

STANDING ORDERS

OF THE

HOUSE OF ASSEMBLY

ST. VINCENT AND THE GRENADINES

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SAINT VINCENT AND THE GRENADINES
STANDING ORDERS OF THE HOUSE OF ASSEMBLY
OF SAINT VINCENT & THE GRENADINES

STATUTORY RULES AND ORDERS

1989, NO. 16

The standing Orders of the House of Assembly of Saint Vincent and the Grenadines, made by the House of Assembly, under the provision of Section 45 (1) of the Saint Vincent Constitution Order, 1979.

SHORT TITLE

1. These Standing Orders may be cited as the House of Assembly Standing Orders, 1989.

INTERPRETATION

2. In these Orders unless the context otherwise requires

- (a) "The Chairman" means the Chairman of a Committee of the whole House, or of a Select Committee, or of a Standing Committee as the context indicates.
- (b) "The House" means the House of Assembly and references to "the House" include reference to a "Committee of the whole House".
- (c) "Meeting" means any sitting or sittings of the House commencing when the House first meets after being summoned at any time and terminating when the House is Adjourned or at the conclusion of a session.
- (d) "Private Member's motion" means a motion not moved by a Member of the Cabinet with the authority of the Cabinet.
- (e) "Session" means the meetings of the House commencing when the House first meets after its prorogation or dissolution at any time, and terminating when the House is next prorogued or is dissolved without having been prorogued.
- (f) "Sitting" means a period during which the House is sitting continuously without adjournment and includes any period during which the House is in Committee.
- (g) "The Speaker" means the Speaker of the House and includes the Deputy Speaker or any Member elected by the House to preside at a sitting of the House and any such person when acting as Chairman of a Committee of the whole House.

- (h) "Stranger" means any person who is not a Member of the House, other than the Clerk, or any other servant of the House on official duty in the Chamber of the House.

MEMBERS AND OFFICERS OF THE HOUSE OATH OF ALLEGIANCE

3. (1) Except for the purpose of electing a Speaker and Deputy Speaker after a general election, no Member of the House shall take part in the proceedings thereof until he has made and subscribed, the oath or affirmation of allegiance in the form set out in the Schedule to these Orders.

(2) Immediately following the election of a Speaker and Deputy Speaker after a general election, the Clerk shall administer the oath first to the Speaker and Deputy Speaker and then to the other Members in the prescribed order of precedence.

(3) At any other time, the oath shall be administered by the Clerk immediately after Prayers.

ELECTION OF SPEAKER

4. (1) At the first meeting of the House immediately after a general election, or whenever it is necessary for the House to elect a Speaker by reason of a vacancy in the office occurring otherwise, the Clerk shall call upon the House to elect a Speaker.

(2) Any Member having first ascertained that the Member or other person to be proposed is willing to serve if elected, may, addressing himself to the Clerk, propose that other Member, or any other suitably qualified person, to the House as Speaker. The proposal shall require to be seconded but no debate shall be allowed.

(3) (a) If only one person is so proposed, he shall be declared by the Clerk to be so elected.

(b) If more than one person is so proposed the House shall proceed to elect a Speaker by ballot.

5. The procedure for the holding of a ballot shall be as follows:-

(a) Every Member present shall, if he desires, write upon a ballot-paper to be supplied to him by the Clerk the name of the person so proposed whom he desires to be Speaker.

(b) The Clerk shall then call the names of all the Members and each Member who so desires shall, as his name is called come to the Table, and drop his ballot-paper into a glass jar thereon in such a manner as not to disclose how he is voting.

(c) When all Members who wish to do so have dropped their ballot-paper in the glass jar, the Clerk shall examine the ballot-papers and report the result of the ballot.

(d) If no person receives a majority of votes, but two or more persons receive the same number of votes, and that number of votes exceeds the number of votes received by any other person a second ballot shall be taken, in the manner prescribed in the three preceding sub-paragraphs

save that no vote shall be cast for any person except one or other of the persons who received an equal number of votes.

- (e) If upon the holding of the second ballot, referred to in sub-paragraph (d) of this Order, two or more persons receive an equal number of votes, subsequent ballots shall be held until one person has been duly elected.
- (f) A Member shall not drop any ballot-paper into the glass jar save his own.
- (g) A Member who arrives after the names of the Members have been called and before the Clerk has begun his examination of the ballot-papers, shall be entitled to record his vote in the manner prescribed in this Standing Order.

ELECTION OF DEPUTY SPEAKER

6. (1) Whenever it is necessary to elect a Member to the office of Deputy Speaker of the House in accordance with Section 31(1) of the St. Vincent (Constitution) Order in Council 1979, such election shall be conducted in a similar manner to the election of the Speaker save that the Speaker shall preside.

PRESIDING IN THE HOUSE AND IN COMMITTEE

7. (1) The Speaker, or in his absence the Deputy Speaker, or if they are both absent a Member of the House (not being a Member of the Cabinet) elected by the House for that sitting shall preside at the sittings of the House and shall act as Chairman of Committees of the whole House.

(2) The Deputy Speaker, or other Member presiding, shall have all the authority and power of the Speaker when presiding at a sitting of the House.

(3) The Speaker, may, without any formal communication to the House or to the Committee, request the Deputy Speaker to take the Chair.

(4) Whenever the absence of the Speaker from the sitting is announced by the Clerk at the Table, the Deputy Speaker shall take the Chair.

LANGUAGE

8. (1) The proceedings and debates of the House shall be conducted in the English Language.

(2) Every petition shall be in the English Language.....

DUTIES OF THE CLERK

9. The duties of the Clerk shall be:-

- (1) To attend all sittings of the House and to read the Order of the Day and whatever else is required to be read from the Table.
- (2) To sign all Orders of the House, including any order of suspension, and addresses, and votes of thanks.

- (3) To keep the Minutes of the proceedings of the House and of Committee of the whole House; the Minutes shall record the names of Members attending, all decisions of the House whether made formally or informally, and shall be signed by the Speaker. In the case of division of the House or Committee of the whole House the Minutes shall include the numbers voting for and against the question, and the names of Members so voting.
- (4) To circulate copies of the Minutes to Members before the commencement of the next sitting.
- (5) To keep in safe custody all votes, records, bills and other documents laid before the House which shall be open to inspection by members of the House and other persons under such arrangement as may be sanctioned by the Speaker.
- (6) At the end of each session to cause to be prepared and placed in the records of the House a bound volume containing the Minutes of Proceedings of that session, marked with all such corrections as the Speaker may have directed to be made therein.
- (7) To prepare from day to day an Order Book showing all business appointed for any future day and any Notices of questions or Motions for which no particular day has yet been fixed and to allow the Order Book to be open to inspection by members of the House at all reasonable hours.
- (8) To prepare for each meeting of the House—
 - (a) an Order Paper containing the business for that meeting;
 - (b) a Notice Paper containing, all notices entered in the Order Book.
- (9) Not less than 14 days before the date of a meeting to post or dispatch or cause to be posted or dispatched a copy of the Notice Paper to each Member.
- (10) Not less than seven days before a meeting to post or dispatch or cause to be posted or dispatched a copy of the Order Paper to each Member.

QUORUM

10. (1) The Quorum of the House and of a Committee of the whole House shall consist of eight Members besides the person presiding at the sitting. (Const.. 1979, Sec. 41(2))

(2) If any Member draws the attention of the Speaker in the House or of the Chairman in Committee of the whole House to the fact that a quorum is not present, the Speaker or Chairman, as the case may be, shall direct Members to be summoned as if for a division.

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

(4) When the order to summon Members has been given in Committee of the whole House, the Chairman shall, after the expiration of two minutes count the

Committee. If he ascertains that a quorum is not then present, the House shall resume and the Speaker shall count the House. If a quorum is then present the House shall again resolve itself into Committee; but if a quorum is not present, the Speaker shall adjourn the House without question put.

(5) If, from the number of Members taking part in a division, including those members who declined to vote it appears that a quorum is not present, the division shall be invalid, the business then under consideration shall stand over until the next sitting, and the House or Committee shall be counted in accordance with paragraph (3) or paragraph (4) of this Order.

MEETINGS AND SITTINGS OF THE HOUSE

11. (1) The first sitting of every session shall be such day and at such time as His Excellency the Governor General shall appoint by Proclamation.

(2) Subject to paragraph (3) of this Order, an ordinary meeting of the House shall be held on the first Thursday in each month except in the months of May, June and July and every adjournment of the House shall be to the next ordinary meeting day, unless the House, upon a motion by a Minister otherwise decides. Should the first Thursday in any month be a Bank Holiday then the House shall meet at 10.00 o'clock in the forenoon of the next working day.

(3) If, at any time, it is represented to the Speaker by the Prime Minister that the public interest requires that the House should meet on an earlier day or on a later day than that on which it would otherwise meet, the Speaker may direct the Clerk to give notice accordingly. The Clerk shall then as soon as possible give notice to each Member in writing, or if time does not permit by telephone or in any other manner, of any such earlier or later meeting, and the House shall meet at the time stated or given in any such notice.

HOURS OF SITTING

12. (1) Every sitting shall begin at 10 o'clock in the forenoon or at such other time as the House may from time to time determine or in the absence of such decision, as the Speaker may direct, and every sitting shall end not later than 7 o'clock in the afternoon or at such other time as the House may from time to time determine or in the absence of such determination as the Speaker may direct.

(2) At 6.00 o'clock the Speaker shall interrupt the business under discussion and its resumption shall be appointed for such day as the Member in charge of it may name and if the House is in Committee the Chairman shall interrupt the business and the Speaker shall report progress to the House and shall direct that the Committee shall resume its sitting on such day as he shall name. Any other business standing on the Order Paper, in unopposed, shall then be disposed of, or if opposed shall be set down for such other sitting as the Members in charge of it shall name. Any business which when called during the time of unopposed business is objected to by a member shall be treated as opposed business.

(3) If at the time for interruption of business the Closure is moved or if proceedings, under Standing Order No. 39 (Closure of Debate) are then in progress, the Speaker or Chairman shall not leave the Chair until the questions consequent thereon and on any further motion as provided for in Standing Order No. 39 (Closure of Debate)

have been decided even though the divisions on such questions carry on beyond 6:30 o'clock in the afternoon but in that event immediately such questions have been decided or, if in Committee, as soon as the Chairman's report has been received, the Speaker shall proceed as provided for in the next succeeding paragraph.

(4) Business which has not been disposed of or postponed by 6.30 o'clock shall stand over till the next sitting, and at that hour, or upon the earlier conclusion of all business, appointed at a sitting, the Speaker shall call upon a Minister to move "That this House do now adjourn" and upon that question being agreed to the House shall adjourn. If that question has not been agreed to at 7.00 o'clock, the Speaker shall at that hour adjourn the House without question put.

(5) A Minister may either with or without notice at the commencement of Public Business, move "That the proceedings on (any specified business) be exempted at this day's sitting from the provisions of the Standing Order 'Hours of Sittings'." and any such motion shall be decided without amendment or debate, and if such a motion be agreed to the business so specified shall not be interrupted if it is under discussion at 6 o'clock on that day and may be entered upon at any hour although opposed; and if it is under discussion when the business is postponed under the provision of any Standing Order, may be resumed and proceeded with, although opposed after the interruption of business. Such a motion may provide for exemption for a specified period only. Not more than one such motion shall be made at any one sitting. After the interruption at 6 o'clock or at the conclusion of any exempted business the Speaker shall call upon a Minister to move "That this House do now adjourn" and if that question has not been previously agreed to after the expiration of half an hour the Speaker shall adjourn the House without question put.

(6) The Speaker may at any time, for the convenience of Members, suspend the sitting for a stated period.

ADJOURNMENT OF THE HOUSE

13. (1) A Minister may move "That this House do now adjourn" at any time after the conclusion of questions at any sitting but any other member may only move such a motion under Standing Order No. 14 (Adjournment—Definite Matter of Urgent Public Importance).

(2) Upon any motion "That this House do now adjourn" moved under paragraph (4) or paragraph (5) of Standing Order No. 12 (Hours of Sitting), a debate may take place, in which any matter for which the Cabinet is responsible may be raised by any Member who has obtained the right to raise a matter on the motion for the adjournment of the House that day. If time permits the Speaker may allow any other Member, who has given him prior notice of his wish so to do, to speak on the subject raised, and the Minister who is responsible for the matter raised shall reply. Thereafter, if time permits, any other Member who has obtained the right may similarly raise a matter subject to the same conditions. In any such debate any Minister may speak more than once in reply to Members raising matters.

(3) Any Member who wishes to raise a matter under the provisions of paragraph (2) of this Order at a particular sitting shall give notice of the matter in writing to the Speaker not less than one clear day before the sitting concerned. Subject to the giving of such notice, the right to raise a matter shall be allotted for each sitting through such arrangements as the Speaker may make.

ADJOURNMENT—DEFINITE MATTER OF URGENT PUBLIC IMPORTANCE

14. (1) Any Member other than a Member of the Government may at the time appointment under Standing Orders No. 15 (Order of Business) rise in his place and ask leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance.

(2) A Member who wishes so to ask leave to move the adjournment of the House shall, before the Orders of the Day have been entered upon, hand to the Speaker, a written notification of the matter which he wishes to discuss. The Speaker shall refuse to allow the claim unless he is satisfied that the matter is definite, urgent and of public importance and may properly be raised on a motion for the adjournment of the House.

(3) If the Speaker is so satisfied, and either

(a) leave of the House is given; or

(b) if it is not given, at least five Members rise in their places to support the request,

the motion shall stand over until 5 o'clock in the afternoon on the same day, and at that hour any proceeding on which the House is engaged shall be postponed until the motion for the adjournment is disposed of or until 6 o'clock, whichever is the earlier. At 6 o'clock the motion for the adjournment, if not previously disposed of, shall lapse and the proceedings which have been postponed shall be resumed and dealt with in accordance with the next paragraph of this Order.

(4) At 6 o'clock or upon the earlier conclusion of the debate on the motion for the adjournment, the business which was postponed at 5 o'clock shall be resumed and any proceedings thereon, and upon any business standing on the Order Paper for that day's sitting, shall be exempted from the provisions of paragraph (1) of Standing Order No. 12 (Hours of Sittings) for a period of time equal to the duration of the proceedings upon the adjournment motion under this Order, and that period shall be added to the hours of 6 o'clock and 7 o'clock wherever they occur in that Order.

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

ARRANGEMENT OF BUSINESS

Order of Business

15. (1) Unless the House otherwise resolves, the business of each sitting shall be transacted in the following order:—

(a) Formal entry of Speaker.

(b) Prayers.

(c) Oath of allegiance of a new Member.

(d) Obituary or Congratulatory remarks.

(e) Confirmation of Minutes.

(f) Announcements by the Speaker.

- (g) Statements by Ministers.
- (h) Presentation of Petitions.
- (i) Presentation of Papers and Reports from Selected Committees
- (j) Questions to Ministers. . .
- (k) Requests for leave to move the adjournment of the House on matters of urgent public importance.
- (l) Motions relating to the Business or Sittings of the House, and moved by a Minister or the Attorney General.
- (m) Messages from the Governor-General.
- (n) Public Business.

(2) Subject to these Orders where the House is to receive an address from the Governor-General such address may be delivered immediately after the item "Oath of Allegiance of a new Member" in the "Order of Business" as provided above or at such other point in the "Order of Business" as the Speaker may direct.

PETITIONS AND PAPERS

Presentation. of. Petitions

16. (1) Every Petition intended to be presented to the House must conclude with a prayer setting forth the general object of the Petition.

(2) A Petition shall not be presented to the House unless it shall have been endorsed by the Clerk as being in accordance with the rules in regard to Petitions.

(3) The member presenting a Petition may state concisely the purport of the Petition. A Member may not present a Petition from himself.

(4) All Petitions shall be ordered to lie upon the Table without question put unless a Member when presenting a Petition moves for it to be read, printed or referred to a Select Committee.

(5) (a) The House will not receive any Petition—which is not addressed to the House and which is not properly and respectfully worded; which has not at least one signature on the sheet on which the prayer of the Petition appears and which has not at least the prayer at the head of each subsequent sheet of signatures; or

(b) Except on the recommendation of the Governor-General signified by a Minister, the House shall not receive any Petition which in the opinion of the person presiding in the House, would dispose of or charge any public revenue or public funds of St. Vincent and the Grenadines or alter any disposition thereof or charge thereon or impose, alter or repeal any rate, tax or duty.

Presentation of Papers

17. (1) Every Paper shall be presented by a Minister or the Attorney General and its presentation shall be recorded in the Minutes of the Proceedings.

(2) Any Member presenting a Paper may make a short explanatory statement of its contents.

(3) All Papers presented to the House 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.

(4) All Regulations, Rules and Orders made or approved by the Cabinet under the authority of an Act, which do not require the approval of the House of Assembly shall be laid on the Table as soon as may be after being made.

QUESTIONS

Nature of Questions

18. Questions may be put to Ministers relating to public affairs for which they are officially responsible. Where there is no Minister responsible for the matter forming the subject of a question such question may be put to the Attorney General.

Notice of Questions

19. (1) A Question shall not be asked without notice unless it is of an urgent character or relates to the business of the day, and the Member has obtained the leave of the Speaker to ask it.

(2) Notice of a question may be handed by a Member to the Clerk when the House is sitting, or may be sent to or left at the office of the Clerk at any time during the hours prescribed for the purpose. Every such notice must be signed by the Member giving it.

(3) The reply to any question may be deferred to the next meeting of the House unless the member asking the question shall have given not less than ten clear days' notice in writing of his intention to ask the same.

(4) A member who desires an oral answer to a question shall so indicate clearly on his notice and such a question shall be put down for a day to be named by the Member being a day not earlier than ten clear days after the question has been submitted to the Clerk. A question not indicated for an oral answer may be put down for the next meeting of the House and the answer when received shall be circulated with the Minutes of Proceedings.

(5) A notice given orally in the House shall not have any force after that sitting of the House unless it be supplemented by a notice given in accordance with paragraph (2) of this Order.

Contents of Question

20. (1) The right to ask a question shall be subject to the following general rules as to the interpretation of which the Speaker shall be the sole judge:—

- (a) The proper object of a question is to obtain information on a question of fact within official cognisance of the Minister to whom it is addressed or the Attorney General, or to ask for official action.
- (b) A question shall not include the names of persons or any statements of facts, unless they be necessary to render the questions intelligible
- (c) If a question contains a statement of fact, the member asking it shall make himself responsible for the accuracy of the statement, and no question shall be based upon a newspaper report or upon an unofficial publication.
- (d) No Member shall address the House upon any question, and a question shall not be made the pretext for a debate.
- (e) Not more than one subject be referred to in any one question and a question shall not be made of excessive length.
- (f) A question shall not contain arguments, inferences, opinions, imputations, epithets, ironical expressions or hypothetical cases.
- (g) A question shall not be asked:—
 - (i) which raises an issue already decided in the House or which has been answered fully during the current session, or to which an answer has been refused;
 - (ii) seeking information about matters which are in their nature secret.
 - (iii) regarding proceedings in a Committee which have not been placed before the House by a report from the Committee.
 - (iv) which deals with matters referred to a Commission of Enquiry or within the jurisdiction of the Chairman of a Select Committee;
 - (v) as to the character or conduct of any person except in his official or public capacity;
 - (vi) about any matter then pending before any Court of Justice, or which reflects on the decision of a Court of Justice.
 - (vii) reflecting on the character or conduct of any person whose conduct can only be challenged on a substantive motion under Standing Order 36 (Contents of Speeches);
 - (viii) asking whether statements in the press, or of private individuals, or unofficial bodies are accurate;
 - (ix) the answer to which can be found by reference to available official publications;
 - (x) referring discourteously to, or seeking information about the internal affairs of any territory within the Commonwealth or of a friendly foreign country.
- (h) A question shall not solicit the expression of an opinion, or the solution of an abstract legal question, or of a hypothetical proposition.