

A

ANNOUNCEMENT

I wish to make a ruling on the amendment to the No Confidence Motion which was handed over to the Secretary General of Parliament by Hon. Ranil Wickremasinghe MP yesterday.

The No Confidence Motion which was given notice of by forty three Members of the Opposition is in respect of the Hon. Udaya Gammanpila Minister of Energy and the notice relating to the motion was handed over to the Parliament Secretariat on the 22nd of June, 2021 and was included in the Order Book of Parliament on the 23rd of June, 2021. The Committee on Parliamentary Business on the 5th of July, 2021 decided to take up the Motion for debate on two consecutive days including a special sitting day on the 19th of July 2021 and the 20th of July, 2021. The notice of the substantive motion of no confidence had no indication that it could finally be converted as a no confidence motion on the Cabinet of Ministers which is the Government. The Committee on the Parliamentary

Business was also not informed that an amendment would be moved to convert the No Confidence Motion against the Minister of Energy to be a No Confidence Motion against the Government. Further more the debate that took place yesterday in the House was very much focused on the No Confidence Motion against a single Minister namely, the Hon. Udaya Gammanpila.

The legal effect of the amendment handed over to the Secretary General of Parliament by Hon. Ranil Wickremasinghe is to convert the No Confidence Motion moved against the Hon. Udaya Gammanpila to assume a new status as a No confidence Motion against the Cabinet of Ministers which is the Government. This was not intended at any stage since notice was given on the Motion.

Standing Order 43 (4) states as follows; "An amendment to a question shall be relevant to the question to which such amendment is proposed".

According to this principle, the proposed amendment must be relevant to the Motion and fall within the scope of the original motion moved in the House. According to the Indian authority 'Practice and Procedure of Parliament' by Kaul and Shakdher sixth edition page 705 " In order that an amendment to a motion may be admissible, it must satisfy the following conditions; An amendment should be relevant to, and within the scope of the motion to which it is proposed. It should not introduce new or foreign matter or widen the scope of the motion". Accordingly, an amendment which seeks to convert a No Confidence Motion against a Minister to that of a No Confidence Motion against the Cabinet of Ministers is certainly not within the scope of the original motion and nor it is relevant to the original motion either.

The Standing Order 43 (5) states as follows; An amendment shall not raise any question which, by the rules of Parliament can only be raised by a substantive motion after notice."

We are well aware that a No Confidence Motion against the Cabinet of Ministers could only be brought forward by a substantive motion after due notice is given. Any attempt to subvert this process by bringing an amendment to that effect to an existing No Confidence Motion against a Minister is out of order and contravenes the Standing Orders.

In the above circumstances, I rule that the proposed amendment to the No Confidence Motion against the Hon. Udaya Gammanpila Minister of Energy handed over to the Secretary General of Parliament by Hon. Ranil Wickremasinghe MP is out of order, and cannot be accepted.