



TURKS AND CAICOS ISLANDS

CHAPTER 1.04

**HOUSE OF ASSEMBLY (POWERS
AND PRIVILEGES) ORDINANCE
and Related Legislation**

Revised Edition

showing the law as at 31 August 2009

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Ordinance 1997.

This edition contains a consolidation of the following laws—

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CHAPTER 1.04

**HOUSE OF ASSEMBLY
(POWERS AND PRIVILEGES) ORDINANCE**

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CHAPTER 1.04
HOUSE OF ASSEMBLY
(POWERS AND PRIVILEGES) ORDINANCE

(Ordinance 6 of 1979)

AN ORDINANCE TO DECLARE AND DEFINE CERTAIN POWERS AND PRIVILEGES OF THE MEMBERS OF THE HOUSE OF ASSEMBLY, TO REGULATE THE ADMISSION OF PERSONS TO THE PREMISES IN WHICH THE HOUSE OF ASSEMBLY MEETS, TO PROVIDE FOR THE PROTECTION OF PERSONS EMPLOYED IN THE PUBLICATION OF REPORTS OF THE PROCEEDINGS OF THE HOUSE OF ASSEMBLY AND FOR PURPOSES INCIDENTAL TO OR CONNECTED WITH THE MATTERS AFORESAID.

Commencement

[1 June 1979]

PART I

PRELIMINARY

Short title

1. This Ordinance may be cited as the House of Assembly (Powers and Privileges) Ordinance.

Interpretation

2. In this Ordinance, unless the context otherwise requires—
- “chamber of the House” means the room in which the House meets;
- “Clerk” means any person appointed to be the Clerk of the House and includes any person appointed to act as Clerk when the substantive holder of that office is absent or the office is vacant;
- “committee” means a committee of the House;
- “House” means the House of Assembly;
- “House’s meeting place” means any place appointed by the Governor for a meeting of the House;
- “Member” means a Member of the House;
- “officer of the House” means the Clerk and any other person appointed to an office for the service of the House, any person acting within the precincts of the House’s meeting place under the orders of the Speaker, and

includes any police officer while on duty within the precincts of the House's meeting place;

“precincts of the House's meeting place” includes the chamber of the House and the whole building in which the chamber of the House is situated and the curtilage thereof (subject to any exceptions made by the Speaker by notice authenticated by the Clerk and displayed adjacent to any place concerned) and any offices, committee rooms, galleries or other places provided for the use of Members or for the accommodation of members of the public, the press and other strangers during such time as the House is sitting;

“Standing Orders” means the Standing Orders of the House;

“stranger” means any person who is not a Member or an officer of the House.

PART II

PRIVILEGES AND IMMUNITIES

Protection in respect of words spoken, etc

3. No civil or criminal proceedings may be instituted against any Member for words spoken before or written in a report to the House or to a committee, or by reason of any matter or thing brought before the House by him by any Bill, motion, petition or otherwise.

Immunity from arrest

4. No Member shall be liable to arrest—

- (a) under any civil process whilst going to, attending at or returning from any sitting of the House or any committee;
- (b) within the precincts of the House's meeting place, while the House or a committee is sitting, under any civil process or, without the consent of the Speaker, for any criminal offence.

Restriction on service of process

5. No process issued by any court in the exercise of its jurisdiction shall be served or executed within the precincts of the House's meeting place while the House or any committee is sitting or through the Speaker or any officer of the House.

PART III

SUSPENSION OF MEMBER

Suspension of Member

6. A Member who, under the Standing Orders, has been suspended from the service of the House shall not enter or remain within the precincts of the House's meeting place whilst such suspension remains in force; and if any such Member is found therein in contravention of this section he may be forcibly removed therefrom by any officer of the House, and no proceedings shall lie against such officer for anything done for the purposes of effecting or attempting to effect such removal:

Provided that no more force shall be used by any such officer in effecting or attempting to effect such removal than is necessary in the circumstances.

PART IV

ADMISSION OF STRANGERS

Restriction on admission of strangers to precincts

7. No stranger shall be entitled to enter or to remain within the precincts of the House's meeting place if seating accommodation is not available within that part which is allocated for the accommodation of strangers.

Withdrawal of strangers

8. Except with the permission of the Speaker, no stranger shall be entitled to enter or to remain within the precincts of the House's meeting place after having been ordered to withdraw therefrom in accordance with the provisions of this Ordinance or the Standing Orders.

Speaker may issue orders in emergency

9. (1) The Speaker is hereby authorised to issue such orders as he deems necessary for regulating the admission of strangers to the precincts of the House's meeting place in the event of any public emergency, of the existence of which he shall be the judge.

(2) Copies of orders made under subsection (1) shall be authenticated by the Clerk and exhibited in a conspicuous position in the precincts of the House's meeting place, and such copies so authenticated and exhibited shall be deemed to be sufficient notice to all persons affected thereby.

Enforcement of withdrawal of strangers

10. The Speaker may at any time in pursuance of the provisions of this Ordinance or the Standing Orders order any stranger to withdraw from the precincts of the House's meeting place and if any such stranger fails or refuses to withdraw therefrom he may be forcibly removed by any officer of the House, and no proceedings shall lie against such officer for anything done for the purpose of effecting or attempting to effect such removal:

Provided that no more force shall be used by any such officer in effecting or attempting to effect such removal than is necessary in the circumstances.

PART V**EVIDENCE****Witness may be examined on oath**

11. Any person appearing before the House or a committee to give evidence may be requested by the Speaker, or by the chairman of the committee if before a committee, to give his evidence on oath and if such person elects to give evidence on oath such oath may be administered to such person by the Clerk.

Privilege of witness before House

12. An answer by a person to a question put by the House or a committee or a statement made by a person in evidence before the House or a committee shall not, except in criminal proceedings in respect of a charge of perjury or for the wilful making of a false declaration or of fabricating evidence to defeat the course of justice in any proceedings, whether civil or criminal, in any court be admissible against him.

Restriction on evidence of certain matters

13. Without prejudice to any other provisions of this Ordinance, no evidence in respect of the contents of minutes of evidence before the House or a committee shall be admissible before any court or any person authorised by law to take evidence, unless the court or such person is satisfied that permission has been given by the Speaker or the chairman of the committee (as the case may be) for such evidence to be given.

PART VI

OFFENCES

Offences relating to perjury

14. Any proceedings before the House or a committee at which any person gives evidence or produces any paper, book, record or document, shall be deemed to be judicial proceedings for the purposes of any law for the time being in force relating to perjury.

Offences relating to admittance to the House

15. Any person who—

- (a) being a stranger enters or attempts to enter the precincts of the House's meeting place in contravention of any provisions of this Ordinance or the Standing Orders; or
- (b) being a stranger fails or refuses to withdraw from the precincts of the House's meeting place when ordered so to do in accordance with any provision of this Ordinance or the Standing Orders,

shall be guilty of an offence and liable on summary conviction to a fine of \$50 or to imprisonment for three months or to both such fine and imprisonment.

Offences affecting Members, officers and proceedings of the House

16. Any person who—

- (a) assaults, molests or obstructs any Member coming to, being within or going from the precincts of the House's meeting place; or
- (b) assaults, interferes with, resists or obstructs any officer of the House while in the execution of his duty; or
- (c) threatens or assaults a Member or an officer of the House on account of his conduct as such Member or officer; or
- (d) creates or joins in any disturbance which interrupts or is likely to interrupt the proceedings of the House or any committee while the House or such committee is sitting; or
- (e) publishes, or divulges to any person other than a Member, any evidence taken by, or document presented to, a committee where such evidence has been taken or document presented, within closed doors and which has not been reported to the House, or where its publication has been expressly prohibited by the House or the committee,

shall be guilty of an offence and shall be liable on summary conviction to a fine of \$200 or to imprisonment for six months, or to both such fine and imprisonment.

False evidence etc

17. Any person who, in circumstances not constituting an offence under any law for the time being in force relating to perjury—

- (a) presents to the House, or a committee or officer of the House, any false, untrue, fabricated or falsified document, knowing the same to be false, untrue, fabricated or falsified, with intent to deceive the House or such committee; or
- (b) knowingly gives false evidence as a witness before the House or a committee,

shall be guilty of an offence and liable on summary conviction to a fine of \$2,000 or to imprisonment for two years or to both such fine and imprisonment.

Offer or acceptance of bribes

18. (1) Any person who offers to any Member or officer of the House any bribe, in order to influence him in his conduct as such Member or officer, or who offers to any Member or officer of the House any fee, compensation, gift or reward for or in respect of the promotion of or opposition to any Bill or matter submitted, or intended to be submitted to, the House or a committee, shall be guilty of an offence.

(2) Any Member who accepts or agrees to accept or obtains or attempts to obtain for himself or any other person any bribe, fee, compensation, reward or benefit of any kind for speaking, voting, or acting as such Member in proceedings in the House, or a committee, or for refraining from so speaking, voting or acting or for absenting himself from the proceedings of the House or a committee, or on account of his having so spoken, voted, acted, refrained or absented himself, shall be guilty of an offence.

(3) Any Member who brings forward, promotes or advocates in the House any proceeding or measure in which he may have acted or been concerned for or in consideration of any pecuniary fee or other reward, shall be guilty of an offence.

(4) Any officer of the House who accepts or agrees to accept or obtains or attempts to obtain for himself or any other person any bribe, fee, compensation, gift or reward (other than his ordinary remuneration as such officer) for doing or refraining from doing any act as such officer, shall be guilty of an offence.

(5) Any person who is guilty of an offence under the foregoing provisions of this section shall be liable on conviction before the Supreme Court to a fine of \$5,000 or to imprisonment for three years, or to both such fine and imprisonment.

PART VII

SUPPLEMENTARY MATTER

House of Commons Journal to be evidence in inquiries touching privilege

19. Nothing in this Ordinance shall be construed as conferring, or purporting to confer, any privileges, immunities or powers upon the House or any Member thereof which exceed those of the Commons House of Parliament of the United Kingdom or the Members thereof; and upon any inquiry touching the privileges, immunities and powers of the House, or any Member, a copy of the Journal of the said Commons House of Parliament, purporting to be printed by order or by the printer of the said Commons House shall be admitted as *prima facie* evidence, without proof of its being such copy, for all purposes and in all courts.

Record of proceedings of House to be evidence

20. Upon any inquiry touching the privileges, immunities and powers of the House or any Member, any copy of the record of the proceedings of the House purporting to be printed, by order of the House, shall be admitted as *prima facie* evidence, without proof of its being such copy, for all purposes and in all courts.

Protection of persons responsible for publications authorised by the House

21. Any person, who is a defendant or the accused in any civil or criminal proceedings instituted for or on account or in respect of the publication by such person (or by his servant or agent), by order or under the authority of the House or the Speaker, of any reports, papers, minutes or record of proceedings, may, on giving to the plaintiff or the prosecutor, as the case may be, twenty-four hours written notice of his intention, bring before the court a certificate under the hand of the Speaker, together with an affidavit verifying such certificate, stating that the reports, papers, minutes or record in respect of which such proceedings have been instituted were published by such person (or by his servant or agent) by order or under the authority of the House or the Speaker, and thereupon the court shall immediately stay such civil or criminal proceedings, and the same and every process therein shall be deemed to be finally determined.

Publication of proceedings without malice

22. In any civil or criminal proceedings for printing any copy of any report, paper, minutes, votes or record of proceedings of the House, or a committee or any summary or extract from or abstract thereof, if the court is satisfied that such publication was in substance true and correct, or was made in good faith and without malice, judgment or verdict, as the case may be, shall be entered for the defendant or the accused.

Penalty for printing false copy of Ordinance or House record, etc

23. Any person who prints, or causes to be printed, any copy of an Ordinance, now or hereafter in force, or a copy of any report, paper, minutes, votes or record of proceedings of the House as purporting to have been printed by the Government Printer or by order of or under the authority of the House or the Speaker, and the same is not so printed, shall be guilty of an offence and shall be liable on summary conviction to a fine of \$2,000 or to imprisonment for two years, or to both such fine and imprisonment.

PART VIII

MISCELLANEOUS

Courts not to exercise jurisdiction over the Speaker or officers of the House

24. Neither the Speaker nor any officer of the House shall be subject to the jurisdiction of any court in respect of the lawful exercise by him of any power conferred upon him by or under this Ordinance or the Standing Orders.

Powers of officers

25. (1) Every officer of the House shall, for the purposes of this Ordinance and the exercise of powers and duties conferred thereunder, have all the powers and enjoy all the privileges of a police officer.

(2) Any officer of the House may arrest without warrant—

- (a) any person who, in his presence, commits an offence under section 15 or 16;
- (b) any person within the precincts of the House's meeting place whom he reasonably suspects of having committed or being about to commit an offence under either of the said sections.

Restriction on prosecutions

26. No prosecution for an offence under this Ordinance shall be instituted except in pursuance of a fiat of the Attorney General.

**STANDING ORDERS OF THE HOUSE OF ASSEMBLY
OF THE TURKS AND CAICOS ISLANDS**

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STANDING ORDERS OF THE HOUSE OF ASSEMBLY¹

(Made by the Legislative Council on 15 March 1990, 29 September 2003 and 14 May 2004 under Section 36(1) of the Constitution of the Turks and Caicos Islands^{*})

1. QUALIFICATION FOR MEMBERSHIP AND OATH OF ALLEGIANCE

1. Subject to the provisions of the Constitution in relation to the qualifications for membership of the House of Assembly, every person elected or appointed a member of the House shall, before taking part in proceedings of the House other than for the election of a Speaker and Deputy Speaker, take an oath of allegiance in accordance with Section 62² of the Constitution.

2. A member who was elected at a general election and was not sworn in along with the other members at or before the beginning of the first meeting of the House and a member elected or appointed to fill a vacancy occurring for any reason other than a dissolution of the House must obtain from the Clerk of the Executive House a certificate in writing of his election and of his having been sworn in and the certificate being delivered to the Speaker and read to the House, the member may take his seat.

2. ELECTION OF SPEAKER

1. When the Legislative House first meets after a general election, and before it proceeds to the despatch of any other business, the House shall elect a Speaker from among the elected or appointed members or from among qualified persons who are not members.

2. If the office of Speaker becomes vacant for any reason other than a dissolution of the House, the House shall forthwith proceed to the election of a new Speaker. The election shall be presided over by the Deputy Speaker or, if he is absent from the sitting, by a member elected by the House to preside over the election of the Speaker, and paragraphs 3 to 8 hereof shall apply *mutatis mutandis*. Before proceeding with an election under this paragraph, the House shall order to be entered on the minutes of proceedings of the House the reason for the vacancy.

3. After a general election a member, having first ascertained that the person to be proposed is willing and qualified to serve if elected may, rising in his place and addressing himself to the Clerk-at-the-Table, propose that that person “do take the Chair of this House as Speaker”. If that proposal is seconded, and no other person is proposed

¹ Enabled under section 5 (*Existing laws*) of the Turks and Caicos Islands Constitution Order 2006, Statutory Instrument, 2006 No. 1913 (U.K.).

^{*} Schedule 2 to the Turks and Caicos Islands Constitution Order 1988 (UK Statutory Instrument No. 249 of 1988) now replaced by Schedule 2 to the Turks and Caicos Islands Constitution Order 2006 (UK Statutory Instrument No.1913 of 2006 as amended)

² Suspended by Turks and Caicos Islands Constitution Order 2009, S.I.2009 No 710 (U K).

for the office, the person proposed shall be called by the House to the Chair without any question being put.

4. If more than one person is proposed and seconded, the Clerk shall propose the question that the person first proposed do take the Chair of the House as Speaker.

5. A debate may thereafter take place, the Clerk continuing to act as presiding officer. When the debate is closed the Clerk shall put the question that the person first proposed do take the Chair of the House as Speaker.

6. If a majority of elected and nominated members does not vote for the person first proposed, the Clerk shall put the same question in respect of each of the other persons in the Order in which they were proposed until the question is carried in favour of one of them by the votes of a majority of the elected and appointed members.

7. The Clerk shall declare the result of the election and thereupon the Speaker-elect shall take the Chair of the House if he is a member and has taken the oath of allegiance.

8. If the Speaker-elect is not a member or has not taken the oath of allegiance, the sitting of the House shall stand suspended until the Speaker-elect has taken an oath of allegiance and has thereafter taken the Chair of the House as Speaker.

3. ELECTION OF DEPUTY SPEAKER

1. As soon as the Speaker has taken the Chair, the House shall proceed to the election of an elected or appointed member to be Deputy Speaker.

2. If the office of Deputy Speaker falls vacant other than by reason of a dissolution the House shall elect another member to that office.

3. The election of Deputy Speaker shall be conducted in a similar manner to the election of the Speaker save that the Speaker shall preside over the election.

4. PRESIDING IN THE HOUSE AND IN COMMITTEE

1. When at the commencement of a sitting the Speaker's absence is announced by the Clerk-at-the-Table, the Deputy Speaker shall take the Chair and shall be invested with all the powers of the Speaker until the Speaker is present.

2. The Deputy Speaker may at any time, at the request or invitation of the Speaker, take the Chair temporarily without formal communication to the House.

3. Whenever the absence of both the Speaker and the Deputy Speaker is announced by the Clerk, the House shall, by motion, elect a member then present to take the Chair. Such member shall be invested with all the powers of the Speaker until the Speaker or Deputy Speaker is present.

4. The Deputy Speaker shall preside in Committees of the whole House unless the Speaker is absent from a meeting of the House when he shall preside in the House.

5. The Deputy Speaker shall preside in Select Committees on Bills.

6. In the absence of the Speaker or Deputy Speaker during a meeting, the House shall elect a member then present to act as Chairman of Committees.

7. Save as otherwise provided in these Standing Orders, the Deputy Speaker or other person presiding shall have all the authority and power of the Speaker when presiding or otherwise performing the functions of the Speaker.
8. The Speaker in the House and a chairman in Committee shall have power to regulate the conduct of business in all matters not provided for in these Standing Orders.
9. A member of the Cabinet or the Leader of the Opposition shall not, while holding such office, be eligible for election as Speaker or Deputy Speaker or under paragraph 3 of this Standing Order.

5. SITTINGS OF THE HOUSE

1. The first Session of the House shall commence at such time and place as the Governor appoints by proclamation.
2. After the first meeting, subject to Section 54(2)³ of the Constitution, the House shall meet at 10 o'clock in the morning and, unless previously adjourned, shall meet until 6 p.m.
3. At 1.00 p.m. the Speaker shall suspend the meeting until 2.00 p.m. unless the House otherwise determines.
4. At 5.30 p.m. hereinafter referred to in these Orders as "the moment of interruption", the Speaker shall interrupt the business under discussion. If the House is in Committee at that time, the Chairman shall interrupt the business and shall leave the Chair forthwith to report progress to the House and ask for leave to sit again. Any other business, if unopposed, shall then be disposed of, and the Order Paper for the next meeting fixed.
5. Any business which, when called during the time of unopposed business, is objected to by a member shall not be proceeded with, but shall stand over until the next meeting of the House in the place in which it shall be fixed upon the fixing of the Order Paper.
6. Until 6 p.m. the House shall not adjourn unless a motion to that effect has been carried.
7. At 6 p.m. notwithstanding that there may be business under discussion, the Speaker shall adjourn the House without question put.
8. A motion may be made by a member of the Cabinet after notice, at the commencement of public business, to the effect that the proceedings on any specified business be exempted from the provisions of this Order, and if such motion is agreed to, the business so specified shall not be interrupted at 5.30 p.m. and may be entered upon at any hour though opposed.
9. If, during an adjournment of the House of Assembly, it is represented to the Speaker by a member of the Cabinet that the public interest requires that the House should meet on an earlier day than that to which it stands adjourned, the Speaker, if he is satisfied that the public interest does so require, may give notice accordingly and the House shall meet at the time stated in such notice. The business set down for that day

³ Suspended by Turks and Caicos Islands Constitution Order 2009, S.I. 2009 No. 701 (U.K.).

shall be appointed by the Government and notice thereof shall be circulated not later than the time of meeting.

6. DUTIES OF THE CLERK

1. The Clerk shall keep Minutes of Proceedings of the House and of Committees of the whole House, and shall circulate a copy of such Minutes as soon as possible after each meeting of the House.

2. The Minutes shall record the names of members attending, and all Orders and Resolutions of the House. They shall be signed by the Speaker.

3. In the case of divisions of the House or of a Committee of the whole House, the Minutes shall include the number voting for and against the question and the names of members so voting.

4. The Clerk shall prepare from day to day, and keep on the Table of the House or in the office of the Clerk, an Order Book showing all business appointed for any future day, and any notices of questions or motions which have been put down for a future day or the appropriate day, or if no particular day has been selected, for an early day. The Order Book shall be open to the inspection of members during normal office hours at times fixed by the Clerk with the concurrence of the Speaker.

5. The Clerk shall be responsible for the custody of the votes and proceedings, records, bills and other documents laid before the House. They shall be open to inspection by members of the House and other persons under such arrangements as may be sanctioned by the Speaker.

6. The Clerk shall be responsible for preparing for each meeting an Order Paper containing the business for that meeting.

7. The Clerk shall cause to be circulated to each Member the Order Paper so prepared in respect of each meeting of the House.

8. The Clerk shall execute such other functions and duties as may be prescribed by law.

7. LANGUAGE

1. The proceedings and debates of the House and its Committees shall be in the English language.

2. All papers, petitions or other documents submitted or presented for consideration by the House or a Committee of the House shall be written in the English language or accompanied by an English translation certified by the member presenting it to be correct.

8. QUORUM

1. A quorum of the House and of a Committee of the whole House shall consist of 9 members, including the member presiding and 5 elected members.

2. If at the time of meeting a quorum is not present, the Speaker shall not take the Chair of the House.

3. If, after 15 minutes, a quorum is still not present, or if at any time during a meeting, any member draws the attention of the Speaker in the House or of the Chairman in Committee of the whole House to the fact that a quorum is not present, the bell shall be rung for 2 minutes by the Clerk at the direction of the officer presiding to summon members to the Chamber.

4. If the Speaker is then presiding, he shall, after the bell has been rung, count the House. If a quorum is not then present, he shall adjourn the House without question put.

5. If the Chairman is then presiding in Committee of the whole House, he shall, after the bell has been rung, count the Committee. If a quorum is not then present, he shall leave the Chair, the House shall be resumed and the Speaker shall count the House. If a quorum is then present, the House shall again resolve itself into Committee; but if a quorum is not then present, the Speaker shall adjourn the House without question put.

6. When once a meeting has commenced and a quorum is therefore present, a quorum shall not be necessary for any business of the House or a Committee of the whole House other than a division.

9. ORDER OF BUSINESS

Unless the House otherwise directs, the business of each meeting shall be transacted in the following order after the formal entry of His Honour the Speaker and Prayers—

- (1) Announcements by His Honour the Speaker.
- (2) Messages from His Excellency the Governor.
- (3) Petitions.
- (4) Papers.
- (5) Government Notices.
- (6) Private Members' Notices.
- (7) Notices of Questions.
- (8) Reports from Committees.
- (9) First readings of Bills.
- (10) Statements by Ministers.
- (11) Personal Explanations.
- (12) Motions for leave of absence.
- (13) Oral replies to questions.
- (14) Notices of motions for the adjournment of the House on matters requiring urgent consideration.
- (15) Orders of the day.

10. MESSAGES FROM HIS EXCELLENCY THE GOVERNOR

1. Whenever the House has been informed that His Excellency the Governor will be present in the House Chamber on a specified date, on that day no motion for the adjournment of the House shall be made before the time for which the Governor's arrival has been notified, and the House shall not be adjourned for lack of a quorum before that time.

2. A Message from His Excellency the Governor may be brought up at any time during a meeting and shall, as the House may determine, be considered forthwith or on a future day.

11. PETITIONS

Form of Petition

1. Every petition intended to be presented to the House shall—
 - (a) be addressed to the House,
 - (b) conclude with a prayer setting forth the general object of the petitioners,
 - (c) bear the signatures of the petitioners or their marks duly witnessed, and
 - (d) be endorsed by the person presenting the same to the effect that in his opinion it is properly and respectfully worded.

Presentation of Petition

2. A petition must be presented by a member who shall be responsible for its compliance with requirements of Standing Orders.
3. A member may not present a petition for himself.
4. A member presenting a petition may state concisely the purport of the petition, and may move that it do lie on the Table or be read or printed or referred to a Select Committee, and any such motion shall specify the number of the members to constitute a quorum of the committee.
5. A debate shall not be permitted on a motion on presentation of a petition. No other member may speak in relation to the petition except to second the motion formally.
6. When a petition is referred to a Select Committee, individuals whose rights or interests are peculiarly affected by any proposed action or legislation to which the petition relates may be heard by the Committee in person and/or by a representative.

12. PAPERS

1. Every paper shall be presented by a member of the Cabinet, and its presentation shall be entered in the Minutes.
2. A member presenting a paper may make a short explanatory statement of its contents.

3. All papers shall be ordered to lie on the Table without question put, and shall be printed unless the House by motion, which shall be without amendment or debate, decides otherwise.

4. All Rules, Regulations, Orders and other statutory instruments which do not require the approval of the House, shall be laid on the Table as soon as possible after they have been made.

13. CONTENTS OF QUESTIONS

1. A question may be put to a member of the Cabinet relating to business of the Government of the Islands for which he is officially responsible.

2. Every question shall conform to the following rules:

- (a) a question must not publish any name or statement not strictly necessary to render the question intelligible;
- (b) if a question contains a statement, the member who asks the question must be prepared to authenticate and substantiate it;
- (c) a question shall not contain any argument, inference, imputation, epithet, or tendentious, ironical or offensive expression;
- (d) a question shall not refer to a debate which has occurred or an answer which has been given in the current session;
- (e) a question shall not be asked—
 - (i) which raises an issue already decided in the House, or which has been answered, or to which an answer has been refused during the same session; or
 - (ii) which deals with matters then under reference to a Commission of Enquiry or within the jurisdiction of a Select Committee;
- (f) a question shall not refer to proceedings in a Committee which have not been reported to the House;
- (g) a question shall not seek information about any matter which is of its nature secret;
- (h) a question reflecting on the decision of a court of law or likely to prejudice a case under trial shall not be asked;
- (i) a question may not ask for an expression of opinion, for the interpretation of any law or the solution of a hypothetical proposition;
- (j) a question may not ask whether statements in the press or of private individuals or unofficial bodies are accurate;
- (k) a question may not be asked which reflects on the character or conduct of any person other than in his official or public capacity;
- (l) a question requiring information set out in accessible documents or ordinary works of reference may not be asked;
- (m) a question shall not be the pretext for a debate.

3. Questions relating to matters set out in Section 33⁴ of the Constitution shall be put to the Premier if so agreed by His Excellency the Governor unless His Excellency has delegated responsibility for answering questions on any of the matters set out in that Section to another member of the Cabinet.

4. If the Speaker is of opinion that any question of which a member has given notice to the Clerk or which a member has sought leave to ask without notice is not in order he may direct that it be asked with such alterations as he may require, and if the question is out of order the Speaker shall so inform the member, specifying any Standing Order which the question infringes.

14. QUESTIONS WITHOUT NOTICE

A question shall not be asked without notice unless the Speaker is of opinion that it is of an urgent character, and relates either to a matter of public importance, or to the arrangement of public business, and the member has obtained the permission of the Speaker to ask it.

(Amended by L.N. 12/2004)

15. QUESTIONS WITH NOTICE

1. (1) Notice of a question shall be given by a member in writing –

(a) when the House is sitting, by being handed in at the Table; or

(b) when the House is not sitting, by being handed to the Clerk or may be sent or left at the office of the Clerk at anytime during office hours.

(2) Every notice must be signed by the Member giving it.

2. In giving notice of any question a Member shall state whether he requires an oral answer.

3. Not more than fifteen questions requiring an oral answer shall appear on the Order Paper in the name of the same Member for the same sitting.

4. Notice of questions shall be given by a Member in writing not less than five clear days before the hour of the sitting.

(Inserted by L.N. 12/2004)

16. MANNER OF ASKING AND ANSWERING QUESTIONS

1. At Question Time, the Speaker shall call upon the Member in whose name the question stands. The member so called shall then rise in his place and ask the question by reference to its number on the Order Paper, and the member to whom it is addressed shall give his reply. *(Amended by L.N. 12/2004)*

2. (a) After an oral answer has been given, supplementary questions may be put with the permission of the Speaker by any member for the purpose of elucidating the answer.

⁴ Section 33 (2) (3) (4) and (5) suspended by the Turks and Caicos Islands Constitution Order 2009 S.I. 2009 No. 701 (U.K.).

- (b) The Speaker shall disallow any supplementary question which in his opinion introduces matter irrelevant to the original question.
3. If an oral answer to a question is not required, the member to whom it is addressed shall lay the answer on the Table of the House.
4. Questions to Ministers shall be taken at 2 p.m. and shall continue until all replies which are then ready have been given, but questions which have not been answered because of the absence of the member to whom they were addressed and questions to be asked with the permission of the Speaker under the provisions of Standing Order 15.1, may be answered at the convenience of the House.
5. If a member is not present during Question Time to ask his question when his name is called, the member to whom it is addressed shall lay the answer on the Table of the House, unless the member asking the question has signified his desire before the end of Question Time to postpone the question to a later meeting or to withdraw it.

17. ADJOURNMENT OF THE HOUSE

1. A member of the Cabinet may move “That this House do now adjourn” at any time during a meeting, but any other member may move such a motion only under the provisions of Standing Order 18.
2. Upon a motion for the adjournment moved under the provisions of this Order, a debate may take place in which any matter of Government business for which a member is responsible may be raised by any member who has obtained the right to raise a matter on a motion for the adjournment of the House that day. If time permits, the Speaker may allow any other member who has given him prior notice of his wish so to do to speak on the subject raised. A member of the Cabinet responsible for the matter raised shall have a right of reply. Thereafter, if time permits, any other member who has obtained the right may similarly raise a matter subject to the same conditions.
3. Any member who wishes to raise a matter under this Order shall give notice of the matter in writing to the Speaker not less than 3 clear days before the meeting at which he wishes to ask leave to raise the matter. Subject to such notice, the right to raise a matter shall be allotted for each meeting through such arrangements as the Speaker may make.
4. The House shall not vote on a matter debated under this Standing Order.

18. ADJOURNMENT – MATTER REQUIRING URGENT CONSIDERATION

1. Any member other than a member of the Cabinet may at the time appointed under Order of Business (Standing Order 9) rise in his place and ask for leave to move the adjournment of the House to discuss a specific and important matter which should have urgent consideration.
2. A member who wishes to ask leave to move the adjournment of the House under this Standing Order shall, before the commencement of the meeting, give to the Speaker a written notice of the matter which he wishes to discuss. The Speaker shall refuse to allow the claim unless he is satisfied of the nature of the matter and that it may properly be raised on a motion for the adjournment of the House.

3. If the Speaker is so satisfied and the majority of the members present rise in their places to support the request he shall fix a time during the meeting for debate on the matter.

4. The House shall not vote on a matter debated under this Standing Order. Not more than one motion for the adjournment of the House under this Standing Order may be allowed at a meeting.

19. PERSONAL EXPLANATION

By the indulgence of the House, a member may make a personal explanation although there is no question before the House, but no controversial matter may be brought forward, nor may debate arise upon the explanation.

20. ARRANGEMENT OF BUSINESS

1. Government Business for each meeting shall consist of notices of motion, being motions of which notice has been previously given, and orders of the day, being matters which have been set down for a particular day in pursuance of an order of the House.

2. Subject to these Standing Orders, Government Business shall have precedence over all other business and the Government may arrange their business whether it consists of notices of motion or of orders of the day in such order as they think fit.

3. Private Members' Business shall commence immediately after the conclusion of Question Time and shall be debated, subject to any other determination of the House, for one hour.

4. Private Members' Business shall be set down on the Order Paper for a particular day in the order in which it was entered in the Order Book for that day.

MOTIONS AND AMENDMENTS

21. EXEMPTION FROM NOTICE

Unless the Standing Orders otherwise provide, notice shall be given of any motion which it is proposed to move with the exception of the following—

- (1) a motion for the election of a Speaker or Deputy Speaker (Standing Orders 2 and 3), or temporary presiding officer (Standing Order 4);
- (2) a motion for the adjournment of the House or of any debate (Standing Orders 5, 17, 18 and 34);
- (3) a motion that a petition do lie on the Table and/or be read, printed, discussed or referred to a Select Committee (Standing Order 11);
- (4) a motion that a paper laid be not printed (Standing Order 12);
- (5) subject to Section 67(2) of the Constitution a motion for the amendment of any motion (Standing Order 23);
- (6) a motion for the withdrawal of a bill (Standing Order 26);

- (7) a motion in respect of which notice has been dispensed with (Standing Order 27);
- (8) a motion for the closure of debate (Standing Order 35);
- (9) a motion for the suspension of a member (Standing Order 39);
- (10) subject to Standing Order 61, a motion for the first reading of a bill (Standing Order 41);
- (11) a motion to report progress (Standing Orders 5 and 46);
- (12) a motion to recommit a bill wholly or in part (Standing Order 49);
- (13) a motion that the House resolve itself into Committee (Standing Orders 44 and 64);
- (14) a motion to consider amendments proposed by the Governor (Standing Order 55);
- (15) a motion that the Report of a Select Committee be referred to a Committee of the whole House (Standing Order 61);
- (16) a motion made in Committee of the whole House, other than in Committee of Supply (Standing Orders 47 – 49);
- (17) a motion for the suspension of a Standing Order (Standing Order 70);
- (18) a motion relating to a matter of privilege (Standing Order 73);
- (19) a motion for the withdrawal of strangers (Standing Order 74).

22. NOTICES

1. Notices shall be given—
 - (a) by being handed in at the Table when the House is sitting, or
 - (b) at the office of the Clerk within the hours prescribed for the purpose when the House is not sitting.
2. A notice must be in writing, signed and dated by the member giving it.
3. The Clerk shall indicate when it is circulated to members the date on which a notice of motion was handed in.
4. Notices of motion for a meeting shall be given in the case of—
 - (a) Private Members' Business, at least 14 days, and
 - (b) Government Business at least 10 days before the meeting so that all members may receive copies of the bill, resolution or other motion of which notice has been given, at least 7 clear days,
 before a meeting at which debate on the motion is proposed.
5. The Speaker may direct that a notice of motion—
 - (a) be printed as it was handed in or with alterations determined by him, or
 - (b) be returned to the member as being in his opinion out of order.

6. Motions or amendments to bills sent to the Clerk shall be printed and circulated, even if they are matters for which notice is not required, and, in the case of amendments to bills, shall be arranged so far as may be in the order in which they should be proposed.

7. Any member other than a member of the Cabinet desiring to give oral notice of a motion shall, at least 3 days preceding the next meeting of the House of Assembly, notify the Clerk's Office in writing.

8. Save at the first meeting after a prorogation or a general election, a member other than a member of the Cabinet may not, in respect of any meeting, give notice of more than 3 motions.

9. Notices of motions given orally shall be immediately put into writing by the member and handed to the Clerk-at-the-Table. They shall be printed and circulated as soon as may be thereafter.

23. RELEVANCY OF AMENDMENTS

1. When any motion or bill is under consideration in the House or a Committee thereof, an amendment may be proposed to such motion or bill if it is relevant to the question or matter then under discussion. An amendment may not be made in the first part of a question, after the latter part has been amended, or has been proposed to be amended, or if a question has been proposed from the Chair upon such amendment.

2. An amendment may be proposed to any amendment if it is relevant thereto.

24. SECONDING OF MOTIONS AND AMENDMENTS TO BILLS

A question upon a motion or amendment to a bill shall not be proposed by the Speaker or the Chairman unless such motion or amendment has been seconded, and no record of any such motion or amendment, if not seconded, shall be made in the Minutes.

25. METHOD OF PUTTING THE QUESTION ON AMENDMENTS

1. Upon an amendment to leave out words, the question is proposed from the Chair "That the words proposed to be left out stand part of the question".

2. Upon an amendment to insert or add words the question is proposed from the Chair "That the following words be inserted (or added)".

3. Upon an amendment to leave out words and insert other words instead, a question shall first be proposed from the Chair "That the words proposed to be left out stand part of the question". If that question be negatived, the question shall then be proposed "That the following words be inserted (or added)" and the consequential question on the Clause or other motion is then put.

4. When notice has been given of a subsequent amendment to words which are proposed to be left out by a previous amendment, the Chair shall, if possible, propose the question on the first amendment in such form as will enable the subsequent amendment to be moved, if the first is not carried.

26. WITHDRAWAL OF MOTIONS AND AMENDMENTS TO BILLS

1. A motion or amendment to a bill may be withdrawn, at the request of the mover, by leave of the House or Committee before the question is fully put thereon, if there is no dissent. A motion or an amendment to a bill so withdrawn may be proposed again, if the appropriate notice is given.

2. If an amendment has been proposed to a motion, the original motion may not be withdrawn until the amendment thereto has been disposed of.

3. If an interval of 3 months has elapsed after notice of a motion has been given without further action having been taken on the motion, the motion shall lapse unless the House otherwise orders.

4. Time during which the House is in recess shall not be counted in computing the interval of 3 months hereinbefore mentioned.

27. DISPENSING WITH NOTICE

Where notice is required, it shall not be dispensed with unless the consent of the Speaker is given.

RULES OF DEBATE**28. TIME AND MANNER OF SPEAKING AND CONTENTS OF SPEECHES**

1. A member may not read his speech, but he may read extracts from books or papers other than newspapers in support of his argument, and may refresh his memory from notes.

2. A member must confine his speech to the subject under discussion, and may not introduce irrelevant matter.

3. Reference may not be made to any matter on which a judicial decision is pending in such a way as might in the opinion of the Chair prejudice the interests of parties thereto.

4. It shall be out of order to reflect on any vote of the House or attempt to reconsider any specific matter upon which the House has come to a conclusion during the current session except upon a substantive motion for rescission.

5. It shall be out of order to use offensive and insulting language about members of the House.

6. A member may not refer to another member by name.

7. A member may not impute improper motives to another member.

8. The name of Her Majesty the Queen or His Excellency the Governor may not be used to influence the House.

9. The conduct of Her Majesty the Queen, members of the Royal Family, His Excellency the Governor, members of the House, Judges or the performance of judicial functions by any person may not be referred to except upon a substantive motion.

- 10.** (a) Reference may not be made in debate to the character or conduct of any person except in his official or public capacity.
- (b) Any member who desires to refer in debate to the character or conduct of any person in his official or public capacity must deliver to the Speaker written prior notice of the proposed reference. The notice must set out the facts on which the reference will be based and must be signed by the member giving it.

11. A member may not allude to a debate of the same session upon a question or bill not then under discussion, except by indulgence of the House, or in personal explanation.

12. A member may read, from the authorised report of the debates, the report of any speech made in the House of Assembly during any previous session.

13. A member who desires to speak must rise in his place and, if he is called upon by the Chair, address the Speaker or Chairman.

14. If two or more members rise at the same time, the Speaker or Chairman shall call upon the member who first catches his eye.

15. A member may not speak more than once on any proposition except—

- (a) in Committee, as provided in these Standing Orders; or
- (b) in explanation, as provided in paragraph 16 of this Standing Order; or
- (c) as provided in Standing Order 31; or
- (d) in the case of the mover of a substantive motion or the member in charge of a Bill, in reply,

but a member may formally second any original motion, without prejudice to his right to speak at a later period of the debate.

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

17. A member who has spoken may speak again when a new question has been proposed by the Speaker or Chairman, such as a proposed amendment, or a motion for the adjournment of the debate or a dilatory motion.

18. Where a presiding officer requires a member to withdraw a statement he may also require the statement to be expunged from the records of the House.

29 RIGHT OF REPLY

1. The mover of a motion may reply after all the other members present have had an opportunity of speaking and before the question is put. After a reply has been delivered, no member may speak, except as provided in paragraph 2 of this Standing Order.

2. A member of the Cabinet may conclude a debate on any motion which is critical of the Government, or reflects adversely on or is calculated to bring discredit upon a Government Officer.

30. TIME LIMITS OF SPEECHES AND DEBATES

Government Business

1. In a debate on a Government Order, a member may speak for 20 minutes, except on third reading of a bill when a member may speak for 10 minutes, but these time limits shall not apply to the Premier, a member moving a Government Order, the Leader of the Opposition or the member who speaks first on behalf of the Opposition.

2. In a debate on a motion for an Address in Reply to the Speech of His Excellency the Governor on the opening of a session of Parliament a member may speak for 20 minutes, but this time limit shall not apply to the Premier, the member replying on behalf of the Government or the Leader of the Opposition.

Adjournment Debates

3. A debate on a motion for the adjournment of the House under Standing Order 17 shall not exceed one hour.

4. A debate on a motion for the adjournment of the House under Standing Order 18 shall not exceed 1½ hours.

Debates in Committee of the Whole House

5. In a debate on a Bill in Committee of the whole House, a member may speak more than once on a clause or schedule.

Private Members' Business

6. In a debate on any matter of Private Members' Business, the speech of a member shall not exceed 20 minutes, but this time limit shall not apply to a member in moving a motion of "No-Confidence" in the Government and a member of the Cabinet who speaks in final reply to such a motion, and provided also that the mover of a motion shall, subject to Standing Order 29.2, have a right of reply, such reply not exceeding 20 minutes.

31. INTERRUPTIONS

1. A member may not interrupt another member except—
 - (a) by rising to a point of order, when the member speaking shall resume his seat and the member interrupting shall simply direct attention to the point of order which he desires to bring to notice and submit it to the Speaker or Chairman for decision;
 - (b) to elucidate some matter raised by the member in the course of his speech, if the member speaking is willing to give way and resume his seat and the member wishing to interrupt is called by the Speaker or Chairman;

- (c) subject to the provisions of Standing Order 35, to move or second the motion “That the question be now put”; or
- (d) subject to the provisions of Standing Order 73, to propose a motion on a matter of privilege.

2. Any member who wishes to speak on a question of order during a division must rise in his place and make his point when he is called upon by the Speaker or Chairman.

3. When a member rises on a point of order or a point of elucidation and any statement then made by him is ruled not to be a point of order or a point of elucidation, the officer then presiding may require such statement and any comment thereon by any other member to be expunged from the records of the House.

32. BEHAVIOUR OF MEMBERS NOT SPEAKING

A member while present in the Chamber during a debate—

- (1) must at all times conduct himself with dignity and decorum,
- (2) must be uncovered and shall make an obeisance to the Chair when passing to or from his place,
- (3) must not pass between the Chair and any member who is speaking, or between the Chair and the Table,
- (4) must take his place in the Chamber and not stand in the passages or doors, and
- (5) must maintain silence except when called to speak by the Chair.

33. SCOPE AND DURATION OF DEBATE

1. Debate upon any motion, bill or amendment thereto shall be relevant to such motion, bill or amendment, except motions under Standing Orders 17 and 18.

2. With the consent of the majority of the House present, the Speaker may fix the total time to be allocated on any motion of Government Business or Private Members’ Business.

3. When an amendment proposes to leave out words and to add or insert other words in their place, debate upon the first question proposed on the amendment may include both the words proposed to be left out and those proposed to be inserted or added.

4. 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 such words as the case may be.

34. DILATORY MOTIONS

1. A dilatory motion is a motion for the adjournment of a debate or of the House during a debate or, in Committee, that the Chairman do now report progress and ask for leave to sit again or do leave the Chair.

2. The debate upon a dilatory motion shall be confined to the matter of the motion. A member who has made or seconded such a motion shall not be entitled to move or second any similar motion during the same debate.

35. CLOSURE OF DEBATE

1. After a question has been proposed, a member rising in his place may claim to move “That the question be now put”; and, unless it appears to the Speaker or Chairman that such motion is an abuse of the rules of the House, or an infringement of the rights of the minority, the question “That the question be now put” shall be put forthwith and decided without amendment or debate.

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

3. In any division upon a question for the closure of debate, that question shall not be decided in the affirmative unless it appears by the numbers declared by the Speaker or Chairman, that not less than 8 members voted in the majority in support of the motion.

36. ANTICIPATION

1. It is out of order to anticipate an Order of the Day by a discussion on a motion or amendment dealing with the subject matter of an Order of the Day prior to the consideration of that Order.

2. It is out of order to anticipate an Order of the Day or a notice of motion or a reply to a question by discussion upon (a) an amendment, or (b) a motion for the adjournment of the House.

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

RULES OF ORDER

37. CHAIR TO BE HEARD IN SILENCE

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

38. DECISION OF THE CHAIR FINAL

The Speaker in the House and the Chairman in Committee shall be responsible for the observance of the rules of order in the House and Committee respectively, and their decision upon any point of order shall not be open to appeal and shall not be reviewed by the House except upon a substantive motion made after notice. Notwithstanding any other requirements for giving notice set out in these Standing Orders, such a motion

shall not require more than 2 days' notice and shall not be construed as a motion of no-confidence in the presiding officer.

39. ORDER IN THE HOUSE AND IN COMMITTEE OF THE WHOLE HOUSE

1. The Speaker, or the Chairman in Committee of the whole House, after having called the attention of the House or of the Committee to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech and resume his seat.

2. (a) The Speaker or the Chairman shall order any member whose conduct is grossly disorderly to withdraw immediately from the House during the remainder of that day's sitting.
- (b) If, on any occasion, the Speaker or the Chairman deems that his powers under the previous provisions of this Standing Order are inadequate, he may name the member, in which event the procedure prescribed in the following provisions of this Standing Order shall be followed.
- (c) The Serjeant-at-Arms or other officer of the House shall act on such orders as he may receive from the Chair in pursuance of Standing Orders.

3. Whenever a member has been named by the Speaker or by the Chairman immediately after the commission of the offence of disregarding the authority of the Chair, or of persistently and wilfully obstructing the business of the House by abusing the rules of the House or otherwise, then, if the offence has been committed by such member in the House, the Speaker shall forthwith put the question on a motion being made, no amendment, adjournment or debate being allowed, "That be suspended from the service of the House". If the offence has been committed in Committee of the whole House, the Chairman shall forthwith suspend the proceedings of the Committee and report the circumstance to the House, and the Speaker shall, on a motion being made, forthwith put the same question, no amendment, adjournment or debate being allowed, as if the offence had been committed in the House itself.

4. If 2 or more members have jointly disregarded the authority of the Chair they may be named together.

5. If a member is suspended under the provisions of this Standing Order, he shall withdraw from the precincts of the House's meeting place. His suspension shall last for 2 weeks on the first occasion, for one month on the second occasion, and for 3 months on any subsequent occasion.

6. If a member who has been suspended from the service of the House refuses to obey the direction of the Speaker to withdraw when summoned under the Speaker's orders by the Serjeant-at-Arms to obey the direction, the Speaker shall call the attention of the House to the fact that recourse to force is necessary in order to compel obedience to his direction. When the member named by him as having refused to obey his direction has been removed from the House, the Speaker shall thereupon without any further

question being put suspend him from the service of the House during the remainder of the session.

7. Members who are ordered to withdraw from the House or who are suspended from the service of the House must forthwith withdraw from the precincts of the House's meeting place and shall be excluded therefrom for the remainder of the sitting or for the period of their suspension as the case may be.

8. In the case of grave disorder arising in the House, the Speaker may, if he thinks it necessary to do so, adjourn the House without putting any question or suspend the sitting for a time to be named by him.

9. This Order does not deprive the House of the power of proceeding against any member according to any Resolution of the House.

40. VOTING

1. Subject to Section 64⁵ of the Constitution and these Standing Orders, all questions proposed for decision in the House of Assembly shall be decided by a majority of members present and voting.

2. The person presiding shall not vote unless on any question the votes are equally divided when he shall have and exercise a casting vote, but a casting vote is exercisable by the Speaker only if he is an elected or appointed member.

3. At the conclusion of a debate upon any question the Speaker or Chairman shall put that question for the decision of the House. A question is fully put when the Speaker or Chairman has collected the voices of the "Ayes" and of the "Noes". No further debate may thereafter take place upon that question.

4. The result shall be declared by the Speaker or Chairman, but his opinion as to the decision of a question may be challenged by a member claiming a division.

5. When a division has been claimed, the officer then presiding shall direct the Clerk to ring the bell for one minute for a division. The question shall again be put by the Speaker or Chairman. All members then present and seated in the Chamber shall be entitled to vote.

6. In a division the Clerk shall call each member's name separately in the order of sitting. Every member present, unless he expressly says that he declines to vote, shall record his vote either for the "Ayes" or the "Noes".

7. As soon as the Clerk has collected the votes, the Speaker or Chairman shall state the numbers voting for the "Ayes" and for the "Noes" respectively and shall then declare the result of the division or give his casting vote as the case may be.

8. The Clerk shall enter on the Minutes of Proceedings the record of each member's vote, the names of the members present who declined to vote and the manner in which the presiding officer exercised his casting vote.

⁵ Suspended by Turks and Caicos Islands Constitution Order 2009, S.I. 2009 No. 701 (U.K.).

9. If a member states that he voted in error or that his vote has been counted wrongly, he may claim to have his vote altered, if the request is made before the Speaker or Chairman has declared the result of the division.

PROCEDURE ON BILLS

41. INTRODUCTION AND FIRST READING

1. A member may introduce a bill of which he has given notice.
2. The first reading of every bill shall be proposed immediately after the bill has been called.
3. The first reading of any bill may be proposed immediately after notice of the bill has been given in the House.
4. The question "That this bill be now read a first time" shall be decided without amendment or debate.
5. An interval of not less than 7 days shall elapse between the first and second readings of a bill, unless the House agrees to proceed with the bill at any earlier date.

42. PRINTING AND CIRCULATION OF BILLS

1. The Clerk shall arrange the printing of bills from the original bill handed in by the member in charge of the bill and before a bill is printed, shall ensure that
 - (a) the bill is divided into clauses numbered consecutively,
 - (b) a title for each clause is printed in the margin,
 - (c) the provisions of the bill do not go beyond its title,
 - (d) the provisions of the bill comply with the provisions of Section 67(2)⁶ of the Constitution, and
 - (e) if the bill affects private rights, the provisions of the Royal Instructions, Standing Orders and any other law have been complied with.
2. As soon as possible after the printing of a bill, the Clerk shall circulate a copy to every member, together with any explanatory memorandum provided by the member in charge of the bill.
3. The Clerk shall as soon as may be cause every bill to be published in the *Gazette*.

⁶ Suspended by Turks and Caicos Islands Constitution Order 2009, S.I. 2009 No. 701 (U.K.).

43. SECOND READING OF BILLS

1. A bill shall not be read a second time until it has been printed and circulated to members and has been published in the *Gazette*.
2. On the order for the second reading of a bill being called, a motion may be made “That the bill be now read a second time”, and a debate may arise covering the principles and general merits of the bill.
3. On 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 to substitute a later, specific date in its place, or an amendment may be moved to leave out all the words after the word “That” in order to add words stating the object and motive on which the opposition to the bill is based, but such words must be strictly relevant to the principle of the bill and not deal with its details.
4. If on an amendment to the question that a bill be now read a second time it is decided that the word “now”, or any words proposed to be left out, stand part of the question, the Speaker must forthwith declare the bill to be read a second time.

44. COMMITTAL OF BILLS

When a bill has been read a second time, the House may on a motion without notice by any member, commit the bill to a Committee of the whole House or to a Select Committee.

45. INSTRUCTIONS TO COMMITTEES

1. Instructions to Committees of the House may be included in the motion for committal, but shall not be moved by way of amendment.
2. An instruction to order a Committee to make a provision in a bill or to empower a Committee to make a provision shall not be moved, if it already has power to make such provision.

46. COMMITTEE OF THE WHOLE HOUSE

If any member, before the conclusion of proceedings on a bill, moves to report progress and such motion is carried, or if the proceedings in a Committee of the whole House have not been finished at the conclusion of a meeting, the Chairman shall leave the Chair and report progress to the House and shall ask leave to sit again.

47. FUNCTIONS OF COMMITTEES ON BILLS

1. A Committee to which a bill is committed shall not discuss the principles of the bill, but only its details.
2. A Committee may make such amendments relevant to the subject matter of the bill as it thinks fit. If any amendments are not within the title of the bill, the Committee shall amend the title accordingly and report the matter to the House.

48. PROCEDURE IN COMMITTEES ON BILLS

1. The Clerk shall call the number of each clause in succession but, with the agreement of the Committee, several clauses may be called together or, where the bill is divided into Parts, the bill may be called in Parts, without prejudice to the right of the committee to discuss or amend any clause.

2. If no amendment is offered or when all amendments proposed have been disposed of, the Chairman shall put the question on the matter then under discussion.

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

4. An amendment shall not be moved if it is inconsistent with any clause already agreed upon or any decision already come to by the Committee, and the Chairman may, at any time during the discussion of a proposed amendment, withdraw it from the consideration of the Committee if, in his opinion, the discussion has shown that the amendment contravenes the provisions of these Standing Orders.

5. A clause may be postponed unless the question thereon has been fully put from the Chair.

6. Postponed clauses shall be considered after the remaining clauses of the bill have been considered and before new clauses are proposed.

7. Any proposed new clause shall be considered after the clauses of the bill as printed have been disposed of and before consideration of any schedule to the bill, but a new clause proposed in substitution for a clause which has been disagreed to may be considered immediately after such disagreement.

8. On the title of any new clause being read by the Clerk, the clause shall be deemed to have been read a first time. The question shall then be proposed "That the clause be read a second time". If this is agreed to, amendments may then be proposed to the new clause. The final question to be proposed shall be "That the clause (or the clause as amended) be added to the bill."

9. The consideration of the schedules, if any, follows consideration of the clauses. Schedules shall be called by the Clerk and may be amended in the same manner as clauses. The question is then proposed "That this be the Schedule (or That the Schedule, as amended, be the Schedule) to the bill." The consideration of new schedules shall follow the consideration of the original schedules and they will be considered in the same manner as new clauses.

10. If there is a preamble to the bill, it stands postponed without question put until the clauses and schedules (including new clauses and new schedules) have been disposed of. The question then put is "That this be the preamble to the bill" after any necessary amendment to the preamble has been made.

11. If any amendment to the title of the bill is made necessary by an amendment to the bill, it shall be made at the conclusion of the proceedings detailed above, but no question shall be put that the title (or the title as amended) stand part of the bill.

12. At the conclusion of the proceedings, the Chairman shall on motion made put the question "That I do now report the passing of the bill (or the bill with amendments) to the House", which shall be decided without amendment or debate.

49. RECOMMITTAL OF BILLS REPORTED FROM COMMITTEE OF THE WHOLE HOUSE

1. If a member desires to delete or amend a provision contained in a bill as reported from a Committee of the whole House or to introduce a new provision therein, he may at any time before a member rises to move the third reading of the bill move that the bill be recommitted either wholly or in respect only of a particular part of the bill or a proposed new clause or new schedule. Notice of a motion for recommitment is not required, and if the motion is agreed to the bill shall stand so recommitted. The House shall then upon motion made resolve itself into Committee to consider the business so recommitted either forthwith or upon a later day.

2. When the bill has been recommitted in respect only of a particular part or a proposed new clause or new schedule, the Committee may consider only the matter so recommitted and any amendment which may be moved thereto.

3. At the conclusion of the proceedings in Committee on a bill recommitted under the provisions of this Order, the Chairman shall put the question "That the bill (or the bill as amended on recommitment) be reported to the House". That question shall be decided without amendment or debate.

50. THIRD READING OF BILLS

1. When a bill has been reported from a Committee, other than a Select Committee, the member in charge of the bill may move that it be read a third time.

2. On the third reading of a bill dilatory amendments may be proposed to the question "That the bill be now read a third time" similar to those which may be proposed on a second reading.

3. Amendments for the correction of errors or oversights may, with the Speaker's permission, be made before the question of the third reading of the bill is put from the Chair, but no amendments of a material character may be proposed.

4. After the bill has been read the third time, a question is put "That this bill do now pass". The question shall be decided without amendment or debate, after which the title of the bill is agreed to.

5. A bill read a third time and passed shall be signed by the Speaker and submitted to the Governor by the Clerk with a Message desiring the Governor's Assent.

51. FURTHER PROCEEDINGS ON BILLS

1. When a bill has been returned from His Excellency the Governor with a list of amendments recommended by him, the member in charge of the bill may move for the consideration of the said amendments forthwith or on a future date, and the motion shall be decided without amendment or debate.

2. Upon consideration of the amendments recommended by the Governor, the House may agree, or disagree or make amendments thereto, or may propose amendments in lieu thereof.

3. The bill shall be returned to the Governor from the House with a list of any further amendments and, if any amendments recommended by the Governor have been

disagreed to, a list of reasons for such disagreement, and a Message desiring the assent of the Governor.

52. TEMPORARY ORDINANCES

The duration of a temporary ordinance shall be expressed in a clause in that ordinance.

53. WITHDRAWAL OF BILLS

A bill may be withdrawn by leave of the House, or of a Committee of the whole House as the case may be, either

- (a) before the commencement of Government Business; or
- (b) when any stage of the bill is reached in the Order of Business if, before the Question is fully put, the mover so requests.

54. BILLS CONTAINING SUBSTANTIALLY THE SAME PROVISIONS

After the second reading of any bill has been agreed to or negatived, no question shall be proposed during the same session for the second reading of any other bill containing substantially the same provisions. On an Order of the Day relating to such a bill being called, the Speaker shall direct that the bill be withdrawn.

55. RESERVED POWER OF GOVERNOR

Notwithstanding the provisions of Section 68⁷ of the Constitution in relation to the reserved power of His Excellency the Governor, the procedure for debate on a bill or resolution or other motion by the House and its Committees shall be as set out in these Standing Orders.

COMMITTEES

56. SESSIONAL SELECT COMMITTEES OF THE HOUSE

1. House Committee

1. The House Committee shall be appointed by the House at the commencement of every session:—

- (a) to superintend the printing executed by order of the House,
- (b) to select and arrange for printing Reports and Papers presented in pursuance of motions made by members of the House,
- (c) to regulate matters connected with the comfort and convenience of members of the House, and
- (d) to exercise such other functions as are allocated to the Committee by law.

⁷ Suspended by Turks and Caicos Islands Constitution Order 2009, S.I. 2009 No. 701 (U.K.).

2. The Committee shall consist of 6 members of the House of Assembly including the Speaker as Chairman.
3. A quorum of the Committee shall be 4 members including the Chairman.

2. *Standing Orders Committee*

The Standing Orders Committee shall consist of the Speaker as Chairman and 5 other members appointed by the House at the commencement of every Session. The Committee shall consider and report to the House on all matters relating to the Standing Orders of the House.

3. *Committee of Privileges*

The Committee of Privileges shall consist of the Speaker as Chairman and 5 other members appointed by the House at the commencement of every Session. Any matter which appears to affect the powers and privileges of the House shall be referred to the Committee by the House. The Committee shall consider such matters and report on them to the House.

4. *Committee of Public Accounts*

1. There shall be a Committee of Public Accounts for the examination of accounts showing the appropriation of the sums granted by the House of Assembly to meet the public expenditure and of such other accounts laid before the House as the Committee may think fit.
2. The Committee shall consist of the Leader of the Opposition as Chairman and 5 other members appointed by the House at the commencement of every Session.

57. OTHER SELECT COMMITTEES

1. A Select Committee may be appointed by the House to consider or inquire into and take evidence upon a matter and to report their opinion or observations thereon for the information of the House, or to consider a bill, or for any other purpose in which they can assist the House.
2. A Select Committee shall consist of members appointed by the House and, in the absence of such direction, of members appointed by the Speaker.
3. Subject to these Standing Orders, a Select Committee shall have power to elect a Chairman from among its members.

58. STANDING COMMITTEES UNDER THE CONSTITUTION

1. *Expenditure Committee*

1. There shall be an Expenditure Committee constituted under Section 61 of the Constitution, for the examination of expenditure of the sums granted by the House or otherwise allocated to Ministries to meet the public expenditure, consisting of 6 members including the Chairman. They shall be appointed by the House at the commencement of each Session. A quorum of the Committee shall be 4 members.
2. The Chairman of the Committee shall be elected by the Committee.

(Amended by L.N. 33/2003)

2. Administration Committee

1. An Administration Committee, constituted under Section 61 of the Constitution, consisting of 6 members including the Chairman, and charged with responsibility for monitoring the conduct of the business of Government, except in the matters referred to the Expenditure Committee, shall be appointed at the commencement of each Session. A quorum of the Committee shall be 4 members.

2. This Committee shall report on the implementation, administration and development of policies of Government in every Ministry.

3. The Leader of the Opposition or his nominee shall be Chairman of this Committee.

(Amended by L.N. 33/2003)

3. Constitution of Standing Committees

1. The Expenditure Committee and the Administration Committee shall have the powers set out in Section 61⁸ of the Constitution and any other law and shall each meet at least once per month in every Session.

2. The Committees shall report to the House of Assembly under subsection (5) (c) of Section 61 of the Constitution at least once in every Session. Each Committee shall report on its area of reference on each Ministry established under Section 32(1) of the Constitution.

59. PROCEDURE OF COMMITTEES

1. A Committee shall have and exercise the powers and authority given to it under the Constitution, any other law or by these Standing Orders, and shall have leave to report its opinion and observations, together with the Minutes of evidence taken before it, to the House.

2. (1) A Committee may request any person—

(a) to attend before it and give evidence; and

(b) to attend before it and produce any paper, book, record or other document in the possession or under the control of such person.

(2) Under the House of Assembly (Powers and Privileges) Ordinance, a witness may be examined on oath if he consents.

(3) Sub-paragraph (2) hereof does not apply to Committees constituted under Section 61 of the Constitution whose powers are mandatory.

3. The names of the members present at each meeting shall be entered upon the Minutes of Proceedings and Minutes of evidence of the Select Committee.

⁸ Section 61 was suspended by Turks and Caicos Islands Constitution Order 2009, S.I. 2009 No. 701 (U.K.).

4. The Minutes of Proceedings shall record all divisions of the Committee, including the names of the proposers of motions and the votes of the members.
5. Unless a quorum is fixed by Standing Orders or the House otherwise directs, a Committee shall fix its quorum.
6. The Clerk shall draw the attention of the Chairman to the absence of a quorum and the Chairman shall thereupon either suspend the proceedings until a quorum is present or adjourn the Committee.
7. Except by leave of the House, a Committee shall not sit while the House is meeting, but a Committee may sit when the House is adjourned or its meeting is suspended.
8. If the Chairman is absent from a meeting, the Committee shall elect a temporary Chairman to serve in the absence of the Chairman.
9. The Speaker may appoint another member of the House in place of a member of the Committee whose seat has become vacant or who has resigned from the Committee. Every appointment under this Standing Order shall be announced to the House as soon as possible.
10. A Committee shall have the services of a Clerk and the right to the services of a Shorthand Writer.
11. When it is intended to examine a witness, the member of the Committee requiring the witness shall deliver to the Clerk of the Committee, at least 7 days before the day appointed for his examination, full particulars of the name, residence and occupation of the witness.
12. Any order or request to attend to give evidence or produce documents before a Committee shall be communicated to the person summoned to attend or to produce documents by a written notice from the Clerk or the Chairman of the Committee.
13. The evidence of every witness shall be taken down verbatim and read over to the witness. The witness may correct errors which are due to inaccurate recording of his evidence.
14. A Committee may not, without the consent of the House, delegate any of its functions or powers.
15. The first meeting of a Committee shall be held at such time and place as the Speaker shall appoint. Subsequent meetings shall be held at such times and places as the Committee may determine, but if the Committee fails to do so, the Chairman shall, in consultation with the Clerk, appoint such times and places.
16. A Committee shall not meet outside the precincts of the House's meeting place unless power so to do has been given to that Committee by the Speaker.
17. Unless otherwise stated, these provisions for procedure apply to all Committees of the House, other than a Committee of the whole House.

60. PREMATURE PUBLICATION OF EVIDENCE

The evidence taken before any Committee, and any document presented to a Committee, shall not be published by any member of the Committee or by any other person before the Committee has presented its report to the House.

61. REPORTS FROM COMMITTEES

1. A Committee shall have leave to make a special report relating to its powers, functions and proceedings on any matters which it may think fit to bring to the notice of the House.

2. A report or special report together with the Minutes of Proceedings of a Select Committee shall be presented to the House by the Chairman or another member deputed by the Committee, and shall be ordered to lie upon the Table and be printed without question put. A member of the Committee may thereafter, without notice, move that the report be adopted.

3. A Report of a Select Committee on a bill or resolution or other motion may, on motion made, be referred by the House to a Committee of the whole House.

4. A bill reported from a Select Committee, together with a report on the bill, shall be ordered to lie upon the Table without question put. The report shall be taken into consideration upon such day as the House may determine. On the order for consideration of the report being read, any member may move that the report be adopted and, if that motion is agreed to, the bill shall be read a third time, either forthwith or upon such future day as the House may determine.

5. A Select Committee to which a bill has been committed shall report to the House not later than 2 months after the committal of the bill but any period during which the House is in recess shall not be counted for this purpose.

6. Where a Select Committee does not report to the House as directed the House may commit the bill to a Committee of the whole House and the powers of the Select Committee in relation to that bill shall cease.

62. PRIVATE AND HYBRID BILLS

Procedure on Private and Hybrid Bills

1. Every Ordinance shall be construed as a public Ordinance unless the contrary is expressly provided therein.

2. A private bill is a bill for the purpose of affecting or benefitting some particular person as defined in the Interpretation Ordinance, Section 2 and passed in accordance with the Standing Orders of the House of Assembly. A private bill shall not affect rights of persons and those claiming by, from or under them otherwise than as mentioned in the bill.

3. A public bill (whether introduced by a member of the Government or by a private member) which affects the private interests of particular persons or corporate bodies as distinct from the private interests of all persons or bodies in the particular category to which those individuals or bodies belong is a hybrid bill.

4. Every private bill shall be construed as containing a saving of the rights of the Crown.
5. A private bill shall be introduced in the House of Assembly only after due notice has been given by not less than 3 successive publications of the bill in the *Gazette*.
6. A private bill must be lodged with the Clerk together with—
 - (a) a petition from the promoters detailing the nature, objects of and reasons for the bill,
 - (b) a copy of each of the *Gazettes* in which the bill was published, and
 - (c) a notice in writing by a member that he will take charge of the bill,at least 10 days before the meeting during which the member proposes to introduce the bill.
7. The promoters of a private bill shall also supply to the Clerk, when lodging the original documents, as many printed copies of the bill and petition as may be required for circulation to members and such other persons as the Speaker may determine.
8. The procedure on a private or hybrid bill shall thereafter be as for a public bill (including publication of the bill in the *Gazette* between the first and second readings of the bill) except that every private or hybrid bill shall be referred to a Select Committee after it has been read the second time.
9. Reasonable notice, in terms approved by the Chairman of the Committee, shall be given by the promoters by publication in the *Gazette* and in a newspaper of the reference to a Select Committee. Promoters of a bill and objectors to it may appear and/or be represented at meetings of the Committee, but the Chairman may prescribe terms, which shall be published with the notices of the reference to the Committee, for the appearance of objectors before the Committee.
10. The promoters of a private bill shall pay all costs of printing and publishing the bill, the petition and any notices in the *Gazette* or newspaper.

FINANCIAL PROVISIONS

63. PUBLIC MONEY

Except on the recommendation of the Governor signified by a member of the Cabinet the House of Assembly shall not —

- (a) proceed upon any bill (including any amendment to a bill) which, in the opinion of the person presiding in the House, makes provision for imposing or increasing any tax, for imposing or increasing any charge on the revenues or other funds of the Islands or for altering any such charge otherwise than by reducing it, or for compounding or remitting any debt due to the Islands; or
- (b) proceed upon any motion (including any amendment to a motion) the effect of which in the opinion of the person presiding in the House is that provision would be made for any of the purposes aforesaid.

64. PRESENTATION, FIRST AND SECOND READINGS OF APPROPRIATION BILL

1. The member of the Cabinet responsible for finance shall, in respect of each financial year, as soon as may be before the commencement of that financial year, introduce in the House of Assembly an Appropriation Bill containing, under appropriate Heads for the several services required, the estimated aggregate sums which are proposed to be expended (otherwise than by way of Statutory Expenditure) during that financial year. The details of proposed expenditure showing separately statutory and other expenditure shall be contained in the Estimates which shall be presented at the same time.

2. After the motion for the second reading of the bill has been proposed and seconded, the debate thereon shall be confined to the general principles of Government policy and administration as indicated by the bill and Estimates.

3. Subject to any supplementary expenditure which may be approved by the House of Assembly, the sums voted in the Estimates by House in respect of a financial year shall represent the limit and extent of the public expenditure for that financial year.

4. Where any sum is voted in the Estimates by the House in respect of a financial year and at the end of that year there is an unexpended balance of that sum, the unexpended balance shall lapse.

5. The House of Assembly may, subject to the convenience of the Speaker who shall ensure that the rights of all members to a full debate are protected, fix a period of time for debate on the Appropriation Bill and Annual Estimates and for debate on any Supplementary Estimate of Expenditure.

65. COMMITTEE OF SUPPLY

1. There shall be a Committee of the whole House to be called the Committee of Supply.

2. When the Appropriation Bill has been read a second time, it shall with the Estimates stand committed to the Committee of Supply.

66. PROCEDURE IN COMMITTEE OF SUPPLY

1. The Estimates shall be debated before the clauses of the bill.

2. Upon consideration of the Estimates, the Clerk shall call the title of each Head of Expenditure in turn. The member responsible for the Head shall propose the motion "That the sum of \$ for Head stand part of the Schedule." and debate may take place on that motion.

3. If a member other than a member of the Cabinet proposes to move an amendment to reduce the sum to be allotted for any Head of Expenditure he must give at least 24 hours' notice of such amendment and if more than one such amendment is proposed to the same Head, the amendment seeking a reduction to the smallest sum shall be first proposed, and an amendment to omit a subhead or item shall be proposed only after all motions for reduction have been disposed of.

4. A notice of motion for an increase in the sum allocated for any Head shall be given only by a member of the Cabinet.

5. When all amendments which have been moved in respect of any particular Head of Expenditure have been disposed of, or if no amendments have been proposed, when debate on the Head has ended, the Chairman shall put the question: "That the sum of \$ for Head stand part of the Schedule", or "That the (increased) (reduced) sum of \$ for Head stand part of the Schedule", as may be appropriate.

6. On the motion "That the sum of \$ for Head stand part" the debate shall be confined to the policy of the service for which the money is to be provided and to principles of expenditure, and may refer to the details of revenue or funds for which that service is responsible.

7. A member may speak for 15 minutes at any one time, but the time limit of the speech of the member moving a Head of Expenditure, or replying to the debate on the Head, or of a member moving an amendment to reduce the sum to be allotted for any Head of Expenditure or replying to the debate on the amendment, shall not exceed 30 minutes.

8. (a) On the last of the allotted days, the Chairman shall, 30 minutes before the scheduled end of the debate, put every question necessary to dispose of the vote then under consideration.
- (b) The Chairman shall then put the question with respect to each Head of the Estimates that the total amount of the votes outstanding in that Head be granted for the purposes set out under that Head.
- (c) The Chairman shall then put the question with respect to each Clause and Schedule of the Appropriation Bill that the Clause be passed or the Schedule be a Schedule to the bill.
- (d) No debate or amendment shall be allowed on any matter in subparagraphs.

67. THIRD READING OF APPROPRIATION BILL

1. When the Appropriation Bill and the Estimates have passed Committee of Supply, the bill shall be reported forthwith to the House.

2. A motion for the third reading shall thereupon be made by a member of the Cabinet and shall be decided without debate.

68. STATUTORY EXPENDITURE

That part of any Estimate of Expenditure laid before the House of Assembly which shows Statutory Expenditure already approved by law shall not be voted on by the House and such expenditure shall, without further authority, be paid out.

69. SUPPLEMENTARY APPROPRIATION BILLS AND SUPPLEMENTARY ESTIMATES

1. The member of the Cabinet responsible for finance may from time to time cause to be prepared Supplementary Estimates of Expenditure which shall be laid before and voted on by the House of Assembly.

2. At the end of the period allotted for debate on a Supplementary Estimate of Expenditure, the Chairman shall forthwith put every question necessary to dispose of the votes then under consideration.

3. In respect of all supplementary expenditure voted on by the House of Assembly the member of the Cabinet responsible for finance may, at any time before the end of the financial year, introduce into the House of Assembly a Supplementary Appropriation Bill containing, under appropriate Heads, the aggregate sums so voted, and shall, as soon as possible after the end of each financial year, introduce into the House a final Appropriation Bill containing any such sums as have not yet been included in any Appropriation Bill.

MISCELLANEOUS PROVISIONS

70. SUSPENSION OF STANDING ORDERS

A motion may be made at the commencement of any sitting of the House by any member to suspend any of these Standing Orders, but such a motion may be made only with leave of the Speaker who must not allow the motion if it appears to him to be an abuse of the rules of the House or an infringement of the rights of a minority of the members.

71. ABSENCE OF MEMBERS

1. Any member who is unable to attend a meeting of the House shall acquaint the Speaker as early as possible of his inability to attend.

2. Amongst other provisions of the Constitution, a member shall vacate his seat if, as provided by Section 48(3)(b) of the Constitution he is absent from 3 consecutive meetings of the House of Assembly without the written permission of the Speaker, or if he addresses a written resignation to the Speaker, or has an interest described under Section 48(3)(d) of the Constitution and is not exempted by the Speaker from vacating his seat.

3. Leave and extensions of leave may be granted by the Speaker to a member in his discretion.

4. A member who attends the House while he is on leave from meetings forfeits the remainder of his leave.

72. EMPLOYMENT OF MEMBERS IN PROFESSIONAL CAPACITY

A member of the House of Assembly may appear before a Committee thereof as a witness but not in a professional capacity.

73. PRIVILEGE

1. A motion directly concerning the privileges of the House shall take precedence over all other business.
2. Any member desiring to raise a matter under this Standing Order shall first obtain leave of the Speaker who shall determine whether the member is entitled to raise the matter as a question of privilege. If permission is given by the Speaker, the member may raise the matter at any time before public business is commenced and move that the matter be referred to the Committee of Privileges.
3. There shall be no debate on a motion under paragraph 2 hereof, and if the Speaker decides that a *prima facie* case has been made out, he shall rule accordingly and refer the matter to the Committee of Privileges.
4. If during a sitting of the House, a matter suddenly arises which appears to involve the privileges of the House and which calls for the immediate intervention of the House, the proceedings may be interrupted save during the progress of a division by a motion based on such a matter.
5. A member moving a motion under this Standing Order may speak for 10 minutes.

74. STRANGERS

1. Strangers shall be admitted to debates of the House or to the precincts of the House's meeting place in the discretion of the Speaker or under such rules as the Speaker may make for that purpose.
2. If at any meeting of the House or a Committee of the House, any member shall move "That strangers do withdraw", and the motion is seconded, the Speaker, or in Committee the Chairman, shall put forthwith the question without amendment or debate.
3. The Speaker may, in his discretion, order the withdrawal of strangers from the House Chamber or the precincts of its meeting place and they must withdraw as directed.
4. Strangers must be silent during debates and must at all times conduct themselves in a fit and proper manner.

75. PRESS

The Speaker may grant a general permission to the representatives of any newspaper or other journal or broadcasting or television station to attend the sittings of the House in his discretion or under such rules as he may from time to time prescribe for that purpose. If the rules are contravened or if the newspaper or other journal or broadcasting or television station publishes a report of the proceedings of the House which is, in the opinion of the Speaker, unfair or inaccurate, permission may be revoked.

