



ANGUILLA

APPENDIX

LEGISLATIVE ASSEMBLY (PROCEDURE) RULES 1976

under

ANGUILLA CONSTITUTION ORDER 1982

Showing the Law as at 15 December 2000

This edition consolidates the following—

Legislative Assembly (Procedure) Rules, 1976

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LEGISLATIVE ASSEMBLY (PROCEDURE) RULES, 1976

Rules of Procedure for the regulation and orderly conduct of the proceedings of the Legislative Assembly of Anguilla made by the Legislative Assembly under Section 48 of the Constitution of Anguilla.¹

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¹ These Rules were originally passed and approved under section 48 of the Anguilla (Constitution) Order 1976 (S.I. 1976 No. 50). Section 6 of the Anguilla Constitution Order 1982 provides that these Rules have effect as if they were made under the Anguilla Constitution Order 1982, S.I. 1982 No. 334.

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Short title

1. These Rules may be cited as the Legislative Assembly (Procedure) Rules, 1976.

MEETINGS**Notice of Meetings**

2. (1) The Assembly shall meet on such days as the Speaker shall determine. Not less than seven days before the date of a meeting the Clerk of the Assembly shall post or otherwise despatch a notice of the meeting, addressed to each member: Provided that in the case of any emergency, of which the Speaker shall be the sole judge, a meeting may be summoned on such short notice as he may determine, and such notice may be given to members by such means as the urgency of the case permits.

- (2) The hour of the meeting shall normally be 9 o'clock of the forenoon unless some other hour shall have been fixed by the Speaker.

- (3) When the Assembly has adjourned to a specified date no further notice shall be necessary.

Adjournment

3. (1) A Meeting of the Assembly may be adjourned at any time by the Speaker, or by a vote of the majority of the members present.

- (2) The Speaker may at any time suspend a meeting.

- (3) All matters under discussion and business not disposed of at the time of any adjournment shall stand as an Order of the Day for the next meeting of the Assembly.

Absence of Members

4. (1) Any member unable to attend a meeting or meetings² of the Assembly to which he has been summoned shall acquaint the Clerk in writing as early as possible of his inability to attend.

- (2) No member shall leave the Assembly or a Committee of the Assembly except with the consent of the Speaker or the Chairman of the Committee.

DUTIES OF THE CLERK OF THE ASSEMBLY**Order Book**

5. (1) The Clerk shall keep an Order Book in which he shall enter and number in succession the subjects intended to be brought under discussion at each meeting.

- (2) The Order Book shall be open to the inspection of members at all reasonable hours.

Minutes of proceedings

6. (1) The Clerk shall keep the minutes of the proceedings of the Assembly, and of Committees of the whole Assembly, and shall circulate to members a copy of such minutes as soon as practicable after the conclusion of each meeting.

² The original reads "meeting of meeting".

- (2) The Minutes shall consist of particulars of the proceedings, and shall record—
- (a) the names of all members present at the assembling of the Assembly and in case any other member shall take his seat subsequently at such meeting or shall leave the Assembly before the rising of the Assembly the Clerk shall note the fact at the proper place;
 - (b) all decisions of the Assembly, whether made formally or informally.

Business Paper

7. The Clerk shall send to each member, two clear days at least before each meeting, a copy of the Business Paper for such meeting, unless the Assembly shall have adjourned for a period of less than three days.

Attendance of Clerk upon Select Committee

8. The Clerk shall attend upon any select committee of the Assembly if required to do so.

Custody of Papers

9. The Clerk shall be responsible for the custody of the votes, records, bills and other documents laid before the Assembly, which shall be open to inspection by members of the Assembly at all reasonable times, and by other persons under such arrangements as may be sanctioned by the Speaker.

ORDER OF BUSINESS

Order of Business

10. Unless the Assembly shall otherwise direct, the order of business shall be as follows—
- (i) Prayers;
 - (ii) Confirmation of Minutes;
 - (iii) Oath of Allegiance to new members;
 - (iv) Announcements by direction of the Speaker;
 - (v) Papers;
 - (vi) Reports from Committees;
 - (vii) Petitions;
 - (viii) Government Notices;
 - (ix) Unofficial Notices;
 - (x) Questions;
 - (xi) Motions;
 - (xii) Other Business.

Confirmation of Minutes

11. Prayers shall be said, whereupon the Clerk shall read the Minutes of the previous meeting, unless such minutes have been previously circulated. The Speaker shall put the question that the Minutes as read or as circulated be confirmed. No debate shall be allowed thereupon except as to any proposed amendment or as to the accuracy of the minutes.

Adjournment on matter of urgent public importance

12. (1) A motion for the adjournment of the Assembly shall not be made until Other Business has been entered upon, except it be made on behalf of the Government, or unless a member rise in his place at the end of Questions, and ask leave to move the adjournment of the Assembly for the purpose of discussing a definite matter of urgent public importance.

(2) Such motion shall not be made unless—

(a) the Speaker is satisfied—

(i) that the motion does not anticipate a matter which has been previously appointed for consideration by the Assembly or with reference to which a notice of motion has previously been given;

(ii) that no opportunity for the discussion of the question raised by the motion will arise in the ordinary course of the meeting; and

(b) the leave of the majority of the Assembly be obtained for the motion.

(3) If the Speaker is satisfied that the motion may properly be made, and the leave of the Assembly in that behalf is granted, the motion shall be considered forthwith.

(4) Not more than one such motion shall be made at the same sitting; and not more than one matter shall be discussed on the same motion.

PAPERS**Presentation of papers**

13. (1) (a) All papers shall be presented by a Minister or an official member of the Assembly and their presentation shall be entered upon the Minutes.

(b) A member presenting a paper may make a short explanatory statement of its contents.

(c) All papers shall be ordered to lie upon the Table without question put and any motion for the printing thereof shall be determined without amendment or debate.

(2) All Rules and Orders made by the Commissioner³ in Executive Council under the authority of an Ordinance which do not require the approval of the Legislative Assembly shall be laid on the Table as soon as may be after being made.

³ This should now read "Governor".

REPORTS FROM COMMITTEES

Presentation of Committee's Reports

14. The report of any Committee shall be presented by the Chairman or any member of that Committee who is a Member of the Assembly, and thereafter the provisions of Rule 13(1)(b) and (c) shall apply in like manner as if the report had been a paper presented in terms of Rule 13(1)(a).

PETITIONS

Form of Petition

15. Every petition intended to be presented to the Assembly must—

- (a) be addressed to the Assembly;
- (b) conclude with a request setting forth the general object of the petitioners;
- (c) bear the signatures of the petitioners, or their marks duly witnessed; and
- (d) be endorsed by the person presenting the same to the effect that in his opinion it is properly and respectfully worded.

Presentation of Petition

16. (1) A petition must be presented by a member who shall be responsible for compliance with the requirements of the preceding Rule.

(2) A member may not present a petition himself.

(3) The member presenting a petition may state concisely the purport of the petition, and may move that it do lie on the Table or be read or printed or referred to a Select Committee, and any such motion shall specify the number of members which shall form a quorum of the Committee.

(4) No debate shall be permitted on such motion nor shall any other member speak upon or in relation to such petition except to second such motion formally.

(5) When any petition is referred to a Select Committee, individuals whose rights are peculiarly affected by any proposed action or legislation to which the petition relates may be heard by the Committee or, at its discretion, by Counsel.

NOTICES

Notice of Questions and Motions

17. Except as hereinafter provided, no member shall ask a question or make a motion unless he shall have given notice in writing of such question or motion either at some previous sitting of the Assembly, or to the Clerk not less than three days previous to the hour of sitting of the Assembly at which such question is to be asked or motion to be made: Provided nevertheless that the Speaker may allow a question to be asked without notice if it is of an urgent character.

Notice of Bills

18. A printed copy of every Bill shall, in so far as possible, be sent to each member two clear days at least before it is proposed to read it a first time.

Notice of Petition

19. A copy of any petition shall be sent to the Clerk at least two days before its presentation.

Motions without Notice

20. The following motions may be made without notice—

- (i) A motion for the confirmation or amendment of the minutes of the Assembly, or for the adoption, modification or rejection of the report of any Committee;
- (ii) A motion that a petition or other paper do lie on the table or be printed or be rejected;
- (iii) A motion for the reference of any matter to a Committee;
- (iv) A motion made when the Assembly is in committee;
- (v) A motion by way of amendment to any motion being debated in the Assembly;
- (vi) A motion for the adjournment of the Assembly or of any debate;
- (vii) A motion for the withdrawal of a Bill;
- (viii) A motion for the withdrawal of strangers;
- (ix) A motion relating to a matter of privilege;
- (x) A motion for the suspension of a member;
- (xi) A motion for the suspension of the Rules of Procedure of the Council⁴;
- (xii) A motion that the question be now put.

QUESTIONS**Question to Members**

21. (1) Questions may be put to Ministers or to official members relative to public affairs with which they are officially connected, proceedings pending in the Assembly, or any matters of administration for which such members are responsible.

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

Form of Questions

22. (1) A question shall not contain arguments, inferences, opinions, imputations, epithets, ironical expressions or hypothetical cases.

⁴ This should now read “House of Assembly”.

(2) A question shall not include the names of persons, or statements, not strictly necessary to render the question intelligible, nor contain charges which the member who asks the question is not prepared to substantiate.

(3) A question must not be asked for the purpose of obtaining an expression of opinion, the solution of an abstract legal case, or the answer to a hypothetical proposition.

(4) A question must not refer to any debate that has occurred or answer that has been given in the current session, nor should a question fully answered be asked again during the same session.

(5) A question must not be asked about proceedings in Committee which have not been placed before the Assembly by a report of the Committee.

(6) A question may not be asked as to the character or conduct of any person except in his official or public capacity.

(7) A question reflecting on the character or conduct of any person whose conduct can only be challenged on a substantive motion may not be asked.

(8) A question making or implying a charge of a personal character may be disallowed.

Replies

23. (1) A written reply to each question shall be read by the member to whom the question is put, and a copy of the reply shall be handed to the member putting the question.

(2) A reply shall be confined to the points contained in the question, with such explanation only as will render the reply intelligible; and may with the consent of the Assembly be taken as read.

Supplementary Questions

24. The reply to any question shall be conclusive and no speech or debate on the reply shall be allowed, but any member may, with the permission of the Speaker, put a supplementary question for the purpose of further elucidating any matter of fact not made clear to him by the reply; but a supplementary question must not be used to introduce matter not included in the original question.

Disallowance of Questions

25. The Speaker shall be the sole judge of the propriety or admissibility of a question and he may disallow any question which in his opinion is an abuse of the right to ask questions.

MOTIONS

Power to move

26. (1) Every member upon due notice being given may propose any motion except that a motion which imposes a tax or disposes of or charges any part of the public revenue or which revokes or varies any disposition or charge can only be proposed with the consent of the Commissioner⁵.

(2) No motion the object or effect of which may be to suspend the Rules of Procedure of the Assembly shall be proposed except by or with the consent of the Speaker or presiding member.

⁵ This should now read "Governor".

Withdrawal of motions

27. A motion may be withdrawn with the leave of the Assembly, but if so withdrawn may be made again at some other meeting of the Assembly.

Re-introduction of motions

28. No motion shall be proposed which is the same in substance as any motion which during the previous six months shall have been resolved in the affirmative or negative.

PERSONAL EXPLANATIONS**Personal explanations**

29. By the leave of the Assembly, a member may, before the Assembly proceeds to Other Business, make a personal explanation, although there is no question before the Assembly, but no debatable matter may be brought forward, or debate arise upon the explanation.

OTHER BUSINESS**Other Business**

30. (1) Unless the Assembly shall otherwise direct, the order of Other Business shall be as follows—

- (i) Government Business
- (ii) Private Bills
- (iii) Other Orders of the Day

(2) Government Business shall be set down in such order as the Government think fit.

(3) Other matters shall be submitted to the Assembly in the order in which they stand in the Order Book.

AMENDMENTS**Rules as to amendments**

31. (a) The Speaker may require the mover of an amendment which has been seconded to put the amendment into writing and deliver it to the Clerk.

(b) An amendment must be relevant to the question to which it is proposed.

(c) An amendment must not raise any question which can be raised only by a distinct motion after notice.

(d) After a decision has been given on an amendment to any part of a question an earlier part cannot be amended.

- (e) Where an amendment of any part of a question has been proposed, an earlier part cannot be amended unless the amendment so proposed is withdrawn.
- (f) An amendment to a question must not be inconsistent with a previous decision on the same question given at the same stage of any bill or matter.
- (g) An amendment must not be substantially identical with an amendment moved by another member.
- (h) An amendment must not be substantially a direct negative of the original proposition or of any amendment thereto.
- (i) An amendment may be moved to any amendment.

Order in which taken on question being put

32. When an amendment to a question shall have been submitted, and when more amendments than one shall have been submitted, the Speaker at the close of the debate shall put the question for the decision of the Assembly in this wise: "That the words of the question stand as in the original motion" which, if it be decided in the affirmative will throw out all amendments; and he shall then put the original motion to be affirmed or negatived. If the first question which would preclude all amendments be negatived, then, in case only one amendment shall have been proposed and seconded, he shall put the question as it was proposed to be amended; but in case more amendments than one shall have been proposed and seconded, he shall put the questions of amendment seriatim and in the inverse order of their having been proposed; and when any one amendment is affirmed all other amendments shall be thereby negatived, and the Speaker shall then put the motion, as so amended, to be affirmed or negatived.

Admissibility

33. The Speaker shall be the sole judge of the admissibility of any amendment.

RULES OF DEBATE

Mode of addressing the Assembly

34. (1) A member desiring to speak shall rise in his place and address his observations to the Speaker or Chairman whether the Assembly be in Committee or not.

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

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

(4) A member must confine his observations to the subject under discussion.

(5) A member while speaking on a question must not—

- (a) refer to any matter on which a judicial decision is pending, in such a way as may prejudice the interests of the parties thereto;
- (b) impute improper motives to any other member;
- (c) use the Queen's name for the purpose of influencing the debate;

- (d) utter treasonable or seditious words or use the Queen's name irreverently; or
- (e) use his right of speech for the purpose of obstructing the business of the Assembly.

Reference to other members

35. Any member who in discussing any motion wishes to allude to the speech or the opinion of any other member shall, if possible, avoid referring to such other member by name. Official members shall be described by reference to their official designations; elected members by reference to the electoral districts which they represent, or where an electoral district is represented by more than one member, by reference to the order of precedence as between such members; and nominated members by reference to the order of precedence as between such members.

Reflections upon the Crown or upon certain persons in authority

36. The conduct of Her Majesty, Member of the Royal Family, the Commissioner⁶, Speaker or Members of the Assembly, and Judges and other persons engaged in the administration of justice shall not be raised except upon a substantive motion; and in any amendment, question to a member or remarks in a debate on a motion dealing with any other subject any reference to the conduct of the persons aforesaid shall be out of order.

How often members may speak

- 37.** (1) No member shall speak more than once to a motion except as hereinafter provided—
- (a) The mover of an original motion shall have the right of reply after all members who desire to speak shall have spoken but the mover of an amendment shall not have any right to reply.
 - (b) Any member who may second an original motion in the formal words "I second this motion" and no others, may reserve his speech until later in the debate.
 - (c) When the Assembly is in Committee.
- (2) A member may speak on the question before the Assembly and upon any amendment proposed thereto.

Motion or amendment to be seconded

38. After the mover of any motion or any amendment has spoken in support thereof, no debate shall be allowed until the motion or amendment has been duly seconded, unless the Assembly is in Committee when a motion or amendment may be put without being seconded.

Interruptions

39. No member shall interrupt another member who is speaking except by rising to a point of order. A member rising to a point of order shall simply direct attention to the point which he desires to bring to notice and submit to the Speaker for his decision.

Relevancy

40. (1) Debate must be relevant to the matter or question before the Assembly or Committee, and where more than one question has been proposed from the Chair the debate must be relevant to the last question so proposed, until it has been disposed of.

(2) The Speaker after having called the attention of the Assembly to the conduct of a member who persists in irrelevance or in tedious repetition either of his own argument or of the arguments used by other members in debate may direct the member to discontinue his speech.

⁶ This should now read "Governor".

Closure

41. (1) After a question has been proposed, a member rising in his place may claim to move, "That the question be now put," and unless it appears to the Speaker that the motion is an abuse of the rules of the house, or an infringement of the rights of the minority, the question "That the question be now put," must 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 may be made (the assent of the Speaker as aforesaid not having been withheld) which may be requisite 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 Speaker as aforesaid not having been withheld) that the question that certain words of the clause defined 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 rule must be put forthwith and decided without amendment or debate.

Allocation of time for debate

42. Before or when a member rises to move a question which stands in his name, the Speaker, with the consent of the majority of the Assembly may fix the total time to be occupied in the debate thereon, and may adjourn the debate from time to time as he may think fit.

Procedure on question being put

43. After the question has been put by the Speaker no further discussion shall be allowed.

Responsibility for order

44. It shall be the duty of the Speaker, on his own motion, to preserve order and to enforce all Rules; and when the Speaker addresses the Assembly any member speaking shall immediately resume his seat.

DIVISIONS**Voting**

45. (1) At the conclusion of a debate the question shall be put by the Speaker and the votes may be taken by voices Aye and No, and the result shall be declared by the Speaker; but if any member calls for a division the votes shall be taken by the Clerk, who shall ask each member separately, beginning with the most junior member, how he desires to vote and record the votes accordingly.

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

(3) As soon as the Clerk has collected the votes the Speaker, or in Committee or a Select Committee the Chairman, shall state the number voting for the Ayes and the Noes respectively and shall then declare the result of the division or give his casting vote as the case may be.

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

Disallowance of vote of member having direct personal pecuniary interest

46. A member shall not vote on any subject in which he has a direct personal pecuniary interest, but a motion to disallow a member's vote on this ground shall be made only as soon as the result of the voting on the question shall have been declared. If the motion for the disallowance of a member's vote shall be agreed to, the Speaker, or in Committee the Chairman, shall direct the Clerk to correct the numbers voting in the division accordingly. In deciding whether a motion for the disallowance of a member's vote shall be proposed from the Chair, the Speaker, or in any Committee of the Assembly the Chairman, shall have regard to the character of the question upon which the division was taken and to the consideration whether the interest therein of the member whose vote is challenged is direct and pecuniary and not an interest in common with the rest of Her Majesty's subjects and whether his vote was given on a matter of state policy.

Record of dissent

47. Any member voting in the minority who desires to have his reasons recorded for so voting shall state such desire forthwith, and his reasons shall be recorded either at that or the following meeting of the Assembly.

BREACHES OF ORDER**Withdrawal of disorderly member**

48. (1) The Speaker or Chairman shall order any member whose conduct is grossly disorderly to withdraw immediately from the Assembly Chamber during the remainder of the day's sitting.

(2) If such direction to withdraw be not complied with at once or if on any occasion the Speaker deem that his powers under this Rule are inadequate he may name such member or members in pursuance of Rule 49.

Suspension of member named

49. (1) If a member show disregard for the authority of the Chair, or abuse the rules of the Assembly by persistently and wilfully obstructing the business of the Assembly, the Speaker shall direct the attention of the Assembly to the incident, mentioning by name the member concerned. A motion may then be made upon which the Speaker shall forthwith put the question, no amendment, adjournment, or debate being allowed, "That such member be suspended from the service of the Assembly." If such an offence shall have been committed in a Committee of the whole Assembly, the Chairman, shall forthwith suspend the proceedings of the Committee and report the circumstances to the Assembly; and the Speaker shall on a motion being made thereupon put the same question, without amendment, adjournment or debate, as if the offence had been committed in the Assembly itself.

(2) 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.

(3) If a member be suspended from the service of the Assembly under the provisions of this Rule his suspension shall continue and be effective during the remainder of the session unless sooner determined by the Assembly.

Enforcement of Speaker's directions

50. (1) Members who are directed to withdraw under Rule 48 or are suspended under Rule 49 shall forthwith withdraw from the precincts of the Assembly Chamber.

(2) The Speaker or Chairman whether acting under Rule 48 or 49 may direct such steps to be taken as are required to enforce his order.

(3) Nothing in Rule 48 shall be deemed to prevent the Council⁷ from proceeding against any member for any breach of order not specified therein or from proceeding in any other way it think fit in dealing with the breaches of order therein mentioned.

PROGRESS OF BILLS

Introduction and first reading of Bills

51. (1) The leave of the Assembly is required for the introduction of a bill.

(2) If a Member moves a motion opposing the introduction of a Bill the Speaker, after permitting (if he thinks fit) a brief explanatory statement from the member who seeks to introduce the Bill and from the member who opposes its introduction, may, without further debate, put the question thereon.

(3) If leave to introduce the Bill be granted, the Bill may be introduced and shall be read a first time by the Clerk.

Publication of Bills

52. After having been read a first time a bill shall, if it has not already been published in the Gazette, be so published whenever such publication is practicable.

Suspension of rules of procedure for further reading of Bill

53. Every bill shall be read three times previously to its being passed, and no bill shall pass through more than two readings at any one sitting, unless this Rule shall have been formally suspended for the purpose.

Second reading

54. The member moving the second reading of a bill shall state the object of the bill and the reasons for its introduction. When a motion for the second reading of a bill has been made and seconded there may be a debate upon the general merits and principles of the bill; and if such motion is carried, the bill shall stand referred to a Committee of the whole Assembly to consider the bill clause by clause, and amend it as may be deemed necessary, unless at this stage of the proceedings the Assembly decides that the bill shall be referred to a Select Committee.

Procedure in Committee

55. (1) When a bill is under consideration in Committee unless the Committee decides to have the bill read in any other manner the Clerk shall call the several clauses in order, by reading the number of each clause and shall then refer to the schedules, if any, in order, next the preamble if any, and lastly the title.

If it is proposed to move any amendment on a clause or schedule when called, the Clerk shall put them in their proper order.

If the clause (or schedule or the preamble or the title, as the case may be) is not amended, the Speaker shall without motion put the question "That this clause (or this schedule or the preamble or the title, as the case may be) do stand part of the Bill." If the clause (or the schedule or the preamble or the title, as the case may be) is amended, he shall put the question "That this clause (or this schedule or the preamble or the title, as the case may be) as amended, do stand part of the Bill."

In the case of uncontested clauses, the question may be put not on each clause separately, but on a group of clauses.

⁷ This should now read "House of Assembly".

- (2) (a) In settling a bill in Committee any member may move an amendment or, without making a formal motion, may suggest an amendment, or may ask for information respecting any part of the Bill or any proposed amendment.
 - (b) An amendment must be relevant to the subject matter of the bill, and to the subject matter of the clause to which it relates.
 - (c) An amendment must not be inconsistent with any previous decision of the Committee.
 - (d) An amendment must not be such as to make the clause which it proposes to amend unintelligible or ungrammatical.
 - (e) If an amendment refers to, or is not intelligible without, a subsequent amendment or a schedule, notice of the subsequent amendment or schedule must be given before, or when the first amendment is moved so as to make the series of amendments intelligible as a whole.
 - (f) An amendment which proposes to meet the whole substance of a clause for the purpose of inserting different provisions will as a general rule be irregular. The proper course will be to negative the clause and propose a new one in its place.
 - (g) The Speaker or presiding member may refuse to put an amendment which is in his opinion frivolous.
- (3) A bill may be referred to a Select Committee at any time after it shall have passed its second reading.
- (4) When a bill has been referred to, and reported on, by a Select Committee and it is certified by the Chairman of such a Committee that such bill has been considered clause by clause in the presence of a quorum of the members of such Committee at least, and that in the opinion of the Committee such bill may be dealt with by the Assembly in the same manner as a bill reported on by a Committee of the whole Assembly, such bill may be dealt with accordingly if no members object, but if any member objects the bill shall be dealt with in the usual manner.
- (5) The consideration of a clause may, on motion made, be postponed, but the motion may not be made after the clause has been amended.
- (6) New clauses shall be considered after the clauses in the bill as printed have been disposed of and before the consideration of the schedules, if any. Notice of a proposed new clause shall be given previous to the sitting unless the Chairman considers that such notice may be dispensed with. The Chairman shall call on the member in whose name the new clause stands, and if that member moves the Clerk shall read the marginal note of the clause and it shall then be taken to have been read a first time. The question shall then be put "That this clause be read a second time." If this be agreed to amendments may be moved, and after these (if any) have been disposed of the question shall be "That this clause (or that this clause as amended) be added to the bill as clause No. and that the subsequent clauses be renumbered accordingly."
- (7) When a bill shall have been settled in Committee the Assembly shall resume without question put; and the member having charge of the bill shall thereupon report to the Assembly that the bill has passed through the committee stage, with or without amendments, as the case may be, or that progress has been made therewith.

SELECT COMMITTEE

Select Committees

56. (1) The Speaker may appoint any members to be a Select Committee for the purpose of examining and reporting on the clauses of any proposed bill. The Speaker may also nominate the Chairman of such Select Committee.

(2) In the absence of any nomination by the Speaker a Select Committee shall elect its own Chairman. In the absence of the Chairman the senior member on the Committee shall act as Chairman.

(3) Unless the Speaker otherwise directs three members or, if the number of the Select Committee does not exceed four, two members shall form a quorum.

Replacing members

57. (1) The Speaker may from time to time in case of the death or unavoidable absence of a member appoint another member to take the place of such member on the Committee.

(2) If the Speaker be the Chairman of a Select Committee he shall have a casting vote if the votes be equally divided, but shall not have an original vote. In the absence of the Speaker from the Chair the member presiding shall have an original vote, and a casting vote if the votes are equally divided.

Report of Select Committee to be signed by Chairman

58. The report of every Select Committee shall be signed by the Chairman thereof, or in his absence by the senior member present.

Member Dissenting

59. Any member dissenting from the opinion of the majority of a Select Committee may put in a written statement of his reasons for such dissent, and such statement shall be appended to the report of the Committee.

Third reading of Bills

60. Subject to the provisions of Rule 53, on the resumption of the Assembly on the conclusion of the Committee stage a bill may, on motion made, be read the third time, either forthwith if no member objects or at some subsequent sitting. When the motion for the third reading of the bill is to be put the question shall be "That the Bill be now read a third time and passed."

Title only to be read

61. On the first and third readings of a bill the Clerk shall read only the title.

Recommittal of bills

62. (1) If on the third reading of a bill any member desires to amend or delete any provision contained in the bill or to introduce any new provision, he may move that the bill be re-committed, and, if the motion be carried, the Assembly shall resolve itself into Committee and any alteration proposed may be discussed. The Assembly may then resume and the bill be read a third time.

(2) Verbal amendments may be made previous to the bill being read a third time without the bill being recommitted.

Commissioner's⁸ amendments

63. When the Commissioner⁹ recommends that amendments be made to a bill passed by the Assembly before the bill becomes law, such bill shall be recommitted for the consideration only of the amendments proposed. The bill shall be re-submitted to the Commissioner¹⁰ with the amendments made therein, or with such of them as the Assembly shall approve.

Withdrawal of Bills

64. The member in charge of a bill standing on the Order Book may make a motion without notice for its withdrawal either before the commencement of Other Business or on the Order of the Day for any stage of the bill being read.

Bills on the same subject matter

65. More than one bill of the same subject matter may be introduced but, when the second reading of a bill has been agreed to or negatived, the question shall not be proposed for the second reading of another bill of the same subject matter during the same session. On the Order of the Day relating to such bill being read the Speaker shall direct that the bill be withdrawn.

STANDING COMMITTEE

Finance Committee

66. (1) At the first meeting of any session of the Assembly, or as soon thereafter as practicable, the Speaker may appoint a Standing Committee to be styled the Finance Committee for the consideration of any financial bills and other business referred to such Committee.

(2) The Finance Committee shall consist of such official and unofficial members as the Speaker may consider it advisable to appoint, with the Speaker as Chairman.

(3) The rules and procedure relating to Select Committees shall apply also to a Standing Committee.

Public Accounts Committee

66A. (1) There shall be a Standing Committee of the House of Assembly to be known as the Public Accounts Committee.

(2) The Public Accounts Committee shall consist of not less than three nor more than five members of the House, drawn from both sides of the House, whose appointment to the Committee shall be moved by a resolution of the Minister of Finance and subject to the approval of the House.

(3) The House of Assembly shall from time to time appoint a Member of the Committee who is a member of the Opposition in the House to be Chairman of the Committee and may appoint another member of the House to fill any vacancy in the membership of the Committee occurring from time to time.

(4) The duties and powers of the Public Accounts Committee shall be as follows—

(a) to ascertain that the authorised expenditure during each financial year, including supplementary expenditure, has been applied to the purposes prescribed by the Legislature;

⁸ This should now read "Governor's".

⁹ This should now read "Governor".

¹⁰ This should now read "Governor".

- (b) to scrutinise the causes which may have led to any excess over authorised expenditure, and to verify applications of savings on other authorised items of expenditure;
 - (c) to make an effective examination of public accounts kept in any Department of Government; and
 - (d) to summon any public officer to give any information, or any explanation or to produce any records or documents which the Committee may consider necessary in the performance of its duties.
- (5) The Minister of Finance may provide office and secretarial facilities to the Committee.
- (6) The Public Accounts Committee shall submit its reports to the House from time to time.

PRIVATE RIGHTS AND PRIVATE BILLS

Private rights affected by Bill

67. In any case where individual rights or interest, or the property of any private person may be peculiarly affected by any public or private bill, all parties interested may, upon petition for that purpose and on motion made, seconded and carried, be heard before the Assembly or any Committee thereof, either in person or by Counsel.

Examination of witnesses

68. When it is intended to examine any witnesses the person requiring such witness shall deliver to the Clerk a list containing the names, residences and occupations of such witnesses, at least two days before the day appointed for their examination. Any such witnesses may be examined, cross-examined and re-examined by Counsel in the same manner as witnesses in any action in the Supreme Court, and may be questioned by any member of the Assembly or of any Committee thereof. The evidence of every such witness shall be taken down by the Clerk and signed by the witness.

Private Bills

69. Every bill intended to affect or benefit some particular person, association or corporate body, shall contain a section saving the rights of Her Majesty, Her heirs and successors, all bodies politic and corporate and all others, except such as are mentioned in the bill and those claiming by, from or under them. No such bill, not being a Government measure, shall be introduced into the Legislative Assembly¹¹ until due notice has been given at the expense of the promoters by not less than three successive publications of the bill in the Gazette and in some newspaper (if any) circulating in Anguilla, and where any particular premises are affected until after a copy of the bill has been affixed to the police station nearest to such property for not less than three weeks. Proof that the requirements aforesaid have been complied with shall be made by solemn declaration to the satisfaction of and deposited with the Clerk.

Cost of Private Bills

70. All bills, other than public bills, must be prepared and printed at the expense of the parties by whom they may be introduced.

¹¹ This should now read "House of Assembly".

SUPPLEMENTAL

Admission of strangers

71. Strangers may be present in the Assembly Chamber in the place set apart for them, but if any member shall object by "Taking notice that strangers are present," the Speaker shall forthwith put the question "That strangers be ordered to withdraw," without permitting any debate or amendment.

Suspension of Rules

72. These Rules may be suspended by the consent of a majority of members present, provided that no vote, resolution or question the object or effect of which may be to suspend the Rules shall be proposed except by the Speaker or with his consent.

Practice of Parliament

73. In all cases not provided for by the Constitution, or in these Rules, the practice and procedure of the House of Commons of the Parliament of Great Britain and Northern Ireland shall be followed so far as the same may be applicable to the Assembly.

Approved by Her Majesty's Commissioner in Anguilla this 28th day of May, 1976.

D.F.B. Le Breton
Her Majesty's Commissioner in Anguilla
