

MALTA

STANDING ORDERS OF THE HOUSE OF REPRESENTATIVES

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Form of Petition to the House of Representatives

**STANDING ORDERS
OF THE
HOUSE OF REPRESENTATIVES**

Pursuant to section 7 (3) of the Malta Independence Order, 1964,

**Being the Standing Orders of the Legislative Assembly established
under the Malta (Constitution) Order in Council, 1961, as in force on
21st September, 1964,**

**Amended and adapted by or as provided in the Malta Independence
Order of 1964, the Adaptation of Laws Order, 1965 (L.N. 46 of 1965),
the Constitution of Malta (Amendment) (NO. 2) Act, 1974 (Act No.
LVIII of 1974), the Adaptation of Laws Order, 1975 (L.N. 148 of
1975), and Resolution 198 of 1995.**

Interpretation.

Amended by : L.N. 46 of 1965; Res. 198 of 1995;

**1. - (1) In these Standing Orders, unless the context otherwise
requires -**

"the Chairman of Committees" means the Deputy Speaker acting
in that capacity;

"the Consolidated Fund" means the Consolidated Fund
established by section 105 of the Constitution;

"Constitution" means the Constitution of Malta;

"the Deputy Chairman" means the Deputy Chairman of
Committees appointed pursuant to Standing Order 154;

"the Deputy Speaker" means the Deputy Speaker and Chairman
of Committees of the House;

"dilatory motion" means a motion for the adjournment of the
House or of the debate or in committee that the Chairman do report
progress or do leave the Chair;

"the Gazette" means the Malta Government Gazette;

"the House" means the House of Representatives established by
section 52 of the Constitution;

"Leader of the House" means the Minister responsible for
Parliamentary Affairs;

"Malta" means the Island of Malta and its dependencies including the territorial waters thereof;

"Member" means a member of the House;

"Minister" means a member appointed as such pursuant to the provisions of section 81 of the Constitution;

"motion" includes amendment;

"session" means the sittings of the House commencing when the House first meets after being constituted under the Constitution, or after its prorogation or dissolution at any time, and terminating when the House is prorogued or is dissolved without having been prorogued;

"sitting" means a period during which the House is sitting continuously without adjournment and includes any period during which the House is in committee;

"the Speaker" means the Speaker of the House;

(2) Where a certain number of days' notice is required in order to permit of any business being transacted, in computing that number Sundays and public holidays shall not be included and the day on which the notice is given shall be counted but not the day on which the business is to be transacted.

Amended by: L.N. 46 of 1965

I. - Proceedings on the Opening of a new Parliament or Session

Proclamation to be read.

Amended by: L.N. 46 of 1965

2. On the first day of the meeting of a new Parliament for the despatch of business pursuant to the President of Malta's Proclamation, Members having met at the time and place appointed, the Clerk of the House shall read the Proclamation summoning Parliament.

Election of Speaker.

Amended by : L.N. 46 of 1965

3. When the House first meets after any general election and before it proceeds to the despatch of any other business it shall elect a person to be the Speaker of the House; and, if the office of Speaker falls vacant at any time before the next dissolution of Parliament, the House shall, as soon as practicable, elect another person to that office.

Election of Deputy Speaker.

Amended by: L.N. 46 of 1965

4. When the House first meets after any general election and before it proceeds to the despatch of any other business except the election of the Speaker, the House shall elect a Member of the House who is not a Minister or a Parliamentary Secretary to be the Deputy Speaker of the House; and, if the office of Deputy Speaker falls vacant at any time before the next dissolution of Parliament, the House shall, as soon as convenient, elect another Member to the office.

Members to take oath.

Amended by: L.N. 46 of 1965; L.N. 148 of 1975;

5. No Member of the House shall be permitted to take part in the proceedings of the House (other than proceedings necessary for the purposes of section 69 of the Constitution) until he has made before the House an oath or affirmation of allegiance in the form set out in the Third Schedule to the Constitution;

Provided that the election of the Speaker and Deputy Speaker may take place before the Members of the House have made such oath or affirmation.

President of Malta's speech.

6. (1) A Minister shall then inform the House at what time and place the President of Malta will declare the causes of his calling the House together; and the sitting shall without question put be suspended until that time.

(2) Upon the sitting being resumed the President of Malta will declare to the House the reasons for which it has been summoned.

Address in Reply to Speech.

7. (1) Notice of motion for an Address to the President of Malta in reply to His Excellency's speech shall then be given, and the motion shall be placed on the Orders of the Day for the next sitting.

(2) Not less than two days' notice shall be given of any amendment to the Address in Reply.

Debate thereon.

(3) The debate on the Address in Reply, together with any amendment thereon, shall be limited to three full sitting days the debate on each of such days terminating at 9 o'clock p.m. If a speech be not concluded at 9 o'clock p.m. it shall be within the discretion of the Speaker to permit the Member speaking to complete his speech, notwithstanding that the hour of 9 o'clock p.m. has arrived.

Unless the business has been sooner concluded, at 9 o'clock p.m. on the last of the days allotted, the Speaker shall, without any further amendment or debate, put forthwith the question on each amendment proposed, if any, and finally shall put the question for the adoption of the Address:

Provided that, on any of the days so allotted, formal business, the first reading of bills, or the asking and answering of questions may be taken up to 6 p.m. After 9 p.m. other business may be proceeded with as usual:

Provided further that until the Address in Reply is disposed of, no private business shall intervene.

Business under consideration at 6 p.m. on any of such allotted days shall be adjourned to another sitting day, unless disposed of after 9 p.m.

Nothing in the foregoing provisions shall be construed to prevent the interruption of the debate on the Address in Reply by the passage of any Financial Business; provided always that the time as above allotted for the consideration of the Address in Reply shall in no case be curtailed.

II - Sittings, Quorum, Adjournment and Closure

Days of meeting.

8. (1) Unless the House otherwise orders, the House shall meet at 5 o'clock in the afternoon on Monday and Thursday in each week (except upon public holidays) and on such other days and at such other hour as the House may from time to time determine, or as the Speaker may upon grounds of urgency appoint.

(2) Subject to the provisions of Standing Order 7 (3) Private Members' business shall have precedence over Government business on every alternate Thursday upon which the House sits.

Interruption of business.

9. The hour appointed for the interruption of business shall be 9 of the clock in the afternoon unless the House has otherwise ordered.

Proceedings after hour of interruption.

10. (1) Any opposed business not disposed of at the time for interruption of business shall stand over until the next sitting or until such other sitting day as the Member in charge thereof may appoint. If any dilatory motion has been proposed at that time, it shall lapse without question put. If the House has been in Committee the Chairman shall leave the Chair and make his report to the House.

(2) Provided always that on the interruption of business the closure may be moved; and, if moved, or if proceedings under the closure are in progress, Mr Speaker or the Chairman shall not leave the Chair until the questions consequent thereon, and on any further motion as provided in Standing Order 16 (closure of debate) have been decided.

(3) No opposed business shall be transacted after the hour appointed for the interruption of business.

(4) At the hour appointed for interruption of business or so soon thereafter as the business permitted under the foregoing provisions of this Standing Order has been disposed of, the adjournment of the House shall be moved, and if the House is still sitting at the expiration of half an hour after the interruption of business, the Speaker shall adjourn the House without putting any question.

Quorum.

Amended by: L.N. 46 of 1965.

11. (1) A quorum of the House shall consist of fifteen Members besides the person presiding at the sitting.

(2) If at any sitting of the House any Member who is present draws the attention of the person presiding at the sitting to the absence of a quorum and, after an interval of five minutes, the person presiding at the sitting ascertains that a quorum of the House is still not present the House shall be adjourned without question put until the next sitting day.

House failing to meet on appointed day.

12. In case the House from any cause whatever shall fail to meet upon any day appointed for its meeting, it shall thereupon stand adjourned until the next sitting day.

Adjournment on matters of definite urgent public importance.

13. (1) No motion for the adjournment of the House on a definite matter of urgent public importance shall be made unless a Member at the commencement of business (i.e. after questions and before motions or orders of the day, as the case may be) rises in his place and states that he asks leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, whereupon he shall state the matter and deliver to the Speaker a written statement on the subject to be discussed.

(2) The Speaker shall thereupon desire the Members who support the motion to rise in their places, and if not less than ten rise accordingly, the motion stands over until seven o'clock on the same day. If, however, fewer than ten and not less than five have so risen, the Member may, if he thinks fit, claim a division upon question put forthwith and decided without amendment or debate, to determine whether such motion may be made.

(3) No motion for adjournment under this Standing Order may be made during any debate.

(4) No discussion may be raised by this means upon matters under notice for discussion or standing as an order of the day or upon a matter of privilege, or upon a matter which cannot be debated save upon a specific motion.

(5) No motion may be moved under this Standing Order on a day allotted for the business of Supply.

(6) No second motion under this Standing Order may be moved on any day.

Restriction on dilatory motions

14. When a motion is made for the adjournment of a debate or of the House during a debate, or that the Chairman of a Committee do report progress or do leave the Chair, the debate thereupon shall be confined to the matter of such motion, and no Member having moved or seconded any such motion shall be entitled to move or second any similar motion during the same debate.

Dilatory motions in abuse of Standing Orders.

15. If the Speaker, or the Chairman of a Committee of the whole House, shall be of the opinion that a motion for the adjournment of a debate, or of the sitting during any debate, or that the Chairman do report progress or do leave the Chair is an abuse of the rules of the House, he may forthwith put the question thereupon from the Chair or he may decline to accept such motion.

Closure.

16. (1) After a question has been proposed and debated for not less than an hour a Member 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 the House, or an infringement of the rights of the minority, the question "That the question be now put" shall be put forthwith and decided without amendment or debate.

(2) When the motion "That the question be now put" has been carried, and the question consequent thereon has been decided, any further motion may be made (the assent of the Chair as aforesaid not having been withheld) which may be requisite to bring to a decision any question already proposed from the Chair; and also if a clause be then under consideration, a motion may be made (the assent of the Chair, as aforesaid, not having been withheld), that the question that certain words of the clause defined in the motion stand part of the clause or that the clause stand part of, or be added to, the bill be now put. Such motions shall be put forthwith, and decided without amendment or debate.

(3) Provided always that this rule shall not be put in

force:

(a) In the House, unless the Speaker or the Deputy Speaker is in the Chair; or

(b) In Committee of the whole House unless the Chairman or Deputy Chairman is in the Chair.

III. - Arrangement of Business of the House

Routine of business.

17. Unless the House otherwise directs and subject to the provisions of Standing Order 8 (2) relating to the reservation of time for Private Members' business, the business of each sitting shall be transacted in the following order:-

1. Prayers.
2. Minutes.
3. Oath of Allegiance of new Members
4. Petitions.
5. Questions.
6. Presentation of Papers and of Reports from Select Committees.
7. Request for leave to make a motion under Standing Order 13.
8. Motions in the name of a Minister relating to the business of the House.
9. Motions for the appointment of Select Committees and for the nomination of Members to serve thereon.
10. Motions for leave to introduce bills.
11. Orders of the day and notices of motions.

Orders of the day to be read.

18. At the time fixed for the commencement of public business, on days on which orders have precedence of notices of motions, and after notices of motions have been disposed of on all other days, the Speaker shall direct the Clerk at the Table to read the orders of the day without any question being put.

An order of the day is a stage of a bill or any motion which has been set down for any particular day in pursuance of an order of the House.

Order of business on Government days.

19. On days reserved for Government business the Government may arrange such business, whether orders of the day or notices of motions, in such order as they may think fit.

Orders of the day how disposed of.

20. Except by leave of the House, to be decided without amendment or debate, the orders of the day shall be disposed of in the order in which they stand upon the paper.

Questions to be decided by a majority of votes.

Amended by: L.N. 46 of 1965

21. (1) Save as otherwise provided in the Constitution all questions proposed for decision in the House shall be determined by a majority of the votes of the Members present and voting.

(2) The Speaker shall not have an original vote, but, if upon any question before the House the votes are equally divided, he shall have and exercise a casting vote.

(3) Any other person shall, when presiding in the House retain his original vote as a Member and, if upon any question before the House the votes are equally divided, shall also have and exercise a casting vote.

Mode of giving notice.

22. Notice of a question or motion shall be given by delivering a copy thereof to the Clerk at the Table. Such copy shall be fairly written, and shall bear the signature of the Member who will bring it on. At least three days' notice shall be given for a question or for a motion.

Notices etc. for next ensuing session.

23. When the House is prorogued, notices of motion or other business which any Member shall intend to bring before the House at the next ensuing session thereof, may be delivered or transmitted by such Member to the Clerk for publication as hereinafter mentioned.

Revision of notices by Speaker.

24. Any notice which contains unbecoming expressions or offends against any Standing Order of the House may be amended or disallowed by the Speaker before it appears on the Order Paper.

Same motion cannot be proposed again in same session.

25. No motion shall be proposed which is the same in substance as any motion which during the current session has been resolved in the affirmative or negative.

Questions may be put.

26. (1) Questions may be put at the commencement of public business to any Minister relating to public affairs or to any other Member relating to any business of the House for which such Minister or Member is responsible.

Time for asking questions.

(2) No question shall be taken after one hour has elapsed from the time appointed for the commencement of the sitting:

Provided that no question shall be taken after 6 o'clock in the afternoon.

Rules regarding questions and answers.

27. The proper object of a question shall be to obtain information on a matter of fact within the special cognizance of the Member to whom it is addressed.

The right to ask questions shall be governed by the following rules:-

(1) A question shall not publish any name or statement not strictly necessary to make the question intelligible;

(2) If a question contains a statement, the Member asking it shall make himself responsible for the accuracy of the statement;

(3) A question shall not contain any argument, opinion, inference, imputation, epithet or ironical expression;

(4) A question shall not be asked about proceedings in a Committee which have not been placed before the House by a Report from the Committee;

(5) A question shall not ask for an expression of opinion or for the solution of an abstract legal question or of a hypothetical proposition;

(6) A question shall not be asked as to the character or conduct of any person except in his official or public capacity;

(7) A question reflecting on the character or conduct of any person whose conduct can only be challenged on a substantive motion shall not be asked;

(8) A question making or implying a charge of a personal character shall be disallowed;

(9) A question fully answered cannot be asked again.

Questions for oral answer.

28. Any Member desiring an oral answer to his questions shall distinguish it by an asterisk.

Number of questions allowed.

29. Not more than six questions for oral answer shall be given notice of by the same Member for the same day:

Provided that any questions left unanswered through no fault of the questioning Member shall not debar the same Member from giving notice of six other questions for the same day to which the unanswered questions shall have been postponed.

Questions may be asked by deputy.

30. A question shall be asked by the Member in whose name it stands or by some Member deputed on his behalf.

Mode of asking questions.

31. When the time for asking questions arrives, the Speaker shall call successively each Member in whose name a question appears on the Notice Paper. The Member so called shall rise in his place and ask the question by referring thereto by its number on the Order Paper.

Questions answered verbally or in writing.

32. If any Member does not distinguish his question by an asterisk, or if he or any other Member deputed by him is not present to ask it or if it is not reached by the time appointed in Standing Order 26 (2) the Member to whom it is addressed shall cause a written answer to be delivered to the Member in whose name the question stands and such answer shall be printed in the official report of the parliamentary debates, unless the Member in whose name the question stands shall have signified his desire to postpone the question.

Motions may be moved for absent Members.

33. A Member may, if so authorised by another Member not then present, postpone or move a motion or an order of the day in the absence of the Member in charge thereof.

No motion to be moved on day of notice.

34. (1) No motion shall be moved on the same day on which the notice is given except as provided by Standing Order 13.

When motion is to be considered as withdrawn.

(2) A motion shall be considered as withdrawn if it is not moved within one month from the day on which the notice was given, unless the notice be renewed.

Motions without notice.

35. Every motion requires notice unless it falls within one of the following excepted cases:-

(1) a motion by way of amendment to a question already proposed from the Chair;

(2) a motion for the adjournment of the House or of the debate, or that the question be put or be not now put or a motion in committee to report progress or that the Chairman leave the Chair;

(3) a motion raising a question of privilege;

(4) a motion for discharging a Member from attendance on a committee;

(5) certain motions of a formal or uncontentious character, namely:-

(a) for the postponement, revival or discharge of an order of the day;

(b) for the appointment of a committee of the whole House on a future day;

(c) for the consideration of a message from the President of Malta;

(6) cases in which objection is not taken by any Member:

Provided that the Speaker or the Chairman of Committees may refuse to accept a substantive motion of which notice has not been given:

Provided also that the terms of a substantive motion of which notice has not been given shall be handed to the Clerk at the Table in writing signed by the proposer before it is moved.

Questions of privilege.

36. A motion on a matter of privilege arising during the sitting of the House is entitled to precedence over all other business.

A motion on a matter of privilege not arising during the sitting of the House shall be made on the earliest opportunity and may be made before the commencement of public business.

Motions not requiring to be seconded.

37. A motion in committee or an order of the day or a motion of a formal character does not require a seconder.

When motions lapse.

38. If a Member be not in his place when the motion which stands in his name is called on, or should he fail to rise and move the same when called upon by the Speaker, the same shall lapse, unless some other Member duly authorised by him moves it in his stead.

Motions or amendments may be withdrawn.

39. A Member who has made an amendment or a motion may withdraw the same by leave of the House to be decided without amendment or debate. When an amendment has been proposed to a motion, the original motion cannot be withdrawn until the amendment has been first disposed of.

Motion withdrawn may be again offered.

40. A motion which has been withdrawn by leave of the House or is to be considered as withdrawn under Standing Order 34 (2) may be made again during the current session on notice given.

When motions are superseded.

41. A motion may be superseded by -

- (a) a motion "That the House do now adjourn";
- (b) the previous question, that is to say a motion "That that question be not now put";
- (c) a motion "That the House do proceed to the Orders of the Day":

Provided that the previous question cannot be moved in any committee, or on any amendment, or on a motion relating to the transaction of public business or the meeting of the House; provided also that if the previous question be resolved in the negative the original question shall be put forthwith without any amendment or debate.

Debate interrupted or superseded may be revived.

42. The debate upon a question interrupted or superseded whether in the House, or in committee of the whole House, may be revived, and the motion or order returned to the order paper for a future day on motion upon notice.

Mode of proposing and putting motion.

43. (1) When a motion has been made, and, if necessary seconded, the Speaker or the Chairman proposes the question for consideration, and, after debate (if any), puts it for the decision of the House or the committee.

(2) If a motion embodies two or more separate propositions, those propositions may be proposed or put by the Speaker or the Chairman as separate questions.

Power of selection.

44. In respect of any motion or in respect of any bill under consideration in committee the Speaker or the Chairman of Committees shall have power to select the amendments or new clauses to be proposed, and may call upon any Member who has given notice of an amendment to give such explanation of the subject of the amendment as may enable him to form a judgement upon it.

IV. - Order in the House

Member to address himself to the Chair.

45. Every Member desiring to speak shall rise in his place and address himself to the Speaker or the Chairman as the case may be.

When two or more Members rise to speak.

46. When a Member rises to speak he shall be called by the Speaker or the Chairman as the case may be, and if more than one Member rise at the same time the Member who is so called shall be entitled to speak. Members whilst speaking shall address themselves to the Chair.

Member not to read his speech.

47. A Member shall not read his speech, but may refresh his memory by reference to notes.

Members to speak to question.

48. Debate must be relevant to the matter or question before the House or the committee and, where more than one question has been proposed the debate must be relevant to the last question proposed until it has been disposed of:

Provided that a Member may rise to speak on a point of order, or on a question of privilege suddenly arising.

Time limit of speeches.

49. No Member shall speak for more than 40 minutes at a time in any debate in the House except on a direct motion of want of confidence, when a Member shall be at liberty to speak for one hour:

Provided that this rule shall not apply to a Minister delivering the Financial Statements, or to the Leader of the Opposition or any Member deputed by him to speak first in reply to such a Statement, who shall each be at liberty to speak for one hour and a half:

Provided also that this rule shall not apply to a Member moving the second reading of a bill, or to the Prime Minister or to the Leader of the Opposition or any Member deputed by them respectively to speak first in reply to such motion, who shall each be at liberty to speak for one hour and a half:

Provided also that the speech in reply, when such reply is permitted, of a Member who has moved a motion shall not exceed half an hour:

Provided further that with the consent of the House, to be determined without debate, a Member may be heard for a further period not exceeding thirty minutes:

Provided however that nothing in the foregoing provisions shall be construed to suspend any of the Standing Orders of the House relative to the closure or irrelevance and repetition.

Personal explanation.

50. With the permission of the Speaker, a Member may explain matters of a personal nature, although there be no question before the House, but such matters may not be debated and he must confine himself strictly to the vindication of his own conduct.

Reserved speech

51. A Member who has moved or seconded a motion (except a motion for adjournment or an amendment) before the House without speaking to it, may address the House upon the subject of such motion at any subsequent period of the debate.

Member may not speak twice to a question.

52. Except in committee, or in exercise of a right of reply, a Member may not speak more than once to the same question.

When a reply is allowed.

53. A right of reply is only allowed to a Member who has moved a substantive motion, not including an amendment to such a motion, or who has moved an order of the day, or who has presented the financial statement.

No Member shall speak after the reply of the mover of a motion.

Debate ceases when question fully put.

54. No Member may speak on a question after it has been fully put, that is to say, after the Speaker or the Chairman has collected the voices both of the Ayes and the Noes thereon.

Reflections upon votes of House.

55. No Member shall speak against or reflect upon any vote of the House except for the purpose of moving that such vote be rescinded on due notice.

Members to sit down when Speaker or Chairman rises during debate.

56. Whenever the Speaker or the Chairman rises during a debate, any Member then speaking or offering to speak shall sit down, and the Member shall be silent so that the Speaker or the Chairman, as the case may be, may be heard without interruption.

Irrelevance or repetition.

57. The Speaker or the Chairman after 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 of his own argument or of the arguments used by other Members in debate, may direct him to discontinue his speech.

Motion that Member be not heard etc.

58. A motion may, however, be made that a Member who has risen "be now heard"; or that a Member who is speaking "be not heard" or "be not further heard".

This motion if accepted by the Speaker or the Chairman of Committee shall be put forthwith and decided without amendment or debate.

Use of President of Malta's name forbidden.

Amended by: L.N. 46 of 1965

59. No Member shall use the name of the President of Malta or that of the Acting President of Malta disrespectfully in debates, nor for the purpose of influencing the House in its deliberations.

Offensive words against the House or a Member.

60. No Member shall use offensive or unbecoming words against the character or proceedings of the House or in reference to any Member thereof. No bad motive shall be attributed to any Member.

Members not retracting, how dealt with.

61. Any Member having used objectionable words and not retracting the same, or offering apologies for the use thereof, to the satisfaction of the House, shall be censured or otherwise dealt with as the

House may think fit, and any Member called to order shall sit down unless permitted to explain.

Proceedings upon questions of order.

62. Upon a question of order being raised in the House, the Member called to order shall resume his seat and after the question of order has been stated to the Speaker by the Member rising to the question of order, the Speaker shall give his ruling thereon and such ruling shall not be questioned during that sitting; provided that it shall be competent for any Member by motion made after notice and within two days of the giving of such ruling, to move that such ruling of the Speaker be reviewed and reported upon the House; such report shall be entered in the minutes of the proceedings of the House.

Disorderly conduct in House, how dealt with.

63. (1) The Speaker or the Chairman may order any Member whose conduct is grossly disorderly to withdraw immediately from the House during the remainder of that day's sitting; and the Serjeant-at-Arms or other officer authorised by the Speaker shall act on such orders as he may receive from the Chair in pursuance of this Standing Order.

Speaker may name a Member.

(2) If however on any occasion the Speaker or the Chairman deems that the powers conferred under this Standing Order are inadequate to deal with the offence, he may in accordance with the next following Standing Order name such Member; or he may call on the House to adjudge upon his conduct. Before the House adjudges on the conduct of a Member he may be allowed to make a brief statement of the grounds on which he relies to exculpate himself.

Members suspended to withdraw.

(3) Members ordered to withdraw in pursuance of this Standing Order or who are suspended from the service of the House in pursuance of the next following Standing Order, shall forthwith withdraw from the precincts of the House.

Member named by the Speaker, how dealt with.

64. (1) Whenever any Member shall have been named by the Speaker or the Chairman immediately after the commission of the offence of disregarding the authority of the Chair or of abusing the rules of the House by persistently and wilfully obstructing the business of the House or otherwise, then, if the offence has been committed by such Member in the House, the Speaker shall forthwith put the question, on a motion being made, no amendment, adjournment or debate being allowed. "That such Member (naming him) be suspended from the service of the House"; and if the offence has been committed in a Committee of the whole House, the

Chairman shall forthwith suspend the proceedings of the Committee and report the circumstances to the House; and the Speaker shall thereupon put the same question on a motion being made, without amendment, adjournment or debate, as if the offence had been committed in the House itself. If any Member be suspended under this order, his suspension on the first occasion shall continue for a week, on the second occasion for a fortnight and on the third or any subsequent occasion for one month.

Member may apologize.

(2) Provided that on receiving from the Member so suspended a written and approved expression of regret, to be entered in the minutes of the proceedings of the House, the Speaker shall lay the same before the House and on motion made forthwith put the question for the discharge of the order of suspension without amendment or adjournment, whereupon, if the question passes in the affirmative, the order shall be discharged and the Member readmitted; provided always that suspension from the service of the House shall not exempt the Member so suspended from serving on any Select Committee to sit on which he may have been appointed previous to his suspension; provided also that not more than one Member shall be named at the same time, unless several Members present together, have jointly disregarded the authority of the Chair.

Member to withdraw while his conduct is under debate.

65. Every Member against whom any charge has been made, having been heard in his place, shall withdraw while such charge is under debate.

Contempt.

66. Any Member who shall wilfully disobey any lawful order of the House, and any Member who shall wilfully or vexatiously interrupt the orderly conduct of business of the House shall be guilty of contempt.

Members guilty of contempt, how dealt with.

67. Any Member guilty of contempt as contemplated in the preceding Standing Order may be ordered by the House to quit immediately the Chamber and may be prohibited from entering it during the whole sitting. The Serjeant-at-Arms or other officer authorised by the Speaker, shall act on such orders as he may receive from the House, in pursuance of this Standing Order.

Power of Speaker to adjourn House or suspend sitting.

68. In the case of great disorder arising in the House the Speaker may, if he thinks it necessary to do so, adjourn the House without question put or suspend any sitting for a time to be named by him.

V. - Financial Business

Recommendation by President of Malta, when required.

Added by: L.N. 46 of 1965.

69. Except on the recommendation of the President of Malta signified by a Minister, the House shall not -

(a) proceed upon any Bill (including any amendment to a Bill) that, in the opinion of the person presiding in the House, makes provision for imposing or increasing any tax, for imposing or increasing any charge on the revenues or other funds of Malta, or for altering any such charge otherwise than by reducing it, or for compounding or remitting any debt due to Malta;

(b) proceed upon any motion (including any amendment to a motion) the effect of which, in the opinion of the person presiding in the House, would be to make provision for any of the purposes aforesaid;

(c) receive any petition which, in the opinion of the person presiding in the House, requests that provision be made for any of the purposes aforesaid.

President of Malta's recommendation, how communicated.

70. Every recommendation by the President of Malta shall be communicated by a Minister in the following terms: "His Excellency the President of Malta, having been informed of the subject matter of the proposed Bill (or vote or resolution) recommends it to the consideration of the House", and the same shall be so entered in the minutes of the proceedings of the House.

VI. - Financial Business - Supply

Redress of grievances may be considered.

71. (1) On the occasion of a motion that the House do resolve itself into a Committee of Supply for the consideration of the General Estimates or of any Supplementary Estimate (whether consisting of one or more heads) redress of grievances may be considered and general discussion of the policy of the Government may take place and amendments may be moved to the formal question that the Speaker should leave the Chair.

When Speaker leaves the Chair without question put.

(2) On all other occasions whenever the Committee of Supply stands as an order of the day for the continuation of the discussion of an Estimate, the Speaker shall leave the Chair without question put and

the House shall forthwith resolve itself into a Committee of Supply to consider such Estimate.

Financial Statement.

(3) (a) On the day the General Estimates are laid on the Table, the Minister in charge shall make his Financial Statement, and move that the House do consider the Estimates in Committee of Supply.

The debate shall then be adjourned for not less than a week.

Motion to go into Committee of Supply.

(b) The debate on the motion to go into Committee of Supply shall not exceed two days (not including the day on which the Financial Statement is delivered).

Sittings allotted for consideration of estimates.

(c) Not more than seven sittings shall be allotted for the consideration of the General Estimates in Committee of Supply.

The days so allotted shall not include any day on which the business of supply does not stand as the first Order of the Day.

On motion made after notice, to be decided without amendment or debate, additional time, not exceeding three days, may be allotted for the business of Supply.

No motions to be taken.

(d) On the days allotted for the business of Supply no motion (other than formal motions) shall be taken until after the consideration of Supply, and no motions under Standing Order 13 shall be entertained.

At 9 p.m. the Chairman reports progress.

(e) On the days allotted for the business of Supply, at 9 o'clock p.m. the Chairman shall leave the Chair without question put, and make his report to the House; provided that if a question on any vote is then being decided, by division, or a motion of closure has been moved on any question, the Chairman shall not leave the Chair till such division has been taken or the motion of closure and any subsequent questions that may arise thereon have been decided.

At 9 p.m. on last day question put on all remaining votes.

(f) At 9 o'clock p.m. on the last of the days so allotted, the Chairman shall forthwith put the question then under consideration and shall then proceed to put the question on the remaining votes of the Estimates one by one, all such questions to be decided without amendment

or debate. He shall then leave the Chair, without question put, and make his report to the House.

Procedure in Committee of Supply.

72. When a motion is made in Committee of Supply to omit or reduce any item of a vote, the question is proposed from the Chair for omitting or reducing that item accordingly, and Members shall speak to that question only, until it has been disposed of; but in the debate reference may be made to other items in the Estimates in order to explain or illustrate the question under discussion.

Motion for largest reduction first put.

73. When more than one reduction is moved in any vote, or item of a vote the question shall first be proposed from the Chair on the largest reduction.

Order in which motions are to be taken.

74. When several motions are offered they shall be taken in the order in which the items to which they relate appear in the printed Estimates.

No debate allowed on preceding items.

75. After a question has been proposed from the Chair for omitting or reducing any item, no motion shall be made or debate allowed upon any preceding item.

Question on original or reduced vote.

76. When it has been proposed to omit or reduce items in a vote, the question shall be afterwards put upon the original vote, or upon the reduced vote, as the case may be.

Destination of votes cannot be altered.

77. The Committee cannot attach a condition or an expression of opinion to a vote nor alter its destination.

Vote may be postponed.

78. It shall be in order, at any time during the discussion of a vote or item in a vote, to move the postponement of such vote, provided such postponement be only until the reminder of the votes of the Estimates in question shall have been disposed of.

Manner in which reductions are moved.

79. An amendment including more than one item cannot be proposed by way of reduction of an item, but must be moved as a reduction of the whole vote.

Vote or item agreed to cannot be debated.

80. When an item or vote has been disposed of, it shall not be competent again to debate the same on a new or subsequent item then under consideration, except for the purpose of explaining or illustrating the question under discussion.

Report from Committee of Supply.

81. When all the supply grants necessary for the service of the year have been voted by the Committee of Supply, a resolution is moved in that Committee authorising the Chairman to report accordingly.

Estimates reported.

82. On the Speaker resuming the Chair the Chairman shall report that the Committee has agreed to the Estimates with or without amendment.

Appropriation Bill.

A resolution shall then be moved authorising the grant out of the Consolidated Fund of the money, or the balance of the money, required and ordering the Minister of Finance or other Minister to bring in the Appropriation Bill. When such Bill is presented it shall be deemed to have been read a first time and shall be printed.

VII. - Divisions

Division may be demanded by a Member.

83. After the Speaker or the Chairman in the Committee of the whole House shall have declared the result of the putting of any question, any Member who has given his voice with those who are according to such declaration in the minority, may demand a division of the House upon that question, whereupon a division shall without debate take place unless it shall appear to the Chair that such a demand is unnecessarily claimed.

Division, how taken.

84. After the lapse of twenty minutes the Speaker or Chairman thereupon puts the question a second time and declares whether in his opinion the "Ayes" or the "Noes" have it. If his decision is challenged and if he thinks that a decision is unnecessarily claimed he may take the vote by calling successively upon the Members who support and upon the Members who challenge his decision to rise in their places. He may

thereupon either declare the determination of the House or the Committee, or order the division to proceed whereupon the doors shall be locked:

Provided that the time occupied in taking divisions shall be added to the time appointed for the interruption of business.

Votes shall be taken openly.

85. A Member is not obliged to vote. Votes shall be taken openly and entered in the minutes of the proceedings of the House. The Speaker or the Chairman, as the case be, shall forthwith declare to the House the result of the division and shall state the number of the "Ayes" and of the "Noes".

In case of confusion or error House divide again.

86. In case of confusion or error occurring concerning the numbers reported, the House shall proceed to another division unless the same can be otherwise corrected.

Mistakes corrected in report.

87. If the numbers have been inaccurately reported or an error occurs in the names on the division report, the House on being informed thereof shall order the report to be corrected.

Member may not vote unless present when question is put.

88. No Member shall be entitled to vote in any division unless he is present in the House when the question is put for the second time.

No Member pecuniary interested may vote.

89. No Member shall be entitled to vote in the House or in the Committee of the whole House or appointed by the House upon any question in which he has a direct pecuniary interest.

On a motion of which notice has been duly given it shall be lawful for the House to suspend any Member who has voted upon any such question from attending its sittings for the rest of the session.

Every Member, however, shall be entitled to vote upon any question relating to personal emoluments or parliamentary allowance to which he might be entitled.

VIII. - Bills

Enactments in English and Maltese

Amended by: L.N. 46 of 1965.

90. Every law shall be enacted in both the English and the Maltese languages and, if there is any conflict between the English and the Maltese texts of any law, the Maltese text shall prevail.

Introduction of a Bill.

91. Subject to the provisions of Standing Order 82 every Bill shall be brought in upon motion made and question put "that leave be given to bring in such a Bill", unless it be brought up by a committee appointed to draft the same in accordance with a resolution of the House.

First reading and printing.

92. Should leave be given to bring in any Bill, the Bill shall be deemed to have been read the first time, and upon a fair copy being given to the Clerk shall be printed.

Stages of Bills.

93. Under no circumstances, except as herein below provided, shall more than one stage of a Bill be taken at the same sitting if any Member shall object thereto:

Provided that Bills of an urgent nature may, by leave of the House, be passed with unusual expedition through their several stages.

Publication of Bills in Gazette.

94. When a day has been fixed for the second reading of any Bill the Clerk of the House shall transmit or deliver to each Member of the House a printed copy of such Bill and shall also cause it to be published in the Malta Government Gazette if not already so published.

Amendments to second reading.

95. (1) Motions may be made to amend the motion for the second reading of a Bill by leaving out all or some of the words after "that" and substituting words which state some special reason against the second reading of the Bill, or by leaving out "now" and adding at the end of the motion "upon this day six months" or other time.

Principle of Bill discussed on second reading.

(2) Only the principle of a Bill, as distinguished from its details, shall be discussed on the motion for second reading, or on any amendment thereto.

Bill committed after second reading.

Substituted by: Res. 198 of 1995

96. (1) Saving the provisions of Standing Orders 71 to 82 and of paragraph (4) hereof, when a Bill has been read a second time it shall stand committed to a Committee of the Whole House unless the House on a motion which may be moved without notice and which shall be decided without amendment or debate orders it to be referred to a select or standing committee:

Provided that no Bill shall be referred to a select or standing committee as aforesaid if that Bill provides for the appropriation of funds from the Consolidated Fund or provides that any expenses shall be a charge on the said fund without the need of any further appropriation other than the provisions thereof.

(2) If the motion made under paragraph (1) of this Standing Order is not carried, the Speaker shall forthwith declare that the Bill stands committed to a Committee of the Whole House.

(3) The provisions of Standing Order 120B shall *mutatis mutandis* apply to the composition and the appointment of members on a select or standing committee appointed on a motion moved in accordance with paragraph (1) of this Standing Order.

(4) Notwithstanding the provisions of the previous paragraphs of this Standing Order a motion to commit a Bill amending the Constitution or a Bill as is referred to in paragraph (a) of Section 73 of the Constitution shall not be carried if objection is taken by any member present.

House resolves itself into a Committee on Bill.

97. On the order of the day being read for the Committee on a Bill the Speaker shall leave the Chair without question put, and the House shall thereupon resolve itself into Committee.

Clauses read in Committee.

98. The Chairman upon seating himself at the Table will proceed to read the number and the marginal note of each clause in succession. The preamble of the Bill stands postponed until after the consideration of the clauses and schedules, if any, without question put.

What amendments admissible.

99. It shall be an instruction to all Committees of the House to which Bills may be committed that they have power to make such amendments therein as they shall think fit, provided they be relevant to the subject matter of the Bill; but that if any such amendments shall not be within the title of the Bill they do amend the title accordingly, and do report the same specially to the House.

Principle not discussed in Committee.

100. The principle of the Bill shall not be discussed in Committee but only its details.

New clauses in Committee.

101. Upon a new clause being moved in Committee the Clerk at the Table shall read the marginal note of the clause and it is then deemed to have been read the first time. The question is then proposed that it be read a second time.

Report of progress.

102. If the consideration of a Bill in Committee of the whole House is not completed by the time at which business is required to be interrupted the Chairman shall report progress and ask leave to sit again.

The Chairman may also on motion made, be ordered to report progress at any previous time.

Report of Bill.

103. At the close of the proceedings of a Committee of the House on a Bill, the Chairman shall be directed to report the Bill to the House with or without amendment; and in case such Bill shall be reported with amendments the House may order that the Bill be forthwith reprinted with all amendments thereto, and that a copy thereof be delivered to every Member.

Recommittal.

104. When a Bill has been reported with or without amendments, it shall be ordered to be read a third time on such day as may be appointed by the House, unless the Member in charge thereof shall desire to postpone its consideration or a motion shall be made to recommit the Bill either wholly or only in respect of particular provisions or proposed provisions which shall be named by the Member responsible in his motion.

When recommitment is opposed.

If a motion to recommit a Bill be opposed the Speaker shall permit a brief explanatory statement of the reasons for such recommitment from the member who moves and from a member who opposes any such motion respectively, and shall without further debate put the question thereon.

Amendments on recommitment or third reading.

105. No amendment not being merely verbal shall be made to any Bill on the third reading, but the Bill may be re-committed on motion made or the same amendments may be offered as on the second reading (see Standing Order 95 "Amendments to second reading").

No discussion on third reading.

No discussion shall be allowed on the third reading stage of any Bill except for proposing verbal amendments.

Reading of Bills.

106. On the order for the first, second and third reading of a Bill, the Clerk shall read only the title thereof and no more.

Same Bill not to be twice offered in same session.

107. When a Bill is ultimately passed, or has been rejected, no Bill of the same substance shall be introduced again during the current session.

IX. - Committees of the Whole House

Chairman of Committees.

108. The Deputy Speaker shall be the Chairman of Committees of the whole House. In his absence the Deputy Chairman, or such other Member as the House may appoint, shall take the Chair.

House resolves itself into Committee.

109. A Committee of the whole House is appointed by resolution "That this House do now resolve itself into a Committee" except in the cases provided for in Standing Orders 71 (2), 97 and 102.

Quorum

110. The quorum in Committee of the whole House shall consist of the same number of Members as shall be requisite to form a quorum of the House.

Absence of quorum.

111. If objection is taken by any Member present or if it shall appear upon a division in Committee of the whole House that a quorum of Members is not present, the presiding Member shall leave the Chair and the Speaker shall resume the Chair.

Report of no quorum to Speaker.

Amended by: L.N. 46 of 1965

112. When the Chairman of a Committee of the whole House shall report that 15 Members, exclusive of himself, are not present the Speaker shall resume the Chair and shall, at the expiration of five minutes,

count the House, and if 15 Members, exclusive of the Speaker, be not present, he shall adjourn the House, without question first put, till the next sitting day, and the hour of such adjournment and also the names of the Members present shall be entered in the minutes of the proceedings of the House, and if 16 Members, exclusive of the Speaker, be present the House shall again resolve itself into Committee, but if 15 Members, exclusive of the Speaker, be present, the House may proceed with other business.

Procedure in Committee.

113. Except as otherwise provided the rules as to procedure in Committee of the whole House are those which apply to procedure when the Speaker is in the Chair, except that: -

- (1) a motion need not be seconded;
- (2) the previous question cannot be moved;
- (3) a Member may speak more than once on the same question.

Committee may only consider matters referred to it.

114. A Committee of the whole House shall only consider such matters as shall have been referred to it by the House.

Motion to report progress.

115. A motion may be made during the proceedings of a Committee of the whole House "That the Chairman do report progress and ask leave to sit again", or "that the Chairman do now leave the Chair", but if the Chairman shall be of the opinion that the motion is an abuse of the rules of the House he may forthwith put the question thereupon from the Chair, or he may decline to propose the question thereupon to the Committee.

Report to the House.

116. Subject to the provisions of Standing Order 103, when all matters referred to a Committee of the whole House shall have been considered, the Chairman shall leave the Chair without question put and shall report the same to the House.

Report of progress.

117. When all such matters have not been considered the Chairman shall report progress and ask leave to sit again.

Report how brought up.

118. Every report from a Committee of the whole House shall be brought up without any question being put.

In case of disorder Speaker resumes the Chair.

119. If any disorder shall arise in Committee of the whole House the Speaker shall resume the Chair without any question being put.

Speaker to resume the Chair in case of message from President of Malta.

120. The Speaker shall also resume the Chair if a message be announced from His Excellency the President of Malta.

IX A. Standing Committees

Appointment of Standing Committees.

Added by: Res. 198 of 1995

120A. As soon as may be, and in any case not later than one month after the House first meets after any general election, it shall appoint the following Standing Committees:-

- (i) The Standing Committee on House Business;
- (ii) The Standing Committee on Privileges;
- (iii) The Public Accounts Committee;
- (iv) The Committee on Foreign and European Affairs; and
- (v) The Social Affairs Committee.

Other Standing Committees.

Added by: Res. 198 of 1995

120B. (1) In addition to the Standing Committees listed in Standing Order 120A, the House may, on motion made after notice, appoint such Standing Committee as may be necessary for the consideration of Bills or other business committed or referred by the House to a Standing Committee.

(2) A motion as is referred to in paragraph (1) of this Standing Order shall:

(a) fix the number of members to serve on the Standing Committee which is to be so composed in such manner as appears practicable to the House as fairly to represent the House in general and the proportion of Government and Opposition members in the House in particular; and

(b) name the Chairman who shall preside the Standing Committee.

(3) Each side of the House shall nominate the members representing it on a Standing Committee, and shall also nominate alternate members for any members so appointed. The members and alternate members representing the Government side shall be nominated by the Leader of the House while the members and alternate members representing the Opposition side shall be nominated by the Leader of the Opposition. The name of members and alternate members so nominated and appointed by the House shall be recorded in the Minutes of the sitting.

(4) Each side of the House may substitute any member or alternate member nominated by it in accordance with paragraph (3) hereof to represent it on a Standing Committee. Such substitution shall only have effect after the Speaker is notified therewith. The Speaker shall, at the first available opportunity, notify the House, or, if the House is in recess, the Standing Committee on House Business.

(5) Government Bills referred to a Standing Committee shall have precedence over the other business of the Standing Committee and shall unless otherwise ordered by the House, be considered in such order as the Standing Committee on House Business may determine.

Standing Committee on House Business.

Added by: Res. 198 of 1995

120C.(1) Unless otherwise determined by the House, the Standing Committee on House Business, shall have power to:

(a) distribute Bills and other business among the Standing Committees appointed in accordance with the provisions of Standing Orders 96, 120A and 120B;

(b) (i) determine the number of sittings to be allotted for the consideration of a Bill by a Standing Committee;

(ii) allocate business to each sitting of a Standing Committee; and

(iii) determine the time when any business, if not previously concluded, shall be concluded by a Standing Committee; and

(c) consider all matters of procedure and business of the House, and report its opinion thereon to the House from time to time.

(2) A report of all resolutions carried by the Standing Committee on House Business shall be made to the House at the next sitting after a resolution is carried, immediately after Question time, and shall be recorded in the Minutes of the proceedings of the House.

(3) (a) The Standing Committee on House Business shall be constituted of the Leader of the House, two members nominated by the Prime Minister and two members nominated by the Leader of the Opposition.

(b) Three members in attendance shall constitute a quorum.

(4) Alternate members shall also be appointed for each member of the Standing Committee on House Business and the provisions of paragraph (4) of Standing Order 120B shall also apply.

(5) The Standing Committee on House Business shall be chaired by the Speaker who shall not vote unless on any question the votes are equally divided, in which case he shall have and exercise a casting vote.

Standing committee on Privileges.

Added by: Res. 198 of 1995

120D. (1) The Standing Committee on Privileges shall have power to consider cases referred to it by the Speaker or by the House and to take such decisions and to make such recommendations as provided in these Standing Orders and in the House of Representatives (Privileges and Powers) Ordinance or in any law from time to time substituting the said Ordinance.

(2) The Standing Committee shall be constituted of the Leader of the House, two members nominated by the Prime Minister and two members nominated by the Leader of the Opposition.

(3) The provisions of paragraphs (3), (4), and (5) of Standing Order 120C shall *mutatis mutandis* apply to the Standing Committee on Privileges.

(4) The Standing Committee on Privileges shall, without prejudice to the provisions of Standing Order 164, have power and authority to summon witnesses and order the production of documents before it. The Standing Committee on Privileges may request the attendance of the Attorney General or of his representative, who may also be authorised to participate in the proceedings, but he shall in no case have a vote thereat.

The Public Accounts Committee.

Added by: Res. 198 of 1995

120E. (1) The Public Accounts Committee shall have the power to:

(a) inquire into matters relating to public accounts referred to it by the House, a Minister or the Director of Audit;

(b) inquire into expenditure as is referred to in subsection (3) of section 103 and section 104 of the Constitution;

(c) examine the accounts of statutory authorities, including parastatal organisations, whose accounts are presented to Parliament;

(d) to request the Director of Audit to submit memoranda on any matter where a request for such submission is made by at least three members of the Standing Committee;

(e) to consider memoranda submitted by the Director of Audit, made upon a request made to him in virtue of paragraph (d) hereof, or on his own initiative;

(f) examine reports, and related documents, made by the Director of Audit;

(g) report to the House on any accounts, reports or documents referred in the previous paragraphs hereof;

(h) report to the House on any change that it considers desirable in the form of the accounts, on the manner in which they are kept, on revenue or expenditure or the control of money;

Amended by Res. 235 of 2006

(i) to discuss Malta's monetary policy and receive reports thereon from the Governor of the Central Bank of Malta.

(2) The Public Accounts Committee shall consist of not more than seven members of whom four shall constitute a quorum. The members shall be chosen so as fairly to represent the House in general and the proportion of Government and Opposition members in particular.

(3) The provisions of paragraphs (3) and (4) of Standing Order 120B shall apply to the Public Accounts Committee.

(4) One of the members nominated by the Leader of the Opposition and so designated by him after consultation with the Leader of the House shall be appointed Chairman of the Public Accounts Committee. The Chairman shall have an original vote but shall not have a casting vote.

Standing Committee on Foreign and European Affairs.

Added by: Res. 198 of 1995

Amended by: Res. 67 of 2003

120F. (1) The Standing Committee on Foreign and European Affairs shall consist of not more than nine members of whom five shall constitute a quorum. The members shall be chosen so as fairly to represent the House in general and the proportion of Government and Opposition members in particular:

Provided that the Government members appointed on the Standing Committee shall include the Minister for Foreign Affairs who shall have the right to participate and to vote:

Provided further that members of the European Parliament elected from Malta shall have the right to participate in the work of the Standing Committee but shall not have the right to vote or to move motions and amendments.

(2) The Chairperson of the Committee shall be nominated by the Leader of the House from amongst the members representing the Government side, provided that any member of the Committee may, at any time, be appointed by the Leader of the House to act as Chairperson in case of the unavoidable absence of the Chairperson.

(3) The Standing Committee shall have the power to appoint select sub-committees and to delegate any of its functions to such sub-committees:

Provided that the composition of any sub-committee appointed by the Standing Committee shall be determined by the Standing Committee so as fairly to represent the House in general and the proportion of Government and Opposition members in particular.

(4) Subject to what is stated in this Standing Order, the provisions of paragraphs (3) and (4) of Standing Order 120B shall mutatis mutandis apply to the Standing Committee on Foreign and European Affairs.

(5) The Standing Committee on Foreign and European Affairs shall have the following functions:

(i) to deal with matters relating to foreign and European Union affairs which may be referred to it by the House or by the Standing Committee on House Business;

(ii) in the context of European Union issues and measures to be taken by the Council of Ministers of the European Union, to scrutinise on its own initiative –

(a) any proposals under the Community treaties for legislation by the Council or the Council acting jointly with the European Parliament;

(b) any document which is published for submission to the European Council, the Council or the European Central Bank;

(c) any proposal for a common strategy, a joint action or a common position under Title V of the Treaty on European Union which is prepared for submission to the Council or to the European Council;

(d) any proposal for a common position, framework, decision or a convention under Title VI of the Treaty on European Union which is prepared for submission to the Council;

(e) any document (not falling within (b), (c) or (d) above) which is published by one Union institution and which does not relate exclusively to the consideration of any proposal for legislation;

(f) any other document relating to European Union matters placed on the Table of the House by any Minister;

(iii) to represent the House of Representatives of Malta at the Conference of European Affairs Committees (COSAC).

The Social Affairs Committee.

Added by: Res. 198 of 1995

120G. (1) The Social Affairs Committee shall deal with all matters relating to social policy, including social assistance and family matters, which may be referred to it by the House or by the Standing Committee on House Business.

(2) The provisions of paragraphs (2) and (3) of Standing Order 120E shall *mutatis mutandis* apply to the Social Affairs Committee.

X. - Select Committees

Appointment of Select Committees.

121. The House may appoint a Select Committee of its Members for the purpose of investigating any subject. It shall be competent for the Speaker to be appointed a Member of any Select Committee of the House.

Number of Members.

122. No Select Committee shall be moved for without notice, nor shall it without leave of the House consist of more than 7 Members such leave shall not be moved for without notice. In the case of Members proposed to be added or substituted after the first appointment of the

Committee the notice shall include the names of the Members proposed to be added or substituted; in no case shall a Select Committee consist of an even number of Members.

Notice of names of Members.

123. At least one day's notice shall be given of the names of Members proposed to serve upon a Standing Committee or a Select Committee, but provided such notice has been given the appointment may be made immediately after the motion for the setting up of the Committee.

124. *Deleted by Resolution No. 198 of 1995.*

125. *Deleted by Resolution No. 198 of 1995.*

Meetings of Standing Committees and Select Committees.

Substituted by: Res. 198 of 1995

126. (1) Notice of meetings of Standing Committees and of Select Committees shall be given to the Clerk of the House before one o'clock in the afternoon of the day previous to that appointed for the meeting by the Chairman of the Committee.

(2) A Committee to which a Bill or other business has been committed shall meet to consider such business on the day and at the hour named by the Chairman thereof or by the Standing Committee on House Business. If the consideration of the business is not concluded at that sitting the Committee shall meet further to consider the business on such day and time as may be decided by the Committee or as may have been previously directed by the Standing Committee on House Business.

(3) If a Committee is not previously adjourned, the Chairman shall adjourn the Committee without putting any question at the hour of interruption of business:

Provided that:

(i) if in the opinion of the Chairman, the proceedings on the Bill or other business may be concluded by a short extension of the sitting, he may postpone the adjournment of the Committee to not later than fifteen minutes after the hour of interruption of business;

(ii) if in accordance with an order given pursuant to item (i) of subparagraph (b) of paragraph (1) of Standing Order 120C, proceedings are required to be concluded at the time when the Chairman is required to adjourn the Committee under this paragraph, he shall not adjourn the Committee until the question for the closure of the debate, the question or

questions consequent thereon and on any further motion as provided in that order, have been decided.

List of Members serving.

Amended by: Res. 198 of 1995

127. List of all Members serving on each Standing Committee and Select Committee shall be affixed in a conspicuous place in the Office of the House of Representatives or such other place or places as may be chosen by the Speaker.

Quorum.

Amended by: Res. 198 of 1995

128. In all Standing Committees and Select Committees, unless otherwise ordered by the House or unless otherwise provided in these Standing Orders, three Members of the Committee shall form a quorum. No Committee shall proceed to business unless a quorum be present and if a quorum be not present within ten minutes of the appointed hour, or any less time at the pleasure of the Member or Members attending, the Chairman or in his absence any other Member present, shall appoint a day and hour for the next meeting of the Committee, provided that such next meeting shall, unless otherwise directed by the Standing Committee on House Business, be held within the next 7 days.

129. *Deleted by Resolution No. 198 of 1995.*

Election of Chairman.

130. Unless otherwise provided in these Standing Orders or unless otherwise ordered by the House, every Standing Committee and every Select Committee previous to the commencement of business shall elect one of its Members to be Chairman, who besides his vote as a Member, shall in case of an equality of votes have a casting vote. Where the Chairman of a Standing Committee or of a Select Committee is unavoidably absent, the members thereof shall elect a person from among themselves to act as Chairman.

Proceedings of Committee to be recorded.

131. An entry shall be made of the proceedings of such Committee, of the names of the Members attending each meeting, and of every motion or amendment proposed in the Committee together with the names of the movers thereof; and if any division takes place in the Committee, the Committee Clerk shall take down the names of the Members voting in any such division, distinguishing on which side of the question they respectively vote, and all such entries or minutes shall be recorded and reported to the House on the report of such Committee.

Power to send for witnesses, papers and records.

Substituted by: Res. 198 of 1995

132. Any Standing Committee and any Select Committee shall have power to summon witnesses and to order the production of documents and reports before it, at such time and place as may be indicated in the relative warrant and at such place and time to which the meeting of the Committee may be adjourned. Witnesses may be ordered to attend by means of a warrant issued by the Chairman of the relative Committee and signed by the Clerk; any oath or affirmation taken or made by any witness may be administered by the Chairman or by the Clerk attending such Committee.

Proceedings and report to be signed.

133. The minutes of the proceedings of the Committee on each day and also the report of such Committee shall be signed by the Chairman thereof.

Bills referred to Standing Committees.

Added by: Res. 198 of 1995

133A. (1) Any notice of an amendment to a Bill which has been committed or referred to a Standing Committee, shall stand referred to the Committee, and the Chairman shall have like powers as are given to the Speaker and Chairman of Committees by Standing Order 44.

(2) The provisions of paragraphs (1) and (2) of Standing Order 16 shall apply to Standing Committees.

(3) The Chairman of a Standing Committee shall have the powers as are given to the Chairman of a Committee of the Whole House including the powers under Standing Orders 15, 48, 57, 63 and 99.

(4) On a division being called in the House or a Committee of the Whole House, the Chairman of a Standing Committee or of a Select Committee shall suspend the proceedings of the Committee for such time as will enable members to vote in the division and return to the Committee.

Report of Bill by Chairman.

Substituted by: Res. 198 of 1995

134. The provisions of Standing Orders 103 and 104 shall apply to a Bill which has been reported upon by a Standing Committee or a Select Committee.

Every Committee to Report to House.

Substituted by: Res. 198 of 1995

135. (1) Every Committee shall have leave to report to the House its opinion and observations upon any matter referred to it for consideration, together with the minutes of the evidence taken before it, as

well as to make special reports on any matter which it may think fit to bring to the notice of the House. Minority reports, if any, shall be presented together with the report of the Committee.

(2) The proceedings of, or evidence taken by, or the report of any Standing Committee or Select Committee, or the summary of such proceedings, evidence or report, shall not be published by any member of such Committee or by any other person, except with the permission of the House, until the report of such Committee has been laid on the Table of the House.

(3) Where evidence before a Select Committee has been given at a meeting open to the public, no complaint of privilege shall be entertained on the ground that such evidence has been published before having been reported to the House.

Report brought up.

Amended by: Res. 198 of 1995

136. The report of a Standing Committee or of a Select Committee shall be brought up by the Chairman and may be ordered to be laid on the Table, or may be otherwise dealt with as the House may direct.

Strangers.

Substituted by: Res. 198 of 1995

137. Every Standing Committee and every Select Committee may, in its discretion, resolve not to allow strangers to be present during any of its proceedings.

138. *Deleted by a Resolution of Parliament passed in 1995.*

Counsel to conform to rules made by Chairman.

Amended by: Res. 198 of 1995

139. Counsel and experts, when appearing before a Standing Committee or before a Select Committee shall be bound to observe such directions and conform to such rules in the conduct of matters before such Committee as shall be required by the Chairman thereof.

XI. - Petitions

Form of petition.

140. Every petition shall be free from interlineations or erasures and in the form shown in the appendix to these Standing Orders.

No application for grant of money, etc.

141. No applications may be made by petition for grants of public money, for compounding sums of money due to the Republic of Malta, nor for the remission of duties payable by any person. This rule, however, shall not be construed so as to prevent any person from praying the House to take his case into consideration for the purpose of obtaining for him such relief as he shall appear to the House to be entitled to.

To be in English or Maltese.

142. Every petition shall be written in the English or Maltese language and shall be signed by the petitioner. In case of incapacity by illness or otherwise to write, petitioners shall affix their marks and have them legally certified.

Reference to debate or intended motion.

143. No reference shall be made in a petition to any debate in the House, nor to any intended motion, unless a notice of such motion stands upon the order paper of the House.

Petitions must be presented by Members.

144. Petitions can only be presented to the House by a Member and it shall not be competent for a Member to present a petition from himself, but the same may be presented by some other Member.

To be deposited with Clerk for one day.

145. Every petition shall, before it is presented, be signed at the beginning thereof by the Member in charge of it, and deposited for at least one clear day with the Clerk of the House, who, after examining the same, shall submit it for the Speaker's approval, and no petition shall be presented to the House until such approval has been obtained. Such approval shall be conveyed by the petition being certified by the Clerk of the House as follows: "House of Representatives, Passed by the Speaker".

Number of signatures to be ascertained.

146. Any Member before presenting a petition shall ascertain the number of signatures to the petition, and shall write the same number at the head of the petition.

To be perused by Member in charge.

147. It shall be incumbent on every Member presenting a petition to acquaint himself with the contents thereof and to ascertain that it does not contain language disrespectful to the House.

Procedure for Member in charge.

148. Every Member offering to present a petition to the House, shall confine himself to a statement of the parties from whom it comes, of the number of signatures attached to it, of the material allegations contained in it, and to the reading of the prayer of such petition.

No debate on presentation.

149. Every petition not containing matter in breach of the privileges of the House, and which, according to the rules of usual practice of the House, can be received, shall be brought to the Table by the direction of the Speaker, who shall not allow any debate, or any Member to speak thereon or in relation to such petition; but it may be read by the Clerk of the House, if required.

Reference of petitions to Select Committee.

150. When a Member in charge of a petition intends to move that it be referred to a Select Committee he shall, when depositing the petition with the Clerk of the House, declare in writing on the petition and above his aforesaid signature, his request that the petition be referred to a Select Committee, or to a particular Select Committee which may have been already appointed to deal with matter similar or cognate to that contained in the petition; and no petition not so endorsed shall be referred to any Committee except upon notice duly given notwithstanding any other Standing Order to the contrary.

XII. The Speaker, Deputy Speaker, and Deputy Chairman

Presiding in the House.

Amended by: L.N. 46 of 1965

151. (1) There shall preside at any sitting of the House, the Speaker or, in his absence, the Deputy Speaker or, in their absence, a Member of the House (not being a Minister or a Parliamentary Secretary) elected by the House for the Sitting.

(2) References in this Standing Order to circumstances in which the Speaker or Deputy Speaker is absent include references to circumstances in which the office of Speaker or Deputy Speaker is vacant.

The Speaker relieved by the Deputy Speaker.

152. The Chairman of Committees shall take the Chair as Deputy Speaker whenever requested to do so by the Speaker for short intervals during a sitting of the House without any formal communication to the House.

Vacancy in office of Speaker or Deputy Speaker.

153. When a vacancy has occurred in the office of Speaker or Deputy Speaker the Clerk of the House shall report the same to the House

and the House shall forthwith proceed to the election of a new Speaker or Deputy Speaker in the manner hereinbefore provided.

Appointment of Deputy Chairman of Committees.

154. The House may appoint a Deputy Chairman of Committees who shall take the Chair, whenever requested to do so by the Chairman of Committees or when the Chairman of Committees is absent and who shall be entitled to exercise all the powers vested in the Chairman of Committees including his powers as Deputy Speaker.

XIII. - Members and Privileges of the House

Members to leave address with Clerk.

155. Every Member shall at the commencement of each session or as soon as he shall have taken his seat, enter his name and address and also his address during the session in a book to be kept by the Clerk to the House.

Attendance of Members

156. It is the duty of every Member of the House to attend its service and that of any Select Committee of which he may be a Member.

Leave of absence.

157. The seat of a Member of the House shall become vacant if he shall absent himself from the sittings of the House for a period of two months during any session thereof, provided that a member shall not have been deemed to have been absent from any sitting if his absence therefrom shall have been approved by the Speaker within a period of two months from such sitting.

Members on leave of absence.

158. A Member shall be excused from service in the House or on any Committee thereof so long as he has leave of absence.

Members absent without leave.

159. (1) If a member shall be absent during the whole of a sitting without leave the sum of one pound shall be deducted from his Member's allowance.

(2) If a Member shall be absent during the whole of a sitting of a Select Committee without previous permission of the Committee or without just cause to the satisfaction of the Chairman the sum of one pound shall be deducted from his Member's allowance, unless he shall have leave of absence from the House for a period including the day in question.

Members entering or leaving the House.

160. Every Member shall be uncovered when he enters or leaves the House or moves to any part of the House during a debate, and shall make obeisance to the Chair in passing to or from his seat or across the House. No Member shall pass between the Chair and any Member who is speaking not between the Chair and the Table nor shall he stand in any of the passages.

Privileges.

Amended by: L.N. 46 of 1965.

161. The House of Representatives and the Members thereof shall enjoy all the privileges, immunities and powers defined in the House of Representatives (Privileges and Powers) Ordinance (Cap. 179).

XIV. - Officers of the House

Clerk of the House and other officers.

162. There shall be a Clerk of the House and such other officers as may from time to time be appointed to assist him.

Absence of the Clerk of the House

163. In the case of the unavoidable absence from any cause of the Clerk of the House his duties shall be performed by the Clerk Assistant.

XV. - Witnesses

House may summon persons to give evidence.

Amended by: L.N. 46 of 1965

164. The House shall have power and authority to summon before the House itself or before any Committee thereof any person to give evidence or advice with regard to any matter within the jurisdiction of the House, subject to the provisions of the House of Representatives (Privileges and Powers) Ordinance (Cap. 179).

XVI. - Strangers

Admission of strangers.

165. Strangers may be present at the sittings of the House in the places set apart for them but must withdraw when called upon to do so by the Speaker, or, if the House is in committee, by the Chairman.

No strangers are admissible as of right.

Strangers shall keep silence, etc.

166. Strangers in the House shall stay uncovered and be silent and shall abstain from expressing any approval or disapproval.

Tickets of admission.

167. Every Member of the House may obtain for each sitting two tickets for the admission of strangers from the Clerk of the House, and on each of such tickets he may insert the name of one person, signing also his own name thereon, such ticket to be available for the sitting of the day of which it shall bear date, and no person shall be admitted who does not deliver to the doorkeeper his ticket of admission.

Power of Serjeant-at-Arms.

168. The Serjeant-at-Arms attending the House shall remove, or cause to be removed, any stranger who may have entered the House without a ticket of admission, or who may be in any part of the House appropriated to the Members of the House; and also any stranger who, having been admitted into any part of the House, shall misconduct himself or shall not withdraw when ordered to do so or when strangers are directed to withdraw from the House.

Where strangers cannot be admitted.

169. No Member of the House shall bring any stranger into any part of the House appropriated to the Members of the House, while the House or a Committee of the whole House is sitting.

Withdrawal of strangers.

170. On a motion from any Member that strangers do withdraw, the Speaker or the Chairman (as the case may be) shall forthwith put the question "That Strangers be ordered to withdraw" without permitting any debate or amendment; provided that the Speaker or the Chairman may, whenever he thinks fit, order the withdrawal of strangers from any part of the Chamber.

XVII. - Records of the House: Duties of the Clerk

Minutes of proceedings.

171. Every vote and proceeding of the House shall be noted by the Clerk and recorded in the English and Maltese languages. Such votes and proceedings after being signed by the Clerk of the House, and after having been confirmed by the House shall be countersigned by the Speaker and shall constitute the Minutes of the Proceedings of the House.

Custody of records.

172. The Clerk shall have the custody of all the minutes, records or other documents belonging to the House, and he shall neither take nor

permit to be taken any such minutes, records or other documents from the Chambers or Offices without the express leave or order of the House.

Journals of the House.

Amended by: Res. 231 of 1995.

173. All debates and discussions in the House of Representatives shall be taken down by officers appointed to this effect, and after having been perused and signed by the Clerk and by the Speaker, shall be printed and shall constitute the journals of the House.

Sittings behind closed doors.

In the case, however, of sittings held behind closed doors, the House may order that the debates and discussions be not taken down, or alternatively, although taken down as stated above, be not printed or reproduced in the journals of the House.

Sittings of the House of Representatives shall be broadcast in their entirety on radio by live transmission by the Public Broadcasting Services. The Speaker may order the interruption of such transmissions whenever, in his opinion, such interruption is necessary. The House may order that, in the case of sittings held behind closed doors, such sittings be not broadcast.

Members may take extracts from papers tabled.

174. Every Member of the House shall be entitled to read, and if he shall so desire, take extracts from or copies of all papers laid upon the Table of the House.

Duties of the Clerk of the House.

175. The Clerk of the House, to whom all correspondence shall be addressed shall be responsible to the House under the direction of the Speaker, for the regulation of all matters connected with the business of the House, and shall have the direction and control over all the officers and clerks employed by the House subject to such orders as he may from time to time receive from the Speaker.

Office hours during recess.

176. The Office of the Clerk shall be open during the period when the House is not in session, daily, Sundays and public holidays excepted, during such hours as the Speaker may appoint.

XVIII. - Enactment of Laws

Acts: assent and enrolment.

Substituted by: .N. 46 of 1965:

Amended by: L.N. 148 of 1975

177. The Clerk of the House shall present to the President of Malta for his assent a fair copy in the Maltese and English languages of any Bill passed by the House of Representatives; and, after any such Bill shall have been assented to by the President of Malta, it shall without delay be published in the Government Gazette.

Clerical error discovered in any Bill.

Amended by: L.N. 148 of 1975

178. Upon the discovery of any clerical error in any Bill which shall have passed and before the same be presented to the President of Malta for his assent thereto, the Speaker shall report such error to the House, and the House shall thereupon deal with the same forthwith.

179. *Deleted by Legal Notice No. 46 of 1965.*

Rules observed in the enactment of laws.

180. In the enactment of laws the following rules and regulations shall be observed, that is to say:

(1) *Deleted by Legal Notice No. 46 of 1965.*

(2) All Acts are to be distinguished by titles and shall be divided in successive clauses or paragraphs consecutively numbered, and to every such clause there shall be annexed in the margin a short summary of its contents. The Acts of each year shall be distinguished by consecutive numbers, commencing in each year with the number one.

(3) Each different matter is to be provided for by a different Act without intermixing in one and the same Act such things as have no proper relation to each other; and no clause is to be inserted in or annexed to any Act which shall be foreign to what the title of such Act imports.

XIX. - Accounts, Papers and Printing

Reports etc. ordered to be tabled.

181. The House may request that accounts, returns, reports and papers shall be laid before the House, provided that no departmental file of a confidential character need be laid before the House.

Reports etc. presented by command.

182. Accounts, returns, reports and papers may also be ordered to be laid before the House by command of the President of Malta.

Delivery of papers to Members.

183. A copy of every paper ordered to be printed by the House shall be delivered to each Member of the House.

XX. - Messages from the President of Malta

Messages from the President of Malta.

184. A message from the President of Malta shall be brought to the House by a Minister but not during a debate. The Minister shall inform the Speaker that he has a message from the President of Malta to the House, and then, on being so desired by the Speaker, he shall bring the message to the Chair and deliver it to the Speaker who shall then read it to the House.

How dealt with.

185. If necessary a date shall be fixed for taking the message into consideration, or motion may be made without notice to take the same into consideration in the same sitting as soon as the business before the House shall have been concluded.

Verbal messages.

186. Communications of a less formal character may be made verbally to the House, on behalf of the President of Malta by a Minister.

XXI. - Addresses to the President of Malta

How proposed.

Amended by: L.N. 148 of 1975

187. Whenever it be deemed proper to present an Address to the President of Malta, the same shall be proposed on motion after notice in the usual manner.

188. *Omitted.*

Address to President of Malta.

189. Any communication or request which the House shall have to submit to the President of Malta shall be offered by way of respectful Address, and all Addresses shall be signed by the Speaker and the Clerk of the House.

Presentation of Address to President of Malta.

190. Addresses to the President of Malta shall be presented or forwarded by the Speaker unless the House otherwise directs.

When presented by the whole House.

191. When an Address is ordered to be presented by the whole House, the Speaker with the House shall proceed to such place as the President of Malta may appoint. The Speaker shall read the Address to the President of Malta, the Members who moved and seconded such Address being on his left hand.

President of Malta's reply.

192. The President of Malta's answer to any Address presented by the whole House shall be reported by the Speaker to the House.

Messages how acknowledged.

193. Every message from the President of Malta to the House shall be acknowledged by an Address of the House or in such other way as the House shall determine.

XXII. - Miscellaneous

Suspension of Standing Orders upon motion without notice.

194. Any Standing Order of the House may be suspended upon motion made without notice, provided that no objection is taken by any member present.

Suspension of Standing Orders upon motion after notice.

195. However, any Standing Order of the House may be suspended upon motion made after notice, such motion being carried by a majority of those present and voting.

Limitation of suspension of Standing Orders.

196. The suspension of Standing Orders is limited in its operation to the particular purpose for which such suspension has been sought.

Usages of House of Commons when to be followed.

Amended by: L.N. 46 of 1965.

197. In all cases not provided for by these Standing Orders, resort shall be had to the rules, forms, usages and practice of the Commons' House of Parliament of the United Kingdom, which shall be followed as far as they can be applied to the proceedings of the House with due regard to the special nature of the Constitution.

APPENDIX

Form of petition to the House of Representatives

To the Honourable the Speaker and Members of the House of
Representatives of Malta.

The humble Petition of:

(here insert names and addresses of Petitioners together with the indication of the town or village wherein they reside, or if a great number of Petitioners, the petition of the electors of or of N.N., farmer, and eighty others etc.)

Respectfully sheweth that

(here set forth the statement of grievance to be brought to the notice of the House)

Wherefore your petitioners (or petitioner) humbly pray that your
Honourable House will be pleased to

(the particular relief expected being here stated)

and your petitioners as in duty bound, will ever pray.

(Signatures to immediately follow)