

Parliament

Republic of Vanuatu

Standing Orders of Parliament

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STANDING ORDERS OF PARLIAMENT

Interpretation

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

“Clerk” means the Clerk of Parliament and including Acting Clerk;

“Meeting” means any sitting or series of sittings during which Parliament is sitting without adjournment during the same session;

“Member” means a member of Parliament of Vanuatu;

“Minister” means any Minister appointed under Article 40 of the Constitution and includes the Prime Minister;

“Sitting” means a day or part of a day during which Parliament is sitting and includes any period during which Parliament is in committee of the whole House;

“Speaker” includes a Deputy Speaker or any Member acting as Speaker.

PART I – FIRST SITTING OF PARLIAMENT

Notice of First sitting of Parliament

2. Not later than twenty one (21) days after a general election, the Clerk shall 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 shall 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 shall read the notice sent under Standing Order 12.
- (2) Parliament shall then elect a Speaker and one or more Deputy Speaker in the manner provided by Standing Order 4.
- (3) After their election the Speaker and any Deputy Speaker shall sign the Roll of Members of Parliament and all Members present shall also sign in the manner provided by Standing Order 7.
- (4) When all the members present have signed the Roll of Members, Parliament shall then elect a Prime Minister in the manner provided by Standing Order 8.

Election of Speaker

4. (1) When a quorum is present, the election of a Speaker shall take place in the manner given in the following paragraph.
- (2) The Senior Member of Parliament shall preside over the debate for the election of Speaker.
- (3) A Member, addressing himself to the Senior Member shall propose a Member, then present, to Parliament for the Speaker and move that "Mr. be Speaker of Parliament", which motion shall require to be seconded and to be followed by a statement from the member proposed and seconded that he accepts nomination.
- (4) When a Member is proposed and seconded and has accepted nomination, the Senior Member shall then ask for further

Proposals. If there is no further proposal, the Senior Member shall declare elected the sole Member proposed.

- (5) When two (2) or more Members are proposed and seconded and have accepted nomination, the Senior Member shall select at least two (2) tellers from among the Members representing as far as possible different political parties, and with their assistance conduct an election.
- (6) After consultation with the tellers the Senior Member shall declare who has been elected Speaker and the Speaker shall then take the Chair.

Procedure when Office of Speaker becomes vacant

5. (1) If the Speaker wishes to resign he shall send a written notice thereof to the Clerk. Such a notice shall state the date on which the resignation shall take effect.
- (2) The Clerk shall 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 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 shall as soon as possible elect a Speaker in the manner provided by Standing Order 4.

Deputy Speaker

6. (1) After the election of the Speaker, Parliament shall elect one or more Deputy Speakers in the same manner as the Speaker, except that the Speaker shall preside.
- (2) When the Speaker is absent or when called

upon to do so by the Speaker, a Deputy Speaker shall perform the duties and exercise The authority of the Speaker in Parliament.

- (3) Whenever the Clerk notifies Parliament that the Speaker is absent and no Deputy Speaker is present to take the Chair at a sitting, Parliament shall elect one of its Members in accordance with Standing Order 4 to perform the duties and exercise the authority of the Speaker for that sitting only and until the Return of the Speaker or a Deputy Speaker.

Roll of Members of Parliament

7. (1) There shall be a Roll of Members of Parliament.
- (2) After the election of the Speaker and any Deputy Speaker, the Roll shall be signed by all the Members present, starting with the Speaker. In the even of a Member not being present, he shall the Roll at the next sitting of Parliament at which he is present.
- (3) Except the debate on the election of a Speaker or Deputy Speaker at the beginning of a new Parliament, a Member shall not sit or vote until he has signed the Roll.
- (4) A member shall be regarded as having taken his seat when he signs the Roll of Members.

Election of the Prime Minister

8. (1) When all the Members present have signed the Roll of Members, Parliament shall then elect the Prime Minister in compliance with Article 39 of the Constitution.
- (2) A member addressing himself to the Speaker, shall propose a Member, then present, to Parliament and move that "Meeting" Mr. be Prime Minister of

the Republic”, which motion shall require to be seconded and to be followed by a statement from the Member that he accepts nomination.

- (3) When a Member is proposed and seconded and has accepted nomination, the Speaker shall then ask for further proposals.
- (4) When all proposals have been entered by the Speaker, he shall conduct an election by Secret ballot in accordance with Schedule 2 of the Constitution.

Procedure when office of Prime Minister becomes vacant

9. (1) If the Prime Minister wishes to resign he shall send a written notice thereof to the Speaker. Such a notice shall state the date on which the resignation shall take effect.
- (2) The Speaker shall report to Parliament any notice given by the Prime Minister pursuant to paragraph (1) or any vacancy in the office of Prime Minister 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 shall as soon as possible elect a Prime Minister in the manner provided by Standing Order 8.

PART II – OFFICERS OF PARLIAMENT

Powers and Duties of Speaker

10. (1) The Speaker shall preside at sittings of Parliament and shall be responsible for Maintaining order. In exercising his duties, the Speaker may request assistance from officers of Parliament or if necessary,

members of the Police Force.

- (2) The Speaker shall preside over debates in Parliament and ensure that Standing Orders, Practices and procedures of Parliament are Respected and observed by all Members.
- (3) The Speaker shall not participate in any debate before Parliament. In the case of equality of votes, the Speaker shall give a casting vote and any reason stated by him shall be entered in the minutes of the sitting.
- (4) The Speaker shall read or cause to be read by the Clerk the results of any vote or debate of Parliament.
- (5) The Speaker shall represent Parliament and sign any official document originating from Parliament.

Office of Clerk

11. (1) The Clerk shall be appointed by the President on the advice of the Speaker.
- (2) The Clerk shall be responsible for keeping the Minutes of Proceedings of Parliament. The Minutes shall record in respect of every Sitting the attendance of Members, all decisions taken and details of every division held. The Minutes of proceedings shall be printed and distributed to all Members.
- (3) The Clerk shall be responsible for the safe-keeping of all records, cassettes, books, Bills and any other documents laid before Parliament, which shall be open to inspection by Members at all reasonable hours.
- (4) The Clerk shall be responsible, under the direction of the Speaker, for the administration of the Secretariat of Parliament and he shall direct, control and co-ordinate the acti-

vities of the Secretariat and shall have direction and control over all officers and servants of Parliament.

- (5) The Clerk shall be responsible, under the direction of the Speaker, for the administration of the budget of Parliament and shall keep adequate accounting records and prepare an estimated budget of expenses for each financial year.
- (6) The Clerk shall perform the further duties laid upon him in these Standing Orders and all other duties in the service of Parliament ordered by Parliament or directed by the Speaker.
- (7) Whenever the Clerk is absent, incapable of performing his duties or the office of Clerk becomes vacant, the powers, functions and duties of the Clerk shall be exercised and performed by the Assistant Clerk, or a person nominated for that purposes by the Speaker.

PART III – SESSION, MEETING, AND SITTINGS

Ordinary Sessions

12. (1) Parliament shall meet in two ordinary sessions during one calendar year. Each session shall be divided into one or more meetings as the case may be.
- (2) The first ordinary session of Parliament shall commence in the middle of the month of March on a date determined by the Speaker, after consultation with Prime Minister.
- (3) The second ordinary session of Parliament shall commence in the middle of the month of August on a date determined by the Speaker, after consultation with the Prime

Minister.

- (4) The Clerk shall send to each Member a notice stating that the ordinary session will commence on the date specified therein.

The notice shall contain a list of Bills to be considered during the session. The notice shall be given at least fifteen (15) days before the date appointed for the opening of the session.

- (5) When at the end of any meeting, an ordinary session is adjourned to be continued during another meeting, the Speaker shall inform the Members of the date on which the next meeting shall commence.
- (6) Under normal circumstances neither Parliament nor any of its committees shall meet in the periods of December 20th to January 20th or June 20th to July 20th.

Presidential address

13. (1) H.E the President may address himself to Parliament once during each ordinary session.
- (2) After the message from H.E the President, the Prime Minister and the Leader of the Opposition may comment briefly thereon but they shall not speak more than half an hour respectively.

Extraordinary session

14. (1) Whenever the Speaker so decides or is requested by the Prime Minister or the majority of the Members of Parliament, he shall summon Parliament to meet in extraordinary session.
- (2) Any request made to the Speaker under paragraph (1) shall be in writing and shall be signed by the Prime Minister or the Members

requesting the extraordinary session. Such request shall contain :

- a) The reason of which an extraordinary session is required;
 - 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 a proposed date for its opening.
- (3) The business to be transacted by Parliament during an extraordinary session shall be limited to the matter or matters referred to in the request made to the Speaker under paragraph (2).
- (4) An extraordinary session shall be limited to one meeting of Parliament, unless the Speaker otherwise decides for special Reasons.
- (5) The Clerk shall send to each Member a notice stating that the extraordinary session will commence on the date specified therein. The notice shall contain a statement of the Matter or matters to be discussed during such session. The notice shall be given at least seven (7) days before the day appointed for the opening of the extraordinary session.

Days of sitting

15. (1) During the course of a meeting Parliament shall sit on Mondays, Tuesdays, Wednesday afternoons, Thursdays and Fridays but shall 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 shall sit on a Saturday, Sunday or public holiday or shall not sit on any day named in the motion and any such motion shall be decided without amendment or debate.

Hours of sitting

16. (1) Unless Parliament otherwise decides on a motion moved under paragraph (2), the hours of sitting shall be 8:30 to 11:30 and 14:00 to 17:00. If a vote is being taken at the time appointed for the interruption of Business, the interruption shall be deferred until the vote is finished.
- (2) A Member may, without notice, move that Parliament shall sit before 8:30 or 14:00 or After 11:30 or 17:00 on any day named in the Motion and such motion shall be decided Without amendment or debate.
- (3) The Speaker may at any time suspend a sitting for such time as he thinks appropriate.
- (4) An adjournment of Parliament shall mean adjournment until the next sitting day.

PART IV – BUSINESS OF PARLIAMENT

Order of business at a sitting

17. (1) The Clerk shall prepare 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 during an extraordinary session or at the first sitting of an ordinary session, the business of each sitting day shall be transacted in the following order :
 - (a) The Prayer;

- (b) Reading of the Agenda by the Speaker,
- (c) Confirmation of minutes;
- (d) Announcement by the Speaker;
- (e) Statements by Ministers;
- (f) Tabling of documents;
- (g) Urgent debates;
- (h) Business to be transacted on that sitting day pursuant to Standing Order 23.

Confirmation of Minutes

18. (1) The Minutes of any sitting shall be confirmed or amended as the case may be.
- (2) The Minutes of an final sitting of any meeting or session may, unless Parliament shall otherwise decide, be confirmed at the sitting of the following meeting or session.
- (3) No debate shall be allowed upon the minutes except as to any proposed amendment or as to the accuracy thereof.

Statements by Ministers

19. Any Minister may make a short factual announcement or statement of Government policy on matters of which he is responsible. A spokesman for each of the parties in opposition to the Government may comment briefly thereon and Members may be permitted to address questions thereon to the Minister. The Speaker shall limit the time for such proceedings as he deems fit.

Tabling of Documents

20. (1) Any Minister or Member may deposit before Parliament any report, petition, paper or docu-

ment dealing with a matter coming within the responsibilities of Parliament and a record of any such report, paper or document shall be entered in the Minutes of the same day.

- (2) Any Member may, without notice, move that Parliament shall hold a debate on any matter or matters related to the content of any report, petition, paper or document deposited under paragraph (1). Any such motion shall be decided without amendment.

Urgent debate

21. (1) A member may, without notice, move that Parliament shall hold a debate immediately for the purpose of discussing a specific matter which should have urgent consideration.
- (2) If the Speaker satisfied that the matter raised is proper to be discussed immediately the motion shall be decided without amendment.
- (3) Unless Parliament otherwise decides, an urgent debate shall be limited to half an hour.

Speaker to be informed

22. (1) Any motion without notice presented by a Member under Standing orders 15 (2), 16 (2), 20 (2) and 21 (1) may be made orally and shall be seconded.
- (2) A member who wishes to present a motion under Standing Order 20 (2) and 21 (1) shall inform the Speaker thereof before the opening of the sitting during which the motion is to be presented.
- (3) Any Minister who wishes to make a statement under Standing Order 19 or any Member who wishes to deposit a report, petition, paper or

document under Standing Order 20 (1) shall inform the Speaker thereof before the opening of the sitting during which the statement is to be made or the report, petition, paper or document is to be deposited.

Order of Business during a week

23. When the sitting day business has been transacted in accordance with Standing Order 17 (2), Parliament shall proceed with its business, day by day, in the following order:-

Monday

Morning : -Private Bills
-Government Bills

afternoon : - 14.00 to 16.00 - Government Bills
- 16.00 to 17.00 - Oral questions

Tuesday

Morning : - Government Bills

Afternoon : - 14.00 to 16.00 - Government Bills
- 16.00 to 17.00 - Written motions

Wednesday

Afternoon : - 14.00 to 16.00 - Government Bills
- 16.00 to 17.00 - Written questions.

Thursday

Morning : - Private Bills
- Government Bills

afternoon : - 14.00 to 16.00 - Government Bills
- 16.00 to 17.00 - Written motions

Friday

Morning : - Private Bills.

afternoon : - 14.00 to 15.00 - Government Bills.
- 15.00 to 16.00 -Statement by Members
- 16.00 to 17.00 - General debate.

PART V - PROCEDURE OF BILLS

Private Bills

24. (1) Private Bills shall consist of Bills presented by Members who are not Ministers.
- (2) Private Bills shall be 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 shall have regard to ;
- (a) The wishes expressed to him by the Member presenting the private Bill.
- (b) The time when the private Bill was presented the Member.
- (4) Any private Bill which is set down for a any sitting day and which is not disposed of by 11.30 shall without question put, be postponed until the next sitting day during which private Bills

shall be studied.

Government Bills

25. (1) Government Bills shall consist of Bills presented by any Minister.
- (2) The Government shall decide the order in which Government Bills shall be placed on the Agenda.

Procedure on introduction of a Bill

26. (1) Any member or Minister who wishes to introduce a Bill before Parliament shall supply to the Clerk sufficient printed copies in French and English not less than fifteen (15) days prior to the meeting at which the Bill is to be introduced.
- (2) 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.
- (3) The sending of a copy of the Bill to each Member shall constitute notice of the Bill.

Stages of a Bill

27. There shall be three (3) stages for the passing of a Bill by Parliament:
 - (a) First reading
 - (b) Committee stage
 - (c) Second reading

First Reading

28. (1) On the motion being moved 'That the First Reading of the Bill be

agreed to”, a debate may take place which shall be confined to the principles and merits of the Bill.

- (2) A motion under paragraph (1) may be made orally and without notice and shall not require to be seconded. Any Member may propose an amendment to such motion.

Committee Stage

29. (1) When the First Reading of a Bill has been agreed to, it shall automatically be referred to the Committee of the whole House unless Parliament shall otherwise decide on a motion stating ‘That the Bill be referred to an ad hoc Committee’. Such motion may be moved orally and without notice by any Member and may be presented either immediately after the First Reading or at a later sitting.
- (2) If the Bill has not been referred to an ad hoc Committee, Parliament shall resolve itself into The Committee of the whole House for the consideration of the Bill.
- (3) The Committee of the whole House shall consider and vote the Bill section by section and the Chairman shall call the section in order by reading the number of each section.
- (4) Subject to Standing Order 31, any Member may present an amendment to a section at the relevant time. If such amendment is proposed, the Committee of the whole House shall, after any debate, vote on the amendment. If the amendment is accepted, the Bill shall be amendment accordingly.
- (5) Subject to Standing Order 31, any Member may propose that a section be deleted, replaced or a new section be inserted at the proper

and logical stage during the consideration of the Bill. If such proposal is made the Committee of the whole House shall, after any debate, vote on the proposal. If the proposal is accepted, the Bill shall be amended accordingly.

- (6) The Committee of the whole House may seek the advice of any person or group of persons who may be of assistance during the consideration of a Bill or any section of a Bill.

Second Reading

30. (1) When a Bill has been considered by the Committee of the whole House, Parliament shall read the Bill as amended 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 shall put 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 require to be seconded.
- (4) The only amendment admissible for a motion under paragraph (2) shall be:
 - (a) that the second Reading be postponed to some specific date in the future; or
 - (b) that the Bill be referred to the Committee of the whole House, for a limited and defined purpose.

Amendment to a Bill

31. (1) Every amendment shall require to be seconded.
- (2) An amendment shall be relevant to the provisions of the Bill and to the subject - matter or the section to which, it relates and shall not be in conflict

with the principles of the Bill as agreed at the First Reading or with any previous decision of the Committee of the whole House.

- (3) The Speaker may declare inadmissible an amendment which, in his opinion, is unintelligible irrelevant, frivolous or scandalous or is otherwise out of order.
- (4) If so required by the Speaker the Member proposing an amendment shall put the amendment into writing and shall hand the text to the Speaker who shall, after any debate, propose the question on the amendment.
- (5) When two or more amendments relating to the same section are proposed, they may be debated together but they shall be disposed of separately in the order in which they were presented unless the Speaker otherwise decides.
- (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 shall be disposed of in the same way as an original amendment.
- (8) When every amendment to an amendment has been disposed of the Speaker shall propose the question on the original amendment or on the original amendment as amended, as the case may require.

PART VI - QUESTIONS, MOTIONS, GENERAL DEBATE AND STATEMENTS

Written questions

32. (1) Subject to Standing Order 34, any Member may address a written question to a Minister relating to a public matter for which the Minister is officially responsible, in which he seeks information on that matter or asks for official action.

- (2) Any Member desiring to ask a written question shall give notice thereof by delivering a copy of such question to the Clerk not less than four (4) clear days before the day on which he intends to ask the question.
- (3) The written question shall be signed by the Member and shall show the day proposed for asking such question.
- (4) The Clerk shall transmit without delay the written question to the Minister concerned with the question.
- (5) The Minister to whom a written question has been asked shall deliver a written answer to the Clerk not later than two (2) clear days after the written question has been transmitted to him.
- (6) At the time scheduled for written questions, the Member who signed the question shall read it and the Minister to whom the question is addressed shall read the answer. The text of the written question and answer shall be reproduced in the Minutes of the sitting.
- (7) Written questions and answers shall not be debated. But the Speaker may, at his discretion, permit a supplementary question to elucidate an answer.

Oral Questions

33. Subject to Standing Order 34, any Member may address oral questions, without notice, to a Minister relating to a public matter for which the Minister is officially responsible, in which he seeks information on that matter.

Contents of Questions

34. (1) Any question asked in accordance with Standing Order 32 and 33 shall not contain:
 - (a) The names of persons or statements of facts

Unless they are strictly necessary to make the question intelligible;

- (b) Any argument, inference, imputation, or are tendentious, ironical or offensive expressions.
- (2) A question shall not refer to any matter on which a judicial decision is pending or reflect on the decision of a court of law.
- (3) The Speaker may declare inadmissible any question which, in his opinion, is unintelligible, irrelevant, frivolous or scandalous or is otherwise out of order.
- (4) A Member shall be responsible for the authenticity of the Name of persons that he mentions or of his statements of facts.

Written Motions

- 35. (1) Any Member who wishes to move a written motion shall give notice thereof by delivering to the Clerk a copy of it signed by him and by one other Member acting as seconder not less than three (3) clear days before the day on which he intends to move such motion.
- (2) The Clerk shall give a copy of the motion to each Member as soon as possible before the time on which the motion shall be debated.
- (3) The rules contained in Standing Orders 34 shall apply to Contents of any written motion.
- (4) When a written motion has been moved, the Speaker shall propose the question thereon to Parliament in the same terms as the motion and a debate may then take place. The mover, or in his absence the seconder, shall be entitled to open such debate and shall have a right of reply.

- (5) When the debate on the motion has been concluded, the question shall forthwith be put by the Speaker.
- (6) A motion may be withdrawn with the leave of the speaker before the question has been fully put thereon; but so withdrawn the motion may be moved again at some other sitting after due notice.

Statements by Members

36. (1) Any Member may make a statement to Parliament on any matter relating to his responsibilities as a Member of Parliament or on any question of Government policy. Any such statement shall be limited to fifteen (15) minutes for each Member.
- (2) Any Member who wishes to make a statement in accordance with paragraph (1) shall inform the Speaker there-of before the opening of the sitting during which the statement is to be made.
- (3) The Speaker shall decide the order in which such statement shall be listed on the Agenda.
- (4) If no motion for a general debate is presented or accepted in accordance with Standing Order 37, the period of time allotted for a general debate shall be used for statements by Members.

General Debate

37. (1) Any Member may move without notice that Parliament shall hold a debate for the purpose of discussing a question relating to matters of public concern or public administration.
- (2) A motion presented under paragraph (1) may be made orally and shall be seconded and the Speaker shall be informed thereof before the opening of the sitting during which the motion is to be presented. The motion shall be decided without amendment or debate.

- (2) If no statement is made by a Member or if the time allocated for statements by Members has not expired, the period of time allotted for statements by Members or part thereof shall be used for a general debate.

PART VII - DEBATES IN PARLIAMENT

Quorum

38. If at any time the attention of the Speaker is directed to the fact that a quorum is not present, he shall order the bells to be rung and if at the end of (5) five minutes, a quorum is not present, he shall adjourn Parliament without question put; but if it be shown at any time that the quorum is present, it shall not be in order to draw the attention of the Speaker to the absence of quorum until after the end of one hour from that time.

Conduct of Debate

39. (1) Any Member who wishes to speak shall raise his hand in a clearly visible manner and shall not speak until the Speaker has given him leave to do so.
- (2) When speaking, a Member shall address himself to the Speaker and shall speak from the place where he sits in Parliament. A Member shall not interrupt or challenge a Speaker.
- (3) No Member shall be entitled to speak more than three (3) times on the same subject excluding questions and answers related to the subject.
- (4) The Speaker may call a Member to order if his speech is not relevant to the matter under debate. If the member does not comply or he persists in speaking after having been requested to conclude his speech, the Speaker may direct him to cease to speak.

Order in Parliament

40. (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 his own arguments or of the arguments used by other Members in debate, may direct him to discontinue his speech.
- (2) If any Member:
- (a) persistently and wilfully obstructs the business of Parliament;
 - (b) is guilty of disorderly conduct ;
 - (c) uses objectionable words which he refuses to withdraw;
 - (d) persistently or wilfully refuses to conform to any Standing Order;
 - (e) persistently or willfully disregards the authority of the Speaker.

The Speaker shall order the Member to withdraw immediately from Parliament and its precincts during the remainder of that sitting.

- (3) In the case of grave disorder arising in Parliament, the Speaker may adjourn Parliament without question put or Suspend any sitting for a time determined by him.
- (4) Parliament may, on a motion moved by a Member, suspend any Member from the service of Parliament for such period indicted in the motion. A Member who is suspended shall not be admitted to Parliament or its precincts during the period of suspension.
- (5) Any motion presented in accordance with paragraph (4) shall be in writing and seconded and a notice of 2 clear days shall be given thereof to the Speaker.

Closure of debate

41. (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 a minority the question “that the question be put” shall put forthwith.

- (2) A motion presented in accordance with paragraph (1) shall require to be seconded and shall be decided without amendment or debate.

Point of Order

42. (1) The Speaker shall call 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 shall 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 he makes a decision but such debate shall be strictly confined to the point of order raised.

- (4) On a point of order, the Speaker may render his decision either forthwith or at a latter sitting. The Speaker shall indicated the reasons for his decision.

Matters of Privilege

43. (1) A Member who wishes to raise a matter which he believes to affect the privileges of Parliament or one of its Members shall do so as soon as possible after the matter comes to his attention. Such Member shall verbally inform the Speaker, stating the facts to which he wishes to draw attention at least one hour before the beginning of the sitting at which he

proposes to raise the matter.

- (2) When a Member is called by the Speaker to raise a matter of privilege, he shall state briefly the facts to which he wishes to draw the attention of Parliament and the grounds on which he believes that those facts affect the privileges of Parliament or one of its Members.
- (3) The Speaker shall then state whether or not, in his opinion, the matter appears to affect the privileges of Parliament or one of its Members and if the Speaker so decides, the matter may be referred to Parliament.
- (4) 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 shall be debated forthwith.
- (5) 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 which calls for the immediate attention of Parliament, the Speaker shall interrupt the proceedings, except when a question has been proceeded forthwith to debate a motion based on such matter.

Voting

44. (1) Except as otherwise provided in the Constitution or the Standing Orders, all questions proposed for decision in Parliament or in the Committee of the whole House shall be determined by a majority of the votes of the Members Present.
- (2) A Member shall signify his vote by raising his hand unless Parliament otherwise decides on a motion requesting a nominal vote. Such motion may be presented orally, without notice, and shall be seconded.

- (3) If Parliament decides to hold a nominal vote, the Clerk shall ask each Member separately, referring to him by his constituency, how he desires to vote. The vote of each Member shall be recorded in the minutes of proceedings.
- (4) A Member may at any time request that his vote be recorded in the minutes of proceedings. If such request is made, the Speaker shall order the Clerk to record the vote of that Member in the minutes of proceedings.

Decision of the Speaker

45. The opinion or a decision of the Speaker as to any question related to the application or interpretation of these Standing Orders shall not be challenged except on a written motion made in accordance with Standing Order 35.

Motion to Suspend Standing Orders

46. (1) Whenever the Speaker is satisfied that there is a case of urgent necessity for the proper conduct of the business of Parliament, any Order may be suspended on oral motion without notice. If such motion be agreed to, these Standing Orders shall be suspended so far as is necessary to carry out the object for which the motion was made.
- (2) A motion to suspend Standing Orders shall require to be seconded and shall not take effect unless it has been supported by the votes of not less than two-thirds of the Members present.
- (3) 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.

PART VIII- COMMITTEES OF PARLIAMENT

Committee of the whole House

47. (1) There shall be a Committee of the whole House which shall consist of all the Members.
- (2) The Speaker shall be the Chairman of the Committee of whole House. The Chairman shall have the same powers and duties as the Speaker.
- (3) The Committee of the House shall consider any Bill in accordance with Standing Order 29.
- (4) The Committee of the whole House shall establish its own rules of procedure but shall observe the Standing Orders of Parliament so far as may be applicable.

Ad hoc Committee

48. (1) A Member may present a motion to constitute an ad hoc committee for the purpose of studying a Bill or part thereof or any specific matter indicated in the motion. Such motion may be moved orally, without notice, and shall be seconded.
- (2) An ad hoc committee shall consist of not more than 7 Members, representing proportionally the political parties represented in Parliament. A majority of the Members of an ad hoc committee shall constitute a quorum.
- (3) An ad hoc committee to which a Bill has been referred shall consider the Bill in the same way as the Committee of the whole House and on completion, the chairman of the ad hoc committee shall report on it to Parliament.
- (4) When a Bill has been considered by an ad hoc committee and reported on to Parliament, it shall automatically be referred to the committee of the whole House.

- (5) The chairman of an ad hoc committee shall have the same powers and duties as the Speaker, except that he may participate in any debate and vote.
- (6) An ad hoc committee to which a matter has been referred shall consider it in accordance with the terms of reference indicated in the motion creating the ad hoc committee and on completion, the Chairman shall report on it to Parliament or to the Committee of the whole House as the case may be.
- (7) The ad hoc committee shall establish its own rules of procedure but shall observe the Standing Orders of Parliament so far as may be applicable.

Standing Committee

49. (1) A Member may present a motion to constitute a standing committee of Parliament in order to examine, enquire or consider any business, question or matter related to a ministry, department or service of the Government or the Republic of Vanuatu.
- (2) The rules contained in Standing Order 35 shall apply to a motion made under paragraph (1) and the motion shall indicate the business, question or matter to be referred to the standing Committee.
- (3) A standing Committee shall consist of not more than 7 Members representing proportionally the political parties represented in Parliament. A majority of the Members of the standing Committee shall continue a quorum.
- (4) Unless Parliament shall otherwise decide, a standing Committee shall continue to exist until the dissolution of Parliament.

- (5) A standing Committee shall be empowered to examine, enquire into or consider any matter, business or question as may be referred by Parliament from time to time and report on it.
- (6) A standing Committee shall establish its own rules of procedure but shall observe the Standing Orders of Parliament so far as may be applicable.
- (7) The Chairman of a standing Committee shall have the same power and duties as the Speaker except that he may participate in any debate and vote.

PART IX - FINANCIAL PROCEDURE

Annual Appropriation Bill

50. (1) The Annual Appropriation bill shall be presented on any convenient day during the second ordinary session of each year.
- (2) The Appropriation Bill shall be presented by the Minister responsible for Finance. The government shall supply to the Clerk sufficient printed copies of the Bill in French and English 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 in French and English to each Member not less than (25) twenty five days prior to the meeting at which the Bill is to be introduced.
- (4) Subject to paragraph (5) and (6), not more than (10) ten days shall be allotted for the consideration of the Appropriation Bill by the Committee of the whole House. The days so allotted shall not be included in the ten days period.

- (5) The days occupied by the Consideration of a supplementary Appropriation Bill or of any supplementary estimate shall not be included in the ten days period.
- (6) A Member may more orally, without notice, that additional time not exceeding (5) five days may be allotted for the consideration of the Appropriation Bill. Such motion shall be seconded and decided without amendment or debate.
- (7) On the last of the days allotted for the consideration of the Appropriation Bill, including any additional days allotted under paragraph (6), the Speaker shall forthwith put every question necessary to dispose of the vote then under consideration, shall then put the question with respect to each head of the budget, that the total amount of the vote outstanding in that head be granted for the services defined in the head.
- (8) For the purposes of this Standing Order, the Appropriation Bill shall include 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

51. 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 payment, issue or withdrawal.
- (iv) the composition or re-mission 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 aforesaid.

PART X - MISCELLANEOUS MATTERS

Member

52. (1) Every Member shall, within three (3) months of his election, inform the Speaker in writing of:
- (a) his affiliation or alliance with any political party or group represented in Parliament; and
 - (b) all companies, businesses or other organizations in which he has any pecuniary interest of any kind whether direct or indirect as owner, employee, partner, shareholder or otherwise.
- (2) The Speaker shall cause such information given by Members to be recorded in a book kept for that purpose and shall record any necessary alterations.
- (3) Any Member shall, as soon as possible, inform the Speaker of any change in his political affiliation or in

his pecuniary interest of any kind recorded in accordance with paragraph (1).

- (4) A Member shall not speak or vote on any matter in which he has a pecuniary interest without disclosing the nature and the extent of such pecuniary interest.
- (5) Paragraph (4) shall 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

Visitors

- 53. (1) When the Parliament is sitting, visitors may be admitted only to such places as may be reserved for them by the Speaker. Visitors shall be properly dressed and they shall remain seated and silent. They shall refrain from making utterances, gestures of approval or disapproval and from communication in any way with the Members.
- (2) The Speaker may order the withdrawal of visitors in special circumstances.
- (3) Any visitor admitted into Parliament who misconducts himself or does 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 House is sitting, no photographs shall be taken inside the Parliament Chambers.
- (5) For the purpose of this Standing Order, the word 'visitors' includes all persons other than Members, officers or servants of Parliament, but excludes any person or group of persons giving advice or

assisting Parliament in accordance with Standing Order 29 (6)

Repeal

54. All previous Standing Orders of Parliament are hereby revoked.

Commencement

55. These Standing Orders of Parliament shall come into force on 1st January 1982.