

**CAYMAN ISLANDS**



**Constitution of the Cayman Islands**

# **PARLIAMENT STANDING ORDERS, 2025**

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## PUBLISHING DETAILS

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**CAYMAN ISLANDS****Constitution of the Cayman Islands****PARLIAMENT STANDING ORDERS, 2025**

In exercise of the powers conferred by section 71(1) of the Constitution of the Cayman Islands, the Parliament makes the following Order —

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**PART 1 – PRELIMINARY****Citation and commencement**

1. This Order may be cited as the Parliament Standing Orders, 2025 and comes into force on 28<sup>th</sup> February, 2025.

**Application of Standing Orders**

2. (1) The Presiding Officer is responsible for ruling whenever any question arises as to the interpretation or application of a Standing Order and for deciding cases for which there is no other provision.  
(2) In any matter not provided for in these Standing Orders, resort shall be had to the usage and practice of the House of Commons of the United Kingdom which shall be followed as far as they may be applicable to this Parliament, and not inconsistent with these Standing Orders or with the practice of this Parliament.  
(3) In cases of doubt the Standing Orders of this Parliament shall be interpreted in the light of the relevant usage and practice of the House of Commons of the United Kingdom, but no restrictions which the House of Commons has introduced by Standing Order shall be deemed to extend to this Parliament or

its Members until this Parliament has provided by Standing Order for such restriction.

- (4) The Speaker shall regulate the conduct of business in all matters not provided for in these Standing Orders.
- (5) The decision in all cases for which these Standing Orders do not provide, shall lie within the discretion of the Speaker, and shall not be open to challenge.
- (6) The Speaker may issue Practice Notes on the procedure and practice to be followed under any Standing Order.

## Definitions

### 3. In these Standing Orders —

**“Business Committee”** means the committee established in accordance with Standing Order 96 (Business Committee);

**“Business paper”** means a Business Paper prepared by the Clerk containing the business for a meeting.

**“chairperson”** means the chairperson of a committee of the whole House or of a select committee;

**“Clerk”** means the Clerk of the Parliament or, if the office is vacant or the Clerk is absent from duty, means, a Deputy Clerk and an Assistant Clerk of the Parliament; and includes any person authorised by the Clerk to perform any of the functions or exercise any of the powers of the Clerk under these Standing Orders;

**“Constitution”** means the Cayman Islands Constitution Order, 2009 as amended from time to time;

**“Government Minute”** means Government’s written response to the Report of the Public Accounts Committee as laid on the Table of the House under Standing Order 97 (Public Accounts Committee);

**“Hansard”** means an edited official verbatim of what was said in Parliament and produced by the Parliament which includes records of votes and written ministerial statements;

**“House”** means the Parliament referred to in the Constitution;

**“meeting”** means the whole or any part of a session, irrespective of adjournments, in which the business set out in the Business Paper for the meeting is all disposed of;

**“Member”** means Member of the Parliament;

**“Member of the Government”** means a Member of the Cabinet;

**“Order paper”** means a paper approved by the Business Committee for each sitting which shows the order of the business of the day.

“**Parliamentary precincts**” means the entire building in which the Parliament sits in session for the transaction of business, together with the car park, the front steps and all other areas within the curtilage of the building;

“**Presiding Officer**” means —

- (a) the Speaker; or
- (b) in the absence of the Speaker, the Deputy Speaker; or
- (c) any elected Member is elected by the Parliament to act as the Presiding Officer or as a chairperson;

“**printing**” includes all mechanised and photographic methods of producing words in visible form and all grammatical variations of the words “to print” shall be construed accordingly;

“**publish**” means to publish in the Gazette, in any other official Government website or official means of communication, or any other media used by the Government;

“**Private Member**” means a Member who is not a Member of the Government nor a Parliamentary Secretary;

“**session**” means the meetings of the House commencing when the House first meets after being constituted, or after its prorogation or dissolution at any time, and terminating when it is prorogued or dissolved; and

“**sitting**” means a period during which the House is sitting continuously without adjournment and includes any period during which the House is in committee.

## PART 2 – MEMBERS AND OFFICERS OF THE HOUSE

### Oath or affirmation of allegiance

4. (1) A Member shall not take part or vote in the proceedings of the Parliament, other than proceedings necessary for the purposes of this paragraph or the election of a Speaker and Deputy Speaker, until the Member has made and subscribed before the Parliament oaths of allegiance and oaths for the due execution of the Member’s office in the forms set out in the Schedule to the Constitution.
- (2) At the first meeting of the Parliament, after a general election and immediately following the election by the Members of the Speaker and Deputy Speaker, the Governor shall administer the oath of allegiance and oath for the due execution of the Speaker’s and Deputy Speaker’s office, firstly to the Speaker and then to the Deputy Speaker.
- (3) At any other time, the oath or affirmation shall be administered to a Member by the Clerk immediately after Prayers.

- (4) A Member who refuses to make or subscribe the oath or affirmation before the Parliament shall not be entitled to take the Member's seat in the Parliament nor to be remunerated.

### **Speaker and Deputy Speaker- election and tenure**

5. (1) At sittings of the House there shall preside —
  - (a) the Speaker;
  - (b) in the absence of the Speaker, the Deputy Speaker; or
  - (c) in the absence of the Speaker and the Deputy Speaker, an elected Member other than a Member of Government as may be elected by the elected Members.
- (2) At the opening of the first session of Parliament, and at any other occasion as determined pursuant to paragraph (3), the election of a Speaker and Deputy Speaker shall be the first order of business and shall not be interrupted by any other proceeding, and the Parliament shall continue to sit, if necessary, beyond its ordinary hour of daily adjournment, notwithstanding any other standing or special order, until a Speaker is declared elected, and is installed in the chair in the usual manner.
- (3) When there is, or is to be, a vacancy in the Office of the Speaker, whether at the opening of Parliament, or because the incumbent of that office has indicated his or her intention to resign the Office of Speaker, or for any other reason, the Members shall proceed to the election of a Speaker.
- (4) The Speaker and Deputy Speaker shall be elected in accordance with section 65 (1) and (3) of the Constitution.
- (5) Section 65(2) of the Constitution regulates the tenure of the office of the Speaker and the Deputy Speaker.

### **Presiding in the House and in Committee**

6. (1) The Presiding Officer shall preside at sittings of the House and may act as chairperson of committees of the whole House except where such committees are otherwise constituted in accordance with the Constitution or these Standing Orders.
- (2) When the Speaker is unavoidably absent from a day's sitting, the Deputy Speaker shall take the Chair and shall be vested with all the powers of the Speaker until the next sitting of the House.
- (3) When the Speaker and the Deputy Speaker are both absent the Clerk shall call upon the House to elect from among the Members present who are not Members of Government to preside over that sitting of the House, and the election shall take place forthwith in the manner provided by these Standing Orders for the election of the Speaker.

- (4) Except as may be otherwise provided in these Standing Orders, the Deputy Speaker or other Member presiding has all of the authority and power of the Speaker when presiding or otherwise performing the functions of the Speaker.
- (5) A Presiding Officer of a committee shall exercise all the powers conferred by these Standing Orders.
- (6) The Speaker, without any formal communication to the House or the committee, may request the Deputy Speaker to take the Chair.

### **Attendance and absence of members**

7. (1) A Member is recorded by the Clerk as being present —
  - (a) in the House in a sitting if, during that sitting, the Member attends the House;
  - (b) the Member attends a meeting of a select committee; or
  - (c) the Member attends other official business approved by the Business Committee.
- (2) If a Member is outside the Parliamentary precincts attending or participating in business under paragraphs (1)(a) to (c), that member is considered as being present within the Parliamentary precincts for the purposes of these Standing Orders if the Member has given prior notice to the Clerk that he or she is outside for the purposes of such business.

### **Permission to be absent from the House**

8. (1) The Presiding Officer may, upon the written application of a Member, grant a member permission to be absent from the House —
  - (a) on account of illness or other family cause of a personal nature; and
  - (b) to enable the member to attend to public business (whether in the Islands or overseas).
- (2) If, without the written leave of the Presiding Officer, a Member is absent from the House for two consecutive meetings that Member shall, unless the Member satisfies the Presiding Officer that such absence was unavoidable, vacate his or her seat in the House pursuant to section 63(b) of the Constitution.
- (3) A Member who is unable to attend a meeting of which he or she has had due notice, or a meeting that is adjourned to a later date, shall inform the Clerk as early as possible of his or her inability to attend and, where necessary, whether the Member has obtained written leave of absence from the Governor under section 52(1)(d) of the Constitution.

**Duties of the Clerk and the Serjeant-at-Arms**

9. (1) The Clerk shall keep the minutes of the proceedings of the House and committees of the whole House, and shall circulate a copy of the minutes to Members as soon as possible after the conclusion of each meeting.
- (2) The minutes shall record the names of Members attending and all decisions of the House, and shall be signed by the Presiding Officer.
- (3) When divisions are taken in the House and in committees of the House, the minutes shall include the numbers abstaining and the numbers voting for and against the question and the names of members so voting.
- (4) The Clerk shall prepare for each meeting a Business Paper or Business Papers containing the business for that meeting.
- (5) The Clerk shall prepare an Order Paper for each sitting showing the business of the day.
- (6) The Clerk shall prepare an Order Book showing all business appointed for any future day and any notices of questions or motions which have been set down for a future day whether for a day named or not given. The Order Book shall be open for the inspection of Members at all reasonable times.
- (7) The Clerk shall be responsible for the custody of the votes, records, Bills and other documents laid before the House, which shall be open for inspection by Members and other persons under such arrangements as may be approved by the Speaker.
- (8) The Clerk, acting under the direction of the Speaker, shall be responsible for the production of official reports of all speeches made in the House or in committee of the whole House and for making copies available for Members as soon as possible.
- (9) The Clerk shall be responsible for providing standing and select committees of the House with persons from the office of the Clerk to serve as Clerks to such committees.
- (10) Where a Proclamation of the Governor under sections 83(1) and 84(1) and (2) of the Constitution is published, the Clerk shall send a copy of the Proclamation to each Member and the Clerk shall read the Proclamation at the first sitting of a session.
- (11) The Serjeant-at-Arms shall —
- (a) attend upon the Presiding Officer with the Mace, on entering and leaving the Chamber;
  - (b) remove, or cause, or ensure the removal of persons directed to withdraw;
  - (c) to maintain or cause to be maintained, order in the lobby, passages and precincts of the House; and

- (d) exercise supervision over constables assigned to duty in the House.
- (12) A Deputy Serjeant-at-Arms of Parliament shall be appointed by the Parliament and shall act as Serjeant-at-Arms in the absence of the Serjeant-at-Arms.

### **Language**

- 10. (1) The proceedings and debates of the House shall be in the English language.
- (2) Every petition, paper and written communication referred to in these Standing Orders shall also be in the English language.

## **PART 3 - MEETINGS, SITTINGS AND ADJOURNMENTS OF THE HOUSE**

### **Meeting days**

- 11. Subject to these Standing Orders, the House shall sit on Wednesdays, Thursdays and Fridays, and every adjournment of the House shall be to the next day of sitting, unless the House on a motion moved by a Member, with or without prior notice, decides to adjourn to another day; and no debate shall ensue on such a motion.

### **Meetings and sittings**

- 12. (1) The first meeting of every session of the House shall be held on such day, at such time and place as the Governor, by Proclamation, shall appoint in accordance with section 83(1) of the Constitution, and a session will usually consist of four meetings, but nothing shall preclude the summoning of a meeting of the House on such days as the Presiding Officer may determine.
- (2) The Presiding Officer may, at any time, suspend a sitting of the House or of a committee of the whole House for a short period.

### **Special meeting**

- 13. (1) If, during an adjournment of the House, it is represented by the Government to the Presiding Officer that the public interest requires that the House should meet on an earlier day than that to which it stands adjourned, the Presiding Officer may direct accordingly.
- (2) If at any time when the House stands adjourned pursuant to its own order the Presiding Officer is satisfied that there is urgent necessity for the House to meet, the Presiding Officer may, subject to the provisions of paragraph (3), direct the Clerk to summon a meeting of the House for such time and on such day, whether it is a day on which the House sits or otherwise, as the Presiding Officer may determine.
- (3) In addition to the meetings provided for in this Standing Order the Presiding Officer may, in the discretion of the Presiding Officer, summon a meeting of the

House and shall do so on the written requisition signed by not less than ten Members, stating the terms of the motion or motions which they wish to debate; and notice of any meeting shall be given to Members as soon as possible by the Clerk.

- (4) Every direction under paragraph (2) shall be in writing, signed by the Presiding Officer, bear the date upon which it is given to the Clerk and specify the business to be transacted at the meeting to which it relates.
- (5) Immediately upon receipt of a direction under paragraph (1) or (2), the Clerk shall inform every Member of the time appointed by the Presiding Officer for the holding of the special meeting and of the business to be transacted at the meeting.
- (6) Except by the leave of the House, no business other than the business specified in the direction under paragraph (1) or (2) shall be transacted at a special meeting.

### **Hours of sitting**

14. (1) Except as otherwise provided by these Standing Orders, every sitting of the House shall begin at 2 p.m. and unless previously adjourned, shall end at 8 p.m. on the same day.
- (2) The Presiding Officer may at any time suspend a sitting for a stated period but, unless the House otherwise resolves, the Presiding Officer at 5 p.m. may suspend the sitting for thirty minutes.
- (3) If a division is in progress at 5 p.m. the business shall not be interrupted until the result of the division has been announced.
- (4) Any matter under discussion at the end of business and any business not entered upon before that time shall stand over to the next meeting or sitting.
- (5) Except as provided in paragraph (5) of Standing Order 16 (Adjournment of the House) no further business shall be entered upon after the interruption of business under paragraph (5).

### **Fixed recess**

15. Notwithstanding Standing Order 12 (Meetings and sittings) and subject to Standing Order 14 (Hours of sitting), unless there are urgent or extraordinary reasons for so doing, no meeting of the House shall be held from the first week in the month of July to the first week in the month of September in any year.

### **Adjournment of the House**

16. (1) When, for any reason, it is not desired to formulate a motion in express terms for the purposes of debating a matter or matters, a motion “That the House do now adjourn” may be moved for the purpose of such a debate.

- (2) A motion under paragraph (1) may be moved by any Member who shall give notice of his or her intention to the Presiding Officer but the Presiding Officer may decline to propose the question to the House if the Presiding Officer considers it an abuse of its rules.
- (3) A motion for the adjournment under paragraph (1) may only be moved between two items of business.
- (4) If a motion for the adjournment made under paragraph (1) is agreed upon, the House shall stand adjourned in accordance with Standing Order 14 (Hours of sitting) but if such motion is negatived or withdrawn, the House shall proceed to the next item of business.
- (5) After the interruption of business under Standing Order 14 (Hours of sitting) or at the conclusion of all the business on the Order Paper, whichever is earlier, any Member may move “That this House do now adjourn”.
- (6) On a motion moved under paragraph (5), a Member who is not a Member of the Government and who has obtained the right to do so, may raise any public matter for which the Government has responsibility, in order to elicit a reply from a Member of the Government responsible for the matter. After not more than twenty minutes, the Member of the Government shall be called on to reply.
- (7) A Member who wishes to raise a matter under paragraph (6) shall give notice in writing thereof to the Presiding Officer not less than two days before the day when the Member wishes so to do, but the Presiding Officer may, at the Presiding Officer’s discretion, dispense with such notice.
- (8) If, after thirty minutes from the moving of a motion under paragraph (5), it is not agreed to, the Presiding Officer shall adjourn the House without putting the question.

### **Adjournment-definite matter of urgent public importance**

17. (1) At the time appointed under Standing Order 20 (Order of Business), a Member may rise in his or her place and ask leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance.
- (2) No more than two Members shall be permitted by the Presiding Officer at any one sitting to seek leave to move the adjournment of the House under this Standing Order.
- (3) A Member who wishes to seek leave to move the adjournment of the House under this Standing Order shall give written notice to the Presiding Officer at least ninety minutes before the commencement of the sitting. The Presiding Officer shall refuse to allow the request unless the Presiding Officer is satisfied that the matter is —
  - (a) definite;
  - (b) urgent; and

- (c) of public importance.
- (4) If the Presiding Officer is so satisfied and either —
  - (a) leave of the House is given; or
  - (b) if leave is not given, at least ten Members rise in their places to support the request,

the motion shall stand over until 6 p.m. on the same day, and at that time any proceedings on which the House is engaged shall be postponed until the motion for the adjournment is disposed of or until 7 p.m., whichever is the earlier. At 7 p.m. the motion for the adjournment, if not previously disposed of, shall lapse and the proceedings which have been postponed shall be resumed.

### **Quorum**

- 18.** (1) The quorum of the House shall consist of a majority of elected Members in addition to the Presiding Officer.
- (2) The quorum of a committee of the whole House shall consist of a majority of Members in addition to the Presiding Officer.
- (3) If objection is taken by a Member that a quorum is not present the Presiding Officer shall direct that Members be summoned, the Member taking objection having to remain within the Chamber and if, after five minutes, the Presiding Officer is satisfied that a quorum is not present the Presiding Officer shall adjourn the House without the question being put.
- (4) If, at any time during a sitting of a committee of the whole House, objection is taken by a Member that a quorum is not present, the Presiding Officer shall direct Members to be summoned, and if, after five minutes, a quorum is not present, the Presiding Officer shall leave the chair, and, the House being resumed, the Presiding Officer shall direct the Clerk forthwith to count the Members without question put, and if a quorum is present, the House shall forthwith again resolve itself into committee.

### **Broadcasting**

- 19.** The proceedings of the House shall ordinarily be broadcasted, from commencement to adjournment, on television, radio and the internet and in accordance with the rules and standards adopted by the House as set out in Appendix 2 of the Schedule, as may be amended by order of the House from time to time.

## **PART 4 - BUSINESS OF THE HOUSE**

### **Order of business at a sitting**

- 20.** (1) The business of each sitting other than the first sitting of a session shall be transacted in the following order (unless Standing Orders otherwise permit) —

- (a) Prayers;
  - (b) Administration of oaths or affirmations;
  - (c) Reading by the Presiding Officer of messages and announcements;
  - (d) Personal explanations;
  - (e) Presentation of papers and reports by laying them on the Table;
  - (f) Premier's Question time (on Wednesdays only);
  - (g) Questions to Members of the Government;
  - (h) Statements by Members of the Government;
  - (i) Presentation of petitions;
  - (j) Obituary and other ceremonial speeches;
  - (k) Raising of matters of privilege;
  - (l) Other business —
    - (i) motions;
    - (ii) Bills; and
  - (m) Government business —
    - (i) Bills;
    - (ii) motions.
- (2) On all days other than Thursdays, Government Business shall have precedence over Private Members' business.
- (3) On Thursdays, Private Members' motions shall have precedence on the Order Paper, followed by Private Members' Bills, followed by Government Business.
- (4) The prayers referred to in paragraph (1)(a) shall —
- (a) in the case of a State Opening Meeting, be delivered by a minister of religion of a recognised church; and
  - (b) in any other case, be read by a Member selected for that purpose by the Business Committee of the House.

### **Order paper**

- 21.** (1) The Clerk shall prepare an Order Paper for each sitting of the House.
- (2) The Order Paper shall be circulated by 10 a.m. before each sitting.

### **Presentation of petitions**

- 22.** (1) A petition may only be presented to the House by a Member and shall show on its face the name of that Member.
- (2) A Member presenting a petition shall confine himself or herself to a brief statement of the persons from whom it comes, the number of signatures attached

to it and the material allegations contained in it, and to reading the prayer of the petition.

- (3) Where a petition complains of a present personal grievance for which there may be a need to provide an immediate remedy, the matter contained in the petition may be brought into discussion on a motion following the presentation thereof.
- (4) Other petitions shall be ordered, without question put, to lie upon the Table, unless a Member moves for it to be referred to a select committee.
- (5) A Member shall not present a petition on his or her own behalf or one to which the Member is a signatory.

### **Form and content of petition**

- 23.** (1) A petition shall not be presented to the House unless it has been endorsed by the Clerk as being in accordance with the following rules —
- (a) every petition shall be properly addressed to the House, be respectfully decorous and temperate in its language, conclude with a prayer setting forth the general object of the petition or the nature of the relief sought and be in the form shown in the Appendix 1 of the Schedule;
  - (b) every petition and succeeding sheets shall be typed and shall be signed on each sheet by one or more of the persons signing on the last sheet thereof, the signature or signatures on each sheet being the same;
  - (c) no letter, affidavit or other document may be attached to a petition, and no erasure or interlineation may be made therein;
  - (d) if signatures are affixed to more than one sheet, the prayer may be repeated at the head of each sheet;
  - (e) every petition shall be signed by the name or mark of every person whose name is appended thereto and no signature shall be pasted on or otherwise attached thereto;
  - (f) the petition of a corporation aggregate shall be under its common seal;
  - (g) the address of every person who signs a petition shall follow his or her signature; and
  - (h) the common seal of a corporation aggregate and the mark of a person signing by his or her mark shall be duly authenticated.
- (2) A petition shall not be received which, in the opinion of the Presiding Officer, makes provision for imposing or increasing any tax, for imposing or increasing any charge on the revenues or other funds of the Islands or for altering any such charge otherwise than by reducing it or for compounding or remitting any debt due to the Islands.

**Actions on petitions**

- 24.** (1) After a petition is presented to the House, the Clerk shall within two business days after it is presented, refer by letter a copy of the petition to the Member of Government responsible for the administration of the matter raised in the Petition.
- (2) The Member of Government shall, within thirty days of the date of the letter from the Clerk, lodge a written response with the Clerk and such response shall be ordered to lie upon the Table without question put and shall be circulated at the next sitting of the House.
- (3) If a petition remains without a response at the expiration of the period of thirty days, the matter of the failure of the Member of Government to respond shall be deemed referred to the Presiding Officer.
- (4) The provisions of paragraphs (1), (2) and (3) of this Standing Order shall not apply to a petition from the promoters of a Private Bill under Part 11.

**Notice of petition**

- 25.** A copy of every petition shall be sent to the Clerk not less than five business days before its presentation.

**Presentation of papers and reports**

- 26.** (1) A paper or report may be presented to the House only by a Member of the Government or by a Presiding Officer of a committee and its presentation shall be entered upon the Minutes.
- (2) The Member of the Government or Presiding Officer of a committee presenting a paper or report may make a short explanatory statement of its contents.
- (3) All rules, regulations and orders made by the Governor under the authority of any Act which are required to be laid on the Table of the House shall be so laid as soon as may be after being made.
- (4) Within twenty-one days of the return to the Islands of an officially recognized parliamentary delegation composed in any part of Members, the head of the delegation, or a Member acting on the Member's behalf, shall present a report to the House on the activities of the delegation.
- (5) Any subsidiary legislation made under the authority of any Act and required to be laid before the House, shall be submitted to Parliament no later than two business days after the date upon which it was enacted or published, and laid on the Table at the next sitting of the House.
- (6) A report from the Ombudsman shall be presented by the Presiding Officer of the Oversight Committee and shall be considered by the House on motion.
- (7) A report from the Auditor General shall be presented to the Public Accounts Committee and laid on the table in accordance with Standing Order 97 (Public

Accounts Committee) and, subject to paragraph (8), shall not be published to the public until after it has been considered by the Public Accounts Committee.

- (8) Where a report from the Auditor General is submitted pursuant to paragraph (7) but the Public Accounts Committee fails to meet within six months of the date of the submission of the report, the Auditor General may publish the report.

### **Debate upon papers and reports**

27. (1) At any time after the presentation of a paper or report under Standing Order 26 (Presentation of papers and reports) —
  - (a) the Member of the Government who presented the paper or report may give notice of a motion that the House resolve itself into a committee of the whole House to consider the paper; and
  - (b) debate upon that motion shall be confined to the general principles set out in the paper or report.
- (2) If a motion under paragraph (1) is agreed upon, the House shall resolve itself into committee.
- (3) The debate in committee may extend to all the details of the paper or report which shall be discussed paragraph by paragraph unless otherwise decided by the Presiding Officer who shall have regard to the convenience of the House.
- (4) No question shall be put on, nor any amendment proposed to, any part of the paper or report and at the conclusion of the debate no question shall be put except that the Member who moved the motion under paragraph (1) shall report to the House that the committee has considered the paper or report.
- (5) When a paper or report contains proposals, the Member of the Government or Presiding officer of the committee who presented the paper or report may, following consideration in committee, subsequently move that the House approve the proposals set out in the paper or report, without amendment or with such amendment as the Member may incorporate in the motion arising out of consideration in the committee.

### **Personal explanations**

28. (1) With the leave of the Presiding Officer a Member may make a personal explanation at the time appointed under Standing Order 20 (Order of Business) although there is no question before the House.
- (2) No controversial matter may be brought forward nor may any debate arise upon an explanation.
- (3) A personal explanation shall not exceed ten minutes.

**Statements by Members of Government and responses thereto**

- 29.** (1) A Member of Government may make a statement in the House, with the approval of the Cabinet on —
- (a) government policy;
  - (b) legislative proposals the Member of Government intends to submit to Parliament; and
  - (c) the course the Member of Government intends to adopt in the transaction and arrangement of public business.
- (2) A Member of Government who intends to make a statement shall, a day before the commencement of the sitting, inform the Presiding Officer of his or her intention to make a statement and the subject of the statement, and provide the Presiding Officer with a copy of the statement.
- (3) A statement by a Member of Government shall not exceed twenty minutes.
- (4) No debate may arise on such a statement but the Presiding Officer may, in his or her discretion, allow short questions to be put to the Member of Government making the statement for the purpose of clarification.
- (5) A question under paragraph (4) must be brief and must be asked without preamble, argument or opinion.
- (6) A statement made by a Member of Government shall be circulated to all Members.
- (7) The Leader of the Opposition may provide statements in response to the Throne Speech, a Budget Address, and in response to a policy statement of any Member of the Government and any such statement shall not exceed twenty minutes.

**Messages from Governor**

- 30.** A message from the Governor may be presented at any time before the commencement of business and shall be considered forthwith or ordered to be considered at such time as the House may determine, or, if presented by a Member of the Government, at such time as the Member may appoint.

**PART 5 - QUESTIONS****Questions to Members of the Government**

- 31.** (1) Questions may be asked of a Member of Government relating to any subject or department under the Member's administrative responsibility.
- (2) The right to ask a question shall be subject to the rules set out in this Part and the Presiding Officer shall be the sole judge on the interpretation of these rules.

**Premier's Question Time**

- 32.** (1) On every Wednesday during a meeting of the House there shall be Premier's Question Time at the time designated in the Order of Business.
- (2) During Premier's question time, questions may be put, to the Premier relating to current matters of national importance or on the general performance of the Government and Government agencies.
- (3) A Member shall submit to the Clerk a copy of a proposed question marked "Premier's Question" at least one working day prior to the commencement of a sitting.
- (4) The Premier's question time shall not exceed thirty minutes.
- (5) A question to the Premier shall not exceed fifteen seconds in length, must be asked without preamble, argument or opinion, and shall not address more than one matter of general government policy.

**Urgent questions**

- 33.** (1) There shall be a fifteen-minute period for urgent questions at the appropriate stage in the Order of Business at each sitting of the House which shall be subject to the following rules —
- (a) any Member desiring to ask a question on the ground of urgency in the public interest shall submit to the Clerk a copy of the proposed question marked "urgent question" at least two hours prior to the commencement of the sitting;
- (b) the Presiding Officer shall approve the question if the proposed question relates to a matter that, in the opinion of the Presiding Officer, is urgent and has arisen suddenly and the Presiding Officer considers it to be one which requires immediate response in the public interest;
- (c) the Presiding Officer shall call upon the Member to ask the question at the appropriate stage in the Order of Business;
- (d) an urgent question shall not exceed fifteen seconds in length and must be asked without preamble, argument or opinion;
- (e) answers must not exceed two minutes in length and must be relevant to the question asked;
- (f) the Presiding Officer may permit the Member asking an urgent question to ask supplementary questions; and
- (g) a Member of Government may decline to answer a question if, in that Member's opinion, the publication of the answer would be contrary to the public interest.
- (2) The Presiding Officer shall instruct the Clerk to immediately inform the relevant Member of Government of the urgent question as approved.

**Notice of Questions**

- 34.** (1) A question shall not be asked, unless it is of an urgent character or relates to the business of the day and the Member has obtained the leave of the Presiding Officer, unless notice of the question has been handed to the Clerk no later than ten days prior to the commencement of the meeting of the House at which it is sought to ask the question.
- (2) Immediately upon receipt of a notice of a question, the question shall be forwarded immediately by the Clerk to the Presiding Officer and, after approval by the Presiding Officer, to the Member of the Government with responsibility for the matter which is the subject of the question.
- (3) Every notice of a question shall be signed by the Member giving it.

**Contents of questions**

- 35.** (1) A question shall not —
- (a) contain more than one issue and shall be concise;
  - (b) contain preambles, opinions, statements of facts, extracts from newspapers or books, or quotations, or names of persons unless they are necessary to render the question intelligible;
  - (c) contain arguments, allegations, inference, imputation, epithets, ironical or offensive expressions, or hypothetical matter;
  - (d) be repetitive, ask for an expression of opinion, or seek legal interpretation or opinion;
  - (e) refer to proceedings before a committee of the House which have not been reported to the House or to matters which have been referred to a Commission of Enquiry;
  - (f) refer to any matter which in the opinion of the Presiding Officer is sub judice under Standing Order 53 (Matters sub judice);
  - (g) be asked for the purpose of obtaining an expression of opinion, the solution of an abstract legal question, or the answer to a hypothetical proposition;
  - (h) reflect on the character or conduct of any person except in the person's official or public capacity;
  - (i) reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion under Standing Order 59 (Breaches of order);
  - (j) refer discourteously to, or seek information about, the internal affairs of any country within the Commonwealth or of a friendly foreign State;
  - (k) seek information set forth in accessible official publications or ordinary works of reference; or

- (l) raise an issue already decided in the House or which has been fully answered during the same session or for which an answer has been refused.
- (2) If the Presiding Officer is of the opinion that any question of which a Member has given notice to the Clerk is an abuse of the right of questioning or infringes any of the provisions of this or any other Standing Order, the Presiding Officer may direct —
  - (a) that it be printed or asked with such alterations as the the Presiding Officer may direct; or
  - (b) that the Member concerned be informed that the question is inadmissible.

### **Manner of asking and answering questions which require notice**

- 36.** (1) A Member shall not publish his or her question prior to such question being approved by the Presiding Officer.
- (2) Answers to questions which Members of Government propose to give in the House shall not be released for publication until the answers have been given on the floor of the House or laid on the Table.
  - (3) The time allotted for answering questions on notice shall not exceed one hour.
  - (4) The Presiding Officer shall call in turn upon each Member in whose name a question stands upon the Order Paper, in the order in which the questions appear on the Order Paper. The Member so called shall then rise in his or her or place and ask the question as it appears on the Order Paper.
  - (5) The Member of Government questioned shall rise in his or her place and give his or her reply, which shall be strictly relevant thereto and shall not exceed five minutes.
  - (6) After an oral answer to a question has been given supplementary questions may be asked for the purpose of elucidating the answer given orally, but the Presiding Officer may refuse any supplementary questions which in his or her opinion introduces matters not relevant to the original question, or which infringes any of the provisions of Standing Order 35 (Contents of Questions).
  - (7) A supplementary question shall be held to be out of order by the Presiding Officer if, in the Presiding Officer's opinion —
    - (a) it does not arise from the main question or its answer;
    - (b) it gives information rather than seeking information;
    - (c) it involves more than one separate issue;
    - (d) it seeks confirmation or denial of an opinion; or
    - (e) it infringes any of the rules regarding questions.
  - (8) In the absence of a Member in whose name a question stands, a question may be asked by any other Member duly authorized to ask the question on behalf of the absent Member.

- (9) In the absence of the Member of Government to whom a question is addressed, a question may be answered by any other Member of Government duly authorized to give the answer on behalf of the absent Member of Government.
- (10) Questions which have not received an oral answer by the end of the meeting, shall be answered in writing by the Member of Government to whom the question was addressed and copies of the answer shall be sent immediately after that hour to the Clerk, who shall —
  - (a) send a copy to the Member in whose name the question stood upon the Order Paper; and
  - (b) cause the answer to be circulated,  
unless before the end of Question Time a Member having a question on the Order Paper but whose name has not been called by the Presiding Officer signifies to the Presiding Officer his or her desire to postpone the question to a later sitting or to withdraw it.
- (11) At the request of a Member of Government and with the approval of the House, without debate, the answer to a question on the Order Paper may be deferred once to a later date in that meeting. A question so deferred is not to be taken into account for the purpose of Standing Order 34 (Notice of Questions).
- (12) If such a question remains unanswered at the expiration of the meeting, the Member who asked the question may, at the conclusion of question time, ask that the Presiding Officer write to the Member of Government concerned, seeking reasons for the delay in answering.
- (13) A question may be withdrawn only at the request of the Member in whose name the Question stands on the Order Paper.
- (14) A question withdrawn from the Order Paper may be asked again provided that notice as required by these Standing Orders is given.

### **Business paper-questions**

- 37.** Once a question on business has been approved by the Presiding Officer, the Clerk shall immediately prepare and circulate to Members a Business Paper setting out particulars of the question.

### **Matters of privilege**

- 38.** (1) A matter directly concerning the privileges of the House shall take precedence over all other business.
- (2) Any Member desiring to raise a matter under this Standing Order shall first obtain leave of the Presiding Officer who will determine whether the Member is entitled to raise the matter as a question of privilege.

- (3) If permission is given by the Presiding Officer under paragraph (2) the Member so permitted may raise it at any time after Questions and request that the matter be referred to the Committee of Privileges.
- (4) No debate shall ensue on a matter raised under this Standing Order but if the Presiding Officer decides that a prima facie case has been made out the Presiding Officer shall so state and refer the matter to the Committee of Privileges.
- (5) If during a sitting of the House a matter suddenly arises which appears to involve the Privileges of the House and which calls for the immediate intervention of the House, the proceedings may be interrupted, except during the progress of a division, by a motion based on such matter.
- (6) A Member moving a matter under this Standing Order shall not speak for more than five minutes.

## **PART 6 - PUBLIC BUSINESS**

### **Arrangement of public business**

- 39.** (1) Public Business shall consist of Motions and Bills by the Government and by Private Members.
- (2) Government Business shall consist of Motions proposed to be made and Bills sponsored by Members of Government and shall be set down in such order as the Business Committee determines.
- (3) Private Member's Business shall consist of Motions and Bills proposed by Private Members.
- (4) Private Member's Business shall be set down on the Order Paper in the order in which the Business Committee determines.
- (5) Every Thursday during a meeting of the House shall be Private Members' Day. Government Business shall have precedence on every day except Private Members' Day.

### **Issues for debate**

- 40.** (1) Subject to the provisions of the Constitution and these Standing Orders, any Member may introduce any Bill or propose any motion for debate in the House and the same shall be disposed of in accordance with these Standing Orders.
- (2) Except on the recommendation of the Member of Government responsible for Finance the House shall not—
- (a) proceed upon any Bill, including any amendment to a Bill, which, in the opinion of the Presiding Officer, provides for any of the following purposes

- (i) for imposing or increasing any tax;
  - (ii) for imposing any charge upon the revenue of the Islands or any other public fund or for altering any such charge otherwise than by reducing it;
  - (iii) for the payment, issue or withdrawal from the revenue of the Islands or any other public fund of any moneys not charged thereon or any increase in the amount of such a payment, issue or withdrawal; or
  - (iv) for compounding or remitting any debt due to the Government; or
- (b) proceed upon any motion, including any amendment to a motion, the effect of which, in the opinion of the Presiding Officer would be to make provision for any of the purposes specified in subparagraph (a).
- (3) When a question for debate has been proposed, debated and decided, it shall not be competent for any Member to raise a question substantially identical thereto in the same session except upon a substantive motion for rescission.

### **Notice of motions or amendments**

41. (1) Where, under these Standing Orders notice is required, the notice shall be given in writing, signed by the Member and addressed to the Clerk.
- (2) A notice under subparagraph (1) shall be handed to the Clerk when the House is sitting or sent by hand or e-mail to, or left at the Clerk's office at any time during the hours prescribed for the purpose.
- (3) If the Presiding Officer is of the opinion that any notice of motion which has been received by the Clerk infringes the provisions of any Standing Order or is in any other way out of order, the Presiding Officer may direct —
- (a) that the Member concerned be informed that the notice of motion is out of order; or
  - (b) that the motion be approved with such alterations as the Presiding Officer may direct.
- (4) Subject to paragraph (5), not more than three motions in the name of the same Member may be entered on the Order Paper of any sitting.
- (5) Paragraph (4) does not apply to a Member of Government.

### **Period of notice**

42. The following periods of notice shall be required for debate on Motions —
- (a) Government motion—five business days' notice prior to the date set for debate;
  - (b) Private motion—five business days' notice prior to the date set for debate; and
  - (c) Committee Business—one business day's notice.

**Exemption from notice**

- 43.** Unless these Standing Orders otherwise provide, notice shall be given of any motion which it is proposed to make, with the exception of the following —
- (a) a motion for the amendment of any motion;
  - (b) a motion for the adjournment of the House or a debate;
  - (c) a motion for the election of a temporary presiding officer under Standing Order 6 (Presiding in the House and in committee);
  - (d) a motion for the suspension of Standing Orders put with the leave of the Presiding Officer;
  - (e) a motion for the withdrawal of visitors;
  - (f) a motion that the House resolve itself into committee;
  - (g) a motion made in the Committee of the Whole House, other than the Standing Finance Committee;
  - (h) a motion for the suspension of a Member;
  - (i) a motion that a petition be read, printed or referred to a select committee;
  - (j) a motion relating to a matter of privilege;
  - (k) a motion arising out of any item of business made immediately after that item is disposed of and before the next item is entered upon;
  - (l) a motion to commit a Bill to a select committee under Standing Order 46 (Motions-general rules);
  - (m) a motion for withdrawal of a Bill under Standing Order 76 (Withdrawal of Bills);
  - (n) a motion in respect of which notice has been dispensed with under Standing Order 44 (Dispensing with notice); and
  - (o) a motion “That the question be now put” under paragraph (1) of Standing Order 56 (Closure of debate).

**Dispensing with notice**

- 44.** (1) Notice shall not be dispensed with in the case of a motion or in respect of any proceedings for which notice is required, except with the consent of the Presiding Officer.
- (2) If it appears to the Presiding Officer that the public interest requires that a motion should be dealt with on an earlier day than that to which it stands adjourned, the Presiding Officer may direct accordingly.

**Admissibility of motions**

- 45.** (1) A motion shall clearly indicate the issue to be raised for debate and include only such material as may be necessary to identify the facts or matter to which the motion relates.

- (2) The Presiding Officer shall be the sole judge of the admissibility of a motion, which shall satisfy the conditions set out in paragraph (3).
- (3) A motion shall —
  - (a) raise substantially one definite issue;
  - (b) not contain ironical, offensive expressions or words that would not be permitted in debate;
  - (c) not contain the names of persons unless they are strictly necessary to render the motion intelligible;
  - (d) not raise for debate matters of conduct of persons except in their public capacity;
  - (e) not revive discussion of a matter which has been discussed in the same session;
  - (f) not raise for debate a matter which already qualifies to be discussed; and
  - (g) not relate to matters which have been referred to a committee of the House for consideration and report.

### **Motions- general rules**

46. (1) Motions on the Order Paper which have not been moved by the time the House adjourns will be set down on the Order Paper for the next sitting day.
- (2) If a Member does not move a motion which stands in the Member's name when the Member is called on, it shall be removed from the Order Paper unless deferred by leave of the House or moved by some other Member, duly authorized by that Member, provided that Government Business may be moved by any other Member of Government.
- (3) A motion not yet moved may be withdrawn at the request of the Member in whose name the motion stands on the Order Paper by written notification to the Presiding Officer.
- (4) If an amendment has been proposed to a motion, the original motion cannot be withdrawn until the amendment has been disposed of.
- (5) The question upon a motion shall not be proposed by the Presiding Officer unless such motion has been seconded, however, Government business shall not require seconding.
- (6) In committee a seconder shall not be required.
- (7) A motion moved is in the possession of the House and cannot thereafter be withdrawn without leave of the House.
- (8) A motion that has been withdrawn by leave may be moved again in the same session after notice has been given to the Presiding Officer in accordance with these Standing Orders.

- (9) After a motion has been moved and where necessary seconded, the Presiding Officer will propose the motion for debate in the House.
- (10) If a motion embodies two or more separate propositions, the propositions may be proposed by the Presiding Officer as separate questions.
- (11) The Presiding Officer will put the question after the reply by the mover at the end of the debate.
- (12) No motion may be proposed which is the same in substance as any motion which during the previous six months has been resolved.

## **Amendments**

- 47.** (1) If a Member wishes to vary the terms of a motion standing in the Member's name, the Member may do so by giving an amended notice of motion, provided that such amendment does not, in the opinion of the Presiding Officer, materially alter any principle embodied in the original motion or the scope of the original motion. The amended notice of motion shall run from the time at which the original notice of motion was given.
- (2) After a question has been proposed by the Presiding Officer, but before it has been put, it may be amended, unless otherwise provided for in these Standing Orders.
  - (3) Any Member may propose that a motion be amended by—
    - (a) deleting words;
    - (b) deleting words in order to substitute other words; or
    - (c) inserting or adding words,but an amendment may not be a direct negative.
  - (4) An amendment which is of the same effect as one previously disposed of shall not be accepted.
  - (5) An amendment must be relevant to the question that it proposes to amend.
  - (6) An amendment which, in the opinion of the Presiding Officer, is meaningless or which is frivolous shall not be accepted.
  - (7) An amendment may not contain reflections on a Member.
  - (8) An amendment shall not raise any question which, by these Standing Orders, can only be raised by a substantive motion after notice.
  - (9) An amendment must be in writing, signed by the mover and given to the Clerk.
  - (10) The question upon an amendment to a motion shall not be proposed by the Presiding Officer unless the amendment has been seconded, but government business shall not require seconding.

- (11) After an amendment has been moved and where necessary seconded, the Presiding Officer shall propose the amendment to the House. The debate will include original question and the question on the amendment.
- (12) When amendments have been agreed to, the original question, as amended, will be put to the House.
- (13) When amendments have not been agreed to, the original question will be put to the House.
- (14) Each amendment shall be disposed of before another amendment to the same question may be moved. The Presiding Officer shall call upon the movers in the order in which their amendments relate to the text of the original question, or in the case of doubt in such order as the Presiding Officer shall decide.
- (15) An amendment may be moved to a proposed amendment. Such further amendment shall be seconded at any time after the question upon the original amendment has been proposed but before it has been put.
- (16) After the Presiding Officer has proposed the question on an amendment, the amendment cannot be withdrawn without leave.

### **Motions on national policy issues**

48. (1) Every Private Member's motion passed by the House which requires action on national policy issues shall be sent by the Clerk, within one week of the date of approval by the House, to the Cabinet Secretary for submission to Cabinet for the consideration of Cabinet.
- (2) A report on the Cabinet's decision in response to the submission made pursuant to paragraph (1) shall be tabled at the next meeting of the House by the Premier or by a Member of the Government assigned by the Premier.

## **PART 7 - RULES OF DEBATE**

### **Time and manner of speaking**

49. (1) A Member desiring to speak shall rise in his or her place and if called upon by the Presiding Officer shall address the Chair and no Member shall speak unless so called upon.
- (2) A Member desiring to speak shall rise in the Member's usual place and if called upon shall address his or her observations to the Presiding Officer. While speaking, a Member must not turn his or her back to the Chair.
- (3) If two or more Members rise at the same time, the Presiding Officer shall call upon the Member who first catches the eye of the Presiding Officer.
- (4) When the Presiding Officer rises to maintain order every Member shall be seated.

- (5) A Member may use an appropriate visual aid to illustrate the point being made during his speech, provided that the aid does not inconvenience other Members or obstruct the proceedings of the House. Such an aid may be displayed only with the prior permission of the Presiding Officer.
- (6) A Member shall, before participating in consideration of any item of business in the House in which the Member has a financial interest (not including salary, pension and other emoluments), disclose the extent of that interest and recuse himself or herself from the consideration of the item of business.
- (7) A Member shall not speak more than once on any question except —
  - (a) when the House is in committee;
  - (b) in explanation as prescribed in paragraph (9); or
  - (c) in the case of a mover of a substantive motion or the Member in charge of a Bill, in reply.
- (8) A Member may, without prejudice to the Member's right to speak at a later period of the debate, second a motion or amendment by rising in his or her place and stating that it is his or her intention to second the motion or amendment.
- (9) A Member who has spoken on a question may again be heard to offer explanation of some material part of his or her speech which the Member claims has been misrepresented, but the Member shall not introduce a new matter.
- (10) A Member specified under paragraph (9) must first be recognized by the Presiding Officer and the explanation shall not exceed two minutes.
- (11) A Member who has spoken may speak again when a new question has been proposed by the Presiding Officer, such as a proposed amendment.
- (12) A Member shall not read his or her speech except with the leave of the Presiding Officer but the Member may read extracts from books or papers in support of his or her argument, and may refresh his or her memory by reference to written notes.
- (13) For the purpose of paragraph (12), a Member may use an electronic device, provided that the device does not, in the opinion of the Presiding Officer, disturb the proceedings of the House.
- (14) A Member shall not speak on any question after it has been fully put to the vote by the Presiding Officer, that is, after the votes of the ayes and the noes have been collected.

### **Length of speeches and debates**

- 50.** (1) Subject to paragraph (3), the time limits for speeches shall not exceed two hours.
- (2) The ruling of the Presiding Officer as to the time taken by any Member shall be final.

- (3) The time limit set out in paragraph (1) does not apply to the Member of Government moving the Second Reading of an Appropriation Bill or a Supplementary Appropriation Bill.

### **Interruptions**

- 51.** (1) A Member shall not interrupt another Member except —
- (a) by rising to a point of order, when the Member speaking shall resume his or her seat and the Member interrupting shall direct attention to the point which the Member wishes to submit to the Presiding Officer for decision;
  - (b) to elucidate some matter raised by the Member in the course of his or her speech, if the Member speaking is willing to give way and resumes his or her seat and if the Member wishing to interrupt is called by the Presiding Officer; or
  - (c) by rising to move the closure under Standing Order 56 (Closure of debate).
- (2) A point of order should strictly relate to specific breaches of the Standing Orders and a point of order takes precedence over other business until ruled on by the Presiding Officer.
- (3) A Member raising a point of order must put the point succinctly and shall be heard in silence.

### **Content of speeches**

- 52.** (1) As provided in Standing Order 53 (matters sub judice), reference shall not be made to any matter on which judicial decision is pending in such a way as might, in the opinion of the Presiding Officer, prejudice the interests of parties thereto.
- (2) It is out of order to attempt to revive in any debate a matter or reconsider any specific question upon which the House has come to a conclusion during the current session, except upon a substantive motion of rescission.
- (3) It is out of order to use offensive or insulting language about other Members or to threaten a Member.
- (4) No Member shall impute improper motives to another Member.
- (5) Members shall be referred to by the names of the electoral districts for which they have been elected.
- (6) His Majesty's name shall not be used to influence the House.
- (7) The conduct of His Majesty, members of the Royal Family, the Governor, the Presiding Officer, Members, Judges and other persons engaged in the administration of justice may not be raised or impugned except upon a substantive motion; and in any amendment, question to a Member of the Government or debate on a motion dealing with any other subject any reference to the conduct of any such person is out of order.

**Matters sub judice**

- 53.** (1) Subject always to the discretion of the Presiding Officer and to the right of the House to legislate, a Member shall not raise or pursue any matter which relates to active proceedings until the matter is ended by judgment or discontinuance, unless the Presiding Officer is satisfied that —
- (a) the matter is clearly related to a matter of general public importance or a ministerial decision is in question;
  - (b) the matter does not relate to a case that is awaiting or under adjudication, particularly those matters before a jury; and
  - (c) the Member does not in his or her comments create a real and substantial danger of prejudice to the fair determination of a matter.
- (2) A Member, by alleging that a matter is sub judice, shall be confirming to the House that paragraph (1) is applicable and shall accept responsibility for so advising the House.

**Scope of debate**

- 54.** (1) Except on a motion for the adjournment of the House a debate shall be relevant to the matter of question before the House or committee; and where more than one question has been proposed by the Presiding Officer the debate shall be relevant to the last question so proposed until it has been disposed of.
- (2) With the leave of the House, motions may be debated together where—
- (a) the content of two or more motions interrelate; or
  - (b) a number of motions relate to a single subject of debate.
- (3) If the House agrees to proceed in accordance with paragraph (2), the first motion shall be moved and the joint debate shall then take place.
- (4) Upon the conclusion of the debate the questions shall be put on the first motion and the second and subsequent motions shall thereafter be moved in consecutive order, and the questions on them shall be put from the Presiding Officer individually and without further debate.

**Anticipation**

- 55.** (1) Subject to Standing Order 54(2) and (3) (Scope of debate), it is out of order to anticipate a Bill standing on the Order Paper by debate upon a motion dealing with the subject matter of the Bill.
- (2) Standing Order 54(2) and (3) (Scope of debate), it is out of order to anticipate a Bill, a motion standing on the Order Paper, any matter of which notice has been given by debate upon an amendment or a motion for the adjournment of the House.

- (3) In determining whether debate on any matter is out of order on the grounds of anticipation, regard shall be had by the Presiding Officer to the probability of that matter being brought before the House within a reasonable time.

### **Closure of debate**

- 56.** (1) After a question has been proposed a Member may, at any time during the course of debate, whether or not any other Member is speaking, rise in his or her place and claim to move “That the question be now put” and, unless it appears to the Presiding Officer that the motion is an abuse of the rules of the House or an infringement of the rights of the minority, the question “That the question be now put” shall be put forthwith; and if that question is agreed upon, the question being debated by the House shall be put forthwith.
- (2) A motion under this Standing Order shall not be decided in the affirmative if it appears on a division that less than ten Members voted in the majority in support of the motion.

### **Rules for Members not speaking**

- 57.** (1) A Member present in the Chamber during a debate shall —
  - (a) enter and leave with decorum;
  - (b) maintain silence while other Members are speaking, and not interrupt except in accordance with Standing Orders; and
  - (c) shall bow to the Presiding Officer on entering or leaving the Chamber;
  - (d) shall not leave the House when the Presiding Officer is addressing the House;
  - (e) shall not pass between the Presiding Officer and any Member who is speaking;
  - (f) shall not engage excessively in cross talk or converse noisily with another Member or otherwise disturb the proceedings;
  - (g) shall avoid running commentaries when another Member is speaking;
  - (h) shall not sit with his or her back towards the Presiding Officer;
  - (i) shall not use any electronic device in such a manner that in the opinion of the Presiding Officer disturbs the proceedings of the House;
  - (j) shall avoid talking or laughing in the lobby loud enough to be heard in the chamber;
  - (k) shall otherwise conduct himself or herself in a fit and proper manner; and
  - (l) shall wear business attire.
- (2) The Presiding Officer shall draw the attention of the House to any Member who, despite warning, persists in breaching any provision of this Standing Order and

may thereafter take action in accordance with Standing Order 59 (Breaches of order).

## **PART 8 - ENFORCEMENT OF ORDER**

### **Responsibility for order in the House and in Committee**

- 58.** (1) The Presiding Officer in the House and in committee shall be responsible for the observance of the rules of order in the House and committee respectively, and their decision upon any point of order shall not be open to appeal and shall not be reviewed by the House except upon a substantive motion made after notice.
- (2) When the Presiding Officer rises any Member then speaking or wishing to speak shall immediately resume his or her seat and the House or the committee shall be silent.

### **Breaches of order**

- 59.** (1) The Presiding Officer after having called the attention of the House or of the committee to the conduct of a Member who —
- (a) has used objectionable, abusive, insulting or offensive word or language or unparliamentary expressions and on being called to order has refused to withdraw such words or language or expressions and has not offered an apology for the use thereof; or
  - (b) persists in irrelevant or tedious repetition either of his or her own arguments, or of the arguments used by other Members in debate; or
  - (c) engages in excessive cross talk or converses noisily with another Member or otherwise disturb the proceedings,
- and after having first warned the Member, may direct that Member to discontinue his or her speech and to resume his or her seat, or direct that the Member withdraw from the Chamber for a specified period of time as the case may require.
- (2) A Member, may, after the Presiding Officer has, under paragraph (1) once called the attention of the House or committee to the said conduct of a Member in a debate, move that the Member be no longer heard and such motion shall be put without amendment or debate.
- (3) A Member referred to in paragraphs (1) and (2), shall immediately take his or her seat, or withdraw from the Chamber as the case requires.
- (4) Conduct shall be deemed to be grossly disorderly, if during proceedings, the Member concerned —
- (a) creates actual disorder;

- (b) uses or threatens violence against a Member or other person;
  - (c) acts in a manner that displays flagrant disobedience to rulings of the Presiding Officer; or
  - (d) acts in any other way to the serious detriment of the dignity or orderly procedure of the House.
- (5) The Presiding Officer may order any Member whose conduct is grossly disorderly to withdraw immediately from the House during the remainder of that day's sitting.
- (6) The Presiding Officer may direct such steps to be taken as are required to enforce an order made by the Presiding Officer pursuant to paragraph (5).
- (7) If on any occasion the Presiding Officer considers that the powers of the Presiding Officer under paragraph (6) are inadequate, the Presiding Officer may name such Member under this Standing Order, by mentioning the name of the Member concerned. In such circumstances, the procedure prescribed in the next succeeding paragraphs shall be followed —
- (a) the Presiding Officer shall mention the Member by name;
  - (b) immediately following the naming the Presiding Officer shall then call upon a member of the Government to move a motion that “Mr/Mrs/ Ms \_\_\_\_\_” be suspended from the service of the House;
  - (c) the Presiding Officer shall put the question “that Mr/Mrs/ Ms. \_\_\_\_\_ be suspended from the service of the House”;
  - (d) this question must be resolved without amendment, adjournment or debate;
  - (e) if the offence has been committed in a committee of the House, the Presiding Office may call upon the Member to withdraw from the proceedings; and where the Member refuses to do so, the Presiding Officer shall seek the assistance of the Serjeant-at-Arms to remove that Member for the remainder of the proceedings of that committee; and
  - (f) the Member named under this Standing Order must immediately leave the Chamber and its precincts and shall stand suspended from the service of the House.
- (8) If a Member is suspended pursuant to paragraph (7) —
- (a) for a first time in a meeting, the suspension will be for one day;
  - (b) for a second time in a meeting, the suspension will be for two days; and
  - (c) on a third or subsequent occasion the suspension will be for the duration of that meeting and the subsequent meeting.
- (9) Any personal remuneration or allowance to which a Member is entitled as a Member ceases in respect of the period of his or her suspension.

- (10) Not more than one Member shall be named at the same time, unless several Members present together have jointly committed the offence.
- (11) If any Member who has been directed to withdraw or who has been suspended under this Standing Order, refuses at any time to obey the direction of the Presiding Officer to withdraw from the House and the Precincts of the Parliament, then the Presiding Officer shall call the attention of the House —
  - (a) to the fact that recourse to force is necessary in order to compel obedience to the direction of the Presiding Officer; and
  - (b) that the Member named by the Presiding Officer as having so refused to obey be immediately suspended from the service of the House during the remainder of the meeting.
- (12) If resort to force is necessary, the Presiding Officer may suspend the sitting during the removal of the Member and the Presiding Officer may request the assistance of the Serjeant-at-Arms in ejecting the offending Member.
- (13) A Member who is directed to withdraw or who is suspended under this Standing Order shall not be entitled to attend the sitting from which he or she was directed to withdraw or, in a case of suspension, to attend any sitting or committee or enter the precincts of the House until the termination of his or her suspension.
- (14) In the case of grave disorder arising in the House, the Presiding Officer may, if the Presiding Officer thinks it necessary to do so, suspend the sitting for a specified period or adjourn the House without question put.
- (15) A Member suspended under this Standing Order shall not enter the Chamber, vote or serve on a committee or lodge questions or notices of motion, during the period of the Member's suspension.
- (16) Nothing in this Standing Order shall be taken to deprive the House of the power of proceeding against any Member according to any resolution of the House.

## **PART 9 - VOTING**

### **Decision on questions**

- 60.** (1) Except as otherwise provided in the Constitution or in these Standing Orders, all questions proposed for decision in the House or in any committee shall be decided by a majority of the votes of the Members who are present and voting.
- (2) The Presiding Officer shall not vote unless, on any question, the votes are equally divided, in which case the Presiding Officer shall have and exercise a casting vote.

**Methods of voting**

- 61.** (1) At the conclusion of a debate upon any question, the Presiding Officer shall put the question for the decision of the House, and shall collect the votes of the ayes and the noes after which no further debate may take place upon that question.
- (2) Where a division is claimed under paragraph (3) the Presiding Officer shall cause a warning bell to be sounded and the voting shall not take place until three minutes thereafter and a Member shall not be able to vote if the Member is not in a seat when a question is put to the vote.
- (3) The result shall be declared by the Presiding Officer stating “I think the ayes have it” or “I think the noes have it” as the case may be, but any Member may challenge the opinion of the Presiding Officer by claiming a division.
- (4) A division shall be taken by the Clerk calling each Member’s name and recording the vote given. The Clerk shall then announce the number of those who have voted for and against the proposal and the Presiding Officer shall declare the result of the division.
- (5) Every Member present shall express his or her vote either for the ayes or the noes or state his or her wish to abstain. The Clerk shall enter in the minutes of proceedings the record of each Member’s vote, and shall add a statement of the names of the Members who abstained.
- (6) Upon a request being made under paragraph (7), the Presiding Officer, at his or her sole discretion, shall either direct the Clerk to alter that Member’s vote or direct that a fresh division be held.
- (7) If a Member states that he or she voted in error or that his or her vote has been counted wrongly, the Member may request to have the Member’s vote altered, provided that such request is made as soon as the Clerk has announced the numbers and before the Presiding Officer has declared the results of the division.

**PART 10 - PUBLIC BILLS****Notice of presentation of Bills**

- 62.** (1) A Member may, at any time, give notice of the Member’s intention to present a Bill.
- (2) Notice of a Bill shall be sent to the Clerk together with a copy of the Bill and the memorandum required by Standing Order 63 (Examination of Bills).
- (3) Except on the recommendation of the Member of Government responsible for finance, the Parliament shall not —
- (a) proceed upon any Bill which, in the opinion of the Presiding Officer, provides for —

- (i) imposing or increasing any tax;
  - (ii) imposing or increasing any charge on the revenues or other funds of the Islands;
  - (iii) altering any such charge otherwise than by reducing it; or
  - (iv) compounding or remitting any debt due to the Islands;
- (b) except in the case of a motion proposing a resolution under section 69 of the Constitution, proceed upon any motion (including any amendment to a motion) the effect of which, in the opinion of the person presiding in the House, is that provision would be made for any of the purposes aforesaid; and
- (c) receive any petition which, in the opinion of the person presiding in the House, requests that provision be made for any of the purposes aforesaid.
- (2) A Member submitting such a Bill for presentation shall be known throughout the subsequent proceedings as the Member in charge of the Bill.

### **Examination of Bills**

- 63.** (1) On receipt of a Bill from the Member in charge of it, the Clerk shall examine it and satisfy himself or herself —
- (a) that it is drafted in clauses and Schedules numbered consecutively;
  - (b) that each clause and Schedule has in the section header a short note summarising its contents;
  - (c) that the Bill has a title and its provisions do not go beyond the title;
  - (d) that the Bill is prefaced by an explanatory statement of its objects;
  - (e) if a Bill makes provision of the kind specified in paragraph (3) of Standing Order 62 (Notice of presentation of Bills), that it is accompanied by a certificate, signed by the Member in charge of it, stating that the recommendation of the Member responsible for finance will be signified on the Second Reading; and
  - (f) if the Bill involves the expenditure of public money, that the explanatory memorandum sets out briefly the financial effect of the Bill and, if possible, an estimate of the amount of money involved.
- (2) If the Clerk is not satisfied that a Bill complies with the requirements specified in paragraph (1), the Clerk shall inform the Presiding Officer who, if the Presiding Officer agrees, shall so inform the Member in charge of the Bill and no further proceedings shall be taken thereupon.

### **Reading of Bills**

- 64.** (1) If a Bill complies with the requirements of Standing Order 64 (Examination of Bills) the Clerk shall —

- (a) cause the text of the Bill and the explanatory memorandum to be published as soon as possible but in any case at least twenty-eight days before Parliament proceeds with dealing with the Bill unless the Premier certifies by writing under his or her hand that consideration of the Bill is too urgent to permit such a delay; and
  - (b) send copies of the published Bill to every Member not less than twenty-eight days before the Bill is proceeded upon by Parliament.
- (2) The title of every Bill so published and circulated shall be placed on the Order Paper as approved by the Business Committee
  - (3) Upon the Clerk's reading the title of the Bill, it shall be deemed to be read the first time and ordered to be read a second time and shall be so recorded in the Minutes of Proceedings.

### **Bills to be read three times**

- 65.** Every Bill shall be read three times before being passed and no Bill may be given more than two readings at any one sitting.

### **Second Reading**

- 66.** (1) The Member moving the Second Reading of a Bill shall state the object of the Bill and reasons for its introduction. When a motion for the Second Reading of a Bill has been made and seconded there may be a debate on the general merits and principles of the Bill.
- (2) No amendment may be proposed to the question that the Bill be now read the second time.
  - (3) When a motion for the Second Reading of a Bill has been negatived no further proceedings shall be taken thereupon.

### **Committal of Bills**

- 67.** (1) When a Bill has been read a second time it shall stand committed to a committee of the whole House, unless the House on motion made refers it to a select committee. Such a motion shall be made immediately after the Bill has been read a second time, and may be moved by any Member.
- (2) When a Bill has been referred to a select committee, no further proceedings shall be taken upon the Bill until the select committee has presented its report to the House.
  - (3) When the House resolves itself into committee on a Bill or Bills the Presiding Officer shall leave the chair without the question being put.

### **Function of committee on Bills**

- 68.** (1) A committee to which a Bill is referred shall not discuss its general merits and principles but only its details.

- (2) A committee may make such amendments and additions to a Bill as are relevant to its subject matter but where a committee desires to make any amendment or addition which is not within the title of the Bill, it shall amend the title accordingly and shall report the fact specially to the House.
- (3) The committee, before reporting to the House, shall go through the Bill as provided in Standing Order 69 (Procedure in committee on Bills).

### **Procedure in committee on Bills**

- 69.** (1) When a Bill is under consideration in committee the Clerk shall, unless the committee decides to have the Bill read in any other manner, call the several clauses in order, by reading the number of each clause, and shall then refer to the Schedules in order, and then to the preamble if any, and lastly to the title. The Clerk shall place in their proper order any proposed amendments to a clause or Schedule.
- (2) If the clause, Schedule, preamble or title is not amended, the Presiding Officer shall propose the question that this clause (or Schedule, preamble or title, as the case may be), do stand part of the Bill. If the clause (or Schedule, preamble or title), is amended, the Presiding Officer shall propose the question “That this clause (or Schedule, preamble or title), as amended, do stand part of the Bill”.
  - (3) In the case of uncontested clauses, the question may be put not on each clause separately, but on a group of clauses.
  - (4) The consideration of a clause may be postponed on motion being made, unless the clause has been amended.

### **Amendments, new clauses and new Schedules**

- 70.** (1) On the consideration of a Bill in a committee any Member may move an amendment.
- (2) Notice of any amendment, new clause or new Schedule proposed to be moved to the Bill shall be given in writing not later than two days before that on which the Bill is to be considered in committee; and, except with leave of the Presiding Officer, no amendment of which notice has not been given may be moved.
  - (3) Every amendment shall be relevant to the subject matter of the clause to which it relates.
  - (4) No amendment may be inconsistent with a previous decision of the committee.
  - (5) An amendment must not render a clause unintelligible or ungrammatical.
  - (6) If an amendment refers to, or is not intelligible without, a subsequent amendment or a Schedule, notice of the subsequent amendment or Schedule must be given before or at the time when the first amendment is moved, so as to make the series of amendments intelligible when read together.

- (7) The Presiding Officer may refuse to put an amendment which appears to the Presiding Officer to be intended to vary the basic substance of a clause if, in the Presiding Officer's opinion, the proper course is to negative the clause and propose a new one.
- (8) The Presiding Officer may refuse to allow an amendment, which is, in his or her opinion, frivolous or meaningless, to be moved.
- (9) New clauses shall be considered after the clauses in the Bill as printed have been disposed of and before consideration of the Schedules. The Presiding Officer shall call on the Member in whose name the new clause stands; and when that Member has moved the clause, the Clerk shall read the marginal note of the clause and the clause shall then be taken to have been read a first time. The question shall then be put "That this clause be read a second time". If this question is agreed upon amendments may be moved, and after these have been disposed of the question shall be "That this clause (or this clause as amended) be added to the Bill as clause No. and that the subsequent clauses be renumbered accordingly".
- (10) New Schedules shall be considered after the Schedule in the Bill, as provided and in accordance with the procedure specified for new clauses under paragraph (9).
- (11) The provisions of these Standing Orders relating to amendments to motions and amendments to amendments shall apply to the discussion of amendments to Bills, with the substitution, where appropriate, throughout of the word "clause" for the word "motion" or the word "question" and the word "chairperson" for the words "Presiding Officer" and the word "committee" for the word "House".
- (12) If any amendment to the title of a Bill is made necessary by an amendment to that Bill, it shall be made at the conclusion of the proceedings detailed above, and no question shall be put "That the title (as amended) stand part of the Bill", nor shall any question be put upon the enacting formula.

### **Reporting of Bills from committee**

- 71.** (1) As soon as a committee of the whole House has agreed that a Bill be reported, the Presiding Officer shall leave the chair of the committee without question put and the House shall resume, and the Member having charge of the Bill shall report it to the House; or if the committee has not concluded its consideration of the Bill, the Member shall report that progress has been made with the Bill.
- (2) When a Bill has been reported from a committee of the whole House, the Member in charge of the Bill may either ask for the House to proceed to the third reading forthwith, or may name a later day.
- (3) When a Bill has been reported from a select committee, the House shall proceed to consider the Bill as reported from the select committee upon a motion "That the report of the select committee on the.....Bill be adopted" and, if the

motion is approved, the Member in charge of the Bill may either ask for the House to proceed to the third reading forthwith or may name a later day.

- (4) To the motion “That the report of the select committee on the.....Bill be adopted”, an amendment may be moved by any Member either to —
- (a) leave out all the words after the word “that” and insert the words “the Bill now recommitted to a committee of the whole House”; or
  - (b) add at the end of the question the words “and that the Bill now be recommitted to a committee of the whole House in respect of.....(a particular part or parts of a proposed new clause or Schedule),

and if the motion is agreed to with either of these amendments, the Bill shall stand recommitted, and the House shall resolve itself into a committee of the whole House to consider the whole Bill or particular parts of it (or new clauses or Schedules) as the case may be.

- (5) A committee of the whole House upon a Bill committed under the provisions this Standing Order shall proceed under the provisions of paragraph (2) or (3), as the case may require, of Standing Order 73 (Recommittal of Bills), and the conclusion of its proceedings and the remaining proceedings on the Bill shall be subject to the provisions of paragraph (4) of that Standing Order.

### Third Reading

- 72.** (1) The Third Reading is the final stage in the passage of a Bill. On the motion for the third reading of the Bill the question shall be “That the Bill be now read the third time and passed” and no amendments to the question shall be permitted.
- (2) Where amendments are made in a Bill, any errors in the renumbering or lettering of the clauses and any consequential amendments, and any other clerical errors may be rectified by the Clerk and the office of the Attorney General.

### Recommittal of Bills

- 73.** (1) If a Member desires to delete or amend any provision contained in a Bill as reported from a committee of the whole House or to introduce any new provision therein, the Member may, at any time before the question has been proposed upon a motion for the third reading of a Bill, move that the Bill be recommitted, either wholly or in respect only of some particular part or parts of the Bill or some proposed new clause or new Schedule; and if the motion is agreed upon, the Bill shall stand so recommitted and the House shall resolve itself into a committee to consider it either forthwith or upon a later day.
- (2) When the whole Bill has been so recommitted the committee shall go through it as provided in paragraphs (1) to (10) of Standing Order 69 (Procedure in committee on Bills).

- (3) When a Bill has been recommitted in respect only of some particular part or parts thereof, or some proposed new clause or new Schedule, the committee shall consider only the matter so recommitted and any amendment which may be moved thereto.
- (4) At the conclusion of the proceedings in committee on any Bill under the provisions of these Standing Orders the Member in charge of the Bill may move “That the Bill (as amended on recommitment) be reported to the House”, and the question thereon shall be put without amendment or debate. If that motion is agreed upon, the House shall resume and the Member in charge of the Bill shall report accordingly and the House may then proceed to the third reading, no further motion for recommitment being permitted.

### **Custody of Bills and assent thereto**

- 74.** The Clerk shall have custody of all Bills passed by the House and shall, so soon as may be, present them to the Governor, through the Attorney General for the Governor’s assent.

### **Governor’s amendments**

- 75.** (1) When, under section 79 of the Constitution, the Governor returns to the House a Bill presented to him or her for assent together with amendments which the Governor recommends to the House, that Bill shall be recommitted to a committee of the whole House for the consideration only of such amendments.
- (2) Standing Order 73 (Recommitment of Bills) shall apply to such consideration.
- (3) The Bill shall then be resubmitted to the Governor with the amendments made therein or with such of them as the House approves.

### **Withdrawal of Bills**

- 76.** The Member of Government in charge of a Bill may by leave of the House withdraw the Bill at any stage.

### **Bills having same subject matter**

- 77.** Once the Second Reading of any Bill has been agreed to or negatived, no question shall be proposed during the same session for the Second Reading of any other Bill containing substantially the same provisions.

## PART 11 - PRIVATE BILLS

### Scope of private Bills

- 78.** (1) Every Bill not being a Government measure and intended to affect or benefit some particular person, association or corporate body shall contain a clause saving the rights of His Majesty the King, His Heirs and Successors, all bodies politic and corporate and all others, except such as are mentioned in the Bill and those claiming by, from or under them, and shall be introduced into the House under this Part.
- (2) Any Bill not being a Government measure which, in the opinion of the Presiding Officer, appears directly to affect private rights or property shall be introduced into the House as a Private Bill under this Part.

### Presentation to the House

- 79.** (1) A private Bill shall be introduced by a Member only —
- (a) on petition from the promoters stating its objects and reasons; and
  - (b) after notice of the Bill has been published.
- (2) The petition for the Bill shall be presented by being lodged with the Clerk and shall be read at the first sitting of the House after it is so lodged, and, thereupon the Presiding Officer shall put the question that the promoters be allowed to proceed.

### Procedure on private Bills

- 80.** (1) When leave to proceed has been granted the promoters shall, within the next ensuing two months, lodge with the Clerk —
- (a) two copies of the Bill;
  - (b) a sum of money sufficient in the opinion of the Clerk, to defray the expenses of printing the Bill or such proportion of such expenses as the Clerk may determine; and
  - (c) a duly executed bond, satisfactory to the Clerk, for the payment of any additional expenses of such printing,
- and the Clerk shall cause the Bill to be printed as soon as possible.
- (2) At the first sitting of the House after the Bill has been printed the Presiding Officer, if satisfied that the notice required by paragraph (1) of Standing Order 79 (Presentation to the House) has been published, shall put the question that the Bill be read a first time, upon which no discussion shall be allowed. After the Bill is read a first time, it shall stand upon the Order Paper for the Second Reading at the next ordinary sitting of the House, and the promoters may propose any such amendments which they think fit; but the Presiding Officer, if

he or she considers such amendments beyond the scope of the Bill, shall report his or her opinion to the House.

- (3) Upon the day ordered for the Second Reading, the Presiding Officer shall, unless the House otherwise orders, propose the question that the Bill be read a second time.
- (4) After the Bill has been read a second time it shall stand referred to a select committee.
- (5) Every select committee to which a private Bill is referred shall require proof of the facts and allegations set forth in the Bill as showing that it is necessary that the Bill be passed, and may take such oral or other evidence as it may think requisite and thereafter, if the committee finds that the facts and allegations are not proved, it shall report to the House accordingly, and thereupon no further proceedings shall be taken upon the Bill, unless the House specially orders to the contrary.
- (6) If the select committee finds that the facts and allegations have been proved it shall consider the several clauses of the Bill, and may strike out clauses, add new clauses and make any other amendments that it may think necessary, and in respect of such new clauses and other amendments that it may think necessary, shall describe their purport in a special report to the House; but no new clauses or amendments shall be allowed which are foreign to the objects or the reasons for the Bill or which are beyond its scope.
- (7) No person other than a Member shall be heard in opposition to any private Bill unless the Member has previously lodged a petition with the Clerk showing the nature of his or her objections to the Bill, and stating whether the objections extend to the whole or some part of the preamble, if any, or to the clauses of the said Bill, and praying that he or she may be heard by himself or herself or by counsel against the Bill.
- (8) Petitions against a Bill shall be sent to the Clerk not less than eight days before the day on which the select committee sits to consider the petition.
- (9) Subject to this Standing Order, petitions against a Bill shall stand referred to the select committee, and the select committee shall hear all such opposers who appear to it to have a *locus standi*.
- (10) When it is intended that witnesses be examined the petitioner or Member requiring such witnesses shall deliver to the Clerk at least two days before the day appointed for their examination, a list containing names, residence and occupation of such witnesses.
- (11) A written record shall be made of the evidence of every witness and read over to the witness who may then require any correction to be made; and in case a correction shall be made, the evidence shall stand as taken down and not be altered afterwards.

- (12) The select committee shall examine the Bill and make such amendments thereto as it thinks proper, and shall report to the House that it has examined the Bill and, if the fact be so, made amendments to the Bill and shall make to the House such recommendations, if any, as it may determine.
- (13) After the report of the select committee has been presented to and adopted by the House, the Presiding Officer shall put the question, without amendment or debate, that the Bill be read the third time.
- (14) As soon as practicable after any private Bill is passed, rejected, dropped or abandoned, the Clerk shall make out and deliver to the promoters an account showing the expenses of printing, and if the amount of the account —
  - (a) is less than the sum lodged by the promoters under paragraph (5), transfer thereout to the general revenue the amount of the said account and pay the balance to the promoters; or
  - (b) exceeds the sum so lodged, transfer that sum wholly to the general revenue and, in the event of the promoters failing to pay the balance, instruct the Clerk of the Grand Court to take proceedings to recover the balance.

## **PART 12 - FINANCIAL PROCEDURES**

### **Presentation and Second Reading of Appropriation Bill**

- 81.** (1) A Bill containing the estimated financial requirements for expenditure on all the services of the Government for the current or succeeding financial year shall be known as an Appropriation Bill.
- (2) Estimates containing the details of the financial requirements shall be presented in accordance with Standing Order 26 (Presentation of Papers), immediately before the presentation and first reading of the Bill.
  - (3) Immediately after the presentation of an Appropriation Bill, the Member of Government responsible for Finance shall be entitled to move the second reading of the Appropriation Bill.
  - (4) The motion for such second reading shall be the occasion for the Member of Government responsible for Finance to make the biennial Budget Speech.
  - (5) After the Member of Government has made the Budget Speech, no other Member shall speak on the motion at that time and, on a motion by the Premier or by a Member of Government designated by the Premier, the Parliament shall determine the day upon which the debate on the second reading shall resume, such day not being less than five days after the Budget Speech.
  - (6) After the motion for the second reading of the Appropriation Bill has been resumed under paragraph (5), the debate upon such motion shall continue on the

day of the resumption and on such further days to be allotted for the debate on the Second Reading of the Bill.

- (7) The debate, when resumed under paragraph (5) shall be confined to the financial and economic state of the Islands and the general principles of Government policy and administration as indicated by the Appropriation Bill and the Estimates.

### **Finance Committee**

- 82.** (1) There continues to be a standing committee called the Finance Committee, to consider in detail the estimates of revenue and expenditure of the Islands laid before the House by the Member of Government responsible for finance, and to examine and consider all financial Bills and such other matters relating to the finances of the Islands as may from time to time be referred to it by the House and to report on them to the House.
- (2) The Finance Committee shall consist of all of the elected Members and shall be chaired by the Member of Government responsible for finance.
  - (3) Subject to Standing Orders 105 and 106 (admission of the press; admission of the public), the deliberations of the Finance Committee shall be public.
  - (4) The quorum of the Finance Committee shall be a majority of Members excluding the Presiding Officer.
  - (5) For the purposes of Standing Order 86 (Supplementary estimates) and Standing Order 91 (General powers of committees) the Member of Government responsible for finance may, at any time, summon a meeting of the Finance Committee at the earliest possible date or at any other date proposed.
  - (6) The Finance Committee shall be empowered to send for relevant persons and to request such papers as are necessary for the deliberation of its proceedings.
  - (7) The Estimates shall, upon presentation to the House, stand referred to the Finance Committee. The Appropriation Bill, upon being read a second time, shall stand committed to that Committee. By resolution the House may, in its discretion, also refer to the Committee any other matter or matters relating to expenditure.
  - (8) The Clerk of the Finance Committee shall record the proceedings of the Finance Committee and record any division taken.
  - (9) When the House is sitting, the Finance Committee may meet as a committee of the Whole House when the House resolves itself into Finance Committee. The Committee, when summoned by the Presiding Officer, may meet at any time when the House is not sitting, and shall, as far as possible, have the same powers and duties as the Committee has when it functions in pursuance of the House resolving itself into Finance Committee.

**Procedure in Finance Committee on Appropriation Bill**

- 83.** (1) On the consideration of an appropriation Bill in the Finance Committee the clauses of the Bill shall stand postponed until after consideration of the Schedule or Schedules.
- (2) On the consideration of a Schedule each head of expenditure shall be considered with the appropriate estimate, and any reference in these Standing Orders to a sub-head or an item means a sub-head or an item in the estimates for the head then under discussion.
- (3) On the consideration of a Schedule, the Presiding Officer shall call the title of each head of expenditure in turn, and shall propose the question “That the sum for head ..... stand part of the Schedule” and, unless an amendment is proposed under Standing Order 86 (Amendments in Finance Committee on Appropriation Bill), a debate may take place on that question.
- (4) When all the heads in a Schedule have been disposed of, the Presiding Officer shall put forthwith, without amendment or debate, the question “That the Schedule (as amended) stand part of the Bill”.
- (5) When every Schedule has been disposed of, the Presiding Officer shall call successively each clause of the Bill and shall forthwith propose the question “That the clause stand part of the Bill” and, unless a consequential amendment is moved, that question shall be disposed of without amendment or debate.
- (6) No amendment may be moved to any clause except an amendment consequential on an alteration in the total sum appropriated by any Schedule. Any such consequential amendment shall be moved by the Presiding Officer or any Member of the Government only and may be moved without notice, and the question thereon shall be put forthwith without amendment or debate. When the question on the last of any such amendments to a clause has been decided, the Presiding Officer shall forthwith put the question “That the clause as amended stand part of the Bill” and that question shall then be decided without amendment or debate.
- (7) When the question upon every clause of the Bill has been decided, the Presiding Officer shall forthwith put the question “That I do report the Bill (as amended) to the House”. When that question has been agreed upon the Presiding Officer shall report the Bill to the House with or without amendment and the reports shall lie upon the Table.

**Amendments in Finance Committee on Appropriation Bill**

- 84.** (1) Except upon the recommendation of the Governor to be signified by the Presiding Officer or any Member of the Government and recorded in the minutes of proceedings, the Finance Committee shall not proceed upon any amendment which, in the opinion of the Presiding Officer, increases the sum allotted to any head of expenditure whether in respect of any item or sub-head or of the head itself; and every such amendment shall take the form of a motion “That head ..... be increased by \$ ..... in respect of sub-head ..... item .....”.
- (2) An amendment to increase a head whether in respect of any item or sub-head or of the head itself shall take precedence over an amendment to reduce the head in the same respect, and if it is carried no amendment to reduce the head in that respect shall be called.
- (3) An amendment to any head of expenditure to reduce the sum allotted thereto in respect of any item therein may be moved by any Member, and shall take the form of a motion “That head ..... be reduced by \$ ..... in respect of (or by leaving out sub-head ..... item ..... ”.
- (4) An amendment to reduce a head in respect of any sub-head or by leaving out a sub-head shall only be in order if the sub-head is not itemised.
- (5) An amendment to reduce a head without reference to a sub-head therein shall only be in order if the head is not divided into sub-heads.
- (6) An amendment to leave out a head shall not be in order and shall not be placed on the Order Paper.
- (7) In the case of each head, amendments in respect of items or sub-heads in that head shall be placed on the Order Paper and considered in the order in which the items or sub-heads to which they refer stand in the head.
- (8) When notice has been given of two or more amendments to reduce the same item, sub-head or head, they shall be placed on the Order Paper in the order of the magnitude of the reductions proposed, the amendment proposing the largest reduction being placed first in each case.
- (9) Debate on every amendment shall be confined to the item, sub-head or head to which the amendment refers, and after an amendment to an item or sub-head has been disposed of no amendment or debate on a previous item or sub-head shall be permitted.
- (10) When all amendments standing on the Order Paper in respect of any particular head of expenditure have been disposed of, the Presiding Officer shall again propose the question “That the sum for head ..... stand part of the Schedule” or shall propose the amended question “That the increased/reduced sum for head ..... stand part of the Schedule”, as the case may require. The debate on any such question shall be subject to the same limitations as apply to

a debate arising under paragraph (3) of Standing Order 83 (Procedure in Finance Committee on an Appropriation Bill).

### **Third reading of Appropriation Bill**

**85.** The motion for third reading of an Appropriation Bill shall be decided without amendment or debate.

### **Supplementary estimates**

**86.** (1) If a Member of the Government presents a paper setting out the financial requirements of any proposals —

- (a) for expenditure incurred or likely to be incurred in the course of the current financial year either in respect of a service or of several services for which no provision has been made in the estimates for that year or in respect of further financial provision beyond the total sum already sanctioned for a particular head or sub-head or for particular heads or sub-heads; or
- (b) for expenditure incurred in the course of a previous financial year in excess of the total sum sanctioned for a particular head or sub-head or for particular heads or sub-heads by the estimates or supplementary estimates for that year,

that paper shall stand referred to the Finance Committee.

- (2) At any time after a paper has been so referred to the Finance Committee, a Member of the Government may give notice of a motion “That the Finance Committee approves the proposal/proposals set out in the paper”; and such a motion shall be considered in Finance Committee.
- (3) To the motion described in paragraph (2), amendments may be moved to add words either leaving out or reducing an item or a sub-head of any particular proposal or, if there be more than one proposal leaving out any particular proposal, but no amendment shall be moved unless notice thereof has been given not less than three days before the day on which the motion is to be considered in Committee.
- (4) When the motion “That the Finance Committee approves the proposal/proposals set out in the paper”, or that motion as amended, has been agreed upon in the Finance Committee, and the report of the Finance Committee is laid on the Table the Member of the Government who moved the motion shall report the motion or the motion as amended in the Finance Committee, and the House shall thereupon be deemed to have agreed to the motion or to the motion as amended.

### **Supplementary Appropriation Bill**

**87.** If, from time to time, whether in the course of a particular financial year or after its close, a Supplementary Appropriation Bill is presented appropriating only proposals which have been agreed to by the Finance Committee under Standing Order 86 (Supplementary estimates), the debate on the Second Reading of the Bill shall be strictly confined to the matters for which additional expenditure is required, and when the question thereon has been agreed upon the Bill shall not be committed and the question “That the Bill be now read a third time” shall be decided without amendment or debate.

### **Resolution for the provisional collection of coercive revenue**

**88.** Any Member of the Government may, without notice, make a motion for giving provisional statutory effect to any proposals under section 6 of the *Public Management and Finance Act (2020 Revision)*; and the question on such a motion shall be put forthwith.

## **PART 13 - SELECT COMMITTEES**

### **Establishment of select committees**

- 89.** (1) The House may by motion appoint any of its Members to be Members of a select committee to consider and report on a Bill or to otherwise assist it in exercising its function under Part 4 of the Constitution.
- (2) The motion made in accordance with this Standing Order shall specify —
- (a) the members of the select committee;
  - (b) the Presiding Officer of the select committee;
  - (c) the terms of reference of the select committee; and
- (3) If for any reason the seat of a Member of a select committee becomes vacant, the House may elect another Member to fill the vacancy on that committee.

### **Duration of select committees**

**90.** A select committee shall continue in being for the purpose for which it was established (notwithstanding any prorogation of the House during the period beginning on the day on which the select committee is established and ending on the day on which the House is next dissolved thereafter) until the day of that dissolution or (if sooner) the day on which the business of the select committee is finished.

### **General powers of committees**

- 91.** (1) In addition to powers granted by these Standing Orders, select committees shall also have the following powers, namely to —
- (a) send for persons, papers and records;

- (b) sit at any time when the House is adjourned, but except by leave of the House, may not sit while the House is sitting;
  - (c) report to the House from time to time even if no final determination has yet been made by the select committee;
  - (d) appoint specialist advisers either to supply information which is not otherwise readily available, or to elucidate matters of complexity within the committee's order of reference; and
  - (e) communicate with any other Committee on matters of common interest.
- (2) A select committee may meet concurrently with any other Committee for the purpose of deliberating, taking evidence or considering draft reports.

### **Subcommittees**

- 92.** (1) A select committee may appoint a subcommittee.
- (2) Committees may prescribe rules for the conduct of subcommittee proceedings and such rules must be consistent with these Standing Orders.
- (3) Subject to any such rules, the same rules for the conduct of proceedings in a subcommittee apply as apply to a select committee.

### **General procedures of committees**

- 93.** (1) Except as otherwise provided in these Standing Orders, this Standing Order shall apply to all committees.
- (2) The first meeting of a select committee shall be held at such time and place as the Presiding Officer appoints and subsequent meetings shall be held at such time and place as the committee may determine, provided that if the Committee fails to do so, the Presiding Officer shall, in consultation with the Clerk, appoint such time and place.
- (3) If the Presiding Officer is unable to be present at a meeting, a select committee shall elect another Presiding Officer whose tenure of office shall be for the day of his or her election.
- (4) Unless the House or these Standing Orders otherwise directs, a quorum shall be three Members and in ascertaining whether there is a quorum present, the Presiding Officer shall not be excluded.
- (5) Decisions of a select committee shall be by simple majority vote and the Presiding Officer shall have a casting vote only.
- (6) A select committee does not have power to delegate any of its functions to its Presiding Officer or to any other member.
- (7) The deliberations of a select committee shall be confined to the matter referred to it by the House and any extension or limitation thereof made by the House

and, in the case of a select committee on a Bill, to the Bill committed to it and related amendments.

- (8) When it is intended to examine any witness or request papers and records, the Member requiring such evidence shall deliver to the Clerk of the select committee the name and contact details of the witness the Member desires to examine or the details of the papers required and the select committee shall decide if and when to request the attendance of the witness or to call for the papers.
- (9) Pursuant to paragraph (8), the Clerk of the committee shall request any person to attend and give evidence before the committee or request that papers and records that are relevant to its proceedings be produced.
- (10) A select committee may require, by order, that a summons be issued to any person —
  - (a) to attend before that select committee to be examined and give evidence; and
  - (b) to produce papers and records in that person's possession, custody or control to that select committee.
- (11) Every summons issued under paragraph (10) —
  - (a) shall state the time and place at which it is to be complied with by the person to whom it is addressed; and
  - (b) shall be signed by the Clerk on behalf of the House or the select committee and served by the Serjeant-at-Arms under the direction of the Speaker at least seven working days before evidence is required.
- (12) If resolved by a select committee, the Presiding Officer may write to a Member requesting the Member to attend and give evidence before the select committee or request that papers and records that are relevant to its proceedings be produced.
- (13) If the Member refuses to attend select committee will not take any further action except to report the matter to the House.
- (14) A witness may be accompanied by an advisor who may be an attorney-at-law of the witness's choice and may consult with such advisor in the course of a meeting at which the witness appears.
- (15) The evidence of every witness shall be taken down verbatim and sent in proof to the witness. The witness shall be at liberty, within fourteen days from that on which the Clerk of the committee sent out the proof, to suggest corrections due to inaccurate reporting, and the evidence shall be printed with such of the corrections as may be approved by the Presiding Officer.
- (16) A select committee may, at its discretion, refuse to hear any irrelevant evidence or any recalcitrant witness.

- (17) A select committee shall exercise its discretion in determining whether it shall treat any evidence tendered before it as secret or confidential.
- (18) A select committee may, by resolution, authorise its Presiding Officer to continue meetings in order to receive evidence if it appears that a quorum can no longer be sustained, except that a quorum shall be required whenever a vote, resolution or other decision is taken.
- (19) General rules governing the conduct of proceedings before select committees are set out in Appendix 3 of the Schedule.

### **Premature publication of evidence**

- 94.** (1) The proceedings of and the evidence taken at a meeting of a select committee or sub-committee, and any documents presented to, and decisions of, such a committee shall not be published by any Member thereof or by any other person before the committee has presented its report to the House.
- (2) This Standing Order does not apply to evidence, whether oral and written, taken before a public meeting of a committee held in accordance with these Standing Orders, any Order of the House or resolution of that committee.

### **Reports from select committees**

- 95.** (1) A Report of a select committee may contain the opinions and the observations of the committee and may be accompanied by any Minutes of evidence taken before the select committee.
- (2) A select committee may make a special report relating to its powers, functions and proceedings on any matters that it thinks fit to bring to the notice of the House.
- (3) The Presiding Officer of a select committee shall prepare a draft report and submit it for the consideration of the select committee; but alternative drafts may be submitted for consideration by any other Member of the select committee.
- (4) The report finally to be adopted shall be such as is agreed to with amendments, if any, by all the Members of the select committee or, failing unanimous agreement by a majority of the Members;
- (5) Any Member dissenting from the report of a majority of the select committee may by leave of the select committee put in a concise written statement of the Member's reasons for such dissent, and such statement shall be appended to the report.
- (6) The proceedings of and the evidence taken before any select committee and any documents presented to and decisions of such a select committee shall not be published by any Member thereof, or by any other person, before the select committee has presented its Report to the House.

- (7) A report or special report together with a copy of the minutes of proceedings of a select committee and a copy of the minutes of any evidence given before that select committee shall —
  - (a) be presented to the House by the Presiding Officer or other Member deputised by the select committee; and
  - (b) without question put be ordered to lie upon the table and the report shall be ordered to be printed.
- (8) The minutes of proceedings of a select committee shall record —
  - (a) the names of the Members present each day of the sitting of the select committee;
  - (b) the names of the witnesses examined;
  - (c) in the event of a division taking place, the question proposed, the name of the proposer and the respective votes thereon of the Members present; and
  - (d) a copy of the draft report and any alternative draft, and any amendments thereto.
- (9) The report of a select committee may be taken into consideration by the House on a motion “That the Report of the select committee on \_\_\_\_\_ be adopted” and such a motion may be moved by any Member.
- (10) In any select committee, the Standing Orders of the House shall be observed so far as may be applicable, except the Order limiting the number of times of speaking. Unless provided by unanimous consent, no Member shall speak for more than twenty minutes at any one time.

## PART 14 - STANDING COMMITTEES

### Business committee

- 96.** (1) The Speaker shall convene a Business Committee at the commencement of each Parliament and the Speaker shall be the chairperson of the Business Committee.
- (2) The Business Committee consists of three members of the Government appointed by the Premier and two members for the Opposition. One member from the Opposition shall be appointed by the Leader of the Opposition and the other member by the other members of the Opposition. If the members of the Opposition are unable to agree on the appointment of a member from among themselves the Speaker shall appoint such member.
- (3) The Business Committee may also meet, and make determinations, by electronic means, including remote participation.

- (4) The Business Committee shall determine how the business of the House will be ordered in a specified sitting in accordance with these Standing Orders and the following matters shall be considered —
  - (a) that the hours of a specified sitting day be adjusted;
  - (b) the arrangement of business to be transacted in the House;
  - (c) when business will be transacted in the House;
  - (d) that any two or more items of business may be taken together for the purpose of debate; and
  - (e) any other matters delegated to the Committee under the Standing Orders.
- (5) A determination of the Business Committee takes effect when it is notified in writing to all members of Parliament. A determination must be published, and circulated on the Order Paper, before any sitting of the House at which it is to apply.

### **Public Accounts Committee**

- 97.** (1) There continues to be established a standing committee, styled the Public Accounts Committee, to consider reports of the Auditor General —
- (a) on the accounts of the Government;
  - (b) on such other accounts required to be laid before the House as the committee may think fit; and
  - (c) on any matter incidental to the performance of the Auditor General's duties or the exercise of the Auditor General's powers as the committee may think fit.
- (2) The Public Accounts Committee shall be nominated by the House at the beginning of a new session following a general election and consist of six elected Members. The quorum shall be a majority of Members, including the Presiding Officer.
  - (3) In accordance with Standing Order 93 (General procedures of committees) the Public Accounts Committee may call any public officer or, in the case of a report on the accounts of or relating to a non-Government body or organisation, any member or servant of that body or organisation, to give information or any explanation or to produce any records or documents which the Committee may require in the performance of their duties.
  - (4) The Public Accounts Committee shall make their report upon the report of the Auditor General on the accounts of Government before the Auditor General's report is laid on the Table of the House and both the Committee's report and the Auditor General's report shall be laid at the same time.
  - (5) Subject to these Standing Orders, the practice and procedure of the Public Accounts Committee shall be determined by the Committee.

- (6) A Government Minute shall be laid on the Table of the House within three months of the laying of the report of the Committee and of the report of the Auditor General to which it relates.
- (7) The Auditor General, the Chief Officer in the Ministry with responsibility for finance and the Accountant General shall be in attendance when Chief Officers or other persons are providing information or explanations to the Committee.
- (8) Notwithstanding Standing Order 95 (Reports from select committees), the report of the Public Accounts Committee shall be deemed to have been agreed to.
- (9) Nothing in this Standing Order shall be read as abridging the generality of any powers conferred by section 87 of the Constitution.

### **Standing Orders Committee**

- 98.** (1) There continues to be a standing committee, styled the Standing Orders Committee, to consider, from time to time, generally what changes to Standing Orders are necessary and desirable and particularly to consider any proposed amendments to Standing Orders which are referred to it under paragraph (3) of Standing Order 109 (Amendment of Standing Orders).
- (2) The Standing Orders Committee shall consist of the whole House with the Speaker as Presiding Officer.
  - (3) The quorum of the Standing Orders Committee shall be a majority of Members including the Presiding Officer.

### **Other standing committees**

- 99.** The House may establish one or more other standing committees of the House, each of which may be charged with responsibility for monitoring the conduct of business of the Government for which responsibility has been assigned to a Member of government under section 54 of the Constitution.

### **Composition of standing committees**

- 100.** The composition of all standing committees shall, so far as possible, reflect proportionately the numerical strength of all political parties or groups making up the elected membership of the House.

### **Duration**

- 101.** (1) The life of a standing committee shall end with the term of the House that appointed it.
- (2) The House may revoke the appointment of a Member to a standing committee and appoint another Member in that Member's place.
  - (3) If a member of a standing committee ceases to be a Member of the House, the House may appoint another Member to fill the vacancy.

- (4) A Member of a standing committee may resign from that committee by tendering his or her resignation to the Presiding Officer whereupon the House may appoint another Member to fill the vacancy.

### **Sitting and procedures**

- 102.** (1) A standing committee shall meet and report to the House on its activities at least once a year.
- (2) The Standing Orders relating to committees shall apply to standing committees unless otherwise specified.

## **PART 15 - GENERAL**

### **Employment of Members in professional capacity**

- 103.** A Member shall not appear before the House or any committee thereof as counsel or attorney for any party or in any capacity for which the Member is to receive a fee or reward.

### **Personal pecuniary interest**

- 104.** (1) A Member shall not move any motion or amendment relating to a matter in which the Member has a direct pecuniary interest or speak on any such matter, whether in the House or in any committee, without disclosing the nature of that interest, and shall in no circumstances vote on any such matter.
- (2) A motion to disallow a Member's vote on the ground of personal pecuniary interest may be moved only as soon as the numbers of the Members voting on the question have been declared.
- (3) The Presiding Officer shall have discretion whether or not to propose the question upon such a motion, and in exercising such discretion shall have regard —
  - (a) to the subject matter of the question upon which the division was taken; and
  - (b) to the consideration whether the interest therein of the Member whose vote is challenged is direct and pecuniary and belongs separately to him or her and is not an interest in common with the rest of the residents of the Islands or whether his or her vote was given on a matter of public policy.
- (4) If the question for disallowing of a Member's vote is agreed upon, the Presiding Officer shall direct the Clerk to correct the record of the numbers voting in the division accordingly.

**Admission of press**

- 105.** (1) The Presiding Officer may grant a general permission to the representatives of any news media to attend the meetings of the House, and such permission may be granted under such rules as the Presiding Officer may make, from time to time, for that purpose. If such rules are contravened, such permission may be revoked.
- (2) Any representatives of any news media when attending meetings of the House shall sit in the area allotted for the press and shall under no conditions engage any Member in conversation during such sittings.

**Admission of public**

- 106.** (1) Visitors may be admitted to debates in the House under such rules as the Speaker may, from time to time, make for that purpose.
- (2) If, at any sitting of the House, a Member moves that visitors withdraw, the Presiding Officer shall forthwith put the question “That visitors do withdraw” without permitting any debate or amendment.
- (3) In the event of disorder in the galleries, the Presiding Officer may order the withdrawal of visitors from the Chamber and its precincts.
- (4) Visitors shall withdraw from the Chamber and its precincts when called upon so to do by the Presiding Officer.

**Suspension of Standing Orders**

- 107.** Any of these Standing Orders may be suspended at any time for a specific purpose by the consent of a majority of Members present.

**General authority of the Speaker**

- 108.** The Speaker shall be responsible for the general direction and control of the precincts of the Parliament.

**Amendment of Standing Orders**

- 109.** (1) Unless the Speaker otherwise directs, not less than fourteen days’ notice of a motion to amend the Standing Orders shall be given, and the notice shall be accompanied by a draft of the proposed amendments.
- (2) The motion shall be set down for the earliest sitting after the expiration of the notice.
- (3) When the motion is reached, the mover shall move the motion, and after it has been seconded, the question shall be put forthwith that the motion be referred to the Standing Orders Committee, and if that question is agreed upon no further proceedings shall be taken on that motion until the Committee has reported thereon.

**Custody of Mace and its records and papers**

**110.** During all times the Mace and the records and papers appertaining to the Mace shall remain in the custody of the Serjeant-at-Arms.

**Meeting of the Parliament by electronic means**

- 111.** (1) Notwithstanding any other Standing Orders, where it is impracticable, by reason of any emergency, for the Parliament to meet physically, the Parliament may do so by electronic means.
- (2) In exceptional circumstances as determined by the Presiding Officer the Presiding Officer may permit a member to attend Parliament virtually.

**Repeal**

**112.** The *Parliament Standing Orders (2024 Consolidation)* are repealed.

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**SCHEDULE**

**APPENDIX 1**

**FORM OF PETITION TO THE HOUSE**

TO THE HONOURABLE PRESIDENT AND MEMBERS OF THE PARLIAMENT OF  
THE CAYMAN ISLANDS.

THE PETITION OF THE UNDERSIGNED

*(Here insert —*

- (a) If there is only one petitioner, name, description and place of residence;*
- or*
- (b) If there is more than one petitioner, description and place of residence).*

RESPECTFULLY SHOWETH —

that

*(here set forth the case or circumstances to be brought to the notice of the  
Parliament)*

WHEREOF YOUR PETITIONER (OR PETITIONERS) PRAY THAT YOUR  
HONOURABLE PARLIAMENT WILL

*(here set forth the nature of the relief asked for)*

AND YOUR PETITIONER (OR PETITIONERS), AS IN DUTY BOUND, WILL EVER  
PRAY, ETC.

*(signatures to follow)*

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## APPENDIX 2

### GENERAL RULES FOR THE BROADCASTING OF HOUSE PROCEEDINGS

1. The House authorizes the broadcasting of excerpts of its proceedings by radio and television stations, in accordance with the following conditions:
  - (a) broadcasts of excerpts shall be used only for the purposes of fair and accurate reports of proceedings, and shall not be used for —
    - (i) political party advertising or election campaigns;
    - (ii) satire and ridicule;
    - (iii) the purpose of maliciously attacking someone's reputation or character; or
    - (iv) commercial sponsorship or commercial advertising;
  - (b) reports of proceedings shall be such as to provide a balanced presentation of differing views;
  - (c) excerpts of proceedings which are subsequently withdrawn may be broadcast only if the withdrawal is also reported;
  - (d) the instructions of the Speaker in respect of the broadcasting of excerpts, which are not inconsistent with these conditions, shall be observed.

### RADIO AND TELEVISION BROADCASTING OF COMMITTEE PROCEEDINGS

2. (1) The following rules apply in relation to radio and television broadcasting, including rebroadcasting, of the proceedings of a committee —
  - (a) recording and broadcasting of proceedings of a committee may occur only in accordance with an order of the House or with the authorization of the committee by a deliberate decision of the committee;
  - (b) a committee may authorize the broadcasting of only its public proceedings;
  - (c) a committee may —
    - (i) determine conditions, not inconsistent with these rules, for the recording and broadcasting of its proceedings;
    - (ii) order that any part of its proceedings not be recorded or broadcast; and
    - (iii) give instructions for the observance of conditions so determined and Orders so made;

and a committee shall report to the House any wilful breach of such conditions, orders or instructions;

- 
- (d) broadcasting of committee proceedings shall be for the purpose only of making fair and accurate reports of those proceedings, and, in particular —
    - (i) shall not be the subject of commercial sponsorship or be used for commercial advertising;
    - (ii) ridicule and satire; and
    - (iii) shall not be used for election advertising;
  - (e) recording and broadcasting of proceedings of a committee shall not be such as to interfere with the conduct of those proceedings; and
  - (f) where a committee intends to permit the broadcasting of its proceedings, a witness who is to appear in those proceedings shall be given reasonable opportunity, before appearing in the proceedings, to object to the broadcasting of the proceedings and to state the ground of the objection; and the committee shall consider any such objection, having regard to the proper protection of the witness and the public interest in the proceedings; and
  - (g) if the committee decides to permit broadcasting of the proceedings under paragraph (f) notwithstanding the witness's objection, the witness shall be so informed before appearing in the proceedings.
- (2) The Parliament shall determine the penalties which shall be incurred for noncompliance with the guidelines listed above.

**APPENDIX 3****GENERAL RULES FOR THE CONDUCT OF PROCEEDINGS OF COMMITTEES****Notice of meeting**

1. (1) A written notice informing Members of the committee of a meeting of the Committee must be circulated by the Clerk of the committee no later than the day before the meeting.
- (2) The notice must contain a summary of the items of business proposed to be dealt with at the meeting.
2. The requirement for a written notice to be circulated may be waived if all Members of the committee agree.

**Giving notice of business**

3. Members of a committee may give notice of business or motions to be considered by the committee either orally at a meeting of the committee or in writing to the Clerk of the committee.
4. Notices given at a meeting and notices given to the Clerk of the committee before 2.00 p.m. on the day before a meeting shall be placed on the agenda for the next meeting of the committee.
5. Nothing in these Rules affects the Presiding Officer's power to rule on whether a proposed notice is in order.

**Question previously decided**

6. A motion or an amendment that is the same in substance as a motion or amendment that was agreed to, or defeated in a select committee may be proposed again in that committee in the same session only by leave or if notice has been given.

**Names of Members present**

7. The names of the Members of a select committee present at a meeting shall be recorded in the committee's minutes.

**Members may be present**

8. Subject to this Standing Order, any Member of the House (not being a Member of the committee) may attend any meeting of a select committee but cannot participate in the proceedings except by leave of the committee.
9. The Minister or Member in charge of a Bill may take part in the proceedings of the committee even though not a Member of the committee but may not vote on any question put to the committee.
10. Except by leave of the committee, only Members of the Privileges Committee may attend any meeting of that committee while the committee is deliberating.

**Advisors**

11. A committee so empowered by Standing Orders, may seek the assistance of persons as advisors to the Committee during its consideration of a matter.
12. Advisors may remain present during relevant proceedings that are not open to the public, unless excluded by the committee.

**Attendance by Visitors**

13. A select committee may invite any person to be present during relevant proceedings that are not open to the public to assist it in its consideration of any matter.

**Voting**

14. A Member may require that the respective votes or abstentions of each Member present on a question put to a select committee be recorded in the committee's minutes.

**Disorder**

15. The Presiding Officer may order any visitor to withdraw from a meeting if that person's conduct is disorderly.
16. The Presiding Officer may order any Member (not being a Member of the committee) to withdraw from a meeting if that Member's conduct is disorderly.
17. (1) A select committee may resolve to exclude a Member of the committee from its meeting if that Member's conduct is highly disorderly.

- (2) The Member may be excluded for up to the remainder of the meeting held on that day.

## **GENERAL PROVISIONS FOR EVIDENCE**

### **Written Submissions**

18. A witness shall be given the opportunity to make a submission in writing before appearing to give oral evidence.

### **Return of evidence**

19. A select 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.

### **Private evidence**

20. Some or all of the evidence to be given to a select committee may, by leave, be heard or received in private.
21. The committee may require all visitors or any visitor to withdraw from a meeting while evidence is being heard in private.
22. Evidence heard or received in private shall be confidential to the committee until it reports to the House.

### **Secret evidence**

23. A select committee may, by leave, declare evidence to be secret evidence where —
- (a) information that it wishes to obtain can be obtained only if it can assure a witness, or other person in possession of that information, that evidence given to it will remain confidential; or
  - (b) it is satisfied that it is necessary to do so to protect the reputation of any person.
24. All visitors must withdraw from a meeting while secret evidence is being heard.
25. (1) Secret evidence may not be disclosed to any other person by the committee or by any Member of the committee or by any other person, unless the House expressly authorises such disclosure.

- (2) Following the committee's report to the House, secret evidence is delivered into the custody of the Clerk.

### **Application for evidence to be private or secret**

26. (1) Before providing written evidence to a select committee, a person may apply for that evidence to be received in private or in secret.
  - (2) A witness must give reasons for any such application.
  - (3) Where practicable, witnesses shall be informed before providing written evidence that such an application may be made.
27. Before giving evidence in private, a witness must be informed that the evidence will become available when the committee reports to the House or, if it may seriously damage the reputation of any person, will be made available to that person.
28. Before giving evidence in secret, a witness must be informed that secret evidence may be disclosed and that the House has the power to order the disclosure of such evidence.

## **HEARING OF EVIDENCE**

### **Public attendance at hearings**

29. The proceedings of any select committee during the hearing of evidence on a Bill or other matter, which is the subject of consideration by the committee, other than private or secret evidence may be open to the public, by order of the House or resolution of the committee.

### **Matters of concern before giving evidence**

30. (1) A person who is to appear before a committee may raise any matters of concern relating to that evidence with the Clerk of the committee before appearing before the committee.
  - (2) Any such matters will be brought to the attention of the committee.

### **Conduct of examination**

31. The examination of witnesses shall be conducted by the Presiding Officer, with the approval of the committee.
32. The Presiding Officer, and every Member through the Presiding Officer, may put questions to a witness.

**Relevance of questions**

33. The Presiding Officer will take care to ensure that all questions put to a witness are relevant to the committee's proceedings and that the information sought by those questions is necessary for the purpose of those proceedings.
34. (1) A witness may object to a question on the ground that it is not relevant.  
(2) The Presiding Officer will then determine whether it is relevant to the committee's proceedings.

**Objections to answer**

35. Where a witness objects on any ground to answering 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.

**Committee's consideration of objections**

36. Where a witness objects to answering a question on any ground, the select committee, unless it decides immediately that the question should not be pressed, will then 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.
37. If the committee decides that it requires an answer to the question, the witness will be informed of that decision, and shall be required to answer the question.
38. The committee may decide that the public interest would best be served by hearing the answer in private or secret.
39. Where a witness declines to answer a question to which the committee has required an answer, the committee may report this fact to the House.

**Witnesses' expenses**

40. No expenses may be paid to any witness or proposed witness except with the permission of the Speaker.
41. No select committee, Presiding Officer, Member or other person may 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 without first obtaining the authority of the Speaker.

**Transcripts of evidence**

43. All oral evidence given before a committee must be transcribed.

44. Reasonable opportunity will be afforded to witnesses to make corrections of errors of transcription in any transcript of their evidence.

**NATURAL JUSTICE**  
**Disqualification for apparent bias**

45. A Member who has (whether in the House or outside the House) made an allegation of crime or expressed a concluded view on any conduct or activity of a criminal nature, identifying by name or otherwise a person as being responsible for or associated with that crime, conduct or activity (referred to as apparent bias), may not participate —
- (a) in any select committee inquiry into that person's responsibility for, or association with that crime, conduct or activity; or
  - (b) in any other proceedings in a select committee that may seriously damage the reputation of that person.

**Complaints of apparent bias**

46. A complaint of apparent bias on the part of a Member of a select committee may be made by any Member (whether or not a Member of the committee) or by any person appearing or about to appear before the committee whose reputation may be seriously damaged by proceedings of the committee.
47. A complaint of apparent bias must be made, in writing, to the Presiding Officer before the next sitting.
48. The Presiding Officer, after considering any information or comment from the Member against whom the complaint is made, shall decide whether the Member is disqualified by reason of apparent bias.
49. Any Member of a committee who is dissatisfied with the Presiding Officer's decision on a complaint of apparent bias may refer the matter to the Speaker for decision and the Speaker's decision shall be final.

**Evidence containing allegations**

50. At any stage during a select committee's proceedings, the committee may consider hearing in private, evidence that contains an allegation that may seriously damage the reputation of a person.
51. The committee may also invite that person to be present during the hearing of such evidence.

52. A person who is to appear before a committee shall be informed of, or given a copy of any evidence (other than secret evidence) or material in the committee's possession that contains an allegation that may seriously damage the reputation of that person.

### **Access to information by person whose reputation may be seriously damaged**

53. Any person whose reputation may be seriously damaged by proceedings of a select committee may request from the Clerk of the committee a copy of all material, evidence (except secret evidence), records or other information that the committee possesses concerning that person.
54. The committee shall consider any such request and may if it considers it to be necessary to prevent serious damage to that person's reputation, furnish such material.
55. 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.

### **Irrelevant or unjustified allegations**

56. When a witness gives evidence that contains an allegation that may seriously damage the reputation of a person and the select committee is not satisfied that the evidence is relevant to its proceedings or is satisfied that the evidence creates a risk of harm to that person, which risk exceeds the benefit of the evidence, 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 the House preventing the disclosure of that evidence.

### **Responding where allegation may seriously damage reputation**

57. Any person against whom an allegation has been made that may seriously damage the reputation of that person —
- (a) will be given a reasonable opportunity to respond to the allegation by written submission and appearance before the committee; and
  - (b) may ask that further witnesses give evidence to the committee in that person's interest.
58. A response made or further evidence given under this Standing Order shall be received or heard —
- (a) in private, if the allegation was made in private evidence or in advice; or

- (b) in secret, if the allegation was made in secret evidence.

### **INFORMATION ON PROCEEDINGS**

#### **Confidentiality of proceedings**

59. The proceedings of a select committee or a sub-committee other than during the hearing of evidence are not open to the public and remain strictly confidential to the committee until it reports to the House.
60. Paragraph 59 does not prevent —
- (a) the disclosure, by the committee or by a Member of the committee, of proceedings to a Member of Parliament or to the Clerk or another officer of the House in the course of their duties;
  - (b) the disclosure of proceedings in accordance with Standing Orders.
61. A committee making an interim report or a special report to the House may resolve that some or all proceedings relating to the report remain confidential to the committee until it reports finally to the House.

#### **Confidentiality of reports**

62. A report or a draft of the report of a select committee or a sub- committee is strictly confidential to the committee until it reports to the House.
63. Paragraph 62 does not prevent —
- (a) the disclosure, by the committee or by a Member of the committee, of a report or a draft report to a Member of Parliament or to the Clerk or another officer of the House in the course of their duties; or
  - (b) the disclosure of a report or a draft report in accordance with Standing Orders.

**Reports to be signed**

64. When a select committee has adopted a report, the report shall be signed by the Presiding Officer on behalf of the committee, or by some other Member of the committee authorized to do so by the committee and shall be presented to the House.

**Made by the Parliament the 6th day of February, 2025.**

**Zena Merren-Chin**  
*Clerk of the Parliament*