

STANDING ORDERS COMMITTEE

Report to the National Assembly

The Standing Orders Committee is pleased to submit its first report to the National Assembly.

Since its nomination at the start of the Sixth Assembly, the Committee has been called upon to provide advice to the Speaker on numerous occasions and to consider a number of matters directly related to the operation of several Orders, including the Readings of a Bill, the designation of the Precincts of the Assembly, public rights of reply to matters raised in the House, among many others. However, this is the first substantive report of the Committee.

Acknowledgments

The Committee wishes to place on record its appreciation to the members of its support staff and the Assembly personnel for their dedication to the work of the Committee, often at weekends.

During the year, Hon Basil Hoareau was, at his request, replaced on the Committee. Hon Simon Gill was nominated as his replacement. We were pleased to welcome Hon Gill as a member and thank Hon Hoareau for his excellent services while he was a member.

The meetings of the Committee were attended by the Speaker, Deputy Speaker, the two Leaders in the House, Clerk and Deputy Clerk and, on occasion, Members interested by a subject under discussion. The Committee acknowledges their presence and input which served to enrich the work of the Committee.

Hon Bernard Georges
Chairperson

Hon Clifford Andre
Vice-Chairperson

Hon Regina Esparon
Member

Hon Simon Gill
Member

Hon Sebastien Pillay
Member

Hon Waven William
Member

Hon Wavel Woodcock
Member

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SECTION I

TEXT OF THE REPORT

Introduction

The National Assembly recently celebrated its Silver Jubilee and ten years have elapsed since the last comprehensive revision of the Standing Orders. In the meantime, the political landscape in the country has changed considerably and, since the 2015/2016 elections, a culture of transparency, fraternity and consensus has pervaded both the relationship between the Executive and Legislature and that between the two parties represented in the Assembly. Additionally, the balance of power between the two principal political parties has, for the first time, produced Assembly Committees where the representation is more balanced than it has been since the advent of the Third Republic.

For the above reasons, the Committee felt that this would be an opportune moment to revise the Standing Orders as a whole instead of reporting on piece-meal issues and after-the-event proposals. We felt that allowing some time to pass since the beginning of the Session of this Assembly in September 2016 would ensure that the work of the Assembly would settle down and the issues which would require tackling would emerge. And so, it turned out to be.

Method of Work

The Committee met more or less regularly over the past year to consider every Order consecutively. The nature of the work undertaken meant that meetings of the Committee had to be held over relatively long sessions. As a consequence, meetings were generally held on Saturdays, when the Committee sat for a half day, or a full day, as required. We are indebted to the support staff of the National Assembly who were present to make the work of the Assembly happen on these off-days.

The work of the Committee proceeded as follows:

First, all the Standing Orders were examined in chronological order and amendments made as required;

Next, matters referred to the Committee during debate on the floor of the House were considered and amendments to the Standing Orders made as required;

Finally, the Committee considered the Standing Orders of Mauritius and Zambia, two Commonwealth countries with different types of Government (Mauritius having a Parliamentary system and Zambia a Presidential system) with a view to comparing the Standing Orders there and amending ours where it was felt that these countries did it better. During the whole exercise, we had frequent occasion to consult numerous academic and parliamentary works with regard to the operation of parliaments in other parts of the world.

As part of the exercise, and given the overlap between these and the Standing Orders, the Rules of Procedure for Committees were also revised. A new Standing Order (87) making this link official has been proposed for consideration.

The comments below about highlighted parts of the Standing Orders apply equally to the Rules of Procedure.

Structure of the Report

We have felt it would be simpler for the proposed changes to the Standing Orders to be understood by Members if we presented the proposals in tabular form with the proposal set out, accompanied by the reasons for the proposed changes, side-by-side. Although we endeavoured to mark every proposed change, some minor typographical corrections were made and not recorded in order not to overburden the report. We hope that Members will forgive us for this minor arrogation of their prerogative. Also, by reason of the insertion of new proposed Orders, the numbers of Orders are not always similar to those in the current Standing Orders. They are, however, consistent with the tracked version of the Standing Orders included in the Report.

Additionally, copies of the current Standing Orders as well as the Rules of Procedure for Committees, with the changes tracked, are provided. This will enable Members to see the proposed changes in the text of the Standing Orders and Committee Rules themselves.

In some respects, we felt that it would be inappropriate to propose amendments to the Standing Orders or the Rules of Procedure. We have preferred to make a number of suggestions in a separate section at the start for consideration by Members. If any are retained, amendments will be proposed to the text of the Standing Orders.

In other respects, we were able to make proposals directly in the text of the Standing Orders, but not take a decision ourselves, as we felt that the Assembly should, as a matter of policy, make the decision in each case. These are not decisions of the Committee, but are put up for debate as they have been raised from time to time, or when they came up during the deliberations of the Committee. We have highlighted these in **yellow**.

Highlighted in **green** are new insertions from the Standing Orders of other parliaments which we thought were amenable to inclusion in our Standing Orders.

External Input

We provided an advance copy of the proposed amendments to the Standing Orders to Hon Wilby Lucas, the Chair of the Standing Orders Committee of the Fourth Assembly, which approved the last amendments to the Standing Orders in 2009. We felt that, as former Deputy Speaker of the Assembly and long-standing parliamentarian, apart from his direct involvement in the previous revision of the Standing Orders, the input of Hon Lucas would be important. Hon Lucas has graciously made some comments which we have considered.

Omissions

This was a big work, which consumed many hours. We have tried to cover everything and we have proofed the amendments to the best of our ability. We do, however, recognize that there will be things we have missed and that errors will have crept in despite our best endeavours. We apologise in advance for these and hope that the collegiate work which the House will undertake in consideration of this report and during debate on the amendment to the Standing Orders and Committee Rules will ensure that the resulting work will be as comprehensive as this Assembly deserves.

Publication and Future Work

Once the Standing Orders are approved, the Committee will propose to the Assembly that the reprint include the following:

- A quick-reference list at the start which will swiftly take Members to a particular Order for a particular purpose;
- Schedules which will reproduce all Constitutional and Legal provisions to which Members require to have access in the performance of their duties, the Rules of Procedure for Committees, as well as template documents for use by Members, occasion arising;
- The National Assembly (Immunities, Privileges and Powers) Act.

It is hoped that the combination of these documents around the Standing Orders themselves and all bound between the same covers will provide Members with a good working tool which will be both easy to access and useful to Members as they go about their work. Save for the extracts from the Constitution and Laws, and the National Assembly (Immunities, Privileges and Powers) Act, this Report contains the other materials which will be annexed to the resulting work.

It is hoped that once the Standing Orders are approved and published, the Committee will be able to return to its core function, which is to hearken to issues raised during Assembly Meetings and propose rapid solutions and amendments of the Standing Orders, as appropriate. Additionally, the Committee has given itself an additional task, namely to prepare a companion volume for the Standing Orders. This is to be a Manual of Practice and Procedure for the National Assembly, a Seychelles Erskine May in a sense. The idea behind this work is threefold:

- During the revision of the Standing Orders a quantity of discussion was noted as Committee members worked through the philosophy behind some Orders. These ideas and theories cannot find any place in the Standing Orders themselves and to allow them to be lost would be a waste of the efforts and the suggestions which emanated from debate in Committee;
- There is a wealth of information about the Legislature in general and the Assembly in particular in other works, as well as in judgments of the Seychelles courts, rulings of the

Speaker and precedents from the House itself. These can but inform the work of the Assembly going forward and should be recorded.

- The proper and regular development of the Assembly can only benefit from a work which expands on the skeletal words of the Standing Orders and provides guidance both to those directing and managing the work of the Assembly and to Members.

Work is in progress already and it is hoped that a draft of the Manual will be available for circulation and discussion before the end of the year.

SECTION II

SUGGESTIONS AND QUERIES FOR CONSIDERATION BY MEMBERS

1. Should provision be made for the Clerk and Deputy Clerk to (i) be elected, or (ii) subscribe to an oath before the House?
2. Should the Deputy Speaker chair all Committees of the Whole Assembly and report back to the Speaker? If so, the Deputy Speaker will return the Committee to the Assembly before the Speaker resumes his or her seat.
3. Should the Minister always be present in the House during debate on Financial Bills, including the Appropriation Bill?
4. During questions, or during debate on a Bill, should those accompanying the Minister be allowed to speak, or should only the Minister have that right?
5. What constitutes a walkout? What should be allowed? What penalties should be applied, if any? Should the provision for a fine under the National Assembly Members' Emoluments Act be retained?
6. What is the status of reports on overseas visits by Members? Should there be a standard procedure adopted (e.g. that the delegation head submits a written report by x days after returning)? What is the status of these reports? Should they be laid on the Table? Should a short oral report be made to the Assembly for the benefit of Members and the public?
7. What is the status of Reports of Committees made to the House? When can they be debated and what is the procedure to be adopted? In this context see Rule 23(8) and (9) of the Rules of Procedure for Committees. Should these rules be incorporated into the Standing Orders, or left to the Rules?
8. Should a limit be imposed on who can put supplementary questions to a Minister? In some Assemblies, only the Member putting the question can ask supplementary questions; in others a limit is imposed (e.g. two Members from each side, or two Members from the side asking and one from the opposite side).
9. Should the Leader of the Opposition be limited to be the sole person asking supplementary questions in a PNQ?
10. Should numbers of speakers be limited during debate on motions? If so, how many and how is this to be enforced?
11. In Order 64, is seven days felt to be a sufficient/reasonable lapse of time between the First and Second Readings of a Bill?
12. Should the Assembly Business Committee be formalized by inserting it as a Standing Committee in the Standing Orders, or should it remain as an ad-hoc administrative committee? (Note: unlike other Assembly Committees the ABC does not reflect the

political strengths in the House and, additionally, the Clerk and Deputy Clerk are members).

13. Should consideration be given to having a series of Ministerial or Portfolio Committees as in other Parliaments to shadow the work of the Executive? While these committees are useful and promote interaction between the Executive and the Legislature (e.g. Bills must be discussed with the Committee before publishing), it may be felt that this will be an unnecessarily cumbersome procedure in a small Parliament such as ours.
14. With regard to Bills, the procedure in some Parliaments is for every piece of legislation presented to Parliament to contain (i) a roll-out plan, and (ii) a budget for implementing the Bill once passed. This is to give an overall picture of the intention and cost behind the new law. Should this procedure be adopted here?
15. Should the Standing Orders contain a protocol for the examination of proposed ministers and ambassadors by a Committee of the Whole Assembly (i.e. new Orders setting out the procedure), or should we retain the current procedure of doing this by Convention?

And an additional reflection:

16. Apart for the Women's Parliamentary Caucus, all Assembly Committees are chaired by men.

SECTION III

PROPOSED AMENDMENTS TO STANDING ORDERS – TABULAR FORM

Order Number	Proposed Change	Reasons/Remarks
1	Date of the Standing Orders	To give effect to the date of the new Standing Orders
2	Add ‘or Chairperson of a Committee of the Whole Assembly’ after ‘Speaker’	To enable the Speaker or Deputy Speaker, while acting as Chairperson of the Assembly in Committee, to have the same powers as he or she would have as Speaker chairing a sitting of the Assembly
3	<p>In the definition of ‘Assembly’ delete ‘referred to in the Constitution’ and add ‘of Seychelles’</p> <p>In the definition of ‘Leader of Government Business’ replace ‘so designated...by the President’ with ‘referred to in Article 84A of the Constitution’</p> <p>In the definition of ‘Clerk’, add ‘and Deputy Clerk’ and replace the definition with ‘means the Clerk and Deputy Clerk of the Assembly’</p> <p>In the definition of ‘Member’ add at the end ‘referred to in Article 78 of the Constitution’</p> <p>It is proposed that the Constitution be amended, occasion arising, to capitalize therein the word ‘Member(s)’</p> <p>In the definition of ‘Officer’ replace the definition with ‘means the Clerk or any person acting within the</p>	<p>Surplussage. The Assembly is a known entity now and does not exist simply by reference to the Constitution.</p> <p>To bring the post in line with recent Constitutional amendments.</p> <p>To recognize the role of the Deputy Clerk and bring this definition in line with that of Speaker and Deputy Speaker.</p> <p>For clarity, given the two types of Members of the National Assembly, but so as not to underline in the definition the fact that there are two categories.</p> <p>To establish a direct link with the Speaker, so as to exclude other employees of the Assembly (such as</p>

	<p>precincts of the Assembly under the specific orders’...and continue as before</p> <p>‘precincts Of the Assembly’ must be designated by the Speaker.</p> <p>In the definition ‘The Speaker and the Deputy Speaker’, remove both definite articles.</p> <p>Every first word in the definitions should be Capitalised.</p>	<p>cleaners) who may be caught in the current definition.</p> <p>It is suggested that the Speaker designates in writing the precincts of the Assembly and that he circulates this to the public. The designated area should be appended to the Standing Orders in a schedule. This can be revised from time to time as necessity requires.</p> <p>The words are sometimes used without the definite articles in the Orders so the definition must match.</p> <p>For consistency.</p>
4(2)(e)	Replace ‘cross’ with ‘mark’	To enable members to indicate their choice by a cross, tick or X.
4(2)(g)	Replace ‘two oldest Members, one from each of the two main parties’ with ‘the oldest Member of each party’	To cater for the possibility of more than two parties being represented in the Assembly.
4(2)(i)	Replace ‘by lot’ with ‘by the drawing of lots’	For clarity.
4(5)	Add a new subsection to read ‘(5) The Deputy Speaker shall be elected from a party represented in the Assembly other than that from which the Speaker has been elected’	To give effect to historical requests by the minority party in the Assembly for representation at the highest level, to ensure greater bipartisanship, and to bring the Assembly in line with the practice in several other Parliaments.
5(d)	Replace ‘appointed Leader of Government Business or is elected Leader of the Opposition’ by ‘is	To reflect changes to the Constitution whereby the LGB is elected, and to reflect the changed National Protocol Order.

	elected Leader of the Opposition or Leader of Government Business.’	
6	<p>Change the order of Leader of Government Business and Leader of the Opposition.</p> <p>Renumber current Order 6 as 6(1) and add a new paragraph (2) to read ‘The Deputy Speaker or Member elected to preside over the deliberations of the Assembly shall be referred to as ‘Speaker’ when so presiding.’</p>	<p>See above comment.</p> <p>To clarify the nomenclature of the Presiding Officer when in the Chair.</p>
7	<p>Change the order of Leader of Government Business and Leader of the Opposition.</p> <p>Replace ‘elected as in Standing Order 4’ by ‘elected in the manner prescribed’</p>	<p>See earlier comment.</p> <p>Clearer drafting.</p>
8(2) & (3)	Add ‘on’ before ‘point(s) of order’	Clearer drafting.
9(1)	Replace the first sentence with ‘No Member shall fail to attend a sitting of the Assembly without leave of absence being given to the Member by the Speaker.’	Clearer drafting. Also, to excuse short and temporary absences during a (day’s) sitting.
9(3)	Replace ‘may’ with ‘shall’	The Speaker should have no discretion if the Member has shown sufficient cause to be absent or is absent on official or parliamentary duties.
10(1)	Replace ‘whole Assembly’ with ‘Whole Assembly’ and delete the last three words ‘at the time.’	<p>For consistency.</p> <p>Surplussage.</p>
10(3)	Add a new paragraph (3) to read ‘(3) No decision taken by the Assembly shall be invalidated for	To save any decision taken while the Assembly inadvertently had no quorum. This is a standard clause in

	<p>the sole reason that there was no quorum of the Assembly when the decision was taken.’</p> <p>Seating of Members</p> <p>The allocation to Members of seats in the Assembly Chamber shall be made by the Speaker.</p>	<p>committees and Boards, including Statutory Bodies.</p> <p>This is missing from the current Standing Orders and is often included in those of other Parliaments.</p>
11	<p>The current Order 11 to be renumbered 11 (1) and to read ‘11. (1) The proceedings and debates of the Assembly or Committees of the Whole Assembly shall ordinarily be conducted in Creole, but Members or other persons addressing the Assembly or Committees of the Whole Assembly may do so in English or French.’</p> <p>Add a new paragraph (2) to read ‘(2) Visitors invited to address the Assembly may do so in a language other than Creole, English or French.’</p>	<p>To cater for the fact that sometimes statements are made by ministers or other government officers addressing the Assembly while this is constituted in a Committee of the Whole Assembly in English.</p> <p>To cater for the fact that foreign heads of state or other high officials invited to address the Assembly may speak in their own languages.</p>
12	<p>Insert new paragraph (1) to read ‘(1) The Clerk or Deputy Clerk shall attend all sittings of the Assembly and Committees of the Whole Assembly.’</p> <p>Renumber all subsequent paragraphs.</p> <p>Replace ‘Committees of the whole Assembly’ with ‘Committees of the Whole Assembly’ wherever occurring.</p>	<p>For clarity.</p> <p>Consequential amendments.</p> <p>For consistency.</p>
12(1)	<p>Amend current paragraph (1) by:</p> <ul style="list-style-type: none"> replacing ‘The Clerk or any officer deputed by the Clerk’ 	<p>It is felt that the keeping of records of proceedings should fall to the Clerk or Deputy Clerk who are</p>

	<p>with ‘The Clerk or Deputy Clerk’</p> <ul style="list-style-type: none"> replacing the word ‘progress’ by ‘record of the work’ replacing ‘before the beginning of the next sitting or as soon as possible’ with ‘as soon as practicable’ 	<p>present in the Chamber and not anyone else.</p> <p>For clarity. The word ‘progress’ is unsuitable.</p> <p>It is impossible for proceedings to be ready before the next sitting when the Assembly sits on consecutive days and the current obligation cannot be met. ‘As soon as practicable after the conclusion of each sitting’ more accurately reflects the situation.</p>
12(3)	Add ‘and other persons’ after ‘Members’	For completeness.
12(5)	Add, after ‘direction of the Speaker,’ the words ‘and in consultation with the Leader of the Opposition and the Leader of Government Business,’; and after ‘information as the Speaker’, ‘, in consultation as aforesaid,’	To reflect current practice where this is done through the Assembly Business Committee (ABC).
12(6)	Replace ‘not less than three clear days’ with ‘as soon as practicable’	To reflect the inability of meeting the 3-day requirement in the case of consecutive daily sittings.
12(7)	Add, after ‘journals and records’ where first appearing, ‘of the business of the Assembly’	For clarity.
12(8)	Move the word ‘official’ to before ‘speeches’ and replace ‘an’ with ‘a’ in consequence	To reflect the reality. It is a report of official speeches which is prepared and circulated, not a report of all speeches.
12(9)	Add ‘of the Committee’ at the end	For clarity.
13(1) (e)	Add ‘, as the case may be,’ after ‘Deputy Speaker’	For clarity.

13(2)	Add at end ‘, but may, unless he or she has resigned or been removed as a Member, continue to occupy his or her seat as a Member.’	For clarity.
13(3)	Replace the whole paragraph by: ‘(3) A motion for the removal of the Speaker or Deputy Speaker shall be passed by not less than two-thirds of the number of Members of the Assembly. Upon the motion being passed, the Speaker or Deputy Speaker, as the case may be, shall cease to hold office.’	Clearer drafting.
13(4)	Add a new paragraph (4) to read: ‘(4) A motion for removal of the Speaker or Deputy Speaker shall not be brought within six months of a previous unsuccessful motion.’	To avoid vexatious attempts at removing a Speaker or Deputy and to maintain the dignity of the Assembly.
14(5)	In the last sentence, replace ‘to’ with ‘of’	Better drafting.
14(10)	Add a new paragraph (10) to read: ‘(10) A motion of censure shall not be brought within six months of a previous unsuccessful motion.’	Again, to avoid vexatious motions.
17(1)	Replace ‘for’ with ‘at’	Better drafting.
19(6)	Replace ‘committee’ with ‘Committee’, ‘whole’ with ‘Whole’ and ‘will’ with ‘shall’	For consistency.
Heading to Part IV	Delete ‘THE’ where first occurring.	Surplussage.
20(1)	Replace the current paragraph with ‘(1) A Member may, without wishing to debate a matter or matters, move a motion that the Assembly do now adjourn.’	For clarity. This provision is to be read in juxtaposition with the provision in Order 21. Here, the motion for adjournment is not so as to debate another more pressing matter. It is simply for adjournment.

		This is what the current Order seeks to imply by using the words 'when...it is not desired to formulate a motion'. Strictly speaking, these words are not needed, hence the revised draft.
20(2)	Add 'only' after 'may' and replace 'any' by 'a'	For clarity.
20(7)	Delete the whole paragraph	This paragraph doesn't fit here. The contents are covered by Order 21 anyway.
21(4)	Break up the current paragraph by stopping it after 'next day' and resuming with 'If the motion for adjournment is stood over to the next day, it shall be disposed of in the order set out in Order 24(2)(1).'	Better drafting and for clarity.
21(7)	Delete 'the' where first occurring and add 'under this Order' after 'adjournment'	Ditto
22	Marginal note to be amended to read 'Adjournment of debate in Assembly or proceedings in Committee'	For clarity.
22(1)	Delete 'claim to'	Surplusage.
23(1)	Delete 'claim to' and insert 'shall' after 'That the question be now put' where it occurs the second time.	Surplusage. Missing word.
24(2)(b)	Should we retain the moment of reflection or replace it with a prayer or other appropriate moment?	As occurs in other Assemblies
24(2) (g), (i), (n) and (o)	(g) to be amended to read 'Private Notice Questions'. 'Questions of which notice has been given' to	To ensure that PNQs and questions without notice are dealt with before other questions and that Bills are

	become (i). Position of (n) and (o) to be reversed.	taken before motions, as is currently the case. (See SO 31(4) below for contrary provision). One must be retained.
Heading to Part VII	Pluralise OATH	To reflect the reality of the Part
26	Add after 'administered' the words 'to the Clerk and Deputy Clerk by the Speaker and 'the' before 'prescribed form'. Break up the Order by inserting a full stop after 'form' and starting the following sentence with a capital N.	Clearer drafting, and to provide for the oaths to the Clerk (and Deputy Clerk) after amendment of the IGPA to include an oath for the Deputy Clerk.
27(1)	Replace with 'A message from the President, after notification to the Speaker, shall be read by the President or a Minister designated by him or her at the first convenient sitting of the Assembly.'	Clearer drafting.
27(2)	Replace with 'The message from the President on the State of the Nation, after notification to the Speaker, shall be read by the President or a Minister designated by him or her at the first annual sitting of the Assembly.'	Ditto
28(1) & (2)	Replace with the following: 1) 'Papers including reports and other documents presented by Ministers and reports from Select and Standing Committees shall be presented to the Assembly during a sitting by the Clerk laying them on the Table and distributing them to Members.'	To clarify what happens to these papers after they are laid on the Table.

	2) A record of every paper presented to the Assembly shall be entered in the Record of proceedings of the Assembly and the paper shall be deposited in the library of the Assembly.’	
30(2)	Add the following new sentence: ‘Ministers may be accompanied by members of their staff who may be allowed to answer questions with the permission of the Speaker.’	To allow experts in a field to speak directly to Members instead of having to channel the information through the Minister.
30(3)	Replace ‘a statutory body’ by ‘bodies, whether totally or partially, directly or indirectly, owned by the Government’	For more clarity. ‘statutory body’ is too restrictive since (i) some Government entities are incorporated companies and not statutory bodies, and (ii) Government now owns shares in some entities as a minority.
30(6)	Replace ‘these must’ by ‘this shall’	Better drafting
31(1)	Delete ‘and shall be received by the Clerk not less than ten clear days before the meeting of the Assembly.’	Provision unworkable in practice because the Assembly meets every six days and the ABC decides on the order of questions in practice.
31(2)	Delete ‘within the time limit prescribed in paragraph (1) of this Order’	Consequential upon amendment above.
31(3)	Replace ‘has been given enough time to prepare an answer’ with ‘is in a position to provide an answer.’	For clarity. The previous provision could be read as giving obligatory notice to the minister, which is not necessarily the case.
31(4)	Add the following new sentence: ‘Private notice questions shall be asked at the conclusion of question time.’	For clarity. (See SO 24(2) above for contrary provision).

<p>31(5)</p> <p>31 Generally</p>	<p>Delete ‘Notice of’</p> <p>Replace the current Order by three new Orders to be:</p> <p>Current Order 31 (1), (2) and (5) to be amalgamated as Order 31 (1), (2) and (3) with marginal note ‘Questions with Notice’</p> <p>Current Order 31 (3) as Order 32 (1) with marginal note ‘Urgent questions’. Add the following as Order 31 (2), (3) and (4):</p> <p>‘31. (2) Notwithstanding the provisions of paragraph (1), a question which is, in the Speaker’s opinion, of an urgent nature and relates to a matter of public policy may be asked without notice on any day.</p> <p>(3) A question of urgent nature shall be delivered in writing to the Clerk at least twenty-four hours before the day on which the Member desires to ask it.</p> <p>(4) A question of urgent nature shall conform to the ordinary rules governing the admissibility of questions.’</p> <p>Current Order 31 (4) as Order 33 with marginal note ‘Private Notice Questions’</p>	<p>Incorrect and unnecessary.</p> <p>For more clarity and to distinguish between the three types of questions. Questions without notice are now split between Urgent questions and PNQs.</p> <p>This part has been highlighted for Members to consider. Except for the proposed additions in Order 31 (3) relating to Urgent Questions, the tracked Standing Orders have NOT been amended as per the suggested amendments here in order not to impose the proposal until Members have decided this issue.</p> <p>The proposals highlighted in green are from the Zambian Parliament. The proposal supplements the current Order which allows urgent questions without notice to be put to a Minister already in the House. The proposal sets up Urgent Questions as a new category pf question.</p> <p>With regard to Order 31(4), Members will be asked to decide whether PNQs should be at the start or the end of Question Time. Depending on the decision, Order 24(2) may need to be amended.</p> <p>The proposal highlighted in green in Order 31(4) (also from the Zambia Standing Orders) is designed to prevent the Leader of the Opposition hijacking a Member’s question of which notice has already been given.</p>
<p>32(1)(k)</p>	<p>Replace ‘the official’ with ‘his or her official’</p>	<p>For clarity.</p>

32(1)(n)	Delete 'for' and replace 'set forth' with 'available'	Surplussage and clarity of drafting.
	Insert the following in this Order: 'Questions shall be put at Tuesday sittings only and shall not extend beyond the luncheon adjournment.'	For clarity.
33(1)	Insert a comma at each end of the phrase 'if the Speaker so directs'	
33(6)	Replace 'meeting' with 'sitting' and 'four' by 'two to each minister.'	Wrong word. Four questions was felt to be too many. It was felt that two questions are adequate per Member, but these could be multiplied if more than one minister attended at a meeting.
33(7)	Delete 'before an answer is given' Replace 'or by the Member at question time when the Member's name is called by withdrawing it orally' with 'or orally by the Member at question time when the Member's name is called.'	Better drafting. Ditto.
33(9)	Insert this new sub-order: 'An answer to a question shall not be insisted upon if the answer is refused by the Minister.'	For Members' consideration.
34	Renumber the Order as 34(1) and add the following new paragraph: '(2) Nothing in this Order shall prevent the Assembly from resolving itself into a Committee of the Whole Assembly for the purpose of hearing the Minister's statement and asking questions thereon.'	To allow the Minister in appropriate cases to be assisted in the making of the statement or in answering questions thereon by experts or other staff of the ministry better acquainted with the subject.

35	Insert a full stop after ‘Assembly’, and replace ‘and the’ with ‘The’	For clarity.
36(1)	Delete ‘it is’	Surplussage.
37	<p>Insert new Order 37 to read:</p> <p>‘37. Public Right of Reply</p> <p>In accordance with Article 102(6) of the Constitution, the Speaker shall circulate to all Members of the Assembly a reply received from a member of the public but the decision of the Speaker on whether to read the reply or whether to omit a part or parts of the reply read in the Assembly shall be final and shall not be called into question.’</p>	To link this with the Constitution and to clarify the discretion of the Speaker not to have to read the whole of a reply, or parts thereof, if he or she feels that the right of reply is being abused or is inappropriate.
39(1)	<p>Replace ‘ground’ with ‘grounds’ and ‘meeting’ in both places with ‘sitting’</p> <p>Replace ‘unless notice thereof has been given at least ten clear days before the meeting.’ With ‘unless at least ten clear days’ notice has been given.’</p>	<p>Rectifying errors.</p> <p>Clearer drafting.</p>
39(4)	Should this be retained or deleted?	There are good arguments either way: if retained, all Members will know what motions have been tabled and avoid sending similar motions, and Members will be able to prepare in advance; on the other hand, too much advance warning to Members and the executive removes the element of interest and surprise.

39(5)	Replace ‘unless a dissentient view is expressed’ with ‘if the movers of the motions agree.’	Turns a negative into a positive and gives the respective movers the sole power to agree or disagree to consolidation.
40(3)	Add ‘the’ before ‘Records of proceedings’	Missing word.
49(2)	Insert ‘the Assembly’ after ‘obstructing’	Missing words.
49(4)	Replace ‘in the Record of proceedings’ with ‘into the Record of Proceedings’	Better drafting.
52	<p>General Behaviour</p> <p>The behaviour of Members shall be guided by the Code of Conduct for Members as prescribed in appendix A.</p>	This is a proposal for the consideration of Members. Whether or not it enters these Standing Orders, Members are guided by the Code of Conduct. See also proposed new Order 97. Members will have to opt for one or the other proposal.
53(4)(c)	Insert comma after ‘reply’.	Drafting.
53(4)(d)	Replace ‘with’ with ‘at’	Better word.
53(6)	Replace ‘but the Member must not’ with ‘provided the Member does not’	Better drafting.
53(7)	Replace ‘committee of the whole Assembly’ with ‘Committee of the Whole Assembly’	For conformity.
53(8)	Replace ‘, that is, with ‘or’	For clarity and to provide that a Member must not speak after the Speaker has put the question to the House, or after the votes have been counted.

<p>53(9)</p> <p>53(11)</p>	<p>Add after ‘Assembly’ where it occurs the first time, ‘or in a debate on the Message from the President on the State of the Nation’; and add after ‘thirty minutes’ ‘, but the Speaker may at the Speaker’s discretion extend this time by fifteen minutes.’</p> <p>Insert new sub-order to read: ‘The Speaker may announce at the commencement of public business or at any time during a sitting that, because of the number of Members wishing to speak in a debate, he or she will limit the time during which a Member may speak. This sub-Order shall only apply to debate during the second reading of Public Bills or motions in the name of a Member.’</p>	<p>To provide for the same time allocation in answers to the State of the Nation message (which is not a question) and to allow the Speaker the same latitude as in O52(10) to extend time.</p> <p>For clarification of the Speaker’s power to do so.</p>
<p>54(5)</p> <p>54(10)</p>	<p>The words ‘or speaking’ make no sense now when Members speak while seated. This may have to change if a decision is taken that Members should stand to speak.</p> <p>The dress code of Members needs to be specified, as does the method of showing respect to raising and lowering of the National Flag and playing of the National Anthem.</p>	<p>Until recently the manner of dress, and until now the manner of showing respect when the National Anthem is played, separates and distinguishes the different Members along party lines. In the spirit of national unity, the House may want to uniformise the differences.</p>
<p>55(5)</p> <p>55(6)</p>	<p>The order of Leader of Government Business and Leader of the Opposition should be reversed.</p> <p>Move ‘with the permission of the Speaker’ to between ‘motion’ and ‘to’.</p>	<p>To conform to the new order of protocol.</p> <p>Better drafting.</p>

55(7)(d)	Replace 'in' with 'into'	Ditto
57(c)	Replace everything by 'to move for closure of debate under Order 23;'	For greater clarity.
58(1) 58(2)	In both paragraphs, add at the end 'and report to the Speaker.'	To make it clear that the Clerk does not announce the result of the vote, but it is the Speaker who does so.
58(3)	Add at the end 'by stating the numbers respectively voting for and against the question, and whether the question put has been carried or defeated.'	To clarify what the Speaker in fact has to communicate to the House.
59(1)	Replace 'for two minutes' with 'two minutes apart'	To make it clear that there will be two bells two minutes apart and not one bell that will ring for two minutes.
59(2)	Replace 'that time' with 'the second bell'	For clarity.
	Insert a full stop after 'No'. Replace 'and a Member' with 'A Member'	Previous sentence too long.
61	Add 'presiding' after 'person' where it occurs the second time.	For clarity
62(1)	Correct '63' so as to make it refer to the Order referring to Private Members' Bills in the new numbering of the Standing Orders.	
62(2)	Replace 'object' with 'objects' and insert a comma between 'and' and 'in'	Typographical amendments
63	Delete paragraph (1), move paragraph (5) to (3) and renumber all paragraphs.	For better chronology and to avoid repetition as current draft has between paragraphs (1) and (8).

63(7)	Insert a comma after 'leave' where it occurs for the first time	
63(8)	Replace the whole paragraph with 'Where leave to proceed on a Member's Bill is granted, the Clerk shall arrange for the printing of the Bill and its publication in the Official Gazette.'	For clarity, and to accord with practice.
64(2)	Replace whole paragraph with 'On the first reading of a Bill, the Clerk shall read the short title. No debate shall be allowed on the Bill.'	For clarity.
64(3)	Add new paragraph: '(3) Upon the Bill being read for the first time, the Speaker shall order that the Bill be read a second time and the order shall be recorded in the Record of Proceedings.'	For clarity and to give notice of second reading.
65(2)	Replace 'On the order for the second reading of a Bill being read' with 'On the day the Bill is set down on the Order Paper for the second reading'	For clarity.
65(3)	Add new paragraph to read '(3) When the question, "That the Bill be now read a second time" has been carried, the Bill shall proceed to a formal second reading by the Clerk reading the long title.'	To fill a step missing from the Standing Orders.
65(3)	Replace 'that' with 'That'	Grammatical amendment.
65(4)	Replace 'the Bill shall be deemed to be read a second time.' with 'proceed to a formal second reading.'	For clarity.

66	Delink 'toa' Capitalise 'whole'	Typographical amendments
67	Change marginal note to 'Committee of the Whole Assembly'	To accord marginal note with the substance of the Order
67(1)	Capitalize the first letter in 'committee'	For consistency.
67(2)	Replace the paragraph with: '(2) The Committee shall have power to make amendments to the Bill, provided that these are relevant to the subject matter of the Bill. If any such amendments are not contained within the title of the Bill, the Committee shall amend the title accordingly and shall report the same specially to the Assembly.'	Better drafting and to split a long sentence into two for clarity.
68(2)(b)	Capitalize the first letter in 'committee'	For consistency.
69(6)	Insert a full stop after 'time' where it first occurs, replace 'and thereafter the' with 'The', and insert 'then' between 'shall' and 'propose'.	For clarity, and to break up a long sentence.
69(7)	Replace 'way' with 'manner'	Better word
69(10)	Insert commas after 'Committee' where it first occurs, after 'Bill' and after 'consideration' where it occurs for the second time; delete comma after 'consideration' where it occurs for the first time; delete 'may' where it occurs and insert 'of the Bill' after 'charge'; insert ', may' after 'Chairperson'.	Improvement in drafting.

69(9) & (11)	The highlights here are to seek the views of Members as to the meaning and relevance of these parts.	
71(2)	Capitalize the first letter in 'committee'	For consistency
72(1)	Replace the paragraph with: '(1) On the third reading of the Bill, the Leader of Government Business, or Member in charge of the Bill, shall move "That the Bill be now read a third time". No amendment to this motion may be moved and any debate shall be confined to the contents of the Bill.'	To add words 'of the Bill' and improve the drafting by breaking up the sentence.
72(3)	Delete comma after 'Clerk' and insert after 'shall'	Punctuation
73	Amend the current Order by one of the following options: '72. The Leader of Government Business or Member in charge of a Bill may, at any time by written notice to the Speaker, move that the Bill be withdrawn.' or 'The Leader of Government Business or Member in charge of a Bill may, at any time by motion, move that the Bill be withdrawn.'	To clarify the procedure for withdrawal of Bills. Note: if the first option is retained, Order 38(6)(e) will have to be deleted.
74(b)	Insert 'the' between 'for' and 'purposes'	For clarity

75(2)	Insert a comma after ‘estimates’ where it appears for the third time	Punctuation
76(2)	Delete ‘the’ where it appears for the third time	Unnecessary word
76(3)	Delete ‘to the’ and uncapitalize ‘Estimates’	Unnecessary words and for consistency respectively
77(6)	Uncapitalize ‘Estimates’	For consistency
77(11)	In the first sentence, uncapitalize ‘Estimates’. In the second sentence, replace ‘take precedence’ with ‘be considered’	For consistency and for clarity respectively
77(14)	Capitalise ‘committee’ and replace ‘but all questions shall’ with ‘, all questions being’	For consistency and for clarity respectively
79	Replace ‘Order’ with ‘Orders’	Typographical
80(1)	Capitalise ‘procedure, ‘financial procedure’ and ‘whole’ wherever appearing	To acknowledge that these are titles of parts of the Standing Orders, and for consistency respectively
80(2)	Capitalise ‘whole’	For consistency
81(1)	Capitalise ‘whole’	For consistency
83(2)	Capitalise ‘whole’	For consistency
84	Delete and replace with Order 85 (see below)	This Order and the next have been reworked and moved to new Order 85 so as to reflect (i) the fact that there are now many more Select Committees than the Bills Committee, and (ii) to have a dedicated Order for Select

		Committees appearing after the Order on Standing Committees.
85	Delete and replace with Order 85 (see below)	See above comment
Heading to Part XVIII	Insert 'AND SELECT COMMITTEES'	To reflect the new content of this part, which now includes Select Committees as well.
85(2)	Insert the following new function: '(d) To examine the financial statements of any public or statutory body and to consider any other matters related to public funds that may require an investigation or special audit.'	To grant the FPAC additional powers of oversight.
85(3)	Delete and replace with: '(3) The Committee shall have power to summon and examine persons and records and to take evidence. (4) The Committee shall report to the Assembly from time to time.'	For clarity.
85(4)	Delete and replace with: '(5) The Committee shall elect its own Chairperson and Vice-Chairperson and, if the Chairperson is unable to be present at any meeting, the Vice-Chairperson shall chair the Committee.'	To reflect the actual position.
New 86	Insert new Order to read: '86. Select Committees	See comment at 84 above

	<p>(1) Select Committees may be appointed by resolution of the Assembly.</p> <p>(2) The Assembly shall, at the beginning of each Session, and upon motion made after notice given, appoint the following Select Committees:</p> <ul style="list-style-type: none"> (a) House Committee (b) Scrutiny of Bills Committee (c) Defence and Security Committee (d) International Affairs Committee (e) Committee on Government Assurances (f) Committee of Women Parliamentarians. <p>(3) Select Committees shall consist of such number of Members as may be decided by the Assembly and, as far as practicable, reflect the strength of the political parties and independent Members in the Assembly.</p> <p>(4) The terms of reference and functions of Select Committees shall be set out in the Schedules to the National Assembly Rules of Procedure for Committees.’</p>	
New 87	<p>Insert new Order to read:</p> <p>‘87. The National Assembly Rules of Procedure for Committees shall apply to the functioning of all Standing and Select Committees.’</p>	For clarity.

88(1)	Insert 'or she' after 'he'	For gender balance
90	The word 'Public' throughout does not take a capital P. The text has been amended to reflect this.	
94	Insert 'or she' after 'he'	For gender balance
95	In marginal note insert 'under' between 'Proceedings' and 'Act Change 'Act 15 of 1975' to 'Act 3 of 2011' In the text of the Order, replace 'House of' wherever occurring with 'National' and '1975' with '2011'.	Word missing Act 15 of 2015 has been repealed and replaced by Act 3 of 2011 Amendments consequential to above.
95(2)	Stop the sentence after 'offence', delete semi-colon and start the following sentence with a capital 'No'	Better drafting
95(3)	Insert 'or she' after 'he'	For gender balance
96(3)	Reverse the position of Leader of the Opposition and Leader of Government Business (and delete 'the' in the title of the latter)	To reflect new order of protocol (and to give to the LGB his or her proper title)
97	Insert new Order 97 to read: 97. Assembly Code of Conduct	To fill an omission. But see proposed new addition to Order 52. Members will have to opt for one or the other formula.

	The conduct of Members of the National Assembly shall be governed by the provisions of Assembly Codes of Conduct or Ethics made from time to time.	
98	Repeal of current Standing Orders	Consequential amendment

SECTION IV
SCHEDULES

SCHEDULE 1

PROPOSED AMENDMENTS TO STANDING ORDERS – TRACKED VERSION

(To be Supplied Electronically)

SCHEDULE 2

PROPOSED RULES OF PROCEDURE FOR COMMITTEES - TRACKED VERSION

(To be Supplied Electronically)

SCHEDULE 3

Precincts of the National Assembly

(To be Inserted)

SCHEDULE 4

Constitutional and Legal Provisions Applicable to National Assembly

Article 63

Article 64

Article 69

Articles 77-114

146 PSAB

151-158 Finance Bills

160(1) Commissioner of Police

Schedule 5, paragraph 6 Ombudsman

Schedule 6 oath

IGPA sections 23-32 & 63-70

(To be Inserted)

SCHEDULE 5

Template Motions

Motion for Approval of Appointment of Ambassador, High Commissioner or Principal Representative of Seychelles abroad:

‘In accordance with Articles 63(1) and 64(1) of the Constitution, this Assembly approves the proposed appointment by the President of the Republic of [here insert the name of the person appointed] as [here insert the office to which the person is to be appointed].’

Motion for Ratification of International Instrument:

‘In accordance with Article 64(4) of the Constitution, this Assembly resolves to ratify the [here insert the name of the treaty, agreement or convention to be ratified].’

Motion for Approval of Appointment of Minister:

‘In accordance with Articles 63(1) and 69(2) of the Constitution, this Assembly approves the proposed appointment by the President of the Republic of [here insert the name of the person appointed] to the office of Minister.’

SCHEDULE 6

National Assembly (Privileges, Immunities and Powers) Act

(To be Supplied Electronically)

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