



Parliamentary Series No. 314

of
the Eighth Parliament of the
Democratic Socialist Republic of Sri Lanka
(First Session)

REPORT
OF
THE COMMITTEE ON STANDING ORDERS

Presented by

Hon. Karu Jayasuriya, Speaker

Chairman of the Committee

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Report

The Committee, considered the fact that the Standing Orders of Parliament had not been periodically revised and decided that the Standing Orders of Parliament be suitably amended in order to prescribe the procedure for the functioning of Parliament in an orderly and meaningful manner. This Committee recognized that the Standing Orders had not been amended subsequent to the amendments in the year 1992. The present Committee was appointed to continue with the recommendations of the previous Committees appointed in Sixth and Seventh Parliaments along with the new additions and other necessary amendments.

The present Committee had several discussions particularly to incorporate the electronic voting system and guidelines for the conduct of the business of the Committees such as Committee on Constitutional Affairs, Sectoral Oversight Committees, Committee on Public Finance and several other Committees. This Committee commenced its sittings on 16 December 2015 and held 12 meetings up to the date of this Report. Further, six more special discussions were conducted in order to facilitate all the Members of Parliament to submit their views and suggestions in this regard.

The Four Member Special Committee has immensely contributed towards the achievement of the Report of the Committee.

Taking into consideration the proposals brought before the Committee at its meetings and based on the information gathered from the Committee discussions, the Committee wishes to make recommendations contained in this report.

2. Chairman and Members of the Committee

2.1 Committee on Standing Orders

According to the announcement made in the House on 09.10.2015 the following Members, representing all parties in Parliament have been appointed to serve in the Committee with the Hon. Karu Jayasuriya as its Chairman:-

Hon. Thilanga Sumathipala
Hon. Selvam Adaikkalanathan
Hon. Chandima Weerakkody
Hon. Ajith P. Perera
Hon. Vijitha Herath
Hon. J. M. Ananda Kumarasiri
Hon. M. A. Sumanthiran
Hon. (Dr.) Jayampathy Wickramaratne

2.2 Four Member Special Committee

The following four Senior Members of Parliament have been appointed by the Hon. Speaker to look into special matters and to report Parliament:-

Hon. Rauff Hakeem
Hon. (Dr.) Wijeyadasa Rajapakshe
Hon. Rajavaritham Sampanthan
Hon. Chamal Rajapaksa

3. Recommendations

The Committee, having carefully analyzed the proposed amendments to the Standing Orders and the proposed Code of Conduct, is of the opinion that the recommended amendments are timely and in line with the best practices and submits its recommendations in Appendices I and II of this report for the approval of Parliament.

Minutes of the First Meeting of the Committee on Standing Orders held on 16 December 2015 at 4.00 p.m. in the Chambers of the Hon. Speaker

Present

Hon. Karu Jayasuriya, Speaker (Chairman)

Hon. J. M. Ananda Kumarasiri

Hon. M. A. Sumanthiran

Hon. (Dr.) Jayampathy Wickramaratne

Mr. Dhammika Dasanayake, Secretary-General of Parliament and Secretary to the Committee.

Mrs. Kushani Rohanadeera, Assistant Secretary-General

1. The Committee met pursuant to the notice. The Hon. Speaker, Chairman of the Committee took the Chair.

2. The Secretary to the Committee submitted the draft amendments to Standing Orders and briefed the Committee on the amendments. The Committee directed the Secretary to the Committee to circulate the same among the Members of the Committee and to request to forward their proposals as early as possible.

3. The Chairman directed the Secretary to the Committee;

a. to send the copies of the Bill entitled "**Removal of Judges of the Superior Courts (Special Provisions)**" to the members of the Committee.

b. to convene a meeting of this Committee before 15 January 2016.

4. Accordingly, the Committee was at 4.45 p.m. adjourned till next meeting.

Sgd /Dhammika Dasanayake

Secretary to the Committee

Minutes of the Meeting of the Four Member Special Committee held on 09 June 2016 at 2:00 p.m. in the Chambers of the Hon. Speaker

Present:

Hon. Karu Jayasuriya, Speaker (Chairman)

Hon. Rauff Hakeem

Hon. (Dr.) Wijeyadasa Rajapakse

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Hon. Rajavaritham Sampanthan

Hon. Chamal Rajapaksa

Mr. Dhammika Dasanayake, Secretary-General of Parliament and Secretary to the Committee

Mrs. Kushani Rohanadeera, Assistant Secretary-General

1. The Committee met pursuant to the notice. The Hon. Speaker took the Chair.

2. The Committee considered the proposed amendments to the Standing Orders and the draft Code of Conduct for Members of Parliament and proposed the following amendments to the draft Standing Orders:-

i.**Oral Questions:** the Minister to whom the question is addressed or his Deputy Minister shall be present in person and answer the question when the question is raised in Parliament. If the Minister or the Deputy Minister cannot be present in the House due to unavoidable circumstances the permission of the Hon. Speaker shall be obtained and in such situation the Chief Government Whip or another Minister shall answer the question.

ii.**Order in Parliament:** Any Member committing an offence of disregarding the authority of the Chair, or of abusing the rules of Parliament by persistently and willfully obstructing the business of Parliament shall be suspended from the service of Parliament for two weeks on the first occasion and for four weeks on the second occasion during the same session and for six weeks on third or any subsequent occasion during the same session. However, the Hon. Speaker, in his discretion, shall permit the suspended Member to participate at any voting if the Leader of the party to which the Member belongs makes such a request.

iii.**Lifting Mace:** Any Member lifting the Mace shall be suspended from the service of Parliament for six weeks considering it as a serious offence.

3. The Hon. Chamal Rajapaksa proposed that a summary of the Standing Orders be prepared in simple language in all three languages to facilitate the Members to better understand the Standing Orders.

4. The Committee decided that the next meeting will be held at 10.00 a.m. on Tuesday, 21 June 2016.

5. Accordingly, the Committee was at 2.45 p.m. adjourned till 10.00 a.m. on Tuesday, 21 June 2016.

Sgd / Dhammika Dasanayake
Secretary to the Committee

Minutes of the Second Meeting of the Committee on Standing Orders held on 10 August 2016 at 3.00 p.m. in the Chambers of the Hon. Speaker

Present

Hon. Karu Jayasuriya, Speaker (Chairman)

Hon. Thilanga Sumathipala

Hon. Selvam Adaikkalanathan

Hon. Chandima Weerakkody

Hon. J. M. Ananda Kumarasiri

Hon. (Dr.) Jayampathy Wickramaratne

Mr. Dhammika Dasanayake, Secretary-General of Parliament and Secretary to the Committee.

Mrs. Kushani Rohanadeera, Assistant Secretary-General

1. The Committee met pursuant to the notice. The Hon. Speaker took the Chair. The Hon. (Dr.) Wijeyadasa Rajapakshe and the Hon. Chamal Rajapaksa were also present as the Members of the Four Member Special Committee.

2. The Secretary to the Committee submitted the draft 'Amended Standing Orders' and briefed the details of Amendments to the Committee.

3. The Committee discussed the Amendments Clause by Clause and made the following changes:-

- a. to include a proviso giving discretionary power to the Speaker to decide whether to allow, restrict or control the live telecast/broadcast of the proceeding of Parliament.
- b. to include a provision enabling a Member to cast his/her vote only for the Appropriation Bill during a period of suspension of services imposed on that particular Member.

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4. The Chairman emphasized the necessity of finalizing the amendments to the Standing Orders without further delay and decided to hold the next meeting on 22 August 2016 at 9.30 a.m. in his Official Residence to further discuss the draft.

The Chairman also requested the Members of the Committee to submit their views and proposals before the next meeting.

5. Accordingly, the Committee was at 4.25 p.m. adjourned till 9.30 a.m. on 22 August 2016.

Sgd / Dhammika Dasanayake
Secretary to the Committee

Minutes of the Third Meeting of the Committee on Standing Orders held on 22 August 2016 at 9.30 a.m. in the Hon. Speaker's Residence

Present

Hon. Karu Jayasuriya, Speaker (Chairman)

Hon. Thilanga Sumathipala

Hon. Chandima Weerakkody

Hon. Vijitha Herath

Hon. J. M. Ananda Kumarasiri

Hon. M. A. Sumanthiran

Hon. (Dr.) Jayampathy Wickramaratne

Mr. Dhammika Dasanayake, Secretary- General of Parliament and Secretary to the Committee.

Mrs. Kushani Rohanadeera, Assistant Secretary-General

1. The Committee met pursuant to the adjournment. The Hon. Speaker, Chairman of the Committee, took the Chair. The Hon. Rauff Hakeem, the Hon. (Dr.) Wijeyadasa Rajapakshe and the Hon. Rajavaritham Sampanthan were also present at the meeting as the Members of the Four Member Special Committee.

2. The Hon. Selvam Adaikkalanathan had intimated his inability to attend the meeting due to unavoidable circumstances and was granted leave of absence.

3. The Secretary to the Committee submitted the draft 'Amended Standing Orders' and briefed on the Amendments.

The Committee discussed the Amendments Clause by Clause as listed below:-

1. PROCEEDINGS OF THE FIRST MEETING OF THE PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA AFTER A GENERAL ELECTION
2. SEATING OF MEMBERS
3. ELECTION OF A SPEAKER
4. OFFICIAL OATH OR AFFIRMATION
5. ELECTION OF DEPUTY SPEAKER AND DEPUTY CHAIRMAN OF COMMITTEES
6. MEETINGS OF PARLIAMENT
7. DUTIES OF THE SECRETARY-GENERAL
8. QUORUM
9. PROCEEDINGS OF PARLIAMENT
10. ADJOURNMENTS
11. DIALATORY MOTIONS
12. ADJOURNMENT ON MATTERS OF URGENT PUBLIC IMPORTANCE
13. STRANGERS
14. BUSINESS OF PARLIAMENT
15. PUBLIC BUSINESS
16. PAPERS
17. NOTICES
18. PETITIONS
19. QUESTIONS
20. QUESTIONS FOR DEBATE
21. ANTICIPATION

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22. AMENDMENTS
23. CLOSURE
24. VOTING
25. PROCEDURE AS TO PRESENTATIONS OF BILLS
26. PRIVATE MEMBERS BILLS
27. PARTIES AFFECTED, WITNESSES, EVIDENCE
28. SECOND READING
29. DEBATE ON SECOND READING
30. COMMITTEE STAGE OF BILLS
31. PROCEDURE ON BILLS IN COMMITTEE
32. REPORTS OF COMMITTEES ON BILLS
33. THIRD READING

The Committee agreed to the above draft Amendments.

4. The following new Clauses were also included to the Standing Orders with the approval of the Committee:-

1. MOTIONS /QUESTIONS AT THE TIME OF ADJOURNMENT
2. PRIVATE MEMBERS' MOTIONS
3. QUESTIONS TO BE ASKED FROM THE PRIME MINISTER

5. The Committee resolved that the next meeting of the Committee be held on Monday, 29 August, 2016 at 9.30 a.m. in the Hon. Speaker's Residence to further discuss the remaining Amendments.

6. Accordingly, the Committee was at 2.25 p.m. adjourned till 9.30 a.m. on 29 August 2016.

Sgd / Dhammika Dasanayake
Secretary to the Committee

**Minutes of the Fourth Meeting of the Committee on Standing Orders
held on 29 August 2016 at 9.30 a.m. in the Hon. Speaker's Residence**

Present

Hon. Kara Jayasuriya, Speaker (Chairman)

Hon. Thilanga Sumathipala

Hon. Selvam Adaikkalanathan

Hon. Ajith P. Perera

Hon. M. A. Sumanthiran

Hon. (Dr.) Jayampathy Wickramaratne

Mr. Neil Iddawala, Chief of Staff & Deputy Secretary-General of Parliament
and Secretary to the Committee

Mrs. Kushani Rohanadeera, Assistant Secretary-General

1. The Committee met pursuant to the adjournment. The Hon. Speaker, Chairman of the Committee took the Chair. The Hon. (Dr.) Wijeyadasa Rajapakshe was also present at the meeting as a Member of the Four Member Special Committee.

2. The Hon. Vijitha Herath and the Hon. J. M. Ananda Kumarasiri had intimated their inability to attend the meeting due to unavoidable circumstances and they were granted leave of absence.

3. The Secretary to the Committee submitted the draft 'Amended Standing Orders' and briefed on Amendments.

4. The Committee discussed the Amendments Clause by Clause as listed below.

1. THE SPEAKER'S CERTIFICATE
2. ALLOTTED DAYS FOR APPROPRIATION BILL
3. RESPONSIBILITY FOR RULES OF ORDER
4. ORDER IN PARLIAMENT
5. RULES OF DEBATE
6. RULES FOR MEMBERS SPEAKING IN PARLIAMENT
7. RULES FOR MEMBERS NOT SPEAKING IN PARLIAMENT
8. COMMITTEE OF THE WHOLE PARLIAMENT
9. SELECT COMMITTEES

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The Committee approved the above draft Amendments.

5. The following new Clause was also considered and approved by the Committee.

1. RESPONSES

6. The Committee resolved that the next meeting of the Committee be held on Thursday, 01 September, 2016 at 4.00 p.m. in the Hon. Speaker's Residence to further discuss the remaining Amendments.

7. Accordingly, the Committee was at 1.15 p.m. adjourned till 4.00 p.m. on 01 September 2016.

Sgd / Neil Iddawala

Secretary to the Committee

Minutes of the Fifth Meeting of the Committee on Standing Orders held on 01 September 2016 at 4.00 p.m. in the Hon. Speaker's Residence

Present

Hon. Karu Jayasuriya, Speaker (Chairman)

Hon. Thilanga Sumathipala

Hon. Selvam Adaikkalanathan

Hon. Ajith P. Perera

Hon. (Dr.) Jayampathy Wickramaratne

Mr. Neil Iddawala, Chief of Staff & Deputy Secretary-General Parliament and Secretary to the Committee.

Mrs. Kushani Rohanadeera, Assistant Secretary-General

1. The Committee met pursuant to the adjournment. The Hon. Speaker, Chairman of the Committee, took the Chair. The Hon. (Dr.) Wijeyadasa Rajapakshe was also present at the meeting as a Member of the Four Member Special Committee.

2. The Hon. J. M. Ananda Kumarasiri had intimated his inability to attend the meeting due to unavoidable circumstances and he was granted leave of absence.

3. The Secretary to the Committee submitted the draft 'Amended Standing Orders' and briefed on Amendments.

4. The Committee discussed the Amendments Clause by Clause as listed below.

1. COMMITTEE OF SELECTION
2. HOUSE COMMITTEE
3. COMMITTEE ON STANDING ORDERS
4. COMMITTEE ON PARLIAMENTARY BUSINESS
5. COMMITTEE ON PUBLIC ACCOUNTS
6. COMMITTEE ON PUBLIC ENTERPRISES
7. COMMITTEE ON PUBLIC FINANCE
8. COMMITTEE ON ETHICS AND PRIVILEGES

The Committee approved to the above draft Amendments.

5. The following new clause was also considered and approved by the Committee.

1. SECTORAL OVERSIGHT COMMITTEES

6. The Committee resolved that the next meeting of the Committee be held on Friday, 09 September, 2016 at 9.00 a.m. in the Hon. Speaker's Chambers to further discuss the remaining Amendments.

7. Accordingly, the Committee was at 6.15p.m. adjourned till 9.00 a.m. on 09 September 2016.

Sgd / Neil Iddawala

Secretary to the Committee

Minutes of the Sixth Meeting of the Committee on Standing Orders held on 09 September 2016 at 9.00 a.m. in the Hon. Speaker's Chambers

Present

Hon. Karu Jayasuriya, Speaker (Chairman)

Hon. Thilanga Sumathipala

Hon. Selvam Adaikkalanathan

Hon. Ajith P. Perera

Hon. J.M. Ananda Kumarasiri

Hon. M. A. Sumanthiran

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Mr. Dhammika Dasanayake, Secretary- General of Parliament and Secretary to the Committee.

Mr. Neil Iddawala, Chief of Staff & Deputy Secretary-General of Parliament

Mrs. Kushani Rohanadeera, Assistant Secretary-General

1. The Committee met pursuant to the adjournment. The Hon. Speaker, Chairman of the Committee, took the Chair. The Hon. (Dr.) Wijeyadasa Rajapakshe and the Hon. Chamal Rajapaksa were also present at the meeting as Members of the Four Member Special Committee.

2. The Secretary to the Committee submitted the draft 'Amended Standing Orders' and briefed on Amendments.

3. The Committee discussed the Amendments Clause by Clause as listed below.

1. COMMITTEE ON PUBLIC PETITIONS
2. COMMITTEE ON HIGH POSTS
3. COMMITTEES FOR SPECIAL PURPOSES
4. GENERAL RULES FOR COMMITTEES
5. PROCEDURE IN COMMITTEE OF THE WHOLE PARLIAMENT ON SCHEDULES TO APPROPRIATION BILLS
6. EXCESSES
7. PUBLIC MONEY
8. AMENDMENT OF STANDING ORDERS
9. SUSPENSION OF STANDING ORDERS
10. GENERAL AUTHORITY OF THE SPEAKER
11. PANEL OF CHAIRS
12. EMPLOYMENT OF MEMBERS IN PROFESSIONAL CAPACITY
13. EXPENSES OF WITNESSES
14. RESIDUARY POWERS

The Committee approved the above draft Amendments.

4. The following new Clauses were also considered by the Committee.

1. COMMITTEE ON CONSTITUTIONAL AFFAIRS

2. RESIGNATION OR REMOVAL OF CHAIRS OF COMMITTEES

3. BACKBENCHER COMMITTEE

The Committee approved the new clauses on Committee on Constitutional Affairs and Resignation or Removal of Chairs of Committees and decided not to include the Backbencher Committee at this juncture.

5. The Committee directed the Secretary to the Committee to circulate the "Amended Standing Orders" finalized by the Committee among the Members of the Committee and the Members of the Four Member Special Committee.

6. The Committee resolved that the next meeting of the Committee be held on 15 September 2016 at 10.30 a.m. in the Hon. Speaker's Chambers.

The Committee decided to discuss the following at the next meeting.

- i. The draft "Amended Standing Orders" finalized by the Committee
- ii. The proposals received from the Hon. Prime Minister
- iii. The proposals received from the Hon. Selvam Adaikkalanathan, DCC
- iv. The proposals received from the Hon. Sunil Handunnetti, as a Chairman of the Committee on Public Enterprises.
- v. The proposal on "Liaison Committee".

7. Accordingly, the Committee was at 11.15 a.m. adjourned till 10.30 a.m. on 15 September 2016.

Sgd / Dhammika Dasanayake

Secretary to the Committee

**Minutes of the Seventh Meeting of the Committee on Standing Orders
held on 15 September 2016 at 10.30 a.m. in the Hon. Speaker's Chambers**

Present

Hon. M. A. Sumanthiran

Hon. Vijitha Herath

Hon. (Dr.) Jayampathy Wickramaratne

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Mrs. Kushani Rohanadeera, Assistant Secretary-General and Secretary to the Committee

Mr. Tikiri K. Jayathilake, Assistant Secretary-General

1. The Committee met pursuant to the adjournment. Since the Chairman was absent due to unavoidable circumstances, the Hon. M. A. Sumanthiran, proposed and seconded by the Hon. Vijitha Herath and the Hon. (Dr.) Jayampathy Wickramaratne respectively took the Chair. The Hon. Rauff Hakeem, the Hon. (Dr.) Wijeyadasa Rajapakshe and the Hon. Chamal Rajapaksa were also present at the meeting as Members of the Four Member Special Committee.

The Hon. Selvam Adaikkalanathan and the Hon. J.M. Ananda Kumarasiri had intimated their inability to attend the meeting due to unavoidable circumstances and they were granted leave of absence.

2. The Secretary to the Committee submitted the final draft of "Amended Standing Orders". The Committee, after deliberations, agreed to the draft amendments.

3. The Committee considered the following proposals.

a. The Proposals received from the Hon. Prime Minister

- i. Setting out the procedure for the Election of the President in terms of Article 40 of the Constitution
- ii. Incorporating separate and comprehensive set of rules of procedure in respect of all impeachments.
- iii. Developing a separate set of rules for Committees to regulate the procedure in Committees. The Committee recommended to develop a separate manual.
- iv. Laying down the dress code for MPP. (The Committee decided to include this in the Code of Conduct for Members of Parliament).
- v. Spelling out the Sub-judice rule more clearly in the Standing Orders

The Committee, after deliberations, agreed to the above proposals.

b. The proposal received from the Deputy Chairman of Committees to include provisions in Standing Orders enabling the Deputy

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Speaker and the Deputy Chairman of Committees to submit questions for oral answers and not for oral answers and questions for the Prime Minister's answer and to move Private Member's Motions and the Motions at the adjournment time.

The Committee, after deliberations, disagreed to the above proposal.

- c. The proposals received from the Hon. Sunil Handunnetti, Chairman of the Committee on Public Enterprises
 - i. to increase the number of Members of both the Committee on Public Enterprises and the Committee on Public Accounts.
 - ii. to establish a mandate of both Committees to go beyond the report of the Auditor General and to use his report only for assistance.
 - iii. to give the opportunity of participating in the proceedings of the Committees to the Members of Parliament who have expertise in specific fields and also to a Sub Committees other than the Members of the Committee on Public Enterprises and Committee on Public Accounts.

The Committee, after deliberations agreed to increase the number of Members of both Committees up to 16. The Committee was of the opinion that it had already made suitable amendments to support the proposals (ii) and (iii) above.

4. The Committee was at 11.45 a.m. adjourned *sine-die*.

Sgd / Kushani Rohanadheera
Secretary to the Committee

Minutes of the Eighth Meeting of the Committee on Standing Orders held on 06 October 2016 at 9.30 a.m. in the Hon. Speaker's Chambers

Present

Hon. Karu Jayasuriya, Speaker (Chairman)
Hon. Thilanga Sumathipala
Hon. Selvam Adaikkalanathan
Hon. Ajith P. Perera

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Hon. J. M. Ananda Kumarasiri

Hon. (Dr.) Jayampathy Wickramaratne

Mr. Dhammika Dasanayake, Secretary-General of Parliament and Secretary to the Committee.

Mr. Neil Iddawala, Chief of Staff and Deputy Secretary-General of Parliament

Mrs. Kushani Rohanadeera, Assistant Secretary-General

Mr. Tikiri K.Jayathilake, Assistant Secretary-General

1. The Committee met pursuant to the notice. The Hon. Speaker, Chairman of the Committee, took the Chair. The Hon. Chamal Rajapaksa was also present as the Member of the Four Member Special Committee.

2. The Secretary to the Committee submitted the final draft 'Amended Standing Orders' and the draft "Code of Conduct of the Members of the Parliament" to the Committee.

The Chairman directed the Secretary to the Committee to expedite the process of translating both documents in to Sinhala and Tamil Languages and table the said documents on 20, October 2016 in Parliament. The Chairman also directed the Secretary to the Committee to organize an awareness programme for all Members of Parliament with regard to the Code of Conduct of the Members of the Parliament.

3. The Committee considered the following issues.

a. Liaison Committee

The Committee, after deliberations, agreed to proceed with the proposed "Liaison Committee" as it is.

b. Removal of Judges

After deliberations, the Committee considered the procedure followed by Indian Parliament and decided to include the procedure proposed in the draft Bill which Hon. Wijeyadasa Rajapakshe intended to present in Parliament in 2012 (not presented in Parliament) subject to certain amendments. The Committee further recommended that a time frame should be set for the whole process to be concluded. (preferably within a period of two months).

c. Consultative Committees

The Hon. Deputy Speaker brought to the notice of the Committee that the Prime Minister was of the view that Consultative Committees be re-established so that the Committees should meet once in two months and the Members of Parliament could make use of such forum to discuss the grievances of people of their constituencies.

The Hon. Ajith P. Perera suggested re-naming the "Consultative Committees" as "Ministerial Committees" in order to distinguish the new system from the previous system.

4. The Committee was at 10.40 a.m. adjourned *sine-die*.

Sgd / Dhammika Dasanayake
Secretary to the Committee

Minutes of the Ninth Meeting of the Committee on Standing Orders held on 22 March 2017 at 9.30 a.m. in the Hon. Speaker's Chambers

Present

Hon. Karu Jayasuriya, Speaker (Chairman)

Hon. Vijitha Herath

Hon. M. A. Sumanthiran

Hon. (Dr.) Jayampathy Wickramaratne

Mr. Neil Iddawala, Acting Secretary-General of Parliament and Secretary to the Committee.

Mrs. Kushani Rohanadeera, Assistant Secretary-General

1. The Committee met pursuant to the notice. The Hon. Speaker took the Chair. The Hon. Chamal Rajapaksa was also present as a Member of the Four Member Special Committee.

2. The Committee considered the "Draft Code of Conduct for Members of Parliament" and approved it.

3. The Hon. M.A. Sumanthiran highlighted the importance of delegating more power to Parliament with regard to the conduct of the Members of Parliament. The Committee, after deliberations decided to delegate more power to Parliament and to amend the Standing Orders. It was also decided

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to amend the Parliament (Powers and Privileges) Act with a distinction between Members of Parliament and Outsiders. As this deems essential, the Committee decided to assign this responsibility to the Four Member Special Committee.

4. The Committee considered the following proposals on amending Standing Orders

a. The proposals received from the Hon. Lasantha Alagiyawanna

i. The Clause 131 (2) of the draft amendments should be further amended as follows:-

Functions of the Committee have been restricted to public accounts, which show the appropriation of finance granted by the Parliament.

This shall include the sums allocated under the Special Law, public revenue and receipts that have been permitted under special Acts to be obtained without crediting to the consolidated fund, accounts on public revenue and accounts of local government institutions.

ii The Clause 131 (3) and (5) should be amended as follows:

“in any Department and a Local Government Institution” mentioned in Sub -Clauses (3) and (5) should be amended as “all the Institutions to be inspected”.

iii The clause 131 (4) instead of the words “**any report of the Public Accounts Committee once tabled in Parliament**” be substituted by the words “**a report of the Public Accounts Committee once tabled in Parliament**”.

iv The clause 131 (6) should be amended as follows:

Getting information sent online via a computer network under the powers of the Committee should also be included.

v A new Clause must be included as No. 7

The Committee, subject to the general provisions laid down by Parliament, shall have the power to publish the dates on which the Meeting of the Committee will be held and the institutes that have to be examined on each day in advance through computer

network and to be vigilant to the public responses that could be received with regard to them.

- vi Quorum has been mentioned correctly.
- vii The existing No. (7) should be renumbered as No. (8).

The Secretary to the Committee informed that the above proposals had already been addressed during the previous Meetings.

- b. The proposals received from the Hon. Vidura Wickramanayake on accountabilities and responsibilities as a Member of Parliament.
 - i. Handing over the Assets and Liabilities statements that have to be produced by MPP within one calendar month of swearing in as an MP.
 - ii. In the event of not handing over of the Assets and Liabilities statements, the members who have failed to submit such statements annually on due date of submission, be suspended from attending sessions and casting vote until such documents are submitted.
 - iii. Instead of permitting a maximum time period of three months of absence of sitting in Parliamentary Meetings for MPP, making it indispensable for all MPP to attend at least two meetings within one calendar month of Parliamentary Meetings.
 - iv. Adjournment of Parliament on the grounds of not having quorum should be restricted.
Instead of that, it is appropriate to work out a methodology of retaining MPP in the House.
 - v. In case of absence of a Hon. Member who had submitted a petition to be forwarded to the Committee on Public Petitions, another MP may be allowed to present the same.
 - vi. There are instances where the recommendations made by the Committee on Public Petitions are not implemented by the Officials concerned.

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In order to avoid this situation, the Committee on Public Petitions should be empowered to make the institutions carry out its recommendations (similar to judicial power)

The Committee, after deliberations, disagreed to the above proposals.

- c. The proposal received from the Hon. Bimal Rathnayake
 - i. to amend the Clause 132 (4) of the draft amendments as follows:

A report of the Committee on Public Enterprises, once tabled in the House shall be referred to the Minister of Finance **and the Minister in charge of the institutions** who shall submit his observations and steps taken therein contained to the House within a period of eight weeks.

The Committee, after deliberations, agreed to the above proposal.

5. The Committee decided to reinstitute the 'Legislative Standing Committee 'only for the purpose of incorporations of Bills from Private Members and suggested that the Deputy Speaker shall Chair the Committee.

6. After deliberations, the Committee also recommended to include in the Code of Conduct that 'Any Cabinet, State or Deputy Minister shall not engage in any professional practice.'

The Committee having considered the recommendation made by the Chair of the Committee on Public Accounts (COPA) agreed to restore the previously proposed amendments to COPE and COPA with respect to Standing Orders 118 (2) and 119 (2) to read as follows.

It shall be the duty of the Committee on Public Accounts to examine the Accounts showing the appropriation of the sums granted by Parliament to meet the public expenditure and such other accounts laid before Parliament as the Committee may think fit, with the assistance of the Auditor – General.

It shall be the duty of the Committee on Public Enterprise to examine the accounts of public corporations, institutions funded wholly or in part by Government and of any business or other undertaking vested under any written law in the Government laid before Parliament, with the assistance of the Auditor- General.

7. The Chairman of the Committee directed the Secretary to the Committee to table the final copies of the Standing Orders and the 'Code of Conduct for Members of Parliament' as early as possible.

8. The Committee was at 10.40 a.m. adjourned *sine-die*.

Sgd / Neil Iddawala

Secretary to the Committee

**Minutes of the Tenth Meeting of the Committee on Standing Orders
held on 18 July 2017 at 11.30 a.m. in the Hon. Speaker' Chamber**

Present

Hon. Karu Jayasuriya, Speaker (Chairman)

Hon. Ajith P. Perera

Hon. Vijitha Herath

Hon. J. M. Ananda Kumarasiri

Hon. M. A. Sumanthiran

Hon. (Dr.) Jayampathy Wickramaratne

Mr. Dhammika Dasanayake, Secretary-General of Parliament and Secretary to the Committee.

Mr. Neil Iddawala, Chief of Staff & Deputy Secretary-General of Parliament

Mrs. Kushani Rohanadeera, Assistant Secretary-General

1. The Committee met pursuant to the notice. The Hon. Speaker, Chairman of the Committee took the Chair.

2. The Committee received the following proposals on amending Standing Orders submitted by the members of the Opposition and considered them Clause by Clause.

2.1 The Leader of the Opposition in Parliament (Clauses 1 to 6)

While the procedure for the election of the Speaker, Deputy Speaker and Chairman of Committees is laid down, whereas Chapter VIIA of the Constitution refers to the Leader of the Opposition in Parliament, and whereas several sections of Standing Orders refer to the Leader of the Opposition in Parliament, no procedure is laid down for the election of the Leader of the Opposition in Parliament. [*vide* 24(3), 27(2), 84(2)(a), 111(19)(f), 113, 122(1), 124(2)(e), and 125(2)(d)] the Leader of the Opposition in Parliament, by virtue of the post will be responsible

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to appoint members to the Constitutional Council and so forth, the Standing Orders must explicitly have a mechanism to select the Leader of the Opposition by the vote of Opposition Members without distortion.

Similarly, while several sections of Standing Orders refer to Chief Opposition Whip, no procedure is laid down for the election of the Chief Opposition Whip. [*vide* 24(3), 113, 124(3)(g), and 125(2)(a) and (c)]

Also, what constitutes a Party in the Opposition is not defined. [*vide* 125(2)(b)] All members should have the Fundamental Right to decide whether the member is a member of the Opposition or the Government. Any deviation from the party stand can lead to legal action against the member by the party.

The Committee, after deliberations agreed to leave these Clauses as it is, since this position is recognized by the Constitution and a well established convention has been followed.

2.2 Meetings of Parliament [Sub- Clause 8 (2)]

To change the Sub -Clause 8(2) as "The sitting of Parliament shall commence at 10.30 a.m. on Tuesdays, Wednesdays, Thursdays and Fridays:"

The Committee, after deliberations decided to consider this amendment when debating the draft Standing Orders in Parliament.

To change the Sub- Clause 8(7) as "Notwithstanding the provisions of paragraphs (4) and (5) for the purpose of concluding the present business of the House, the hours of sitting may be extended by the House on a proposal made by a **Cabinet** Minister without notice, if agreed upon by a majority of Members present in the House."

After deliberations, the Committee also recommended to include the word **Cabinet** to the above Clause.

2.3 Proceedings of Parliament [Sub - Clause 14 (3)]

To delete the words read as "Provided that, The Speaker or a Chair of a Committee may exercise his discretionary power to decide whether to allow, restrict or control the live broadcast of the proceedings in Parliament or a Committee as the case may be at any given time" in

Sub - Clause 14 (3)

After deliberations, the Committee decided to leave this Clause as it is without deleting.

2.4 Motions or Questions at the time of adjournment [Sub -Clause 20 (d)]

To delete the Sub - Clause 20 (d) read as "The procedure relating to the acceptance of Motions or Questions at the adjournment time of the House shall be determined by the Committee on Parliamentary Business."

The Committee, after deliberations agreed to leave this Clause as it is without deleting.

2.5 Private Members' Motions (Clause 24)

To define Measures for the Private Members' Motions to be implemented which are not being implemented.

The Secretary to the Committee informed that the purpose of moving the Private Members Motions is to create public awareness only and those are not laws or regulations to be implemented.

2.6 Papers [Sub-Clause 26 (1)]

To delete the words "a Minister who is not a member of the Cabinet of Ministers or a Deputy Minister" of Sub- Clause 26 (1)

The Committee decided not to remove these words and to leave them as it is.

2.7 Notices [Sub -Clause 29 (2)]

To delete the Sub - Clause 29 (2) read as "any Member intending to raise such a matter of privilege shall first inform the Chair and obtain the permission from the Chair to interrupt the proceedings of Parliament."

The Committee, after deliberations agreed to leave this Clause as it is since this would give a justification to the matter of privilege.

2.8 Questions - [Clause (32)]

To include a Provision to ensure that questions are answered.

The Committee, after deliberations decided that not to include new amendments as the proposed amendments of Clause 32 (2) & (3) have

already addressed this requirement.

2.9 Anticipation - [Clause (42)]

To amend the Clause as to enhance the clarity.

The Secretary to the Committee informed that no need to have further clarification since the available Clause already provides the necessary flexibility.

2.10 Amendments [Sub -Clause 43 (3)]

To amend the Sub-Clause 43(3) "Every amendment proposed to a Bill shall be examined by the Attorney-General in terms of Article 77 of the Constitution" by inserting the following immediately after the word "Constitution":

"and go before the Supreme Court. After going before the Supreme Court, the amendment shall not be changed."

The Committee, having discussed at length, decided not to amend the prevailing Clause.

2.11 Proposal for [Clause - (47)]

2.11.1 To include that in voting for Bills, the quorum of the House is required, whether or not the quorum bell is rung. Voting shall take place when all members are seated.

After deliberations, Committee decided not to include this new Clause since there has been no such practice in the past.

2.12. Bills in respect of matters set out in list III of the Ninth Schedule to the Constitution [Sub-Clause 51(3) (b)]

To amend the Sub- Clause 51 (3) (b) as to "After consideration **and approval by Parliament** of the report of the Sectoral Oversight Committee, Parliament shall direct the Secretary- General to forward the views of the Parliament regarding the proposed Statute..."

After deliberations, Committee decided not to amend the prevailing Clause since it is the usual procedure in Parliament.

2.13 Private Members' Bills [Sub -Clause 52 (6)]

To amend the Sub - Clause 52(6) as to "After the report referred to in paragraph (5) has been made or if after the expiry of three months from

the date on which the Bill was referred to the Minister or Deputy Minister and where no report has been made by such Minister or Deputy Minister, the Bill shall be set down for Second Reading upon such day as the Member in charge of the Bill desires."

After deliberations, Committee decided not to amend the prevailing time period of expiration and therefore, to leave the Clause as it is.

2.14 Procedure on Bills in Committee [Clause (65)]

To delete the Clause 65 read as "the consideration of any Clause of the Bill may be postponed until the remaining Clauses of the Bill have been considered and before new Clauses are brought up."

The Committee decided not to remove this Clause and to leave as it is, since this Clause facilitates further consideration of Clauses of a Bill.

2.15 Reports of Committees on Bills [Clause (70)]

To delete the lines read as "Upon consideration of the report from a Sectoral Oversight Committee, Legislative Standing Committee or a Select Committee, Parliament shall consider only those amendments, if any, made by the Committee but may further amend those amendments. No new amendments shall be made by Parliament upon consideration of the report except such are as consequential upon amendments made by the Committee and accepted by Parliament, but the Bill may be recommitted to the same Committee with reference to particular amendments made by that Committee", and to include provisions to provide the right for Parliament to make amendments.

The Committee decided not to remove the prevailing Clause and not to include the new suggestion, as this amendment may affect the responsibility and powers devolved on the Committee.

2.16 Certificate of the Speaker [Sub - Clause 74 (1)]

To allocate a time period for a member to inspect the Bill prior to certification, after a Bill is passed.

The Committee was of the view that this process will complicate the enactments of Bills and result in inordinate delays and decided to leave the Clause as it is.

2.17 Order in Parliament [Sub -Clause 79 (1)]

To delete the Clause "The Serjeant-at-Arms shall act on such order as he may receive from the Chair in pursuance of such order" in Sub- Clause 79 (1)

The Committee decided to leave this Clause as it is, since this would assist to maintain the discipline of the House.

2.18 The Speaker's opinion [Sub -Clause 82 (2) (a)]

To delete the Sub - Clause 82 (2) (a) read as "that any Member persists in irrelevancy or contravening Standing Orders he may order that any broadcasting of the proceedings be immediately suspended;"

The Committee decided to leave this Clause as it is, since this would assist to maintain the discipline of the House.

2.19 Removal of Certain Persons Upon Substantive Motion [Clause (84)]

The Committee, after deliberations decided to formulate a procedure after passing the Bill on Removal of Judges.

2.20 Rules for Members Speaking in Parliament [Sub-Clause 91 (o)]

To delete the Sub- Clause 91 (o) read as "Notwithstanding the provisions of this Standing Order, the Speaker shall be responsible for allocating time among Members in a fair and equitable manner. In determining who should be called to speak, the Speaker may be assisted by the Whips of the Government and the Opposition by providing a list of Speakers whom, the Speaker may call to speak in an Orderly manner.

The Members of the Committee unanimously agreed to leave this Clause without deleting, since this denotes the power of the Speaker.

2.21 Rules for Members not Speaking [Sub - Clause 92 (g)]

To delete the Sub- Clause 92 (g) read as "shall not enter the well of the House."

The Chairman of the Committee firmly stated that this Clause must be included in the Standing Orders since it is necessary to maintain decorum & order in Parliament and the Committee rejected the proposed amendment.

2.22 Sectoral Oversight Committees (Clause 111)

- i. To exclude Membership of Deputy Ministers from the Sectoral Oversight Committees and keep the same definition as per Private Members' Bill sponsors.

The Committee, disagreed to the above proposal since the Deputy Ministers are eligible to serve as a Member of not more than three Sectoral Oversight Committees of which the jurisdiction and related functions are not the same in comparison to their respective portfolios, as per the resolution adopted by the Parliament on 19 December 2015.

- ii. To setup Consultative Committees under the Chairmanship of relevant Ministers

After deliberations, the Committee decided not to set up the Consultative Committees again and to remove the particular clause as it conceptually differs from the contents of the resolution adopted for implementation of Sectoral Oversight Committees.

2.23 Committee on Public Accounts, Committee on Public Enterprises, Committee on Public Finance and Committee on Public Petitions (Clauses 118 119, 120 & 121)

To include provisions for strictures on reports of the Committee not being implemented.

The Committee look into consideration that provisions for reporting have already been included and not necessary to have additional provisions.

2.24 Committee on Constitutional Affairs (Clause 122)

To delete the entire Clause on Committee on Constitutional Affairs and to substitute "Relevant Commissions shall report to the Parliament".

The Secretary to the Committee stated that the Commissions are answerable to Parliament as per the provisions of the Constitution and the Committee was of the view that it is not necessary to remove the prevailing Clause and to substitute with the suggested Clause.

The Committee, after deliberations decided not to remove the Clause 122.

2.25 Committee on High Posts (Clause 123)

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To include a new Sub –Clause 2 (a) to read as “All candidates shall come before the Committee before assuming duties”.

The Committee decided not to include this Clause since there could be practical problems in implementing this provision.

2.26 Liaison Committee (Clause 124)

To remove Clause 124 and handover its duties to the House Committee.

The Committee decided not to remove this Liaison Committee as it has more powers than the House Committee.

2.27 Public Money (Clause 132)

To substitute words “unless introduced by a Minister of the Cabinet” instead of “unless introduced by a Minister” and also to add the words “by Cabinet Secretary” with the indication on the Order Paper of Parliament that “Cabinet approval is signified”.

The Committee, after deliberations decided to adopt only the words “Cabinet Minister” and not to add the words “by Cabinet Secretary”.

3. Other Considerations

3.1 Time allocation

The Opposition and the Government sides should get equal time. If there are sub groups within the two main groups of the Opposition and Government, the sub groups should get time approximately in proportion to the percentage they represent in the Opposition or Government.

The Committee was of the view that time allocation depends on the composition of Parliament and that flexibility should prevail.

3.2 Point of Order

To state specifically in the Standing Orders as to what constitute a point of order.

After deliberations, the Committee decided to adopt the definition of Scottish Parliament regarding the Point of Order and to limit any Point of Order for one minute.

4. The Hon. Prime Minister’s Comments on Draft Standing Orders

The Committee considered the comments submitted by the Hon. Prime Minister

4.1 Consultative Committees should not be re-introduced since the Sectoral Oversight Committees have already been introduced. The Committee agreed to this suggestion.

4.2 Election of a succeeding President and the Presiding officers should be carried out using ballot papers.

Having discussed this matter at length, the Committee also recommended to amend this Clause including the new phrase read as "to conduct the secret ballot using ballot papers".

4.3 To remove the Legislative Standing Committee

The Committee considered that the duty of this Committee shall be exclusively limited to the consideration of the Bills referred to it by Parliament after the Second Reading. The Committee also look into consideration that before the Second Reading all Bills are in any case referred to the related Sectoral Oversight Committee.

The Committee decided not to remove the Legislative Standing Committee.

4.4 All Bills should be automatically referred to the relevant Sectoral Oversight Committee without a Motion, immediately after the First Reading.

The Committee, after deliberations decided to adopt that new Clause under the Section of COMMITTEE STAGE OF BILLS.

4.5 A separate set of procedural rules should be drafted for Committees (i.e.: Select Committees, Sectoral Oversight Committees etc.)

The Committee unanimously accepted this suggestion and decided to make procedural rules later.

4.6 To make some arrangements to appoint a Secretary for Select Committee where the Secretary - General is sought to be impeached.

The Committee, after deliberations decided to amend Clause 127 (1) as "The Secretary -General, or any other officer of Parliament nominated by the Secretary - General shall be the Secretary to each Committee save and except for Standing Order 85 (1) (a)

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5. The Chairman of the Committee directed the Secretary to the Committee to prepare the final draft of the Standing Orders by incorporating all these amendments as early as possible.

6. The Committee was at 1.00 p.m. adjourned *sine-die*.

Sgd / Dhammika Dasanayake

Secretary to the Committee

**Minutes of the Eleventh Meeting of the Committee on Standing Orders
held on 11 August 2017 at 12.00 noon in the Hon. Speaker's Chamber**

Present

Hon. Karu Jayasuriya, Speaker (Chairman)

Hon. Ajith P. Perera

Hon. Vijitha Herath

Hon. J. M. Ananda Kumarasiri

Hon. M. A. Sumanthiran

Hon. (Dr.) Jayampathy Wickramaratne

Mr. Dhammika Dasanayake, Secretary-General of Parliament and Secretary to the Committee.

Mr. Neil Iddawala, Chief of Staff & Deputy Secretary-General

Mrs. Kushani Rohanadeera, Assistant Secretary-General

1. The Committee met pursuant to the notice. The Hon. Speaker, Chairman of the Committee, took the Chair. The Hon. Chamal Rajapaksa was also present at the Meeting as a Member of the Four Member Special Committee.

2. The Secretary to the Committee submitted the final copies of the Draft Standing Orders, which incorporated all amendments.

The Committee approved all amendments.

3. The Committee considered the following proposals received from the Hon. Lasantha Alagiyawanna:

3.1 To substitute Clause 118 (2) as

“Non-compliances with the laws related to all other Institutions, except those of which accounts are submitted, depicting the process of appropriation of money approved by Parliament for public

Report of the Committee on Standing Orders

expenses (except accounts on Public Enterprises), accounts initiated for the purpose of revenue collection approved by special laws of Parliament which are submitted to Parliament.

It shall be the duty of the Committee on Public Accounts to examine the reports submitted by the Auditor General, from time to time on inefficiency, uneconomical transactions, fraudulent and improper state expenses and other related matters, with the assistance of the Auditor General,".

3.2 To substitute Clause 118 (3) as

"Committee on Public Accounts shall report to Parliament, from time to time, on the accounts, finance, financial procedures, performance and management of the Institutions so examined".

3.3 To substitute Clause 118 (4) as

"A report of the Committee on Public Accounts, once tabled in Parliament, such reports shall be referred to the Minister in charge of Finance and the Ministers in charge of the relevant Institutions, and a report consisting of their observations and action taken in respect of the said matters by the Minister in charge of Finance and the Minister in charge of the institutions shall be submitted to Parliament, within 8 weeks from the date of receipt of such reports by them".

3.4 To substitute Clause 118 (5) as

When it considers necessary, Sub Committees comprising of its own members could be appointed to look into and to report back on a specific matter or any particular matter or matters in relation to an institution or number of institutions as directed by the Committee.

In order to have a broader meaning to public enterprises, it would be appropriate to amend as "the duty of the Committee on Public Enterprises shall be the examination of accounts of Public enterprises and affiliated / controlled Companies funded wholly or by a greater percentage by the government and / or holding shares, including all the public enterprises, public corporations and any business undertaken by the government under any written law or

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any other enterprise, tabled before Parliament, with the assistance of the Auditor General”.

According to the matters indicated under (2) “A to H” in the proposed Bill in relation to the Committee on Public Accounts, it will be appropriate to pay attention on correct wordings as to free the Committee on Public Accounts from the duties assigned to other Committees, since consideration on Macro Economic Trend is implicit with regard to budget and budget proposals of any given year.

3.5 Specific observations

Since examining and reporting on excesses, stipulated in the Standing Order 130, and matters indicated in Standing Orders from 130 (1) up to 130 (6), are under the purview of Committee on Public Accounts, it is appropriate to consider the possibility of indicating the subjects of Committee on Public Accounts clearly while depicting such matters in the proposed Standing Order No. 118.

The Committee, after deliberations, disagreed to the above proposals.

4. The Chairman of the Committee directed the Secretary to the Committee to table the final copies of the Standing Orders as early as possible.

5. The Committee was at 12.50 p.m. adjourned *sine-die*.

Sgd / Dhammika Dasanayake
Secretary to the Committee

Minutes of the Twelfth Meeting of the Committee on Standing Orders held on 31 October 2017 at 3.00 p.m. in the Chambers of the Hon. Speaker Present:

Hon. Karu Jayasuriya, Speaker (Chairman)

Hon. Selvam Adaikkalanathan

Hon. (Dr.) Jayampathy Wickramaratne

Mr. Dhammika Dasanayake, Secretary-General of Parliament and Secretary to the Committee

Mr. Neil Iddawala, Chief of Staff & Deputy Secretary-General of Parliament

Mrs. Kushani Rohanadeera, Assistant Secretary-General

Report of the Committee on Standing Orders

1. The Committee met pursuant to the notice. The Hon. Speaker, Chairman of the Committee, took the Chair.

2. The Secretary to the Committee tabled and the Committee considered the Draft Report of the Committee on Standing Orders.

3. The Committee reconsidered the Sub - Clause 50 (2) under the title of PROCEDURE AS TO PRESENTATION OF BILLS read as "Every such Bill so presented shall contain a concise narration of its policy and principles".

The Committee, after deliberations, decided to exclude that Sub-Clause, considering the fact that this facility is provided by the Research Staff of Parliament at present. The Committee was of the opinion that this provision would be an additional burden to the Legal Draftsman considering the limited resources they have.

4. The Committee, after consideration, approved the Draft Report and decided to present it on the 7th November, 2017 to the House by the Hon. Speaker, Chairman of the Committee.

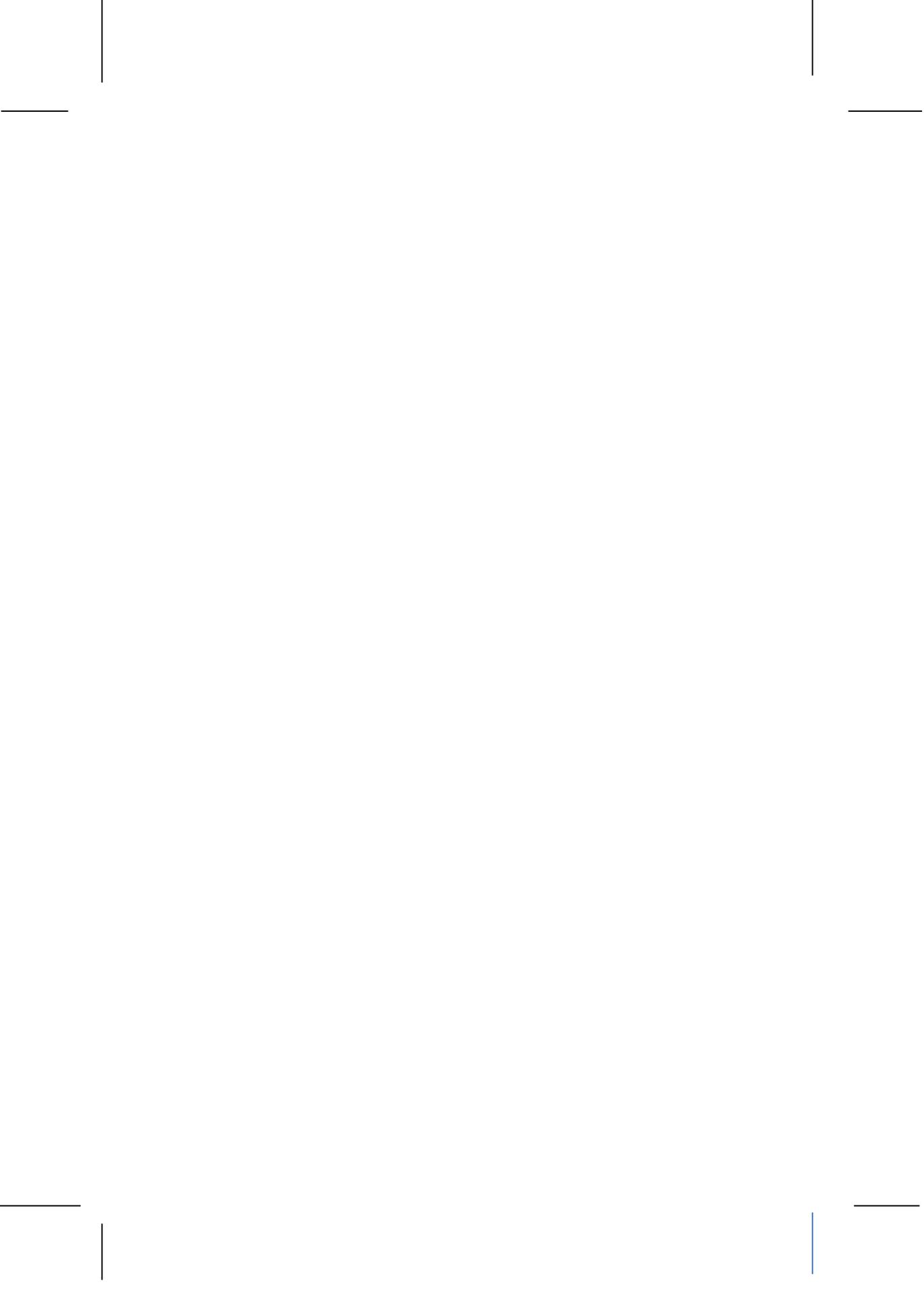
5. The Committee was at 3.45 p.m. adjourned *sine-die*.

Sgd / Dhammika Dasanayake

Secretary to the Committee

We, the Members of the Committee on Standing Orders do hereby approve this Report of the Committee.

Hon. Karu Jayasuriya (Chairman)	signed
Hon. Thilanga Sumathipala	signed
Hon. Selvam Adaikkalanathan	signed
Hon. Chandima Weerakkody	signed
Hon. Ajith P. Perera	signed
Hon. Vijitha Herath	signed
Hon. J. M. Ananda Kumarasiri	signed
Hon. M. A. Sumanthiran	signed
Hon. (Dr.) Jayampathy Wickramaratne	signed



Annexure 1

**STANDING ORDERS
OF THE
PARLIAMENT**

OF THE

DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

**PROCEEDINGS OF THE FIRST MEETING OF THE PARLIAMENT OF
THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA AFTER A
GENERAL ELECTION**

1. On the first day of a meeting of Parliament of the Democratic Socialist Republic of Sri Lanka (hereinafter referred to as the "Parliament ") 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 **3**, the Secretary-General of Parliament (hereinafter referred to as the "Secretary-General") shall read the Proclamation of the President of the Democratic Socialist Republic of Sri Lanka (hereinafter referred to as the "President") by which the meeting was summoned and thereafter the Order of Business on such day shall be —

- (a) the election of a Speaker;
- (b) the Official Oath or Affirmation by the Speaker who shall take his oath or make his affirmation before the Parliament as administered by the Secretary-General;
- (c) the Official Oath or Affirmation by all the Members before the Speaker;
- (d) the election of the Deputy Speaker and the Chair of Committees (hereinafter referred to as the "Deputy Speaker");
- (e) the election of the Deputy Chairperson of Committees,

and on the conclusion of such business, Parliament shall stand adjourned to the date and time fixed by Parliament.

2. Whenever a vacancy occurs in the office of the Speaker, Parliament shall, at its first meeting after the occurrence of the vacancy, proceed to elect a Speaker.

SEATING OF MEMBERS

3. (1) On the first day of the meeting of Parliament after a general election and thereafter until a seat has been allotted to each Member, the Members may sit in any seat within the Bar.

(2) Seats shall be allotted to Members, from time to time, at the discretion of the Speaker.

ELECTION OF A SPEAKER

- 4.** The procedure for the election of a Speaker shall be as follows:—
- (a) Any Member who wishes to propose a Member for election as the Speaker shall ascertain in advance whether that Member is willing to serve as the Speaker if elected.
 - (b) Any Member addressing the Secretary - General shall propose some other Member then present in Parliament for its Speaker, and move the name of the Member whom he proposes to take the Chair of the Parliament as the Speaker. The proposal shall be seconded, but no debate shall be allowed.
 - (c) If only one Member is so proposed and seconded as the Speaker, such Member shall be declared by the Secretary-General without question put, to have been elected as the Speaker. If more than one Member is so proposed and seconded, Parliament shall, after the **division bells are rung for five minutes**, proceed to elect a Speaker by secret ballot.
 - (d) For the purpose of a ballot the Secretary-General shall give to each Member present a ballot paper on which each such Member shall write the name of the Member for whom such Member wishes to vote and the Ballot papers be folded so that the name written thereon shall not be seen and shall be signed by the Member voting.
 - (e) The Ballot papers shall be collected by the Secretary-General in such manner as the Secretary-General shall determine, and counted by the Secretary-General at the Table of Parliament. The results of the ballot shall be declared by the Secretary- General.
 - (f) (i) 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 least number of votes shall be excluded from the election and balloting shall proceed afresh with the candidate obtaining the lowest 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.

- (ii) 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 sub-paragraph (i), 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 Secretary-General shall decide.
- (iii) Where at any ballot between two candidates the votes are equal, another ballot shall be held and at the end of such other ballot, if the votes are still equal the candidate to be excluded shall be determined by lot which shall be drawn in such manner as the Secretary-General shall decide.
- (g) As the Ballot papers are counted they shall be placed in a box and, when a Member has been declared elected as the Speaker, the box shall be sealed in the presence of Parliament and kept in the custody of the Secretary-General for one calendar month and then, subject to any direction the Secretary-General may receive from Parliament, the Secretary-General shall destroy the Ballot papers and certify that to Parliament.

OFFICIAL OATH OR AFFIRMATION

5. (1) Having taken the Official Oath, or having made the Official Affirmation, the Speaker shall cause the said Oath or Affirmation to be administered to and signed by all Members present. The Oath or Affirmation shall be administered by the Secretary-General.

(2) Every Member starting with the Speaker shall, immediately after having taken the Oath or made the Affirmation, sign the book to be kept for that purpose by the Secretary-General.

(3) On any day on which Parliament sits, a Member who has not previously taken the Oath or made the Affirmation may notify the Secretary-General at the Table at the time appointed under Standing Order 22 and thereupon the said Oath or Affirmation shall be administered to such Member who shall then sign the book.

ELECTION OF THE DEPUTY SPEAKER AND THE DEPUTY CHAIRPERSON OF COMMITTEES

6. (1) At the first sitting of a newly elected Parliament as specified in Standing Order 1 or at the commencement of Public Business at the first meeting of Parliament after the occurrence of a vacancy in the office of Deputy Speaker or of Deputy Chairperson of Committees, Parliament shall proceed to the election of a Deputy Speaker or Deputy Chairperson of Committees, as the case may be.

(2) The procedure for the election of a Deputy Speaker and a Deputy Chairperson of Committees shall be as nearly as may be the same as that for the election of a Speaker save that the elections shall be conducted by the Speaker.

ELECTION OF A PRESIDENT

7. In the event a President to be elected in terms of Article 40 (1) (b) of the Constitution of the Democratic Socialist Republic of Sri Lanka (hereinafter referred to as the "Constitution") the Parliament shall follow the procedure specified in the Presidential Elections (Special Provisions) Act, No. 2 of 1981 to conduct the secret ballot using ballot papers.

MEETINGS OF PARLIAMENT

8. (1) Unless Parliament otherwise decides, Parliament shall meet in two alternate weeks in each month commencing after the first Sunday of each month and shall sit on every Tuesday, Wednesday, Thursday and Friday of the first and the third of such weeks.

(2) The sitting of Parliament shall commence at 1.00 p.m. on Tuesdays and Wednesdays and at 10.30 a.m. on Thursdays and Fridays:

Provided that, a meeting summoned by the President, shall begin at such hour as the President may fix by notice given thereon.

(3) On Thursdays and Fridays, the proceedings on any Business of Parliament under consideration at 12.30 p.m., unless Parliament otherwise decides, be interrupted without question put and shall be resumed at 1.30 p.m.

(4) The Speaker shall adjourn Parliament at 7.30 p.m. without question put.

(5) At 6.30 p.m. the proceedings on any business then under consideration shall be interrupted, and if Parliament be in Committee, the presiding

Member shall leave the Chair and make his report to Parliament, and if a motion has been proposed for the adjournment of Parliament, or of the debate, or in Committee that the Chair do report progress or do leave the Chair, every such dilatory motion shall lapse without question put:

Provided that on the interruption of business, the closure may be moved under Standing Order 46 and, if moved, or if proceedings under that Standing Order be then in progress, the Speaker or the presiding Member shall not leave the Chair until the question consequent thereon and on any further motion as provided for in that Standing Order has been determined.

(6) After the business under consideration at 6.30 p.m. has been disposed of, no business which may be opposed by any Member shall be taken up for consideration.

(7) Notwithstanding the provisions of paragraphs (4) and (5) for the purpose of concluding the present business of the House, the hours of sitting may be extended by the House on a proposal made by a Minister of the Cabinet of Ministers without notice, if agreed upon by a majority of Members present in the House.

9. A motion may be made by a Minister of the Cabinet of Ministers at the commencement of Public Business, to be decided without amendment or debate to the effect that the proceedings on any specified business be exempted at a particular day's sitting from the provisions of Standing Order 8, and if such a motion be agreed to, the business so specified shall not be interrupted if it is under discussion at the time fixed for interruption of business and may be entered upon at any hour though opposed:

Provided that, when the business exempted from the operation of Standing Order 8 is disposed of after 6.30 p.m. the Speaker shall, immediately after the conclusion of the last item of exempted business, adjourn Parliament without question put.

DUTIES OF THE SECRETARY-GENERAL

10. (1) The Secretary-General shall keep the minutes of the proceedings of Parliament and of Committees of the whole Parliament. The minutes shall record the names of Members attending, and all decisions of Parliament.

(2) In the case of any division of Parliament or of a Committee of the whole Parliament the minutes shall include the numbers voting for and against the question. **Where the division takes place under Standing Order 47(2)(b) and (c),** the number and names of the Members so voting and the number and names of those declining to vote shall be included in the Minutes. The minutes shall not require confirmation but errors if any in the minutes may be corrected, on a motion made, with the leave of Parliament.

(3) The Secretary-General shall prepare from day to day and keep on the Table of Parliament and in the Library an Order Book showing all business appointed for any future day and any notice of questions or motions which have been set down for a future day whether for a day named or not. Business may be set down for any particular day and a note to that effect made in the Order Book.

(4) The Secretary-General shall be responsible for the safe custody of minutes, records, Bills and other documents laid before Parliament which shall be open to inspection by Members of Parliament and by other persons under such arrangements as may be sanctioned by the Speaker.

(5) The Secretary-General shall be responsible for ensuring the administrative and resource support for committees.

QUORUM

11. The quorum of Parliament required in terms of Article 73 of the Constitution is twenty Members including the person presiding. If at any time the attention of the Speaker or other Member presiding is directed to the fact that a quorum is not present, the Speaker or other Member presiding shall order the division bells to be rung and if at the expiration of five minutes a quorum be not present, the Speaker or other Member presiding shall adjourn Parliament without question put.

12. The quorum of a Committee of the whole Parliament shall be twenty. If the absence of a quorum be noticed in Committee of the whole Parliament the Chair shall proceed in the manner specified in Standing Order 11 and if a quorum be not present, he shall leave the Chair and, Parliament being resumed, shall forthwith count the number of Members in Parliament. If a quorum be not then present, Parliament shall adjourn as provided for in Standing Order 11 but if a quorum be proved to be present, Parliament shall forthwith resolve itself into Committee.

PROCEEDINGS OF PARLIAMENT

13. The Business of Parliament shall be conducted in Sinhala, Tamil and English. Every speech made in Parliament shall be recorded in the Official Report of Parliamentary Debates (*hereinafter referred to as the "Hansard"*) in the language in which it was made. It shall be the duty of the Speaker to make suitable arrangements for the Members who do not understand the language in which any speech is made. Such arrangements may include—

- (a) the publishing of the Order Paper of Parliament in Sinhala, Tamil and English;
- (b) the simultaneous interpretation of speeches and other proceedings into the other two languages;
- (c) the printing of the front cover of the Hansard in Sinhala, Tamil and English;
- (d) recording of the speeches in the Hansard in the floor language, with the name of the speaker entered in Sinhala, Tamil and English.

14. (1) The proceedings of the House may be made available for broadcast over radio, television or any other electronic means or devices subject to the rules and conditions that may be determined by the Parliament, from time to time.

(2) Any broadcasting of the proceedings of the House shall maintain such standards of fairness as are adopted by the Parliament.

(3) The proceedings of Committees shall also be available for broadcasting at times as may be determined by the Committees subject to the rules and conditions the relevant Committees and Parliament may determine, from time to time:

Provided that, the Speaker or a Chair of a Committee may exercise his discretionary power to decide whether to allow, restrict or control the live broadcast of the proceedings in Parliament or a Committee as the case may be at any given time.

ADJOURNMENTS

15. An adjournment of Parliament shall mean an adjournment till the next ordinary sitting day unless Parliament on a motion made after notice has ordered

an adjournment to some other definite date. A motion to adjourn *sine die* shall not be entertained.

16. During an adjournment of more than forty-eight hours duration, the Speaker if so requested by the Prime Minister, shall give notice convening Parliament for such date being an earlier date than to which Parliament had adjourned as may be contained in the request and thereupon Parliament shall meet on the date and the time specified in the notice issued by the Speaker and shall transact its business as if it had been duly adjourned to that date and time. When issuing such a notice the Speaker shall take all practicable steps to acquaint Members with the date and time for which Parliament has been convened.

DILATORY MOTIONS

17. When a motion is made for the adjournment of a debate, or of Parliament during any debate, or that the Chair or a Committee of the whole Parliament “do report progress”, or “do leave the Chair”, the debate thereupon shall be confined to the matter of such motion, and no Member having moved or seconded any such motion shall be entitled to move or second, any similar motion during the same debate.

18. Where the Speaker, or other presiding Member, or the Chair of a Committee of the whole Parliament, shall be of the opinion that a motion for the adjournment of a debate, or of Parliament during any debate, or that the Chair do report progress, or do leave the Chair, shall be considered as an abuse of the rules of Parliament, he may forthwith put the question thereupon from the Chair, or may decline to propose the question thereupon to Parliament.

ADJOURNMENT ON MATTERS OF URGENT PUBLIC IMPORTANCE

19. (1) A motion for the adjournment of Parliament shall not be made until Public Business has been entered upon unless a Member other than a Minister of the Cabinet of Ministers rises in his place at the end of questions and asks leave to move the adjournment of Parliament, for the purpose of discussing a definite matter of urgent public importance and state the matter.

(2) Any such motion by a Member under paragraph (1) shall not be made unless—

- (a) written notice of such motion is given to the Speaker before the commencement of the sitting on the day on which the motion

is proposed to be made and the consent of the Speaker is obtained; and

- (b) the leave of Parliament has been obtained by such Member; or
- (c) not less than twenty Members rise in their places to support the request of such Member, where the leave of Parliament not having been given:

Provided that, where the Speaker has refused his consent or is of the opinion that the matter proposed to be discussed is not in order, he may allow the Member raising the question to read the notice of the motion or part thereof as approved by the Speaker and thereafter the Speaker shall state the reason for refusing consent or holding the motion not in order.

(3) If the motion is so supported or Parliament gives leave, it shall stand over until **5.30 p.m.**

(4) Leave shall not be sought for more than one such motion on any one day.

(5) The days on which Government Business has precedence, no motion for the adjournment of Parliament, other than a motion made under the provisions of this Standing Order, shall be moved between the items of business set down for that day before **6.30 p.m.** unless such motion be moved by a Minister of the Cabinet of Ministers.

MOTIONS OR QUESTIONS AT THE TIME OF ADJOURNMENT

20. On a day the Committee on Parliamentary Business has decided to entertain a motion or questions at the adjournment time of the House, not more than one hour after conclusion of the Public Business of the House shall be set apart for this purpose subject to the following rules: —

- (a) The adjournment motion or questions shall be confined to matters of urgent public importance;
- (b) The Speaker shall have the power to disallow a motion or a question if he is of the opinion that such motion or the question violates any Standing Order or it is an abuse of the right of a Member to propose such a motion or a question;

- (c) The time allocated for a motion or questions at the adjournment time of the House during the debate on the Appropriation Bill may be reduced as may be determined by the Committee on Parliamentary Business; and
- (d) The procedure relating to the acceptance of Motions or Questions at the adjournment time of the House shall be determined by the Committee on Parliamentary Business.

STRANGERS

21. (1) "Strangers" may be present in the Chamber in places set apart for them under the rules made by the Speaker for such purpose.

(2) If at any sitting of Parliament, or in Committee, any Member shall take notice that strangers are present, the Speaker, or the Chair, as the case may be, shall forthwith put the question "That strangers be ordered to withdraw" without permitting any debate or amendment.

(3) The Speaker or the Chair may, even in the absence of such notice, whenever he thinks fit, order the withdrawal of strangers from any part of the Chamber.

(4) The Attorney-General or any representative who is present in Parliament in the performance of the duties under Article 77 of the Constitution shall not be deemed to be a stranger.

(5) The Speaker may grant a general permission to any representative of any news-media to attend the sitting of Parliament. Such permission may be revoked if the news-media makes a report which the Speaker considers unfair or is intended to cause disrepute to the House.

BUSINESS OF PARLIAMENT

22. The Business of Parliament shall be conducted in the following order: —

- (1) Official Oath or Affirmation by new Members;
- (2) Messages from the President;
- (3) Announcements by the Speaker;
- (4) Presentation of Papers;
- (5) Presentation of Reports from Committees;

- (6) Presentation of Public Petitions;
- (7) Questions for Oral Answers;
- (8) Motions for leave of absence;
- (9) Ministerial statements;
- (10) Personal explanations;
- (11) Questions of privilege;
- (12) Motions at the commencement of public Business not requiring notice;
- (13) Motions at the commencement of public Business for which notice is required;
- (14) **Votes of condolence;**
- (15) Public Business.

PUBLIC BUSINESS

23. (1) Public Business shall consist of Orders of the Day and Notices of Motions.

(2) An Order of the Day shall be a Bill, **Regulation, Resolution or any** other matter which Parliament has ordered to be taken into consideration on a particular day. An earlier day cannot be substituted for the day so appointed.

(3) Government Business shall have precedence on every day except the sitting of the first Friday of each month.

(4) On the sitting of the first Friday of each month a motion may be made by a Minister of the Cabinet of Ministers without notice at the commencement of Public Business to be decided without amendment or debate to the effect that "Government Business have precedence this day" or that "a specified item of Government Business have precedence this day". If such motion be carried Government Business or the specified item of Government Business shall have precedence accordingly.

(5) Government Business shall be set down in such order as the Government thinks appropriate.

PRIVATE MEMBERS' MOTIONS

24. (1) Unless Parliament otherwise orders, on the sitting of the first Friday of each month, Private Members' Business shall have precedence over Government Business and Notices of Motions shall have precedence over Orders of the Day.

(2) Unless a Member giving notice of a Private Member's motion indicating the desire to have such motion fixed for a particular Private Members' day, all Private Members' motions shall be fixed for the next available Private Members' day. Any such motion shall be taken in the order in which they appear in the Order Paper **subject to any decision made by the Committee on Parliamentary Business. Private Members' Motions shall be included in the Order Book in chronological order and not more than ten motions submitted by any Member shall be included in the Order Book at any given time.**

(3) **A "Private Member" does not include a Member holding the office of the Speaker, Deputy Speaker, Deputy Chairperson of Committees, Prime Minister, Ministers of the Cabinet, Ministers who are not members of the Cabinet of Ministers, Deputy Ministers, Leader of the House of Parliament, Leader of the Opposition in Parliament, Chief Government Whip and the Chief Opposition Whip.**

25. All Orders of the Day, undisposed of at the adjournment of Parliament shall be postponed until the next sitting day without a motion to that effect. Any Notice of Motions not so disposed of shall, in the absence of any specific instruction by the Member in whose name the notice stands, be carried forward to the next sitting day if standing in the name of a Minister of the Cabinet of Ministers or a Minister who is not a member of the Cabinet of Ministers or a Deputy Minister, and to the first Friday sitting of the following month if standing in the name of a private member.

PAPERS

26. (1) Papers shall be presented only by the Speaker, a Minister of the Cabinet of Ministers, a Minister who is not a member of the Cabinet of Ministers or a Deputy Minister.

(2) The presentation of any Paper shall be entered in the Minutes.

(3) A short explanatory statement of the contents of any Paper may be made on its presentation, but no debate shall take place at the time of presentation.

(4) All Papers presented shall be deemed to have been ordered to lie upon the Table and any motion for the printing thereof shall be determined without amendment or debate.

NOTICES

27. (1) Notice of questions or motions shall be given in writing, signed by the Member giving the notice and addressed to the Secretary-General. Such notices may be handed over to the Secretary-General at any time when Parliament is sitting or may be sent to or left at the office of the Secretary-General at any time.

(2) The Secretary-General shall, upon receipt of any notice in respect of any question, unless the Speaker rules any question out of order, include in the Order Book for answer on a day not earlier than seven clear days from the day on which the notice was given:

Provided that, any question relating to a matter of urgent public importance may be asked by the Leader of the Opposition or a leader of a recognized political party at the conclusion of questions after due notice has been given to the Minister concerned.

(3) The Secretary-General, shall upon receipt of any notice in respect of any motion, unless the Speaker rules the motion out of order, include in the Order Book, but unless Parliament otherwise orders, no debate thereon shall take place unless five clear days have elapsed since the notice was given. Notwithstanding anything in this paragraph, notices of motions to be moved at the commencement of Public Business shall be included in the Order Paper if received at the Table on the previous sitting day.

(4) No debate shall take place on the giving of notice of any matter.

(5) Unless otherwise provided for in these Standing Orders, no debate shall take place except on a motion or order appearing in the Order Paper.

(6) A Member who has given notice of a question or a motion may withdraw the same by giving written notice to that effect to the Secretary-General.

(7) A ministerial statement shall be made by the Prime Minister or by a Minister of the Cabinet of Ministers on a matter in respect of which ministerial responsibility has been entrusted to that Minister. A Minister so intending to make a statement shall first obtain the consent of the Speaker having submitted a copy of the statement beforehand.

(8) A personal explanation may be made by a Member for the purpose of vindicating the personal conduct of that Member in response to a reference which has been made by another Member in the House while he was not present in the House. Any Member so intending to make an explanation shall first obtain the consent of the Speaker having submitted a copy of the explanation beforehand and giving adequate notice to the Speaker. The explanation so made shall be strictly limited for the purpose of vindicating the personal conduct of that Member.

28. Unless the Standing Orders otherwise direct, notice shall be given of any motion which is proposed to make with the exception of the following:—

- (a) A motion made in Committee of the whole Parliament;
- (b) A motion for the adjournment of Parliament or of any debate;
- (c) A motion that the report of a Select Committee be referred to a Committee of the whole Parliament or be printed;
- (d) A motion for the withdrawal of strangers;
- (e) A motion for the suspension of a Member;
- (f) A motion relating to a matter of privilege;
- (g) A motion arising out of the business of the day immediately after that business is disposed of and before any fresh matter is entered upon.

29. (1) An urgent motion directly concerning the privileges of Parliament shall take precedence of all other motions, and any Orders of the Day. The proceedings of Parliament may be interrupted at any moment, save during the progress of a division, by a motion based on a matter of privilege when a matter has recently arisen which directly concerns the privileges of Parliament.

(2) Any Member intending to raise such a matter of privilege shall first inform the Chair and obtain the permission of the Chair to interrupt the proceedings of Parliament.

PUBLIC PETITIONS

30. (1) Every petition to Parliament shall be addressed to the Speaker and shall be presented by a Member.

(2) Every petition shall be in respectful language and shall not contain irrelevant statements.

(3) Every petition shall be clear and legible and shall conclude with a prayer reciting the relief sought.

(4) Every petition shall be signed by the petitioner or petitioners except in case of incapacity by sickness. A person unable to write shall affix a personal mark in the presence of a witness. The full name, **address and the National Identity Card number** of every signatory to a petition shall be set out therein. **The petitioner may also mention any other contact details including the telephone number.**

(5) No letters, affidavits or other documents shall be attached to any petition.

(6) No reference shall be made in a petition to any debate in Parliament.

(7) It shall not be competent for a Member to present a petition on the Member's own behalf but the same may be presented by some other Member.

(8) Every petition shall, before it is presented, be signed at the beginning thereof by the Member in charge of it and deposited at least two clear days with the Secretary-General who shall submit it to the Speaker for approval and no petition shall be presented until it has been so approved.

(9) A Member presenting a petition shall confine himself to a statement in the following form, and no debate shall be permitted on this statement: –

"The Speaker, I present a petition from of and others."
(Name of Petitioner) (Address)
(Number of Petitioners)

(10) A petition having been presented to Parliament shall stand referred to the Committee on Public Petitions.

QUESTIONS

31. At the stage of Business provided by these Standing Orders questions relating to public affairs may be put to the Prime Minister or to any Minister relating to subjects and functions assigned to such Minister by the President and for which such Minister has ministerial responsibility.

32. (1) When any question is reached on the Order Paper, and where an oral answer to such question is required, the Speaker shall call upon the Member in

whose name the question stands and the Member so called shall rise in his place and ask the question by reference to its number on the Order Paper and the reply shall then be given by the Prime Minister or the Minister to whom the question is addressed.

(2) The relevant Minister or in his absence the Minister who is not a member of the Cabinet of Ministers or the Deputy Minister authorized by such Minister shall be present in the House to answer orally such questions on the day they are scheduled to be answered.

(3) A Minister who is unable to be present in the House to answer any question raised by a Member on a particular day shall obtain prior leave of the Speaker and inform the Speaker the arrangements that such Minister has made to have the question answered.

(4) When a written answer to a question is required the Prime Minister or the Minister to whom the question is addressed shall cause the answer to be printed in the Hansard in all three languages.

33. (1) Any Member may put not more than three supplementary questions on any such answer given under Standing Order 32:

Provided that, such supplementary questions shall not introduce matters not included in the original question, and shall be put only for the purpose of further elucidating any matter arising out of an oral answer:

Provided further, the Speaker shall disallow any supplementary question if the Speaker is of the opinion, that such supplementary question infringes the rules as to admissibility of questions.

(2) The Speaker may limit the time allowed for raising of supplementary questions and answers thereto.

34. (1) The proper purpose of a question shall be to obtain information on a matter of fact within the special cognizance of the Minister to whom it is addressed or to urge that action be taken.

(2) A question must not be made the pretext for a debate.

35. Not more than **an hour** shall be allotted to questions on any day and no Member shall ask more than **two** questions for oral answer on any one day:

Provided that, not more than thirty minutes shall be reserved for questions on a day on which the Committee Stage debate of the Appropriation Bill is fixed.

36. The right to ask questions shall be subject to the following rules: —

- (a) Only one subject shall be referred to in any one question and the question shall not exceed one hundred and fifty words;
- (b) Any name or statement not essential to make the question intelligible shall not be mentioned in a question;
- (c) If a question contains a statement, the Member asking it shall take the responsibility for the accuracy of such statement;
- (d) A question shall not contain any argument, inference, imputation, epithet or ironical expression;
- (e) A question shall not be asked about the proceedings in a Committee which has not been placed before Parliament by a report from that Committee;
- (f) A question shall not refer to any matter which is under adjudication by a court of law or to any matter on which a judicial decision is pending;
- (g) A question shall not be asked for an expression of opinion, or for the solution of an abstract legal question or of a hypothetical proposition;
- (h) A question shall not be asked as to the character or conduct of any person unless it relates to the official or public capacity of that person;
- (i) 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;
- (j) A question making or implying a charge of a personal character shall be disallowed; and
- (k) A question fully answered in any session shall not be asked again during the same session.

37. (1) The Speaker shall decide whether a question is or is not admissible under these Standing Orders and he may disallow any question when in his opinion it is an abuse of the right of questioning or calculated to obstruct or affect prejudicially the procedure of Parliament or if it infringes the provisions of any of these Standing Orders. Disallowance of a question by the Speaker, with the reason therefor, shall be communicated in writing to the Member concerned by the Secretary-General.

(2) Any notice which contains unbecoming expressions or offends against any Standing Order of Parliament may be amended by the Speaker, with the consent of the Member asking the question, before it appears in the Order Book.

(3) If the Speaker is of the opinion that a question requires a lengthy answer he may direct that the question be considered as one not for oral answer and such decision be communicated to the Member concerned by the Secretary-General.

QUESTIONS TO BE ASKED FROM THE PRIME MINISTER

38. (1) During the time allocated for questions for oral answers on Wednesday of the first week of the sitting of every month, half an hour may be set aside to ask not more than four questions from the Prime Minister. In the event that the Prime Minister is not available on the First Wednesday the Committee on Parliamentary Business may decide a suitable day in the course of the same month for such purpose.

(2) Any Member of Parliament other than a Minister of the Cabinet of Ministers, a Minister who is not a member of the Cabinet of Ministers or a Deputy Minister seeking to ask a question under this Standing Order, shall submit the question to the Secretary-General with a copy to the office of the Leader of the House of Parliament before 12 noon of the Friday of the preceding week.

(3) Questions to the Prime Minister shall be limited only to matters relating to Government policies including matters of national importance. Any question which requires a detailed answer or confined to a specific subject may be referred to the Minister in charge of the relevant subject for answer at the discretion of the Prime Minister.

(4) Two questions each for the Government and the Opposition may be allotted on any given day.

(5) A Member of Parliament may ask only one question on any given day and such question shall not exceed one hundred and fifty words.

(6) Questions to the Prime Minister shall be asked without including arguments or expressing views and shall not address more than one common public policy.

(7) After the Prime Minister has answered any question, the Member who asked the question may ask three supplementary questions. Any other Member of Parliament with the permission from the Member asking the question may ask one or more of the supplementary questions:

Provided that, the supplementary questions shall be limited to the subject relating to the main question or the answer given therefor.

QUESTIONS FOR DEBATE

39. It shall be competent for any Member to propose any motion on any matter of public interest and such motion shall be debated, or otherwise disposed of according to these Standing Orders.

40. (1) A motion or an amendment which by these Standing Orders is required to be seconded, and is not seconded, shall lapse.

(2) If a Private Member does not move a motion which stands in his name when called upon to do so, it shall lapse unless some other Member duly authorized by that Member in writing moves such motion on his behalf:

Provided that, an Order of the Day may be moved by any Member unless the Member in charge of that Order has previously signified to the Secretary-General his desire to have the Order deferred to another day.

41. A Member who has made a motion may withdraw the same with leave of Parliament.

ANTICIPATION

42. (1) It shall be out of order to make a motion or move an amendment dealing with the subject matter of a Bill or other Order of the Day appointed for consideration, and such amendment shall also be out of order if it deals with the subject matter of a motion of which notice has been given.

(2) An Order of the Day, Notice of Motion or amendment of which notice has been given, shall not be anticipated in a debate upon a motion for the adjournment of Parliament or in any other debate.

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

AMENDMENTS

- 43.** (1) A question, when proposed from the Chair, may be amended—
- (a) by the deletion of certain words and the substitution therefor of certain other words; or
 - (b) by the deletion of certain words; or
 - (c) by the insertion or addition of certain other words.

(2) Every such amendment shall be in writing and handed over to the Secretary-General by the Member proposing it.

(3) Every amendment proposed to a Bill shall be examined by the Attorney-General in terms of Article 77 of the Constitution.

(4) An amendment to a question shall be relevant to the question to which such amendment is proposed.

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

(6) After decision has been made on an amendment to any part of a question an earlier part of such question shall not be amended.

(7) In like manner, where an amendment of any part of a question has been proposed from the Chair, an earlier part of that question shall not be amended, unless the amendment so proposed is withdrawn.

(8) An amendment to a question shall not be inconsistent with a previous decision on the same question given at the same stage of any Bill or matter.

(9) To an amendment, when proposed from the Chair, an amendment may be moved.

44. (1) If an amendment is for the substitution of certain words for certain other words, the Speaker or the Chair, after stating such amendment, shall first propose the question "that the words proposed to be deleted stand part of the question or clause" and if that question is put and answered in the negative he shall propose the question "that the words proposed by the amendment be there substituted":

Provided that, the Speaker or the Chair shall if possible put as the test question on an amendment only such words as will not prevent a subsequent amendment which is in order from being moved. If the question so proposed be answered in the negative, the remainder of the words proposed by the amendment to be deleted shall be deemed to be deleted without further question.

(2) If the amendment is to the effect that certain words be deleted, the Speaker or the Chair, after stating the amendment, shall propose the question that the words proposed to be deleted stand part of the question or clause.

(3) If the amendment is to the effect that certain words be deleted, substituted, inserted or added, the Speaker or the Chair, after stating the amendment, shall propose the question that the proposed words be there deleted, substituted, inserted or added.

(4) Notwithstanding the provisions of the preceding paragraphs of this Standing Order, the Speaker may propose the question "That the amendment be agreed to" in place of the "question or questions" stated therein.

(5) Where an amendment is moved to amend a proposed amendment, the last mentioned amendment shall be dealt with as if it were the original question until all the amendments to it have been disposed of.

45. On the conclusion of the debate on a question, the Speaker or the Chair shall if the question then remains in its original form, state the question in its original form or if the question has been amended, state the question in its amended form, and put the question.

CLOSURE

46. (1) After a question has been proposed, a Member rising in his place may claim to move "That the question be now put". Then the Chair, unless it appears to the Chair that the motion is an abuse of the rules of Parliament or an

infringement of the rights of the minority, the question, "That the question be now put", shall be put forthwith.

(2) When the motion "That the question be now put", has been carried and the question consequent thereon has been decided, any further motion necessary to decide any question already proposed from the Chair may be made (the assent of the Chair not having been withheld) which may be required to bring to a decision any question already proposed from the Chair.

(3) When a Clause is under consideration, a motion may be made (the assent of the Chair as aforesaid not having been withheld) that the question "that certain words of the Clause specified in the motion stand part of the Clause or that the Clause stand part of or be added to the Bill," be now put.

(4) Every motion made under this Standing Order shall be put forthwith and decided without amendment or debate.

(5) A motion under this Standing Order shall not be carried in Parliament, or in a Committee of the whole Parliament unless twenty members vote in favour.

VOTING

47. (1) The question shall be put by the Speaker and the votes may be taken by voices, Ayes and Noes, and the result may be declared by the Speaker.

(2) Any Member who is not agreeable with the decision of the Speaker may call for a division for a vote to be taken in any of the following methods as may be determined by the Speaker. In such case the division bells shall be rung for five minutes and thereafter—

- (a) a division shall be taken by counting the Members row by row, rising in their places in support or against the motion before the House;
- (b) a division shall be taken by the use of the electronic vote recorder. The Members shall press the appropriate button to indicate the decision of such Members within the time period allowed by the Speaker;
- (c) a division shall be taken by the Secretary-General asking each Member separately as to how that Member desires to vote and shall record the votes accordingly. The Secretary-General shall

first ask the Prime Minister and then the Ministers of the Cabinet, Ministers who are not members of the Cabinet of Ministers and the Deputy Ministers in the respective alphabetical order of their names and then the other Members in the alphabetical order of their names. Any Member may if he wishes to decline to vote state such fact to the Secretary-General. In such case the Secretary-General shall record the name of such Member as having declined to vote.

(3) **The Speaker shall announce** the numbers of the votes for and against the decision and if the votes are equal the Speaker shall cast a deciding vote. the Speaker shall then declare the result of the division.

48. In the event of confusion or inaccuracy in the course of a division concerning the numbers or names recorded, which cannot otherwise be corrected, the Speaker shall direct the House to proceed to another division immediately thereafter.

49. If a Member states that he has exercised his vote erroneously or any vote has been counted wrongly, that Member may claim that such error be rectified:

Provided that, the Member shall make such claim before the numbers of the votes have been declared by the Speaker.

PROCEDURE AS TO PRESENTATION OF BILLS

50. (1) Any Minister may after notice, subject to the provisions of Article 78 of the Constitution present a Bill without an order of Parliament for its introduction. When a Bill is so presented at the commencement of Public Business, the title of the Bill shall be read by the Secretary-General 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 on a date not earlier than a week from the date on which it was presented.

(2) **Every such Bill shall be referred to the relevant Sectoral Oversight Committee without a motion immediately after the First Reading. The Committee may suggest amendments to the Bill. No further proceedings to be had until the Committee has reported back to Parliament or until the expiration of period of time allowed by Parliament.**

BILLS IN RESPECT OF MATTERS SET OUT IN LIST III OF THE NINTH SCHEDULE TO THE CONSTITUTION

51. (1) When a Bill in respect of any matter set out in List III of the Ninth Schedule to the Constitution is presented to Parliament, unless Parliament otherwise decides, by resolution, the procedure laid down in paragraph (2) shall be followed.

- (2) (a) The Speaker shall direct the Secretary-General to forward copies of such Bill to each Provincial Council for report to Parliament on its views regarding the Bill within a period of **two months** from the date of reference of such Bill to such Provincial Council or within such other period of time as Parliament may specify.
- (b) On the expiry of the time specified in subparagraph (a), or on the receipt of the views of the Provincial Council, whichever is earlier Parliament may proceed with the Bill.
- (3) (a) Whenever a communication is received from any Provincial Council seeking to consult Parliament on any proposed Statute to be made in respect of any matter set out in List III of the Ninth Schedule to the Constitution, the Speaker shall announce its receipt at the first available opportunity. The communication shall thereupon be referred to the **Legislative Standing Committee**.
- (b) After consideration of the report of the **Legislative Standing Committee**, the Parliament shall direct the Secretary-General to forward the views of the Parliament regarding the proposed Statute to the Provincial Council concerned within **two months** of the receipt of such communication.

PRIVATE MEMBERS' BILLS

52. (1) Any Private Member desiring to introduce a Bill shall apply to Parliament for leave to do so, setting the objective and leading features of such Bill.

(2) Every such application shall be made in the form of a motion and the Member making such application shall deliver to the Secretary-General a copy of

the proposed Bill, in Sinhala and Tamil with a translation in English together with a copy of his motion.

(3) The Secretary General shall refer the Bill to the Attorney General to seek his opinion as to whether the Bill is inconsistent with the Constitution and whether it attracts any impediment in respect of the Thirteenth Amendment to the Constitution. The Attorney General shall communicate his observations to the Parliament within a period of six weeks.

(4) After the receipt of the opinion of the Attorney General the Secretary-General shall cause the Bill to be published in the Gazette in Sinhala and Tamil with a translation in English.

(5) At any time after the lapse of a period of fourteen days from the date on which the Bill was published in the Gazette, the motion referred to in paragraph (2) above shall be placed on the Order Paper of Parliament.

(6) Leave being granted by the House on a question put, and carried or in the event that leave is not granted by the House but not fewer than twenty Members rise in their places to support the Member the Bill shall then be deemed to have been read the first time and ordered to be printed and shall stand referred without discussion to the Minister or Deputy Minister in charge of the subjects and functions to which the Bill relates. If the Minister or the Deputy Minister is not present it shall stand referred to such other Minister or Deputy Minister as the Speaker may nominate and no further proceedings shall be taken in respect of such Bill until the Minister or Deputy Minister to whom it has been referred to has reported to Parliament thereon.

(7) After the report referred to in paragraph (6) above has been made or if after the expiry of six months from the date on which the Bill was referred to the Minister or Deputy Minister and where no report has been made by such Minister or Deputy Minister, the Bill shall be set down for Second Reading upon such day as the Member in charge of the Bill desires.

53. (1) Where any Bill which is intended to affect or benefit some particular person, association or corporate body is proposed, notice of such Bill shall be given by advertising in the Gazette in Sinhala, Tamil and English and at least in one Sinhala, one Tamil and one English newspaper circulating in the Republic a statement of its general nature and objects, and such advertisement shall appear

at least one month before the application for leave of Parliament to introduce the Bill is made.

(2) In the case of every such Bill, paragraph (2) of Standing Order 52 shall apply as if the words "and a copy of the advertisements published under paragraph (1) of this Standing Order" had been inserted at the end of that paragraph.

(3) Every such Bill after being read a second time shall be referred by the Speaker to **the Legislative Standing Committee**.

(4) The **Legislative Standing Committee** on such a Bill shall require proof of the facts and other **matters** 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 **Legislative Standing Committee** finds that the said facts and **other matters** are not proved, shall report accordingly; but if the **Legislative Standing Committee** finds that the said facts and **other matters** have been proved, it shall consider the several Clauses of the Bill, and may repeal, substitute or insert any Clause and **may** make any other amendments which it may deem necessary, and all such amendments shall be reported to Parliament:

Provided that, no Clause shall be allowed in such a Bill which is inconsistent with the notice specified in paragraph (1) of this Standing Order. No Clause affecting any private right or interest shall be allowed in such a Bill unless circumstances are set forth in the Bill which render it justifiable and expedient.

PARTIES AFFECTED, WITNESSES, EVIDENCE

54. (1) In any case in which individual rights or interests may be peculiarly affected by any Bill, any party so affected may be heard either in person or by counsel upon petition before the Sectoral Oversight Committee **or the Legislative Standing Committee** to which such Bill is referred to.

(2) Where the Sectoral Oversight Committee **or the Legislative Standing Committee** intends to examine any witnesses, the petitioner or the Member of Parliament requiring such witnesses, shall deliver to the Secretary-General, a list containing the names, residence and occupation of such witnesses at least two days prior to the day appointed for such examination.

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

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

SECOND READING

55. (1) A Bill shall be set down for Second Reading on a day not earlier than a week from the day on which it was presented.

(2) When the jurisdiction of the Supreme Court to determine whether any Bill or any provision thereof is inconsistent with the Constitution has been invoked under Article 121 of the Constitution and a copy of the reference or petition has been delivered to the Speaker—

- (a) such reference or filing of a petition shall be conveyed to Parliament by the Speaker on the first day of a meeting of Parliament after such reference is made or such petition is filed;
- (b) no proceedings in relation to such Bill shall be had until the determination of the Supreme Court in respect thereof has been made and communicated to the Speaker or until the expiration of a period of three weeks from the date of such reference or filing of such petition, whichever occurs first;
- (c) upon receipt of the determination of the Supreme Court it shall be announced to Parliament by the Speaker and no debate shall be permitted on such announcement.

DEBATE ON SECOND READING

56. On the Second Reading of a Bill a debate may arise covering the general merits and principles of the Bill.

COMMITTEE STAGE OF BILLS

57. When a Bill has been read a second time, upon a motion made by a Minister of the Cabinet of Ministers, a Minister who is not a member of the Cabinet of Ministers or a Deputy Minister, the Bill shall be referred to a Committee of the whole Parliament:

Provided that, if upon a motion made by a Minister of the Cabinet of Ministers, a Minister who is not a member of the Cabinet of Ministers or a Deputy Minister, Parliament so decides, a Bill, other than an Annual or Supplementary Appropriation Bill, may be referred to a Select Committee to be nominated by the

Speaker or to **the Legislative Standing Committee or appropriate Sectoral Oversight Committee.**

58. When a Bill has been referred to a Select Committee, **Legislative Standing Committee** or a Sectoral Oversight Committee no further proceedings shall be taken thereon until the Committee has reported.

PROCEDURE ON BILLS IN COMMITTEE

59. Where any Bill is referred to a Committee under Standing Order 57, such Committee shall discuss its several provisions and any proposed amendments, and may adjourn its sitting or if it is a Committee of the whole Parliament, report progress, from time to time, as occasion may arise.

60. The Chair of the Committee or the Secretary-General shall read the number of each clause of the Bill in succession.

61. Any amendment may be made to a clause, or clauses by deleting, substituting, inserting **and adding** provisions provided, the same be relevant to the subject matter of the Bill, and be otherwise in conformity with the Standing Orders.

62. The principle of the Bill shall not be discussed in Committee, but only its details.

63. No amendment inconsistent with any decision made upon any previous part of the Bill may be proposed.

64. After a Bill has been read through in Committee, and while it is still in Committee, any Member may, with leave of the Chair, move an amendment to any clause already passed.

65. **The consideration of any clause of the Bill may be postponed until the remaining clauses of the Bill have been considered and before new clauses are brought up.**

66. (1) New clauses may be proposed before the Schedules to the Bill are considered and shall be deemed to have been read the first time. The questions which follow thereupon shall be "That the clause be read a second time" and "that the clause (or the clause as amended) be added to the Bill".

(2) New Schedules may be proposed after the Schedules to the Bill have been disposed of and shall be treated in the same manner as new clauses.

(3) When every clause and Schedule and any proposed new clause or Schedule have been dealt with, the preamble, if there be one, shall be considered and a question put "That this be the preamble of the Bill".

(4) If any amendment be necessary to the title of the Bill, it shall be made at the conclusion of the proceedings set out in this Standing Order.

REPORTS OF COMMITTEES ON BILLS

67. When a Committee of the whole Parliament has completed the consideration of a Bill, the Chair shall report the Bill with or without amendments to Parliament.

68. A **Sectoral Oversight Committee, the Legislative Standing Committee** or a Select Committee to which a Bill has been referred shall present a report to Parliament setting out its recommendations, and a copy of the report shall be distributed to every Member.

69. The report of a Select Committee on a Bill shall be presented by the Chair and may be ordered to lie upon the Table, or be otherwise dealt with as Parliament may direct. Upon motion made by any Member the Bill may be referred to a Committee of the whole Parliament or the report of the Select Committee set down for consideration upon a day to be appointed by the Member in charge of the Bill.

70. The report of a **Sectoral Oversight Committee or the Legislative Standing Committee** on a Bill shall be presented by the Chair and the report shall be set down for consideration upon a day to be appointed by the Member in charge of the Bill. Upon consideration of the report from a **Sectoral Oversight Committee, Legislative Standing Committee** or a Select Committee, Parliament shall consider only those amendments, if any, made by the Committee but may further amend those amendments. No new amendments shall be made by Parliament upon consideration of the report except such are as consequential upon amendments made by the Committee and accepted by Parliament, but the Bill may be recommitted to the same Committee with reference to particular amendments made by that Committee.

THIRD READING

71. A Bill having passed through Committee of the whole Parliament, or having been reported without amendment to Parliament by a Select Committee, may, on

motion made, forthwith be read a third time and passed, or if Parliament so direct the Third Reading may be postponed.

72. (1) When a Bill has been reported to Parliament by a Sectoral Oversight Committee **or the Legislative Standing Committee** without amendments, it may upon the day appointed for its consideration, be forthwith read a third time and passed or if Parliament so direct, the Third Reading may be postponed.

(2) If a Sectoral Oversight Committee, **the Legislative Standing Committee** or a Select Committee has amended the Bill, it may be read a third time and passed as soon as Parliament has considered the amendments made by the Committee or if Parliament so direct, the Third Reading may be postponed.

73. At the Third Reading of a Bill **any amendments to the words or for the purpose of drafting requirements**, may be made upon Motion after notice. At any time before the certificate of the Speaker is endorsed on the Bill the Speaker shall have the power to correct any grammatical or typographical errors in the Bill.

CERTIFICATE OF THE SPEAKER

74. As soon as may be after a Bill has been passed by Parliament the Speaker shall endorse on the Bill in Sinhala and Tamil the Certificate specified in Article 79 of the Constitution.

ALLOTTED DAYS FOR APPROPRIATION BILL

75. (1) Twenty-six days and no more (unless as hereinafter provided) being days before 31st December shall be allotted to the consideration of the Appropriation Bill:

Provided that, the number of days occupied in the consideration of any Supplementary Appropriation Bill shall not be included in the computation of the aforesaid twenty-six days.

(2) **Except on Friday on a day so allotted the hours of sitting shall be 9.30 a.m. to 12.30 p.m. and 1.00 p.m. to 6.30 p.m. On Friday the hours of sitting shall be 9.30 a.m. to 12.30 p.m. and 1.30 p.m. to 6.30 p.m.:**

Provided that, at 6.00 p.m. the provisions of paragraph (4), (5) and (6) of Standing Order 8 shall operate.

(3) On a day so allotted, the Appropriation Bill shall be put down as the first item of Public Business and no other Public Business shall be taken before 6.00 p.m. on any such day.

(4) Not more than seven days shall be allotted to the Second Reading of the Bill, and at 6.00 p.m. on the last allotted day the Speaker shall, unless the proceedings on Second Reading have terminated earlier put forthwith any question necessary to dispose of the Second Reading and to commit the Bill and Parliament shall not be adjourned until all such questions have been disposed of.

(5) Except as provided for in paragraph (1) above, not more than twenty two of the days shall be allotted to the Committee Stage of the Appropriation Bill and on the last of such days at 6.00 p.m. the Chair shall, unless the Bill has previously been reported, put forthwith the question on any amendment then under discussion and then successively on any Government amendments to that Head and the question necessary to dispose of that Head and shall then proceed successively to put forthwith the question with respect to each Ministry's Head that the total amounts of the Heads outstanding in the Ministry's Estimates be inserted in the Schedule for the services defined in those Estimates and then that the several Schedules respectively stand part of the Bill and Parliament shall not be adjourned until the Bill has been reported.

(6) On any day on which proceedings under this Standing Order are to be brought to a conclusion the consideration of such proceedings shall not be anticipated or interrupted by a motion of adjournment and no dilatory motion shall be moved on such proceedings:

Provided that, if leave is given for a motion of adjournment under Standing Order 19 such motion shall stand over until the proceedings on the Appropriation Bill have been concluded and **at 8.00 p.m.** the Speaker shall, unless Parliament be previously adjourned, adjourn Parliament without question put.

RESPONSIBILITY FOR RULES OF ORDER

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

(2) Whenever the Speaker or the Chair **interrupts** during a debate, any Member speaking or offering to speak shall sit down and Parliament or Committee shall be silent so that the Speaker or the Chair may be heard without interruption.

(3) When a question of order has been raised the Member, who raises it shall resume his seat, and no other Member, except by leave of the Speaker or the Chair shall rise until the Speaker or the Chair has decided the question, after which the member who was addressing Parliament at the time the question was raised shall be entitled to proceed with his speech, complying with the ruling of the Chair.

ORDER IN PARLIAMENT

77. (1) Whenever any Member is named by the Speaker immediately after the commission of the offence of disregarding the authority of the Chair, or of abusing the rules of Parliament by persistently and willfully obstructing the business of Parliament, or otherwise, the Speaker shall forthwith put the question on a motion being made (no amendment, adjournment or debate being allowed) "that such member be suspended from the service of Parliament".

(2) If any such motion be carried and any Member be suspended under this Standing Order the suspension of such Member on the first occasion shall be **for two weeks**; on the second occasion during the same session shall be **for three weeks**; and on the third or any subsequent occasion during the same session shall be **for four weeks**:

Provided that, a Member whose services have been suspended may be authorized by the Speaker to cast his vote only for the Final vote of Appropriation Bill during the period of such suspension.

(3) Notwithstanding the provisions of paragraphs (1) and (2) above any Member who comes into contact with the mace or lift the mace while it is kept within the precincts of the House commits a grave disorder and shall be suspended for a period of four weeks notwithstanding the fact that such offence was committed by that Member on the first occasion.

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

(5) If any Member or Members acting jointly who have been suspended under this Standing Order from the service of Parliament, refuse, at any time

during the period of suspension, to obey the direction of the Speaker to withdraw from the precincts of Parliament, the Speaker may direct such steps to be taken as are required to enforce his decision.

(6) If an offence under paragraph (1) above is committed in a Committee of the whole Parliament, the Chair shall forthwith suspend the proceedings of the Committee and report the circumstances to Parliament and the Speaker shall on a motion being made thereupon put the same question without amendment, adjournment or debate, as if the offence has been committed in Parliament.

78. The Speaker, after having called the attention of Parliament to the conduct of a Member who persists in irrelevance or tedious repetition either of his own arguments or of the arguments made by other Members in debate may direct the Member to discontinue his speech **and may order that the live broadcast be discontinued.**

79. (1) The Speaker shall order **a Member** whose conduct **amounts to gross disorder** to withdraw immediately from Parliament during the remainder of the sitting of the day and may direct such steps to be taken as are required to enforce his order. **The Serjeant-at-Arms shall act on such order as he may receive from the Chair in pursuance of such order.**

(2) If on any occasion the Speaker deems that his powers under this Standing Order are inadequate, he may name such Members in pursuance of Standing Order 77.

80. Any Member who is suspended under Standing Order 77 or is directed to withdraw under Standing Order 79 shall forthwith withdraw from the precincts of Parliament and shall during the period of such suspension, be debarred also from the Committees.

For the purposes of this Chapter, "Precincts of Parliament" includes the Parliament Buildings and the land area from Gate No. 1 to Gate No. 3 of Parliament.

81. In case of grave disorder arising in Parliament the Speaker may, if he deems it necessary, adjourn Parliament without question put or suspend the sitting for a time as may be determined by the Speaker.

82. (1) Any Member who has used objectionable words in debate which are improper or unparliamentary or has stated in debate anything in contravention of Standing Order 83 or paragraph (f) or (h) of Standing Order 91 and has not

explained or retracted the same, or offered apologies to the satisfaction of Parliament for the use of such objectionable words or who has committed any breach of order not specified in these Standing Orders may be proceeded against in any way that Parliament thinks fit, and nothing in these Standing Orders shall prevent Parliament from proceeding against any Member for breaches of order specified in these Standing Orders in any other manner than the manner as specified in these Standing Orders.

- (2) Where the Speaker is of the opinion—
 - (a) that any Member persists in irrelevancy or contravening Standing Orders he may order that any broadcasting of the proceedings be immediately suspended;
 - (b) that objectionable words have been used in debate which are improper or unparliamentary or that anything has been stated in debate in contravention of Standing Order 83 or paragraph (f) or (h) of Standing Order 91 may in his discretion order that such words or such statements be expunged from the Hansard and those words or statements shall be regarded as unspoken.

83. (1) The personal conduct of the President, or the Acting President, Members of Parliament, Judges or other persons engaged in the administration of justice shall not be raised except upon a substantive motion; and in any proceedings, question to a Minister, or remarks in a debate on a motion dealing with any other subject reference to the conduct of any such person shall be out of order.

(2) In this Standing Order "Judge" means the Chief Justice, the President of the Court of Appeal and every other Judge of the Supreme Court and Court of Appeal appointed by the President of the Republic by Warrant under his hand.

REMOVAL OF CERTAIN PERSONS UPON SUBSTANTIVE MOTION

84. (1) Notwithstanding anything to the contrary in any other law, where notice of a resolution for the presentation of an address to the President for the removal of the Chief Justice, Judges of the Supreme Court, the President of the Court of Appeal and Judges of the Court of Appeal from office on the ground of alleged misbehaviour or incapacity is given to the Speaker in terms of Article 107

of the Constitution, the Speaker shall entertain such resolution and place it on the Order Paper of Parliament.

(2) (a) Where a resolution referred to in paragraph (1) above is placed on the Order Paper of Parliament, the Speaker in consultation with the Prime Minister and the Leader of the Opposition in Parliament, shall appoint a panel of inquiry consisting of three retired Judges of the Supreme Court to investigate on the alleged misbehaviour or incapacity of the Judge concerned.

(b) The Speaker shall appoint one of the members of the Panel of Inquiry as the Chair of such panel of inquiry.

(3) The panel of inquiry so appointed shall conclude the inquiry within a period of two months and the relevant procedure will be prescribed by law. However, the Speaker at the request of the panel of inquiry may extend such time for further periods not exceeding one month at a time.

(4) After conclusion of the proceedings of inquiry, the panel of inquiry so appointed shall report its findings together with the minutes of evidence taken before the Panel to the Speaker and the Speaker shall present findings of the Panel of inquiry to Parliament only if the panel of inquiry has found the Judge concerned is guilty of the alleged misbehaviour or incapacity. If the panel of inquiry has found that the Judge concerned is not guilty, he must inform it to Parliament and terminate the proceedings.

(5) If the panel of inquiry has reported that the Judge concerned has been found guilty of the alleged misbehaviour or incapacity, the Speaker shall present it for approval of Parliament. If such resolution is passed by a majority of the total Members of Parliament (including those not present) the Speaker shall forward the same to the President for the removal of the Judge concerned on the ground of proved misbehaviour or incapacity.

(6) The panel of inquiry may continue its functions notwithstanding a prorogation or a dissolution of Parliament.

85. (1) Where a resolution for the presentation of an address to the President for the removal from office of—

(a) the Secretary-General of Parliament appointed under Article 65 of the Constitution; or

- (b) the Commissioner **General** of Elections appointed under Article 104E of the Constitution; or
- (c) the Auditor-General appointed under Article 153 of the Constitution; or
- (d) the Parliamentary Commissioner for Administration appointed under Article 156 of the Constitution (Ombudsman),

is placed on the Order Paper of Parliament, such resolution shall not be proceeded with until after the expiration of a period of one month from the date on which the Select Committee appointed under paragraph (2) of this Standing Order has reported to Parliament.

(2) Where a resolution referred to in paragraph (1) above is placed on the Order Paper of Parliament, the Speaker shall appoint a Select Committee of Parliament consisting of not less than seven members to investigate and report to Parliament on the matters set out in such resolution.

(3) (a) A Select Committee appointed under paragraph (2) shall transmit to the person whose removal from office is the subject matter of its investigation, a copy of the matters set out in the resolution in pursuance of which such Select Committee was appointed, and shall require such person to make a written statement of defence within such period as the Select Committee may specify.

(b) **The person whose alleged misbehaviour or incapacity is the subject of the investigation by a Select Committee appointed under paragraph (2) shall have the right to appear before the Select Committee and to be heard by such Committee, in person or by an Attorney-at-Law and to adduce evidence, oral or documentary, in disproof of the allegations made against such person.**

(4) The Select Committee appointed under paragraph (2) shall have the power to summon any person and call for papers and records and not less than half the number of members of the Select Committee shall form the quorum.

(5) At the conclusion of the investigation made by the Select Committee appointed under paragraph (2), it shall report its findings to Parliament together

with the minutes of evidence taken before it, and may make a special report of any matter which it may think fit to bring to the notice of Parliament.

(6) Where a resolution for the presentation of an address to the President referred to in paragraph (1) is passed by Parliament, the Speaker shall present such address to the President on behalf of Parliament.

RULES OF DEBATE

86. No Member shall speak more than once on any proposition before Parliament except—

- (a) in explanation of some material part of his speech which has been misunderstood, but without the introduction of any new matter; or
- (b) to a point of order.

87. The Member who moves any motion or amendment may speak in support thereof; however, no further debates shall be allowed nor shall any question thereon be put to Parliament until the motion or amendment be duly seconded.

88. Any Member may second a motion or amendment by rising in his place and bowing to the Chair, without prejudice to his right to speak at a later period of the debate.

89. No Member may speak to any question after the same has been fully put by the Speaker. A question is fully put when the voices of both the Ayes and the Noes have been given thereon.

90. When a question for debate has been proposed, debated, and disposed of, it shall not be competent to any Member, without the leave of the Speaker, again to propose such question in the same Session, nor shall it be competent, without such leave, to revive in any debate any matter upon which Parliament has come to a conclusion during the same Session.

RULES FOR MEMBERS SPEAKING IN PARLIAMENT

91. Every Member shall in speaking to any proposition under consideration of Parliament, strictly observe the following rules:—

- (a) Every Member shall address his observations to the Speaker and except with the leave of the Speaker, speak standing from the seat allotted to him.
- (b) No Member shall be interrupted, unless on a point of order **or the Member speaking gives way for intervention.**
- (c) When a Member has finished his observations, the Member shall resume his seat, and any other Member wishing to address Parliament may rise.
- (d) If two Members rise at the same time, the Speaker shall call on the Member who first catches his eye.
- (e) Every Member must confine his observations to the subject under discussion.
- (f) **No Member shall refer in any motion or debate, to any matter which is under adjudication by a court of law or to any matter on which a judicial decision is pending. The Speaker or the Chair may direct any Member who speaks in violation of the rule against *sub judice* to resume his seat:**
Provided that, the Speaker may allow such reference if he is of the opinion that there is no real and substantial danger or prejudice to the outcome of the judicial proceedings before court. (*sub judice* rule)
- (g) **If any offensive or disorderly words are used, whether by a Member who is speaking or by a Member who is present, the Speaker shall bring him to order and direct that such reference be expunged from the Hansard.**
- (h) **No Member shall make any imputation of improper motives against another Member, or make reference to personal affairs of another Member.**
- (i) A Member shall speak on the **subject matter before Parliament.**
- (j) By the indulgence of Parliament, a Member may explain matters of a personal nature although there is no question before

Parliament, but such matters may not be debated, and he shall confine himself strictly to the vindication of his own conduct.

- (k) The Member moving a **Bill, Regulation**, Resolution or Motion shall have the right to reply at the conclusion of the debate.
- (l) Any Member deviating from the rules may be immediately called to order by the Speaker.
- (m) The Members shall except when voting, make an acknowledgement to the Chair on entering and leaving the Chamber.
- (n) When the Speaker or the Presiding Member is about to leave the Chamber at the conclusion of a sitting, Members shall rise in their places and remain standing until the Speaker or the Presiding Member has left the Chamber.
- (o) Notwithstanding the provisions of this Standing Order, the Speaker shall be responsible for allocating time among Members in a fair and equitable manner. In determining who should be called to speak, the Speaker may be assisted by the Whips of the Government and the Opposition by providing a list of speakers whom the Speaker may call to speak in an orderly manner.

RULES FOR MEMBERS NOT SPEAKING

92. (1) Any Member, during a debate in Parliament or in a Committee of the whole Parliament—

- (a) Shall enter Parliament or Committee with decorum **and in an orderly manner**;
- (b) Shall not cross **the floor** of Parliament;
- (c) Shall not read newspapers, save such as related to the business before Parliament;
- (d) Shall not smoke;
- (e) Shall maintain silence while another Member is speaking and shall not interrupt unless the Member speaking gives way;

- (f) shall not converse using verbal communication devices; and
- (g) shall not enter the well of the House.

(2) Points of Order

A member may in any proceedings question whether proper procedures have been or are being followed by making a point of order except at a time when a division is in progress.

- (a) In making a point of order, a member may not speak for more than one minute and may not speak on the question under consideration. Points of order shall take precedence over the question under consideration, the discussion of which shall be suspended while they are being considered.
- (b) The Speaker or the Presiding Member shall normally take an immediate decision on any point of order in accordance with these Standing Orders but may exceptionally defer taking a decision. The Speaker or the Presiding Member shall announce the ruling made under this Standing Order and no further discussion on the decision shall be allowed.

COMMITTEE OF THE WHOLE PARLIAMENT

93. (1) A Committee of the whole Parliament shall be appointed by a resolution of Parliament.

(2) When such resolution has been agreed to, the Speaker shall leave the Chair without question put.

94. The Speaker, or if he is not present, the Deputy Speaker, shall preside as Chair of a Committee of the whole Parliament, and in the absence of both, the Deputy Chairperson of Committees shall preside. In the absence of The. Speaker, the Deputy Speaker and the Deputy Chairperson of Committees, any Member of the Panel of Chairs shall preside.

95. Voting in Committee of the whole Parliament shall be carried out in accordance with the provisions of Standing Orders 47 to 49 with the substitution of the word "Chair" for the word "Speaker".

96. The Chair of a Committee of the whole Parliament shall not vote unless the votes of the other Members are equally divided, in which case the Chair may exercise a casting vote.

97. The rules as to procedure when the Speaker is in the Chair shall apply to procedure in Committee of the whole Parliament except that—

- (a) a motion shall not require notice;
- (b) a motion need not be seconded;
- (c) a Member may speak more than once to the same question.

98. A Committee of the whole Parliament shall deal only with the matters referred to it by Parliament.

99. The proceedings in a Committee of the whole Parliament shall be recorded in the minutes of Parliament.

SELECT COMMITTEES

100. A Select Committee may be appointed by resolution of Parliament.

101. A Select Committee shall not, without the leave of Parliament, consist of more than twelve Members. A motion for such leave requires notice.

102. The scope of an inquiry by a Select Committee shall be determined by the terms of the Order under which it is appointed but it may be enlarged or restricted by the instructions of Parliament. Such Order shall specify the time for the presentation of the final report of the committee provided that the Parliament may extend such time period to a specified date as it deems appropriate.

103. The Chair and Members of every Select Committee shall be appointed by the Speaker. In the absence of the Chair, any Member of the Committee chosen by the Members present shall chair for that meeting.

104. The Committee shall hold its first meeting at such time and place as may be appointed by the Chair. Meetings after the first meeting shall be held at such times and places as the Committee may determine.

105. Four Members of a Select Committee shall unless otherwise ordered form the quorum.

106. In case where a vacancy occurs in any such Committee, the Speaker may appoint, from time to time, another Member to take the place of such Member on

a Select Committee. Any Member who absents from three consecutive meetings of a Select Committee without having obtained the prior leave of the Committee shall be deemed to have vacated his membership of such Committee. Every appointment under this Standing Order shall be announced to Parliament at its next meeting.

107. The Chair of a Select Committee shall have an original vote. If the votes cast be equally divided, **he may exercise a casting vote.**

108. If it is desired to enable a Select Committee to which a Bill or matter has been referred to hear evidence thereon, Parliament may by resolution empower that Committee to summon persons and call for papers and records, and any Committee on which such powers have been conferred shall have leave to report their opinions and observations together with the minutes of evidence taken before them to Parliament and to make a special report of any matter which they may think fit to bring to the notice of Parliament.

109. A Select Committee may continue its investigations although Parliament may be adjourned **or prorogued** and shall not be dissolved until the presentation to Parliament of its report or by motion of Parliament.

110. The names of the Members present each day at the sitting of any Select Committee, the names of the witnesses examined and in the event of any division taking place, the question proposed, the name of the proposer and the respective votes thereupon of the Members present, shall be entered in the minutes of the proceedings of the Committee and such minutes of proceedings together with the minutes of evidence shall be reported to Parliament and printed with the report of the Committee.

SECTORAL OVERSIGHT COMMITTEES

111. (1) The Parliament shall by resolution within six weeks after its first sitting consequent to an election, appoint such number of Sectoral Oversight Committees as may be determined by the Committee of Selection:

However, the number of Sectoral Oversight Committees at any given time shall not exceed twenty.

(2) The Sectoral Oversight Committees shall function for the duration of Parliament and conduct its inquiries notwithstanding any adjournment or prorogation of Parliament.

(3) The Committee of Selection shall determine the subjects and functions to be allocated to each Sectoral Oversight Committee.

(4) The Sectoral Oversight Committees shall have the power to examine any Bill, any subsidiary legislation including Regulation, Resolution, Treaty, Report or any other matter relating to subjects and functions within their jurisdiction.

(5) The Parliament, any Committee or a Minister may refer any matter to a Sectoral Oversight Committee having jurisdiction over the subject or function for its consideration and report.

(6) The Sectoral Oversight Committees shall have general oversight responsibilities in order to assist Parliament in—

- (a) its analysis, appraisal and evaluation of the application, administration, execution and effectiveness of legislation passed by Parliament and conditions and circumstances that may indicate the necessity or desirability of enacting any new or additional legislation; and
- (b) its formulation, consideration and enactment or changes in any law and of such additional legislation as may be necessary or appropriate:

Provided that, any recommendation or proposal under this Standing Order which envisages additional budgetary resources shall be reviewed concurrently with the Committee on Public Finance.

(7) (1) In order to determine whether any law, project or programme relating to subjects within the jurisdiction of a Sectoral Oversight Committee are being implemented effectively and carried out in accordance with the intent of Parliament and whether they should be continued, curtailed, or eliminated, each Sectoral Oversight Committee shall review and study on a continuing basis.

(2) The Sectoral Oversight Committees shall do all or any one or more of the following: —

- (a) review and study the application, administration, execution, and effectiveness of legislative projects and programmes addressing subjects within its jurisdiction;

- (b) review and study the organization and operation of Departments and Institutions having responsibilities for the administration and execution of legislative projects and programmes addressing subjects within its jurisdiction;
- (c) review any conditions or circumstances that may indicate the necessity or desirability of enacting any new or additional legislation addressing subjects within its jurisdiction (whether or not a Bill or resolution has been introduced with respect thereto);
- (d) review any subsidiary legislation including regulations of government ministries to ensure that they are consistent with the legislative intent for delegated responsibilities;
- (e) examine the accounts of public corporations or institutions funded wholly or in part by Government.
- (f) examine the suitability of any person who has been either appointed to any post or nominated to hold office in any post determined by the Cabinet of Ministers within the jurisdiction of that Sectoral Oversight Committee and to make recommendations in regard to such persons to the appropriate Ministry; and
- (g) engage in future research and forecasting on subjects within its jurisdiction.

(8) The Sectoral Oversight Committees may conduct at any time such investigations and studies as it considers necessary or appropriate in the exercise of its responsibilities.

(9) Each Sectoral Oversight Committee shall, not later than six weeks after its appointment, adopt its oversight plan for that Session of Parliament. Such plan shall be submitted to the Committee on Parliamentary Business for its observations. In developing its plan each Sectoral Oversight Committee shall—

- (a) consult the other Committees that have jurisdiction over the same or related legislative projects, programmes, or agencies within its jurisdiction with the objective of ensuring maximum coordination and cooperation among Committees when

conducting reviews of such legislative projects, programmes, or agencies and include in its plan an explanation of steps that have been or will be taken to ensure such coordination and cooperation;

- (b) review specific problems with Government rules, regulations and statutes which need further consideration or that impose severe financial burdens on individuals;
- (c) give priority consideration to matters including in its plan the review of those legislative projects, programmes, or agencies operating under permanent budget authority or permanent statutory authority; and
- (d) ensure that all significant legislative projects, programmes, or agencies within its jurisdiction are subject to periodic review.

(10) The Speaker shall on receipt of the oversight plans from Sectoral Oversight Committees report to Parliament.

(11) The Parliament shall refer each Bill, subsidiary legislation including regulation, resolution or other matter that relates to a subject within the purview of any Sectoral Oversight Committee, in accordance with the provisions of this Standing Order.

(12) The Parliament shall refer any matter to any Sectoral Oversight Committee in such manner as to ensure to the maximum extent feasible that each Sectoral Oversight committee that has jurisdiction over the subject matter of a provision thereof may consider such provision and report to Parliament thereon.

(13) In carrying out the provisions of paragraphs (10) and (11) with respect to the referral of a matter, the Speaker—

- (a) shall designate a Committee exercising primary jurisdiction;
- (b) may refer the matter to one or more additional Committees for consideration and its opinion initially or after the matter has been reported by the Committee exercising primary jurisdiction;
- (c) may subject a referral to appropriate time limitations; and
- (d) may make such other provisions as may be considered appropriate.

(14) When an opinion is sought from an additional Committee other than the Committee that exercises the primary jurisdiction under paragraph (13), the opinion shall be dealt solely with those matters that fall under the areas of responsibility of the Committee giving that opinion.

(15) When the Speaker refers any matter to an additional Committee, he may fix a time period within which such additional Committee shall forward its opinion.

(16) Each Sectoral Oversight Committee when acting in the exercise of its jurisdiction shall submit to the Speaker, a report in respect of each item considered by such Committee. The Speaker shall cause such report to be tabled before Parliament, and —

- (a) any report by a Sectoral Oversight Committee on any Bill shall comprise draft amendments if any to the proposal accompanied, if appropriate with brief justifications; and
- (b) any such amendment to a Bill shall be moved by the Chair of the Committee or any other Member designated by the Committee during the Committee stage of such Bill under Standing Order 61 as an amendment moved by the Chair of the Committee or such other Member.

(17) Each Sectoral Oversight Committee shall prepare an annual calendar of its meetings.

(18) Each Sectoral Oversight Committee shall meet not less than two days of every month. The meetings of each Sectoral Oversight Committee shall be summoned in accordance with the calendar or timetable or as may be decided by the Chair. Additional meetings of any Sectoral Oversight Committee may be summoned either by the Chair or at the request of not less than half the members of the Committee.

(19) All Members of Parliament other than the following are eligible to serve as members of any Sectoral Oversight Committee: —

- (a) The Speaker;
- (b) The Deputy Speaker;
- (c) The Deputy Chairperson of Committees;

- (d) The Prime Minister;
- (e) The Leader of the House of Parliament;
- (f) The Leader of the Opposition in Parliament; and
- (g) The Ministers of Cabinet appointed under Article 43(2) of the Constitution.

(20) Every eligible Member may serve as a Member of not more than three Sectoral Oversight Committees at any given time. Deputy Ministers and Ministers not falling under paragraph (19) (g) shall not be eligible to serve in any Sectoral Oversight Committee whose jurisdiction and related functions are the same as any subject, function, Department or Institution of the Minister of the Cabinet under whose purview such Deputy Minister or Minister functions:

Provided that the Committee may summon the Minister, the Minister who is not a member of the Cabinet of Ministers or the Deputy Minister to assist the Committee when a Bill is being discussed in the Committee.

(21) The Committee of Selection shall in nominating Members to Sectoral Oversight Committees have due regard to numerical strengths of political parties and independent groups represented in Parliament in accordance with the nominations made by the leaders of such political parties and independent groups.

- (22) (a) The Leader of any political party or independent group represented in Parliament may in writing request the Committee of Selection to remove any such Member nominated under paragraph (21) from such Committee. The Committee of Selection shall on receipt of such request discharge any such member from such Committee and inform Parliament.
- (b) Any Member of Parliament who is not a Member of a particular Sectoral Oversight Committee may be permitted to observe the Committee proceedings by the Chair of any such Committee.

(23) Each Sectoral Oversight Committee shall at its first meeting and thereafter at the first meeting after the Chair becomes vacant, elect a Chair from among the members of the Sectoral Oversight Committee.

(24) Any member who absents from three consecutive meetings of any Sectoral Oversight Committee without obtaining leave of such Committee shall be deemed to have vacated membership of such Committee.

(25) Each Sectoral Oversight Committee may where it considers necessary appoint Sub-Committees of its own members to examine and report to such Committee such matters as the Committee may deem necessary.

(26) Any matter referred to a Sectoral Oversight Committee may not be taken up for consideration by Parliament until six weeks has lapsed from the date of the reference unless the Parliament has directed otherwise. The Parliament may by resolution extend such period.

(27) Every Sectoral Oversight Committee may in regard to any Bill or any other matter of public importance call for evidence from any affected or interested party.

(28) Every Sectoral Oversight Committee is empowered to summon persons and call for papers and records and shall submit to Parliament, Reports containing their opinions and observations together with the minutes of evidence taken before them.

(29) Any reservation by a member of a Sectoral Oversight Committee may be appended to any report of such Committee.

(30) Where a Sectoral Oversight Committee recommends the enactment of legislation or submit a non-legislative report, the Cabinet of Ministers shall submit its opinion to Parliament within six weeks of such report being tabled in Parliament.

LEGISLATIVE STANDING COMMITTEE

112. (1) There shall be a Committee to be designated the Legislative Standing Committee consisting of the Deputy Speaker as the Chair, the Deputy Chairperson of Committees and 10 other Members nominated by the Committee of Selection.

(2) The Committee of Selection may also decide on the number of co-opted members to serve on the Committee representing both government and the opposition and the Speaker is empowered to nominate such Members.

(3) The quorum of the Committee shall be three members.

(4) The duty of this Legislative Standing Committee shall be limited to the consideration of the Bills/Proposed Statutes referred to it by Parliament.

(5) For the performance of its duties the Committee shall have power to send for persons, papers and records.

(6) The Chair of the Legislative Standing Committee shall have an original vote and if the votes be equally divided, he shall also have a casting vote.

(7) The Member in charge of any Bill referred to this Legislative Standing Committee, if not a member of the Committee, shall have the right to attend any meeting at which such Bill shall be under discussion and to address the Committee upon the Bill, and to move amendments and vote as a member of the Committee upon any question arising in connection with such Bill.

(8) The procedure in the Legislative Standing Committee shall be as nearly as may be the same as that in Committee of the whole Parliament and the minutes of the Legislative Standing Committee shall be kept in the same form as those of a Committee of the whole Parliament and shall be reported to Parliament within the time limit, if any, laid down by Parliament, together with the Bill/Proposed Statute and the report thereon.

Provided, that where at the conclusion of a session the Legislative Standing Committee has not completed its deliberations and presented its report to Parliament, the proceedings of that Committee shall stand referred to the Legislative Standing Committee to which the Bill/Proposed Statute may be referred in the next session.

COMMITTEES FOR SPECIAL PURPOSES

COMMITTEE OF SELECTION

113. (1) There shall be a Committee to be designated the Committee of Selection appointed at the commencement of every Session to consider the constitution, number, **functions and quorum of Sectoral Oversight Committees** and to report with all convenient speed their opinions thereon to Parliament, and to nominate Members to serve upon the following Committees: —

- (a) the Committee on Parliamentary Business;
- (b) the Committee on Standing Orders;
- (c) the House Committee;

- (d) the Committee on Ethics and Privileges;
- (e) the Legislative Standing Committee;
- (f) the Committee on Public Accounts;
- (g) the Committee on Public Enterprises;
- (h) the Committee on Public Finance;
- (i) the Committee on Public Petitions;
- (j) the Committee on High Posts; and
- (k) the Backbencher Committee.

(2) The Committee of Selection shall consist of the Speaker who shall be the Chair and twelve Members which shall include the Leaders of political parties or their nominees to be nominated by Parliament at the commencement of each Session. The Committee of Selection shall have leave to sit notwithstanding any adjournment of Parliament, to report from time to time, and to inform Parliament when any Member has been nominated to any Committee.

COMMITTEE ON PARLIAMENTARY BUSINESS

114. There shall be a Committee to be designated the Committee on Parliamentary Business consisting of the Speaker who shall be the Chair, the Deputy Speaker, the Deputy Chairperson of Committees, the Leader of the House of Parliament, the Leader of the Opposition in Parliament, the Chief Government Whip, the Chief Opposition Whip and eight other Members to be nominated by the Committee of Selection. It shall be the duty of the Committee on Parliamentary Business to consider and decide on the time that should be allocated for the discussion of such Business of Parliament and such other matters as the Speaker, in consultation with the Leader of the House of Parliament, may refer to the Committee. The minutes of meetings of the Committee on Parliamentary Business shall be circulated to all Members.

COMMITTEE ON STANDING ORDERS

115. There shall be a Committee to be designated the Committee on Standing Orders consisting of the Speaker who shall be the Chair, the Deputy Speaker, the Deputy Chairperson of Committees and six other Members to be nominated by the Committee of Selection. It shall be the duty of the Committee on Standing Orders to consider matters of procedure and conduct of Business in Parliament and to

recommend any amendments to the Standing Orders that may be deemed necessary and to report on all matters relating to the Standing Orders which may be referred to it by Parliament.

HOUSE COMMITTEE

116. (1) There shall be a Committee to be designated the House Committee consisting of the Speaker as Chair and nine Members nominated by the Committee of Selection.

(2) The function of the House Committee is to consider and advise upon all matters connected with the amenities of Members. The minutes of meetings of House Committee shall be circulated to all Members.

COMMITTEE ON ETHICS AND PRIVILEGES

117. (1) There shall be a Committee to be designated the Committee on **Ethics and Privileges** consisting of not more than ten Members to be nominated by the Committee of Selection.

(2) The functions of the Committee on Ethics and Privileges are—

- (a) to examine every question of Privilege and matters relating to the breach of rules of conduct and etiquette that may be referred to it on motion moved and approved by Parliament;
and
- (b) to determine with reference to the facts of each case whether a breach of Privilege on the rules of conduct and etiquette has been committed and if so, the nature of the breach, the circumstances leading to such breach and its recommendations as the Committee may deem fit.

(3) The report of the Committee on each question referred to it shall be presented to Parliament **not later than six weeks**. The Committee shall have the power to summon persons, and call for documents and other records and to do other acts as are necessary for the examination of the matters so referred to it.

(4) The Committee shall also examine any matter referred to it in relation to a violation or non-adherence of the rules of the Code of Conduct of the Members of Parliament. Every Member shall co-operate, at all stages, with any such examination by or under the authority of the Parliament. No Member shall lobby a

Member of the Committee on Ethics and Privileges in a manner calculated or intended to influence its consideration of an alleged breach of the rules of Code of Conduct.

(5) In the performance of its duties the Committee may obtain the services of experts, call for documents and summon and examine witnesses.

(6) The Parliament may consider conclusions and recommendations made in the report of the Committee on Ethics and Privileges and may impose sanctions on Members concerned where it deems necessary.

(7) The Committee may, from time to time, make rules to regulate its procedure.

(8) The Chair of the Committee may issue such directions as the Chair may consider necessary for regulating the procedure in respect of all matters connected with the examination of cases with reference to ethical and other misconduct of Members.

COMMITTEE ON PUBLIC ACCOUNTS

118. (1) There shall be a Committee to be designated the Committee on Public Accounts consisting of **sixteen Members** nominated by the Committee of Selection.

(2) It shall be the duty of the Committee on Public Accounts to examine the accounts showing the appropriation of the sums granted by Parliament to meet the public expenditure and such other accounts laid before Parliament as the Committee may think fit, **with the assistance of the Auditor-General.**

(3) The Committee on Public Accounts shall, from time to time, report to Parliament on the accounts examined, the finances, financial procedures, performance and management generally of any department, local authority and on any matter arising therefrom.

(4) **A report of the Committee on Public Accounts, once tabled in Parliament shall be referred to the Minister in charge of the subject of Finance and the Ministers in charge of the institutions who shall submit their observations and steps taken therein contained to the Parliament within a period of eight weeks.**

(5) The Committee on Public Accounts may when it considers necessary appoint Sub-Committees consisting of its own Members to examine and report to

the Committee on all accounts and the finances and management of such departments and local authorities as the Committee may direct.

Members who are not Members of the Committee on Public Accounts may be allowed to observe the proceedings of the Committee with the permission of the Chair.

(6) The Committee on Public Accounts or any of its Sub-Committees shall for the performance of its duties have the power to summon before it and question any person and call for and examine any paper, book, record or other document and to have access to stores and property.

(7) The quorum of the Committee on Public Accounts shall be four Members.

COMMITTEE ON PUBLIC ENTERPRISES

119. (1) There shall be a Committee to be designated the Committee on Public Enterprises consisting of sixteen Members nominated by the Committee of Selection.

(2) It shall be the duty of the Committee on Public Enterprises to examine the accounts of public corporations, institutions funded wholly or in part by Government and of any business or other undertaking vested under any written law in the Government laid before Parliament, with the assistance of the Auditor-General.

(3) The Committee on Public Enterprises shall, from time to time, report to Parliament on the accounts examined, the budgets and annual estimates, the finances, financial procedures, performance and management generally of any public corporation or of any business or other undertaking vested under any written law in the Government and on any matter arising therefrom.

(4) A report of the Committee on Public Enterprises, once tabled in Parliament shall be referred to the Minister in charge of the subject of Finance and the Ministers in charge of the institutions who shall submit their observations and steps taken therein contained to the House within a period of eight weeks.

(5) The Committee on Public Enterprises may when it considers necessary appoint any Sub-Committees consisting of its own Members to examine and report to the Committee on all accounts, the budgets and annual estimates, the finances and management of such Public Corporations or of any business or

other undertaking vested under any written law in the Government as the Committee may direct.

Members who are not Members of the Committee on Public Enterprises may be allowed to observe the proceedings of the Committee with the permission of the Chair.

(6) The Committee or any of its Sub-Committees shall for the performance of its duties have the power to summon before it and question any person and call for and examine any paper, book, record or other document and to have access to stores and property.

(7) The quorum of the Committee on Public Enterprises shall be four Members.

COMMITTEE ON PUBLIC FINANCE

120. (1) There shall be a Committee to be designated the Committee on Public Finance consisting of a Chair and eleven Members nominated by the Committee of Selection provided that the Chair shall be a Member of the Opposition.

(2) It shall be the duty of the Committee on Public Finance to examine—

- (a) the collection of revenue under Article 148 of the Constitution;
- (b) the payment from the consolidated fund;
- (c) the utilization of public funds for specific purposes by law;
- (d) the application of public funds;
- (e) the recessions of appropriations contained in the Appropriations Act for the current year, the transfer of appropriation and the unexpected balance;
- (f) the implementation of the Appropriation Act for the current year;
- (g) public debt and debt service; and
- (h) reports and statements under the Fiscal Management (Responsibility) Act, No. 3 of 2003.

(3) The Committee shall, from time to time, report to Parliament, the issues arising from the matters referred to in paragraph (2).

(4) The Committee shall present within six weeks of the tabling of the Appropriation Bill a report on the estimates including whether the allocation of money is in compliance with the policies of the Government.

(5) The Committee shall present before Parliament within four days after the presentation of the Budget and the Second Reading of the Appropriation Bill a Report on the fiscal, financial and economic assumptions used as the basis in arriving at total estimated expenditure and revenue.

(6) The Committee shall have power to fix its quorum.

(7) The Committee shall make interim reports from time to time.

COMMITTEE ON PUBLIC PETITIONS

121. (1) There shall be a Committee to be designated the Committee on Public Petitions consisting of **fifteen members** nominated by the Committee of Selection.

(2) It shall be the duty of the Committee on Public Petitions to consider the petitions referred to it under the provisions of paragraph (10) of Standing Order 30.

(3) Where the Committee on Public Petitions is of the view that any petition discloses an infringement of a fundamental right or other injustice by a public officer or an officer of a public corporation, local authority or other like institution the Committee on Public Petitions may inquire into such petition or refer such petition, to the Parliamentary Commissioner for Administration (Ombudsman) to inquire and report.

(4) **The Committee on Public Petitions having inquired into the petition or after consideration of a report** made to it by the Parliamentary Commissioner for Administration (Ombudsman) upon the conclusion of his investigation in respect of a petition referred to him by the Committee on Public Petitions, may report to Parliament its opinion on the action to be taken on such petition or report.

(5) The Committee on Public Petitions shall, from time to time, report to Parliament its opinion on the action to be taken in respect of petitions referred to it, together with such other observations on such petitions as it may think fit.

(6) **When the report is tabled in Parliament, the Speaker shall take steps to send the contents of such report to the relevant Minister for his observations which shall be forwarded to the Speaker in writing within a period of eight weeks.**

(7) Having received the observations of the relevant Minister, the Speaker shall forward a copy of such observations to the Chair and the Member of Parliament who has presented the petition.

(8) The Committee on Public Petitions may, when it considers necessary, appoint any Sub-Committees of its own Members to examine and report to the Committee on Public Petitions of such petitions or reports as the Committee on Public Petitions may direct.

(9) The Committee on Public Petitions or any of its Sub-Committees shall, for the performance of its duties have the power to summon before it and question any person, call for and examine any paper, book, record or other document and to have access to stores and property.

(10) The quorum of the Committee on Public Petitions shall be three members.

COMMITTEE ON CONSTITUTIONAL AFFAIRS

122. (1) There shall be a Committee to be designated the Committee on Constitutional Affairs consisting of the Speaker as the Chair, the Prime Minister, the Leader of the House of Parliament, the Leader of the Opposition in Parliament and three other Members nominated by the Speaker.

(2) The quorum of the Committee on Constitutional Affairs shall be three Members.

(3) All independent commissions established under the Schedule of the Article 41B of the Constitution, shall forward to Parliament a report of its activities, including exercise, performance and discharge of its powers, duties and functions for each calendar year.

(4) The Committee shall consider the annual reports and shall have the power to summon the Chairpersons, members and officials of the commissions in the exercise of its duties.

(5) For the avoidance of doubts, this Committee will not seek any clarification with respect to judicial proceedings instituted or to be instituted by the Commissions if any.

COMMITTEE ON HIGH POSTS

123. (1) There shall be a Committee to be designated the Committee on High Posts consisting of not more than twelve Members to be nominated by the Committee of Selection.

(2) The functions of the Committee on High Posts are to examine the suitability of any person who has been either appointed to any post or nominated to hold office in any post determined by the Cabinet of Ministers and to make recommendations in regard to such persons.

(3) The Committee on High Posts shall, for the performance of its duties, have the power to summon before it and examine any person and call for and examine any paper, book, record or other document and to do all such acts as may be necessary for the fullest examination of the suitability of any such person referred to in paragraph (2).

(4) Notwithstanding a prorogation of Parliament, the Committee shall have the power to report to Parliament, from time to time, and shall continue its examination.

(5) The Quorum of the Committee on High Posts shall be four Members.

LIAISON COMMITTEE

124. (1) The Speaker shall at the beginning of a new Parliament appoint the Liaison Committee.

(2) The Liaison Committee shall comprise of the following:—

- (a) the Speaker who shall be the Chair of the Committee;
- (b) the Deputy Speaker;
- (c) the Deputy Chairperson of Committees;
- (d) the Leader of the House of Parliament;
- (e) the Leader of the Opposition in Parliament;
- (f) the Chief Government Whip;
- (g) the Chief Opposition Whip; and
- (h) Chairs of the Committee on Ethics and Privileges, Committee on Public Accounts, Committee on Public Enterprises, Committee on

Public Finance, Legislative Standing Committee, Sectoral Oversight Committees, Committee on Public Petitions, Committee on High Posts, and the Backbencher Committee.

- (3) The Liaison Committee shall consider—
- (a) matters pertaining to facilities and staffing of Committees;
 - (b) the availability of committee rooms for meetings of Committees;
 - (c) the availability of experts and researchers for Committees;
 - (d) the attendance at meetings by members of Committees; and
 - (e) the allocation of time to debate reports of Committees.

(4) The Committee shall meet at least once in two months and the Chair shall take steps to summon the meetings of the Liaison Committee.

(5) The Liaison Committee shall have the power to summon persons and call for papers and records, to sit and to report to Parliament, from time to time.

BACKBENCHER COMMITTEE

125. (1) There shall be a Committee to be designated the Backbencher Committee, nominated by the Committee of Selection.

(2) The Backbencher Committee shall consist of the following members:—

- (a) The Chief Government Whip, The Chief Opposition Whip, three Backbenchers chosen from the Government and three Backbenchers chosen from the Opposition;
- (b) The Members chosen from the Opposition ranks one place shall be allotted to the largest party in the Opposition and another place shall be allotted to the second largest party in the Opposition;
- (c) The Chief Government Whip shall be the Chair of the Committee and in his absence, the Chief Opposition Whip shall chair the Committee;
- (d) Ministers of the Cabinet, save and except the Chief Government Whip, State Ministers, Deputy Ministers, the Leader of the

House of Parliament, the Leader of the Opposition in Parliament and Leaders of the Political Parties shall not be entitled to be a Member of this Committee.

(3) It shall be the duty of the Backbencher Committee to determine the Business to be taken up on days allotted for Backbencher Business.

(4) The Committee shall have the powers as of any other Committee set up for Special Purposes and the General Rules for Committees shall apply *mutatis mutandis* to this Committee.

(5) The Committee may invite Government officials to attend its meetings.

(6) Any Backbench Member of Parliament desiring a debate on any matter shall inform in writing to the Backbencher Committee with a week's prior notice setting out—

- (a) the importance of holding a debate;
- (b) the number of Members who are likely to take part; and
- (c) whether the matter has been debated or is scheduled to be debated or is likely to be debated in the current Session in Parliament.

(7) The Backbencher Committee, if it considers that the request made by any Backbench Member of Parliament under paragraph (6) is appropriate, shall request the Committee on Parliamentary Business for allocation of time for such a debate.

(8) The Committee on Parliamentary Business shall thereafter allocate a suitable date and time for such debate.

PROCEDURE FOR SPECIAL PURPOSES COMMITTEES

126. (1) Unless otherwise specified in the Standing Orders, every Committee for Special Purposes, before the commencement of Business **at its first meeting**, shall elect one of its Members to be its Chair.

(2) The Chair shall have an original vote and if the votes cast be equally divided the Chair shall have a casting vote.

(3) Unless otherwise specified in the Standing Orders, vacancies of a Committee shall be filled by the Committee of Selection. The filling of every such vacancy shall be announced to Parliament at its next meeting.

(4) Unless otherwise specified in the Standing Orders, the quorum shall be three Members and it shall be the duty of the Chair of such Committee not to function without the required quorum.

(5) Meetings of a Committee shall be summoned by the Chair.

(6) In the absence of the Chair any other Member elected by the Committee shall preside.

(7) Any Member who absents himself from three consecutive meetings without having obtained the prior leave of such Committee, shall be deemed to have vacated his membership of such Committee:

Provided that, the preceding provisions shall not apply where any meeting of such Committee is held on a day falling within the period during which such Member has, with the leave of Parliament first obtained, absents himself from Sittings of Parliament.

GENERAL RULES FOR COMMITTEES

127. (1) The Secretary-General, or any other officer of Parliament nominated by the Secretary-General shall be the Secretary to each Committee **save and except for Standing Order 85 (1) (a).**

(2) Each Committee may, when it considers necessary appoint Sub-Committees of its own Members to examine and report to such Committee on such matters within a period to be specified by such Committee. Such Committee may when it considers necessary authorize any such sub-committee for the performance of its duties to summon before it and question any person and call for and examine any paper, record or document and move from place to place for the fullest consideration of the matters referred to it and to meet notwithstanding any adjournment of Parliament.

(3) Each sub-committee appointed under paragraph (2) shall consist of a Chair and two or more Members nominated by the Committee from among its Members. Two Members, including the Chair of such sub-Committee shall form the quorum.

(4) The Secretary to any Committee may delegate an officer from among the staff to every sub-Committee who shall prepare and maintain the minutes of every such sub-Committee.

(5) The report of a Committee or sub-Committee shall be presented by the Chair or in the absence of the Chair by any other Member of the Committee authorized by the Chair.

(6) Any Member of the Committee functioning as the Chair of one sub-Committee shall not function in that capacity concurrently in any other sub-Committee of such Committee.

(7) When any report of a Committee is tabled in Parliament, the Parliament may order that the relevant Minister shall respond in relation to the contents of such report within a period of eight weeks. In relation to any report of the Committee on Public Accounts and Committee on Public Enterprises, the Minister in charge of the subject of Finance has to table the Government's response. The relevant Ministers shall respond in respect of reports from other Committees.

(8) A Committee and any sub-Committee appointed by such Committee shall obtain permission from the Speaker to sit outside the Parliament.

(9) A Committee shall have the power subject to the approval of the Speaker to appoint persons with specialized knowledge either to provide information or to elucidate matters of complexity within the Committee's terms of reference and to remunerate such persons.

(10) Every Committee and any sub-Committee appointed by such Committee when so authorized by the Committee shall have the power to admit strangers to their meetings with the approval of the Speaker. Such strangers may be excluded when the Committee or sub-Committee is deliberating.

(11) The Chair of such Committee or sub-Committee shall determine the procedure to be followed in the admission of strangers to the meetings.

(12) The rules applicable in respect of visitors to the galleries of Parliament shall apply to strangers admitted to meetings of a Committee or sub-Committee.

(13) The Chair of a Committee or a sub-Committee shall have the same powers as the Speaker in respect of maintaining order at the meetings of the Committee or sub-committee, as the case may be.

RESIGNATION OR REMOVAL OF CHAIRS OF COMMITTEES

128. (1) In the case of every Committee other than a Select Committee, where—

- (a) the Chair has ceased to be a Member of the House; or
- (b) the Chair has given written notice to the Speaker of his wish to resign from the Chair; or
- (c) the Committee has adopted a resolution that it has no confidence in the Chair in accordance with the provisions of paragraphs (2) and (3) of this Standing Order,

the Speaker shall declare the Chair vacant and, as soon as practicable, announce the date of the election of a Chair of that Committee which shall be not less than seven sitting days after that announcement.

(2) No motion expressing no confidence in its Chair may be made in a Committee unless notice of the motion has been circulated to the Chair and to all Members of the Committee at least seven sitting days in advance of the meeting at which the motion is to be made.

(3) A resolution by a Committee expressing no confidence in its Chair shall have no effect for the purposes of paragraph (1) (c) unless either—

- (a) it is agreed by the Committee without a division; or
- (b) the majority of the membership of the Committee, including at least two Members from the Government and at least one Member from the Opposition, vote in favour of the resolution.

(4) A motion expressing no confidence in the Chair may not be made in a Committee in the six months following the election of a Chair by the Committee or in the year following a vote on such a motion on that Chair.

PROCEDURE IN COMMITTEE OF THE WHOLE PARLIAMENT ON SCHEDULES TO APPROPRIATION BILLS

129. (1) The Chair shall call the title of each Programme under each Head of Expenditure on which a motion may be made to reduce or omit any Project or Object appearing in the printed estimates under that Programme and the question to be proposed thereon shall be "That Programme.....be reduced by Rs.

.....in respect of object” (or “in respect of Project.....”).

(2) When a question has been proposed for the reduction or omission of a Project or Object, Members shall speak to such question only, until it has been disposed of.

(3) When several motions are offered to the same Programme they shall be called upon in the order in which the Projects or Objects to which they relate appear in the printed Estimates.

(4) When several motions are offered to the same Project or Object in a Programme the smallest reduction shall be first proposed and a motion to omit the Project or Object shall only be proposed after all motions for reductions have been disposed of.

(5) After a question has been proposed from the Chair for reducing or omitting any Project or Object, no motion shall be made or debate allowed upon any preceding Project or Object.

(6) After a question has been proposed from the Chair for the omission or reduction of any Project no motion shall be made for the reduction or omission of any item in that Project.

(7) No motion for an increase of the expenditure of a Programme, Project or Object shall be made except by a Minister of the Cabinet of Ministers after notice and that notice shall amongst other things, set out to what sum it is proposed to raise the expenditure on that Programme and that the sanction of the Cabinet of Ministers had been obtained for the increase.

(8) If no motion for a reduction or omission of any Project or Object in the Programme be offered or where every such motion has been disposed of, the question shall be proposed from the Chair “That the sum of Rupees.....for programme” (or “That the reduced sum of Rupees.....for Programme.....”) “be inserted in the Schedules”. Once that question has been proposed from the Chair, no further debate on individual Projects or Objects in that Programme shall be permitted.

(9) Notwithstanding anything in Standing Order 28, motions for the reduction of any Programme, Project or Object shall require notice.

EXCESSES

130. (1) No motion in respect of a grant of money for the service of a financial year already ended (hereinafter referred to as "an Excess") shall be entertained except in the circumstances set out in paragraph (5) of this Standing Order.

(2) It shall be an order to the Committee on Public Accounts that they do examine any Excess on any Project of a Programme and state in their report whether the Excess is on the Programme or only on one or more Projects of that Programme.

(3) If the Excess is on one or more Projects only, the Committee shall inquire whether the Excess was incurred with proper authority and with due regard to economy and if satisfied shall report accordingly and no further sanction for that Excess shall be required:

Provided that, on any Excess on any personal emoluments project the Committee shall also satisfy themselves that the expenditure was in accordance with the existing salary scale and involved no element of personal favouritism and if so satisfied shall report accordingly.

(4) If the Committee on Public Accounts is not satisfied they shall report that they have disallowed the Excess or so much of the Excess they think fit.

(5) Whenever the Committee on Public Accounts has reported either that an Excess has been incurred on a Programme or that they have allowed certain items of expenditure, a motion to resolve Parliament into a Committee to consider a grant to make good such an Excess or such items which have been disallowed may be put on the Order Paper by the Minister in charge of the subject of Finance for consideration on a day to be agreed by that Minister:

Provided that, no such motion shall be entertained after the 31st December of the year next but one after that to which the Excess relates.

(6) Nothing in this Standing Order shall diminish the power of the Committee on Public Accounts to disallow any item of expenditure, whether or not an Excess is involved, incurred without proper authority and the procedure set out in paragraph (5) of this Standing Order shall apply to any such disallowance.

131. (1) No motion, in respect of any Advance Account Activity, the maximum limits of which are exceeded or the minimum limits of which are not complied with in a manner authorized by law (hereinafter referred to as "non-compliance with

Advance Account Limits”) in any Financial year, will be entertained except in the circumstances set out in paragraph (4) of this **Standing Order**.

(2) It shall be an **order** to the Committee on Public Accounts that they do examine every instance, reported by the Auditor-General of the maximum limits of an Advance Account Activity being exceeded, or a minimum limit of an Advance Account Activity not being complied with. The Committee shall determine whether the non-compliance with Advance Account Activity Limits, is in accordance with the law. Where the reported non-compliance with Advance Accounts Limits is not in accordance with the law, the Committee on Public Accounts shall determine whether such non-compliance with Advance Accounts Limits should be authorized or not.

(3) It shall be an **order** to the Committee on Public Accounts that they do examine any unauthorized working losses on Advance Accounts Activities where such losses have not been settled in full before the end of the financial year to which such losses relate, and which have been reported by the Auditor-General in his Report to Parliament.

(4) Whenever the Committee on Public Accounts has recommended whether or not any non-compliance with the limits on any Advance Account Activity should be authorized or when the Committee has recommended whether or not unauthorized losses in any Advance Account Activity should be authorized, a motion to resolve Parliament into a Committee to consider such recommendations may be put on the Order Paper by the Minister in charge of the subject of Finance for consideration on a date to be **agreed** by that Minister.

PUBLIC MONEY

132. Parliament shall not proceed upon the consideration of any motion, Bill or amendment thereto authorizing disposal or imposition of charges upon the Consolidated Fund or other funds of the Republic or the imposition of any tax or the repeal, augmentation or reduction of any tax for the time being in force unless introduced by a Minister **of the Cabinet of Ministers** who shall, before making such motion, introducing such Bill or moving such amendment, signify to Parliament the approval of the Cabinet of Ministers to such motion, Bill or amendment. **An indication on the Order Paper of Parliament that “Cabinet approval is signified” shall be deemed sufficient in compliance to this requirement.**

AMENDMENT OF STANDING ORDERS

133. Any Member may give a notice of motion for the amendment of the Standing Orders. Such notice shall be accompanied by a draft of the proposed amendment and the motion when proposed and seconded shall stand referred to without any question being proposed thereon to the Committee on Standing Orders and no further proceedings shall be taken on any such motion until the Committee on Standing Orders has reported thereon.

SUSPENSION OF STANDING ORDERS

134. Any one or more of the Standing Orders may be suspended on a motion made after notice by a majority of Members of Parliament at any meeting to enable any special business to be considered or disposed of:

Provided that, a motion under this Standing Order unless proposed by a Minister of the Cabinet **of Ministers** shall be decided by a division and shall be declared lost if it appears that less than twenty Members of Parliament voted in the majority in support of such motion.

GENERAL AUTHORITY OF THE SPEAKER

135. The Speaker shall have the power to regulate the conduct of Business in Parliament in any matter not provided for in these Standing Orders.

136. (1) The Speaker may suspend a sitting or adjourn Parliament if the Speaker thinks it is necessary to do so to maintain order.

(2) Whenever the Speaker suspends a sitting, the Speaker shall decide when the sitting shall resume. Whenever the Speaker adjourns Parliament it stands adjourned until its next sitting day.

137. The Speaker shall be responsible for the management of buildings, security arrangements and the general administration of the Chamber.

138. Anything which by these Standing Orders may be done by the Speaker may also be done by the Deputy Speaker or Deputy Chairperson of Committees or by a Member elected by the Parliament to preside in the seat of the Speaker **subject to the provisions of Article 159 of the Constitution.**

PANEL OF CHAIRS

139. The Speaker shall nominate at the commencement of every Session of Parliament a Panel of Chairs of not less than four Members to act as temporary Chair of Committees when requested by the Deputy Speaker or in the absence of the Deputy Speaker by the Deputy Chairperson of Committees and may vary the constitution of the Panel, from time to time. Anything which may be done by the Deputy Speaker may also be done by a temporary Chair when presiding in place of the Deputy Speaker.

NO LEGAL REPRESENTATION BY MEMBERS

140. No Member of Parliament shall appear before Parliament or before any Committee thereof as an Attorney- at- Law **for any party or in any capacity for which such Member of Parliament is to receive a fee or reward.**

EXPENSES OF WITNESSES AND EXPERTS

141. (1) 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 Court, would be payable to such person in accordance with the regulations for the time being in force.

(2) **Where services of any expert or any technical personnel is required by the Parliamentary Committees, such service providers shall be paid such remuneration as determined by the Parliamentary Staff Advisory Committee in lieu of the services provided by them.**

RESIDUARY POWERS

142. Every matter not specifically provided for in these Standing Orders and every question relating to the detailed working of these Standing Orders shall be regulated in such manner as the Speaker may deem appropriate and direct, from time to time.



Annexure 2

**THE CODE OF CONDUCT
FOR
MEMBERS OF PARLIAMENT**

PART I

OBJECTIVE OF THE CODE OF CONDUCT FOR MEMBERS OF PARLIAMENT

1. (a) The objective of the Code of Conduct for Members of Parliament (hereinafter referred to as the “Code of Conduct”) shall be to assist the exercise, perform and discharge by them of their powers functions and duties in order to fulfill their responsibilities to the Parliament, to their constituents and the public at large.
- (b) The Parliament shall in order to achieve the objective specified in sub-paragraph (a)–
 - (i) establish the standards and principles relating to conduct expected of every Member of Parliament (hereinafter referred to as the “Member”) as representatives of the public;
 - (ii) specify the rules of conduct which strengthen the standards and principles established under sub-paragraph (a) which every Member shall adhere to;
 - (iii) to take necessary steps to ensure public confidence in the standards expected of the Members and in the commitment of Parliament to uphold such rules.

PART II

SCOPE OF THE CODE OF CONDUCT

2. (a) The Code of Conduct shall apply to each Member including the presiding members, the Prime Minister, the Leader of the House, the Leader of the Opposition, Whips of the Government and the Opposition in all aspects of their public lives. However, this does not mean that the private and personal lives of such persons are regulated by this Code of Conduct.
- (b) The responsibilities specified in this Code of Conduct shall be in addition and harmonizing the procedure and any other rule of the House and the rulings of the presiding member.

- (c) The Code of Conduct shall be read with the provisions of the Parliament (Powers and Privileges) Act, No. 21 of 1953 and the Standing Orders of Parliament.
- (d) The Code of Conduct shall not be in derogation of any written law by which the conduct of the Members have been regularized in any manner.

PART III

DUTIES OF MEMBERS

- 3. Every Member shall have a duty by virtue of the oath or affirmation administered to them by the Secretary-General of Parliament (hereinafter referred to as the "Secretary-General") under Standing Order 1, to uphold and defend the Constitution of the Democratic Socialist Republic of Sri Lanka and to uphold the integrity of the State.
- 4. Every Member shall uphold the law relating to fundamental rights and shall act in a nondiscriminatory manner in the exercise, performance and discharge of his powers, functions and duties concerning his constituents at all times.
- 5. Every Member in the exercise, performance and discharge of his powers, functions and duties shall act in the interest of the nation as a whole and specially towards his constituents.
- 6. The Members shall on all occasions act in accordance with the public trust entrusted with them and shall always behave with probity and integrity including the use by them of any public resources.

PART IV

PRINCIPLES OF CONDUCT

- 7. Every Member shall in carrying out his public and Parliamentary duties comply with the following principles of conduct:-
 - (a) Every Member, when taking decisions shall always consider the public interest and shall not expect any financial or other material

benefit or personal advantage for himself, his family members, friends or any other person on their behalf.

- (b) No Member shall in any way place himself under any financial or other obligation to any outside individual or organization which may influence such Member in the discharge of his official duties.
 - (c) The Members shall in carrying out their duties relating to any public business, public appointments, awarding of contracts, recommending persons for any rewards or any other benefit ensure that such things are made purely on merit.
 - (d) The Members shall be accountable for the decisions made by them, actions taken by them for the public, and shall subject to scrutiny appropriate to their office or to any public scrutiny.
 - (e) The Members shall be open to the public as much as possible in respect of any decision or action taken or done by them and shall assign reasons for such decisions and restrict information only when the wider public interest clearly demands.
 - (f) The Members shall declare any private interest or conflict of interests if any relating to their public duties and take necessary steps to resolve any conflict arising thereby in a way that the public interest is protected.
8. Every Member shall promote and uphold the principles of conduct specified in paragraph 7 in order to provide leadership by example.

PART V

RULES OF CONDUCT

9. The Members shall adhere to the following rules of Parliament:-
- (a) to be conscience;
 - (b) to respect human rights and intrinsic dignity of the people;
 - (c) to act so as to merit the trust and respect of the people;

- (d) to give effect to the concepts of the democratic government, abide by the letter and spirit of the Constitution and uphold the doctrine of Separation of Power and the Rule of Law;
 - (e) to hold themselves accountable for the conduct and duties for which they are responsible;
 - (f) to exercise the privileges, they are entitled to under any law and discharge the duties of public office diligently with civility, dignity, due care and honour.
10. Every Member shall be individually responsible to contribute to the effective and efficient functioning of the Parliament.
 11. Every Member shall respect the roles, independence, rights and responsibilities of the Parliamentary Staff.
 12. Every Member shall in upholding the Parliamentary Democracy be responsible to ensure that the Executive Government is accountable to Parliament.
 13. The Members shall not undertake any activity which may cause damage to the reputation and integrity of the Parliament or of its Members or the country.

PART VI

REGISTER OF MEMBERS' INTERESTS AND DISCLOSURE AND PUBLICATION OF SUCH INTERESTS

14. A Register called the "Register of Members' Interests" (hereinafter referred to as the "Register") shall be kept and maintained by the Secretary-General in such form and manner as may be determined by the Committee on Ethics and Privileges which shall be available for inspection by any Member on request made in that behalf to the Secretary-General.
15. The provisions of the Right to Information Act, No.12 of 2016 shall apply to publication of any information contained in the Register.

16. The members shall disclose information relating to their business relationships and financial interests including information of close family members in order to increase the public trust in Members.
17. Every Member shall fulfil conscientiously the requirements of the Parliament in respect of registration of any interest in the Register. For the purpose of this paragraph every Member shall immediately after a general election, disclose to the Parliament all relevant interests that a reasonable person might think could give rise to the perception of influencing behaviour between duties and responsibilities and the personal interests of such Member such as assets relating to land and property, shareholdings and gifts. The provisions of this paragraph shall apply to any items received or donated by such Member.
18. No Member shall vote in division on a question relating to a matter other than public policy in which he has a financial interest.
19. Where any Member has any personal or pecuniary interest whether directly or indirectly relating to any matter under consideration by Parliament or any Committee thereof, such Member shall declare the nature of such interest notwithstanding the fact that such Member has registered such interest in the Register and shall not participate in any debate taking place in the House or in any Committee unless he has made such declaration as required by this paragraph.
20. No Member shall misuse any information which such member has received in confidence during the course of his parliamentary duties. Such information shall be used only in the discharge of his parliamentary duties as Member of Parliament and shall not be used for the purpose of financial or personal gain.
21. The Parliament shall publish the information so disclosed by any Member under paragraph 17 and the amounts of expenditure of public funds used by each Member and the purposes for which such funds have been utilized as soon as practicable. These shall be published by Parliament in the most accessible means available such as Parliamentary website.

22. The provisions specified in this Part shall apply to the spouse and close family members of the Member concerned.

For the purpose of this paragraph “close family member” means father, mother, spouse, daughter or son.

PART VII

USE OF PUBLIC PROPERTY BY MEMBERS AND INDUCEMENTS

23. The Members shall use any public fund, property or facility only in the public interest as permitted by law. Such public fund, property or facility shall not be used in party political purposes unless specifically provided for by law.
24. Every Member is personally responsible for ensuring that any expenses, facilities and services provided to them from public money is in accordance with the rules laid down on such matters. The Members shall also ensure that the use of any public resources by them is always in support of their parliamentary duties and it shall not confer any undue personal or financial benefit on such Members or anyone else or any political organization.
25. No Member shall accept any form of inducement that may give rise to conflict of interest or influence his conduct as a Member, including any fee, compensation or reward in connection with the promotion of or opposition to any Bill, motion or other matter submitted or intended to be submitted to Parliament or any Committee thereof.
26. No Member shall engage in any paid lobbying, paid parliamentary advice or paid advocacy.
27. No Member shall use his position to seek or secure future employment, paid lobbying, consultancy work or other remuneration or benefit upon ceasing to be a Member.
28. Every Member shall represent the interests of his constituents on an equitable basis and not on the basis of any personal or political affiliation or inducement.

PART VIII

ATTENDANCE, BEHAVIOUR AND CIVILITY

29. Every Member shall attend every sitting of the House and every meeting of the Committees of which such Member is a member unless with the leave of Parliament or such Committee as the case may be. Every Member shall properly attire when attending Parliament.
30. The members shall exercise civility and use appropriate language in political discourse and specially in Parliamentary debate.
31. No Member shall assault, harass or intimidate any person.
32. Every Member shall act in a manner that is respectful of his fellow Members and the Parliamentary Staff and people of the country with dignity, courtesy and without diminishing the dignity of the Parliament.

PART IX

UPHOLDING OF THE CODE OF CONDUCT

33. The application of this Code of Conduct shall be a matter for Parliament acting in accordance with the Standing Orders of the Parliament.
34. The Committee on Ethics and Privileges may investigate any matter relating to the adherence of a Member to the provisions of this Code of Conduct. Every Member shall cooperate at all times with any investigation as may be conducted by or under the authority of the House. No Member shall lobby any other Member of the Committee in a manner calculated or intended to influence the consideration by the House of an alleged breach of this Code of Conduct.
35. The Committee on Ethics and Privileges may in the performance of its duties, obtain the services of the experts, call for documents and summon and examine witnesses.
36. The Parliament shall consider the recommendations made by the Committee on Ethics and Privileges and may impose sanctions on any Member where it considers necessary.

PART X

COMPLAINTS, INVESTIGATIONS AND ENFORCEMENT

37. Any Member or a person may make to the Committee on Ethics and Privileges, any complaint relating to the following:-
 - (a) an alleged unethical conduct by a Member;
 - (b) breach of any provision of the Code of Conduct by any Member;
 - (c) an incorrect or false information given by a Member in respect of his interests under paragraph 17.
38. Where any complaint is made by a person, it shall be countersigned by a Member and forwarded to the Speaker by such Member.
39. Any complaint under paragraph 38 shall be made in writing and by way of motion addressed to the Speaker who may then allow such Member to raise it at the appropriate time in the House. The Speaker shall refer such motion to the Committee on Ethics and Privileges on a resolution moved and approved by Parliament for examination, investigation and report.
40. The complainant shall declare the identity and submit supporting evidence, documentary or otherwise to substantiate the allegation.
41. Where any complaint under paragraph 37 is made by a Member he shall ensure that the complaint is not false, frivolous or vexatious and is made in good faith.
42. Any person shall ensure that a complaint made by him under paragraph 37 that such complaint is not false frivolous or vexatious and is made in good faith. An affidavit to that effect shall accompany the complaint.
43. Any Member or person referred to in paragraph 37 shall where necessary and required by the Committee on Ethics and Privileges, prove to the satisfaction of the Committee that such complaint is not false frivolous or vexatious and is made in good faith.
44. Every complaint under paragraph 37 shall be in respectful language and signed by such Member or person, as the case may be.

45. Any complaint based merely on an unsubstantiated media report shall not be entertained.
46. The Committee on Ethics and Privileges shall not take up any matter for consideration if such matter is *sub judice*. The decision of the Committee as to whether such matter is *sub judice* or not shall be final.

PART XI

PROCEDURE FOR INQUIRY AND SANCTIONS

47. If the Committee on Ethics and Privileges is satisfied that the complaint referred to it is in due form and the matter contained therein is within its jurisdiction, it may take up such complaint for inquiry by Parliament.
48. After the preliminary inquiry if the Committee on Ethics and Privileges is of the opinion that no *prima facie* case is disclosed by such inquiry, such complaint may be disregarded.
49. Where any complaint is found to be false, frivolous or vexatious and is made in bad faith the Committee on Ethics and Privileges may consider such complaint as a breach of Parliamentary privilege and inquire into such matter.
50. After the preliminary inquiry if the Committee on Ethics and Privileges considers that there is a *prima facie* case, it shall examine and report such matter to Parliament.
51. Every Member shall cooperate with and assist the Committee on Ethics and Privileges in the investigation and inquiry by such Committee of any complaint referred to it under paragraph 37.
52. If the Committee on Ethics and Privileges finds any evidence to the effect that any breach relating to criminal law is present, it shall forthwith refer such matter to the Police or any other Institute having jurisdiction to inquire into such matter.
53. After the investigation and inquiry of such matter, the Committee on Ethics and Privileges shall report its findings or recommendations to the House for further proceedings in accordance with its rules.

54. Where it has been found that a Member has indulged in any unethical behaviour or that there is other misconduct in respect of any Member or that any Member has breached any provision of the Code of Conduct, the Committee on Ethics and Privileges may recommend to the House the imposition of one or more of the following sanctions:-
- (a) censure;
 - (b) reprimand;
 - (c) suspension from Parliament for a period as may be specified by the Committee on Ethics and Privileges. However, such period shall not exceed the limits as set out in the Parliamentary (Powers and Privileges) Act, No. 21 of 1953; and
 - (d) any other sanction the Supreme Court may prescribe on a matter that has been referred to the Supreme Court by Parliament under the aforesaid Act.

PART XII

PRESENTATION AND CONSIDERATION OF REPORTS

55. The Report of the Committee on Ethics and Privileges shall be presented to the Parliament by the Chairman of the Committee on Ethics and Privileges or in his absence by any member of the Committee, which may be considered by Parliament.
56. After a motion for consideration of the report has been carried, the Chairman or any Member of the Committee on Ethics and Privileges or any other Member, as the case may be, may move that the House agrees, or disagrees or agrees with amendments, with the recommendations specified in the report.

PART XIII

MAKING AND UPDATING THE CODE OF CONDUCT

57. The House shall ensure that this Code of Conduct remains appropriate, is reviewed and revised and amended when necessary periodically, is up to date and is familiar to the Members.

58. This Code of Conduct shall come into operation upon a decision of the Parliament.