to the Speaker.
- (4) The Speaker may direct that the amendment is inadmissible on the grounds provided in Standing Order 57 [Speaker's duties as to motions and amendments] or noncompliant with any written guidance issued by the Table Office under the auspices of the Speaker.
- (5) Amendments received in advance by the Clerk that are admissible shall be printed on a list of amendments made available to Members on the morning of the relevant sitting.

(6) Inadmissible or noncompliant amendments shall be returned to the Vice President, Minister, Committee Chairperson or Member that submitted them, before the relevant sitting.

(7) Notwithstanding paragraphs (1) - (5), when a motion is under consideration in the Assembly or in a Committee thereof, at the Speaker's discretion, an amendment may be proposed to the motion if it is relevant thereto.

59. Seconding of motions

(1) In the Assembly the question upon a motion or amendment shall not be proposed by the Speaker unless such motion or amendment has been seconded.

(2) In Committee a seconder shall not be required.

60. Withdrawal of motions

(1) A motion or an amendment thereto or an amendment to a bill may be withdrawn at the request of the mover, by leave of the Assembly or Committee, before the question fully put thereon, providing that there is no dissenting voice. A motion or amendment to a bill so withdrawn may be proposed again provided that in the case of a motion, notice as required by these Standing Orders is given.

(2) If the question has been proposed on an amendment to a motion or to an amendment to a bill the original may not be withdrawn until the amendment thereto has been disposed of.

61. Debate of Motions and Amendments

(1) When the motion has been moved and seconded in the Assembly, the Speaker shall put the question thereon to the Assembly in the same terms as the motion; debate may then take place upon that question and may continue so long as any Member wishes to speak who is entitled to do so, subject to any time allocations applied by the Assembly Business Committee.

(2) The Assembly may, on a Motion made by the Assembly Business Committee in accordance with this Standing Order, impose a limit in respect of debate on any particular Motion or Bill by allotting a limited period of time for such debate or by limiting the time during which Members may speak in such debate or by imposing both such limitations. [*Amendment 25th June, 2020*]

(3) A Motion for limitation of debate under this Standing Order may be made without notice:

Provided that such Motion shall not be made in the course of the debate to which it refers unless it is moved after adjournment of such debate and before the debate is resumed. [*Amendment 25th June, 2020*]

(4) When he or she is satisfied that no more Members wish to speak, the Speaker shall call upon the mover to reply and immediately the mover has

concluded his or her reply shall put the question to the Assembly and the Assembly shall express its decision in accordance with the provisions of these Standing Orders.

(5) Proposers of listed amendments shall be called to move their amendments immediately after the proposer of the motion has concluded his or her remarks on the substantive motion.

(6) Amendments to the motion which Members wish to propose under Standing Order 58(7) [Amendments to motions] may be moved and seconded at any time after the question upon the motion has been proposed by the Speaker, and before it has been put by the Speaker at the conclusion of the debate upon the motion.

(7) When every amendment has been disposed of, the Speaker shall either again propose the question upon the motion or shall propose the question upon the motion as amended, as the case may require, and after any further debate which may arise thereon, shall put the question for decision.

(8) Upon any amendment to leave out any of the words of the motion, the question to be proposed by the Speaker shall be “that the words proposed to be left out of the motion”.

(9) Upon any amendment to insert words in, or add words at the end of, a motion, the question to be proposed by the Speaker, shall be “that those words be there inserted (or added)”.

(10) Upon any amendment to leave out words and insert or add other words instead, the question shall first be proposed by the Speaker “that the words proposed be left out of the motion”. If the first question is disagreed to, no further amendment may be proposed to the words which the Assembly has decided shall not be left out.

(11) If the Speaker, before putting a question to leave out certain words, is informed that a Member wishes to move an amendment to leave out part of these words and if the Speaker is of the opinion that the proposed amendment of which he or she is so informed is substantially a new amendment, he or she shall, if possible, put the question to leave out words in such form as will enable the subsequent amendment to be moved.

(12) When two or more amendments are proposed to be moved to the same motion, the Speaker shall call upon the movers in the order in which their amendments relate to the text of the motion or in case of doubt in such order as he or she shall decide.

(13) No amendment may be moved which relates to any word which the Assembly has decided shall not be left out of the motion.

(14) Any amendment to an amendment which a Member wishes to propose may be moved and seconded at any time after the question upon the original amendment has been proposed by the Speaker, and before it has been put by the Speaker at the conclusion of the debate on the original amendment.

(15) The provision of paragraph (8) of this Standing Order shall apply to the discussion of amendments to amendments, with the substitution of the words “original amendment” for the word “motion” throughout.

(16) When every such amendment to an amendment has been disposed of the Speaker shall either again propose the question upon the original amendment as amended, or as the case may require.

BILLS

62. Bills: General

(1) Subject to Standing Orders 62 to 79, a Bill may be introduced by the President, Vice President, a Minister, a Committee or a Member of the National Assembly on a sitting day when the Assembly is in Session.

(2) A Bill introduced by the President, Vice President or a Minister is referred to as a “Government Bill”. A Bill introduced by a Committee of the National Assembly is referred to as a “Committee Bill”. A Bill introduced by a Member of the National Assembly is referred to as a “Member’s Bill”.

(3) The “person in charge” of a Government Bill is the President, Vice President or a Minister.

(4) The “person in charge” of Committee Bill is the Chairperson of the Committee which made the proposal for legislation (or the Vice Chairperson or a Member of the relevant Committee acting in the Chairperson’s stead).

(5) The “person in charge” of a Member’s Bill is the Member who introduces the bill or another Member designated by that Member.

(6) All Bills shall be distinguished by titles and shall be divided into successive clauses consecutively numbered, and to every clause there shall be annexed in the margin or at the top a short indication of its contents.

(7) Matters with no proper relation to each other shall not be provided for in the same Bill and no Bill shall contain anything foreign to what its Long Title imports.

(8) The provision in Standing Orders 62 to 79 shall apply to government Bills, Committee Bills and Member’s Bills unless otherwise provided for herein.

63. Bills: Notice

(1) Before any bill is introduced into the Assembly –

(a) notice of intention so to introduce it shall be published in the Gazette at least fourteen days before the date of its introduction;

(b) the text thereof shall be published in the Gazette contemporaneously with the publication of the notice;

(c) first reading shall be listed on the agenda for the session in which it is to be introduced and the person in charge of the bill shall provide the Clerk with an electronic copy together with sufficient printed copies of the bill for circulation to Members with the relevant agenda;

(d) if a Certificate of Urgency in conformity with Standing Order 77, signed by the President of the Republic and stating that the enactment of a bill is required in the public interest is laid upon the table, any bill mentioned in such certificate may be introduced without such publication or notification;

(e) where a bill is introduced in accordance with paragraph (d) the Speaker shall on the introduction of the bill cause a vote to be taken without debate on a motion to give consideration to the bill.

(2) If a Bill is a Member's Bill then, in addition to, and contemporaneously with, the provisions in paragraph (1), a statement of the general nature and objects of the Bill shall be published in at least one newspaper circulating in The Gambia.

(3) If the Bill contains a clause or clauses intended to affect or benefit some particular person, association or corporate body then, in addition to the provisions in paragraph (1), such Bill shall contain a clause saving the rights of the President of the Republic and successors in office, all bodies politic and corporate and all others except those as are mentioned in the Bill and those claiming by, from or under them.

64. Objects and Reasons Memorandum

(1) Every Bill shall be accompanied by a memorandum signed by the person in charge of the bill containing a statement of the objects and reasons of the Bill, including –

(a) the nature of the issue the Bill is intended to address;

(b) the main options considered, the consultative process undertaken, and the rationale for the approach taken in the Bill;

(c) a statement of delegation of legislative powers and limitation of fundamental rights and freedoms, if any;

(d) an indication whether it concerns regional government; and

(e) a statement of its financial implication and if the expenditure of public moneys will be involved should the Bill be enacted, an estimate, where possible, of such expenditure.

(2) No Bill shall be introduced unless accompanied by the memorandum referred to in paragraph (1).

(3) The memorandum of objects and reasons shall be updated to reflect any amendments made during the passage of the Bill; and an updated

memorandum of objects and reasons shall be made available to Members prior to third reading for any bill amended during its passage.

65. First reading

A Bill shall be introduced by the person in charge of the Bill by handing a copy of it to the Clerk, who shall read aloud the short title, whereupon the Bill shall be deemed to have been read a first time.

66. Subsequent stages of bills

(1) Following first reading, the stages in the Assembly's consideration of a Bill shall be –

(a) Second Reading: a general debate on the bill with an opportunity for Members to vote on its general principles;

(b) Committee Stage: detailed investigation by a Committee followed by report to the Assembly. A Bill may be committed to a Select, Standing or Special Select Committee or to a Committee of the Whole Assembly;

(c) Consideration Stage: consideration of and opportunity for Members to vote on the detailed clauses of the Bill including amendments to the Bill. Consideration stage is taken by the Assembly;

(d) Third reading: passing or rejection of the Bill without further amendment.

(2) At the conclusion of the proceedings on the first reading or on any subsequent stage of a Bill, the next stage may be taken either forthwith or upon a day to be named, providing that second reading shall be taken no sooner than one working day after first reading, and –

(a) for a Bill committed to a Select, Standing or Special Select Committee,

(i) Committee stage shall commence on the day after the bill stands committed to a Committee and shall end no later than 16 weeks thereafter;

(ii) there shall be a minimum of three clear working days between the report of Committee stage and consideration stage; and

(iii) there shall be a minimum of three clear working days between the conclusion of consideration stage and third reading.

(b) for a Bill committed to a Committee of the Whole Assembly,

(i) there shall be a minimum of three clear working days between second reading and the commencement of Committee Stage;

(ii) consideration stage may be taken forthwith after the report of committee stage; and

(iii) there shall be a minimum of three clear working days between the conclusion of consideration stage and third reading.

(3) No Bill shall pass all its required stages in the Assembly in less than 9 working days.

(4) Before the conclusion of the period specified in paragraph (2)(a)(i), a motion without notice may be moved in the Assembly by the Chairperson of the Committee to extend the period until a date specified in the motion.

67. Second reading

(1) On a motion being moved that a Bill be read a second time, the general merits and principles of the Bill may be debated.

(2) If the motion is carried, the Clerk shall read aloud the short title of the Bill and shall declare it to have been read for the second time.

(3) On the motion for the second reading of a Bill, an amendment may be proposed to the question "That the Bill be now read a second time" to leave out the word "now" and at the end of the question insert "upon [a date specified]", or an amendment may be moved to leave out all the words after the word "That", in order to insert words stating the object and motive on which the opposition to the Bill is based, but such words must be strictly relevant to the bill and must not deal with its details. If the Assembly agrees to an amendment in either of such forms, the second reading of the Bill shall be considered to have been negated.

68. Committal of a Bill to Committee

(1) When a Bill has been read a second time it shall stand referred to the Assembly Business Committee for Committal to Committee.

(2) No later than three clear working days after the conclusion of second reading, the Assembly Business Committee, on a motion without notice, shall commit a Bill so referred for detailed investigation and report by –

(a) a Select, Standing or Special Select Committee; or

(b) a Committee of the Whole Assembly.

The question thereon shall be put forthwith and decided without amendment or debate.

(3) Three clear working days after the conclusion of second reading having elapsed, and the Assembly Business Committee not having moved a motion for the committal of a Bill referred to it, the person in charge of the bill so referred, or any Member, may move a motion without notice for the committal of that Bill to Committee for detailed investigation and report. The question thereon shall be put forthwith and decided without amendment or debate.

(4) When a Bill has been committed to a Select, Standing or Special Select Committee, with the exception of a motion to extend the Committee stage of a bill (Standing Order 66(4), no further proceedings shall be taken thereon until the Committee has presented its report to the Assembly.

(5) The Committee stage of a Bill committed to a Committee of the Whole Assembly may be taken on a future day in accordance with Standing Order 66(2)(b) [Subsequent stages of Bills], and at the time at which the Committee stage is to be taken, Assembly shall resolve itself into Committee for the purpose of considering the Bill.

69. Committee stage: Select, Standing or Special Select Committee

(1) Any Select, Standing or Special Select Committee to which a Bill is committed shall not discuss the principles of the Bill but only its details.

(2) A Committee to which a Bill is committed shall consider and take evidence on the provisions of the Bill and report its opinion thereon to the Assembly.

(3) Any such Committee shall have power to recommend amendments therein 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 long title of the Bill, it shall recommend that the long title be amended accordingly, and shall report the same to the Assembly.

(4) A report made to the Assembly under paragraph (2) shall –

(a) list the witnesses called to give evidence on the Bill, summarise the written evidence received, oral evidence taken and the Committee's deliberations thereon;

(b) record the opinion of the Committee on each clause and schedule of the bill, together with any amendment recommended thereto, presented in the order in which they stand in the Bill; and

(c) include the relevant record of minutes of proceedings of the Committee on the Bill.

(5) On a report being made to the Assembly under paragraph (2), or on the conclusion of any period specified in Standing Order 66(2)(a)(ii) or specified in a resolution of the Assembly in accordance with Standing Order 66(4) [Subsequent Stages of Bills], the Bill shall stand referred to the Assembly Business Committee for scheduling of consideration stage.

(6) A Select, Standing or Special Select Committee report of committee stage of a bill shall be published and made available to all Members in advance of consideration stage.

70. Committee stage: Committee of the Whole Assembly

(1) A Committee of the Whole Assembly to which a Bill is committed for committee stage shall not discuss the principles of the Bill but only its details.

(2) A Committee of the Whole Assembly shall have power to make amendments to a bill at committee stage provided that the amendments, including new clauses and new schedules, are relevant to the subject matter of the bill and comply with the following conditions –

(a) they must be relevant to the subject-matter of the clause to which they relate;

(b) they must not be inconsistent with any clause already agreed to or any decision already come to by the Committee;

(c) they must, no later than when the first amendment is moved, be accompanied by notice of any subsequent amendments referred to or necessary to make an amendment intelligible, unless the Chairperson permits otherwise;

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

(e) amendments proposed to an amendment shall be dealt with before a decision is taken on the original amendment.

(3) Amendments proposed to a bill at committee stage in Committee of the Whole Assembly shall be notified in writing to the Table Office. The deadline for notifying amendments proposed to a bill in committee stage in Committee of the Whole Assembly is 4.00pm on the day before the day appointed for the commencement of committee stage.

(4) Any proposed amendments to a Bill at committee stage in Committee of the Whole Assembly, notice of which has not been given, shall be handed to the Clerk in writing.

(5) A Member intending to oppose the question that a clause stand part of the bill, or wishing to speak to the question that a clause stand part of the bill may give notice in writing to the Clerk of his or her intentions; and if no amendments are notified or proposed to the clause in question, the Member so notifying the Clerk shall be called to speak to their intentions at the appropriate point in the Bill.

(6) The Clerk shall call the number of each clause in succession and the person in charge of the bill shall move the clause when called to do so. If no amendments are offered, no debate shall ensue. If amendments have been notified or are offered, including amendments in the form of leave out clause X and insert new clause Y, the proposer of the lead amendment is called to move his or her amendment and debate ensues. Following debate, including any response from the person in charge of the bill and a wind on the debate by the proposer of the lead amendment, the question “that the amendment in the name of be made” is put on each amendment or amendments in marshalled order. When all proposed amendments have been disposed of, the Chairperson shall proceed to put the question “That the clause (or the clause as amended) stand part of the Bill”.

(7) If the amendment is in the form of a new clause, the title of any new clause is read by the Clerk at the appropriate point in the bill and 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, the proposer of the amendment is called to move the amendment in the form of a new clause, and amendments may then be proposed to the new clause. Debate may then ensue in the usual form. After the disposal of any amendments to the amendment, the final question to be proposed shall be "That the new clause (or the new clause as amended) stands part of the Bill".

(8) This process shall continue until all the clauses, new clauses, schedules and new schedules, and any amendments thereto or to the Bill, have been disposed of.

(9) No amendment shall be moved which is inconsistent with any clause already agreed to or any decision already come to by the committee of the whole Assembly and the Chairperson may, at any time during the discussion of a proposed amendment, withdraw it from discussion if that amendment contravenes the provision of these Standing Orders.

(10) A clause may be postponed unless, upon an amendment thereto, a question has been fully put by the Chairperson. Postponed clauses, together with any amendments thereto, shall be considered after the remaining clauses of the bill have been considered.

(11) Schedules shall be disposed of in the same way as clauses. New schedules may be offered at the appropriate point in the bill and shall be treated in the same manner as new clauses.

(12) Any clause, amendment, new clause or new schedule may be withdrawn at the request of the mover by leave of the committee before the question has been fully put thereon, provided that there is no dissenting voice.

(13) If the question has been proposed on an amendment to an amendment, to a clause, to a new clause, to a schedule or to a new schedule, then the original amendment, clause, new clause, schedule or new schedule may not be withdrawn until the amendment thereto has been disposed of.

(14) When every clause and schedule and proposed new clause or new schedule has been dealt with, the preamble, if there be one, shall be considered and the question put "That this preamble (or this preamble as amended) be the preamble to the bill".

(15) No amendment to the preamble may be proposed which is not made necessary by a previous amendment to the bill.

(16) If any amendment be necessary to the long title of the bill, it shall be made at the conclusion of the proceedings detailed above; and the question put "That the long title (or the long title as amended) be the long title of the bill".

(17) No question shall be put upon the enacting formula.

71. Resumption of Assembly

(1) At the conclusion of proceedings on a bill in Committee of the Whole Assembly, the Chairperson shall announce that "The Assembly will now resume", and the person in charge of the bill shall report on the committee stage and any amendments, as the case may be.

(2) On a report being made to the Assembly under paragraph (1), the person in charge of the bill may move a motion without notice, that the consideration stage of the [.....] Bill be taken forthwith or on a specified date. If no such motion is moved, the Bill shall stand referred to the Assembly Business Committee for the scheduling of consideration stage.

72. Consideration Stage: Bills reported by a Select, Standing or Special Select Committee

(1) The provision in this Standing Order shall apply to consideration stage of a bill committed to a Select, Standing or Special Select Committee.

(2) During consideration stage, the Assembly shall have power to make amendments to a bill provided that the amendments, including new clauses and new schedules, are relevant to the subject matter of the Bill and comply with the following conditions –

(a) they must be relevant to the subject-matter of the clause to which they relate;

(b) they must not be inconsistent with any clause already agreed to or any decision already come to by the Assembly;

(c) they must, no later than when the first amendment is moved, be accompanied by notice of any subsequent amendments referred to or necessary to make an amendment intelligible, unless the Speaker permits otherwise;

(d) if an amendment is not within the long title of the bill, the long title shall be amended accordingly and reported to the Assembly; and

(e) amendments proposed to an amendment shall be dealt with before a decision is taken on the original amendment.

(3) Amendments proposed to a bill at consideration stage where that bill has been reported on by a Select, Standing or Special Select Committee, shall be notified in writing to the Clerk. The deadline for notifying amendments proposed to such a bill at consideration stage is 2.00pm on the day before the day appointed for the commencement of consideration stage.

(4) Any proposed amendments, notice of which has not been given, shall be handed to the Clerk in writing.

(5) A Member intending to oppose the question that a clause stand part of the bill, or wishing to speak to the question that a clause stand part of the Bill may

give notice in writing to the Clerk of his or her intentions; and if no amendments are notified or proposed to the clause in question, the Member so notifying the Clerk shall be called to speak to their intentions at the appropriate point in the bill.

(6) The Clerk shall call the number of each clause in succession and the person in charge of the bill shall move the clause when called to do so. If no amendments are offered, no debate shall ensue. If amendments have been notified or are offered, including amendments in the form of leave out clause X and insert new clause Y, the proposer of the lead amendment is called to move his or her amendment and debate ensues. Following debate, including any response from the person in charge of the bill and a wind on the debate by the proposer of the lead amendment, the question “that the amendment in the name of be made” is put on each amendment or amendments in marshalled order. When all proposed amendments have been disposed of, the Speaker shall proceed to put the question “That the clause (or the clause as amended) stand part of the Bill”.

(7) If the amendment is in the form of a new clause, the title of any new clause is read by the Clerk at the appropriate point in the bill and 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, the proposer of the amendment is called to move the amendment in the form of a new clause, and amendments may then be proposed to the new clause. Debate may then ensue in the usual form. After the disposal of any amendments to the amendment, the final question to be proposed shall be “That the new clause (or the new clause as amended) stands part of the Bill”.

(8) This process shall continue until all the clauses, new clauses, schedules and new schedules, and any amendments thereto or to the bill, have been disposed of.

(9) No amendment shall be moved which is inconsistent with any clause already agreed to or any decision already come to by the Assembly and the Speaker may, at any time during the discussion of a proposed amendment, withdraw it from discussion if that amendment contravenes the provision of these Standing Orders.

(10) A clause may be postponed unless, upon an amendment thereto, a question has been fully put by the Speaker. Postponed clauses, together with any amendments thereto, shall be considered after the remaining clauses of the bill have been considered.

(11) Schedules shall be disposed of in the same way as clauses. New schedules may be offered at the appropriate point in the bill and shall be treated in the same manner as new clauses.

(12) Any clause, amendment, new clause or new schedule may be withdrawn at the request of the mover by leave of the committee before the question has been fully put thereon, provided that there is no dissenting voice.

(13) If the question has been proposed on an amendment to an amendment, to a clause, to a new clause, to a schedule or to a new schedule, then the original amendment, clause, new clause, schedule or new schedule may not be withdrawn until the amendment thereto has been disposed of.

(14) When every clause and schedule and proposed new clause or new schedule has been dealt with, the preamble, if there be one, shall be considered and the question put "That this preamble (or this preamble as amended) be the preamble to the Bill".

(15) No amendment to the preamble may be proposed which is not made necessary by a previous amendment to the Bill.

(16) If any amendment be necessary to the long title of the bill, it shall be made at the conclusion of the proceedings detailed above; and the question put "That the long title (or the long title as amended) be the long title of the Bill".

(17) No question shall be put upon the enacting formula.

(18) Members may speak more than once during consideration stage.

(19) At the completion of the consideration stage, the Bill shall stand referred to the Assembly Business Committee for scheduling of third reading.

(20) When a bill has been amended at consideration stage, the whole text of the bill together with a revised Memorandum of Objects and Reasons, as amended shall, if practicable, be printed, but if this is not practicable, the text of every clause or schedule amended and every new clause or new schedule added shall be so printed, published and circulated to Members in advance of final stage.

73. Consideration Stage: Bills reported by a Committee of the Whole Assembly

(1) The provision in this Standing Order shall apply to consideration stage of a Bill committed to the Committee of the Whole Assembly.

(2) When the Bill has been reported from committee of the Whole Assembly, the Assembly may proceed to consider the bill, as reported, upon a motion "That the report of the Committee of the Whole Assembly on the Bill be adopted".

(3) No amendments may be made to a motion under paragraph (2); and Members wishing to make further amendments to the bill should vote against the motion.

(4) If the motion is agreed to, consideration stage is completed and the bill shall stand referred to the Assembly Business Committee for scheduling of third reading.

(5) When a bill has been amended in Committee of the Whole Assembly and the report adopted by the Assembly at consideration stage, the whole text of the bill as amended shall, if practicable, be printed at the conclusion of

consideration stage, but if this is not practicable, the text of every clause or schedule amended and every new clause or new schedule added shall be so printed, published and circulated to Members in advance of final stage.

(6) If a motion made under paragraph (4) falls, the person in charge of the Bill or any member may move that the bill be reconsidered either wholly or in respect only of some particular part or parts of the bill or some proposed new clause or new schedule. No notice of a motion for reconsideration of a bill shall be required.

(7) If a motion under paragraph (6) is agreed to, the Bill shall stand referred to the Assembly Business Committee for scheduling of reconsideration stage and the bill shall not be read a third time until all proceedings on reconsideration have been disposed of.

74. Amendments to bills after consideration stage: Reconsideration stage

(1) If any Member desires to leave out or amend provision contained in a bill following consideration stage, or to introduce any new provision therein, he or she may at any time before the person in charge of the bill rises to move the third reading of the bill, move that the bill be reconsidered either wholly or in respect only of some particular part or parts of the bill or some proposed new clause or new schedule.

(2) No notice of a motion for reconsideration of a Bill shall be required.

(3) If a motion under paragraph (1) is agreed to, the Bill shall stand referred to the Assembly Business Committee for scheduling of reconsideration stage and the bill shall not be read a third time until all proceedings on reconsideration have been disposed of.

(4) When the whole bill had been ordered for reconsideration the Assembly shall go through the bill in the manner provided in Standing Order 72 [Consideration Stage: Bills reported by a Select, Standing or Special Select Committee].

(5) When reconsideration has been ordered in respect only of some particular part or parts or of some proposed new clause or new schedule, the Assembly shall consider only the matters so ordered for reconsideration and any amendment which may be moved thereto.

(6) The Speaker at his or her discretion, if the amendment or amendments proposed are of such a number or nature that he or she considers such a course to be necessary or desirable, may require the whole bill to be reconsidered in accordance with Standing Order 72 [Committee Stage: Bills reported by a Select, Standing or Special Select Committee].

(7) Members may speak more than once during reconsideration stage.

(8) At the conclusion of the reconsideration stage, the bill shall stand referred to the Assembly Business Committee for scheduling of third reading.

75. Amendments to third reading

(1) On the third reading of the bill, similar amendments may be proposed to the question "That the bill be now read a third time" as may be proposed on second reading, but the debate shall be confined to the contents of the Bill. If the Assembly agrees to an amendment in either of such forms, the second reading of the bill shall be considered to have been negative.

(2) Amendments for the correction of error or oversight may, with the Speaker's permission, be made before the question for third reading of the Bill is put, but no amendments of a material character shall be proposed.

(3) If the motion for the third reading be carried, the Clerk shall read the short title of the Bill, and the Bill shall be deemed to have been passed by the Assembly.

(4) When a Bill has been read the third time and passed, as soon as possible thereafter it shall be submitted to the President of the Republic for his or her assent.

76. Withdrawal of a bill

(1) The person in charge of a bill may make a motion with notice for withdrawal of a bill at any stage before it has been read the third time, except when the bill is before a Committee.

(2) If any interval of four months has elapsed between any two stages of a bill, without further action being taken on it, the bill shall be deemed to be withdrawn, unless the Assembly otherwise resolves.

77. Certificate of urgency

(1) Provided that where the President certifies that the enactment of a bill is required in the public interest as a matter of urgency, that bill may be introduced notwithstanding that it has not been published 14 days beforehand.

(2) On the introduction of a bill to which a certificate of urgency attaches, the Speaker shall cause a vote to be taken in the Assembly without debate on a motion to give consideration to the bill notwithstanding that the prescribed publication period of 14 days has not expired.

(3) If the Assembly accepts a motion under paragraph (2), and provided that copies are available to Members, a bill to which a certificate of urgency attaches may be proceeded with throughout all its stages and the Assembly shall not be counted out or adjourned (except upon a motion made by the Vice President or a Minister in charge of the Bill) until such Bill has been read the third time.

78. Member's bills: Costs

All Member's Bills shall be prepared and printed at the expense of the National Assembly Service.

79. Minister's Recommendation

The Assembly shall not

(a) proceed upon any bill (including any amendment to a bill) that, in the opinion of the person presiding, makes provision for any of the following purposes:

(i) for the imposition of taxation or the alteration of taxation otherwise than by reduction;

(ii) for the imposition of any charge upon the consolidated Revenue Fund or any other public fund of The Gambia or the alteration of any such charge otherwise than by reduction;

(iii) for the payment, issue or withdrawal from the Consolidated Revenue Fund or any other Public fund of The Gambia of any monies not charged thereon or any increase in the amount of such a payment, issue or withdrawal;

(iv) for the composition or remission of any debt due to the government of The Gambia; or

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

unless the introduction of the Bill into the Assembly is authorised by the President.

SUBSIDIARY LEGISLATION

80. Subsidiary legislation

(1) Any subsidiary legislation made by a person, ministry or authority under a power conferred by the Constitution or any other law –

(a) shall be published in the Gazette by the regulation-making authority at least 14 days before it is laid;

(b) shall be laid before the Assembly, accompanied by an explanatory memorandum setting out in detail the policy and principles of the subsidiary legislation, the defects of which it is intended to remedy and the necessity for its introduction;

(c) shall be placed on the list of laid papers on the day when it is so laid, and stand committed to the Subsidiary Legislation Committee;

(2) After subsidiary legislation is referred to the Committee, it shall in particular, consider:

(a) whether it is in accordance with the provisions of the Constitution, the Act pursuant to which it is made or other relevant written law;

- (b) whether it infringes on fundamental rights and freedoms of the public;
- (c) whether it contains any matter which in the opinion of the Committee should more properly be dealt with in an Act of the National Assembly;
- (d) whether it contains imposition of any tax;
- (e) whether it directly or indirectly bars the jurisdiction of the courts;
- (f) whether it gives retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such power;
- (g) whether it involves expenditure from the Consolidated Revenue Fund or other public revenues;
- (h) whether it appears to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which it is made;
- (i) whether there appears to have been unjustifiable delay in its publication or in laying it before the Assembly;
- (j) whether it is defective in its drafting or, for any reason its form or purport calls for any elucidation;
- (k) whether it makes rights, liberties or obligations unduly dependent upon non-reviewable decisions;
- (l) whether it makes rights, liberties or obligations unduly dependent on insufficiently defined administrative powers;
- (m) whether it inappropriately delegates legislative powers;
- (n) whether it imposes a fine, imprisonment or other penalty without expressed authority having been provided for in the enabling legislation;
- (o) whether it appears for any reason to infringe on the rule of law;
- (p) whether it inadequately subjects the exercise of legislative power to parliamentary scrutiny; and
- (q) whether it accords to any other reason that the Committee considers fit to examine.

(3) If the Committee is of the opinion that the subsidiary legislation be acceded to, the Clerk shall convey this to the regulation-making authority that published the subsidiary legislation immediately.

(4) If the Committee is of the opinion that all or any part of such subsidiary legislation should be annulled, it shall report that opinion and the grounds

thereof to the Assembly and recommend that all or part of the subsidiary legislation be annulled.

(5) If a resolution that all or part of the subsidiary legislation be annulled is passed by the votes of not less than two-thirds of all the Members of the Assembly within thirty days of it being laid before it under paragraph (1)(b), the subsidiary legislation or part thereof shall stand annulled and the Clerk shall submit the resolution to the regulation-making authority that published the subsidiary legislation immediately.

(6) The Committee shall cause to be kept a record of all subsidiary legislation laid before the Assembly indicating the date it was laid and the action taken on it by the Committee. This record shall be open for the inspection by Members and the public.

BUDGET AND FINANCIAL PROVISIONS

81. Annual draft budget timetable

(1) The Finance and Public Accounts Committee and the government must agree to a protocol on the administrative arrangements for the scrutiny of the annual draft budget and other related budgetary matters.

(2) In each year the Vice President or the Minister must notify the Finance and Public Accounts Committee of the following –

(a) the date by which the Vice President or the Minister will lay the draft budget proposals on behalf of the government, in accordance with Standing Order 82(2) [The draft budget];

(b) the date not later than which the Vice President or the Minister will lay the Annual Estimates; and

(c) the date by which the Vice President or the Minister will table the annual budget statement in accordance with Standing Order 87 [Annual Appropriation Bill].

(3) The Minister must make the notification required under paragraph (2) of this Standing Order at least 21 clear days before the Third Ordinary Session of the Assembly.

(4) The Finance and Public Accounts Committee, having been notified under paragraph (2) and having consulted with such others as it sees fit, shall determine a timetable for the Assembly's consideration of the draft budget. The timetable shall include –

(a) the date notified for the laying of draft budget proposals by the Minister with responsibility for Finance;

(b) the date, notified by the Minister with responsibility for Finance, no later than which the Annual Estimates will be laid;

(c) the deadline by which consideration of the draft budget proposals by Committees shall be completed; and

(d) the date by which the Finance and Public Accounts Committee shall report to the Assembly on its consolidated report on the Assembly Committees' consideration of the draft budget.

(5) The Finance and Public Accounts Committee shall –

(a) notify the Assembly Business Committee of the timetable for consideration of the budget, for inclusion in the agenda for the Third Ordinary Session and the relevant Order Papers; and

(b) publish the timetable.

(6) In determining the timetable –

(a) the Finance and Public Accounts Committee must be given not more than eight weeks to consider the draft budget proposals, and not more than six weeks to report; and

(b) Committees must be given not more than five weeks to consider the draft budget proposals.

(7) At the request of the Minister with responsibility for Finance, the Finance and Public Accounts Committee may make changes to the published timetable. The Finance and Public Accounts Committee shall –

(a) notify the Assembly Business Committee of the revised timetable; and

(b) publish the revised timetable.

82. The draft budget

(1) Every year, not later than the date specified in the timetable determined under Standing Order 81(4) [the Annual draft budget timetable], the Vice President or the Minister responsible for Finance shall submit to the Assembly a draft budget.

(2) The draft budget shall include, for the next financial year and the subsequent two years, or for such other period as the Vice President or the Minister considers appropriate –

(a) an assessment of the current state of the economy and the financial outlook;

(b) the financial outlook with respect to government revenues, expenditures and borrowing within the period;

(c) the proposed expenditure limits for the national government including those of the National Assembly, the Judiciary, and any proposed transfers to regional authorities within the period;

(d) the government's fiscal objectives, including limits on total annual debt within the period;

(e) the total resources to be allocated to the individual Ministries including the sources of such resources, the outputs expected within the period and the links to the National Development Plan; and

(f) detailed allocations to individual programmes and projects within each Ministry during the period, reconcilable to the proposed expenditure by each Ministry and in total.

(3) The draft budget shall detail the criteria used to allocate or apportion the available public resources among the various ministries, programmes and projects.

(4) At the same time as the Vice President or the Minister lays before the Assembly the draft budget proposals, he or she shall also lay such accompanying information as is specified in the protocol agreed under Standing Order 81(1) [Annual draft budget timetable].

(5) The draft budget, together with any accompanying information, shall be submitted to the Clerk and, being submitted in this manner, shall be deemed to have been laid.

83. Draft budget statement

(1) Upon laying the draft budget, the Vice President or the Minister may make an explanatory statement to the Assembly.

(2) The Vice President or the Minister shall make an electronic copy and a written copy of this statement available to Members as early as possible and in any event at least one clear day before the day on which the draft budget statement is to be made. Where this has not been possible, he or she shall state to the Assembly the reason(s).

(3) After the statement has been made, a period of questions on the statement, which shall last no longer than the period of time determined by the Assembly Committee, may then ensue.

(4) The time taken to ask a question on the draft budget statement shall be no longer than one minute. Answers shall be no longer than two minutes. This period may be extended at the discretion of the Speaker.

(5) Subject to the ruling of the Speaker, a question shall not be in order if it introduces matter not included in the draft budget.

(6) Supplementary questions shall not be asked on a statement on the draft budget.

(7) The statement shall not be debated, and no amendments shall be tabled to the statement nor any question put at the conclusion of the item.

84. The role of Assembly Committees

(1) Upon being laid, those parts of the draft budget relating to the matters or Ministries for which they have responsibility shall stand committed respectively to the relevant Committees.

(2) In line with the timetable determined under Standing Order (81)(1) [Annual draft budget timetable] –

(a) each such Committee shall consider the relevant sections of the draft budget, making such inquiries and recommendations as each shall determine, and shall so submit such report to Finance and Public Accounts Committee; and

(b) in addition to the activities provided for in paragraph (a), the Finance and Public Accounts Committee shall lay a consolidated report on the Assembly Committees' consideration of the draft budget, together with a motion for its debate.

(3) In the preparation of the Annual Estimates and the Appropriation Bill, the Vice President or the Minister shall have due regard to the reported findings and recommendations of the Assembly Committees and the Finance and Public Accounts Committee's consolidated report of the Assembly Committees' consideration of the draft budget.

85. Financial business

The provisions of Standing Orders 81 to 94 shall be observed in the transaction of financial business in the Assembly, and shall override any other provisions in these Standing Orders where there is any conflict.

86. Annual Estimates

(1) The President shall cause the Minister responsible for Finance to prepare and lay before the Assembly at least 30 days before the end of the financial year, Estimates of the Revenue and Expenditure of The Gambia for the following year. The Estimates shall include any estimates which, under the Constitution, are to be submitted directly to the President by the Chief Justice or any other authority for presentation by the President to the Assembly.

(2) The Assembly shall, in accordance with the Constitution, within fourteen days of the Estimates being laid before it, give consideration to and approve the Estimates.

(3) To enable Members to study the Annual Estimates, the Estimates shall be submitted to the Clerk at least five working days before they are to be laid before the Assembly by the Vice President or the Minister responsible thereto for approval.

(4) On the day appointed for the laying of the Estimates, the Vice President or the Minister shall lay the Estimates and make a concise explanatory statement thereon. The statement on the Estimates shall include an explanation of the

manner in which the priorities and recommendations of the Assembly Committees have been reflected in the Estimates.

(5) The Vice President or the Minister shall then move a motion, that appears on the Order Paper, that the Estimates be approved.

(6) After the motion has been seconded, the Speaker shall –

(a) adjourn the debate on it to the following day to enable Members to study the statement referred to under paragraph (2) of this Standing Order; and

(b) announce to the Assembly the decision of the Assembly Business Committee, after consultation with the Majority and Minority Leaders and any others he or she sees fit, on an adequate period to be allotted for the debate on the motion, and for consideration of the Estimates by the Committee of Supply.

(7) The debate on the motion shall be confined to the Estimates and the explanatory statement together with the reported findings and recommendations of the Assembly committees and the Finance and Public Accounts Committee's consolidated report of the Assembly Committees' consideration of the draft budget.

(8) At the end of the debate and after the Vice President or the Minister's response, the Estimates shall stand referred to the Committee of Supply of the Whole Assembly.

(9) Upon the conclusion of the proceedings in the Committee of Supply, the Vice President or the Minister shall report the outcome to the Assembly whereupon, with or without amendment or debate, the Speaker shall put the question to the Assembly that the Estimates, or the Estimates as amended, be approved.

87. Annual Appropriation Bill

(1) Any bill containing the estimated financial requirements for expenditure on all the services of the government for the succeeding financial year shall be known as the Appropriation Bill. Notwithstanding anything in Standing Order 63 [Bills: Notice], such a bill may be introduced by the Vice President or a Minister without notice.

(2) When the Estimates of expenditure have been approved by the Assembly, an Appropriation Bill shall be introduced in the Assembly for the issue from the Consolidated Revenue Fund of sums necessary to meet that expenditure (other expenditure charged on the Consolidated Revenue Fund), under separate votes for the several services required and for the services required or the purposes specified therein.

(3) The Assembly shall, within seven days of the introduction of the Appropriation Bill, give consideration to and pass the bill.

(4) On introduction, the Vice President or the Minister in charge of the Appropriation Bill shall make a speech, setting out any amendments made to the Estimates reflected in the Appropriation Bill, and any other matters as the Vice President or the Minister in charge of the bill sees fit. At the conclusion of such a speech, the Vice President or the Minister in charge of the bill may move the second reading of the Appropriation Bill and, if the motion is seconded; the Speaker shall adjourn the debate on the motion to enable Members to study the bill.

(5) On resumption of the debate, the scope of the debate shall be confined to the financial and economic state of The Gambia and the general principles of government policy and administration as indicated in the bill.

(6) At the end of the debate, the Speaker shall call upon the Vice President or the Minister in charge of the bill to reply, and upon the conclusion of the reply the Speaker shall put the question that the bill be read a second time.

(7) If the motion is carried, the Clerk shall read the short title of the bill and the bill shall be deemed to have been read a second time and shall, without further question being put, stand committed to the Committee of Supply.

(8) The Assembly, without question being put, shall resolve itself into the Committee of Supply to consider the Appropriation Bill at the next sitting after the second reading of the bill.

(9) Upon the proceedings in the Committee of Supply being concluded, the Vice President or the Minister in charge of the Bill shall report the bill to the Assembly in the usual manner.

(10) After the bill has been reported, the Vice President or the Minister shall move the consideration stage of the bill, whereupon the Speaker shall put the question without further amendment or debate "That the report of the Committee of Supply on the Appropriation Bill be adopted".

(11) If the motion is approved, the consideration stage of the Appropriation Bill is concluded and the Vice President or the Minister shall move the third reading of the Appropriation Bill.

(12) Amendments for the correction of error or oversight may, with the Speaker's permission, be made before the question for third reading of the bill is put, but no amendments of a material character shall be proposed.

(13) If the motion for the third reading be carried, the Clerk shall read the short title of the Appropriation Bill, and the bill shall be deemed to have been passed by the Assembly. As soon as possible thereafter, it shall be submitted to the President of the Republic for his or her assent.

88. Supplementary Estimates

(1) No motion on any proposal by the government for supplementary expenditure or additional to that appropriated by the Assembly in the Appropriation Act, other than on a supplementary appropriation bill, shall be

entertained until the proposal has first been considered by the Committee of Supply and the proposal reported to the Assembly.

(2) On such report being made the Vice President or the Minister in charge of the proposal may move that the report be approved, and the Speaker shall thereupon put the question without amendment or debate.

89. Supplementary Appropriation Bill

(1) Supplementary Appropriation Bill shall be dealt with by the Assembly in the same way as government bills which are not concerned with appropriation except that such Appropriation Bill may be introduced by the Vice President or the Minister without notice and they shall be committed to the Committee of Supply at the committee stage.

(2) If a Supplementary Appropriation Bill appropriates only sums which have previously been included in proposals in the Estimates already approved by the Committee of Supply, and agreed to by the Assembly under Standing Order 88 [Supplementary Estimates], then the bill shall not be committed to the Committee of Supply but after the second reading thereof the consideration stage and third reading shall be taken, and the respective questions put without amendment or debate.

90. Committee of Supply

(1) There shall be a Committee of the Whole Assembly to be called the Committee of Supply. The Committee shall –

(a) scrutinise, consider and, as the case may be, amend the Annual Estimates and any Supplementary Estimates; and

(b) scrutinise, consider and, as the case may be, amend the Annual Appropriation Bill and any Supplementary Appropriation Bill.

(2) The Chairperson of the Committee of Supply shall be the Speaker.

91. Procedure in Committee of Supply: Estimates

(1) On the moving of a motion to approve the Estimates, the Chairperson shall propose a question on each of the votes in turn.

(2) Amendments shall be taken at the appropriate point in the Estimates, and any question on an amendment, or an amendment to an amendment, shall be disposed of before the question on the vote, or the vote as amended, as may be.

(3) In considering the Estimates, the Committee of Supply shall take into consideration the reported findings and recommendations of the Assembly Committees and the Finance and Public Accounts Committee's consolidated report on the Assembly committees' consideration of the draft budget, and shall ensure that –

(a) an increase in expenditure in a proposed Estimate is balanced by a reduction in expenditure in the same or another proposed Estimate; or

(b) a proposed reduction in expenditure is used to reduce a deficit in the Budget.

(4) Amendments may be made to an item, sub-head or estimate within the Estimates. Amendments proposed to the Estimates in the Committee of Supply shall be notified in writing to the table clerk. The deadline for notifying such amendments is 4.00pm on the day before the day appointed for the consideration of the Estimates. Any proposed amendments, notice of which has not been given, shall be handed to the Clerk in writing.

(5) An amendment to any Estimate to increase the sum allotted thereto in respect of any item therein may only be moved if balanced by a commensurate reduction in that or another Estimate. Every such amendment shall take the form "That the Estimate forbe reduced by D..... (in respect of sub-head item if appropriate); and the Estimate forbe increased by D..... (in respect of sub-head..... item If appropriate)", or in a form approved by the Speaker.

(6) An amendment to any Estimate to reduce the sum allotted thereto may be moved by any Member, and shall take the form of a motion "That the Estimate forbe reduced by D..... (in respect of sub-head item if appropriate, or in a form approved by the Speaker.

(7) An amendment to increase the sum allotted to the Estimates overall may only be moved by the Vice President or the Minister. Every such amendment shall take the form "That the Estimate forbe increased by D.....in respect of sub-head.....item.....".

(8) An amendment to leave out an individual Estimate shall not be in order, and a Member desiring to do so should instead oppose the question to approve the individual Estimate.

(9) Any amendment of which notice has been given shall have precedence over an amendment moved without notice, and when notice has been given of two or more amendments to reduce the same item, sub-head, or estimate, they shall be considered in the order of the magnitude of any of the reductions proposed, the amendment proposing the largest reduction being placed first in each case.

(10) The reduced amount in respect of an Estimate may be transferred to another Estimate provided that other vote has not been disposed of.

(11) Debate on every amendment shall be confined to the item, sub-head or the Estimate 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 subhead of that Estimate shall be permitted.

(12) On the last of the allotted days, one hour before the time appointed for the Assembly to adjourn, the Chairperson shall forthwith put every question necessary to dispose of the debate for approval of the vote then under consideration, and shall then forthwith put severally the questions necessary to dispose of every vote not yet granted; and if at that time the Assembly is not in Committee, the Assembly shall forthwith move into Committee without question put, for that purpose.

(13) On any day upon which the Chairperson is, under this order, directed to put forthwith any question, the consideration of the Estimates shall not be anticipated by a motion for the adjournment of the Assembly, and no dilatory motion shall be moved in relation to that business, and the business shall not be interrupted under any standing order.

(14) When all amendments in respect of all votes have been disposed of, the Chairperson shall again propose the question to approve the Estimates, or the Estimates as amended, as necessary, and shall report to the Assembly forthwith.

(15) The resolutions of the Assembly on the Estimates shall serve as a basis for the Appropriation Bill.

92. Procedure in Committee of Supply: Appropriation Bill

(1) The Chairperson of the Committee of Supply may allot the maximum time to be given for the consideration of each vote in the schedule to the Appropriation Bill and each of the clauses of the bill.

(2) On consideration of an Appropriation Bill in the Committee of Supply, the clauses of the bill shall stand postponed until after consideration of the schedule; and on consideration of the schedule each vote of expenditure shall be considered with the appropriate Estimate.

(3) On consideration of a schedule, the Chairperson shall call the title of each vote in turn, and shall propose the question "That the sum of D.....for vote..... stand part of the schedule" and, where no amendment is proposed, a debate may take place on that question. Any such debate shall be confine to the policy of the service for which the money is to be provided, but it shall be in order for any Member to ask for information relating to the details of the vote notwithstanding that no amendment has been moved thereto.

(4) A Member intending to oppose the question that a clause or schedule stand part of the Appropriation Bill, or wishing to speak to the question that a clause or schedule stand part of the Appropriation Bill may give notice in writing to the Clerk of his or her intention; and if no amendments are notified or proposed to the clause or schedule in question, the member so notifying the Clerk shall be called to speak to his or her intention at the appropriate point in the Appropriation Bill.

(5) Amendments proposed to the Appropriation Bill in the Committee of Supply shall be notified in writing to the Table Clerk. The deadline for notifying such amendments is 4.00pm on the day before the day appointed for the

consideration of the Appropriation Bill. Any proposed amendments, notice of which has not been given, shall be handed to the Clerk in writing.

(6) Except as provided in paragraph (7) of this Standing Order no amendment shall be proposed to a vote in a schedule other than an alteration of the total amount of the vote; but a Member, in moving to reduce the total amount of a vote, may refer in detail to the sub-head and items contained in the relevant Estimate.

(7) An amendment to any vote in a schedule to increase the sum allotted thereto in respect of any item therein may only be moved by the Vice President, the Minister or a Member. Every such amendment shall take the form of a motion "That vote.....be increased by D.....in respect of sub-head item".

(8) No other amendment shall be in order save those that are necessary to give effect to decisions made by the Assembly in respect of the Estimates; but a Member in moving such an amendment may refer in detail to the sub-head and items contained in the relevant Estimate.

(9) Any such amendment of which notice has been given shall have precedence over an amendment moved without notice, and when notice has been given of two or more amendments to the same vote, they shall be considered in the order of magnitude of the reductions proposed, the amendment proposing the largest reduction being placed first in each case.

(10) An amendment to leave out a vote, or attach a condition or an expression of opinion to any resolution approving a vote shall not be in order.

(11) On consideration of a schedule, to which amendments are proposed, a debate may take place on that question and any amendments proposed thereto. Any such debate shall be confined to the policy of the service for which the money is to be provided and as well as the effect of the proposed amendments.

(12) When all the amendments to the votes and all the votes in the schedule have been disposed of, the Chairperson shall put forthwith, without further amendment or debate, the question "That the schedule (as amended) stand part of the bill", and when that question has been disposed of, he or she shall successively call each clause of the bill and unless a consequential amendment is moved, shall forthwith propose the question, which shall be decided without amendment or debate, "That the clause (as amended) stand part of the bill".

(13) No amendment may be moved to any clause except an amendment consequential to alteration in the total sum appropriated by the schedule upon which the question shall be put forthwith without amendment or debate.

(14) When the question upon every clause of the bill has been decided, the Chairperson shall leave the Chair without putting any question and shall report the bill (or the bill as amended) to the Assembly.

(15) The provisions of this order shall apply, where appropriate, to the consideration of a Supplementary Estimate in Committee of Supply, save that the question which the Chairperson shall propose on each vote shall be "That a supplementary sum of D.....be provided for vote.....".

(16) In considering any Supplementary Estimate, it shall not be in order to discuss any section of the vote other than that for which additional funds are being sought.

(17) When the time allotted to any vote in the schedule or clause has expired before such vote or clause has been disposed off, the Chairperson shall forthwith put any question necessary to dispose off that vote or clause; and on the last of the allotted days the Chairperson shall, one hour before the time appointed for the Assembly to adjourn or at any other hour determined by the Speaker, put the question necessary to dispose off the vote or clause then under consideration, and shall then forthwith put severally, without amendment or debate, the questions necessary to bring the proceedings upon the bill to a conclusion.

93. Expenditure in advance of appropriation: Vote on account

(1) If the Appropriation Bill in respect of any financial year has not been passed by the beginning of that financial year, the President may, authorise the withdrawal of money from the Consolidated Revenue Fund for the purposes of meeting expenditure necessary to carry on the services of the government for a period not exceeding four months from the beginning of the financial year.

(2) The withdrawal of funds in accordance with paragraph (1) shall not exceed one-third of the sums authorised for the relevant services by the Appropriation Act for the immediately preceding financial year.

94. Budget implementation and monitoring

(1) The Vice President or a Minister with responsibility for Finance shall, at least once during each session of the Assembly, make an oral ministerial statement to the Assembly on the implementation and monitoring of the annual budget.

(2) Nothing in this Standing Order shall prevent the Assembly Committees from exercising their powers in relation to the detailed scrutiny of the monitoring and implementation of the annual budget or of financial matters within their respective remits.

COMMITTEES

95. Standing, Select and Special Select Committee

(1) Committees shall be of three classes, that is to say, Standing Committees, Select Committees and Special Select Committees. With the exception of the Assembly Business Committee, which shall be established and operate as provided for in Standing Order 15 [Functions of the Assembly Business Committee], the following orders shall apply to the committees of the Assembly.

(2) Committees shall be appointed in accordance with Standing Orders 95 to 121 inclusive as soon as possible after the first sitting of the Assembly following a General Election, and shall include the following Standing Committees –

- (a) A Committee of Selection;
- (b) A Finance and Public Accounts Committee;
- (c) A Standing Orders Committee;
- (d) An Assembly Committee;
- (e) A Committee of Privileges and Ethics;
- (f) A Committee on Defence and Security;
- (g) A Public Appointments Committee;
- (h) A Foreign Affairs Committee;
- (i) A Subsidiary Legislation Committee;
- (j) A Public Petitions Committee;
- (k) An Assembly Business Committee;
- (l) A Public Enterprises Committee;
- (m) A Bureau of Committees; and
- (n) A Committee on Human Rights and Constitutional Matters.

(3) Select Committees, as many as may be necessary, shall be established on a motion, tabled by the Committee of Selection.

(4) The mandate of a Select Committee established under paragraph (3) shall expire on the dissolution of the Assembly.

(5) Special Select Committees may be established to deal with any specific time-bounded matters, on a motion setting out the terms of reference thereof, and tabled by the Committee of Selection.

96. Membership of Committees

(1) Subject to the requirement that all Members are offered at least one Committee place, the membership of committees shall be as follows –

- (a) a Standing Committee shall normally consist of a Chairperson and 6 other Members and, in any event, not more than nine Members in total;

(b) the membership of a Select Committee shall normally consist of a Chairperson and seven other Members and, in any event, not more than 12 Members in total; and

(c) the membership of a Special Select Committee shall normally consist of a Chairperson and 4 other Members and, in any event, not more than seven Members in total.

(2) Committees shall consist of such Members as may be nominated by the Committee of Selection, and approved by the Assembly on a motion tabled by the Committee of Selection.

(3) Except as provided in Standing Order 111 [Committee of Selection], every committee shall be constituted so far as is possible to ensure that the balance of parties in the Assembly is reflected therein.

(4) The Committee of Selection may nominate the Chairperson of a committee, but if no Chairperson is nominated, the Committee shall elect its own Chairperson. A Committee, may elect its own Vice Chairperson.

(5) The Committee of Selection may, in the event of a vacancy in any Committee, nominate another Member of the Assembly to fill it.

(6) Nominations under paragraphs (4) and (5) shall be approved by resolution of the Assembly at its next sitting.

(7) Notwithstanding paragraphs (4) to (6),

(a) the Chairperson of the Finance and Public Accounts Committee shall not be a nominated Member nor a Member of a party in government;

(b) the Chairperson of the Public Enterprises Committee shall not be a nominated Member nor a Member of a party in government;

(c) the Chairperson of the Public Appointments Committee shall not be a nominated Member;

(d) a Member shall not be eligible for nomination or election as a Chairperson of a Select Committee if, at the date of such nomination or election, the Member is a Chairperson of another Select Committee.

(e) a Member shall not be eligible for nomination or election as a Chairperson of a Standing Committee if, at the date of such nomination or election, the Member is a Chairperson of another Standing Committee; and

(f) A Member shall not be eligible for nomination or election as a Chairperson of a Select or Standing Committee if at the date of such nomination or election the Member is a Chairperson of two Committees.

97. Remit of all Committees

(1) A Committee shall examine such matters within its remit as it may determine appropriate or as may be referred to it by the Assembly or another Committee, and shall report to the Assembly (or, where the matter has been referred to it by another Committee, to that committee) on any such matter.

(2) A Committee may investigate or inquire into –

(a) the activities or administration of ministries, departments or agencies of the government and such investigations may extend to making proposals for legislation; or

(b) any matter of public importance.

(3) In particular, each Committee may—

(a) consider the policy and administration of the government upon any matter within its remit;

(b) consider any proposals for legislation which relate to or affect matters within its remit, including proposals for primary or subsidiary legislation and any international conventions or agreements or any drafts which relate to or affect any matter within its remit;

(c) consider the need for the reform of the law which relates to or affects any matters within its remit;

(d) initiate bills on any matter within its remit; and

(e) consider the proposals for public revenue or expenditure and financial administration of the government (including variation of taxes, estimates, budgets, audit and performance) which relate to or affect any matter within its remit.

98. Vote of no confidence in the Chairperson, Vice Chairperson and Head of Delegation to International Institutions

(1) A Committee or Delegation may, by a resolution supported by a majority of its members, pass a vote of no confidence on the Chairperson, Vice-Chairperson or Head of Delegation, under the ground specified in paragraph (3) of this Standing Order, and such resolution shall be reported to the Committee of Selection which shall, as soon as it is practicable, arrange for the election of a new Chairperson, Vice Chairperson or Head of Delegation from among other Members of the Committee or Delegation as the case may be.

(2) The members desiring to make a resolution under paragraph (1) shall serve the Chairperson, Vice Chairperson or Head of delegation with a written notice and may if they constitute a majority, request the Clerk to call for a meeting at the expiry of three days after the giving of such notice.

(3) A vote of no confidence on the Chairperson, Vice Chairperson or Head of Delegation under paragraph (1) may only be initiated under the following grounds:—

- (a) abuse of the position or violation of any provision of these Standing Orders;
- (b) incompetence, including impartiality of judgment;
- (c) conducts himself or herself in a manner which brings or is likely to bring his or her position or the Committee into contempt or disrepute;
- (d) dishonesty or any other action or factor which impedes the effective operations of the Committee.

[Amendment 25th June, 2020]

99. Reports of Committees

(1) The report of a Committee shall be signed by the Chairperson on behalf of the Committee:

Provided that if the Chairperson is absent or is not readily available, the Vice-Chairperson shall sign, and in the absence of both the Chairperson and the Vice-Chairperson, the Committee shall nominate another member to sign the report.

(2) A Committee shall adopt its report in a meeting attended by a majority of its members before it is tabled at the Assembly.

[Amendment 25th June, 2020]

100. Minister's Reply

(1) Within thirty days of a resolution of the Assembly or adoption of any report of a Committee, the Minister under whose portfolio the matter raised in the report or contained in the assurances or resolution fall, shall provide a reply to the Assembly.

(2) A Minister who fails to submit a report under this Standing Order shall be deemed to be contempt of the Assembly within the meaning of section 75 (6) of the Constitution (misconduct in office).

[Amendment 25th June, 2020]

101. Powers of Committees

(1) For the purpose of effectively performing its functions, each of the Committees shall have all the powers, rights and privileges as are vested in the High Court at a trial in respect of –

- (a) enforcing the attendance of witnesses and examining them on oath, affirmation or otherwise;
- (b) compelling the production of documents; and
- (c) the issue of a commission or request to examine witnesses abroad.

102. Issue of summons

(1) Any order to attend or to produce documents before a Committee shall be notified by summons signed by the Clerk or a Committee Clerk and issued by the direction of the Speaker or the Chairperson of the Committee, as the case may be.

(2) The summons shall state the time when and the place where the person summoned is required to attend and the particular documents which he or she is required to produce.

(3) A summon under this Standing Order may be served by an officer of the Assembly or a police officer.

103. Operations of Committees

(1) A Committee shall be convened by the Chairperson thereof and whenever possible forty-eight hours' notice of meeting shall be given to its Members.

(2) A notice of a meeting of a Committee shall be given by the Committee Clerk to all Members of the Committee, showing the date, time, venue and agenda of the meeting.

(3) A meeting of a Committee shall be held at such place, date and time as shall be determined by the Chairperson or on a petition to the Committee Clerk made by a quorum of Members of that Committee.

(4) The quorum of every Committee shall, unless the Assembly otherwise directs, consist of three Members.

(5) Decisions in Committees shall be by majority vote and in the case of an equality of votes, the proposition falls.

(6) Except as otherwise provided in these Standing Orders, a Committee –

(a) shall have power to send for persons, papers, and records;

(b) may hear and receive evidence relevant to the business of the committee;

(c) may refuse to hear irrelevant evidence or any recalcitrant witness; and shall have leave to report its opinion and observations, together with the minutes of the evidence taken before it, to the Assembly.

(7) An oath or affirmation taken or made by any witness shall be administered by the Chairperson of the Committee, or by the Committee Clerk.

(8) The evidence taken before a Committee and any documents presented to, and any proceedings of, such Committee shall not be published by any Member thereof or by any other person before the report of such Committee has been presented to the Assembly.

(9) The proceedings of Committees shall be held in public, unless the Committee, in any particular case, otherwise directs. When meeting in private, no stranger or Member of the Assembly, other than the Chairperson, Members of the Committee and the Clerk, shall be permitted to be present unless invited or summoned to give evidence or assistance thereto, and the presence of those so invited or summoned to attend shall be recorded in the minutes of proceedings.

(10) Minutes of the proceedings of every meeting shall be recorded by the Committee Clerk and, once approved by the Committee, shall be published.

(11) When the Assembly or the Committee has, in any particular case, directed that strangers may be admitted to the meetings of a Committee, the Chairperson of each committee may nevertheless at any time order strangers to withdraw and in such events strangers shall accordingly withdraw.

(12) Committees shall meet at least once in every quarter and, subject to paragraph 13, may meet more frequently. If it is the case that a Committee fails to meet at least once per quarter, the Chairperson shall provide an explanation to the Committee of Selection.

(13) With the exception of the Assembly Business Committee, and except by leave of the Assembly, no Committee shall sit while the Assembly is sitting in Session.

(14) The Committee shall continue its investigations even though the Assembly is adjourned *sine die*, and shall not be discharged unless by order of the Assembly or on the dissolution of the Assembly, whichever is soonest.

(15) Any Committee may report to the Assembly on matters within its remit.

(16) A member of the Assembly, with prior notice to the Chairperson, may attend sitting or meeting of a Committee but he or she shall not be entitled to vote.

104. Declaration of interests in Committee

(1) Before taking part in any Committee proceedings, a Member shall declare any personal interest that the Member, or to his or her knowledge, a family member, has or is expecting to have which is relevant to those proceedings, and might reasonably be thought by others to influence the Member's contribution.

(2) Paragraph (1) of this Standing Order does not affect the requirements for oral declaration of registerable interests under Standing Orders 135 to 138.

105. Duties of Committee Clerks

(1) The Clerk shall appoint an officer from his or her office to be clerk to every Committee.

(2) In addition to any other Committee duties set out in the Standing Orders, the Clerk to a committee shall record the minutes of proceedings and all proceedings upon consideration of any report or bill in the committee and upon every amendment proposed to such report or bill, together with a note of any decision taken by the committee and the names of all Members voting therein.

(3) No document received by the Clerk for a Committee or a sub-Committee thereof shall be withheld, withdrawn or altered without the knowledge and approval of the Committee or sub-Committee, as may be appropriate. For the purposes of this Standing Order, the receipt of such documents may, with the consent of the Committee or sub-Committee concerned, be brought to the attention of Members by a circular, from time to time as the Committee or sub-Committee may decide, of a list of such documents.

106. Sub-Committees

(1) A Committee may resolve to establish one or more sub-Committees. A resolution to establish a sub-Committee shall set out its membership, Chairperson, remit and duration.

(2) A sub-Committee shall report only to the Committee which established it, and shall be regulated, as appropriate, by the Standing Orders relating to that committee. A sub-Committee shall not take any decision on behalf of the committee by which it was established.

107. Matters of joint concern

(1) Where a matter may be of concern to two or more Committees ("the relevant Committees") it may be dealt with by –

(a) one of the relevant Committees disposing of it, in accordance with Standing Order 108;

(b) the relevant Committees sitting concurrently, in accordance with Standing Order 109; or

(c) a Joint Special Select Committee established for that purpose, in accordance with Standing Order 110.

108. Matters of joint concern: Disposal by one committee

(1) The chairpersons of the relevant committees shall consult and agree as to which committee the matter should fall for disposal. Where they are unable to agree, the relevant Committees shall make their views known to the Assembly Business Committee which shall rule as to which Committee the matter should fall for disposal.

(2) The Committee to which the matter falls for disposal shall seek the views and establish the interests of the other relevant Committees before arriving at any conclusions and may invite the other relevant Committees to carry out the consideration of any stated issue and to provide it with a draft report.

109. Matters of joint concern: Committees sitting concurrently

- (1) The relevant Committees shall consult and agree that the matter be disposed off by the relevant Committees sitting concurrently.
- (2) The procedures normally applicable to committees shall continue to apply to concurrent sittings, save that the relevant Committees shall, as far as practicable, operate as a single Committee. While operating as a single Committee, they shall, for example, deliberate and consider any evidence together, produce a single set of minutes, and prepare any reports together.
- (3) The Chairpersons of the relevant Committees shall consult and agree that –
 - (a) one of them shall act as Chairperson and another as Vice Chairperson, or
 - (b) the posts of Chairperson and Vice Chairperson shall be rotated between them.
- (4) Where the Chairpersons of the relevant Committees fail to agree on one of the alternatives set out in paragraph (3), they shall make their views known to the Assembly Business Committee which shall rule on the matter.
- (5) A person acting as Chairperson at a concurrent sitting, who is a chairperson of one of the relevant Committees, shall not be regarded as breaching any prohibition in Standing Order 96 [Membership of Committees].
- (6) A quorum shall be present at a concurrent sitting if there is a quorum present for each of the relevant Committees.
- (7) All questions at concurrent sittings shall be decided by a simple majority of all Members present; voting shall be by a show of hands unless otherwise requested by a member of a relevant Committee.

110. Matters of Joint Concern: Establishment of a Joint Special Select Committee

- (1) The relevant Committees shall consult and agree that the matter be disposed off by the establishment of a joint Special Select Committee.
- (2) Save as is set out below, the joint Special Select Committee shall be established in accordance with Standing Order 95 [Standing, Select and Special Select Committees].
- (3) Membership of a joint Special Select Committee shall be drawn from the memberships of the relevant committees.
- (4) The joint special Select Committee shall appoint its own Chairperson and Vice Chairperson, and if it fails to do so, it shall make its views known to the Assembly Business Committee which shall rule on the matter.

111. The Committee of Selection

(1) The Committee of Selection shall consist of the Speaker as Chairperson, and five Members of the Assembly, of whom three shall be nominated by the Majority Leader and two by Minority Leader in consultation with their respective groups, and shall perform the functions allotted to it by these Standing Orders, and any other functions as the Assembly may from time to time confer upon it.

(2) The Committee of Selection shall report its decisions to the Assembly for approval.

112. The Finance and Public Accounts Committee

(1) The Finance and Public Accounts Committee shall consist of a Chairperson and such other Members, appointed by the Committee of Selection, as provided for in Standing Order 96 [Membership of Committees].

(2) It shall be the duty of the Finance and Public Account Committee to examine the accounts showing the appropriation of the sums granted by the Assembly to meet the public expenditure and such other accounts laid before the Assembly as the Assembly may refer to the committee together with, the Auditor's report thereon.

(3) To appoint an appropriately qualified auditor or firm of auditors to audit the accounts of the National Audit Office.

(4) The Auditor General and, or, the Director General of the Public Procurement Authority or their representatives shall be in attendance at meetings of the Finance and Public Accounts Committee.

(5) Nothing in this Standing Order shall prevent the Finance and Public Accounts Committee from meeting otherwise than as provided for in paragraph (4).

(6) Minutes of meetings of the Finance and Public Account Committee held since the last Session of the Assembly shall be laid on the Table by the Chairperson.

113. The Standing Orders Committee

(1) The Standing Orders Committee shall consist of a Chairperson and such other Members, appointed by the Committee of Selection, as provided for in Standing Order 96 [Membership of committees].

(2) It shall be the duty of the Standing Orders Committee to scrutinise, consider and report to the Assembly from time to time upon any amendments to these Standing Orders which it may consider necessary or desirable, and to scrutinise, consider and report upon any matter and to exercise any function which may from time to time be referred to it by the Assembly.

(3) The Chairperson of the Standing Orders Committee shall report from time to time the deliberations of the Committee by laying the minutes thereof before the Assembly.

114. The Assembly Committee

(1) The Assembly Committee shall consist of the Speaker as Chairperson and such other Members, appointed by the Committee of Selection, as provided for in Standing Order 96 [Membership of Committees].

(2) It shall be the duty of the Assembly Committee to scrutinise, consider and advise upon all matters connected with the comfort and convenience of Members.

115. The Committee of Privileges and Ethics

(1) The Committee of Privileges and Ethics shall consist of a Chairperson and such other Members, appointed by the Committee of Selection, as provided for in Standing Order 96 [Membership of Committees].

(2) It shall be the duty of the Committee of Privileges and Ethics to consider and advise upon all matters relating to privileges and ethics of the Members of the Assembly, including –

(a) to consider specific matters relating to privileges referred to it by the Assembly, Committees or the Office of the Clerk;

(b) to oversee the work of the Clerk of Privileges and Ethics; to examine the arrangements for the compilation, maintenance and accessibility of the Register of Members' Interests and any other registers of interests established by the Assembly; and to review from time to time the form and content of those registers;

(c) to cause to be published and to review from time to time a Guide to Conduct and the Registration of Interests;

(d) to consider any matter relating to the conduct of Members;

(e) to perform the functions described in Standing Orders 135 to 138; and

(f) to make reports (including reports to the Assembly) on the exercise of any of its functions or any other matter listed above.

116. The Committee on Defence and Security

(1) The Committee on Defence and Security shall consist of a Chairperson and such other Members, appointed by the Committee of Selection, as provided for in Standing Order 96 [Membership of Committees].

(2) It shall be the duty of the Committee on Defence and Security to scrutinise, consider and advise upon all matters connected with the defence and security of the Nation.

117. The Public Appointments Committee

(1) The Public Appointments Committee shall consist of a Chairperson and such other Members, appointed by the Committee of Selection, as provided for in Standing Order 96 [Membership of Committees].

(2) It shall be the duty of the Public Appointments Committee to scrutinise, consider and advise upon –

(a) all appointments to a public office to be made by the Executive and subject to the confirmation of the National Assembly; and

(b) any other matter connected with appointment to a public office or as provided for in the Constitution.

118. The Foreign Affairs Committee

(1) The Foreign Affairs Committee shall consist of a Chairperson and such other Members, appointed by the Committee of Selection, as provided for in Standing Order 96 [Membership of committees].

(2) It shall be the duty of the Foreign Affairs Committee to scrutinise, consider and advise on foreign policy and other connected Matters.

(3) The Committee may from time to time request friendship groups of the Assembly to report to it on their operations and activities.

119. The Subsidiary Legislation Committee

(1) The Subsidiary Legislation Committee shall consist of a Chairperson and such other Members, appointed by the Committee of Selection, as provided for in Standing Order 96 [Membership of Committees].

(2) It shall be the duty of the Subsidiary Legislation Committee to scrutinise, advise and report on all subsidiary legislations, laid before the Assembly, in accordance with Standing Order 80(2).

120. Public Petitions Committee

(1) The Public Petitions Committee shall consist of a Chairperson and such other Members, appointed by the Committee of Selection, as provided for in Standing Order 96 [Membership of committees].

(2) The remit and operations of the Public Petitions Committee shall be as provided for in Standing Order 125.

121. The Assembly Business Committee

(1) The constitution, remit and operations of the Assembly Business Committee shall be as provided for in Standing Order 15 [Functions of the Assembly Business Committee].

122. The Public Enterprises Committee

(1) The Public Enterprises Committee shall consist of a Chairperson and such other Members, appointed by the Committee of Selection, as provided for in Standing Order 96 [Membership of Committees].

(2) It shall be the duty of the Public Enterprises Committee to scrutinise, consider and advise upon all matters connected with the public enterprises.

(3) The Auditor General and, or, the Director General of the Public Procurement Authority or their representatives shall be in attendance at meetings of the Public Enterprises Committee.

(4) Nothing in this Standing Order shall prevent the Public Enterprises Committee from meeting otherwise than as provided for in paragraph (3).

123. The Bureau of Committees

(1) The Bureau of Committees shall consist of all Chairpersons, Vice Chairpersons and Rapporteurs of Committees.

(2) It shall be the duty of the Bureau of Committees to discuss, plan and set the policy direction for the effective operations of Committees of the National Assembly.

(3) The Clerk and Senior Management of the National Assembly Service or their representatives may be in attendance at meetings of the Bureau of Committees.

(4) Nothing in this Standing Order shall prevent the Bureau of Committees from meeting otherwise than as provided for in paragraph (3).

124. The Committee on Human Rights and Constitutional Matters

(1) The Committee on Human Rights and Constitutional Matters shall consist of a Chairperson and such other Members, appointed by the Committee of Selection, as provided for in Standing Order 96 [Membership of Committees].

(2) It shall be the duty of the Committee on Human Rights and Constitutional Matters to scrutinise, consider and deal with matters relating to the Constitution and Human Rights.

PETITIONS

125. Public Petitions Committee

(1) There shall be a Standing Committee of the Assembly known as the Public Petitions Committee to –

- (a) consider public petitions addressed to the Assembly;
- (b) decide in cases of dispute on admissibility; and
- (c) keep under review the public petitions system.

(2) The Public Petitions Committee shall consist of a Chairperson and seven Members to be nominated by the Committee of Selection.

(3) The Public Petitions Committee shall consider, in accordance with the provisions of this Standing Order, any petition addressed to it.

126. Presentation of public petition

(1) A petition may be addressed to the Assembly on a matter of general public concern or interest in relation to its legislative powers or on an issue of public policy.

(2) A petition may be brought by any natural person, or by any organisation or institution except where the main activities of the organisation or institution are carried on for profit or other economic benefit direct to its investors or other owners, members, or participants.

(3) A petition shall be in the English language or be accompanied by a certified translation into that language.

(4) A petition shall be –

(a) submitted to the Clerk by the petitioner; or

(b) presented by a Member to the Clerk on behalf of a petitioner.

(5) A Member shall not be eligible to submit a petition on his or her own behalf.

(6) A petition may be submitted any day that the Clerk's office is open and the Assembly is not dissolved.

(7) The Clerk shall, within seven days of the date of receipt of the petition, review the petition to ascertain whether the petition meets the requirements of the Standing Orders, and admissible petitions shall be referred to the Public Petitions Committee.

127. Admissibility of petitions

(1) A petition is admissible unless it—

(a) is not in proper form;

(b) is frivolous;

(c) breaches any enactment or rule of law;

(d) refers to any matter in relation to which legal proceedings are active;

(e) contains language which is offensive;

(f) fails to raise issues of national policy or practice; or

(g) requests the Assembly to do anything which the Assembly clearly has no power to do.

(2) The Public Petitions Committee shall decide on the admissibility of any petition that is the same as, or is in substantially similar terms to, a petition brought during the mandate of the Assembly.

(4) The Clerk may give such directions as are necessary to ensure that a petition is amended to comply with the Standing Orders.

128. Actions in relation to petitions

(1) The Public Petitions Committee shall –

(a) take such action as it considers appropriate in relation to the petition; or

(b) refer the petition to a Minister, Vice President or President of the Republic of The Gambia, any other Committee of the National Assembly or other persons or body for them to take such action as they shall consider necessary.

(2) A Committee of the Assembly to which a petition is referred may –

(a) refer the petition to a Minister or any other person or body for them to take such action as they consider appropriate;

(b) report to the Assembly; or

(c) take any other action which the Committee considers appropriate.

(3) The Public Petitions Committee, or any other Committee to which a petition has been referred, may close a petition at any time. Where a Committee closes a petition, it shall notify the petitioner that the petition is closed and gives the reasons for closing it.

(4) Where a petition is judged inadmissible, the Clerk must give reasons for his or her decisions and inform the petitioner as soon as it is reasonably practicable. The Public Petitions Committee shall, on appeal from the petitioner, decide in cases of dispute over admissibility and must give reasons for its decisions.

(5) The Clerk must publish a register of petitions received by the Assembly, indicating whether a petition has been rejected as not in conformity with Standing Orders or referred to the Public Petitions Committee.

129. Form of Petitions

(1) Every petition shall be –

(a) addressed to the Assembly and shall conclude with a clear, proper and respectful prayer, reciting the definite object or objects of the petition or of the petitioners; and

(b) in the form set out in guidance issued by the Public Petitions Committee.

(2) A petition shall –

- (a) be handwritten, printed or typed;
- (b) be written in respectful, decorous and temperate language;
- (c) be free of alterations and interlineations in its text;
- (d) have its subject-matter indicated on every sheet if it consists of more than one sheet;
- (e) indicate whether any efforts have been made to have the matter addressed by a relevant body and whether there has been any response from that body or whether the response has been unsatisfactory;
- (f) indicate whether the issues in respect of which the petition is made are pending before any court of law or other Constitutional or legal body;
- (g) subject to paragraph (k), contain the names, addresses, ID card numbers, signature or a thumb impression of the petitioner or of every petitioner, where there is more than one petitioner;
- (h) contain only signatures or thumb impressions, as the case may be, and addresses and ID card numbers written directly onto the petition and not pasted thereon or otherwise transferred to it;
- (i) not have any letters, affidavits or other documents annexed to it;
- (j) in the case of a petition presented by a Member on behalf of a petitioner, be countersigned by the Member presenting it; and
- (k) be signed by the petitioner or if the petitioner is unable to sign, by a witness in whose presence the petitioner shall make his or her mark on the petition.

PRIVILEGE, ETHICS AND CONTEMPT

130. Responsibilities of Members of the Assembly

The responsibilities of the Members of the Assembly shall include the following –

- (a) all Members shall maintain the dignity of the Assembly both during the sittings of the Assembly and in their acts and activities outside the Assembly;
- (b) all Members shall regard themselves as servants of the people of The Gambia and shall desist from any conduct by which they seek improperly to enrich themselves or to alienate themselves from the people; and

(c) all Members shall discharge their duties and functions in the interest of the nation as a whole and in doing so, shall be influenced by the dictates of conscience and the national interest.

131. Freedom of speech

There shall be freedom of speech and debate in the Assembly and that freedom shall not be impeached or questioned in any court or place outside the Assembly.

132. Privilege of the Assembly

Without prejudice to the generality of Standing Order 131 [Freedom of speech] no civil or criminal proceedings shall be instituted against a Member of the Assembly in any court or other place outside the Assembly by reason of anything said by him or her in the Assembly.

133. Immunity for publication of proceedings

Subject to the provisions of the Constitution, no person shall be under any civil or criminal liability in respect of the publication of –

(a) the text or a summary of any report, papers, minutes, votes or proceedings of the Assembly; or

(b) a contemporaneous report of the proceedings of the Assembly unless it is shown that the publication was effected maliciously or otherwise in want of good faith.

134. Privilege of witnesses

(1) Every person summoned to give evidence or to produce any paper, book, record, or other document before the Assembly or any Committee of the Assembly shall be entitled, in respect of his or her evidence or the production of such document as the case may be, to the same privilege as if he or she were appearing before a court.

(2) Where the President, the Vice President, or a Minister certifies that the disclosure of the contents of any document sought by the Assembly or a committee will be injurious to the public interest or prejudicial to the security of the state, the Assembly shall give consideration to such document in private and under such conditions as will prevent the disclosure of the contents of such document outside the Assembly or a Committee as the case may be, and shall not publish the document or its contents.

(3) An answer by a person to a question put by the Assembly shall not be admissible evidence against him or her in any civil or criminal proceedings outside the Assembly, other than proceedings of perjury brought under the criminal law.

135. Register of Members' Interests

(1) There is to be a register of interests of Members of the Assembly ('the Register of Interests').

(2) The Register of Interests shall set out the registrable interests of Members.

(3) The Clerk of Privileges and Ethics —

(a) shall compile, and may from time to time revise, the Register of Interests; and

(b) shall publish, and make available for public inspection, the Register of Interests.

(4) A Member shall—

(a) within 28 days of taking his or her seat, inform the Clerk of Privileges and Ethics of his or her registrable interests; and

(b) within 28 days of any change to those registrable interests, inform the Clerk of Privileges and Ethics of that change.

(5) The Committee of Privileges and Ethics shall cause to be published a Guide to Conduct and the Registration of Interests, which shall be approved by a resolution of the Assembly, and any subsequent amendments to the Guide to Conduct and the Registration of Interests shall be approved by a resolution of the Assembly, as needs be.

136. Declaration of interests

(1) A Member who has a personal interest in any matter shall declare that interest before taking part in any proceedings of the Assembly relating to that matter.

(2) Personal interests include pecuniary interest, proprietary interest, personal relationships and business relationships.

(3) Member must not, in consideration of any payment or benefit-in-kind, advocate or initiate any cause or matter on behalf of any person in any proceedings of the Assembly, or urge any other Member to do so.

(4) Paragraphs 4 to 6 apply to a failure by a Member –

(a) to register an interest in the Register of Interests; or

(b) to declare an interest.

(5) The Committee of Privileges and Ethics may determine not to apply Standing Order 138 [Sanctions] in respect of that failure if –

(a) the failure was minor or inadvertent; and

(b) the Member acknowledges the failure and apologises to the Assembly for it.

(6) Where the failure is under paragraph (4) [failure to register or declare an interest], the Register of Interests must also be rectified.

137. Privilege: Complaints

(1) Any Member who wishes to raise a matter of privilege shall give the Speaker notice of his or her intention and acquaint the Speaker with the details of the matter in writing.

(2) At a time when the Assembly is sitting and between the disposal of an item of business and the commencement of another, a Member who has given notice and details in accordance with paragraph (1) may rise in his or her place and claim to move that a specific matter affecting the privilege of the Assembly shall be referred to the Committee of Privileges and Ethics.

(3) If, in the opinion of the Speaker, a prima facie case of breach of privilege has been made out by a Member under paragraph (1) of this order, and if it also appears to the Speaker that the matter has been raised at the first available opportunity, then the Speaker shall so inform the Assembly and refer the matter to the Committee of Privileges and Ethics. Provided that when a matter of privilege is raised of which the Speaker has not received sufficient notice, the Speaker may defer informing the Assembly of his or her decisions on the matters aforesaid until the next sitting day.

(4) Any Member complaining to the Assembly of a statement in a newspaper, book or other publication as a breach of privilege shall hand in to the Speaker a copy of the newspaper, book, publication or any other medium containing the statement in question.

(5) The Committee of Privileges and Ethics shall investigate a complaint addressed or referred to it that relates to –

(a) the conduct of Members; or

(b) Members and Assembly privilege, including alleged breach of privilege by a Member.

138. Sanctions

(1) Where it appears to the Committee of Privileges and Ethics that a Member has failed to comply with any provision of Standing Orders 135 [Register of Members' Interests] to 136 [Declaration of Interests], the Committee may make a report to the Assembly. The report may include a recommendation that a sanction be imposed upon the Member.

(2) In consideration of such a report, the Assembly may impose a sanction upon a Member who has failed to comply with any of those provisions.

(3) Sanctions may include, but are not limited to –

- (a) a requirement that the Member apologise to the Assembly;
- (b) censure of the Member by the Assembly;
- (c) exclusion of the Member from proceedings of the Assembly for a specified period;
- (d) withdrawal of any of the Member's rights and privileges as a Member for that period; and
- (e) for the avoidance of doubt, the rights and privileges withdrawn under sub-paragraph (d) may include the rights to allowances.

139. Members appearing in a professional capacity

No Member of the Assembly shall appear before the Assembly or a Committee thereof in the capacity of legal practitioner for any party, or in any capacity by which he or she is to receive any fee or reward.

140. Contempt

Any act or omission which obstructs or impedes the Assembly in the performance of its functions or which obstructs or impedes any Member or officer of the Assembly in the discharge of his or her duties or affronts the dignity of the Assembly shall be a contempt of the Assembly and, in addition to any liability in respect thereof under the criminal law, the offender shall be liable to reprimand or admonition by the Assembly, and if the offender is a Member of the Assembly, suspension or expulsion from the Assembly.

OTHER ORDERS

141. Duties of the Clerk

- (1) The Clerk shall retain and make publicly available the Order Book in which he or she shall enter and number in succession the subject(s) intended to be discussed at each sitting.
- (2) The Clerk shall be responsible for the preparation and distribution to Members of the daily Order Paper in accordance with the timeframes in these Standing Orders.
- (3) The Clerk shall have the custody all journals, papers, and records of all kinds belonging to the Assembly.
- (4) The Clerk shall, with the assistance of the Sergeant-at-Arms, be responsible for the execution of any orders of the Speaker, and subject to the Speaker's instructions, for the observance of these Standing Orders, and any rules or instructions issued thereunder, as they affect both Members and the general public in the Assembly.
- (5) The Clerk shall at every sitting retain and make publicly available, Minutes which shall consist of particulars of the Whole Assembly, and of Standing,

Select and Special Select Committees, and in which shall be recorded all resolutions and decisions taken, and the names of Members attending.

142. Duties of the Sergeant-at-Arms

(1) There shall be a Sergeant-at-Arms in the National Assembly who shall be appointed by the National Assembly Authority.

(2) It shall be the duty of the Sergeant-at-Arms –

(a) to attend upon the Speaker with the Mace;

(b) to obey all orders and directions for the preservation of order and proper conduct in the Assembly which the Speaker may give him or her; and

(c) to ensure the safety and security of all Members and Officers of the Assembly.

143. Security checks

(1) A Member and all other persons shall be subject to a security check or screening before entering the Chamber.

(2) The security check or screening under paragraph (1) shall extend to a handbag or other accessory that a Member or a person intends to enter with into the Chamber.

(3) No Member or a person shall bring a firearm or any offensive weapon into the Chamber and any such weapon must be deposited with the Sergeant-at-Arms for safe custody before entering the Chamber, and collected at the time of leaving the Chamber.

(4) A Member or a person may be allowed into the Chamber with a handbag of reasonable size.

144. Admission of reporters to proceedings

(1) The Clerk may give general permission to reporters and representatives of journals to attend Sittings of the Assembly, subject to the right of the Speaker to make regulations for their admittance.

(2) If any journal or newspaper publishes reports of the proceedings of the Assembly which are inaccurate, or untrue, the Assembly may by resolution revoke such permission either generally or in some particular respect.

145. Admission of strangers to the Assembly

(1) Strangers may be admitted to the Assembly under such rules or directions as the Speaker may make from time to time for the purpose.

(2) Strangers shall conduct themselves in a way that maintains the dignity of the Chamber during a sitting and shall withdraw from the Assembly or any part of it when called upon to do so by the Speaker or, in Committee of the Whole Assembly by the Chairperson.

(3) Strangers shall not communicate with the Speaker, Ministers, Members or Officials in the Chamber and unless otherwise permitted to do so by the Speaker, shall remain in the public galleries while in the Chamber.

(4) Strangers, other than those referred to in paragraph (5), shall not be allowed to use mobile phones or any other electronic devices while in the public galleries of the Assembly or a Committee meeting.

(5) Everything in this Order applies to strangers engaged in media services with the exception of those required to use electronic devices in the public galleries to conduct their functions, who may not be subject to paragraph (4).

(6) Where electronic devices are permitted under paragraph (5), the use of these shall be unobtrusive and silent at all times; calls shall not be made or received within the Chamber.

146. Members travelling within and outside The Gambia

(1) Members intending to travel both within or outside The Gambia –

(a) in an official capacity shall give notice to the Speaker to that effect;

(b) in a private capacity that affects his or her official functions, shall give notice to the Speaker to that effect;

(c) or in any other capacity may give notice to the Speaker to that effect, indicating: –

(i) the purpose and destination intended to be visited;

(ii) the dates of the intended travel and period of absence; and

(iii) the telephone contact and postal or physical address of their stay during the period of absence.

(2) All information submitted under this Standing Order shall be kept in a register which the Clerk shall maintain for that purpose and shall not be disclosed to any person without the permission of the Speaker.

[Amendment 25th June, 2020]

147. Visiting dignitaries

(1) The Speaker may, in consultation with the Assembly Business Committee, allow a visiting Head of State or other such visiting dignitary, to address the Assembly.

(2) Provision should be made in the Chamber to allow visiting dignitaries to address the Assembly without taking the seat of any Member.

(3) The Speaker or Deputy Speaker, or in their absence a Member who has been elected for the purpose, shall remain in the Chair during addresses by visiting dignitaries.

148. Suspension of Standing Orders

(1) Any of these Standing Orders may be suspended on a motion to that effect, submitted in accordance with Standing Order 52 [Notice of motions], and passed by the Assembly.

(2) No such suspension shall contravene or derogate from the provisions of the Constitution, to which these Standing Orders are at all times subject.

149. Revocation of the previous Standing Orders

(1) The Standing Orders of the National Assembly [2001 Edition] are hereby revoked on the commencement of the Fourth Ordinary Session of the Fifth Assembly in the 2019 Legislative Year.

150. Transitional Provisions

(1) These Standing Orders shall come into operation on the date of the commencement of the Fourth Ordinary Session of the Fifth Assembly in the 2019 Legislative Year upon publication in the gazette.

(2) Notwithstanding paragraphs (1), any orders, directions, nominations, elections, appointments and other acts lawfully made or done under a provision of the Standing Orders in force immediately before the coming into operation of these Standing Orders, shall be deemed to have been made or done under the corresponding provision of these Standing Orders.

Opening Prayer –

Almighty God, who, in Thy wisdom and goodness has appointed the Offices of Rulers and Parliament, for the welfare of society, and just Government of men.

We beseech Thee to behold, with Thy abundant favour, us Thy servants whom Thou has been pleased to call to the performance of important trusts in this land.

Let Thy blessing descend upon us, here in this House assembled.

Grant us that we may treat, and consider all matters that shall come under our deliberation in so just and faithful a manner

To promote Thy Honour and Glory. To advance the peace, prosperity and welfare of this country. And of those whose interests, Thou has committed to our charge.

Amen.