



PARLIAMENT  
of the  
FEDERATION OF MALAYA

*Standing Orders*  
*of the*  
DEWAN RA'AYAT  
1959

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Parliament of the Federation of Malaysia  
Rack No. Ch. 1284-1285 ✓



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**FEDERATION OF MALAYA**

*Standing Orders*  
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**1959**

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## THE PRAYER

Almighty God, who in Thy Wisdom and Goodness hast appointed the Offices of Rulers and Parliaments for the welfare of society and the just government of men :

We beseech Thee to behold with Thy abundant favour us Thy servants whom Thou hast been pleased to call to the performance of important trusts in these lands :

Let Thy blessing descend upon us here assembled, and grant that we may treat and consider all matters that shall come under our deliberation in so just and faithful a manner as to promote Thy Honour and Glory and to advance the peace prosperity and welfare of the Federation of Malaya and its inhabitants :

AMEN.



(2)

**STANDING ORDERS**  
of the  
**DEWAN RA'AYAT**  
of the  
**FEDERATION OF MALAYA**

---

**PUBLIC BUSINESS**

1. On the first day of a meeting of the House after a general election, members having assembled at the time and place duly appointed and being seated in accordance with the provisions of Standing Order 2, the Clerk shall read the Proclamation of His Majesty by which the meeting was summoned, and thereafter the Order of Business on such day shall be—

Proceedings  
of First  
Meetings of  
the House  
after a  
General  
Election.

- (a) the election of Mr. Speaker;
- (b) the taking and subscribing by Mr. Speaker of the Oath in the form set out in the Sixth Schedule to the Constitution;

2. *Sessional Paper Pages 1-32*  
*Rack No. 94. 455-9462*  
*(Gen. Book)*

(c) the taking and subscribing by all members present of the Oath in the form set out in the Sixth Schedule to the Constitution,

and on the conclusion of such business the House shall stand adjourned to the date and time fixed by His Majesty for the declaration of the causes of summoning a Parliament.

Seating of  
Members.

2. (1) On the first day of the meeting of the House after a general election and thereafter until a seat has been allotted to each member, members shall be seated in accordance with such arrangements as the Clerk may determine.

(2) As soon as he thinks fit after his election Mr. Speaker may allot a seat to every member and may vary such allotment from time to time, as he may think fit.

(3) Seats shall be allotted at the discretion of Mr. Speaker, whose decision thereon shall be final.

Election of a  
Speaker.

3. Whenever there is a vacancy in the office of Speaker whether as the result of a dissolution of Parliament or otherwise the House shall, as soon as a quorum is present, proceed to elect a Speaker.

10

2

4. The procedure for the election of a Speaker shall be as follows:

Procedure for  
election of  
Speaker.

(1) Every member who wishes to propose a member for election as Speaker shall ascertain previously that that member is willing to serve if elected, and shall notify the Clerk of his proposal before the meeting.

(2) A member addressing himself to the Clerk, shall propose some other member then present to the House for its Speaker, and move "*That.....(naming the member) do take the Chair of this House as Speaker*". The proposal shall be seconded, but no debate shall be allowed.

(3) If only one member be so proposed and seconded as Speaker, he shall be declared by the Clerk without question put, to have been elected. If more than one member be so proposed and seconded the House shall proceed to elect a Speaker by ballot.

(4) For the purpose of a ballot the Clerk shall give to each member present a ballot paper on which the member may write the name of the member for whom he wishes to vote. Ballot papers shall be folded so that the name written thereon shall not be

seen, and shall be signed by the member voting.

(5) Ballot papers shall be collected by the Clerk, or by some officer of the House deputed by him, and shall be counted by the Clerk, at the Table of the House. The result of the ballot shall be declared by the Clerk.

(6) (a) Where more than two candidates have been proposed and at the first ballot no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and balloting shall proceed, the candidate obtaining the smallest number of votes at each ballot being excluded until one candidate obtains more votes than the remaining candidate or the aggregate votes of the remaining candidates as the case may be.

(b) Where at any ballot among three or more candidates two or more obtain an equal number of votes and one of them has to be excluded from the election under clause (a) above, the determination, as between the candidates whose votes are equal, of the candidate to be excluded, shall

be by lot which shall be drawn in such manner as the Clerk shall decide.

(c) Where at any ballot between two candidates the votes are equal, another ballot shall be held; and if at such subsequent ballot the votes are equal, the determination shall be by lot which shall be drawn in such manner as the Clerk shall decide.

(7) As the ballot papers are counted they shall be placed in a box and, when a member has been declared elected as Speaker, the box shall be sealed in the presence of the House and kept in the custody of the Clerk for one calendar month and then, subject to any direction he may receive from the House, the Clerk shall burn the ballot papers and certify to the House that this has been done.

5. (1) The oath to be taken in the form <sup>The Oath. ath,</sup> set out in the Sixth Schedule to the Constitution shall be administered by the Clerk, and every member taking the Oath shall sign the book to be kept for that purpose by the Clerk at the Table.

(2) Subject to the provisions of paragraph (3), on any day on which the House sits a

5

member who has not previously taken the Oath may present himself at the Table at the time appointed under Standing Order 14, and thereupon the said Oath shall be administered to him and he shall sign the book.

(3) A member may at any time when the House stands adjourned, in order to enable him to attend and take part in the proceedings of a Committee meeting between the time of his becoming a member of the House and the next sitting of the House thereafter, take and subscribe the said Oath before Mr. Speaker; and in any such case Mr. Speaker shall report to the House at its next sitting that the member has so taken and subscribed the said Oath before him.

(4) In conformity with clause (4) of Article 160 of the Constitution, a member shall be permitted, if he so desires, to comply with the requirement of taking and subscribing the Oath by making and subscribing an affirmation.

Election of  
Deputy  
Speaker.

6. (1) At the first convenient sitting of a newly-elected House, or at the commencement of Public Business at the first meeting of the House after a vacancy in the office of Deputy Speaker has occurred, the House

6/

14.

shall proceed to the election of a Deputy Speaker.

(2) The procedure for the election of a Deputy Speaker shall be, as nearly as may be, the same as that for the election of a Speaker, save that the election shall be conducted by Mr. Speaker.

7. (1) Mr. Speaker shall preside at sittings of the House and in his absence, or if no Speaker has been elected or the office of Speaker is vacant for any other cause, the Deputy Speaker shall preside, or if no Deputy Speaker has been elected or the post of Deputy Speaker is vacant for any other cause, then the House, upon being informed thereof by the Clerk at the Table, may upon the motion of a Minister call upon any member present to preside. *his motion shall be seconded,*

(2) When Mr. Speaker's absence is announced by the Clerk at the Table, the member presiding under the provisions of paragraph (1) shall be invested with all the powers of Mr. Speaker, until Mr. Speaker or the Deputy Speaker be available.

(3) Mr. Speaker may at any time during a sitting ask a member to take the Chair temporarily, without formal communication to the House, and such member shall be

invested with all the powers of Mr. Speaker, until Mr. Speaker returns.

(4) Whenever the House resolves itself into a Committee of the whole House, including the Committee of Supply, Mr. Speaker or other member presiding at the House under the provisions of paragraph (1) or (3) shall take the Chair as Chairman of the Committee of the whole House.

(5) In these Orders, except where it is expressly provided otherwise, the expression "Mr. Speaker" includes any person presiding under the provisions of paragraphs (1) to (3), and the expression "the Chair", unless the context indicates otherwise, refers to any person presiding or taking the Chair under the provisions of paragraphs (1) to (4).

Official  
Languages.

8. The official languages of the House shall be the Malay language and, in accordance with the provisions of Clauses (2) and (3) of Article 152 of the Constitution, the English language.

Duties of  
the Clerk.

9. (1) At least <sup>fourteen</sup>ten days before the opening of a new Session, the Clerk shall send to each member a written notice directing attention to the Proclamation summoning



✖ Parliament. At least <sup>fourteen</sup> ten days before the reassembling of the House either under paragraph (2) of Standing Order 11 or after any adjournment of more than five days, the Clerk shall send to each member a written notice of the day appointed for the next meeting, together with a list of all business and notices standing on the Order Book:

Provided that in an emergency such notice may be dispensed with, and in that event the longest notice possible shall be given.

(2) The Clerk shall send to each member a copy of the Order of Business for each sitting:

(a) in the case of the first sitting of a meeting, unless in the opinion of Mr. Speaker the circumstances are of an urgent nature, at least seven days before that sitting; and

(b) in the case of any other sitting, as soon as practicable.

(3) The Clerk shall keep the Minutes of the Proceedings of the House, and of Committees of the whole House; and shall circulate a copy of such Minutes, to be known

as the Votes and Proceedings, on the day following each sitting of the House, or as soon thereafter as practicable.

(4) The Votes and Proceedings shall record the names of members attending and all decisions of the House and, in the case of divisions of the House or Committee of the whole House, shall include the numbers voting for and against the question, the names of members so voting and the numbers and names of the members present who declined to vote. The Votes and Proceedings shall be signed by Mr. Speaker, and errors in the Votes and Proceedings may be corrected, on motion made, with the leave of the House.

(5) 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 set down for a future day, whether for a day named or not. The Order Book shall be open to the inspection of members at all reasonable hours.

(6) The Clerk shall be responsible for the custody of the Votes and Proceedings,

records, Bills and other documents laid before the House, which shall be open to inspection by members of the House and other persons under such arrangements as may be sanctioned by Mr. Speaker.

10. (1) An official report of all speeches made in the House and in Committee of the whole House shall be prepared under the supervision of the Clerk. Official Reports.

(2) The report shall be published in such form as Mr. Speaker may direct, and a copy thereof shall be sent to each member as soon as practicable after the conclusion of each meeting.

(3) A copy of the record of a member's speech shall be sent to him before it is published. If the member does not return the copy to the Clerk within ~~four~~ <sup>seven</sup> days from the date upon which it was despatched, the speech shall be published without correction.

(4) If a member disputes the correctness of the record of any speech or seeks to make any material change in the record, Mr. Speaker shall rule thereon and shall direct publication of the speech in accordance with his ruling which shall be

communicated to the member concerned and shall be final.

Sessions and Meetings.

11. (1) The sessions of the House shall be held at such places, and the first meeting of every session shall open on such day and at such hour, as His Majesty the Yang di-Pertuan Agong may appoint.

(2) Except for the first meeting of every session and subject to the provisions of paragraph (3), meetings of the House shall begin on such days as the House shall decide:

Provided that if the House shall have adjourned without any day being named for its next sitting, Mr. Speaker shall name such a day; and in that case the Clerk shall send to each member a written notice of the day named, at least ~~ten~~ <sup>fourteen</sup> days in advance ~~X~~ of it.

(3) If, during an adjournment of the House, it is represented to Mr. Speaker by the Prime Minister that the public interest requires that the House should meet at an earlier date than that to which the House was adjourned, Mr. Speaker ~~may give notice accordingly~~ <sup>shall give notice</sup> and the House shall meet at the time stated in such notice. The <sup>business</sup> ~~business~~ <sup>shall give notice 12 hours forthwith</sup> ~~X~~

set down for that day shall be appointed by the Prime Minister and notice thereof shall be circulated not later than the time of meeting.

12. (1) Unless the House otherwise orders, every sitting shall begin at 10 a.m. and shall, unless the House has been previously adjourned, continue until 4.30 p.m. or, on any day on which a motion for the adjournment of the House is moved under Standing Order 17, until 5 p.m.:

Provided that a motion, to be decided without amendment or debate, may be made by a Minister at any time to the effect that the proceedings on any specified business that day be exempted from the provisions in this Order.

(2) Every adjournment of the House shall be till the following day, unless the House, on a motion moved by a Minister before the commencement of public business, decides to adjourn to a later day, whether specified or not.

(3) Subject to the foregoing provisions, Mr. Speaker may at any time suspend the sitting for a stated time.

**Quorum.**

**13. (1)** The quorum of the House and of a Committee of the whole House shall consist of twenty-six members excluding the Chair.

(2) If any member draws the attention of the Chair to the fact that a quorum is not present, members shall be summoned as if for a division.

(3) When the summons to members has been made in the House Mr. Speaker shall, after the expiration of two minutes, count the House. If a quorum is not then present, he shall adjourn the House without question put.

(4) When the summons to members has been made in Committee of the whole House, the Chairman shall, after the expiration of two minutes count the Committee. If a quorum is not then present, he shall leave the Chair, the House shall be resumed and Mr. Speaker shall count the House. If a quorum is then present, the House shall again resolve itself into Committee; but if a quorum is not present, Mr. Speaker shall adjourn the House without question put.

(5) If, from the number of members taking part in a division, including those members who decline to vote, it appears

that a quorum is not present, the division shall be invalid, the business then under consideration shall stand over until the next sitting and the next business shall be entered upon.

14. (1) Unless the House otherwise directs, the business of each sitting shall be transacted in the following order: Order of Business.

- (a) Formal entry of Mr. Speaker.
- (b) Prayers.
- (c) Taking of Oath by any new member.
- (d) Messages from His Majesty.
- (e) Announcements by Mr. Speaker.
- (f) Petitions.
- (g) Questions to Ministers.
- (h) Requests for leave to move the Adjournment of the House on matters of urgent public importance.
- (i) Statements by Ministers.
- (j) Tributes.
- (k) Obituary speeches.
- (l) Personal explanations.
- (m) Presentation of Government Bills.

(n) Motions relating to the Order of Business (to be moved by a Minister).

(o) Motions for the introduction of Bills.

(p) Public Business.

(2) The House may, upon a motion which may be made without notice and shall take precedence over all other business, decide to proceed to any particular business out of the regular order.

Arrangement  
of Public  
Business.

**15.** (1) On every sitting day Government business shall have precedence over Private Members' business.

(2) Government business shall be set down in such order as the Government think fit and communicate to the Clerk.

(3) Private Members' notices of motions shall have precedence over Private Members' Bills and shall be set down in the order in which notice of each motion appeared in the Order Book.

(4) Private Members' Bills shall be taken in the order in which they stand in the Order Book.

Adjournment  
of the House.

**16.** (1) Except under the provisions of Standing Order 18 no motion for the



adjournment of the House may be moved until 4.30 p.m. or the earlier completion or deferment of all business included in the Order of Business for the sitting, and no such motion may then be moved except under the provisions of this Order and of Standing Order 17.

(2) At 4.30 p.m. Mr. Speaker shall interrupt any proceedings still in progress or if the House is in Committee the Chairman shall leave the Chair and report progress to the House.

(3) Upon the conclusion of proceedings under the provisions of paragraph (2), or upon the earlier completion of or deferment of all business included in the Order of Business for the sitting, Mr. Speaker shall either adjourn the House or at any sitting at which notice has been given of a motion for the adjournment of the House under the provisions of Standing Order 17 call upon a member of the Government to move "*That this House do now adjourn*".

17. (1) Upon a motion "*That this House do now adjourn*" moved under the provisions of paragraph (3) of Standing Order 16, any member (other than a member of

Adjournment of  
Motion—End  
of Sitting.

the Government) who has obtained the right to do so, may address the House upon any matter of administration for which the Government is responsible and the member of the Government with whom responsibility for the matter raised rests may reply.

(2) Any member who wishes to raise a matter under the provisions of paragraph (1) shall give notice of the matter in writing to Mr. Speaker not less than seven days before the sitting at which he wishes to do so. Subject to the giving of such notice Mr. Speaker shall allot the right so to raise a matter to not more than two members on each sitting day, if necessary by ballot, and in making such allotment shall give preference to any member or members who have not previously so raised a matter during the present session.

(3) In any address upon any motion "*That this House do now adjourn*", the time allowed to each member addressing the House and to each member of the Government replying shall be 7½ minutes, unless Mr. Speaker decides otherwise in any particular case.

(4) Upon the conclusion of such proceedings, Mr. Speaker shall put the question "*That this House do now adjourn*":

Provided that, if that question has not been previously decided, at 5 p.m. Mr. Speaker shall adjourn the House without question put.

18. (1) Any member other than a member of the Government may at the time appointed under Standing Order 14 rise in his place and ask leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance.

Adjournment—  
Definite  
Matter of  
Urgent  
Public  
Importance.

(2) A member who wishes so to ask leave to move the adjournment of the House shall, before the commencement of the sitting, hand to Mr. Speaker a written notification of the matter which he wishes to discuss. Mr. Speaker shall refuse to allow the claim unless he is satisfied that the matter is definite, urgent and of public importance.

(3) If Mr. Speaker is so satisfied and either

(a) leave of the House is given, no member objecting; or

(b) if it is not so given, at least fifteen members rise in their places to support the request,

the motion shall stand over until 2.30 p.m. on the same day, and at that hour any proceeding on which the House is engaged shall be postponed until either the motion for the adjournment is disposed of or the moment of interruption is reached, whichever is the earlier. At the moment of interruption the motion for the adjournment, if not previously disposed of, shall lapse and the proceedings which have been postponed shall be resumed and dealt with in accordance with paragraph (4).

(4) Any proceedings which have been postponed under this Order may be continued after 4.30 p.m. for a period of time equal to the duration of the proceedings on the motion made under this Order; and when all proceedings under that paragraph have been concluded, the House shall stand adjourned without question put.

(5) Not more than one motion for the adjournment of the House under this Order may be made at one sitting.

**19. (1) (a)** Every application to the House Petitions. shall be in the form of a petition, and every petition shall be presented by a member, who shall be responsible for the petition being in respectful language.

(b) A petition seeking a grant, charge or expenditure of public money or the release of a debt due to the Government or the remission of duties payable by any person or compensation for loss out of the public revenues or for the revocation, alteration or repeal of any rate, tax or duty shall not be received by the House unless the recommendation of the Government thereto is signified by the Minister charged with responsibility for finance.

(2) (a) If signatures are affixed to more than one sheet, the prayer of the petition shall be repeated at the head of each sheet. A person unable to write may affix his mark in the presence of two witnesses.

(b) No reference shall be made in a petition to any debate in the House or in the Senate nor to any intended motion unless a notice of such motion stands in the Order Book.

(c) It shall not be competent for a member to present a petition from himself or to

which he is a signatory but the petition may be presented by some other member.

(d) Every petition shall, before it is presented, be signed at the beginning thereof by the member in charge of it and deposited at least one clear day with the Clerk who, after examining the same, shall submit it to Mr. Speaker for approval, and no petition shall be presented until it has been endorsed, "*Passed by Mr. Speaker*".

(e) Every member before presenting a petition shall ascertain and write at the head of it the number of signatures to it, and shall satisfy himself that it does not contain language disrespectful to the House or to the Senate.

(3) A member presenting a petition to the House may state concisely the purpose of the petition.

(4) (a) It shall be competent for any member to move that such petition be read. In making such motion he shall state concisely his reasons for wishing to have it read.

(b) No debate shall be permitted on such motion, nor shall any other member speak

upon or in relation to such petition, except to second the motion formally.

(c) Such motion being seconded, the question shall be put whether the petition shall be read.

X (d) A petition, having been presented to the House, shall be referred to a Special Select Committee. 07

20. (1) Papers shall be presented only by Papers. Mr. Speaker, a Minister or the chairman of a Committee, and shall be sent to the Clerk.

(2) Every paper a copy of which is so received by the clerk shall be considered to have been presented to the House and ordered to lie upon the Table. doc-mach

(3) The presentation of all papers shall be entered in the Votes and Proceedings of the day on which they are presented or, if the House is not then sitting, of the next sitting day following its presentation.

21. (1) Questions may be put to Ministers Questions. relating to:

(a) affairs within their official functions;  
or

(b) a Bill, motion or other public matter connected with the business of the House for which such Minister is responsible.

(2) Questions may also be put to members other than Ministers, relating to a Bill, motion or other public matter connected with the business of the House for which such members are responsible.

(3) The proper object of a question is to obtain information on a matter of fact within the special cognisance of the member to whom it is addressed.

**Notice of  
Questions.**

**22.** (1) A question shall not be asked without notice, unless Mr. 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 Mr. Speaker to ask it.

(2) Notice of every question shall be given by a member in writing not later than fourteen days before the day on which the answer is required:

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



(b) when the House is not sitting, by being handed in at the office of the Clerk during the usual office hours.

(3) If a member requires an oral answer to his question he shall mark his notice "*Oral Reply*". Not more than three questions shall be marked by a Member for "*Oral Reply*" on the same day. Mr. Speaker may in his discretion direct that any question marked for an "*Oral Reply*" shall be given a written answer.

23. (1) Every question shall conform to the following rules: Contents of Questions.

(a) a question shall not include the names of persons or statements not strictly necessary to render the question intelligible;

(b) if a question contains a statement, the member who asks the question must make himself responsible for the accuracy of the statement;

(c) a question shall not contain any argument, inference, opinion, imputation, epithet or tendentious, ironical or offensive expression;

- (d) a question shall not refer to debates or answers to questions in the current session;
- (e) a question shall not refer to proceedings in a Committee which have not been reported to the House;
- (f) a question shall not seek information about any matter which is of its nature secret;
- (g) a question shall not be so drafted as to be likely to prejudice a case under trial, or be asked on any matter which is *sub judice*;
- (h) a question shall not be asked for the purpose of obtaining an expression of opinion, the solution of an abstract legal case or the answer to a hypothetical proposition;
- (i) a question shall not be asked as to whether statements in the press or of private individuals or financial bodies are accurate;
- (j) a question shall not be asked as to the character or conduct of any person except in his official or public capacity;

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

(l) a question shall not be asked seeking information set forth in accessible documents or ordinary works of reference;

(m) a question making or implying a charge of a personal character shall be disallowed;

(n) a question fully answered shall not be asked again during the same session.

(2) If Mr. 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 an abuse of the right of questioning, or calculated to obstruct or affect prejudicially the procedure of the House, or infringes any of the provisions of this Order, he may direct:

(a) that it be printed or asked with such alterations as he may direct; or

(b) that the member concerned be informed that the question is disallowed.

(3) Disallowance of a question by Mr. Speaker, with the reason therefor, shall be communicated in writing to the member concerned by the Clerk.

(4) Notwithstanding anything hereinbefore, a Minister to whom a question is addressed may, with the approval of Mr. Speaker, refuse to answer such question on the ground of public interest, and such refusal cannot be debated or questioned.

Manner of asking and answering questions.

24. (1) If an oral answer to a question is required and no written answer thereto has been directed by Mr. Speaker, Mr. Speaker, when the question is reached on the Order Paper, 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 Minister to whom it is addressed shall give his reply.

(2) If a member asking a question for an oral reply fails to rise and ask his question, then any other member may make the question his own and may rise in his place

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and ask the question in the manner prescribed above; but if no other member so rises, the Minister to whom the question is addressed shall send copies of the answer to the member who asked it and to the Clerk, who shall cause that answer to be printed in the Official Report:

Provided that at any time before Mr. Speaker has called upon the member who asked the question standing in his name that member may signify his desire to postpone the question to a later sitting or may withdraw it.

(3) Mr. Speaker may allow supplementary questions to be put for the purpose of elucidating any matter of fact regarding which an oral answer has been given, but he may refuse any such question which in his opinion introduces matter not related to the original question or which infringes any of the provisions of Standing Order 23.

(4) A question shall not be made the pretext for a debate.

(5) No questions, other than any supplementary questions arising out of a question already asked which Mr. Speaker may permit, shall be taken one hour after the beginning of Question Time.

(6) If an oral answer to a question is not required, or if a written answer is directed under paragraph (3) of Standing Order 22, the Minister to whom it is addressed shall send copies of the answer to the member who asked it and to the Clerk, who shall cause such answer to be included in the Official Report.

Personal  
explanation.

25. By the indulgence of the House, and with the leave of Mr. Speaker, a member may make a personal explanation at the time appointed under Standing Order 14 although there is no question before the House; but no controversial matter may be brought forward nor may debate arise upon the explanation. The terms of the proposed statement shall be submitted in full to Mr. Speaker when his leave to make it is sought.

Notices of  
Motions.

*provide* 26. (1) Unless Standing Orders otherwise direct, notice shall be given of any motion which it is proposed to move with the exception of the following:

- (a) a motion by way of amendment to a question already proposed from the Chair;
- (b) a motion in Committee of the whole House;

*(e) a motion of a Minister under the provisions of paragraph (1) of Standing Order 7;*

(c) a motion for the adjournment of the House or of any debate;

(d) a motion to proceed to any particular business out of the regular order;

*(e) a* (e) a motion that the proceedings on any specified business be exempted from the provisions of Standing Order 12;

*(f) a* (f) a motion for the suspension of a member;

*(g) a* (g) a motion to disallow a member's vote under the provisions of paragraph (5) of Standing Order 47;

*(h) a* (h) a motion to refer a Bill to a Select Committee under Standing Order 54;

*(i) a* (i) a motion for the recommittal of a Bill reported from a Committee of the whole House;

*(j) a* (j) a motion for the withdrawal of a Bill under Standing Order 62; x

*(k) a* (k) a motion to suspend any Standing Order moved under Standing Order 90 when the consent of Mr. Speaker has been expressed;

31.

*(g) a motion for the appointment of a Select Committee under paragraph (4) of Standing Order 12.*

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(l) a motion for the withdrawal of Strangers;

(m) a motion for the closure of a debate under Standing Order 40;

(n) a motion relating to a matter of privilege;

(o) a motion that a petition be read, printed or referred to a Select Committee;

(p) a motion that the report of a Select Committee be referred to a Committee of the whole House.

(2) A motion—

(a) seeking a grant, charge or expenditure of public money, or

(b) seeking the release of a debt due to the Government, or

(c) seeking the remission of duties payable by any person, or

(d) seeking compensation for loss out of the public revenues, or

(e) for the revocation, alteration or repeal of any rate, tax or duty,



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shall not be proceeded with unless the recommendation of the Government thereto is signified by the Minister charged with responsibility for finance.

27. (1) Where under any Standing Order (or the practice of the House) notice is required such notice shall be given—

Manner of giving Notices.

- (a) when the House is sitting, by being handed in at the Table; or
- (b) when the House is not sitting, by being handed in at the office of the Clerk during the usual office hours.

(2) Every such notice shall be signed.

(3) Except as provided in Standing Order 43 and in paragraph (5) of Standing Order 86, not less than fourteen days' notice of any motion shall be given unless it is in the name of a Minister, in which case seven day's notice or, if Mr. Speaker is satisfied upon representation to him by a Minister that the public interest requires that a motion should be debated as soon as possible, one day's notice shall be sufficient.

(4) All notices shall if possible be printed, cyclostyled or typewritten and sent to

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3. *Stand. Order 23-64.*  
*Rule 112. 22. 462-469.*

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members not later than the day before the sitting for which they have been put down.

(5) If Mr. Speaker is of opinion that any notice received by the Clerk infringes any of the provisions of these Orders or is otherwise out of order, he may direct—

(a) that it be printed with such alterations as he may direct; or

(b) that it be returned to the member who signed it, as being in his opinion out of order.

(6) Subject to the provisions of paragraph (5), motions or amendments sent to the Clerk shall be printed and circulated by him and in the case of amendments to Bills shall be arranged so far as may be in the order in which they will be proposed.

(7) ~~No notice other than that of the intention to raise a matter on the adjournment shall be given orally in the House.~~

Alteration  
of terms of  
Motion.

28. If a member desires to alter the terms of a motion standing in his name, he may do so by giving to the Clerk an amended notice of motion, provided that such alteration does not, in the opinion of Mr. Speaker, materially alter any principle embodied in

the original motion or the scope thereof. The amended notice shall run from the time at which the original notice was given.

29. (1) A member may, by notice in writing to the Clerk, withdraw any notice of motion previously given by him.

Notices  
withdrawn.

(2) When any notice of motion has been so withdrawn after the motion to which it refers has appeared on the Order of Business, the Clerk shall as soon as possible notify each member of the withdrawal of such notice, and thereupon such motion shall not be proposed but shall remain on the Order of Business and at the proper time Mr. Speaker or the presiding member shall announce that the motion is to be considered as withdrawn, and a note to that effect shall be entered on the Votes and Proceedings.

30. (1) When any motion is under consideration in the House or in a committee thereof, an amendment may be proposed to the motion if it is relevant thereto.

Amendments  
to Motions.

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

(3) An amendment must not raise any question which, by the rules of the House, can only be raised by a substantive motion after notice.

(4) A question, when proposed from the Chair, may be amended ~~in all or any of the following methods~~ *in all or any of the following methods*

(a) by leaving out certain words in order to insert other words; or

(b) by leaving out certain words; or

(c) by inserting or adding other words.

**Seconding of  
Motions and  
Amendments.**

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

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

**Amendments  
to Motions  
to be put in  
writing.**

32. Any amendment to a motion upon which the question has been proposed in the House or in Committee of the whole House shall, ~~if so required by the Chair,~~ *if so required by the Chair* be put into writing by the mover and delivered to the Clerk. ~~unless the Chair dispenses with the requirement that it be put in writing.~~ *unless the Chair dispenses with the requirement that it be put in writing.*

**Manner of  
debating  
Motions and  
Amendments  
thereto.**

33. (1) When a motion has been moved and if necessary seconded, the Chair shall propose the question thereon to the House

or the Committee in the same terms as the motion; debate may then take place upon that question and may, subject to the provisions of these Standing Orders, continue so long as any member wishes to speak who is entitled to do so.

(2) When no more members wish to speak, the Chair shall put the question to the House or Committee, which shall express its decision in accordance with the provisions of Standing Order 45.

(3) Any amendment to the motion which a member wishes to propose in accordance with the provisions of Standing Order 30 may be moved and if necessary seconded at any time after the question upon the motion has been proposed by the Chair, and before it has been put by the Chair at the conclusion of the debate upon the motion. When every such amendment has been disposed of the Chair shall either again propose the question upon the motion or shall propose the question upon the motion as amended, as the case may require, and after any further debate which may arise thereon, shall put the question to the House or Committee for its decision.

(4) (a) Upon any amendment to leave out any of the words of the motion, the question to be proposed shall be *“That the words proposed to be left out be left out of the question”*.

(b) Upon any amendment to insert words in, or add words at the end of, a motion, the question to be proposed shall be *“That those words be there inserted”* or *“added”*, as the case may require.

(c) Upon any amendment to leave out words and insert or add other words instead, a question shall first be proposed *“That the words proposed to be left out be left out of the question”*, and if that question is agreed to, the question shall then be proposed *“That those words be there inserted”* or *“added”*, as the case may require. If the first question is disagreed to, no further amendment may be proposed to the words which the House or Committee have so decided shall not be left out.

(d) If the Chair, before putting a question to leave out certain words, is informed that a member wishes to move an amendment to

leave out part only of these words, and if the Chair is of opinion that the proposed amendment of which he is so informed is substantially a new amendment, he shall, if possible, put the question to leave out only so much of the original amendment as is unaffected by the second amendment; but if that amendment is agreed to, the whole of the words proposed in the original amendment to be left out shall be deemed to have been ordered to be left out.

(e) When two or more amendments are proposed to be moved to the same motion, the Chair shall call upon the movers in the order in which their amendments relate to the text of the motion, or in cases of doubt in such order as he shall decide: provided that no amendment may be moved which relates to any words which the House or Committee has decided shall not be left out of the motion.

(5) (a) Any amendment to an amendment which a member wishes to propose may be moved and if necessary seconded at any time after the question upon the original amendment has been proposed, and before

it has been put at the conclusion of the debate on the original amendment.

(b) The provisions of paragraph (4) shall apply to the discussion of amendments to amendments, with the substitution wherever appropriate of the words "original amendment" for the word "question".

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

Withdrawal  
of Motions  
and Amend-  
ments.

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

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



## RULES OF DEBATE

35. (1) A member desiring to speak shall rise in his place and if called upon shall stand and address his observations to the Chair. No member shall speak unless called upon by the Chair.

Time and  
Manner of  
Speaking.

(2) If two or more members rise at the same time, the Chair shall call upon the member who first catches his eye.

(3) No member shall speak more than once to any question except—

(a) in Committee; or

(b) in explanation as prescribed in paragraph (4); or

(c) in the case of the mover of a substantive motion, only in reply:

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

→ without prejudice to his right to speak at a later period of the debate,

(4) 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.

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

(6) A member shall not read his speech, but he may read extracts from books or papers in support of his argument, and may refresh his memory by reference to notes.

(7) A member shall not speak on any matter in which he has a direct personal pecuniary interest (other than the matter of remuneration under any provision of the Constitution) without disclosing the extent of that interest.

Contents of  
Speeches.

36. (1) A member shall confine his observations to the subject under discussion and may not introduce matter irrelevant thereto.

(2) Reference shall not be made to any matter which is *sub judice* in such a way as might in the opinion of the Chair prejudice the interests of parties thereto.

(3) It shall be out of order to attempt to reconsider any specific question upon

which the House has come to a conclusion during the current session except upon a substantive motion for rescission.

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

(5) No member shall refer to any other member by name.

(6) No member shall impute improper motives to any other member.

(7) The name of His Majesty the Yang di-Pertuan Agong, or any of Their Highnesses the Rulers, or of either of Their Excellencies the Governors of Penang and Malacca shall not be used to influence the House.

(8) The conduct or character of His Majesty the Yang di-Pertuan Agong, of any of Their Highnesses the Rulers or Their Excellencies the Governors of Penang and Malacca, of Judges or other persons engaged in the administration of justice, of members of the Armed Forces Council or of any Service Commission established under Part X of the Constitution, of members of the Election Commission, or of sovereigns of

friendly states shall not be referred to except upon a substantive motion moved for that purpose.

(9) No reference shall be made in any debate to the conduct or character of any Member of Parliament or of any public servant, other than conduct in the capacity of Member of Parliament or public servant, as the case may be.

Interruptions.

(10) (See also)  
**37.** No member shall interrupt another member except—

(a) by rising to a point of order, when the member speaking shall resume his seat and the member interrupting shall simply direct attention to the point which he desires to bring to notice and submit it to the Chair for decision; or

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

38. (1) Debate upon any motion, other than a motion for the adjournment of the House, and upon any Bill or amendment shall be relevant to such motion, Bill or amendment.

Scope of  
Debate.

(2) Debate upon any motion for the adjournment of the House shall be relevant to the subject to be raised under Standing Order 17 or 18.

(3) When an amendment proposes to leave out words and to insert other words instead of them, debate upon the question "*That the words proposed to be left out be left out*" may include both the words proposed to be left out and those to be added or inserted.

(4) On an amendment proposing only to leave out words or to add or insert words, debate shall be confined to the omission, addition or insertion of such words respectively.

(5) Debate upon any motion "*That the debate be now adjourned*" or in Committee "*That the Chairman do report progress and ask leave to sit again*", shall be confined to the matter of such motion; and a member who has made or seconded such motion

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36.(10) or shall be out of order to use —

- (a) treasonable words;
- (b) seditious words;
- (c) words which are likely to promote feelings of ill-will or hostility between different communities in the Federation.

Interruptions.

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shall not be entitled to move or second any similar motion during the same debate.

**Anticipation.**

**39.** (1) It shall be out of order to anticipate the discussion of a Bill standing on the Order of Business by discussion upon a substantive motion or an amendment dealing with the same subject matter, or by raising the subject matter of the Bill upon a motion for the adjournment of the House.

(2) It shall be out of order to anticipate the discussion of a motion of which notice has been given by discussion upon an amendment, or by raising the same subject matter upon 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.

**Closure of Debate.**

**40.** (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 Chair that such motion is an abuse of the rules of the House, or an infringement of the

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rights of the minority, the question "*That the question be now put*", shall be put forthwith and decided without amendment or debate, notwithstanding that the mover of the original motion or amendment has had no opportunity to make his reply.

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

(3) A question for the closure of debate shall not be decided in the affirmative upon a division, notwithstanding that the Ayes have it, unless it appears by the numbers declared from the Chair that not less than twenty members voted in the majority in support of the motion.

41. During a sitting:

- X
- (a) all members shall enter <sup>leave, and behave in</sup> or leave the House with decorum;
  - (b) no member shall cross the floor of the Chamber unnecessarily;

Behaviour of  
Members not  
speaking.



(c) members shall not read newspapers, books, letters or other documents except such matters therein as may be directly connected with the business under debate;

(d) no member shall smoke in the Chamber;

(e) while a member is speaking all other members shall be silent and shall not make unseemly interruptions. speaking all

*the members are called to order by the Chair, or when interruptions.*

Chair to be heard in silence.

42. Whenever the Chair rises during a debate, any member then speaking, or offering to speak, shall sit down, and the House or Committee shall be silent so that the Chair may be heard without interruption.

Decision of Chair Final.

43. Mr. Speaker in the House or the Chairman in Committee shall be responsible for the observance of the rules of order in the House and Committee respectively, and his decision on any point of order shall not be open to appeal and shall not be reviewed by the House except upon a substantive motion moved for that purpose. Such a motion shall not require more than two days' notice.

44. (1) The Chair, 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. Order in  
the House.

(2) The Chair shall order any member whose conduct is grossly disorderly to withdraw immediately from the House during the remainder of that day's sitting, and the Serjeant-at-Arms shall act on such orders as he may receive from the Chair in pursuance of this Order; but if, on any occasion, the Chair deems that the powers under the previous provisions of this Order are inadequate, he may name such member or members, in which event the same procedure shall be followed as is prescribed in paragraphs (3), (4), (5) and (6).

(3) Whenever a member has been named by the Chair 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

a motion shall forthwith be proposed and seconded by any two Ministers present "*That Mr.....be suspended from the service of the House*", and Mr. Speaker shall forthwith put the question on that motion, no amendment, adjournment or debate being allowed; and, 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 circumstances to the House; and Mr. 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) Not more than one member shall be named at the same time, unless two or more members present together have jointly disregarded the authority of the Chair.

(5) If a member is suspended under the provisions of this Order, he shall be directed by Mr. Speaker to withdraw, and his suspension shall last until the end of the meeting.

(6) If a member, or two or more members acting jointly who have been suspended under this Order from the service of the

House, shall refuse to obey the direction of Mr. Speaker to withdraw, when severally summoned under Mr. Speaker's orders by the Serjeant-at-Arms to obey such direction, Mr. 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 or members named by him as having refused to obey his direction have been removed from the House they shall thereupon without any further question being put be suspended from the service of the House during the remainder of the session.

(7) Members who are ordered to withdraw under paragraph (2) or who are suspended from the service of the House under paragraphs (3) and (6), shall forthwith withdraw from the precincts of the House 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, Mr. Speaker may, if he thinks it necessary so to do, adjourn the House without putting any question, or suspend the sitting for a time to be fixed by him; and in the case of grave disorder arising in

Committee of the whole House the Chairman may suspend the proceedings of the Committee and report the circumstances to the House, and Mr. Speaker may thereupon take action as though the disorder had arisen in the House.

(9) Nothing in this Order shall be taken to deprive the House of the power of proceeding against any member according to any resolution of the House.

Decision of  
Questions.

**45.** (1) Subject to the provisions of Clause (1) of Article 89 of the Constitution and Clause (3) of Article 159 of the Constitution and these Orders, the House shall, in accordance with the provisions of Clause (3) of Article 62 of the Constitution, take its decision by a simple majority of members voting; and Mr. Speaker or any other person presiding shall cast his vote whenever necessary to avoid an equality of votes, but shall not vote in any other case.

(2) In accordance with the provisions of Clause (5) of Article 62 of the Constitution, a member absent from the House shall not be allowed to vote.

Collection  
of Voices.

**46.** (1) No member may speak to any question after the same has been fully put from the Chair.

(2) A question is fully put, when the Chair has collected the voices both of the Ayes and of the Noes.

(3) When the question has been put by the Chair at the conclusion of the debate the votes shall be taken by voices *Aye* and *No* and (provided that no member then claims a division) the result shall be declared by the Chair.

(4) If the opinion of the Chair as to the decision of a question is challenged by any member calling for a division, the Chair shall call upon members desiring a division to rise in their places. If less than fifteen members so rise, the Chair shall either declare the result forthwith or order a division. If fifteen or more members so rise, the Chair shall order a division, and shall, after such warning as he may consider necessary, appoint Tellers.

47. (1) When a division has been ordered, Divisions. is, the Tellers shall ask each member separately how he desires to vote, and the Clerk shall enter on the Votes and Proceedings a record of each member's vote and of the members who abstained from voting.

(2) When a member is asked how he desires to vote at a division, he may answer either by voting for the Ayes or for the Noes, or by expressly stating that he abstains from voting. A member shall not answer in a manner inconsistent with any opinion which he may have expressed when the voices were taken collectively.

(3) When every member present has been asked how he desires to vote, the Chair 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 require.

(4) If a member states that he voted in error or that his vote has been counted wrongly, he may claim to have his vote altered, provided that such request is made as soon as the Chair has announced the numbers and before the Chair has declared the result of the division.

(5) A member shall not vote on any subject in which he has a direct personal pecuniary interest (other than the matter of remuneration under any provision of the Constitution), but a motion to disallow a member's vote on this ground may only be made immediately after the numbers of

the members voting on the question have been declared. If a motion for the disallowance of a member's vote is agreed to, the Chair shall direct the Clerk to correct the numbers voting in the division accordingly.

48. A Minister may after notice present a Bill without an order of the House for its introduction, and when a Bill is so presented the title of the Bill shall be read by the Clerk at the Table and the Bill shall then be deemed to have been read the first time and to have been ordered to be printed, and shall stand for Second Reading upon such day as the Minister may appoint.

Procedure as to Bills.

49. (1) Any private member desiring to introduce a Bill may, subject to the provisions of Article 67 of the Constitution, apply to the House for leave to do so, stating at the same time the object and leading features of such Bill.

Private Member's Bills.

(2) Every such application shall be made in the form of a motion, and the member making such application shall at the same time deliver to the Clerk a copy of his motion containing the title of his proposed Bill.

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at the next or a subsequent sitting of the House:  
55.  
Provided that notice may be given of intention to move the second reading of a Bill on the same day.



(3) Leave being granted on a question put and carried, the Bill shall be deemed to have been read the first time and ordered to be printed and a copy of the Bill shall be delivered to the Clerk.

(4) The Bill shall, subject to Standing Order 51, thereupon be printed and circulated to members, and shall stand referred without discussion to the Minister concerned with the subjects or functions to which the Bill relates or, if there is no such Minister, then to such other Minister or member as Mr. Speaker may nominate; and no further proceedings shall be taken upon such Bill until the Minister or member to whom it has been referred has reported to the House thereon.

(5) After the report referred to in the preceding paragraph of this Order has been made, the Bill shall be set down for second reading upon such day as the member in charge of the Bill shall desire.

Private and  
Hybrid Bills.

50. (1) Where any member proposes to introduce a Bill which is intended to affect or benefit some particular person, association, or corporate body (referred to in these Orders as a "Private Bill") notice of the

Bill shall be given by advertising a statement of its general nature and objects in the *Gazette*, and also in at least one newspaper circulating in the Federation, such advertisements being published at least one month before the day on which a motion for leave to introduce the Bill is to be moved. Leave being granted on a question put and carried, the Bill shall be deemed to have been read a first time and ordered to be printed, and a copy of the Bill shall be delivered to the Clerk; and the Bill shall, subject to Standing Order 51, thereupon be printed and circulated to members.

(2) Every Private Bill shall contain a section saving the rights of His Majesty the Yang di-Pertuan Agong, Their Highnesses the Rulers and Their Excellencies the Governors of Penang and Malacca, of all bodies politic and corporate and of all others, except such as are mentioned in the Bill, and those claiming by, from or under them.

(3) Every Private Bill, and any other Bill which in the opinion of Mr. Speaker appears to affect prejudicially individual rights or interests (referred to in these Orders as a "Hybrid Bill") shall, after being read a

second time, be referred to a Select Committee, before which any affected party who has previously presented a petition to the House under the provisions of Standing Order 19 may be heard upon that petition, either in person or by counsel.

(4) No member shall be allowed to sit on such Select Committee until he has made and signed a declaration—

(a) that he has no personal pecuniary interest in the Bill; and

(b) that he will not vote on any question that may arise, and in respect of which evidence may be given, without having duly heard and attended to the evidence relating thereto.

(5) Every Select Committee on a Private or Hybrid Bill shall require proof of the facts and other allegations set forth in the Bill as showing that it is expedient that the Bill should be passed, and may take such oral or other evidence as it may think requisite; and thereafter if the Committee finds that the said facts and allegations are not proved it shall report accordingly.

(6) If the Committee finds that the said facts and allegations have been proved, the Committee shall proceed as provided in Standing Order 58, and in respect of all amendments which it makes shall describe their purport in a special report to the House.

(7) In the case of a Private Bill the Committee shall not allow any new clause to be inserted which is outside the terms of the notice in the *Gazette*.

(8) The member in charge of the Bill shall be responsible for the payment of all expenses incurred in the promotion of the Bill.

**51.** (1) Before any Bill is printed the Clerk shall satisfy himself that— Form of Bills.

- (a) the Bill is divided into clauses numbered consecutively;
- (b) a short indication of the contents of each clause appears in the margin thereto;
- (c) the Bill contains nothing foreign to what the title thereto imports;
- (d) the Bill complies with the provisions of Standing Orders.

(2) If the Clerk is not satisfied that the provisions of paragraph (1) have been complied with in any respect, he shall so report to Mr. Speaker; and if Mr. Speaker is of such opinion he shall direct the Clerk to inform the member in charge of the Bill that the Bill may not be printed until the said provisions have been complied with.

(3) As soon as possible after the printing of a Bill the Clerk shall circulate a copy to every member and, except in the case of a Private Member's Bill or a Private Bill, a short explanatory statement shall accompany the Bill.

(4) If the Bill involves expenditure of public money an indication of that fact together with an estimate of such expenditure shall if possible be circulated with the Bill.

Parties  
Affected.

**52.** In any case in which individual rights or interests may be peculiarly affected by any Bill, all parties so affected may be heard upon petition before any Committee to which the Bill is referred, and either in person or by counsel.

53. (1) If it is intended to proceed with the Bill at the next sitting or meeting, notice of a second reading must be given immediately after its first reading. Second Reading.

(2) No Bill shall be read a second time until it has been circulated to members.

(3) When the second reading of any Bill is reached in the Order of Business, a motion may be made "*That the Bill be now read a second time*", and a debate may arise covering the general merits and principle of the Bill.

(4) 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 add, at the end of the question, "*on this day six months*", 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. If the House agrees to an amendment in either of such forms, the second reading of the Bill shall be considered to have been negatived.

Committal  
of Bills.

54. When a Bill has been read a second time it shall stand committed to a Committee of the whole House unless the House on motion commits it to a Select Committee. Such motion shall not require notice, must be made immediately after the Bill is read a second time, and may be proposed by any member; the question thereon shall be put forthwith and shall be decided without amendment or debate.

Functions of  
Committees  
on Bills.

55. (1) Any Committee, to which a Bill is committed shall not discuss the principle of the Bill but only its details.

(2) Subject to the provisions of Article 67 of the Constitution, any such Committee shall have power to make such amendments therein as it shall think fit, provided that the amendments (including new clauses and new schedules) are relevant to the subject-matter of the Bill; but if any such amendments are not within the title of the Bill, the Committee shall amend the title accordingly, and shall report the same to the House.

Committee  
of the whole  
House.

56. If any member, before the conclusion of proceedings on a Bill in Committee of

the whole House, 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 4.30 p.m., Mr. Speaker shall report progress to the House and ask its leave to sit again, and a day for the resumption of the proceedings shall be named by the member in charge of the Bill.

57. (1) The Clerk shall call the number of each clause in succession. If no amendment is proposed thereto, or when all proposed amendments have been disposed of, the Chairman shall propose the question "*That the clause [as amended] stand part of the Bill*" and, when all members who wish to speak thereon have spoken, he shall put that question to the Committee for its decision.

Procedure in  
Committee  
of the whole  
House on  
a Bill.

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

(3) No amendment shall be moved which 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 this paragraph.

(4) The Chairman may refuse to propose the question upon any amendment which in his opinion—

(a) would make the clause or schedule which it proposes to amend unintelligible or ungrammatical;

(b) is frivolous; or

(c) amounts to a proposal to omit the whole substance of a clause for the purpose of inserting other provisions.

(5) The provisions of paragraph (4) of Standing Order 33 shall apply to the discussion of amendments to Bills, with the substitution where appropriate of the word "clause" for the word "motion" or the word "question", and of the expression "the Chairman" for the expression "Mr. Speaker"; and any amendment proposed to such an amendment shall be dealt with before a decision is taken on the original amendment.

(6) A clause may be postponed, unless a decision has already been taken upon an

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amendment thereto. Postponed clauses shall be considered after the remaining clauses of the Bill have been considered and before new clauses are brought up.

(7) Any proposed new clause shall be considered after the clauses of the Bill have been disposed of and before consideration of any schedule to the Bill:

Provided that 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 [as amended] be added to the Bill*".

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

65/  
4 Touch Sheet Pages 65-76  
Rock Res. G.O. 470-472.

(10) Any amendment may be withdrawn at the request of the mover, by leave of the Committee, before the question is fully put thereon, provided that there is no dissentient voice.

(11) When every clause and schedule and proposed new clause or schedule has been dealt with, the preamble, if there is one, shall be considered and the question put "*That the preamble [as amended] be the preamble to the Bill*". No amendment to the preamble shall be considered which is not made necessary by a previous amendment to the Bill.

(12) 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 [as amended] stand part of the Bill; nor shall any question be put upon the enacting formula.

(13) At the conclusion of the proceedings in Committee on a Bill, the member in charge of the Bill shall move "*That the Bill [as amended] be reported to the House*", and the question thereon shall be decided without amendment or debate.

7.5

(14) So soon as a Committee of the whole House has agreed that a Bill be reported, the Chairman shall leave the Chair of the Committee and the House shall resume, and the member in charge of the Bill shall report it to the House, *and the House may proceed to the third reading of the Bill.*

58. (1) A Select Committee on a Bill shall be subject to all the provisions of Standing Orders 83 and 84, but before reporting the Bill to the House it shall go through the Bill as provided in paragraphs (1) to (3) of Standing Order 57.

Procedure in  
Select Com-  
mittee on  
a Bill.

(2) When a Bill has been amended in a Select Committee, the whole text of the Bill as amended shall, if practicable, be printed as part of the report of the Select Committee; but if this is not practicable, the text of every clause or schedule amended and of every new clause or new schedule added shall be so printed.

59. (1) If any member desires to delete or amend any provision contained in a Bill as reported from a Committee of the whole House or to introduce any new provisions 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

Recommittal  
of Bills  
reported from  
Committee  
of the whole  
House.

wholly or in respect only of some particular part or parts of the Bill or some proposed new clause or new schedule, no notice of such motion being required, and if the motion is agreed to the Bill shall stand so recommitted. The House shall in accordance with the provisions of paragraph (1) of Standing Order <sup>54</sup>56 resolve itself into Committee to consider the business so recommitted.

(2) When the whole Bill has been recommitted, the Committee shall go through the Bill as provided in Standing Order 57.

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

(4) At the conclusion of the proceedings in Committee on a Bill recommitted under the provisions of this Order the member in charge of the Bill shall move "*That the Bill [as amended on recommitment] be reported to the House*" and the question thereon shall be decided without amendment or debate.

60. (1) When a Bill has been reported from a Select Committee, the House shall proceed to consider the Bill as reported from the Select Committee upon a motion *"That the report of the Select Committee be approved"*.

Proceedings  
on Bills  
reported  
from Select  
Committees.

(2) If that motion is agreed to without amendment, the House may proceed to the third reading of the Bill as reported from the Select Committee.

(3) Upon a motion to approve the report of a Select Committee on a Bill, any member may propose an amendment to add, at the end of the motion, the words "*subject to the recommittal of the Bill* [either wholly or in respect only of some particular part or parts or of some proposed new clause or new schedule] *to a Committee of the whole House*", and if that motion is agreed to with such an amendment, the Bill shall stand so recommitted. The House may then, upon a motion made in accordance with the provisions of paragraph (1) of Standing Order 56 resolve itself into a Committee to consider the business so recommitted.

(4) A Committee of the whole House upon a Bill recommitted under the provisions of this Order shall proceed in

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accordance with the provisions of paragraphs (2) or (3) of Standing Order 59, and the conclusion of its proceedings and the remaining proceedings on the Bill shall be subject to the provisions of paragraph (4) of that Order.

Third  
Reading.

**61.** (1) On the third reading of a Bill amendments may be proposed to the question "*That the Bill be now read a third time*" similar to those which may be proposed on second reading; but the debate shall be confined to the contents of the Bill and any reasoned amendment which raises matters not included in the Bill shall be out of order.

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

Withdrawal  
of Bills.

**62.** Either before the commencement of public business or when any stage of a Bill is reached in the Order of Business, the member in charge of a Bill may, without notice, make a motion that the Bill be withdrawn.

63. Once 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.

Bills containing substantially the same provisions.

64. Notwithstanding anything in any Standing Order, whenever ~~the Clerk~~ is satisfied that for any reason the printing of any Bill is impracticable by reason of urgency, he may so certify such Bill, and the Bill may be proceeded with in spite of the fact that it has not been printed, provided that cyclostyled or typewritten copies are available for the use of members, and may be taken through all its stages in such form.

Waiver of printing of Bills.

Mr. Speaker

65. The draft estimates of Federal expenditure for the succeeding year shall be laid upon the Table before the introduction into the House of the annual Supply Bill.

Annual Estimates.

66. (1) During each year there shall be introduced into the House a Supply Bill which shall contain the estimated financial requirements for all heads of expenditure required to be included in a Supply Bill by Article 100 of the Constitution for the succeeding financial year. The details of

Committee of Supply.



these financial requirements shall be contained in the Estimates mentioned in Standing Order 65. ✓

(2) After the motion for the second reading of the Bill has been proposed and seconded, the debate thereon shall be adjourned for not less than two days and, when resumed, shall be confined to the general principles of Government policy and administration as indicated by the Bill and Estimates. ✓ ~~One day~~ shall be allotted for the resumed debate on the second reading of the Bill and at 4 p.m. or such ~~later~~ time ~~on that day~~ as Mr. Speaker may determine. ✓  
A maximum of three days ---  
The last day allotted to such debate. ✓  
Mr. Speaker shall put any question necessary to bring the proceedings on second reading to a conclusion.

(3) When the Bill has been read a second time it shall stand committed to a Committee of the whole House to be called the Committee of Supply to which the Estimates shall then also stand referred; the deliberations of the Committee shall be in public.

(4) There shall be allotted a maximum of ~~five~~ <sup>fourteen</sup> days for discussion of the Estimates and the Bill in the Committee of Supply. ✓  
Mr. Speaker may allot ~~the~~ maximum time ✓

to be given for each of the schedules to the Bill and for the clauses of the Bill. If in the case of any schedule or clause the end of the allotted time is reached before the schedule or clause is disposed of, the Chairman shall put forthwith any question necessary to dispose of that schedule or clause: Provided that Mr. Speaker or the Chairman may, at his discretion, enlarge the time allotted for a particular schedule or clause but not so that the discussion in the Committee shall exceed ~~five~~ days or <sup>fourteen</sup> that the time allotted for any subsequent schedule or clause is thereby diminished. If no time shall have been allotted by Mr. Speaker for all or any of the schedules or clauses the Chairman may allot a maximum time.

(5) The schedules to the Bill shall be dealt with before the clauses.

(6) On the consideration of a schedule, the Chairman shall call the title of each head of expenditure in turn, and unless any amendment thereto stands upon the Notice Paper shall propose the question "*That the sum of \$.....for head..... stand part of the schedule*".

(7) Any member may move an amendment to the schedule to reduce by \$.....the sum to be allotted for any head of expenditure in respect of any sub-head or item therein, but at least two clear days' notice of such amendment shall be given.

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

(9) No notice of motion for an increase in the sum allocated for any head shall be given or amendment whereby any such increase would be effected moved, except by a Minister.

(10) When all amendments standing on the Notice Paper in respect of any particular head of expenditure have been disposed of the Chairman shall propose the question "*That the sum of \$.....for head.....stand part of the schedule*".

(11) On the question, "*That the sum of \$.....for head.....stand part of the schedule*", debate shall be confined to the policy of the service for which the money is to be provided and shall not deal with the details of expenditure, but may refer to the details of revenues or funds for which that service is responsible.

(12) When the Bill has been passed by the Committee of Supply, it shall be reported forthwith to the House and a motion for the third reading shall thereupon be made by a Minister. Such motion shall not require to be seconded, and shall be decided without amendment or debate.

67. (1) Every request for approval by the House of supplementary and excess expenditure referred to in Article 101 of the Constitution shall be made in the form of a motion by a Minister "*That this House approves the supplementary estimate of \$.....under the heads of expenditure and for the services specified in the Schedule laid upon the Table by the Minister of Finance on the.....day of ....., 19.....*".

Supplementary  
Estimates.

*Sliz*

(2) Every Schedule referred to in paragraph (1) shall be circulated to members at least three clear days before the meeting at which the motion is to be moved, and shall be laid upon the Table on the first day of that meeting.

(3) When a motion made under the provisions of paragraph (1) has been proposed and seconded further debate upon it shall stand postponed, and the Schedule shall stand referred to a Committee of the whole House in Committee of Supply; the deliberations of the Committee shall be in public.

(4) Mr. Speaker shall allot a maximum period of time for the discussion of the Schedule, and may allot time to be given within that period for the consideration of any part or parts of the Schedule; and the provisions of Standing Order 66 shall, except insofar as Mr. Speaker or the Chairman may at his discretion otherwise direct, and subject to the provisions of this Order, apply to the consideration of a Schedule under this Order.

(5) When all the heads in the Schedule have been agreed to, the Chair shall forthwith put, without amendment or debate, the

(5)

question "*That this Schedule (as amended) be reported to the House*".

(6) Upon the Schedule being reported to the House, Mr. Speaker shall put forthwith, without amendment or debate, the question "*That the House approves the supplementary expenditure of the (amended) sum of, \$.....under the heads of expenditure and for the services specified in the Schedule laid upon the Table by the Minister of Finance on the.....day of..... 19.....(as amended).*"

(7) All supplementary or excess expenditure approved under this Order shall, in accordance with Article 101 of the Constitution, be included in a Supply Bill. The debate upon the motion of the second reading of any Bill so introduced shall be confined to the general principles of Government policy and administration as indicated in the Bill and the Schedule thereto, and when the Bill has been read a second time the Chair shall put forthwith, without amendment or debate, the question "*That the Bill be now read a third time.*"

68. (1) At each meeting of the House a statement detailing any items of urgent and

Contingencies Fund.

77

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Page No. 381-388.

57 (5)

Substitute the words "the Chair Speaker" in line 7.

*Explanation.*—This is to correct an erroneous reference.

57 (14)

Insert at the end thereof the words "and the House proceed to the third reading of the Bill".

*Explanation.*—This amendment will assimilate; following consideration of a Bill by a Committee of the House to that in relation to a Select Committee: see Order 60 (2).

74 (4)

Delete the word "immediately" in line 12.

*Explanation.*—It is considered that members to the Committee under this Order should not be to withdraw immediately.

(a) Re-number the existing Order as paragraph

(b) Add the following new paragraphs:

"(2) Whenever the House is not a member may bring an alleged breach of privilege to the notice of Mr. Speaker who may, if satisfied that a *prima facie* breach of privilege has been committed, refer such matter to the Committee, which shall report thereon to the House.

(3) The Committee shall have power to summon persons, papers and documents, and to sit from time to time."

*Explanation.*—It is considered that members should have the right to refer alleged breaches of privilege of the House to the Committee of Privileges whenever the House is sitting, provided that Mr. Speaker is satisfied that a *prima facie* breach of privilege exists. It is also considered that it should be made clear that the Committee has power for persons, documents and papers.

81 (1)

Insert after the words "by order of the House" the words "subject thereto."

*Explanation.*—It is considered that the House should have power if it so wishes to appoint members to a Select Committee.

81 (2)

Insert at the beginning thereof the words "Subject to the order of the House," put the first word ("A") in line 10

*Explanation.*—It is considered that the House should have power if it so wishes to appoint the Chair of the Special Select Committee.



67. (1) Every Supply Bill introduced to meet supplementary and excess expenditure referred to in Article 101 of the Constitution shall be supported by a supplementary estimate for each head under which additional authority is sought showing—

- (a) the total sums already authorised under that head;
- (b) the additional expenditure required under any subhead;
- (c) the amounts of any savings from other sub-heads under the same head which can be applied to reduce the supplementary appropriation required to meet such additional expenditure;
- (d) the amount of the supplementary appropriation requested for the head.

(2) Every supplementary estimate shall be laid upon the Table at least three clear days before the meeting at which the supplementary Supply Bill is to be introduced.

(3) After the motion for the second reading of the Bill has been proposed and seconded the debate thereon may proceed forthwith but shall be confined to the general principles of Government policy and administration as indicated by the supplementary appropriations included in the Bill and estimates.

(4) When the Bill has been read a second time it shall stand committed to the Committee of Supply in the manner described in paragraphs (3), (5), (6), (7), (8), (9), (10) and (11) of Standing Order 66: provided that the maximum time allotted for the discussion of the Bill in the Committee shall not, unless the Chair otherwise allows exceed two days.

45  
(5) The debate on a supplementary Supply Bill in Committee of Supply shall be limited to the particulars contained in the estimates on which the supplementary appropriations are sought; such debate may not touch the policy or the expenditure sanctioned by the estimates in which the original appropriation was obtained, except in so far as such policy or expenditure is brought before the Committee by the particulars contained in the supplementary estimates.

(6) When the Bill has been passed by the Committee of Supply, it shall be reported forthwith to the House and a motion for the third



unforeseen expenditure for which advances have been made from the Contingencies Fund in accordance with sub-section (3) of section 11 of the Financial Procedure Ordinance, 1957, in respect of the period preceding such meeting shall be presented to the House by a Minister.

(2) If any member wishes to seek an explanation in regard to any item of expenditure contained in the statement presented under this Standing Order, he shall give to the Clerk reasonable notice of his intention to seek such explanation, which notice shall not be less than twenty-four hours.

Sending of  
Money Bills  
to Senate.

69. Whenever any Bill contains, in the opinion of Mr. Speaker, only provisions dealing with all or any of the matters referred to in paragraphs (a), (b) and (c) of Clause (6) of Article 68 of the Constitution, such Bill shall, when sent to the Senate in accordance with the provisions of Clause (3) of Article 66 of the Constitution, be endorsed with a certificate signed by Mr. Speaker declaring that the Bill is a money Bill within the meaning of Article 68 of the Constitution.

70. (1) When a Bill has been read a third time and passed by the House, Mr. Speaker shall send a Message to the President of the Senate informing him—

Messages to the Senate.

(a) that the House has passed the Bill, or

(b) if the Bill was brought from the Senate, that the House has agreed to the Bill with or without amendment,

and desiring the concurrence of the Senate to the Bill or to the amendments made by the House to the Bill, as the case may be.

(2) The Clerk shall transmit to the Senate the said Message, together with a clean copy of the Bill endorsed by him, or the copy of the Bill as brought from the Senate with the amendments (if any) made by the House clearly marked therein, and with the Clerk's indorsement thereon.

(3) Nothing in this Standing Order shall affect the provisions of Article 68 of the Constitution.

71. (1) A Message from the Senate shall be received by the Serjeant-at-Arms at any time during a sitting of the House.

Messages from the Senate.

(2) The Serjeant-at-Arms shall immediately cause the Message to be delivered to Mr. Speaker.

(3) As soon as may be, but without interrupting a member who is addressing the Chair, Mr. Speaker shall direct the Clerk to read the said Message.

(4) When the House is not sitting a Message from the Senate shall be received by the Clerk, who shall cause the Message to be delivered to Mr. Speaker; and Mr. Speaker may direct the clerk to read the said Message at the next convenient sitting of the House. .

First Reading  
of Bills  
brought from  
the Senate.

**72.** (1) All Bills brought from the Senate shall lie upon the Table until a day is named for second reading.

(2) At any time after the reading of a Message recording that a Bill has been brought from the Senate, a member may inform the Clerk at the Table that he will sponsor the Bill and name a day for second reading (not being less than five clear days after the giving of such notice).

(3) The Clerk shall thereupon endorse the member's name upon the back of the Bill and record in the Votes and Proceedings that the said Bill has been read a first time and ordered to be read a second time upon the day named and to be printed.

73. (1) At any time after a Message from the Senate agreeing to a Bill with one or more amendments has been read, the member who was in charge of the Bill in the House may, by notifying the Clerk at the Table, name a day (not being less than five clear days from the day on which such notice was given) for the consideration of the Senate's amendments: Provided that if Mr. Speaker is satisfied that any amendments made by the Senate to a Bill are either drafting amendments or carry out the intention of this House and are not numerous, he shall so inform the House, and the House may order such amendments to be considered forthwith.

Consideration  
of Senate's  
Amendments  
to Bills, etc.

(2) When a future day is named for the consideration of the Senate's amendments, an order for the printing of such amendments shall be deemed to have been made

and the appropriate entry shall be inserted in the Votes and Proceedings.

(3) A similar procedure shall be followed in respect of any Message from the Senate relating to the subsequent stages of a Bill.

Procedure on  
consideration  
of Senate's  
amendments  
to Bills,  
Amendments,  
etc.

74. (1) A motion to divide a Senate's amendment is in order and amendments may be moved to a Senate's amendment provided that—

(a) notice of such motion or amendment has been given, and

(b) the question, "*That this House agrees (or disagrees) with the Senate's amendment*" has not been proposed from the Chair.

(2) When any such motion and/or amendment have been disposed of, the member in charge of the Bill shall move "*That this House agrees*" (or *disagrees*) "*with the Senate's amendment (as amended).*"

(3) Only such amendments may be proposed to the Bill as are either consequential on amendments made by the Senate or on

amendments made by this House to the Senate's amendments or are in lieu of an amendment made by the Senate to which this House has disagreed.

(4) When one or more Senate's amendments to a Bill have been disagreed to, Mr. Speaker shall, as soon as the consideration of the Senate's amendments to that Bill has been concluded, nominate three members (of whom the member in charge of the Bill shall be one) to be a Committee to draw up a Reason (or Reasons) to be assigned to the Senate for the rejection of their amendment (or amendments); two shall be the quorum of that Committee and they shall withdraw immediately and report as soon as may be: the Clerk Assistant or some other officer authorised by the Clerk shall be the Clerk to the Committee whose Report shall be presented to the House by being handed to the Clerk at the Table and when presented shall be deemed to have been agreed to by the House and shall be entered in full in the Votes and Proceedings together with a record of such agreement and the said Reason or Reasons shall be

incorporated by the Clerk in a Message to the Senate and shall be transmitted to the Senate together with the Bill duly endorsed by him.

(5) A similar procedure shall be followed in respect of any Senate's amendments to amendments made by this House.

(6) Nothing in this Order or in Standing Order 75 shall be deemed to affect the powers of the House under Article 68 of the Constitution.

Procedure on subsequent stages of Bills.

**75.** (1) On the consideration of a Reason assigned by the Senate for the rejection of an amendment made by this House, it shall be in order to move "*That this House insists upon its amendment to which the Senate has disagreed*" or "*That this House does not insist upon its amendment to which the Senate has disagreed*" and if the latter motion be carried then it shall be in order to move amendments to the amendment to which the Senate has disagreed or to move an amendment to the Bill in lieu thereof and at the conclusion of such proceedings

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the Clerk shall endorse the Bill and transmit it with the appropriate Message to the Senate.

(2) If the House insists upon any amendment to which the Senate has disagreed the procedure referred to in paragraph (4) of Standing Order 74 will be followed.

(3) Subject to the provisions of Article 68 of the Constitution, on the consideration of an amendment disagreed to by this House upon which the Senate insists it shall be in order either to move "*That the Bill be laid aside*" and if such motion be carried no further proceedings shall take place upon that Bill and no Message shall be sent to the Senate, or "*That this House does not insist upon its disagreement with the Senate in respect of the amendment upon which that House insists*" and if the latter motion be carried it shall be in order to move amendments to the Senate's amendment or to move an amendment to the Bill in lieu thereof, and the Clerk shall at the conclusion of such proceedings transmit to the Senate the Bill duly endorsed by him together with the appropriate Message.



## SELECT COMMITTEES

### Sessional Select Committees

Committee of  
Selection.

76. (1) There shall be a Committee to be known as the Committee of Selection appointed at the beginning of every session to perform the functions allotted to it by these Standing Orders, and for such other matters as the House may from time to time refer to it.

(2) The Committee of Selection shall consist of Mr. Speaker as Chairman, and six members of the House to be elected by the House. The Committee shall inform the House by means of a report when any member has been nominated to any Committee. The Committee shall not have power to send for persons, documents or papers unless the House so resolves.

Public  
Accounts  
Committee.

77. (1) There shall be a Committee to be known as the Public Accounts Committee appointed at the beginning of every session, for the examination of—

(a) the accounts of the Federation and the appropriation of the sums granted by Parliament to meet the public expenditure;

(b) such accounts of public authorities and other bodies administering public funds as may be laid before the House;

(c) reports of the Auditor-General laid before the House in accordance with Article 107 of the Constitution;

(d) such other matters as the Committee may think fit, or which may be referred to the Committee by the House.

(2) The Committee shall consist of a Chairman to be appointed by the House, and not more than six members to be nominated by the Committee of Selection, as soon as may be after the beginning of each session.

(3) No member may be appointed or nominated to or act as Chairman or member of the Public Accounts Committee while he is a Minister.

(4) The Committee shall have power to send for persons, papers and records, and to report from time to time.

Standing  
Orders  
Committee.

**78. (1)** There shall be a Committee to be known as the Standing Orders Committee to consist of Mr. Speaker as Chairman, and six other members to be nominated by the Committee of Selection as soon as may be after the beginning of each session. It shall be the duty of the Committee to consider from time to time and report on all matters relating to the Standing Orders which may be referred to it by the House. The Committee shall not have power to send for persons, documents or papers unless the House so resolves.

(2) If a notice of motion involves any proposal for the amendment of Standing Orders, the notice shall be accompanied by a draft of the proposed amendments, and the motion when proposed and seconded shall stand referred without any question being proposed thereon to the Standing Orders Committee, and no further proceedings shall be taken on any such motion until the Standing Orders Committee has reported thereon.

House  
Committee.

**79. (1)** There shall be a Committee to be known as the House Committee, to consist of Mr. Speaker as Chairman and

six members to be nominated by the Committee of Selection as soon as may be after the beginning of each session, to consider and advise Mr. Speaker upon all matters connected with the comfort and convenience of members of the House. The Committee shall not have power to send for persons, documents or papers unless the House so resolves.

(2) The minutes of meetings of the House Committee shall be circulated to all members of the House.

X <sup>(1)</sup> 80. There shall be a Committee to be known as the Committee of Privileges to consist of Mr. Speaker as Chairman and six members to be nominated by the Committee of Selection as soon as may be after the beginning of each session. There shall be referred to this Committee any matter which appears to affect the powers and privileges of the House. It shall be the duty of the Committee to consider any such matters to them referred, and to report on them to the House.

Committee of Privileges.

81. (1) A Select Committee other than a Sessional Committee shall be known as a

Special Select Committees.

So (2) Whenever the House is not sitting a member may bring an alleged breach of privilege to the notice of Mr. Speaker who may, if he is satisfied that a prima facie breach of privilege has been committed, refer such matter to the Committee, which shall report thereon to the House.

(3) The Committee shall have power to send for persons, papers and documents, and to report from time to time.

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subject hereto,

X Special Select Committee. It shall be appointed by order of the House and shall consist of such members as may be nominated by the Committee of Selection.

c.c.

X (2) A Special Select Committee shall have power to elect its own Chairman. If the member so elected is unable to be present at any meeting, the Committee shall elect another Chairman whose tenure of office shall be for the day of his election.

Constitution  
of Select  
Committees.

82. (1) Every Select Committee shall be so constituted as to ensure that, so far as is practicable, the balance between the parties within the House is reflected in the Committee.

(2) In the event of the death of a member appointed to a Committee, or if his seat becomes vacant for any other reason, the House or the Committee of Selection, as the case may require, shall appoint another member in his place, and in so doing shall observe the provisions of paragraph (1).

Procedure  
in Select  
Committees.

83. (1) Except as otherwise provided in Standing Orders 76 to 80 (dealing with Sessional Select Committees), this Order shall apply to all Select Committees.

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(2) A Select Committee shall have power to send for persons, documents or papers, and shall have leave to report its opinion and observations, together with the minutes of evidence taken before it to the House.

(3) Unless the House otherwise directs, three members shall be the quorum.

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

(5) The first meeting of a Select Committee shall be held at such time and place as the Chairman in the case of a Sessional Select Committee, or Mr. Speaker in the case of a Special Select Committee, shall appoint. Subsequent meetings shall be held at such time and place as the Committee may determine:

Provided that if the Committee fails to do so the Chairman shall, in consultation with the Clerk to the House, appoint such times and places.



(6) Except by leave of the House no Select Committee shall sit while the House is sitting.

(7) A Select Committee may continue its investigations although the House may be adjourned; and the Committee of Selection may, in the case of the death or unavoidable absence of a member, nominate another member of the House to take the place of such member on the Committee. Every nomination under this Order shall be announced to the House at its next meeting.

(8) The Clerk to the House or a Clerk appointed by him shall be the Clerk to every Select Committee.

(9) When it is intended to examine any witnesses, the member of the House or, in the case of a Committee on a private or hybrid bill, the petitioner requiring such witnesses shall deliver to the Clerk, two days at least before the day appointed for their examination, a list containing the name, residence and occupation of every witness. The Clerk shall then summon such witnesses on behalf of the House.

(10) The evidence of every witness shall be taken down verbatim and sent in proof





to the witness. The witness shall be at liberty within seven days from that on which the Clerk sent out the proof to suggest corrections due to inaccurate reporting and the evidence shall be printed with such of the corrections as may be approved by the Chairman.

(11) The Committee may at its discretion refuse to hear any irrelevant evidence or any recalcitrant witness.

(12) (a) Any member of a Select Committee may bring up a report for its consideration, and all such reports shall be entered in full upon the minutes of the Committee. When all the reports have been brought up, the Chairman shall propose the reports in order until one is accepted as a basis for discussion, beginning with his own report and proceeding with the remainder in the order in which they were brought up. The question to be proposed by the Chairman on any report shall be *"That the Chairman's (or Mr.....'s) report be read a second time, paragraph by paragraph"*. When this question has been agreed to it shall not be proposed on any further reports, but any portions thereof may be

offered as amendments to the report under consideration, if they are relevant to it.

(b) The Committee shall then proceed to go through the report paragraph by paragraph, and the provisions of paragraphs (1) to (8) and (10) of Standing Order 57 shall apply to such consideration as if the report were a Bill and the paragraphs thereof the clauses of the Bill.

(c) Upon the conclusion of the consideration of the report paragraph by paragraph, and when all proposed new paragraphs have been considered, the Chairman shall put the question that this report be the report of the Committee to the House.

(13) The provisions of paragraph (7) of Standing Order 35 shall apply to the deliberations of a Select Committee.

Divisions  
in Select  
Committees.

84. (1) Every division in a Select Committee shall be taken by the Clerk to the Committee asking each member of the Committee separately how he desires to vote and recording the votes accordingly.

(2) In taking the division, the names of all members of the Committee present shall be called in alphabetical order.

(3) When a division is claimed in a Select Committee every member of the Committee present shall, unless he expressly states that he declines to vote, record his vote either for the Ayes or Noes. The Clerk to the Committee shall enter in the Minutes of the Proceedings the record of each member's vote, and shall add a statement of the names of members who declined to vote. A member must vote according to his voice.

(4) As soon as the Clerk has collected the votes the Chairman shall state the number of members voting for the Ayes and Noes respectively and shall then declare the result of the division. The Chairman shall not have an original vote but in the event of an equality of votes he shall give a casting vote.

(5) If a Member of the Committee states that he voted in error or that his vote has been wrongly counted he may claim to have his vote altered, provided that such request is made as soon as the Chairman has announced the numbers and before he shall have declared the result of the division.

(6) The provisions of paragraph (5) of Standing Order 47 shall apply to a division in a Select Committee.

Premature  
publication of  
evidence.

**85.** The evidence taken before any Select Committee and any documents presented to such Committee shall not be published by any member of such Committee, or by any other person, before the Committee has presented its Report to the House.

Reports from  
Select  
Committees.

**86. (1)** Every Select Committee shall make a report to the House upon the matters referred to them before the end of the session in which the Committee was appointed, but if a Committee finds itself unable to conclude its investigations before the end of the session, it may so report to the House.

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

(3) A report or special report together with the minutes of the proceedings of a Select Committee and the minutes of any evidence taken before that Committee shall be presented to the House by the Chairman or other member deputed by the Committee and shall be ordered to lie upon the Table and be printed without question put.

(4) The Minutes of Proceedings of a Committee shall record all proceedings upon the consideration of any report or Bill in the Committee, and upon every amendment proposed to such report or Bill, together with a note of any division taken in the Committee and of the names of members voting therein or declining to vote.

(5) Any member may, after not less than two days' notice move in the House that the report of a Select Committee be adopted.

(6) When a Bill has been reported from a Select Committee the report shall be subject to the provisions of Standing Order 60.

87. Whenever the House decides to appoint a Select Committee to examine and report on any subject upon which it is desirable to consult with the Senate, or to appoint a Standing Joint Committee to examine and report on matters affecting the welfare or internal administration of both Houses, the following procedure shall be followed:

Joint  
Deliberations  
of Select  
Committees  
with Select  
Committees of  
the Senate.

(a) the House shall resolve that it is expedient that a Committee of both Houses be set up to consider

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a particular matter, or that a certain Bill or Bills be committed to a Committee of both Houses;

(b) the Clerk shall thereupon transmit a ~~certified~~ copy of such resolution to the Clerk to the Senate; X

(c) on receiving a message of concurrence from the Senate, the House shall thereupon appoint a Select Committee of the House, of such members as the House may order, to join with a Select Committee to be appointed by the Senate; and such Committee shall have power (unless the House otherwise orders) to send for persons, documents or papers;

(d) the Clerk shall thereupon inform the Clerk to the Senate of such appointment, and on behalf of the House shall request the appointment of an equal number of Senators to join with the Select Committee of the House;

(e) on receiving a message from the Senate indicating that the Senate

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has appointed and nominated its Committee, with similar powers to those of the Select Committee, and any message proposing the time and place of meeting of the Joint Committee Mr. Speaker shall, if such proposal be convenient, direct the Select Committee to meet the Senate Committee accordingly.

**88.** (1) In any Joint Committee appointed under the provisions of Standing Order 87 the procedure to be followed shall be that laid down in these Orders: provided that the Chairman of any Joint Committee shall be elected or appointed by the Committee.

Procedure  
and Reports  
of Joint  
Select  
Committees.

(2) The provisions of these Standing Orders relating to Reports of a Select Committee shall apply to the Report of a Joint Committee: provided that the Report shall be presented, where the Chairman of the Joint Committee is not a member of the House, by such member of the House as the Select Committee referred to in paragraph (c) of Standing Order 87 may appoint.



Bills and  
Amendments  
involving  
taxation,  
expenditure,  
etc.

89. (1) In accordance with the provisions of Article 67 of the Constitution, a Bill or amendment making provision for—

- (a) imposing or increasing any tax or abolishing, reducing or remitting any existing tax, or
- (b) the borrowing of money, or the giving of any guarantee, by the Federation, or the amendment of the law relating to the financial obligations of the Federation;
- (c) the custody of the Consolidated Fund, the charging of any money on the Consolidated Fund or the abolition or alteration of any such charge;
- (d) the payment of moneys into the Consolidated Fund or the payment, issue or withdrawal from the Consolidated Fund of any moneys not charged thereon, or any increase in the amount of such a payment, issue or withdrawal; /
- (e) the compounding or remission of any debt due to the Federation;



(f) the assignment of a tax or fee or the making of a grant to any State;

(g) the receipt of moneys on account of the Consolidated Fund or the custody or issue of such moneys or the audit of the accounts of the Federation or a State;

shall not be introduced or moved except by a Minister.

(2) A Bill or amendment shall not be deemed to make provision for any of the said matters by reason only that it provides—

(a) for the imposition or alteration of any fine or other pecuniary penalty or for the payment or demand of a licence fee or a fee or charge for any service rendered; or

(b) for the imposition, alteration or regulation of any tax or rate by any local authority or body for local purposes.

90. (1) Except with the consent of Mr. Speaker, the House shall not proceed

Suspension of  
Standing  
Orders.

upon any Bill, amendment, motion or petition which, in the opinion of Mr. Speaker, would suspend the Standing Orders of the House or any of them.

(2) A question, the object or effect of which may be to suspend any Standing Order of the House shall be proposed only either after notice given, or with the consent of Mr. Speaker.

Absence of  
Members.

91. Without prejudice to the operation of Article 52 of the Constitution, a member shall acquaint the Clerk as early as possible of his inability to attend any meeting of the House.

Employment  
of Members in  
Professional  
Capacity.

92. No member of the House shall appear before the House, or any Committee thereof, ~~as Advocate and Solicitor for any party, or~~ in any capacity for which he is to receive a fee or reward, *or as Advocate and Solicitor for any party.*

Strangers.

93. (1) Strangers shall be admitted to debates in the Chamber of the House under such rules as Mr. Speaker may from time to time make for that purpose.

(2) If any member takes notice that strangers are present, the Chair shall put forthwith the question "*That strangers do*

*withdraw*", without permitting any debate or amendment.

(3) The Chair may, whenever he thinks fit, order the withdrawal of strangers from the whole or any part of the Chamber.

(4) The Serjeant-at-Arms attending the House shall take into his custody any unauthorised stranger whom he may see, or who may be reported to be in any part of the Chamber or gallery, and also any stranger who, having been admitted into any part of the Chamber or gallery, shall misconduct himself, or shall not withdraw when strangers are directed to withdraw, while the House or any Committee of the whole House is sitting.

94. Mr. Speaker may grant a general permission to the representative of any journal to attend the sittings of the House under such rules as he may from time to time make for that purpose. If such rules are contravened, such permission may be revoked.

95. The enacting formula of all Bills shall be "*Be it enacted by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan*

Enacting  
formula of  
Bills.

*Agong, with the advice and consent of the Dewan Negara and Dewan Ra'ayat in Parliament assembled, and by the authority of the same, as follows:" :*

Provided that in the case of any law having effect pursuant to Article 68 of the Constitution the enacting formula shall be "*Be it enacted by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong, with the advice and consent of the Dewan Ra'ayat in Parliament assembled, in accordance with the provisions of Article 68 of the Constitution, and by the authority of the same, as follows:"* .

Publication  
of Bills.

96. (1) As soon as practicable after the assent of His Majesty has been signified thereto, every Act shall be published in the *Gazette*.

(2) At any time before such publication the Clerk may, in consultation with the Clerk to the Senate, correct grammatical and typographical mistakes in the Act, or cross-references, or punctuation or marginal notes, and for any such purpose may make verbal additions, omissions and alterations.

97. The sum to be paid or tendered for the expenses of any person who is summoned to attend or to produce any document shall be the sum which, if that person were a witness attending a Court, would be payable to him in accordance with the rules for the time being in force under the code relating to criminal procedure:

Expenses of  
Witnesses.

L.N. 658/54.

Provided that in applying such rules any reference therein to a Judge or to the Registrar of the Supreme Court shall be construed as a reference to Mr. Speaker or to the Clerk to the House, as the case may require.

98. In these Standing Orders references to a Minister shall be construed as including references to a Senior Assistant Minister or to an Assistant Minister.

Interpretation.

99. The decision of Mr. Speaker upon any disputed point of interpretation of any of these Standing Orders shall be final.

Construction  
of Standing  
Orders.

100. In any matter for which these Standing Orders do not provide, the practice of the Commons' House of Parliament of Great Britain and Northern Ireland shall

Adoption of  
Commons  
Usages.

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99. "In these Standing Orders, unless the context otherwise requires—

references to a Minister shall be construed as including references to an Assistant Minister;

references to a Select Committee shall be construed as references to a Special Select Committee or a Sessional Select Committee, as the case may require.

"sitting" means a period during which the House is sitting continuously without adjournment, and includes any period during which the House is in Committee;

"meeting" means any sitting or sittings of the House commencing when the House first meets after being summoned at any time and terminating when the House is adjourned *sine die* or at the conclusion of a session;

"session" means the sittings of the House commencing when the House first meets after being constituted, or after its prorogation or dissolution at any time, and terminating when the House is prorogued or is dissolved without having been prorogued."

Rulings of  
Mr. Speaker

99. The decision of Mr. Speaker upon a point of interpretation of any of these Standing Orders, or upon matter of practice, shall be final and Mr. Speaker may from time to time issue rulings thereon."

~~Explanation.—It is considered necessary to make it clear that Mr. Speaker should have power to issue rulings upon points of interpretation and practice, and the proposed amendment will make Standing Order 99 the authority for all such rulings.~~

~~Substitute the following new Order therefor.~~

Residuary  
powers.

100. All matters not specifically provided in these Orders and all questions relating to the detailed working of these Orders shall be regulated in such manner, not inconsistent with these Orders, as Mr. Speaker may from time to time direct; and in giving any such direction Mr. Speaker shall have regard to the usages of Commonwealth Parliamentary practice so far as such usages can be applied to the proceedings of the House."



be followed, so far as the same may be not inconsistent with these Orders, nor inconsistent with the practice of the House, but no restriction which the House of Commons has introduced by Standing Orders shall be deemed to extend to the House or its members until the House has provided by Standing Orders for such restriction.

*100. All matters not specifically provided in these Standing Orders and all questions relating to the detailed wording of these Orders shall be regulated in such manner, not inconsistent with these Orders, as Mr. Speaker may from time to time direct; and in giving any such direction Mr. Speaker shall have regard to the usages of Commonwealth Parliamentary practice so far as such usages can be applied to the proceedings of the House.*

PEMBUKA 'AN MESHUARAT BELANJAWAN PARLIMEN

25 HARIBULAN NOVEMBER, 1959

PERINGATAN BERKENA 'AN KESAMPAIAN DAN CHARA2 MENINGGALKAN KERETA2

1. Sakalian Ahli2 Yang Berhormat, Dewan Negara dan Dewan Ra'ayat serta sakalian Ahli2 Jemputan melainkan mereka2 yang tersebut di-dalam perenggan yang kedua tersebut di-bawah ini di-minta sampai ka-Dewan Tunku Abdul Rahman di-antara 9.00 dan 9.25 pagi. Kereta2 tidak di-benarkan masok ka-dalam kawasan yang tersebut sa-lepas 9.25 pagi. Ahli2 Jemputan hendak-lah membawa surat jemputan-nya serta dengan surat Tempat Dudok-nya.
2. Yang Terutama Tuan Pesuroh2 Jaya Tinggi, Yang Terutama Duta2 Kerajaan, Yang Berhormat Hakim Besar, Yang Berhormat Yang di-Pertua Dewan Negara, Yang Berhormat Yang di-Pertua Dewan Ra'ayat dan Yang Berhormat Menteri2 Kabinet di-minta sampai ka-Dewan Tunku Abdul Rahman di-antara 9.25 dan 9.40 pagi.
3. Kereta2 yang memakai driber hendak-lah menaruh kereta-nya di-dalam kawasan Padang Lumba Kuda, Ampang Road mengikut arahan Pegawai Polis.
4. Kereta2 yang di-bawa oleh tuan-nya sendiri akan di-letakan di-tempat yang di-tunjokkan oleh Pegawai Polis di-Ampang Road.
5. Bagi kemudahan sakalian Ahli2 Yang Berhormat dan Ahli2 Jemputan, jika boleh, kereta2-nya elok-lah di-bawa oleh sa-orang driber.



A note on the Public Accounts Committee  
(House of Representatives).

Functions:

According to the Standing Orders of the Dewan Ra'ayat the function of the Public Accounts Committee is to examine:-

- " (a) the accounts of the Federation and the appropriation of the sums granted by Parliament to meet the public expenditure;
- (b) such accounts of public authorities and other bodies administering public funds as may be laid before the House;
- (c) reports of the Auditor-General laid before the House in accordance with Article 107 of the Constitution;
- (d) such other matters as the Committee may think fit, or which may be referred to the Committee by the House."

. At its next meeting, the Committee will confirm the minutes of the last meeting of the Public Accounts Committee, and examine matters arising from the tenth Report of the Public Accounts Committee (if any) the Report of the Auditor-General on the accounts of the Federation for the year ending 31st 1958, and the Report of the Auditor-General on the accounts of the Malayan Railway for the year ending 31st 1958. The comments and recommendations of the Committee will be incorporated in its Eleventh Report, which must be submitted to the House before the end of this session (note: S.O. 86(1).) The Secretary to the Committee will forward these recommendations to the Treasury, which will transmit them to the department or departments concerned for necessary action.

There are seven members in the Committee, including the Chairman; three members shall be the quorum (S.O. 83(3)). The Auditor-General, the Accountant General (or his representative) and a representative from the Treasury will be in attendance. Further, the Committee has power to send for persons, papers and records (S.O. 77(4)). The time and place of the first meeting will be fixed by the Chairman, and the time and place of all subsequent meetings will be determined by the Committee, provided that if the Committee fails to do so the Chairman shall after consulting The Clerk, appoint such time and place (S.O. 83(5)). The Committee cannot meet while the House is sitting, except with leave of the House. (S.O. 83(6)). The first meeting, it is proposed, should be held sometime in January, 1960 (by which time, it is hoped, the Reports of the Auditor-General 1958, will be published) in the Committee Room, Offices of Parliament, Maxwell Road, Kuala Lumpur.