



**PARLIAMENT
REPUBLIC OF VANUATU**

STANDING ORDERS OF PARLIAMENT

AS AT

20 JUNE 2020

Being the revised standing orders adopted on 16 December 1981, to come into effect on 1 January 1982, as amended on:

6 April 2013,

10 December 2018, and

18 June 2020 (effective 20 June 2020).

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Interpretation

1. In these Standing Orders, unless the context otherwise requires:

‘Clerk’ means the Clerk of the Parliament and includes an Acting Clerk;

‘Day’ means a calendar day;

‘Estimates’ means the Statement of Estimates and Budget Narrative accompanying the Appropriation Bill;

‘Leave’ or ‘Leave of the Parliament’ or ‘Leave of the Committee’ means permission to do something that is granted without a dissenting voice;

‘Meeting’ means any sitting or series of sittings during which the Parliament is sitting without special adjournment during the same session;

‘Member’ means a Member of the Parliament of Vanuatu;

‘Minister’ means any Minister appointed under Article 40 of the Constitution and includes the Prime Minister;

‘Nominal Vote’ means a vote taken when a Member wishes to dispute a vote taken on a show of hands;

‘Parliamentary Committee’ means a Standing Committee or an Ad hoc Committee established under these Standing Orders;

‘Public Affairs’ means any matter of national or regional significance for which the Government has responsibility and which is not the subject of a motion or notice of motion on the agenda;

‘Senior Member’ means the longest serving Member in the Parliament;

‘Session’ means a block of sitting days that constitutes a meeting and includes the two ordinary sessions held each year, any extraordinary session and any special sitting;

‘Sitting’ or ‘Sitting day’ means the period between the commencement of business on any day until the adjournment of business on that day and includes any period during which Parliament is in Committee of the Whole Parliament;

‘Speaker’ includes a Deputy Speaker, and a Member elected Speaker under Standing Order 7(4);

‘Special adjournment’ means the adjournment of the Parliament between sessions.

PART 1 – FIRST SITTING OF PARLIAMENT

Notice of first sitting of Parliament after a general election

2. Not later than twenty-one (21) days after a general election the Clerk must send to each Member a notice stating that the first sitting of Parliament will be held at the place and time specified therein. The notice must be given not less than ten (10) days before the date of the first sitting.

Procedure at first sitting of Parliament

3. (1) At the first sitting of Parliament after a general election the Clerk reads the notice sent under Standing Order 2 and directs all Members present to take the oath and to sign the Roll of Members in the manner provided by Standing Order 4.
- (2) The Parliament then elects a Speaker and one or more Deputy Speakers by secret ballot in the manner provided by Standing Orders 5 and 7.
- (3) Before any formal business can be conducted, the Members assembled must elect a Prime Minister in the manner provided by Standing Order 8.
- (4) Following the election of the Prime Minister, the Parliament then establishes the Standing Committees and appoints members to them in accordance with Standing Orders 62, 63 and 64.

Roll of Members of Parliament

4. (1) There must be a Roll of Members of Parliament.
- (2) On the direction of the Clerk under Standing Order 3, all Members present must take and subscribe to the oath and sign the Roll in alphabetical order of their surnames. In the event of a Member not being present, that Member must take and subscribe to the oath and sign the Roll at the next sitting of Parliament at which the Member is present.
- (3) A Member must not sit or vote until that Member has taken and subscribed to the oath and signed the Roll.
- (4) A Member is regarded as having taken his or her seat when the Member has taken and subscribed to the oath and signed the Roll of Members.
- (5) Where a Member has been elected through a by-election, the Member must take and subscribe to the oath and sign the Roll simultaneously, in the office of the Speaker and witnessed by the Speaker, within two (2) weeks after the declaration of the election results.

Election of Speaker

5. (1) When a quorum is present, the election of the Speaker takes place in the manner set out in the following paragraphs.

- (2) The Senior Member presides over the debate for the election of the Speaker.
- (3) A Member, addressing the Senior Member proposes a Member, then present, to Parliament and moves, "That the Honorable, Member for Constituency, be Speaker of the Parliament". The motion must be seconded, after which the Member proposed and seconded makes a statement accepting the nomination.
- (4) When a Member is proposed and seconded and has accepted nomination, the Senior Member then asks for further proposals. If there is no further proposal the Senior Member then declares elected the sole Member nominated.
- (5) When two (2) or more Members are proposed and seconded, and have accepted nomination, the Senior Member selects two (2) tellers from among the Members representing, as far as possible, different political parties, and with their assistance conducts an election by secret ballot.
- (6) After consultation with the tellers, the Senior Member declares who has been elected Speaker and the Speaker then takes the chair.

Procedure when office of Speaker becomes vacant

6. (1) If the Speaker wishes to resign, written notice of this intention must be received by the Clerk. The notice must state the date on which the resignation takes effect.
- (2) The Clerk must report to Parliament any notice given by the Speaker pursuant to paragraph (1), or any vacancy in the office of Speaker, at the opening of the first sitting after the notice has been given or the vacancy occurs.
- (3) Whenever a notice has been given under paragraph (1) or there is a vacancy in the office of Speaker, Parliament must elect a Speaker in the manner provided by Standing Order 5, subject to paragraph (4).
- (4) Where Parliament proceeds to elect a Speaker under paragraph (3), a Deputy Speaker must preside at the commencement of the sitting and when a quorum is present, calls on the Senior Member to preside over the debate for the election of the Speaker.

Deputy Speaker

7. (1) After the election of the Speaker, Parliament then elects one or more Deputy Speakers in the same manner as the Speaker, except that the Speaker presides.
- (2) The first elected is the First Deputy Speaker and the second elected the Second Deputy Speaker, and so forth.
- (3) When the Speaker is absent from the country, or is ill, or is otherwise unable to attend to his or her duties because of the death of his or her spouse or child, or when called upon to do so by the Speaker, or should the office of the Speaker become vacant by reason of death or incapacity, the First Deputy Speaker performs the duties and exercises the authority of the Speaker; and if the First

Deputy Speaker is absent the Second Deputy Speaker, and so forth in the same manner.

- (4) Whenever the Clerk notifies the Parliament that the Speaker is absent within the meaning of paragraph 3 and none of the Deputy Speakers is present to take the Chair at a sitting, Parliament may appoint one of its Members to perform the duties and exercise the authority of the Speaker for that sitting only or until the return of the Speaker or a Deputy Speaker. A motion for this purpose may be moved without notice, and there is no amendment or debate on the question.

Procedure to elect a Prime Minister

8. (1) After the election of the Speaker and the Deputy Speakers, Parliament then elects the Prime Minister in compliance with Article 41 of the Constitution.
- (2) A Member addressing the Speaker proposes a Member then present to Parliament, and moves "That the Honorable, Member for Constituency, be Prime Minister of the Republic". The motion must be seconded after which the Member proposed and seconded makes a statement accepting the nomination.
- (3) When a Member has been proposed and seconded, and has accepted nomination, the Speaker then asks for further proposals.
- (4) When all proposals have been received by the Speaker, the Speaker must, if there is more than one proposal, conduct an election by secret ballot in accordance with Schedule 2 of the Constitution.

Procedure when the office of Prime Minister becomes vacant

9. (1) If the Prime Minister wishes to resign, written notice of the resignation must be received by the Speaker. The notice must state the date on which the resignation takes effect.
- (2) The Speaker must report to Parliament any notice given by the Prime Minister pursuant to paragraph (1), or any vacancy in the office of Prime Minister otherwise occurring, at the opening of the sitting after the notice has been given or the vacancy occurs.
- (3) Whenever a notice has been given under paragraph (1) or there is a vacancy in the office of Prime Minister, Parliament must as soon as possible, elect a Prime Minister in the manner provided by Standing Order 8.
- (4) Should a notice of resignation be received during a period in which the Parliament is not sitting, the Speaker must within seven (7) days, recall Parliament for the sole purpose of electing a new Prime Minister.

PART 2 – OFFICERS OF THE PARLIAMENT

Powers and duties of the Speaker

10. (1) The Speaker presides at sittings of Parliament and is responsible for maintaining order. In exercising this duty, the Speaker may where the circumstances are deemed necessary request assistance from officers of Parliament.
- (2) The Speaker may, if the circumstances deemed necessary, request assistance from the Members of the Police Force
- (3) The Speaker presides over debates in Parliament and ensures that the Standing Orders, practices and procedures of Parliament are respected and observed by all Members.
- (4) Where a Member of Parliament raises a point of order concerning the interpretation of a provision of the Standing Orders, the Speaker may suspend the proceedings temporarily to obtain advice from or through the Clerk prior to making a ruling on the issue.
- (5) The Speaker does not participate in any debate before Parliament or vote. In the case of an equality of votes, the Speaker must give a casting vote and any reason stated by the Speaker must be entered in the Minutes of Proceedings.
- (6) The Speaker shall read or cause to be read by the Clerk the results of any vote or debate of the Parliament.
- (7) The Speaker represents the Parliament on all official occasions and signs any official document originating from the Parliament.

Office of the Clerk

11. (1) The Clerk is appointed by the President of the Republic on the advice of the Parliamentary Management Board.
- (2) The Clerk is responsible for keeping the Minutes of Proceedings of Parliament. The Minutes must record in respect of every sitting, the attendance of Members, all decisions taken, and details of every vote held. The Minutes of Proceedings are printed and distributed to all Members and a record of the Minutes is tabled at the beginning of the next following session.
- (3) The Clerk is responsible for the safekeeping of all records in written, audio and electronic form, books, bills and any other documents tabled in Parliament, which are open to inspection by Members at all reasonable hours.
- (4) The Clerk is responsible, under the direction of the Speaker, for the administration of the secretariat of the Parliament and subject to the Parliamentary Management Board, has direction and control over all officers and staff of Parliament.
- (5) The Clerk is responsible, under the direction of the Parliamentary Management Board for the administration of the budget of Parliament and must keep adequate accounting records and prepare an estimated budget of expenses for each

financial year which must be submitted to the Parliamentary Management Board for prior approval.

- (6) The Clerk performs such other duties arising under these Standing Orders, and all other duties in the service of Parliament assigned to the Clerk by Parliament, the Parliamentary Management Board or the Speaker.
- (7) Whenever the Clerk is absent, incapable of performing the duties of the office of the Clerk, or the office of the Clerk becomes vacant, the powers, functions and duties of the Clerk are exercised and performed by a Deputy Clerk, or a person nominated for that purpose by the Speaker.

Hansard

12. (1) An official report, known as Hansard, of all debates and proceedings in Parliament must be prepared under the direction of the Clerk. The report must be as nearly as possible verbatim and must be published.
- (2) A copy of the Hansard must be sent to each Member within 30 days after the conclusion of the session to which it relates.
- (3) Before publishing the Hansard, a copy of any part of it that contains any speech by a Member must be sent to that Member for correction of any grammatical or other minor technical error. No corrections that alter the meaning, emphasis, or substance of the Members speech may be made. If a corrected copy is not received from a Member within 7 days of being sent to that Member, the speech may be published without any corrections from the Member.
- (4) The report under paragraph (1) is published in written or electronic form.

PART 3 – SESSIONS, MEETINGS AND SITTINGS

Ordinary sessions

13. (1) Parliament must meet in two (2) ordinary sessions during one calendar year. Each session must be divided into one or more meetings as the case may be.
- (2) The first ordinary session of Parliament must commence on the second Thursday of May in the calendar year.
- (3) The second ordinary session of Parliament must commence on the first Thursday of November in the calendar year.
- (4) The Speaker must summon Parliament to meet in an Ordinary Session as specified in paragraph (2) and (3) at least fifteen (15) days before the specified date.
- (5) The Clerk must send to each Member a notice stating an ordinary session will commence on the date specified in paragraphs (2) and (3).
- (6) The notice containing the list of all bills to be considered in the session must be given at least fifteen (15) days before the date appointed for the opening of the session.

- (7) When at the end of any meeting, an ordinary session is adjourned to be continued during another meeting, the Speaker informs the Members of the date on which the next meeting commences.
- (8) Under normal circumstances Parliament and its committees do not meet in the periods of December 15th to January 15th or July 15th to August 15th.
- (9) The dates of the first and second ordinary sessions referred to in paragraphs (2) and (3) apply unless Parliament approves by resolution a sitting calendar with alternative dates for the first and second ordinary sessions.
- (10) A sitting calendar referred to in paragraph (9) must be approved at the second ordinary session in a calendar year to operate for the following calendar year, except where there is an election in the following year.
- (11) The sitting calendar is prepared in the following manner:
 - (a) Government must submit to the Speaker a proposed sitting calendar for the Parliament no later than fifteen (15) days before the date appointed for the opening of the second ordinary session;
 - (b) the Speaker must prepare a sitting calendar of the proposed dates of sitting for the Standing Committees no later than fifteen (15) before the date appointed for the opening of the second ordinary session;
 - (c) the proposed sitting calendar for the Parliament and for the Standing Committees must be sent to each Member with the notice for the second ordinary session under paragraph (6).
- (12) If Parliament is dissolved on the date of commencement of the first ordinary session or the second ordinary session in a calendar year as specified under paragraphs (2) or (3), the next ordinary session commences no earlier than thirty (30) days before and no later than sixty (60) days after the date of the last day of the first sitting after an election.

Presidential address

14. (1) H. E. the President may address each Parliament once during the first ordinary session in any calendar year.
- (2) After the message from H.E. the President, the Prime Minister and the Opposition Leader, or in their absence a delegated Member comment briefly on the message. Each speech may not exceed more than thirty (30) minutes.

Extraordinary session

15. (1) Whenever the Speaker is requested by the Prime Minister or the majority of Members, or where the Speaker so decides, the Speaker must summon Parliament to meet in extraordinary session.
- (2) Any request made to the Speaker under paragraph (1) must be in writing and signed by the Prime Minister or the Members requesting the ordinary session. The request must contain:

- (a) The reason for which an extraordinary session is requested;
 - (b) A statement of the specific matter or matters to be discussed during the extraordinary session;
 - (c) The expected duration of the extraordinary session and the proposed date for its opening.
- (3) The business to be transacted by Parliament during an extraordinary session is limited to the matter or matters listed in the request made to the Speaker under paragraph (2).
- (4) An extraordinary session is limited to one meeting of Parliament, unless the Speaker otherwise decides for special reasons.
- (5) A request made by the majority of the Members of Parliament under this Standing Order must be signed by the majority of Members at the same time in the premises of Parliament and in the presence of the Speaker or the Clerk.
- (6) The Clerk must send to each Member a notice stating that the extraordinary meeting will commence on the date specified in the notice. The notice contains a statement of the matter or matters to be discussed during the session. The notice must be given at least:
- (a) seven (7) days before the day appointed for the opening of the extraordinary session if there is a motion of no confidence in the Prime Minister or a vacancy in the office of Prime Minister; or
 - (b) fifteen (15) days in any other case.
- (7) Any Bill proposed to be discussed during the extraordinary session is dealt with in the same manner as provided in Standing Order 30.

Special sitting

16. Parliament may hold a special sitting to decide such matters as are required to be considered a special sitting under the Constitution or other law.

Days of sitting

17. (1) During the course of a meeting, Parliament sits on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays but must not sit on Saturdays, Sundays or Public Holidays, unless Parliament decides otherwise on a motion moved under paragraph (2).
- (2) A Member may, without notice, move that Parliament sits on a Saturday, Sunday or Public Holiday, or must not sit on any day named in the motion, and such motion is made orally, must be seconded and is decided without amendment or debate.

Hours of sitting

18. (1) Unless Parliament otherwise decides on a motion moved under paragraph (2), the hours of sitting are 8.30 a.m. to 11.30 a.m., and 2.00 p.m. to 5.00 p.m. If a vote is

being taken at the time appointed for the interruption of business, the interruption is deferred until the vote is completed.

- (2) Unless otherwise ordered, the Parliament adjourns without motion moved at 5.00 p.m. on each sitting day to recommence at the time stated in paragraph (1). A Member may move that the Parliament adjourn earlier than 5.00 pm on any sitting day. The motion is made orally without notice and must be seconded, and is decided without amendment or debate.
- (3) A Member may move that Parliament sits before 8.30 a.m. or 2.00 p.m., or after 11.30 a.m. or 5.00 p.m., on any day named in the motion. The motion is made orally without notice and must be seconded, and is decided without amendment or debate
- (4) The Speaker may, at any time temporarily suspend a sitting, but for no longer than three hours. The sitting recommences on the ringing of one long bell.

Bells

19. (1) A bell is rung to summon Members to the Chamber for a meeting, to vote, to establish a quorum, and at the adjournment of the Parliament.
- (2) The timing for bells is as follows:
 - (a) On any sitting day at 8.15 a.m. for twenty (20) seconds, at 8.26 a.m. for three quarters ($\frac{3}{4}$) of a minute, and at 8.29 a.m. for one (1) minute;
 - (b) At the beginning of the second period at 1.45 p.m. for twenty (20) seconds and at 1.59 p.m. for one (1) minute;
 - (c) For a nominal vote, first bell ten (10) seconds, pause, second bell (10) seconds, pause, third bell twenty (20) seconds. Members have four minutes from the time the first bell is rung to take their seats for a vote;
 - (d) For a quorum, one continuous bell for up to five (5) minutes, or until a quorum is formed;
 - (e) For an adjournment, two short bells, five (5) seconds, pause, five (5) seconds;
 - (f) If the Speaker suspends the Parliament by leaving the Chair in accordance with Standing Order 18(4), the bell is rung continuously for five (5) minutes to summon Members back to the Chamber.

PART 4 – BUSINESS OF PARLIAMENT

Order of business at a sitting

20. (1) The Clerk prepares an agenda for each sitting day showing the business to be placed before Parliament, together with such other information as the Speaker may, from time to time, direct.
- (2) Except at the first sitting of an ordinary session or for an extraordinary session, the business of each sitting day is transacted in the following order:
 - (a) The Prayer
 - (b) Reading of the agenda by the Speaker;
 - (c) Confirmation of minutes;

- (d) Business having precedence;
 - (e) Announcements by the Speaker;
 - (f) Presentation of Petitions;
 - (g) Statements by Ministers;
 - (h) Tabling of documents;
 - (i) Urgent debates;
 - (j) Business to be transacted on that sitting day pursuant to Standing Order 27;
 - (k) Announcement of Order of Bills for the next sitting day;
 - (l) Closing Prayer.
- (3) A provisional agenda must be circulated at the end of the sitting day for the next sitting day. The final agenda for each sitting day must be circulated as early as possible before Parliament sits.
- (4) For the purposes of paragraph (3), the Government must advise the Clerk as soon as possible the order in which the bills are to be placed on the agenda in accordance with Standing Order 29(2).

Business having precedence

21. The following matters take precedence on any sitting day and must be listed for debate immediately following the reading of the agenda by the Speaker:
- (a) No confidence in the Prime Minister;
 - (b) No confidence in the Speaker;
 - (c) Dissent from a ruling of the Speaker;
 - (d) Condolence or congratulatory motion.

Confirmation of Minutes

22. (1) The Minutes of any sitting day are compiled by the Clerk and must include a record of all proceedings in the Parliament. At the conclusion of each session the Minutes and any other relevant documents must be bound and published as the Minutes of the Parliament.
- (2) The Minutes must record in respect of every sitting, the attendance of Members, all decisions taken, and details of every vote held. The Minutes must include a record of all bills and other documents tabled at each meeting, a register showing the history of bills, reports of committees, business not completed and statistics.
- (3) The Minutes of a session, unless Parliament otherwise decides, are confirmed at the first sitting of the following session.
- (4) No debate is allowed on the Minutes except as to any proposed amendment or as to their accuracy.
- (5) After being confirmed by Parliament, the Minutes are signed off by the Speaker and the Clerk as a true and correct record.

Statements by Ministers

23. (1) A Minister may make a factual statement of no longer than fifteen (15) minutes on Government policy, or on matters for which the Minister is responsible. A spokesman for each of the parties in the Opposition may speak for no longer than five (5) minutes on the statement and Members may be permitted to address questions to the Minister.
- (2) A Minister making a statement must lodge with the Clerk a copy of the statement in written and electronic form and a further sixty (60) printed copies thirty (30) minutes before the opening of the sitting in which the statement is made.

Tabling of documents

24. (1) The Speaker, any Minister, or Member may table before Parliament any report, petition, paper or document dealing with a matter coming within the responsibility of Parliament and a record of such report, petition, paper or document shall be entered in the Minutes of the same day.
- (2) Any Member may, without notice, move that Parliament hold a debate at a later sitting on any matter or matters related to any report, petition, paper or document deposited under paragraph (1). Any such motion is made orally, must be seconded and is decided without amendment or debate.

Urgent debate

25. (1) A Member may, without notice, move that Parliament hold a debate immediately for the purpose of discussing a specific matter which should have urgent consideration.
- (2) If the Speaker is satisfied that the matter raised is proper to be discussed immediately, the motion is made orally, must be seconded and is decided without amendment or debate.
- (3) Unless Parliament otherwise decides, an urgent debate is limited to thirty (30) minutes.

Speaker to be informed

26. A Minister or Member, as the case may be, must inform the Speaker not less than thirty (30) minutes before the opening of sitting when the matter is to be considered of his or her intention to:
- (a) Make a ministerial statement under SO 23; or
 - (b) Table a report, petition, paper or document under SO 24(1); or
 - (c) Move a motion to debate a report, petition, paper or document under SO 24(2); or
 - (d) Move a motion for an urgent debate under SO 25(1).

Order of business during a week

27. (1) When the sitting day business has been transacted in accordance with Standing Order 20, Parliament shall proceed with its business, day by day, in the following order:

Monday

Morning	8.30 a.m. – 10.30 a.m. 10.30 a.m. – 11.30 a.m.	Government bills Private Bills and Public Affairs
Afternoon	2.00 p.m. – 2.30 p.m. 2.30 p.m. – 5.00 p.m.	Oral questions Government bills

Tuesday

Morning	8.30 a.m. – 10.30 a.m. 10.30 a.m. – 11.30 a.m.	Government bills Written motions and Public Affairs
Afternoon	2.00 p.m. – 2.30 p.m. 2.30 p.m. – 5.00 p.m.	Oral questions Government bills

Wednesday

Afternoon	2.00 p.m. – 3.00 p.m. 3.00 p.m. – 5.00 p.m.	Written questions and Public Affairs Government bills
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Thursday

Morning	8.30 a.m. – 10.30 a.m. 10.30 a.m. – 11.30 a.m.	Government bills Private bills and Public Affairs
Afternoon	2.00 p.m. – 2.30 p.m. 2.30 p.m. – 4.00 p.m. 4.00 p.m. – 5.00 p.m.	Oral questions Government bills Written motions and Public Affairs

Friday

Morning	8.30 a.m. – 11.30 a.m.	Government bills
Afternoon	2.00 p.m. – 2.30 p.m. 2.30 p.m. – 3.30 p.m. 3.30 p.m. – 5.00 p.m.	Oral questions Statements by Members and Public Affairs Opposition business and Public Affairs

- (2) Whenever there is no matter to be considered in a period allotted for Public Affairs, the Parliament continues debate on Government bills.

PART 5 – PROCEDURE OF BILLS

Private bills

28. (1) Private bills consist of bills presented by Members who are not Ministers.
- (2) Private bills are subject to the same stages and rules of procedure as those laid down for Government bills.
- (3) In determining the order of private bills on the agenda, the Speaker has regard to:

- (a) The wishes expressed by the Member presenting the private bill;
 - (b) The time when the private bill was presented by the Member;
- (4) Any private bill which is set down for any sitting day and which is not disposed of by 11.30 a.m. on Monday and 11.30 a.m. on Thursday is without the question being put, postponed until the next sitting day on which private bills are listed for debate.

Government bills

29. (1) Government bills consist of bills presented by any Minister.
- (2) Government decides the order in which Government bills are placed on the agenda. This order must be announced by the Government at the end of the sitting day before the beginning of the next sitting day.

Procedure on introduction of a bill

30. (1) Any Minister or Member who wishes to introduce a bill before Parliament must supply to the Clerk a hard copy and an electronic copy of the bill in French and English, not less than fifteen (15) days prior to the sitting at which the bill is to be introduced.
- (2) In the event that a bill is not received by the Clerk in accordance with paragraph (1)(a), the bill must not be introduced in Parliament.
- (3) The Clerk shall send a copy of the bill in French and English to each Member not less than ten (10) days prior to the meeting at which the bill is to be introduced.
- (4) The placing of a copy of the bill in the pigeon hole of each Member at the reception desk of Parliament House constitutes notice of the bill.

Stages of a bill

31. (1) There are three (3) stages for the passing of a bill by Parliament:
- (a) First reading;
 - (b) Committee of the Whole Parliament stage;
 - (c) Second reading.
- (2) Despite paragraph (1), where a bill is referred for consideration and report by a Parliamentary Committee, there are four (4) stages for the passing of a bill by Parliament:
- (a) First reading;
 - (b) Referral to and report by a Parliamentary Committee;
 - (c) Committee of the Whole Parliament stage;
 - (d) Second reading.

First reading

32. (1) On the motion being moved “That the first reading of thebill be agreed to”, a debate may take place which is confined to the principles and merits of the bill.
- (2) A motion under paragraph (1) may be made orally without notice and without being seconded. Any Member may propose an amendment to such a motion.
- (3) A Minister introducing a bill at the first reading makes a speech to the Parliament outlining the purpose, merits and principles of the bill, and a copy of the speech in written and electronic form must be handed to the Clerk forty-eight (48) hours before the opening of the sitting at which the speech is to be presented for incorporation in Hansard.
- (4) The Clerk must sent to each Member the speech of the Minister in written or electronic form at least 24 hours before the opening of the sitting at which the speech is to be presented.

Referral to a Parliamentary Committee

33. (1) When the first reading of a bill has been agreed to, Parliament may resolve to refer the bill to:
- (a) the Standing Committee with jurisdiction over the subject-matter of the Bill; or
(b) an Ad hoc Committee (whether existing or is established for the purpose of considering the Bill).
- (2) Paragraph (1) does not apply to an Appropriation Bill, which is subject to the procedure set out in Standing Order 93.
- (3) In any case where it is unclear which Standing Committee has jurisdiction over the subject matter of the Bill, the Speaker determines which Standing Committee the Bill is referred to.
- (4) The motion referring the Bill to a Parliamentary Committee may be moved by the Minister or Member responsible for the bill orally, without notice and immediately after the first reading of the bill.
- (5) When a Bill has been referred to a Parliamentary Committee, no further proceedings may be taken until the Committee has reported to Parliament.
- (6) Each Parliamentary Committee to which a bill is referred examines the bill and—
- (a) determines whether to recommend that the bill be passed; and
(b) may recommend amendments in accordance with paragraph (8).
- (7) Except as otherwise provided in this Standing Order, a Parliamentary Committee may recommend only amendments that are relevant to the subject-matter of the bill, are consistent with the principles and objects of the bill, and otherwise conform to the Standing Orders and the practices of the Parliament.

- (8) Where amendments have been made, the Committee's Report to Parliament must include an amendment version of the Bill that will be tabled in Parliament for further deliberation.

Parliamentary Committee Reports

34. (1) A Parliamentary Committee must finally report to Parliament on a bill by the next ordinary session or by such other time as fixed or extended by Parliament.
- (2) If the committee has not reported within the time for report, the bill is discharged from further consideration by the committee and set down for its next stage in Parliament at a future sitting day in the next ordinary session, unless Parliament extends the time for the Committee to consider the bill by a written motion moved by the Committee Chairperson.

Consideration of committee reports

35. (1) When a bill has been considered by a Parliamentary Committee and the Parliamentary Committee has reported to Parliament, the report is considered by Parliament during a period allotted for consideration of Government bills or Private Bills, as the case may be.
- (2) The motion "That the committee's report on the bill with amendments or without amendments as the case may be, be adopted" is moved by the Chairperson of the Parliamentary Committee that considered the bill, orally and without notice and without being seconded.
- (3) Debate is limited to the report of the Standing Committee, which includes the bill with or without amendments.
- (4) The Speaker ensures that the matters raised by Members at the report stage are relevant.
- (5) The report stage concludes when Parliament concurs with the report. The adoption of the report on a Government bill, with or without amendments as the case may be, may be moved forthwith or at some subsequent sitting.

Adoption of report and recommended amendments

36. (1) At the conclusion of the debate on the Parliamentary Committee's report on the bill and before the Parliament resolves itself into the Committee of the Whole Parliament for the consideration of the bill, the Speaker puts the question that the report including any amendments recommended by the Parliamentary Committee be adopted.
- (2) There is no amendment nor further debate on the question.
- (3) The amendments recommended by a Parliamentary Committee that are agreed to by Parliament are adopted as part of the bill.

- (4) If the amendments recommended by the Parliamentary Committee are not agreed to by Parliament, any member may move such amendments during consideration of the relevant clause at the Committee of the Whole stage of the Bill.

Committee of the Whole Parliament stage

37. (1) When the first reading of the bill has been agreed to, if the bill is not referred to a Standing Committee or an ad Hoc Committee in accordance with Standing Order 33, it is automatically referred to the Committee of the Whole Parliament.
- (2) Parliament then forthwith or at some subsequent sitting, resolves itself into the Committee of the Whole Parliament for consideration of the bill in detail.
- (3) The Committee of the Whole Parliament considers and votes on the bill clause by clause and the Chairperson calls the clauses by reading the number of each clause.
- (4) The Chairperson may, with the consent of the Committee, put a group of clauses as one question.
- (5) Subject to Standing Order 36, any Member may present an amendment to a clause at the relevant time. Such amendment may propose that a clause be deleted, replaced, or a new clause inserted, at the proper and logical stage during the consideration of the bill. The Committee of the Whole Parliament, after debate, votes on the amendment. If the amendment is accepted the bill is amended accordingly.
- (6) In the event of a controversial issue on a bill or part of a bill during the Committee of the Whole Parliament Stage, a motion may be moved orally, without notice, and shall be seconded, to recommit the bill or part to a Parliamentary Committee.
- (7) The Committee of the Whole Parliament may seek the advice of any person or group of persons who it believes may be of assistance during the consideration of a bill or any clause of a bill.

Second reading

38. (1) When a bill has been considered and agreed to by the Committee of the Whole Parliament, Parliament reads the bill as reported a second time either forthwith or at some subsequent sitting.
- (2) On the motion for the second reading of a bill being moved, the Speaker puts the question, "That this bill be now read a second time and do pass".
- (3) A motion under paragraph (2) may be made orally and without notice and shall not be required to be seconded.
- (4) The only amendment admissible to a motion proposed under paragraph (2) is:
 - (a) That the second reading be postponed to some specific date in the future;
 - (b) That the bill be referred to the Committee of the Whole Parliament, for a limited and defined purpose.

Amendment to a bill

39. (1) Every amendment is required to be seconded.
- (2) An amendment must be relevant to the provisions of the bill and to the subject matter of the clause to which it relates, and must not be in conflict with the principles of the bill as agreed to at the first reading or with any previous decision of the Committee of the Whole Parliament.
- (3) The Speaker may declare inadmissible an amendment which, in his or her opinion, is unintelligible, irrelevant, frivolous or scandalous or is otherwise out of order.
- (4) A Member proposing an amendment must put the amendment into writing in French and English in proper form and must lodge it with the Clerk and circulate it to Members, and the Speaker, after any debate, proposes the question on amendment.
- (5) When two or more amendments relating to the same clause are proposed, the amendments may be debated together but are voted on separately in the order in which they were presented.
- (6) An amendment to an amendment which a Member wishes to propose may be presented at any time before the conclusion of the debate on the original amendment.
- (7) An amendment to an amendment is disposed of in the same way as an original amendment.
- (8) When every amendment to an amendment has been disposed of the Speaker proposes the question on the original amendment, or on the original amendment as amended, as the case may require.

PART 6 – QUESTIONS, MOTIONS, PUBLIC AFFAIRS, OPPOSITION BUSINESS, STATEMENTS AND PETITIONS

Written questions

40. (1) Subject to Standing Order 42, any Member may address a written question to a Minister relating to a public matter for which the Minister is officially responsible, in which the Member seeks information on that matter or asks for official action.
- (2) Any Member desiring to ask a written question must give notice by delivering a copy of such question to the Clerk not less than five (5) days before the day on which the Member intends to ask the question.
- (3) The written question must be signed by the Member and show the day proposed for asking the question.
- (4) The Clerk must transmit, within twenty four (24) hours, the written question to the Minister to whom the question has been directed.

- (5) The Minister to whom a written question has been directed must deliver sixty (60) printed copies of the written answer, and one copy in electronic form, in the language in which the question was asked, to the Clerk not later than three days after the written question has been transmitted to the Minister.
- (6) At the time scheduled for written questions, the Member who signed the question reads it, and the Minister to whom the question is addressed reads the answer. The text of the written question and answer is reproduced in the Minutes of the sitting.
- (7) Written questions and answers are not debated, but the Speaker may allow the Member asking the question a supplementary question to elucidate the answer.

Oral questions

41. (1) Subject to Standing Order 42, any Member may address oral questions, without notice, to a Minister relating to a public matter for which the Minister is officially responsible.
- (2) An oral question must be confined to a single question (but the Speaker may allow a Member to proceed thereafter with not more than two (2) supplementary questions) and must be concise.
- (3) The Opposition Leader has first priority of questions asked.
- (4) A Minister answering a question must not speak for more than two (2) minutes and must be concise.
- (5) If a Minister is not present in the Parliament, the Prime Minister will answer the question on behalf of that Minister.

Content of questions

42. (1) A question may seek factual information or press for action.
- (2) Any question asked in accordance with Standing Orders 40 and 41 must not contain:
 - (a) The names of persons or statements of facts, unless they are strictly necessary to make the question intelligible;
 - (b) Any hypothetical matter, argument, inference, imputation, or any tendentious, ironical or offensive expression;
 - (c) A query seeking an expression of opinion, including a legal opinion.
- (3) A question must not refer to any matter on which a judicial decision is pending or reflect on a decision of a court of law.
- (4) The Speaker may declare inadmissible any question which, in his or her opinion, is unintelligible, irrelevant, frivolous, scandalous, or is otherwise out of order.
- (5) A Member is responsible for the authenticity of the name of persons, and the facts, that are included in the question.

- (6) A Member is entitled to no more than 1 minute to pose his or her question.

Written motions

43. (1) A Member who wishes to move a written motion must give written notice by delivering to the Clerk a copy of the motion in French and English signed by the Member and by one other Member acting as seconder, not less than two (2) days before the day on which the Member intends to move the motion.
- (2) The Clerk must give a copy of the motion to each Member within one day of receiving the motion.
- (3) A motion for debate must contain only one topic and the rules contained in Standing Order 42 apply to the contents of any written motion.
- (4) When a written motion has been moved and seconded, the Speaker proposes the question on it to Parliament in the same terms as the motion and a debate may then take place. The mover, or in the mover's absence the seconder, is entitled to open such debate and has a right of reply.
- (5) When the debate on the motion has been concluded, the question is put forthwith by the Speaker.
- (6) A motion may be withdrawn by the mover with the consent of the seconder, and with the leave of the Speaker, before the question has been fully put on it, but if so withdrawn, the motion may be moved again at some other sitting after due notice.
- (7) Should either the mover or the seconder withdraw support for the motion, the motion then lapses.

Motions of no confidence

44. (1) A Member who wishes to move a motion of no confidence must give written notice by delivering to the Clerk a copy of the motion in French and English signed by the Member and by one other Member acting as seconder, not less than seven (7) days before the day on which the Member intends to move the motion.
- (2) The Clerk must give a copy of a motion of no confidence to each Member at least one day before the motion is to be debated.
- (3) The rules contained in Standing Order 43(4)-(7) apply accordingly to any motion of no confidence.

Statements by Members

45. (1) Any Member may make a statement to Parliament on any matter relating to the Member's responsibilities as a Member of Parliament or on any question of Government policy. Any such statement is limited to fifteen (15) minutes.
- (2) Any Member who wishes to make a statement in accordance with paragraph (1) must inform the Speaker of his or her intention and provide a written copy, thirty (30) minutes before the opening of the sitting in which the statement is made.

- (3) Statements are listed on the agenda in the order in which they are received.
- (4) If no motion for a debate on matters of public affairs is presented or accepted in accordance with Standing Order 46, the period of time allotted for public affairs may be used for statements by Members.

Public Affairs

46. (1) Any Member may move, without notice, that Parliament hold a debate for the purpose of discussing a question relating to matters of public concern or public administration during a period allotted for Public Affairs.
- (2) The Member must inform Speaker of his or her intention under paragraph (1), thirty (30) minutes before the opening of the sitting during which the motion is to be presented.
- (3) A motion presented under paragraph (1) may be made orally and must be seconded, and is decided without amendment or debate.

Opposition business

47. (1) The Opposition Leader or another Opposition Member designated by the Opposition Leader may, during the period allocated for Opposition business, move a motion to take note of a matter related to public policy or public administration.
- (2) The Opposition Leader or another Opposition Member designated by the Opposition Leader must inform Speaker of his or her intention under paragraph (1) and provide the Speaker with a written copy of the motion, two (2) days before the sitting day in which the motion is to be presented.

Petitions

48. (1) Members may present to Parliament petitions received from the citizens of the Republic of Vanuatu provided they are in the correct form. The form of petition is attached to these Standing Orders as Appendix 1.
- (2) A petition must:
 - (a) commence with the words "To the Honorable Speaker and Members of the National Parliament of Vanuatu";
 - (b) be clearly written, typed or printed, nor have anything attached to it, and not contain any alterations;
 - (c) state the facts which the petitioners wish to bring to the notice of the Parliament;
 - (d) be respectful and moderate in its language and not contain irrelevant statements;
 - (e) conclude with a request that the Parliament do, or not do, something or take some course of action; and the content of (a), (b), (c) and (d) must appear at the top of each sheet;
 - (f) be in French and English, or in Bislama;
 - (g) contain at least one signature;
 - (h) contain the name, address and original signature of each petitioner.

- (3) A petition is not in order:
 - (a) If it is on the same matter as an earlier petition which was finally dealt with by Parliament during that term, unless substantial and relevant new evidence is available that was not available when the earlier petition was considered;
 - (b) If it is on a matter for which legal remedies have not been exhausted.
- (4) The Member presenting the petition cannot be a signatory.
- (5) The Member presenting the petition is responsible for ensuring that the petition is in order and must sign the front sheet to verify this.
- (6) The Member presenting the petition must lodge it with the Clerk by 12.00 p.m. on the day before it is to be presented.
- (7) The Speaker will call for petitions to be presented at the time set down in the agenda and the Clerk will announce that petitions have been received by reading the name of the Member presenting the petition and the purpose of the petition.
- (8) After the Clerk announces the petition, the Member presenting the petition may move to refer the petition to the most appropriate Standing Committee under which the subject matter of the petition falls. The motion is made orally and must be seconded and is decided without amendment or debate.
- (9) No discussion will be allowed upon the subject matter of any petition at the time it is presented and every petition presented is deemed to be received by the Parliament.
- (10) There is no requirement for a Member to present a petition to the Parliament when requested to do so.

PART 7 – DEBATES IN PARLIAMENT

Maximum time limits for speeches

49. The following maximum time limits shall apply for speeches:

Bills

First reading Government bills – (SO 32)

- | | |
|------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| Minister and first Member leading for the Opposition | - Unlimited |
| All other Members | - up to three (3) speeches on any one question
- 10 minutes for first speech and then 5 minutes each |
| Minister in reply | - Unlimited |

Committee of whole Parliament

- | | |
|----------|-------------|
| Minister | - Unlimited |
|----------|-------------|

All other Members	- up to three (3) speeches on any one question - 5 minutes each
<u>Second reading</u>	
All Members	- on each question - 10 minutes
<u>Parliamentary Committee Report stage</u>	
All Members	- 10 minutes
<u>First reading private bills – (SO 28)</u>	
Mover	- Unlimited
All other Members	- up to three (3) speeches on any one question - 10 minutes for first speech and then 5 minutes each
Mover in Reply	- Unlimited
<u>Committee of whole Parliament</u>	
Mover	- unlimited
All other Members	- up to three (3) speeches on any one question - 5 minutes each
<u>Parliamentary Committee Report stage</u>	
All Members	- 10 minutes
<u>Second reading</u>	
All Members	- on each question - 10 minutes
<u>Debates not otherwise provided for</u>	
All Members	- 15 minutes
<u>Public Affairs - (SO 46)</u>	
Mover	- 10 minutes
Responses	- 5 minutes
<u>Inaugural address, speeches following - (SO 14)</u>	
Prime Minister	- 30 minutes
Opposition Leader	- 30 minutes
Any other Member	- 5 minutes
<u>Opposition business - (SO 47)</u>	
Opposition Leader	- 20 minutes
All other Members	- 10 minutes
<u>Privilege (suddenly arising in Parliament) - (SO 57)</u>	
The Member	- may speak for 10 minutes to establish a prima facie case
<u>Speaker's ruling, dissent - (SO 59)</u>	
All Members, including reply	- 10 minutes

Statements by Ministers - (SO 23)

Minister	- 15 minutes
Comments by Opposition spokespersons	- 5 minutes

Statements by Members - (SO 45)

Members	- 15 minutes
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Suspension of a Member - (SO 54(3))

Minister	- 10 minutes
Member in response	- 10 minutes

Suspension of Standing Orders - (SO 60)

Mover	- 5 minutes
One other member	- 5 minutes
Reply	- 5 minutes

Tabling of documents - (SO 24)

All Members	- 10 minutes
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Urgent Debate - (SO 25)

Mover	- 10 minutes
All other Members	- 5 minutes

Written motions (not for bills) - (SO 43)

Mover	- 15 minutes
Member next speaking	- 15 minutes
All other Members	- 10 minutes
Reply	- 10 minutes

Quorum

50. (1) A quorum is two thirds of the Members of Parliament as set down in Article 21(4) of the Constitution.
- (2) If there is no such quorum at the first sitting in any session Parliament must meet three (3) days later, and a simple majority of Members then constitutes a quorum.
- (3) On any sitting day, if the attention of the Speaker is directed to the fact that a quorum is not present, the Speaker orders bells to be rung until a quorum is present and, if at the end of five (5) minutes a quorum is not present, Parliament adjourns until the next sitting day without question put.
- (4) Once it has been shown, at any time, that a quorum is present, it is not in order to draw the attention of the Speaker to the absence of a quorum until the end of one (1) hour from that time.

Conduct of debate

51. (1) Any Member who wishes to speak must raise a hand in a clearly visible manner and must not speak until the Speaker has given the Member leave to do so.

- (2) When speaking a Member addresses the Speaker and must stand and speak from the place where the Member sits in Parliament. A Member must not interrupt or challenge another Member who has the floor.
- (3) No Member is entitled to speak more than (3) times on the same subject, excluding questions and answers related to the subject.
- (4) The Speaker may call a Member to order if the Member's speech is not relevant to the matter under debate. If the Member does not comply, or persists in speaking after having been requested to conclude their speech, the Speaker may direct the Member to cease speaking.

Rules against anticipation

52. (1) A Member may not raise in debate any matter that is the subject of a motion listed on the agenda.
- (2) The Speaker may, however, allow the Member to speak if, in the Speaker's opinion, there is no likelihood that the matter will come before the Parliament in a reasonable time, or if the matter is of great urgency.

Allegations against another Member or a Member of the judiciary

53. (1) Members must not make allegations against, or complaint about, the conduct of another Member of the Parliament, or a Member of the judiciary, other than by specific and distinct substantive motion stating the nature of the allegation or complaint against that person.
- (2) The Member moving the motion must produce evidence to support the charge and the motion must be confined to the allegation or complaint.

Order in the Parliament

54. (1) The Speaker, after having called the attention of Parliament to the conduct of a Member who persists in irrelevance or tedious repetition, either in the Member's own speech or in the speeches of other Members in the same debate, may direct the Member to cease speaking.
- (2) If any Member:
 - (a) persistently or willfully obstructs the business of Parliament;
 - (b) is guilty of disorderly conduct;
 - (c) uses objectionable words which the Member refuses to withdraw;
 - (d) persistently or willfully refuses to conform to any Standing Order;
 - (e) persistently or willfully disregards the authority of the Speaker;

the Speaker may order the Member to withdraw immediately from Parliament Chamber for the remainder of the sitting.
- (3) In the case of more serious misconduct, the Speaker may name the Member and state the nature of the misconduct. Then Parliament may, on a motion moved by a

Member, suspend the Member so named from the precincts of the Parliament and from any meetings of parliamentary committees.

- (4) The period of suspension shall be two (2) sitting days for a first offence, four (4) sitting days for a second offence within the same session, and eight (8) sitting days for a third or subsequent offence within the same session. The Member must withdraw immediately from Parliament and its precincts for the period of the suspension.
- (5) In the case of grave disorder arising in the Parliament, the Speaker may leave the Chair without question put for a period not exceeding three hours.
- (6) Any motion presented in accordance with paragraph 3, must be in writing, seconded, and two (2) days clear notice shall be given to the Speaker.

Closure of debate

55. (1) After a question has been proposed, any Member may move "That the question be put", and, unless it appears to the Speaker that such motion is an abuse of the rules of Parliament or an infringement of the rights of a minority, the question, "That the question be put", is put forthwith.
- (2) A motion presented in accordance with paragraph (1) must be seconded and is decided without amendment or debate.

Point of order

56. (1) The Speaker calls the attention of Parliament to any violation of the Standing Orders.
- (2) A Member may, at any time, call the attention of the Speaker on a point of order. The Member must indicate to the Speaker, as briefly as possible, which Standing Order, practice or procedure has been violated.
- (3) The Speaker may allow a point of order to be debated before making a decision but such debate is strictly confined to the point of order raised.
- (4) On a point of order, the Speaker may give a decision either forthwith or at a later sitting. The Speaker must indicate reasons for the decision.

Matters of privilege

57. (1) A Member who wishes to raise a matter which the Member believes to affect the privileges of the Parliament or one of its Members must do so as soon as possible after the matter comes to the Member's attention. The Member verbally informs the Speaker, stating the facts to which the Member wishes to draw attention, thirty (30) minutes before the beginning of the sitting at which the Member proposes to raise the matter.
- (2) When a Member is called by the Speaker to speak to the matter of privilege, the Member states briefly the facts to which the Member wishes to draw the attention

of Parliament and the grounds on which the Member believes that those facts affect the privileges of Parliament or one of its Members.

- (3) If the Speaker is of the opinion that the matter raised affects the privileges of Parliament or one of its Members, any Member may move an oral motion without notice based on that matter of privilege, and such motion is debated forthwith.
- (4) If, during the course of any sitting, a Member raises a matter which, in the opinion of the Speaker, appears to involve the privileges of Parliament or one of its Members and which calls for the immediate attention of Parliament, the Speaker interrupts the proceedings, except when a question has been put, and Parliament proceeds forthwith to debate a motion based on such matter.

Voting

58. (1) Except as otherwise provided in the Constitution or the Standing Orders, all questions proposed for decision in Parliament or in Committee of the Whole Parliament are determined by a majority of the votes of the Members present.
- (2) Members must signify their vote by raising a hand.
 - (3) If a Member disputes the result, that Member may request that a nominal vote be taken.
 - (4) If a Member requests that a nominal vote be taken, the Speaker orders that the bells be rung. Members who are not in the Chamber have four minutes to attend in the Chamber.
 - (5) The Clerk s requests each Member separately, referring to the Member by the Member's constituency, how the Member desires to vote. The vote of each Member is recorded in the Minutes.
 - (6) A Member may at any time request that their vote be recorded in the Minutes. If such a request is made, the Speaker orders the Clerk to record the vote of that Member in the Minutes.

Ruling of the Speaker

59. The ruling of the Speaker as to any question related to the application or interpretation of these Standing Orders must not be challenged except on a written motion made in accordance with Standing Order 43.

Motion to suspend Standing Orders

60. (1) Whenever there is a case of urgent necessity to suspend Standing Orders for the proper conduct of the business of Parliament, any order may be suspended on oral motion without notice.
- (2) If Parliament agrees to a suspension motion, the Standing Orders are suspended but only so far as is necessary to carry out the objective for which the motion was made.

- (3) A motion to suspend Standing Orders must be seconded and does not take effect unless it has been supported by the votes of not less than two thirds of the Members present.
- (4) When the conduct of the business of Parliament requires, the Speaker may, with the unanimous consent of the Members present, suspend any specified Standing Order.
- (5) To avoid doubt, the suspension of Standing Orders does not permit the transaction of any business of Parliament in breach of the Constitution or any law.
- (6) The suspension of Standing Orders must be directed towards issues of substance arising at the sitting, more so than the presence of the majority in the Parliament.

PART 8 – COMMITTEES OF THE PARLIAMENT

Committee of the Whole Parliament

61. (1) There is a Committee of the Whole Parliament which consists of all Members.
- (2) The Speaker is the Chairperson of the Committee of the Whole Parliament. The Chairperson has the same powers and duties as the Speaker.
- (3) The Committee of the Whole Parliament considers any bill in accordance with Standing Order 37.

Establishment of Standing Committees following an election

62. (1) A motion to establish the Standing Committees and to appoint members to them must be considered by Parliament as the next formal business immediately after the election of the Prime Minister and before the closing of the first sitting.
- (2) The Office of the Clerk must prepare a written motion which sets out:
 - (a) a list of the Standing Committees as provided for under Standing Order 63(1);
 - (b) the number of members to be appointed to each committee by the Prime Minister and the number of members to be appointed by the Opposition Leader;
 - (c) the functions of the Standing Committees as provided for under Standing Order 63(2).
- (3) Notwithstanding Standing Order 43, the motion in paragraph 2 is moved without notice by a Deputy Speaker and seconded by a Deputy Speaker, and may be amended and debated.
- (4) The Prime Minister and the Opposition Leader must nominate to the Speaker the names of the Members to be appointed to each Standing Committee no later than 5 pm on the third day following the closing of the sitting.
- (5) If the Prime Minister or the Opposition Leader fails to nominate members to the Standing Committees as required under paragraph 4, the Speaker, after consulting with the Prime Minister or the Opposition Leader as the case may be, may then

appoint such Members from their respective political group, having regard to the criteria under Standing Order 64.

- (6) The names of the Members that have been appointed to a Standing Committee must be posted as soon as possible in such place or places as the Speaker directs.
- (7) The appointment of a Member to a Standing Committee is effective from the date on which the Speaker receives the nomination from the Prime Minister or the Opposition Leader, or makes the appointment.

Functions of Standing Committees

63. (1) The following Standing Committees are established at the commencement of each Parliament and their subject areas are:
 - (a) **Public Accounts Committee:** Government Expenditure and Financial Performance, Public Audit, Taxation, Revenue, Publicly owned Financial Corporations, Finance, Superannuation, Insurance;
 - (b) **Committee on Economic and Foreign Policies:** Trade, Tourism, Economic and Fiscal Policy, Foreign policy, Agriculture, Public Utilities, Infrastructure, Land, Investments, Regulation of economic activities, Commerce, business development;
 - (c) **Committee on Social Affairs:** Health, Education, Justice, Professional Associations and Accreditations, Climate Change, Youth and Sport, Internal Affairs, Labour Relations, Culture, Social Infrastructure;
 - (d) **Committee on Institutional and Constitutional Affairs:** State office, Parliament (including Standing Orders Review, Privileges and Entitlements, Ethics and Integrity), Judiciary, Public Service Commission, the Ombudsman Office, the Auditor General Office, the Public Prosecutor Office, the Public Solicitor Office, State Law Office, the Electoral Commission, National Council of Chiefs, Local Authorities, other Government departments not covered by (a)(b) or (c), and matters related to the Constitution and its amendment.
- (2) The Standing Committees under paragraph (1) consider, enquire into or examine and report to Parliament on the following types of business referred by the Parliament or otherwise provided under the Standing Orders:
 - (a) Bills;
 - (b) estimates and audit reports;
 - (c) annual reports of Government Ministries;
 - (d) receive briefings or initiate inquiries into matters related to their related subject areas;
 - (e) any order made by a Minister under an enactment related to the subject areas of the committee;
 - (f) any matter, business or question, as may be referred to the appropriate Standing Committee by Parliament from time to time.
- (3) Where a Standing Committee conducts an activity listed in paragraph 2, the committee must ensure that full consideration will be given to the principle of gender equality so as to ensure all matters are considered with regard to the impact and benefit on both men and women equally.

- (4) A Standing Committee continues in existence for the duration of the Parliament unless Parliament provides otherwise.

Membership of Standing Committees

64. A Standing Committee consists of no more than seven (7) Members and the Membership of the Standing Committee must have regard to:
- (a) The proportional representation of Government and Opposition Members;
 - (b) The views of the Prime Minister, the Opposition Leader, and the leaders of all political parties represented in the Parliament;
 - (c) Priority must be given to Members who hold no offices in Parliament, the Government or the Opposition;
 - (d) The Chairperson must be a Member of the Government, with the exception of the Public Accounts Committee which is chaired by an Opposition Member.

Meetings of Standing Committees

65. (1) The first meeting of each Standing Committee is held at a time appointed by the Clerk.
- (2) At its first meeting, or at its first meeting after a vacancy occurs in the office, a Standing Committee must elect a Chairperson and a Vice Chairperson from among themselves.
- (3) Subsequent meetings of a Standing Committee are held at such times as the Chairperson may appoint.
- (4) Except as provided by Standing Order 67, the Chairperson and Vice Chairperson may be removed from office by the Committee only at a meeting of which at least seven (7) days-notice is given of a Member's intention to move for such removal.

Chairpersons and Vice Chairpersons

66. (1) Subject to any decisions and directions of the Standing Committee, the Chairperson has the authority to:
- (a) convene the meetings of the Committee;
 - (b) preside at the meetings of the Committee;
 - (c) exercise such powers or performs such functions, tasks and duties as may be conferred on the Chairperson by resolution of the Committee and in compliance with these Standing Orders; and
 - (d) exercise such powers or performs such functions, tasks and duties conferred by these Standing Orders or resolution of Parliament, including ensuring that the Committee complies with Standing Orders 63(2) and (3).
- (2) The Chairperson of a Standing Committee has the same power as the Speaker but may participate in debate and vote. In the case of a tied vote, the Chairperson has a casting vote.
- (3) If the Chairperson is absent, unable to perform the duties listed in paragraph (1) or if there is a vacancy in the office of Chairperson, the Vice Chairperson performs the

functions, tasks and duties of the Chairperson until the Chairperson is no longer absent or a new Chairperson has been elected to office in the case of a vacancy.

- (4) The Vice Chairperson of a Standing Committee has the same privileges as the Chairperson for the period of his or her appointment.

Membership Change of Standing Committees

67. (1) In the event that the Membership of Standing Committees needs to be altered as a result of a change of Government, a reshuffle of parties within the Government midterm, or by virtue of a Member moving from Government to Opposition, or Opposition to Government, or for any other reason, the Prime Minister and the Opposition Leader as the case may be, must nominate to the Speaker as soon as possible, the names of replacement members of the Committee.
- (2) The names of any replacement Members of the Committee must be posted as soon as possible in such place or places as the Speaker directs.
- (3) In any circumstance where a committee Chairperson ceases to be a Member of the Government, or in the instance of the Public Accounts Committee ceases to be a Member of the Opposition, that Member immediately ceases to be a Chairperson.
- (4) The election of a replacement Chairperson or Vice Chairperson caused by the circumstances in paragraph (3) is then conducted in accordance with Standing Order 65.
- (5) If in the interval between any two (2) meetings of the Parliament during the currency of its term, any Member of a Committee has absented himself or herself without leave of absence or in the opinion of the Committee without good cause from more than three (3) consecutive meetings of the Committee, that member is deemed to have forfeited his or her entitlement to receive the allowances payable for the days or period of absence.
- (6) If the absence referred to in paragraph (5) continues for three (3) consecutive meetings, that Member is deemed to have forfeited his or her seat on the Committee and must be replaced in accordance with the procedure under paragraph (1).

Mandate and responsibilities of Standing Committees

68. (1) Following the appointment of any Standing Committee after a general election, the Chairperson of that Standing Committee must prepare a report to Parliament for the next session that:
 - (a) Lists the matter(s) to be enquired into and examined by that committee in the twelve (12) months following;
 - (b) Sets the date on which the committee is to report on each of the matters listed for enquiry.
- (2) The Chairperson of a Standing Committee may report to Parliament from time to time on any other matter enquired into or examined by the Committee.

- (3) During the Second Ordinary Session of each calendar year, the Chairperson of each Standing Committee must table a report of the committee's general activities including the Members' attendance, and a separate report on any enquiries for the preceding period.
- (4) The failure of a Chairperson to comply with paragraphs (1), (2) and (3), constitutes a substantial breach of this Standing Order and the Parliament may resolve to dismiss the current Members of the Standing Committee immediately and replace the Members in the manner set down in Standing Order 67.

Quorum of Standing Committees

69. (1) A majority of the Members of a Standing Committee including the Chairperson constitutes a quorum.
- (2) If there is no quorum present within 10 minutes of the time for a meeting to commence, the meeting is adjourned.
- (3) If there is no quorum present during a meeting, the meeting is suspended for up to 10 minutes and, if no quorum is formed, the meeting is adjourned.
- (4) If a meeting is adjourned for 3 consecutive times due to lack of quorum, the Chairperson must close the meeting.
- (5) A Member must be present in the meeting in order to constitute the quorum.

Powers and Procedures of a Standing Committee

70. (1) A Standing Committee may establish its own rules of procedure but must observe the Standing Orders of Parliament so far as may be applicable.
- (2) A Standing Committee must observe the Procedural Guidelines for Parliamentary Committees adopted by the Parliament.

Committees may report out of session

71. Should the Parliament be adjourned and a Parliamentary Committee agrees to any report before the Parliament resumes sitting:
 - (a) The committee may send any such report, Minutes and evidence taken by the committee to the Clerk;
 - (b) Upon receipt by the Clerk the documents shall be deemed to be published, and the report shall be printed and may be circulated; and
 - (c) The documents must be tabled in Parliament at its next sitting.

Ad hoc committee

72. (1) A Member may present a motion to constitute an ad hoc committee for the purpose of studying a bill or part thereof, or a specific matter indicated in the Motion which seeks to amend the Constitution, cross-portfolio bills, or which cannot be catered for by the Standing Committees of Parliament. Such a motion may be moved orally, without notice and must be seconded.

- (2) If the motion is agreed to, the Member then prepares a written motion which states the terms of reference of the ad hoc committee and the duration of time for which it will operate and moves the motion in accordance with the procedure provided for in Standing Order 43.
- (3) An ad hoc committee shall consist of not more than seven (7) Members, representing proportionally, as far as possible, the political parties represented in the Parliament. A majority of the Members of an ad hoc committee including the chairperson shall constitute a quorum.
- (4) The Chairperson of the ad hoc committee has the same powers and duties as the Speaker, but may participate in any debate and vote. In the case of a tied vote, the Chairperson has a casting vote.
- (5) An ad hoc committee to which a matter has been referred, considers it in accordance with the terms of reference indicated in the motion creating the ad hoc committee and on the completion of its inquiry the Chairperson shall report on it to Parliament.
- (6) An ad hoc committee may establish its own rules of procedure but must observe the Standing Orders of Parliament and any applicable Procedural Guidelines for Parliamentary Committees adopted by the Parliament.

Seeking Evidence

73. (1) The Chairperson of a Parliamentary Committee may, on behalf of the committee, request any person to attend and give evidence before the committee.
- (2) The Chairperson may, on behalf of a committee, request that papers and records that are relevant to its proceedings be produced.

Exercise of power to send for persons, papers and records

74. (1) A Parliamentary Committee has the power to send for persons, papers and records.
- (2) A Parliamentary Committee may:
 - (a) direct that any person be summoned to attend and be examined and give evidence before the committee; and
 - (b) direct that any person be summoned to produce papers and records in that person's possession, custody or control, that are relevant to the committee's proceedings.
- (3) Any such summons is signed by the Chairperson and served upon the person concerned under the Chairperson's direction.

Subcommittees

75. (1) A Parliamentary Committee may appoint a subcommittee.

- (2) A Parliamentary Committee may prescribe rules for the conduct of subcommittee proceedings provided that these rules are consistent with Standing Orders. Subject to any such rules, the same rules for the conduct of proceedings in a subcommittee apply as apply to the Parliamentary Committee.

Disorder

76. (1) The Chairperson of a Parliamentary Committee may order any visitor to withdraw from a meeting if that person's conduct is disorderly.
- (2) The Chairperson of a Parliamentary Committee may order any Member of Parliament who is not a member of that committee to withdraw from a meeting if that Member's conduct is disorderly.
- (3) A Parliamentary Committee may resolve to exclude a member of the committee from a meeting of the committee if that Member's conduct is highly disorderly. The Member may be excluded for up to the remainder of the meeting held on that day.

Hearing of Evidence

77. (1) The proceedings of a Parliamentary Committee during the hearing of evidence on any matter which is the subject of examination by the committee are open to the public.
- (2) Some or all of the evidence to be given to a Parliamentary Committee may, by leave, be heard or received in private.
- (3) The Parliamentary Committee shall require all visitors to withdraw from a meeting while evidence is being heard in private.
- (4) Evidence heard or received in private remains confidential.
- (5) A person who is to appear before a Parliamentary Committee may raise any matter of concern relating to that evidence with the clerk of the committee before that appearance. Any such matter will be brought to the attention of the committee.

Release of written submissions

78. (1) A Parliamentary Committee may make a written submission to it available to the public at any time after having received it.
- (2) If not already available, a written submission becomes available to the public when the witness who made the submission provides oral evidence in public before the committee.

Evidence on oath or affirmation

79. (1) A Parliamentary Committee may order any person to take an oath or make an affirmation before giving evidence to it.
- (2) The oath or affirmation is administered by the Clerk of Parliament or a Deputy Clerk.

Conduct of examination

80. (1) The examination of a witness is conducted as the Chairperson, with the approval of the Parliamentary Committee, directs.
- (2) The Chairperson and every member of the committee, through the Chairperson, may put questions to a witness.

Relevance of questions

81. (1) The Chairperson will take care to ensure that all questions put to a witness are relevant to the proceedings of the Parliamentary Committee and that the information sought by those questions is necessary for the purposes of those proceedings.
- (2) A witness may object to a question on the ground that it is not relevant. The Chairperson shall determine whether it is relevant to the committee's proceedings.

Objection to answer

82. (1) Where a witness objects on any ground to answer a relevant question put to the witness, the witness will be invited to state the ground upon which objection to answering the question is taken.
- (2) Where a witness objects to answer a question on any ground, a Parliamentary Committee, unless it decides immediately that the question should not be pressed, will consider in private whether it will insist upon an answer to the question, having regard to the importance to the proceedings of the information sought by the question.
- (3) If the committee decides that it requires an answer to the question, the witness will be so informed and is required to answer.
- (4) The committee may decide that the public interest would best be served by hearing the answer in private.
- (5) Where a witness declines to answer a question to which the committee has required an answer, the committee may raise the issue as a matter of privilege pursuant to Standing Order 57.

Witnesses' expenses

83. (1) No expenses shall be paid to any witness or proposed witness except with the permission of the Speaker.
- (2) A Parliamentary Committee, its Chairperson, members of the committee or any other person shall not give any undertaking, promise or assurance to any person that any expenses of a witness or proposed witness will be paid out of public money unless the Speaker has given prior authorisation.

Transcript of evidence

84. (1) A Parliamentary Committee may decide to record and, if it thinks fit, transcribe evidence given to it.
- (2) Reasonable opportunity will be afforded to witnesses to make corrections to errors of transcription in any transcript of their evidence.

Return of evidence

85. A Parliamentary Committee may return or expunge from any transcript of proceedings any evidence or statement that it considers to be irrelevant to its proceedings, offensive or possibly defamatory.

Irrelevant or unjustified allegations

86. Where a witness gives evidence that contains an allegation that may seriously damage the reputation of a person and the Parliamentary Committee is not satisfied that the evidence is relevant to its proceedings, the committee will give consideration:
- (a) to returning any written evidence and requesting that it be resubmitted without the offending material;
- (b) to expunging that evidence from any transcript of evidence; or
- (c) to seeking an order of Parliament preventing the disclosure of that evidence.

Access to information

87. A Parliamentary Committee will give a witness reasonable access to any material or other information that the witness has produced to the committee.

Personal information

88. (1) Any person whose reputation may be seriously damaged by the proceedings of a Parliamentary Committee may request from the clerk of the committee a copy of all material, evidence, records or other information that the committee possesses concerning that person.
- (2) The committee considers any such request and may, if it considers it to be necessary to prevent serious damage to that person's reputation, furnish such material.
- (3) The committee may furnish such material in a form different from that requested if to provide it in the form requested would impose undue difficulty, expense or delay.

Confidentiality of proceedings and reports

89. (1) The proceedings of a Parliamentary Committee or a subcommittee, other than during the hearing of evidence, are not open to the public and remain confidential until the committee reports to Parliament.
- (2) A report or a draft of a report of a Parliamentary Committee or subcommittee is confidential until the committee reports to Parliament.

- (3) Paragraphs (1) and (2) do not prevent:
- (a) the disclosure, by the committee or by a member of the committee, of proceedings, a report or a draft report to a member of Parliament or to the Clerk in the course of their duties, or;
 - (b) the disclosure of proceedings, a report or a draft report in accordance with these orders.

Information on proceedings of Parliamentary Committees

90. (1) The Chairperson of a Parliamentary Committee may, with the agreement of the committee, make a public statement to inform the public of the nature of the committee's consideration of a matter.
- (2) The Parliamentary Committee may make its proceedings available to any person for the purpose of assisting in the committee's consideration of a matter.

Tabling of reports

91. (1) When a day is fixed for the tabling of a report by a Parliamentary Committee, the final report must be made on or before that day, unless Parliament grants further time.
- (2) A report of a Parliamentary Committee is tabled by the Chairperson in accordance with the Standing Order 24 of Parliament.
- (3) The Chairperson of a Parliamentary Committee must provide the report to the Clerk of Parliament at least one (1) working day before the date at which the report is to be presented in Parliament.

Government response to a report

92. (1) In the case of an examination of an issue of public policy or of the operations of a Ministry or a Department or a public corporation, a Parliamentary Committee may require a written response from the Government.
- (2) If a Parliamentary Committee requires a written response from the Government, under the terms of paragraph (1), the Government must, not more than 90 days after the Parliamentary Committee's report has been tabled, table a paper in Parliament responding to the committee's report.

PART 9 – FINANCIAL PROCEDURE

Annual Appropriation Bill and Estimates

93. (1) The annual Appropriation Bill and Estimates shall be presented by the Minister of Finance on any convenient day during the first week of the second ordinary session of each year.

- (2) The Government shall supply to the Clerk sixty (60) printed copies in French and English and one copy in electronic form not less than thirty (30) days prior to the meeting at which the bill is to be introduced.
- (3) The Clerk shall send a copy of the Appropriation Bill and Estimates in French and English to each Member not less than twenty-five (25) days prior to the meeting at which the bill is to be introduced.
- (4) Subject to paragraphs (5) and (6), not more than ten (10) sitting days are allotted for the consideration of the Appropriation Bill and Estimates by the Committee of the Whole Parliament. The days so allotted do not include any day on which the Appropriation Bill and Estimates does not stand first in the list of Government bills on the agenda.
- (5) The days occupied by the consideration of a supplementary Appropriation Bill or any supplementary estimate are not included in the ten (10) day period.
- (6) A Member may move orally, without notice that additional time not exceeding five (5) days be allotted for consideration of the Appropriation Bill and Estimates. Such motion must be seconded and decided without amendment or debate.
- (7) On the last of the days allotted for consideration of the Appropriation Bill and Estimates, including any additional days allotted under paragraph (6), the Speaker forthwith puts every question necessary to dispose of the vote then under consideration, and puts the question with respect to each head of the budget, that the total amount of the vote outstanding in the head be granted for the services defined in the head.
- (8) For the purposes of this Standing Order, the Appropriation Bill includes the annual estimates of revenue and expenditure, any supplementary or additional budget for the current financial year, and any excess vote.

Financial bills or motions

94. Only a Minister may present:

- (a) A bill, including any amendment to a bill, which in the opinion of the Speaker, makes provision for any of the following purposes:
 - (i) The imposition of taxation or the alteration of taxation otherwise than by reduction;
 - (ii) The imposition of any charge upon the Revenue Fund or Public Funds of the Republic of Vanuatu, or the alteration of any such charge;
 - (iii) The payment, issue or withdrawal from the Revenue Fund or Public Funds of the Republic of Vanuatu of any moneys not charged thereon, or any increase in the amount of such payments, issue or withdrawal;
 - (iv) The composition or remission of any debt due to the Government of The Republic of Vanuatu;
- (b) A motion the effect of which, in the opinion of the Speaker, is that provision would be made for any of the purposes in paragraph (a).

PART 10 – MISCELLANEOUS MATTERS

Members' interests

95. (1) Every Member must, within three (3) weeks of signing the Roll of Members of Parliament, inform the Speaker in writing of the following:
- (a) The Member's affiliation or alliance with any political party or group represented in Parliament;
 - (b) All companies, businesses or other organisations in which the Member has any pecuniary interest of any kind, whether direct or indirect, as owner, employee, partner, shareholder or otherwise.
- (2) The Speaker must make arrangements for such information given by Members to be recorded in a book kept for that purpose and to record any necessary alterations.
- (3) Any Member must, as soon as possible, inform the Speaker of any change in the Member's political affiliation, or pecuniary interests of any kind, recorded in accordance with paragraph (2).
- (4) A Member may, within twenty-eight (28) days of being notified of a non-disclosure, rectify the omission and is then treated as having made the necessary disclosure.
- (5) If a Member willfully fails to disclose any pecuniary interest, the Parliament may suspend that Member in accordance with the provisions of Standing Order 54(3).
- (6) A Member must not speak or vote on any matter in which the Member has a pecuniary interest without disclosing the nature and the extent of such pecuniary interest.
- (7) Paragraph (6) does not apply to any debate concerning any remuneration or allowance to be received by Members in their capacity as such, or to any interest which a Member may have in any matter in common with the public generally or with any class or section thereof.

Attendance of Members of Parliament

96. (1) A Member may be excused by the Speaker from attending a sitting of Parliament on the grounds of illness. The Member is required to present a medical certificate from a registered medical practitioner to the Clerk to justify his or her absence.
- (2) Provided the Member has produced a medical certificate required under paragraph (1), the Member is entitled to receive the sitting allowance for the days covered by the medical certificate.
- (3) The Speaker may grant a Member permission to be absent from attending a sitting of Parliament on account of other family cause of a personal nature and the Member is entitled to receive the sitting allowance for such days determined by the Speaker.

- (4) The Member's absence under this Standing Order is to be recorded in the Minutes of Proceedings as being absent with permission of the Speaker on account of illness or other family cause of a personal nature, which for the avoidance of doubt, such period of absence must not exceed a period of three (3) months).
- (5) A Member who is absent without cause or prior permission of the Speaker must forfeit his or her entitlement to any of the allowances payable for such days of absence.

Members' conduct in the Chamber

97. (1) On the first day of the Ordinary Sessions, Members must wear a suit or similar style.
- (2) Members must wear formal business attire when in the Chamber.
- (3) Members may use mobile phones or other electronic devices in the Chamber provided the device is on silent mode and the use does not disturb the proceedings of Parliament or other Members.
- (4) Members must not make or receive any phone calls inside the Chamber.

Broadcast of proceedings

98. The Parliament authorises, on such terms and conditions as may be determined by the Speaker from time to time, the broadcasting and rebroadcasting of such proceedings, or extracts thereof, in any form, both within and outside the Parliamentary precincts, by any medium.

Sessional Orders

99. The Parliament may from time to time adopt Sessional Orders which have effect for the duration of the session unless otherwise ordered.

Visitors

100. (1) When Parliament is sitting, visitors may be admitted only to such places as may be reserved for them by the Speaker. Visitors must be properly dressed and they remain seated and silent. They must refrain from making utterances, gestures of approval or disapproval and from communication in any way with the Members.
- (2) The Speaker may exclude or order the withdrawal of visitors in special circumstances.
- (3) Visitors admitted into Parliament who misconduct themselves or do not withdraw when ordered to do so by the Speaker shall be expelled forthwith from Parliament and its precincts.
- (4) While Parliament or the Committee of the Whole Parliament is sitting visitors must not take photographs, video or sound recordings, or use mobile phones inside the Parliamentary Chamber.

- (5) For the purposes of this Standing Order, the word 'visitor' includes all persons other than Members, officers or staff of Parliament, but excludes any person or group of persons giving advice or assisting Parliament in accordance with Standing Order 37(7).

Review of Standing Orders

101. During the term of every Parliament, the Parliament must refer to a Parliamentary Committee a motion for the committee to:
- (a) conduct a review of the Standing Orders, procedures and practices of the Parliament; and
 - (b) report to the Parliament before the end of the term on its enquiry, including any recommendations for the amendment, revocation or addition of any Standing Order or the alteration of any procedure or practice of Parliament.

Repeal

102. The Standing Orders that were in force before are repealed and replaced by these Standing Orders, revised and endorsed by Parliament on 18th June 2020.

