

# STANDING ORDERS OF THE SIERRA LEONE PARLIAMENT

## SIERRA LEONE PARLIAMENT STANDING ORDERS

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## **ORDERS (RULES OF PROCEDURE) OF THE SIERRA LEONE PARLIAMENT**

### **1. *Interpretation***

In these Standing Orders, unless the context otherwise requires, the following expressions shall have the meanings hereby assigned to them:

1. “allotted day” means a sitting day or one of a series of sitting days prescribed for the completion of debates on a business of the House, such as the Presidential Address, the Second Reading and the Committee of Supply of the Appropriation Bill;
2. “bill” means a legislative proposal in the form of the draft of an Act of Parliament, and includes both Government and Private Member’s Bills;
3. “division” means the division of members into the aye and nay lobbies to be counted by tellers for the purpose of reaching a decision of the House, or a roll-call of Members to vote aye or nay;
4. “leave of Mr. Speaker, or Parliament or the House” or any expression of similar import means permission or approval given by Mr. Speaker or by at least the majority of Members in the House;
5. “meeting” means any sitting or sittings of Parliament commencing when Parliament first meets after being summoned at any time and ending when Parliament is adjourned sine die or at the conclusion of a session;
6. “motion” means a proposal made by Member or a Minister of Government that Parliament or a Committee of parliament do something, order something to be done or express an opinion concerning some matter;
7. “paper” means a document that may be laid on the table solely for the information of Members, or for eventual debate and ratification;
8. “petition” means a written prayer or plea presented to parliament, for the redress of public, local or personal grievances;
9. “precincts of the Parliament” means the entirety or parliament building including its chamber, galleries, committee rooms, offices, halls, cafeteria, its courtyards, carparks and such other places as the Speaker may from time to time specify;
10. “private bill” means any bill, which is intended to affect or benefit some particular person, association or corporate body;

11. “public bill” means any Bill other than a private bill, treating public policy, which is of a general application;
12. ‘question proposed” means a proposal presented to Parliament or a Committee of Parliament by the Speaker or Chairperson for consideration through debate;
13. “question put” means a proposal presented to Parliament or a Committee of Parliament by the Speaker or the Chairperson for decision through voting by voice, division or ballot;
14. “recess’ means a period during which the House stands adjourned sine die or to any day other than the next normal sitting day;
15. “session” means the sitting of Parliament commencing when Parliament first meets after prorogation or dissolution and ending when Parliament is prorogued or a dissolved without being prorogued;

Provided that the meaning of “Session” shall also include the scenario contemplated in subsection (3) of section 87 of the Constitution.

16. “sessional select committee” means a group of Members of Parliament selected by the Committee of Selection, approved by the House and assigned a specified mandate for a session. It includes domestic committees and oversight committees.
17. “special select committee” means a group of Members of parliament selected by the Committee of Selection, approved by the House, and assigned, ad hoc, a specific task to perform within a given period of time;
18. “sitting” means daily periods during which Parliament is sitting continuously without adjournment, and includes plenary and committee sittings.
19. “stranger” means a person other than the President, the Vice-President, the Speaker, a Member, or an officer of the House;
20. “substantive motion” means an independent, self-contained proposal of which notice is duly given but which is neither incidental not relating to a proceeding or order of the day already before the House;
21. “tabling” means laying of an official document on the table of the house; and “laying before parliament” shall bee construed accordingly.

**1A. *Oath of Allegiance***

(1) Except in unavoidable eventualities surrounding the election to fill a vacancy in the Speakership of parliament, no Member of Parliament shall sit or vote therein or in any Committee thereof until he or she has taken and subscribed the Oath of Allegiance, as set out in the Third Schedule of the Constitution of Sierra Leone (Act No. 6 of 1991) hereinafter referred to in these orders as “the Constitution”

(2) The oath shall be administered by the Clerk of Parliament at the time appointed by these Orders.

(3) A Member may, in order to enable him to attend and take part in the proceedings of a committee meeting between the time of his becoming a Member designate of the House and the next sitting of the house thereafter, take and subscribe the said-Oath or make the said-Affirmation before Mr. Speaker. And the taking and subscribing of the Oath or the making of the Affirmation in such a manner shall suffice for all purposes of this Order. When an oath has been taken in such a manner, a report shall be conveyed to the House at its next sitting by Mr. Speaker.

**2. *Language***

The proceedings and debates of parliament shall be in the English Language.

**3. *Seats in the House***

(1) Mr. Speaker shall allocate a seat to each Member, along party lines, and may change such allocation where he thinks it necessary.

(2) A Member may speak only from the seat allocated to him.

**4. *Sessions, First Session of a New Parliament and Meetings***

(1)(a) Sessions of Parliament shall commence in the manner prescribed by section 84 of the Constitution, and Parliament shall be dissolved in the manner prescribed by section 85 of the Constitution.

(b) At the commencement of the First Session of a new Parliament, after national presidential and parliamentary elections, and pursuant to a Presidential Proclamation, (subsection 1 of Section 84 of the Constitution) the Ceremonial State Opening of Parliament, in which the Presidential Address to Parliament on the state of the nation is delivered, shall be preceded by the due constitution of the house (the swearing-in of new members, the election of a Speaker and Deputy Speaker of Parliament, recognition of the Majority and Minority party Leaders of the House, the appointment of Members of the parliamentary select committees, especially the Committee of Selection and the Committee on Appointments and

the Public Service) and the confirmation-hearings and parliamentary approval of Presidential nominees for ministerial and deputy ministerial appointments.

(2) During any one session, Parliament may adjourn for such periods as it may determine. If adjourned sine die, the date and hour of the commencement of the next meeting shall, subject to the proviso to paragraph (3) of this Order, be decided by Mr. Speaker, after consultation with the chairman of the business Committee and the Clerk of Parliament.

(3) Not less than twenty-one days before the date of a meeting, the clerk shall transmit to each Member a written notice specifying the date, time and place of such meeting.

Provided that:

(a) in the case of any emergency, of which notice is given to Mr. Speaker by the President, a meeting may be summoned on such notice as Mr. Speaker may determine in consultation with the Majority and Minority Party Leaders of the House and the Clerk of Parliament. Notice of such meeting may be given to Members in such manner as the urgency of the matter permits.

(b) Pursuant to subsections (1) and (2) of Section 86 of the Constitution:

(i) The President may at any time summon a meeting of Parliament;

(ii) Twenty per centum of all the Members of Parliament may request a meeting of Parliament to commence in fourteen days through the channel of the Speakership.

(4) Reduction of the notice-period of 21 days shall be admissible, for the purposes of subsection 91)(e) of Section 77 of the Constitution and section 77 of these Orders, as good cause for absence from the sittings of the House for a period of fourteen days (or more as Mr. Speaker shall decide) from the date of the first sitting of such an urgent summons, and especially so in the case of Members recessing outside of the country.

(5) When Parliament has adjourned to a specified date, no further notice shall be necessary unless that date is more than twenty-one days after the adjourned meeting.

## **5. SITTINGS**

(1) Subject to the provision of subsection (1) of section 84 of the Constitution, the House may sit on Tuesdays, Wednesdays, Thursdays and Fridays.



Provided that sitting on Saturday or Sunday or Monday or a public holiday may be secured by resolution of Parliament moved by a Member at the commencement of public business at a sitting of Parliament.

(2) Every sitting shall, unless Parliament otherwise determines, begin at 10:00 a.m. and, unless Parliament has previously adjourned, shall continue until 3:00p.m.

Provided that at “12 noon” Mr. Speaker shall on Fridays, adjourn Parliament to the next sitting day, and on Tuesdays, Wednesdays and Thursdays, suspend the sitting until 12:45 p.m. for lunch break.

(3) Every adjournment of parliament shall unless Parliament otherwise orders, be to the next day other than a Saturday, Sunday, Monday or public holiday.

(3a) except as provided in paragraph (5) of this Order, upon the conclusion of business before 3:00 p.m. Mr. Speaker shall adjourn Parliament without question put.

(4) Except as provided in paragraphs (5), (6) and (7) of this Order, at 3:00 p.m., Mr. Speaker shall interrupt the business under discussion or, if parliament is then in Committee, the Chairman shall interrupt the business and leave the Chair forthwith and shall report progress to Parliament. Mr. Speaker shall thereupon adjourn Parliament without question put.

(5) On any day on which the Order Paper contains the item “Motion for the Adjournment”, business shall be interrupted at 2:30 p.m. and thereupon, or at the conclusion of business before that time, upon a motion being made by a Member (given the prior approval of Mr. Speaker) “That this House do now adjourn”, there may be a debate under the provisions of Standing Order No. 6 (Adjournment of the Parliament). Upon that motion being agreed to, Parliament shall adjourn, but if the motion has not already been agreed to, Mr. Speaker shall, half-an-hour after it was moved, adjourn Parliament without question put.

(6) At the time for the interruption of business under the provisions either of paragraph (4) or of paragraph (5) of this Order, the closure may be moved, and if it is moved, or if proceedings under Standing Order No. 40 (Closure of Debate) are already in progress at 3:00 p.m. or 2:30 p.m. as the case may be, Mr. Speaker or the Chairman shall not interrupt the business until the question consequent upon the moving of the closure and any further question provided for in the said order has been decided. After the interruption of business, Mr. Speaker shall, as the case may require, either adjourn Parliament without question put, or call on the Member he has given leave to move the adjournment of parliament under the provision of paragraph (5) of this Order, in which case the remainder of the sitting shall be subject to this provision.

(7) If, at the time for the interruption of business under either paragraph (4) or paragraph (5) of this Order, a division is claimed or a division is in progress. Mr. Speaker or the Chairman shall not interrupt the business until he has declared the determination of the house or Committee under paragraph 3 of S.O. No. 45 (Collection of Voices) or has declared the result of a division under paragraph (3) of S.O. No. 46 (Division) and shall then, as the case may require, proceed under the provision either of paragraph (4) or paragraph (5) of this Order.

(8) Mr. Speaker may at any time suspend a sitting.

(9) Parliament shall sit for a period of not less than one hundred and twenty days in each year.

## **6. *Adjournment of Parliament***

(1) A Motion for the adjournment of Parliament shall be made at any sitting before the conclusion of Questions and thereafter no such motion shall be made except by the Majority or Minority Party Leaders of the House.

(2) Upon any Motion "That parliament do now adjourn" moved under paragraph (5) of Standing Order No. 5 (Sittings), a debate may take place, in which any matter of national importance may be raised by any Member and by the leave of Mr. Speaker. If time permits Mr. Speaker may allow any other Member, who has given him prior notice of his wish so to do, to speak on the subject raised, and shall in any case give the Minister who is responsible for the matter raised and who has been duly summoned to attend the sitting, an opportunity to reply.

## **7. *Quorum***

1. The quorum of the House shall be one-fourth of all the Members of Parliament.

2. If any Member draws the attention of Mr. Speaker to the fact that a quorum of the House is not present, or it, from the number of Members taking part in a division, including those Members taking part in a division, including those Members who decline to vote, it appears that a quorum is not present, Mr. Speaker shall cause Members to be summoned as if for a division. At the expiration of ten minutes thereafter, Mr. Speaker shall count the House and, if a quorum is not then present, shall adjourn Parliament forthwith.

3. If notice is taken in a Committee of the whole House that a quorum is not present, the Chairman shall follow the course pursued by Mr. Speaker in accordance with paragraph (2) of this Order. If he ascertains that one-fourth of all the members are not present, the House shall be resumed; whereupon Mr. Speaker shall count the House. If a quorum is then present, the House shall again resolve

itself into committee, but if a quorum is not present, Mr. Speaker may adjourn parliament forthwith.

4. If, from the number of members taking part in a division, including those Members who decline to vote, it appears that a quorum is not present, the division shall be invalid, the business then under consideration shall stand over until the next sitting. And Mr. Speaker shall count the Members as provided in paragraphs (2) and (3) of this Order. If a quorum is then present, the business shall be concluded and the next business shall be entered upon.

**8. *Election of Mr. Speaker (Section 79 of the Constitution)***

(1) Whenever the House desires to elect a person to be Speaker, whether after a general election or when a vacancy in the office of Speaker has occurred in any other way, the procedure for the election shall be as provided in this Order.

(2) Any Member, having first ascertained that the Member or other person to be proposed is qualified under subsection (1) of Section 79 of the Constitution and willing to serve as Speaker, if elected, may, addressing himself to the Clerk, propose any other Member then present, or any other suitable person then present, to the House as Speaker. The proposal shall require to be seconded, but, except as provided in paragraph (4) of this Order, no debate shall be allowed.

(3) If only one person is so proposed, the Clerk shall propose the question that that person do take the Chair of the House as Speaker. If more than one person is so proposed, the Clerk shall propose the question that the first person proposed do take the Chair of the House as Speaker.

(4) Whenever a question has been proposed under this Order, the Clerk shall call in turn upon any Member who indicates his desire to speak, and when all Members have spoken who desire to do so, shall put the question to the House.

(5) (a) Every question put to the House under this Order shall be decided by ballot, to be held as provided in this paragraph.

(b) Every Member who wishes to vote in the ballot shall write upon a ballot paper, to be supplied by the Clerk, either the word "Aye" or the word "Nay".

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

- (d) When all members who wish to do so have dropped their ballot papers into the glass, the Clerk shall examine the ballot papers and report the result of the ballot.
- (6) If the votes of not less than two-thirds of all the Members of the House are cast in favour of any question put to the House under this Order, the Clerk shall declare the person named in that question to have been elected Speaker by resolution of the House.
- (7) If the votes of less than two-thirds of the Members of Parliament are cast in favour of any question put to the House under this Order, the Clerk shall declare that that question has not been agreed to. He shall then propose the same question in respect of the next person so named in the order in which they were proposed, every such question being decided as provided in paragraphs (4) and (5) of this Order, until one such person is declared elected as provided in Paragraph 6 of this Order.

Provided that:

- (a) If there successive resolutions proposing the election of a Speaker fail to receive the votes of two-thirds of all the Members of Parliament, the Speaker shall be elected by a resolution passed by a simple majority of all the Members of Parliament, in a contest, (in the case of three candidates in the three previously negative resolutions), between the two candidates who received the highest and the next highest number of votes in the previous ballots.
- (b) If this question is not agreed to, the Clerk shall forthwith adjourn Parliament without question put and another election to the Speakership with new candidates shall be restarted in another sitting.
- (8) After the conclusion of any ballot, the ballot papers used therein shall be placed in a box, and when a Member has been declared elected as Speaker, the box shall be sealed in the presence of the house and shall be kept in custody of the Clerk for one calendar month, upon the expiration of which the Clerk shall, unless Parliament otherwise orders, burn the ballot papers.
- (9) A vacancy in the office of the Speaker by death, which is other than the events contemplated in subsection (4) of Section 79 of Constitution, shall be regarded as an extraordinary vacancy. Parliament may, therefore, select to honour the deceased with a sitting for tributes chaired by the deputy speaker as Acting Speaker before the election of a new Speaker pursuant to subsection 5 of section 79 of the Constitution.

9. ***Election of Deputy Speaker***

(1) At its first sitting in every session or at its first sitting after the occurrence of a vacancy in the office of Deputy Speaker, or so soon thereafter as may be convenient, the house shall proceed, to the election of a Member to be Deputy Speaker.

(2) The election of a Deputy Speaker shall be conducted in a similar manner to the election of a Speaker, save that Mr. Speaker shall preside, and that any motion for the election of the Deputy Speaker shall be declared to have been agreed to, if it is supported by the majority of Members present and voting.

(3) In the unavoidable absence of Mr. Speaker and the Deputy Speaker, a Member of Parliament shall be elected to act as Speaker by a collection of voices representing (pursuant to Section 91 of the Constitution) a majority of Members present and voting.

10. ***Presiding in the House and in Committee***

1. The Speaker, or in his absence the Deputy Speaker, or in their absence a Member of Parliament elected by the House by resolution for the sitting, shall preside at the sittings of the House and shall act as Chairman of Committee of the Whole House, including the Committee of Supply.

2. When Mr. Speaker's absence is announced by the Clerk at the Table, the Deputy Speaker shall take the Chair in the House, and shall be invested with all the powers of Mr. Speaker until the next sitting of the House, or for the duration of Mr. Speaker's absence, as the case may be.

3. Mr. Speaker may, at any time, ask the Deputy Speaker to take the Chair temporarily without formal communication to the House.

4. Except where it is otherwise provided in these Orders, the term "Mr. Speaker" includes any person presiding under the provisions of this Order.

11. ***Duties of the Clerk***

The Clerk shall be:

(1) the Head of the Parliamentary Service and Vote Controller.

(2) the Principal Adviser to the Speaker of Parliament, as well as to Private Members, Parliamentary Committees and Ministers of Government on parliamentary practice and procedure.

He shall:-

- (3) fashion the policies and programmes of the Legislature with a view to enhancing the effectiveness and efficiency of Members in the performance of their functions.
- (4) conduct general oversight of the operations of the parliamentary programmes.
- (5) assist the Business Committee to shape the calendar of parliamentary business.
- (6) set out the order papers and arrange the plenary sittings of Parliament.
- (7) on the first day of each meeting, circulate to Members a paper to be known as the Notice Paper, setting forth all business of which notice has been given for that meeting, and during the course of a meeting circulate further Notice Papers as often as it is necessary.
- (8) not later than the day preceding each sitting, distribute to Members a paper to be known as the Order Paper, setting forth the business of that sitting.
- (9) send to each Member at least two days before a meeting a printed copy of all Bills which have been published in accordance with S.O. No. 47 (Notice regarding Bills) and which it is proposed to read a first time at such meeting.
- (10) document the processing of a bill into an Act of Parliament and certify its passage for Presidential Assent.
- (11) Supervise the drafting of the texts of parliamentary motions and certify their passage for the action of the Executive.
- (12) Keep an Order Book in which he shall enter and number in succession all business appointed for a future day and all notices of questions or motions which have been set down for a future day.
- (13) Keep the minutes of the proceedings of the House and of the Committees of the whole House to be known as the Votes and Proceedings, and shall circulate to Members a copy thereof as soon as practicable after the conclusion of each sitting. The Votes and Proceedings shall record the names of Members attending and all decisions of Parliament.

## ***12. Duties of the Hansard and Committee Sections***

**(1) HANSARD SECTION**

- (a) The Head of the Hansard Section and his team shall prepare an Official Report of all speeches made in the House which shall be, or nearly as possible, verbatim;
- (b) The report shall be published in such form as the Clerk of Parliament shall direct and a copy thereof shall be sent to each Member as soon as practicable after the conclusion of each sitting;
- (c) A Member may, before noon on the fourth day following that on which the Official Report containing a speech by him was issued, notify the Principal Editor of Debates of any purely verbal corrections in that speech for inclusion in the bound volume of such report.
- (d) If a Member disputes the correctness of the record of any speech or seeks to make any material change in the record, Mr. Speaker shall rule thereon and shall direct publication of the speech in accordance with his ruling which shall be communicated to the Member concerned and shall be final.

In the exercise of their duties the Editors shall:

- (e) transcribe and edit audio-recorded parliamentary debates as well as those of the proceedings of Parliamentary Conferences, Seminars and workshops. Both national and international, hosted by the Sierra Leone Parliament;
- (f) assist in facilitating research involving the Official Reports of the proceedings of Parliament;
- (g) assist in promoting popular understanding of the work of Parliament.
- (h) perform other duties assigned from time to time by the Clerk of Parliament

**(2) The Committee Section shall provide Clerks:**

- (a) To serve as secretaries to parliamentary Committees
- (b) To produce and keep the minutes of proceedings and the minutes of evidence. And such minutes shall include:
  - (i) the name of the committee and the day and hour of meeting;
  - (ii) the names of Members present;

- (iii) every motion made or amendment proposed thereto, together with the name of the mover thereof;
  - (iv) the names of members voting in any division distinguishing on which side of the question they respectively vote;
  - (v) all orders and resolutions of the committee;
  - (vi) all documents or things submitted to the committee;
  - (vii) the names and professions or occupations of witnesses examined;
  - (viii) the day and hour to which the committee is adjourned;
  - (ix) the names of members submitting draft reports; and
  - (x) such further matters as the committee may direct.
- (c) to assist in the preparation and production of the Reports of the Committees, ensuring that every report of a Select Committee includes details of :-
- (i) the number of sittings of the Committee;
  - (ii) the total time occupied by the committee during the course of its sittings; and
  - (iii) the number of sittings attended by each Member of the committee
- (d) to facilitate research involving these reports.
- (5) to perform any other duties assigned from time to time by the Clerk of Parliament

### **13. *Sergeant-at-Arms***

- (1) Mr. Speaker shall appoint a person to hold the office of Sergeant-at-Arms.
- (2) It shall be the duty of the Sergeant-at-Arms.
  - (a) To attend upon Mr. Speaker with the Mace on entering and leaving sittings of Parliament; and
  - (b) To obey all orders and directions for the preservation of order in the House which Mr. Speaker may give him.



## ARRANGEMENT OF BUSINESS

### ***14. Order of Business***

(1) Unless Mr. Speaker otherwise directs, the business of each sitting day shall be transacted in the following order:-

- (a) Formal entry of Mr. Speaker
- (b) Prayers
- (c) Oaths of Allegiance or Affirmation of New Members
- (d) Messages from the President
- (e) Announcements by Mr. Speaker
- (f) Petitions
- (g) Laying of Papers
- (h) Reports from Special and Select Committees (other than reports on Bills)
- (i) Obituary speeches
- (j) Ministerial statements and Questions to Ministers
- (k) Motions for adjournment on matters of urgent public importance
- (l) Presentations of Public Bills
- (m) Motions for leave to introduce Bills
- (n) Motions nominating Special Select Committees
- (o) Other Public business
- (p) Personal Explanations

### ***15. Arrangement of Public Business***

1. Public Business shall consist of motions and proceedings upon Bills.

2. Subject to the provisions of these Standing Orders Public Business shall have precedence on every day except on Wednesdays when Private Members' business shall have precedence.

3. Public business shall consist of Government and Committee motions, as well as proceedings upon bills sponsored by Committees and Ministers, and shall be set down in such order as the Business Committee think fit.

4. Private Members' Business in the form of motions or bills, shall be set down on the Order Paper for a particular day in the order in which they were entered in the Order Book for that day, and business so entered shall take precedence over any business postponed from an earlier day.

**16. *Business Statement***

Every Thursday the Chairman of the Business Committee shall make a statement in the House of the business arranged for the succeeding week, but if the first week of any meeting begins on a day earlier than Thursday, he shall make a statement of the business arranged for that week, if possible, on the first day of such Meeting. On the last day of each Meeting he shall arranged for the first week of the next meeting. He may make supplementary statements from time to time.

**PETITIONS AND PAPERS**

**17. *Petitions***

1. Every application to Parliament shall be in the form of a petition and every petition shall be presented by some Member who shall affix his name at the beginning thereof.

2. A Member presenting a petition shall confine himself to a brief statement of the parties from whom it comes, the number of signatures attached to it and the material allegations contained in it, and to reading the prayer of such petition.

3. All petitions shall lie upon the Table without question put, unless a Member when presenting a petition move for it to be read, printed or referred to the Public Petitions Committee. In making such a motion he shall state concisely his reasons.

4. No debate shall be permitted on such motion, nor shall any other Member speak upon, or in relation to, such petition except to second such motion fully, after which the question thereon shall be put forthwith.

5. If a motion that a petition be read is carried, the Clerk shall read the petition.

6. No Member may present to Parliament a petition signed by himself, except as representative of a public incorporated body.
7. No petition shall be presented to Parliament, unless it shall have been endorsed by the Clerk, as being in accordance with the following rules:-
- (a) Every petition must be properly addressed to the House, respectful, decorous and temperate in its language, and must conclude with a prayer setting forth the general object of the petitioner.
  - (b) Every petition must be signed by at least one person on every sheet on which the petition is written.
  - (c) If signatures are affixed to sheets other than that containing the petition itself, such sheets shall carry at their head the prayer of the petition.
  - (d) Signatures or marks will not be counted unless in the case of signatures they are in the hand-writing of the person signing and in the case of marks they are witnessed and unless in both cases they are followed by the addresses of the persons signing or making a mark. Such signatures must be written upon, and not pasted or otherwise attached to, each of the sheets on which the petition itself is written. A corporation should affix its common seal, if it has one, to a petition.
  - (e) Every petition shall be in the English Language, or be accompanied by an English translation certified to be correct by the Member who presents it.
  - (f) No letters or other documents maybe attached to a petition, nor may any erasures or interlineations be made therein.
8. Parliament will not receive any petition which would dispose of or charge any public revenue or public funds or revoke or alter any disposition thereof or charge thereon, impose, alter or repeal any rate, tax or duty, unless the recommendation of the President has been signified thereto.
9. Parliament will not receive any petition on any matter for which there is a judicial remedy for which no application is made or which falls within the mandate of the Ombudsman.
18. Laying of Papers and Constitutional and Statutory Instruments
- (1) The laying of Papers, treaties, agreements and Constitutional and Statutory Instruments involves the delivery in the office of the Clerk of sufficient copies thereof for distribution to Members of Parliament.

(2) The request that a paper or treaty or constitutional or statutory instrument be laid on the table shall be made to the Clerk of Parliament with an explanatory memorandum, which in the case of subsidiary legislations shall include a note on the objectives, where necessary, the consultation process with appropriate stakeholders, and other relevant information.

(3) Prior to and in preparation for the parliamentary ratification of treaties, agreements and conventions, such as those in subsection (4) of Section 40 and subsections (1)(2)(3)(4)(5) and (6) of Section 118 of the Constitution the relevant documents shall be tabled.

(4) Pursuant to subsection 7 of Section 118 of the Constitution, Parliament shall be notified by the appropriate Minister or authority of all gifts donations, grants and pledges made to the State of Sierra Leone by the laying of such information on the table.

(5) Papers, such as government policy papers for the information of Parliament, the Reports and Annual Accounts of Statutory Corporations (SO ...) shall be presented to parliament by a Minister or the Government, or, by the leave of Mr. Speaker, the Majority Party Leader of the House or his representative, and its presentation shall be entered upon the Votes and Proceedings.

(6) Committee Reports and Reports on International Conferences and Seminars shall be laid on the table by Chairpersons of Committees and Leaders of Delegations respectively, or their representatives.

(7) A Minister or Member on tabling a paper may make a short explanatory statement of its contents.

(8) A constitutional or statutory instrument shall pursuant to subsection (7) of Section 170 of the Constitution and Section 3 of the Constitutional and Statutory Instrument Act (Act No. 6 of 1991) be laid before Parliament in the manner set out in the preceding provisions of this order.

Provided that only section 29 of the Constitution shall apply to the approval of any Proclamation or other instrument made under that section.

(9) All papers shall be ordered to lie upon the Table without question put.

## **QUESTIONS TO MINISTERS**

### **19. Nature of Questions**

Questions may be put to Ministers relating to public affairs for which they are charged with responsibility, proceedings pending in Parliament or any matter of administration for which such Ministers are responsible.

## 20. Notice of Questions

(1) A question shall not be asked without notice, unless it is of an urgent character and the Member has obtained the leave of Mr. Speaker to ask it.

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

(3) A member who desires an oral answer to a question shall mark his notice with an asterisk and such a question shall be put down for a day to be arranged by the Clerk of Parliament, being a day not earlier than fourteen clear days after the day on which notice was given. A question not so marked may be put down for the next sitting day of Parliament and the answer when received shall be circulated with the Votes and Proceedings.

(4) Not more than two questions in the name of the same member may be placed upon the Order Paper for any one sitting.

## 21. Contents of Questions

(1) Questions shall comply with the following rules:-

(a) A question may not include the names of persons or statements of fact unless they are necessary to make the question intelligible and can be authenticated, nor contain charges which the Member who asks the question is not prepared to substantiate.

(b) A question may not contain arguments, expressions of opinion, inferences, imputations, epithets, or controversial, inimical or offensive expressions, or be based upon hypothetical cases.

© No question may be asked which has been answered substantially in the current session.

(d) A question may not be asked regarding proceedings in a Committee of the House before the Committee have presented their report to Parliament.

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(e) A question may not solicit an expression of opinion, the solution of an abstract legal cause, or an answer to a hypothetical proposition.

(f) A question may not be asked which makes or implies a charge of personal character or which reflects upon character or conduct except of persons in their official or public capacity.

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

(h) A question may not be asked regarding any matter on which a judicial decision is pending or which reflects on the decision of a Court of Justice.

(i) Questions of excessive length may not be asked.

(j) A question may not be asked seeking for information about any matter which is of its nature secret.

(k) A question may not be asked seeking for information set forth in accessible documents or ordinary work of reference.

(2) A question may not be asked as to whether statements in the press, or of private individuals or unofficial bodies are accurate.

(3) If Mr. speaker is of the opinion that any question of which a had given notice to the Clerk infringes the provisions of any Standing Order or is in any way an abuse of the right of questioning, he may direct: –

(a) that a Member concerned be informed that the question is out of order; or

(b) that the question be entered in the Order Book with such alterations as he may direct.

## **22. Manner of asking and answering Questions**

(1) At the time appointed for the oral asking and answering of questions under S.O. No. 14 (Order of business) Mr. Speaker shall call in turn upon each Member in whose name a question stands upon the Order Paper in the order in which the questions are printed. Each Member so called shall rise in his place and ask the question by reference to its number on the Order Paper, and the Minister questioned shall give his reply.

(2) After the answer to a question has been given, supplementary questions may, at the discretion of Mr. Speaker, be put for the purpose of elucidating the answer given orally, but Mr. speaker may refuse any such question which, in his opinion, introduces matter not relative to the original question, or which infringes any of the provisions of S.O. No. 21 (Contents of questions) and may in that case direct that such questions be not circulated with the Votes and Proceedings.

(3) Mr. Speaker may in his direction permit a Member to ask a question in the House in the absence of the Member who has given notice of such question.

(4) Subject to the approval of Mr. Speaker, a Minister may state that he declines to answer a question, if the publication of the answer, will be contrary to the public interest.

(5) No question shall be asked after 11:30 a.m. except any question which Mr. Speaker has allowed to be asked without notice under paragraph (1) of S.O. No. 20 (Notice of Questions).

(6) If a question is not asked owing to the absence of the Member who gave notice of it or if the question is not reached before 11:30 a.m, the answer shall be circulated with the votes and Proceedings as if it were the answer to an unasterisked question unless the Member has signified his wish to postpone his question before it was called or before 11:30 a.m. as the case may be.

## **PERSONAL EXPLANATIONS**

### **23. Personal Explanations**

By the indulgence of the House, and with the leave of Mr. speaker, a member may make a personal explanation although there is no question before the House; but no controversial matter may be brought forward or any debate arise upon the explanation.

## **MOTIONS AND AMENDMENTS THERETO**

### **24. Questions for debate**

(1) Except upon the recommendation of the President signified by a Minister, Parliament shall not proceed upon any motion which, in the opinion of Mr. speaker, would dispose or charge any public revenue or public funds or revoke or alter any disposition thereof or charge thereon, or impose, alter or repeal any rate, tax or duty.

(2) The signification of the President's recommendation shall be recorded in the votes and Proceedings.

### **25. Notice of Motions**

(1) Unless these Orders otherwise direct, notice shall be given of any motion or amendment which it is proposed to move with the exception of the following:-

(a) a motion for the amendment of any motion.

(b) a motion for the adjournment of Parliament or of a debate;

- © 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;
- (d) a motion offered in Committee of the Whole House, other than the Committee of Supply;
- (e) a motion for the election of a temporary presiding officer under paragraph (1) of S.O. No. 10 (Presiding in the House and in Committee)
- (f) a motion concerning a petition under paragraph (3) of S.O. 17 (Petitions);
- (g) a motion relating to a matter of privilege under S.O. No. 26 (privileges)
- (h) )a motion to extend any time-limit imposed under S.O. No. 38 (Time Limit of Speeches);
- (i) a motion for the suspension of a Member under paragraph (3) of S.O. No. 43 (Order in the House or Committee);
- (j) a motion for the Second Reading of a Government Bill under S.O. 49 (Appointment of Days for Stages of Bills);
- (k) a motion to refer a bill to a Select Committee under paragraph (1) of S.O. No. 51 (Committal of Bills)
- (l) a motion for the withdrawal of a bill under paragraph (1) of S.O. No. 59 (Withdrawal of Bills)
- (m) a motion for the withdrawal of strangers, under S.O.No. 79 (Strangers)
- (n) a motion for the suspension of any S.O. made with Mr. speaker's leave, under S.O. No. 82 (Suspension of Standing Orders);
- (o) a motion in respect of which notice has been dispensed with under paragraph (5) of this Order or one in respect of which a certificate of urgency signed by His Excellency the President has been laid on the Table.

(2) When notice of a motion is required, such notice shall be given in writing, signed by the member and addressed to the Clerk of Parliament. Such notice may be



handed by a Member to the Clerk of Parliament, when Parliament is sitting, or may be sent to or left at the office of the Clerk during working hours.

(3) If Mr. Speaker is of the opinion that any notice of motion which has been received by the Clerk infringes the provisions of any Standing Orders, or is in any other way out of order, he may direct:-

(a) that the Member concerned be informed that the notice of motion is out of order or;

(b) that the notice of motion be entered in the Order Book with such alterations as he may direct.

(4) Except where it is otherwise provided in any Standing Order, not less than seven days notice of any motion shall be given unless it is a Committee or Government motion, in which case two days notice shall be sufficient.

(5) Notice shall not be dispensed with in the case of a motion except with the consent of Mr. Speaker and the assent of the majority of the Members present at the time.

(6) If a member desires to vary the terms of a motion standing in his name, he may do so by giving an amended notice of motion, provided that such amendment does not, in the opinion of Mr. Speaker, materially alter any principal embodied in the original motion or the scope thereof. Such amended notice of motion shall run from the time at which the original notice of motion was given.

## **26. Privilege motions**

(1) A motion directly concerning the privileges of Parliament shall take precedence to all other public business.

(2) If during a sitting of Parliament a matter suddenly arises which appears to involve the privileges of Parliament and which calls for the immediate intervention of the House, the proceedings may be interrupted, save during the progress of a division, by a motion based on such matter.

## **27. Amendment to Motion**

(1) Whenever any motion is under consideration in the House, or in Committee of the whole House, an amendment may be proposed to the motion if it is relevant thereto.

(2) An amendment may be proposed to any such amendment if it is relevant thereto.

## **28. Seconding of Motions and amendments thereto**

(1) The question upon a motion or amendment shall not be proposed by Mr. Speaker unless such motion or amendment has been seconded:

Provided that government business shall not require seconding.

(2) In Committee a seconder shall not be required.

(3) A motion which requires to be seconded under paragraph (1) of this Order shall not be placed upon the Order Paper unless it is signed by two or more Members of Parliament.

**29. Motions and amendments not moved or seconded**

(1) If a Member does not move a motion or amendment which stands in his name when he is called upon, it shall be removed from the Order Paper, unless some other Member, duly authorized by him in writing, mot it in his stead:

(2) No question shall be proposed upon a motion or amendment, which under these Orders is required to be seconded, if it is not so seconded, and no record of proceedings upon the motion or amendment shall be entered in the Votes and Proceedings.

**30. Manner of debating Motions and amendments thereto**

(1) When a motion has been moved and, if necessary, seconded, Mr. Speaker shall propose the question thereon to the House in the same terms as the motion. Debate may then take place upon that question and may continue so long as any Member wishes to speak.

(2) When no more members wish to speak, Mr. Speaker shall put the question to the House which shall express its decision in accordance with the provisions of S.O. No. 44 (Decision of Questions).

(3) If a motion embodies two or more separate propositions the propositions may be proposed by Mr. Speaker as separate Questions.

(4) Any amendment to a motion which a member wishes to propose under paragraph (1) of S.O. NO. 27 (Amendments to Motions) may be moved and seconded at any time after the question upon the motion has been proposed by Mr. speaker, and before it has been put by Mr. speaker at the conclusion of the debate upon the motion. When every such amendment has been disposed of Mr. Speaker shall either again propose the question upon the motion, or shall propose the question upon the motion as amended, as the case may require, and after any further debate which may arise thereon, shall put the question to the House for its decision.

(5) (a) Upon any amendment to leave out any of the words of the motion, the question to be proposed shall be “That the words proposed to be left out be left out of the question.”

(b) Upon any amendment to insert words in, or add words at the end of a motion, the question to be proposed shall be “That those words be there inserted (or added)”

© Upon any amendment to leave out words and insert or add other words instead, a question shall first be proposed “that the words proposed to be left out be left out of the question”, and if that question is agreed to, the question shall then be proposed “that those words be (inserted or added)”. If the first question is disagreed to, no further amendment may be proposed to the words which the House has so decided shall not be left out of the question.

(d) When two or more amendments are proposed to be moved to the same motion, Mr. Speaker shall call upon the movers in the order in which their amendments relate to the text of the motion, or in cases of doubt, in such order as the Chair shall decided.

Provided that no amendment may be moved which relates to any words which the House has decided shall not be left out of the question.

(6) (a) Any amendment to an amendment which a Member wishes to propose under paragraph (2) of S.O. No. 27 (amendments to motions) may be moved and seconded at any time after the question the original amendment has been proposed, and before it has been put at the conclusion of the debate on the original amendment.

(b) The provisions of paragraph (5) of this Order shall apply to the discussion of amendment to amendments. With the substitution of words “original amendments” for the word “question” throughout.

© When every such amendment to an amendment has been disposed of, Mr. Speaker shall either again propose the question upon the original amendment, or the amendment as amended, as the case may require.

### **31. Withdrawal of Motions and Amendments thereto**

(1) A motion or an amendment may be withdrawn at the request of the mover, if, on Mr. Speaker asking whether it is the pleasure of the House that the motion or amendment be withdrawn, there is no dissenting voice.

(2) A motion which has been withdrawn may be proposed again at any time during the session; but no motion shall be proposed which is the same in substance as any motion which, during the same session, has been resolved in the affirmative or negative.

## **RULES OF DEBATE**

### **32. Time and Manner of speaking and contents of Speeches**

(1) A Member who desires to speak shall rise in his place and address Mr. Speaker, or, in Committee, the Chairman, provided that committee Members may decide to speak seated.

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

(3) When Mr. Speaker is addressing the House or when the chair is addressing a Committee thereof, any Member then standing shall immediately resume his seat.

(4) A Member shall not read his speech, but may read short extracts from books or papers in support of his argument, and may refresh his or her memory by reference to notes.

(5) A Member must confine his observations to the subject under discussion and may not introduce matter irrelevant thereto.

(6) Reference shall not be made to any matter on which a judicial decision is pending.

(7) It shall be out of order to attempt to reconsider any specific question upon which the House has come to a conclusion during the current session except upon a substantive motion for decision.

(8) It shall be out of order to use offensive and insulting language about a Member of Parliament.

(9) No Member shall impute improper motives to any other Member.

(10) The President's name shall not be used to influence the House.

(12) The conduct of The President and judges, or the performance of Judicial functions by other persons, and the personal conduct of Members of Parliament, shall not be referred to except upon a substantive motion moved for that purpose.

(12) No Member shall speak more than once to any question except-

(a) in Committee

(b) in explanation as prescribed in paragraph (13) of this Order,  
Or

- © in the case of the mover of a substantive motion, or the Member in charge of a bill, in reply;

Provided that any Member may second a motion or amendment by rising in his place and simply indicating that he seconds the motion, without prejudice to his right to speak at a later period of the debate.

(13) A Member who has spoken to a question may again be heard to offer explanation of some material part of his speech which has been misunderstood; but he must not introduce new matter.

(14) A Member who has spoken may speak again when a new question has been proposed from the Chair such as a proposed amendment or a dilatory motion.

(15) The mover of any motion may reply after the other Members present have had an opportunity of addressing the House and before the question is put, or with the leave of Mr. speaker may delegate such right of reply to any other Member.

(16) No Member shall refer to another Member by name but shall refer to him as follows:-

- (a) A Minister and Deputy Minister by the designation of the Office held by him;
- (b) A Paramount Chief as a Paramount Chief followed by the district he represents.
- (c) Any other member of Parliament by reference to the Constituency he represents.

### **33. Interruptions**

No Member shall interrupt another Member except-

- (a) by rising to a point of order under S.O. No. 34 (Raising Point of Order); or
- (b) to elucidate some matter raised by that Member in the course of his speech, provided that the Member speaking is willing to give way and resumes his seat and that the Member wishing to interrupt is called by the Speaker or Chairman.

#### **34. Raising of Point of Order**

(1) Any member deviating from the provisions of these Orders may be immediately called to order by Mr. Speaker or the Chairman. A Member rising to a point of order shall simply direct attention to the point he desires to bring to notice and submit it to Mr. Speaker or the Chairman for decision.

(2) When the point of order has been stated, the Member who raises it shall resume his seat, and no other Member, except with the leave of Mr. Speaker or the Chairman, shall rise until Mr. Speaker or the Chairman has decided the point, after which the Member who was addressing the House or Committee at the time the question was raised shall be entitled to proceed with his speech giving effect to the ruling from the Chair.

#### **35. Behaviour of Members not speaking**

(1) During a sitting all Members shall enter or leave the House with decorum.

(2) Members shall not cross the floor of the House unnecessarily nor speak from a place allotted to any other Member.

(3) Members shall not read books, newspapers, letters or other documents in their places save such as relate to the business before Parliament.

(4) During a sitting all Members shall be silent or shall confer only in undertones.

(5) Members shall not make unseemly interruptions while any Member is Speaking.

#### **36. Relevancy in Debate**

(1) Debate upon any motion, bill or amendment shall be relevant to such motion, bill or amendment, except in the case of a substantive motion of the adjournment of Parliament.

(2) Debate upon any dilatory motion moved under S.O. No. 37 (dilatory Motions) shall be confined to the matter of that motion.

(3) When an amendment proposes to leave out words and insert other words instead of them, debate upon the first question proposed on the amendment may refer both to the words proposed to be left out and to those proposed to be inserted.

(4) On an amendment proposing to leave out words or to insert words debate shall be confined to the omission or insertion of such words respectively.

### **37. Dilatory Motions**

(1) A Member who wishes to postpone to some future occasion the further discussion of a question which has been proposed from the Chair may claim to move “That the debate be now adjourned”, or “That this Parliament do now adjourn”, or, in committee of the whole House “That the Chairman do report progress”. If such motion is agreed to, the resumption of the business shall, be set down for a day named by Mr. Speaker in consultation with the Chairman of the business Committee and the Clerk of Parliament.

(2) If Mr. Speaker or the Chairman of a Committee of the whole House is of the opinion that any such dilatory motion is an abuse of the rules of the House, he may decline to propose it.

(3) A Member who has moved or seconded a dilatory motion which has been negated may not subsequently move or second another such motion during the same debate, whether in the House or in Committee of the Whole House.

### **38. Time Limit of Speeches**

(1) Subject to paragraph (2) of this Order, no Member shall be entitled to address the House or a Committee of the Whole House for more than thirty minutes on any subject;

Provided that the mover of a substantive motion shall be entitled to forty-five minutes for his opening speech.

(2) The House or a Committee of the whole House may at any time by resolution, extend or reduce the time limits imposed under this Order. Any motion to such effect may be moved without notice and the question thereon shall be decided without amendment or debate.

(3) This Order shall not apply to speeches made during the debate on the Presidential Address to Parliament and the debate on the Second reading of the annual Appropriation Bill.

Provided that in debates limited to specific allotted days the Speaker may determine and allocate the time of each contribution, such as to accommodate the participation of all those who wish to speak. And the fifth day of the five days allotted to the debate on the Motion of thanks to His Excellency the President for his Address to Parliament on the occasion of the State Opening of Parliament shall, pursuant to subsection (2) of Section 107 of the Constitution, be devoted to Ministerial responses to the issues raised by Members on government policies contained in the speech.

**39. Anticipation**

(1) It shall be out of order to anticipate a bill by discussion upon a motion dealing with the subject matter of that bill.

(2) It shall be out of order to anticipate a bill, or a notice of motion, by discussion upon an amendment, or a motion for the adjournment of Parliament.

(3) In determination whether a discussion is out of order on the grounds of anticipation, regard shall be had by the Chair to the probability of the matter anticipated being brought before Parliament within a reasonable time.

**40. Closure of Debate**

(1) After a question has been proposed a Member rising in his place may claim to move “That the question be now put”, and, unless it shall appear to the Chair that such motion is an abuse of the rules of Parliament or an infringement of the rights of a minority, the question “That the question be now put” shall be put forthwith, and decided without amendment or debate notwithstanding that the mover had no opportunity to make his reply.

(2) When the Motion. “That the question be now put” has been carried and the question consequently thereon has been decided, any member may claim that any other question already proposed from the Chair be now put, and if the assent of the Chair is given, such question shall be put forthwith and decided without amendment or debate

(3) A question for the closure of debate shall not be decided in the affirmative unless, when a division is taken, the motion is supported by a simple majority of Members present and voting.

**41. Mr. Speaker to be heard in silence**

Whenever Mr. Speaker, or the Chairman, intervenes during a debate, any Member then speaking, or offering to speak, must resume his seat, and the House or Committee is to be silent, so that Mr. Speaker or the Chairman may be heard without interruption.

**42. Decision of Chair final**

Mr. Speaker in the House and the Chairman in any 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.

**43. Order in the House or Committee**



(1) Mr. Speaker, or the Chairman, having called the attention of the House, or of the Committee, to the conduct of a Member who persists in irrelevance, or tedious repetition, either on his own argument, or on the arguments used by other Members in debate, may direct him to discontinue his speech.

(2) Mr. speaker or the Chairman shall order Members whose conduct is grossly disorderly to withdraw immediately from the House during the remainder of that day's sitting, and the Sergeant-at-Arms shall act on such orders as he may receive from the Chair in pursuance of this Order. But if on any occasion Mr. Speaker or the Chairman deems that his powers under the previous provisions of this order are inadequate, he may name such Member or Members, in which event the same procedure shall be followed as is prescribed by paragraphs (3), (4), (5) and (6) of this Order.

(3) Whenever a Member has been named by Mr. Speaker or by the Chairman, immediately after commission of the offence of disregarding the authority of the Chair, or of persistently and willfully obstructing the business of the House by abusing the rules of the House, or otherwise, then if the offence has been committed by such Member in the House, a motion shall forthwith be proposed by the Majority or Minority Party Leader of the House or any other senior Member of the House present "That Mr ..... be suspended from the service of Parliament". And Mr. Speaker shall forthwith suspend the proceedings of the Committee and report the circumstances to the House, and Mr. speaker shall, on a motion being made, forthwith put the same question no amendment, adjournment, or debate being allowed, as if the offence had been committed in the House itself.

(4) Not more than one Member shall be named at the same time, unless two or more Members present together have jointly disregarded the authority of the Chair.

(5) If a member is suspended under the provisions of this Order, he shall be directed by Mr. Speaker to withdraw. His suspension shall last until determined by a resolution proposed by the Committee of Privileges for the approval of the plenary of Parliament.

(6) If a Member, (or two or more members acting jointly), who has been suspended under this Order from the service of Parliament, refuses to obey the direction of Mr. speaker to withdraw, when severally summoned under the orders of the Speaker by the Sergeant-at-Arms to obey such directions, Mr. Speaker shall call the attention of the House to the fact that recourse to force is necessary in order to compel obedience to his direction. When a Member, (or Members) named by Mr. Speaker as having refused to obey his direction has been removed from the House, he shall, thereupon, without any further question being put, be suspended from the service of Parliament during the remainder of the session.

(7) Members who are ordered to withdraw under paragraph (2) of this Order or who are suspended from the service of Parliament under paragraph (3) or (6) of this Order, shall forthwith withdraw from the precincts of Parliament and shall be excluded

there from for the remainder of the sitting or for the period of their suspension as the case may be.

(8) In the case of grave disorder arising in the House, Mr. Speaker may, if he thinks it necessary to do so, adjourn Parliament without putting any question or suspend the sitting for a time to be fixed by him.

(9) Nothing in this order shall be taken to deprive Parliament of the power of proceeding against any Member for any breach of Order not specified herein or from proceeding in any other way Parliament thinks fit in dealing with the breaches of order herein mentioned.

(10) In exercise of the parliamentary privilege of freedom of speech and debate in the House, which is necessarily constitutively unassailable outside Parliament, Members shall accurately address the empirically verifiable, avoiding destructive conjectures or speculations, and shall conduct themselves honourably and responsibly with an eye to the self-regulatory constitutional provisions in Section 97 and subsections (2) (3) (4) and (5) of Section 99 of the Constitution.`

## VOTING

### 44. Decision of Questions

(1) All questions in the House or a Committee of the whole House, except as otherwise provided in the Constitution and these Orders, shall be decided by a majority of the votes of the Members present and voting.

(2) The person presiding in Parliament may cast a vote whenever necessary to avoid an equality of votes, but shall not vote in any other case; if the person presiding does not exercise his casting vote, the question proposed for discussion in Parliament shall be deemed to be rejected.

(3) A Bill for an Act of Parliament to alter provision of the Constitution shall, (pursuant to paragraph (b) of subsection (2) of the entrenched Section 108 of the Constitution), require to be supported on the second and third readings by the votes of not less than two-thirds of all the Members of the House.

(4) A resolution of Parliament approving or superseding or extending the proclamation of a state of public emergency shall require to be supported by the votes of two-thirds of the members of the House. (Pursuant to subsections (3) and (13) of Section 29 of the Constitution). And in determining the two-thirds majority of all members of the House (pursuant to subsection (6) of the interpretive section 30 of the Constitution) account shall only be taken of the persons actually and validly existing as Members of Parliament at the relevant time. In recognizing only living Members at a particular time, as opposed to the prescribed membership of Parliament, Mr. Speaker may exercise his

discretion to reduce from the number out of which two-thirds will be computed all Members of Parliament outside of the jurisdiction on official assignments approved by him.

(5) The ratification of a resolution on an Treaty, Agreement or Convention pursuant to subsection (ii) of the proviso to subsection (4) of Section 40 of the Constitution has to be supported by not less than one-half of the Members of the House. And as in Order 44(4) above, the definition of the actual total Membership of the House, as opposed to the prescribed Membership of the House shall apply.

#### **45. Collection of Voices**

(1) No Member may speak to any question after it has been fully put by Mr. Speaker or the Chairman.

(2) A question is fully put when Mr. Speaker or the Chairman has collected the voices both of the ayes and of the Nays.

#### **46. Division**

(1) When a division has been claimed, or if the opinion of Mr. Speaker or the Chairman as to the decision of a question by collection of voices is challenged, the Speaker or the Chairman shall direct that members outside the debating-Chamber be informed that a division has been claimed. After the lapse of ten minutes from the time of this direction, the speaker or the Chairman shall put the question a second time, and if a division is again claimed or if the opinion of the speaker or the Chairman is again challenged, he may take the vote of the House or Committee by calling upon the members who support and who challenge his decision successively to rise in their places; and he shall thereupon, as he thinks fit, either declare the determination of the House or Committee or call upon the Clerk to call the names of Members in Alphabetical order. And the Clerk shall enter in the Votes and Proceedings a record of each Member's vote and of the names of Members who decline to vote.

(2) When a Member's name is called by the Clerk at a division, the member shall answer either by voting for the "Ayes" or for the "Noes", or by expressly stating that he declines to vote. A Member shall not answer in a manner inconsistent with any opinion which he may have expressed when the voices were taken collectively.

(3) As soon as the Clerk has collected the votes, Mr. Speaker or the Chairman shall state the numbers voting for the "Ayes" and for the "Noes" respectively, and shall then declare the result of the division.

(4) A Member may vote in a division, although he did not hear the question put; and no Member shall be obliged to vote.

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

(6) A Member shall not vote on any subject in which he has a direct personal pecuniary interest, but a motion to disallow a Member's vote on this ground shall be made only as soon as the numbers of the members voting on the question have been declared. If the motion for the disallowance of a member's vote is agreed to, the Chair shall direct the Clerk to correct the number voting in the division accordingly. In deciding whether a motion for the disallowance of a Member's vote shall be proposed from the Chair, the Chair shall have regard to the character of the question upon which the division was taken and to the consideration whether the interest therein of the member whose vote is challenged is direct and pecuniary or was given on a matter of State policy.

## **BILLS**

### **47. Notice Regarding Bills**

(1) Save as otherwise provided in S.O. No. 61 (bills affecting Private Rights) every bill shall, before its introduction into Parliament be first published in an issue of the gazette, and in a subsequent issue of the Gazette there shall be inserted a notice of the bill having been so published, of the issue of the Gazette in which it was published and of its proposed introduction into Parliament; provided that not less than nine days shall elapse between the first publication of a Bill in the Gazette and its introduction into Parliament for first reading. Such notice period is intended to inform the general public about the legislative proposal in the pipeline, so as to elicit any necessary popular reaction in time.

(2) A pre-legislative scrutiny and discussion of a bill, in camera, may be arranged, where necessary, between members and the Minister or Member in charge of a bill. Such an encounter may be open to the participation of stakeholders, if their participation at this stage is considered necessary.

(3) Every bill shall be accompanied by a memorandum, signed by the Minister in the case of a Government bill, and in the case of an non-government bill by the member wishing to introduce it, stating concisely the objects and reasons for the bill.

### **48. Introduction and First Reading**

(1) A private member desiring to introduce a bill shall apply to the House by motion for leave to do so, and such motion shall contain the long title, the objects and leading features of the proposed bill. If leave to introduce the bill is granted, the member in charge of the bill shall, preferably immediately, deliver a copy thereof to the Clerk for action. Upon the short title of the bill being read aloud by the Clerk, the bill shall be deemed to have been read the first time.

(2) A bill may be introduced on behalf of the Government after two day's notice without an order of the House. Upon the introduction of such a bill a Minister shall move "That the bill be now read the first time", and in so doing the question "That the bill be now read the first time", shall be put without further debate.

(3) Except upon the recommendation of the president, to be signified by a Minister and recorded in the Votes and Proceedings, Parliament shall not receive any Government bill and shall not proceed upon any motion for leave to introduce a bill which, in the opinion of Mr. Speaker, would dispose of or charge any public revenue of public funds or revoke or alter any disposition thereof or charge thereon, or impose, alter or repeal any rate, tax or duty.

#### **49. Appointment of Days for Stages of Bills**

At the conclusion of the proceedings on the first reading or on any subsequent stage of a bill, the next stage may be taken either forthwith or upon a day to be named by Mr. Speaker, in consultation with the Chairman of the Business Committee and the Clerk of Parliament.

#### **50. Second Reading**

(1) On a motion being moved by the Minister or the Member in charge and, if necessary, seconded that a bill be now read a second time, the general merits and principles of the bill may be debated, following the proposal of the question by Mr. Speaker.

(2) If the motion is carried, consequent on the strength of the supporting votes when Mr. Speaker puts the question, the Clerk shall read aloud the long title of the bill and shall declare it to have been read a second time.

(3) On the Second Reading of a bill an amendment may be proposed to the question "That the bill be now read a second time" to leave out the word "now", and add at the end of the question "upon this day six months", or an amendment may be moved to leave out all the words after the word "That" in order to add words stating the object and motive on which the opposition to the bill is based; but such words must be strictly relevant to the bill and must not deal with its details.

#### **51. Committal of Bills**

(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 commit it to a select Committee. Such motion shall not require notice, but must be made immediately after the bill is read a second time, and may be proposed by any Member. The question thereon shall be put forthwith and decided without amendment or debate.

(2) When a bill has been committed to a Committee of the whole House, the committee stage may be taken forthwith or on a future day; and at the time at which the Committee stage is to be taken, the House shall without question put, resolve itself into Committee for the purpose of considering the bill. The mace shall thereupon be covered by the Sergeant-at-Arms. Mr. Speaker and the Clerks-at-the table shall take off their wigs, and from the Chair the presiding officer shall conduct the proceedings of the committee as Chairman.

(3) When a bill has been committed to a select committee, no further proceeding shall be taken thereon until the select committee have presented their report to the Committee of the Whole House.

## **52. Functions of Committees on Bills**

(1) Any Committee to which a bill is committed shall not discuss the principles of the bill but only its details.

(2) Any such Committee shall have power to make such amendments therein as they think fit, provided that the amendments, including new clauses and new schedules, are relevant to the subject matter of the bill. But if any such amendments are not within the title of the bill, they shall amend the title accordingly, and shall report the same to the Committee of the Whole.

(3) Except upon the recommendation of the president to be signified by a Minister and recorded in the votes and Proceedings, a Committee shall not proceed upon any amendment which in the opinion of the Chairman would have effect in any of the ways described in paragraph (3) of S.O. 48 (introduction and First Reading).

## **53. Procedure in Committee of the Whole House on a Bill**

(1) the Clerk of Parliament shall call the number of each clause in succession, or the first and last number of a group of clauses. The Minister or Member in charge of the bill shall then move that the clause or group of clauses stand part of the bill, to be followed by the proposal of this question to the Committee by the Chairman. If no amendment is offered thereto, or when all proposed amendments have been disposed of, the Chairman shall proceed to put the question "That the clause or the group of clauses (or the clause or group of clauses as amended) stand part of the bill".

(2) Any proposed amendment to the bill of which notice has not been given shall be handed to the Chairman in writing.

(3) No amendment shall be moved which is inconsistent with any clause already agreed to or any decision already come to by the Committee; and the Chairman may, at any time during the discussion of a proposed amendment, withdraw it from the consideration of the Committee, if in his opinion the discussion has shown that the amendment violates the provisions of this Order.

(4) The provisions of paragraph (5) of S.O. No. 30 (Manner of debating motions and amendments thereto) shall apply to the discussion of amendments to bills, with the substitution, where appropriate, of the word “clause” for the word “motion” or the word “question”, and the word “Chairman” for the word “Speaker” throughout; and any amendment proposed to such an amendment shall be dealt with before a decision is taken on the original amendment.

(5) a clause may be postponed, unless upon an amendment thereto a question has been fully put from the Chair.

(6) Postponed clauses shall be considered after the remaining clauses of the bill have been considered and before new clauses are brought up.

(7) Any proposed new clause shall be considered after the clauses of the bill have been disposed of.

Provided that a new clause proposed in substitution for a clause which has been disagreed to may be considered immediately after such disagreement.

(8) On the title of any new clause being read by the Clerk, the clause shall be deemed to have been read a first time. The question shall then be proposed “That the clause be read a second time”. If this is agreed to, amendments may then be proposed to the new clause. The final question to be proposed shall be “That the clause (or the clause as amended) be added to the bill”.

(9) Schedules shall be disposed of in the same way as clauses, and new schedules may be offered after the schedules to the bill have been disposed of, and shall be treated in the same manner as new clauses.

(10) When every clause and schedule and proposed new clause or schedule has been dealt with, the preamble, if there be one, shall be considered and the question put “That this preamble (or this preamble as amended) be the preamble to the bill”.

Provided that no amendment to the preamble may be proposed which is not made necessary by a previous amendment to the bill.

(11) If any amendment is necessary to the title of the bill, it shall be made at the conclusion of the proceeding detailed above, but no question shall be put that the title or the title as amended stand part of the bill.

(12) At the conclusion of the Committee proceedings the Chairman shall announce the resumption of the proceedings of the House, the mace will be uncovered, the wigs worn and the presiding officer will be addressed as “Mr. Speaker”. In the

subsequent Report Stage the Minister or Member in charge of the bill shall, addressing Mr. Speaker, report the outcome of the committee proceedings.

**54. Procedure on reporting a Bill from Committee of the Whole House**

So soon as the bill has been reported, the Minister or member in charge of the bill may forthwith moved “That the bill be now read the third time and passed into law.” And Mr. Speaker shall put the question for the decision of the House.

Provided that, should further debate on the bill be required, Mr. Speaker shall propose the question, and the third reading debate as delineated in S.O. 58 will commence.

**55. Procedure in Select Committee on a Bill**

(1) A Select Committee on a bill shall be guided by pertinent provisions of S.O. 73 (Procedure in select Committee) and S.O. 74 (Division in Select Committees), but before reporting the bill to the House, it shall go through the bill as provided in S.O. No. 53 (Procedure in Committee of the Whole House on a Bill) except that the Clerk to the Committees shall announce the clause or groups of clauses for line by line scrutiny.

(2) When a bill has been amended in a Select Committee, the amendments shall be presented in the Report to the Committee of the Whole House.

**56. Proceedings on a Bill reported from Select Committee to the Committee of the Whole House**

(1) The Report of a select committee on a bill shall be taken within the Committee of the Whole House and as if it were an in-depth working document as follows:-

- (a) The already circulated report is read to the Committee of the Whole House by the Chairman of the Legislative Select Committee or his representative.
- (b) The procedure delineated in S.O. 53 shall then follow, with the Minister, or any other pilot, at liberty to indicate whether or not he agrees with any amendment in the select committee report, free to propose further amendments himself and to consider amendments directly proposed by Members from the Committee of the Whole House.



- © Where the pilot does not agree with a proposed amendment and, on the one hand, fails to convince the proposer to support him, or on the other hand the proposer fails to convince him to accept his amendment, the Chairman shall put the question to a vote for the Committee to decide.

**57. Recommitted of Bill reported from Select Committee**

If members in the Sitting of the Committee of the Whole House are generally dissatisfied with the Report of the Legislative Committee, and they think proper scrutiny of the details of the bill has not been done, and they themselves cannot accomplish their expectation in that sitting of the Committee of the Whole House, a Member may move that the bill be recommitted to the Legislative Committee. If such motion is agreed to, the bill shall stand so recommitted.

**58. Third Reading, Passage into Law, Presidential Assent and publication as an Act of Parliament**

(1) After reporting the result of the line-by-line scrutiny of the bill done in Committee, as stated in S.O. 53(12), and S.O. 54, the pilot shall go on to request the proposal of the third reading and the passage of the bill into law as follows: “Mr. Speaker, I report that the bill entitled: ..... has gone through the Committee of the Whole House (without any amendments) (with slight amendments) (with some amendments) and I now move that the bill (as amended) be read the third time and passed into law.”

(2) Any further debate required, pursuant to the proviso to S.O. 54, shall thereafter be confined to the contents of the bill. Amendments for the correction of error or oversight may, with Mr. Speaker’s permission, be made before the question for the third reading of the bill is put, but no amendments of material character shall be proposed.

(3) If the motion for the third reading and the passage of the bill into law is carried, the Clerk shall declare it, reading the long title of the bill.

(4) When a bill has been read the third time and passed into law (on the parliamentary side) the Clerk of Parliament shall process and certify it, and, as soon as possible thereafter, submit it to the President, through the Secretary to the President, for his assent.

(5) The Act signed by the President shall be returned to the Clerk of Parliament for publication in the Gazette as law, pursuant to subsection (4) of Section 106 of the Constitution, and shall commence in accordance with subsection (3) of the said-section on the date of its publication in the Gazette or such other date as may be prescribed therein or in any other enactment.

(6) When an unsigned bill is returned to Parliament signifying the dissent of the President, the Chairman of the Legislative Committee shall lay on the table the President's reasons for his dissent. Thereafter, the Committee, in consultation with all members of Parliament, shall introduce a motion in plenary seeking a resolution of the matter pursuant to subsection (8) of Section 106 of the Constitution.

**59. Withdrawal of Bills**

(1) The Member in charge of a bill may make a motion without notice for its withdrawal at any stage before it has been read the third time, except when the bill is before a Committee.

(2) If an interval of three months elapses after any reading of a bill, without further action being taken on it, the bill shall be deemed to be withdrawn unless the House otherwise resolves.

**60. Bills containing substantially the same Provisions**

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.

**61. Bill affecting private Rights**

If it appears to Mr. Speaker from the notice of the terms proposed to be embodied in a bill that the proposals are intended to affect or benefit some particular person, association or corporate body, then:

- (a) Before allowing such a bill to be read the first time Mr. Speaker shall satisfy himself that due notice has been given by publication of the bill in an issue of the Gazette and by insertion in two subsequent weekly issues of the Gazette of a Notice of the Bill having been so published and of the issues of the Gazette in which it was published. Mr. Speaker shall also satisfy himself that additional notice of the Bill has been given by advertising a statement of its general nature and objects in the Gazette and in at least one newspaper circulating in Sierra Leone one month at least before application is made to the House for leave to introduce the Bill.
- (b) Every such bill shall, after being read a second time, be referred to a select committee without question put. Any party whose interests are, in Mr. Speaker's opinion, prejudicially affected by the proposed provisions of the bill

may be heard before the committee either in person or by counsel.

- © Every select committee on such a bill shall require proof of the facts and other allegations set forth in the bill as showing that it is expedient that the bill should be passed, and may take such oral or other evidence as they may think requisite; and thereafter if the committee find that the facts and allegations have been proved, the committee shall consider the several clauses of the bill, and may strike out clauses, and add new clauses and make any other amendments which they deem necessary, and in respect of all amendments which they make shall describe their purport in a special report to the House. No new clause shall be allowed in such a bill which is outside the terms of the notice in the Gazette.

**62. Bill covered by Certificate of Urgency**

Notwithstanding anything in any Standing Order, when a Certificate of Urgency signed by the President in respect of a proposed bill has been laid upon the table by a Minister, the bill to which the certificate relates may be introduced forthwith and provided that copies are available to Members, may be proceeded with throughout all its stages, and Parliament shall not be counted out or adjourned (except upon a motion made by a Minister or the Majority Party Leader of the House) until such a bill has been read the third time.

### **FINANCIAL PROVISIONS**

**63. Presentation, first Reading and Second Reading of Appropriation Bill**

(1) there shall be submitted to Parliament by the Minister of Finance before the beginning of the fiscal year to which it refers a budget which shall include the documents delineated in subsection 23 of the government Budgeting and Accountability Act, (Act No. 3 of 2005).

(2) All proceedings upon the Appropriation Bill subsequent to its first reading, which takes the form of the Budget speech, shall be subject to the provisions of the remaining paragraphs of this Order and of the next five succeeding Orders.

(3) After the Bill has been read the first time, it shall be put down for Second Reading not less than two clear days thereafter and five days shall be allotted for the Second Reading of the Bill. The debate shall be confined to the financial and economic state of Sierra Leone and the general principles of Government policy and administration as indicated by the Bill and its Estimates. At 14.30 o'clock on the last day, unless the

debate<sup>4</sup> is concluded earlier, the speaker shall put any question necessary to bring the proceedings on second reading to a conclusion.

(4) For the purpose of this order and of S.O. No. 65 (allotment of Time in Committee of Supply) an allotted day shall be any day on which the consideration of the appropriation bill, whether by the House or in the Committee of Supply, stands as the first Public Business for that day, and on such a day no other Public Business may be taken.

#### **64. Committee of Supply**

(1) There shall be a Committee of the whole House to be called the Committee of Supply. The deliberations of the committee shall be in public.

(2) Without prejudice to the mandate of the Finance Committee in these Orders, the Estimates shall upon presentation to the House stand referred to the Committee of Supply and the Appropriation Bill upon being read a second time shall stand committed to that Committee.

(3) To enhance the effectiveness for the scrutiny of Heads of Expenditure by the whole House, the Committee of Supply shall, pursuant to subsection (6) of Section 112 of the Constitution, incorporate a scrutiny by a number of Appropriation Subcommittees formed out of organizing the Membership of Parliament into groups.

#### **65. Allotment of time in Committee of Supply**

(1) there shall be allotted a maximum of five days for discussion of the Appropriation Bill in Committee of supply.

Provided that if the question on the Second Reading of the Bill was agreed to on a day earlier than the last day allotted for the debate on Second Reading, the day or days thus saved may be added to the days allotted under this paragraph. And the work of the appropriation subcommittees shall be outside this time-frame.

(2) Upon any day allotted under paragraph (1) of this Order no dilatory motion shall be moved, except by a Minister or the Majority Party Leader of the House, upon any proceedings on the Appropriation Bill and such proceedings shall not be interrupted or postponed under any Order.

(3) Mr. Speaker may name the hour upon any day allotted under paragraph (1) of this Order at which proceedings upon any Head of Expenditure in the Schedules to the Bill, or any Schedule or on the clauses of the Bill shall be concluded. If in the case of any Head or Schedule or of the clauses the hour so named is reached before the business concerned is disposed of, the Chairman shall put forthwith any question necessary to dispose of that business

Provided that if in the case of any Head or Schedule the proceedings thereon are concluded before the hour named, the next business may be entered upon forthwith.

**66. Procedure in Committee of Supply**

(1) Preliminary to the deliberations of the whole House in committee, the Appropriation Subcommittees shall, working together with vote Controllers and their Accountants, examine a series of Heads of Expenditure allocated to them by the finance Committee. This exercise shall include consideration of the policies underlying the Estimates, their structures of priorities, efficient and effective use of both human and financial resources, the constraints of the organizations, the adequacy or otherwise of the financial allocations, and report to the whole House in Committee of Supply.

(2) On the consideration of the Appropriation Bill in Committee of Supply, the clauses of the Bill shall stand postponed until after consideration of the Schedule or Schedules, which shall be initiated by the appropriation Subcommittee reports on them.

(3) On consideration of the Schedules, each Head of Expenditure shall be considered with the appropriate Estimates, and any reference in these Orders to a sub-head or an item means a sub-head or an item in the Estimates of the Head then under discussion.

(4) On the consideration of a Schedule, the Clerk of Parliament shall call the title of each Head of Expenditure in turn and the Chairman, following the motion of the Minister in Charge, shall propose the question "That the sum of £ x For Head y stand part of the Schedule". And unless an amendment is proposed under the provisions of the next succeeding Order, a debate may take place on that question. Any such debate shall be confined to the policy of the service for which the money is to be provided and shall not deal with the details of any item or subhead but may refer to the details or revenue or funds for which that service is responsible. At the conclusion of the debate on a Schedule or a group of Schedules, as the case may be, the Chairman shall forthwith put the question.

(5) When all the Heads in a Schedule have been disposed of, the Chairman shall put forthwith without amendment or debate, the question "That the Schedule (as amended) stand part of the Bill."

(6) When the Schedule has been disposed of, the Chairman 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 required to be moved, that question shall be disposed of without amendment or debate.

(7) No amendment may be moved to any clause except any amendment consequential on an alteration in the total sum appropriated by any Head in the Schedule. Any such consequential amendment shall be moved by a Minister 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 Chairman 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.

(8) When the question upon every clause of the Bill has been decided, the House shall resume without question put, the Minister in charge shall report the Bill (or the Bill as amended) to the House, and following the motion that the Bill be read the third time and passed into law, the speaker shall forthwith put the question.

**67. Amendments to Heads of Estimates in Committee of Supply**

(1) No amendment shall be moved in the Committee of Supply under this Order, unless one clear day’s notice has been given of it and it has been published in the Notice Paper.

(2) An amendment to any Head of Expenditure to increase the sum allotted thereto whether in respect of any item or sub-head or of the Head itself may only be moved by a Minister who shall signify to the Committee the increase in accordance with paragraph (3) of S.O. No. 52 (functions of Committees on Bills). Every such amendment shall take the form of a motion “That Head ..... be increased by Le..... in respect of sub-head ..... item .....”.

(3) An amendment to increase a Head whether in respect of any item or sub-head or of the 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.

(4) 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 Le..... in respect of or by leaving out sub-head ..... item .....”.

(5) 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 itemized.

(6) 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.

(7) An amendment to leave out a functional Head shall not be in order and shall not be placed on the Order Paper.

(8) In the case of each Head, amendments in respect of items or sub-heads in that Head shall be placed upon though Order Paper and considered in the order in which the items or sub-heads to which they refer stand in the Head in he Estimates.

(9) When notice has been given of two or more amendments to reduce the same item, sub-head or Head, they shall be placed upon the Order Paper and considered in the order of the magnitude of the reductions proposed, the amendment proposing the largest reduction being placed first in each case.

(10) 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 or that Head shall be permitted.

(11) When all amendments standing on the Notice Paper in respect of any particular Head of Expenditure have been disposed of, the Chairman shall again propose the question "That the sum of Le..... for Head ..... stand part of the Schedule", or shall propose the amended question "That the increased/reduced sum of Le..... 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 (4) of S.O. No. 66 (Procedure in Committee of Supply).

#### **68. Third reading of Appropriation Bill**

So soon as the Appropriation bill has been reported to the House, a motion for the Third Reading shall be made by the Minister in Charge. Such motion shall not require to be seconded, and shall be decided without amendment or debate.

#### **69. Supplementary Appropriation Bills**

(1) Where, in respect of any financial year, it is found that the amount of moneys appropriated by the Appropriation Act for any purpose is insufficient or that the need has arisen for expenditure for a purpose which no amount of moneys has been appropriated by that Act, a supplementary estimate showing the sum of money required shall be laid before Parliament.

(2) Where in respect of any financial year, a supplementary estimate has been approved by Parliament in accordance with the provisions of subparagraph (1) of this Order, a Supplementary Appropriation Bill shall be introduced in Parliament in the financial year next following the financial year to which the estimates relate, providing for the appropriation of the sums so approved for the purposes specified in that estimate.

(3) The debate on the Second Reading of the Supplementary Appropriation Bill shall be strictly confined to the matters for which additional expenditure has been provided, and when the question thereon has been agreed to, the Bill shall not be committed, unless the House on Motion so commits for discussion that Schedule, if any, to the Bill, which incorporates expenditure for which Supplementary (contingencies) Warrants have not been issued, and the Question "that the Bill be now read a third time" shall be put forthwith without amendment or debate.

(4) The Minister may cause to be prepared and laid before Parliament estimates of revenue and expenditure of Sierra Leone for periods of over one year.

### **SELECT COMMITTEES**

**70.** Sessional Select Committees.  
Committee of Selection

(1) (a) There shall be a committee to be known as the Committee of Selection appointed at the beginning of every session to perform the functions allotted to it by these Orders, and for such other matters as the House may from time to time refer to it.

(b) The Committee of Selection shall consist of the Speaker as Chairman, the Supervisory Committee and three Members of the House whose nomination by the Speaker and the Supervisory Committee shall be approved by the House. The Committee shall inform the House by means of a report when any Member has been nominated to any Committee

© The Committee shall not have power to send for persons, papers and records.

### **BUSINESS COMMITTEE**

(2) (a) There shall be a Committee to be known as the Business Committee to consist of the Majority Party Leader of the House as Chairman, three other Members on the majority party side and two from the minority parties to be nominated by the Committee of Selection as soon as may be after the beginning of each Session. In the absence of the Chairman another Member from the majority party shall take the Chair.

(b) It shall be the duty of the Committee, subject to S.O. No. 15 (arrangement of Public Business), to determine the business of each day and the order in which it shall be taken.

Provided that the powers of the Committee shall be without prejudice to the power of Mr. Speaker to determine which matters may properly be introduced into the House.

### **STANDING ORDERS COMMITTEE**

(3) (a) There shall be a Committee to be known as the Standing Orders committee consisting of Mr. Speaker as Chairman, the Deputy Speaker, who may take the Chair in the absence of Mr. Speaker, the Majority and Minority Party Leaders of the House, and four other Members to be nominated by the Committee of Selection as soon as may be after the commencement of each session.



(b) If a notice of motion involves any proposal for the amendment of Standing Orders, the notice shall be accompanied by a draft of the proposed amendment, and the motion when proposed and seconded shall stand referred, without any question being proposed thereon, to the Standing Orders Committee, and no further proceedings shall be taken on any such motion until the Standing Orders Committee has reported on the merits of such proposals and recommended that they be considered by the House.

(c) The Committee shall also proactively keep the Standing Orders under its perusal with a view to recommending to the plenary reforms related to changing circumstances and developments in the business of the House.

(d) The quorum of the Standing Orders Committee shall be Mr. Speaker or the Deputy Speaker and three Members.

### **HOUSE COMMITTEE**

(4) There shall be a Committee to be known as the House Committee, to consist of the Speaker as Chairman and six Members to be nominated by the Committee of Selection as soon as may be after the beginning of each session, but in any case not alter than twenty-one days thereafter, to consider and advise the Speaker upon all matters connected with the comfort and convenience of Members of Parliament. The Committee shall from time to time report its minutes of proceedings to the House but shall not have power to send for persons, papers and records unless the House so resolves

### **PUBLIC PETITIONS COMMITTEE**

(5) (a) There shall be a Committee to be known as the Public Petitions Committee to consist of the Speaker as chairman and five Members to be nominated by the Committee of Selection as soon as may be after the beginning of each session, but in any case not later than twenty-one days thereafter.

(b) Where the complaints and representations of petitions fall within the purview of the Ombudsman or any other statutory specialist institution on complaints, the committee or any other select committee, shall recommend the employment of these specialist services.

### **PUBLIC ACCOUNTS COMMITTEE**

(6) (a) There shall be a Committee to be known as the Public Accounts Committee consisting of the deputy Speaker as Chairman and not more than ten other Members, to be nominated by the Committee of Selection.

(b) It shall be the duty of the Committee to examine the annual accounts showing the appropriation of the sums granted by the House to meet public expenditure together with the reports and special reports of the Auditor-General thereon.

(c) The Public Accounts Committee shall, for the purpose of discharging that duty, have powers pursuant to subsection (6) of Section 93 of the Constitution.

(d) The Public Accounts Committee shall have power to examine any accounts or reports of statutory Corporations and Boards after they have been laid on the table of the House, and to report thereon from time to time to the House, and to sit notwithstanding any adjournment of Parliament.

(e) Without prejudice to paragraph (d) the Select Committee overseeing the supervisory ministry of a parastatal may include that particular parastatal within its mandate.

(f) The quorum shall be the Chairman and five Members.

### **LEGISLATIVE COMMITTEE**

(7) (a) There shall be a Committee to be known as the Legislative Committee consisting of a maximum of 16 Members to be nominated by the Committee of selection for approval by the Plenary, after the beginning of each session of Parliament, but in any case not later than twenty-one days thereafter.

(b) It shall be the duty of the committee to scrutinize bills committed to it after Second Reading passage or, as the case may be, to assess, prior to the inception of passage, their appropriateness for introduction in the house; to examine constitutional and statutory instruments laid on the table of the House pursuant to subsection (7) off Section 70 of the Constitution; and to oversee the Judiciary.

(c) The powers of the committee shall be pursuant to subsection (6) of Section 93 of the Constitution.

### **FINANCE (AND SUPPLEMENTARY PROVISIONS) COMMITTEE**

(8) (a) There shall be a committee to be known as the Finance (And Supplementary provisions) Committee, consisting of a maximum of 16 members to be nominated by the Committee of selection for approval by the plenary, after the beginning of each session of parliament, but in any case not later than twenty-one days thereafter.

(b) It shall be the duty of the committee to oversee financial activities in governance, and outside the mandate of the Public Accounts Committee, and in particular to oversee the Ministry of Finance.

(c) In its mandate the Committee shall absorb the role of the Supplementary Financial provisions Committee. When the Supplementary Financial provisions are laid on the table, they will stand referred to the Finance Committee. But the role of the committee shall be only advisory to the House's power off approval, pursuant to subsections (3) and (4) of the entrenched Section 112 of the Constitution.

(d) The powers of the Committee shall be pursuant to subsection (6) of Section 93 of the Constitution.

(e) The committee may not, except after consultation with the Minister of Finance, make any recommendation that would dispose or charge any public revenue or public funds of Sierra Leone or revoke or alter any disposition thereon or charge thereon or impose, alter or repeal any rate, tax or duty.

(f) provided that they do not fall within the remit of the Ombudsman or any other statutory specialist institution on complaints, it shall be the duty of the committee to consider all petitions referred to it under the provisions of S.O. 70(5) (Petitions), to classify such petitions, prepare abstracts thereon in such form and manner as shall appear to it best suited to convey to the House all requisite information respecting their contents and the signatures attached thereto and to report the same from time to time to the House.

#### **COMMITTEE ON APPOINTMENTS AND THE PUBLIC SERVICE**

(9) (a) There shall be a Committee to be known as the Committee on Appointments and Public Service consisting of a Maximum of 16 Members to be nominated by the Committee of Selection, for approval by the plenary, after the beginning of each session of Parliament, but in any case not alter than twenty-one days thereafter.

(b) It shall be the duty of the Committee to conduct confirmation hearings on Presidential nominations for appointment to the Public Service.

(c) The powers of the Committee shall be pursuant to subsection (6) of Section 93 of the Constitution.

#### **COMMITTEE ON FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION**

(10) (a) There shall be a Committee to be known as the Foreign Affairs and

International cooperation Committee consisting of a maximum of 16 Members to be nominated by the Committee of Selection for approval by the plenary, after the beginning of each session, but in any case not alter than twenty-one days thereafter.

(b) It shall be the duty of the Committee to oversee all foreign affairs and international cooperation activities in governance and in particular the Ministry of Foreign Affairs and International Cooperation.

(c) The powers of the Committee shall be pursuant to subsection (6) of Section 93 of the Constitution.

### **COMMITTEE OF PRIVILEGES**

(11) (a) There shall be a Committee to be known as the Committee of Privileges, consisting off a maximum of 16 members to be nominated by the Committee of Selection for approval by the plenary after the beginning of each session, but in any case not alter than twenty-one days thereafter.

(b) It shall be the duty of the committee to oversee and uphold the privileges, laws and customs of the House as well as the responsibilities of Members of Parliament and standards of parliamentary conduct pursuant to subsection (1) subparagraph (e) of Section 77 of the Constitution. The orders on ABSENCE OF MEMBERS S.O. 77 and – PREMATURE PUBLICATION OF THE CONTENTS OF SELECT COMMITTEE REPORTS (S.O. 75) of the Standing Orders of the Sierra Leone Parliament; Sections 94, 95, 96 and part IV – RESPONSIBILITIES, PRIVILEGES AND IMMUNITIES of the constitution shall fall within the mandate of the Committee.

(c) The Committee shall also investigate and report on prima facie cases of contempt and breach of parliamentary privilege committed to it by the House.

(d) the powers of the Committee shall be pursuant to subsection (6) of Section 93 of the Constitution.

### **HUMAN RIGHTS COMMITTEE**

(12) (a) There shall be a Committee to be known as the “Human Rights Committee”, consisting of a maximum of sixteen Members, nominated by the Committee of Selection, for the approval of the plenary at the beginning of each session, or so soon thereafter as may be convenient.

(b) It shall be the duty of the Committee to protect and promote human rights in the country, through its receptivity to developments in human rights awareness internationally and by working in collaboration with domestic as well as international human rights bodies.

## **SUPERVISORY COMMITTEE**

(13) (a) A Supervisory Committee of all Committees, consisting of all leaders, chaired by the Majority Party Leader of the House with the Clerk of Parliament as Secretary, shall monitor the activities of all parliamentary committees to ensure the proper conduct of their mandate.

(b) Additional Committees to enhance Parliament's oversight of the Executive, consisting each, of sixteen Members, shall be nominated by the Committee of Selection, for the approval by the plenary at the beginning of each session, or so soon thereafter as may be convenient.

(c) The duty of the additional Committees shall be the oversight functions provided for in subsection (3) of Section 93 of the Constitution.

### **71. SPECIAL SELECT COMMITTEES**

(1) A Select Committee other than a Sessional Select Committee shall be known as a Special Select Committee. It shall be appointed by order of the House and shall consist of such Members as may be nominated by the Committee of Selection.

(2) Mr. Speaker may nominate the Chairman of any select Committee, but if no Chairman is nominated, the Committee shall have power to elect their own Chairman.

### **72. *Constitution of Select Committees***

(1) Pursuant to subsection (5) of Section 93 of the Constitution every Select Committee shall be so constituted as to ensure, so far as it is possible, that the strength of the political parties and Independent Members, (including Paramount Chiefs) in the House is reflected in the Committee.

(2) In the event of the death of a Member of a Committee, or if his seat becomes vacant for any other reason, the Committee of Selection, shall nominate another Member in his place for approval by the House, and in so doing shall observe the provisions of paragraph (1) of this Order.

### **73. *Procedure in Select Committees***

(1) Except where otherwise provided in S.O. No. 70 (Sessional Select Committees) this Order shall apply to all Select Committees.

(2) Save where it is otherwise provided in any Order, if the Chairman is unable to be present at any meeting, the Committee shall elect another Chairman whose tenure of office shall be for the day of his election.

(3) A Select Committee, except where it is expressly stated to the contrary in these Orders, shall have power to send for persons, papers and records, and shall have leave to report its opinion and observations, together with the minutes of evidence taken before it, to the House.

(4) Unless the House otherwise directs, or as specially provided in these orders, one third of the Membership shall be the quorum. In ascertaining whether there is a quorum present the Member in the Chair shall not be excluded.

(5) The deliberations of a Select Committee shall be confined to the matter referred to it by the House and 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 relevant amendments.

Provided that a select Committee may also select its own subjects for deliberation, and in the case of Oversight Committees for conduct of their oversight functions, and report to the House.

(6) The first meeting of a select Committee shall be held at such time and place as the Chairman or, if no Chairman has been nominated, Mr. Speaker shall appoint. Subsequent meetings shall be held at such time and place as the Committee may determine:

Provided that if the Committee fail to do so, the Chairman shall, in consultation with the Clerk of Parliament, appoint such time and place.

(7) Except by leave of the House no Select Committee may sit while the House is sitting, but a Select Committee may sit at any time when Parliament is adjourned for a short recess, and with the consent of the majority of its Members sit on days during which the House is adjourned sine die or a long recess.

(8) If the Committee desires to summon any witness, the Chairman shall supply the name, residence and occupation of every such witness to the Clerk of committee at least seven days before his evidence is required. The clerk of Committees shall then summon every such witness on behalf of the House.

(9) Any oath or affirmation taken or made by any witness before a Select Committee may be administered by the Chairman of such Committee or by the Clerk attending such Committee.

(10) The provisions of Select 104 Part IV of the Constitution Responsibilities, Privileges and Immunities – shall apply in connection with the privileges of witnesses in the giving of evidence before a Select Committee.

(11) The chairperson may examine the witness and at the conclusion of such

examination may ascertain from each member of the committee whether he wishes to further examine the witness.

(12) If during the examination of a witness there arises any matter on which the Select Committee may wish to deliberate before continuing with the examination, the witness shall be asked to withdraw until such time as the committee is ready to resume the examination.

(13) During the examination of a witness a member shall not offer debate nor shall he express his own opinion of that of the committee on the matter under discussion.

(14) A quest put to a witness by a member of the select committee may be objected to by any other member at any time before the question is actually answered on the grounds that it is improper or inadmissible and if the member is unwilling to acquiesce in this view the Chairperson shall direct the witness to withdraw in order that the matter may be decided by the committee.

(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 corrections as may be approved by the Chairman.

(16) The Committee may at its discretion refuse to hear irrelevant evidence or any recalcitrant witness.

(17) If a witness ascertains that he has unwittingly misled the committee or has made a misstatement of fact, he may submit further evidence giving such additional information as he may consider necessary

(18) (1) All counsel or other persons appearing before any select committee shall be bound to observe such direction and to conform to such rules as the chairperson may require.

(2) Counsel shall not be robed when appearing before a select committee.

(19) If any information comes before any select committee charging any member, the committee shall not proceed further upon such information but shall report it without delay to the House:

Provided that this rule shall not apply to a select committee appointed to inquire into the conduct of a member or members where such information has the effect of charging the member or members concerned.

(20) The meetings of select committees, other than the Standing Orders Committee, the Business Committee, the House Committee shall include public sessions. And the Committee shall have power to arrange for resource persons, including Members of Parliament, and resource groups such as parliamentary committees in joint committee sessions to attend its meetings.

(21) Where the House in any particular instance has resolved that the meetings of a Select Committee shall be public, the Chairman may, nevertheless, at any time, order all persons who are not members of the Committee to withdraw during the deliberations of the Committee.

(22) (a) Any Member of a Select Committee may bring up a report for its consideration, and all such reports shall be entered in full upon the minutes of proceedings of the Committee. When all the reports have been brought up, the Chairman shall propose the reports in order and until one is accepted as a basis for discussion, beginning with his own report and proceeding with the remainder in the order in which they were brought up. The question to be proposed by the Chairman on any report shall be "That the Chairman's or Mr. X's report be read a second time paragraph by paragraph". When this question has been agreed to, it shall not be proposed on any further reports, but any portions thereof may be offered as amendments to the report under consideration, if they are relevant to it.

(b) The Committee shall then proceed to go through the report paragraph by paragraph and paragraphs (1) to (11) of S.O. No. 53 (Procedure in Committee of the Whole House on a bill) shall apply to such consideration as if the report were a bill and the paragraphs thereof the clauses of the bill.

(c) A motion or an amendment moved by a member in a committee shall not require to be seconded.

(d) Upon the conclusion of the consideration of the report paragraph by paragraph and when all proposed new paragraphs have been considered the Chairman shall put the question that this report be the report of the Committee to the House.

(23) (1) Every report of a select committee shall include details of:

(a) the number of meetings held by the committee;

(b) the total time occupied by the committee during the course of its meetings; and

(c) the number of meetings attended by each member of the committee.



(24) The Committee Clerk shall be responsible for the custody of all papers, books, records or other documentary evidence produced to a select committee.

(25) Immediately on the rising of a committee the clerk shall report the adjournment thereof to the Clerk of Parliament.

(26) On a day prior to the next meeting of the committee, the Clerk to the Committee shall prepare and deliver to each member a written notice of the day and hour fixed for the next meeting.

#### **74. DIVISION IN SELECT COMMITTEES**

(1) Every question in a Select Committee shall be decided by a majority of the Members present; the Chairman shall have an original vote and in the event of an equality of votes shall have and exercise a casting vote.

(2) Every division in a Select Committee shall be taken by the Clerk to the Committee asking each Member of the Committee separately how he desires to vote and recording the votes accordingly.

(3) In taking the division, the names of all members of the Committee present shall be called in alphabetical order.

(4) When a division is claimed in a Select Committee every Member of the Committee present shall, unless he expressly states that he declines to vote, record his votes either for Ayes or Noes. The Clerk to the Committee shall enter in the Minutes of the proceedings the record of each Member's vote and shall add a Statement of the names of Members who declined to vote.

(5) As soon as the Clerk has collected the votes he shall state the number of Members voting for the Ayes and Noes respectively and the Chairman shall then declare the result of the division.

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

#### **75. *Premature Publication of Contents of Select Committee Reports***

(1) Evidence given before or any papers forming part of the records of a Select Committee may be printed for the exclusive information of the members of the committee but shall not be published before the proceedings of the committee are reported to Parliament.

(2) The evidence taken before any Select Committee and any documents presented to such Committee shall not be published by any member of such committee or by any other person before the Committee have presented their Report to the House

(3) Contravention of this order constitutes contempt of Parliament.

76. Report from Select Committees to the plenary

(1) Every select Committee shall make a report to the House upon the matters referred to them within the time frame stipulated by the House, or if no period is set, before the end of the session in which the Committee was appointed. But if the Committee find themselves unable to conclude their investigations before the end of the session, they may so report to the House.

(2) A Select Committee shall have leave to make a special report relating to the powers, functions and proceedings of the Committee or any matters which they may think fit to bring to the notice of the House.

(3) A report or special report together with the minutes of proceedings of a Select Committee and the minutes of any evidence taken before that Committee shall be presented to the House by the Chairman or other Member deputed by the committee and shall be ordered to lie upon the Table without question put. A copy shall be distributed to every Member by the clerk to the Committee.

(4) the minutes of proceedings of a committee shall record all proceedings upon the consideration of any report or bill in the committee and upon every amendment proposed to such report or bill, together with a note of any division taken in the Committee and of the names of members voting therein or declining to vote.

(5) The report of a select Committee may be taken into consideration on a motion "That the report of the Select Committee on ..... be adopted". Such a motion may be moved by any Member after one clear day's notice.

(6) Pursuant to subsection (2) of Section 107 of the Constitution, the Minister under whose portfolio the matter raised in a report falls shall be requested to offer a comprehensive response thereto in the House, within fourteen days after the dispatch of an adopted Select or Special Select Committee report to him./her.

**MISCELLANEOUS**

77. (Absence of Members) (Paragraph (e) of Subsection (1) of Section 77 of the Constitution)

(1) Any Member who for good cause is prevented from attending a sitting of Parliament shall acquaint the Speaker in writing as early as possible of his inability to attend and the cause thereof.

(2) (a) Any member who, without good cause, during any session, is absent from the sittings of parliament on a number of days amounting to an aggregate period or thirty days shall vacate his seat.

(b) For the purpose of this Order the expression “good cause” shall mean any urgent and pressing business which in the opinion of a committee shall constitute a reasonable excuse for such absence, and shall include ill health, illness in a Member’s immediate family, domestic affliction, absence on official delegations from the House or otherwise representing Government abroad; every such cause shall be substantiated by such evidence by witnesses, affidavits, medical certificates or otherwise as the Committee shall in the circumstances or each particular case consider requisite.

(c) Absence from sittings occurring during periods for which Mr. Speaker has granted permission shall not be counted in the computation of absence for the purpose of this order. For the avoidance of contention, however, a Member’s submission to the Committee of a written request to Mr. Speaker for leave of absence and a written approval of Mr. Speaker to that request will be admissible as reflective of good cause for his absence.

(d) Alternative to the mandate of the Committee on Privileges and Standards to address the conduct of Members Special Select Committees may be appointed by the House, from time to time, to decide on cases of absenteeism. Such Committees shall consist of the Speaker and members nominated by each Political Party and groups of Paramount Chiefs and Independent Members such as to reflect, as much as possible, the strength of the three groups in the House.

(e) If the Committees referred to in sub-paragraph (d) report that a Member has been absent for the period specified in sub-paragraph (a) without good cause, the Speaker shall declare his seat vacant, and this self-disciplinary measure, capturing the import and spirit of subsections (1) and (20) of section 94 and Section 97 of the Constitution shall be a privilege of Parliament.

#### ***78. Employment of Members in Professional Capacity***

No Member of parliament shall appear before the House or any Committee thereof as counsel or solicitor for any party or in any capacity for which he is to receive a fee or reward.

## **79. Strangers**

Strangers shall be admitted to witness debates in the Chamber and committee sittings under such rules as Mr. Speaker may make from time to time for that purpose, provided that where it is necessary that the deliberations be held “in camera” Mr. Speaker or the Chairman shall put forthwith the question “that strangers do withdraw” without permitting any debate or amendment. Notwithstanding anything in these Orders Mr. Speaker, or the Chairman may, whenever he thinks fit, order the withdrawal of strangers from any part of the House.

## **80. Press**

The Speaker may grant a general permission to the representative of any journal to attend the sittings of Parliament under such rules as he may make from time to time for that purpose. If such rules are contravened, such permission may be revoked.

## **81. Amendment of Standing Orders**

These Orders may be amended subject to the provisions of the Constitution and in accordance with the procedure set out in Standing Order 70 (3) – Standing Orders Committee.

## **82. Suspension of Standing Orders**

Any one or more of these standing Orders may, after notice, or with the leave of Mr. Speaker, be suspended on a motion made by a Member at any sitting.

## **83. Cases of doubt and cases not expressly provided for by these Orders**

(1) In cases of doubt and cases not expressly provided for by these Standing Orders or by other Orders of the House, such procedural questions shall be decided by the Speaker in consultation with the clerk of Parliament. And Mr. Speaker’s decision shall be final.

(2) the sad-decision in paragraph 91) may derive from the practices and procedures of other jurisdictions, but should be founded on the spirit of the customs and traditions of the Sierra Leone Parliament, compatible with current parliamentary experiences and developments in the Sierra Leone Parliament and reflective of a pursuit of best practice for good governance.