

**CHAPTER VII:  
CONDUCT OF BUSINESS OF THE ASSEMBLY**

**36. Preparation of the Agenda**

- 1) The Clerk of the Assembly shall, upon direction by the office of the President of Government of Southern Sudan, prepare the Agenda of the first sitting of the Assembly in which the Speaker and Deputy Speaker shall be elected.
- 2) The Speaker shall, in consultation with the Committee of Business of the Assembly, prepare the Agenda of every sitting and shall announce it to the Members within a period of not less than twenty-four (24) hours before the time of the commencement of the sitting, for considering such Agenda.
- 3) Bills and motions of the Government of Southern Sudan shall take priority over private members' bills and motions in the preparation of the agenda; provided that a motion calling for postponement of the coming into force of any law or withdrawal of any bill before the Southern Sudan Legislative Assembly or a motion directly concerning the privileges of the Assembly, shall take precedence over government bills and motions.
- 4) Matters not appearing on the Agenda shall not be discussed except those presented in writing to the Speaker and certified by him or her as of urgent and important nature and allowed by him or her to be presented before the Assembly.
- 5) The Speaker shall in consultation with the Committee of Business of the Assembly determine the matters to be referred to Standing Specialized Committees for study before such matters are put on the Agenda.

**37. Classification of the Business of the Assembly**

The business of the Assembly shall be classified and transacted as and when practicable, in the following order: -

- a) Taking of oath by the members
- b) Messages and statements of the President of the Government of Southern Sudan.
- c) Announcements by the Speaker.
- d) Matters not appearing in the agenda for which a request for discussion thereof as matters of urgency and importance has been presented to the Speaker and he or she thereof has granted permission for the discussion.

- e) Presentation of documents and reports by the Speaker, Leader of government business, any Minister or a member.
- f) Presentation of reports by Committees;
- g) Presentation of questions to the Leader of government business and to any minister concerned;
- h) Personal explanations by members regarding important matters with the intention of drawing attention of the Assembly;
- i) Announcement of leaves of absence by the Speaker;
- j) Statements by ministers regarding emerging matters of importance;
- k) Request for debate;
- l) Announcements by the Leader of government business in respect of the business of the Assembly;
- m) Motions concerning the business, sittings or other affairs of the Assembly and motions concerning committees;
- n) Presentation of bills and provisional orders;
- o) Public business; and
- p) Any other business.

**38. The Reading of Messages and Announcements of the President of Government of Southern Sudan**

At the stage of business specified in Regulation 37 (b) the Speaker shall read to the Assembly any messages and announcements of the President of Government of Southern Sudan from the original text sent to the Assembly.

**39. The Reading of the Announcements by the Speaker**

At the stage of business specified in Regulation 40 announcements by the Speaker shall be read from a written paper; provided that oral announcements shall be made on procedural and formal matters, which do not provoke any debate.

#### **40. Urgent and Important Matters**

- 1) Any member of the Assembly may submit a written request to the Speaker for presentation before the Assembly of an important and urgent matter. On granting permission by the Speaker the matter shall be presented in the stage of business specified in regulation 37 (d) and the Speaker shall call upon the member to explain his or her opinion.
- 2) After the Assembly has heard the opinion of the member who moved the urgent and important matter, the Assembly shall make such decision as it may deem fit.

#### **41. Presentation of Documents**

- 1) At the stage of business specified in these Regulations, documents shall be presented and put down on the Table of the Assembly by the Speaker, the Leader of government business, any Minister or any member. There shall be specified in the records of the Assembly the types of documents used and a summary of what they contain. Any member who presents a document shall make an explanatory statement thereon and no member shall address any question or enquiry in respect of the same.
- 2) Whoever presents a document to the Assembly shall, when requested by five members, fix a time with the Speaker for the discussion of such document.
- 3) A copy of every document presented to the Assembly shall be deposited in the Library.

#### **42. Presentation of a Report of a Committee**

- 1) At the stage of business specified in Regulation 37 (f) the Chairperson of any Committee shall present before the Assembly any report of the Committee and shall read recommendations in such a report.
- 2) When the report referred to in sub-regulation (1) hereof has been submitted to the Assembly, the Assembly shall take the necessary decisions thereon.

#### **43. Questions**

- 1) At the stage of business specified in regulation 37 (g) questions relating to public affairs and requiring oral answers may be put to the minister concerned.
- 2) No questions shall be filed for an answer save after expiry of one week of the time of notification of the Minister concerned; provided that such Minister may with the consent of the presenter of the question and the Speaker, forward an answer within a shorter time; provided further that the reply to a question shall not be delayed for more than one month.

- 3) The Speaker shall allow a reasonable time for questions in every sitting.
- 4) If the minister to whom a question has been addressed is absent another Minister may answer such question on behalf of the absent Minister.
- 5) The reply of the Minister to any question shall not take the form of a statement. It shall be concise.
- 6) A member addressing any question may withdraw or postpone such question; but if he or she is absent from the sitting appointed for the question; the question shall be deemed to have been withdrawn, unless he has in writing duly authorized another member to ask the question on his or her behalf, in which case such other member may ask the question.
- 7) Any member may, by marking his or her question with an asterisk at the top, require that the answer to his or her question be in writing; and in this case, the minister concerned shall send the reply to the Speaker to forward the same to such a member.
- 8) All questions shall lapse with the current session.
- 9) Where the question concerns a matter of purely local nature or where the purpose of the question is to obtain statistical information, the Speaker may direct that the answer to the question be in writing.

#### **44. Subsidiary Questions**

- 1) Any member may present a subsidiary question for the explanation of any point raised in the answer to any question; provided that the Speaker shall disallow any such question if it infringes on any rules laid down.
- 2) A subsidiary question shall not introduce any matter not included in the original question or in the answer or statement out of which it arises.
- 3) No member who is given leave to ask a subsidiary question shall adduce evidence or state his or her opinion.
- 4) If the Speaker is of opinion that no new purpose is served by asking subsidiary questions, he or she may stop them and move to the next item on the Agenda.

#### **45. Rules of questions**

- 1) The proper object for a question shall be to obtain information on a matter of fact within the official capacity of any Minister, or to ask about official action.

- 2) A question may not be asked for information or about action on a hypothetical proposition.
- 3) Not more than one subject shall be referred to in any question, and question shall not be of extensive length.
- 4) A question shall not include the name of any person or contain any statement not strictly necessary to make the question intelligible.
- 5) If a question contains a statement, the member asking it shall make himself or herself responsible for the accuracy of the statement and no question shall be based upon a newspaper report or upon any unofficial publication.
- 6) Any question shall not contain any argument, opinion, inference or imputation, or any tendentious, ironical or offensive expression.
- 7) A question shall not be asked about proceedings in a Committee, which have not been placed before the Assembly by a report from that Committee.
- 8) A question shall not be asked about any matter pending before any court.
- 9) A question reflecting on a decision of the Assembly or a decision of any court shall not be asked.
- 10) A question shall not be asked for an expression of opinion or for the solution of an abstract legal problem.
- 11) A question shall not be asked as to the character or conduct of any person except in his or her official capacity.
- 12) A question reflecting on the character or conduct of any person whose conduct can only be challenged on a substantive motion under regulation 45 (11) above shall not be asked.
- 13) A question making or implying a charge of a personal character shall be disallowed.
- 14) A question fully answered, or one to which an answer has been refused on the ground that to answer it, would not be in the public interest, shall not be asked again during the same session. A refusal to answer on such grounds shall not be called in question.
- 15) A question the answer to which can be found by reference to available official publications shall not be allowed.
- 16) A question shall not seek information about any matter, which is of secret nature.

17) The Speaker shall disallow any question which does not conform to the provisions of this Regulation or which is framed in improper language.

#### **46. Personal explanations by members**

At the stage of business specified in regulation 37 (h) any member may, if he deems it necessary, explain any matters relating to any class of persons or any area with the intention of drawing attention thereto. Such explanation shall not refer to individuals of such class or to the character thereof.

#### **47 Statements of Ministers Regarding Emergent Matters of Importance**

- 1) A Minister may, at the stage of business specified in Regulation 37 (j) make a statement upon any emergent matter of importance though it may not be set down on the agenda. He or she shall not be interrupted; but when he or she has finished, any member may ask an elucidatory question on any matter of fact dealt with in the statement. Such question shall comply with the provisions of Regulations 43 and 44.
- 2) a) Five members may request a statement from any minister on a matter of public interest for the purpose of clarifying the policy of the government of Southern Sudan or any action taken on that policy. The minister shall not be interrupted but when he or she has finished, any member may ask an elucidatory question on any matter of fact dealt with in the statement. Such question shall comply with provisions of Regulations 44 and 45
  - b) The request shall be handed in writing to the Speaker who shall pass it to the Minister concerned to appoint a day for giving his or her statement within a period not exceeding three days. The statement shall be given at the stage of business specified in regulation 37 (j).
  - c) The Speaker may refer the written request to the relevant committee to discuss and present an urgent report thereon.

#### **48. Investigation of Any Matter within the Official Responsibility of the Government of Southern Sudan**

Save as provided otherwise in these Regulations, the Southern Sudan Legislative Assembly may, with the approval of the President of the Government of Southern Sudan, assign any Select Committee of its members to investigate any matter within the official responsibility of the Government and submit a report thereon to the Assembly for consideration; and the Assembly may take the decision it deems necessary thereon.

#### **49. Request for Debate**

- 1) At the stage of business specified in Regulation 37 (k), any member, supported by five other members, may request the Leader of government business to submit any public matter before the Assembly for discussion. Such request shall be presented to the Speaker in writing, and the Speaker shall in consultation with the minister concerned fix a time for discussion of the matter within a period not exceeding seven days.
- 2) If any such request is made, it shall not be withdrawn before the sitting fixed thereof; and if the member submitting such request wants to withdraw it during such sitting, the Assembly shall determine what to do about this request

#### **50. Interpellation**

- 1) Any member of the Assembly desiring that the President of Government of Southern Sudan or a minister be interpellated shall present to the Speaker a petition for such interpellation, including the facts and the main points to be covered in the interpellation
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  - (a) The Speaker shall on receipt of a petition for interpellation refer such petition to the Committee of Business of Assembly to confirm that the interpellation desired is based on serious reasons relating to public interest.
  - (b) If it appears from the report of the Committee of the Business of the Assembly that the subject of interpellation is not connected with a matter of public nature or is not based on serious reasons, the Speaker may reject any such petition.
- 3) A petition for interpellation that has been admitted by the Speaker shall be put down on the Agenda not less than seven days from the date the notice of such petition has been sent to the President of the Government of Southern Sudan or minister concerned.
- 4) If a member who has presented a petition for interpellation is absent from the sitting appointed for the interpellation without leave of the Speaker, the petition shall lapse, and such member shall not for the rest of the session renew the petition or submit another petition for interpellation on the same subject.
- 5) A member presenting a subject of interpellation shall make an explanation thereof; and before the subject is proposed to the Assembly the President of Government of Southern Sudan or Minister concerned shall deliver a reply and the interpellator shall have the priority to comment on the reply

of the President of Government of Southern Sudan or the minister concerned.

- 6) At the conclusion of an interpellation, the Speaker shall propose any motions that might have been presented to him or her on the matter; provided that the Assembly shall proceed to the next item on the Agenda if no such motions have been presented.

#### **40. Motion for Impeachment of President and Vice President of the Government of Southern Sudan.**

- 1) In accordance with the provisions of the Interim Constitution of Southern Sudan, a notice of motion for the impeachment of the President or Vice President of Government of Southern Sudan may be presented to the Speaker; provided that such impeachment motion shall be signed by at least one-third of members of the Assembly.
- 2) The Speaker shall after receipt of the notice of motion for the impeachment under sub-regulation (1) hereof pass the motion to the appropriate Committee of the Assembly and announce the same to the Assembly.
- 3) The Committee shall deliberate on the matter and it may hear any person or examine any documents, and then submit its recommendations to the Assembly for its deliberations and decision.
- 4) The Assembly shall deliberate on the Committee's report and it may decide to refer the matter to the Southern Sudan Supreme Court with the relevant documents or dismiss the same.
- 5) If the matter is referred to the Southern Sudan Supreme Court, and the Court convicts the President or the Vice President, it shall pass its findings to the Assembly to take the course of action it may see fit.
- 6) If the conviction is for treason or an offence involving gross breach of the Constitution or involving honor or honesty, the Assembly may decide, after deliberation, the removal of the President or the Vice President. The removal of the President or Vice President shall require a three-quarters majority of all the members in the case of the President, and a two-thirds majority in the case of the Vice President.
- 7) In case of a Minister of the Government of Southern Sudan the Assembly may pass a vote of no confidence against such minister for specific reasons and request the President of the Government of Southern Sudan to relieve him or her from office.



**52. Announcement by the Leader of the Government Business.**

At the stage of business specified in regulation 37(1), the Leader of the Government Business may inform the Assembly from time to time of the programme of the Government of Southern Sudan and Bills to be submitted thereto.

**53. Motions Concerning Business of Assembly**

At the stage of business specified in regulation 37(m), the Speaker shall present to the Assembly any motion relating to the business or affairs of the Assembly or to any committee thereof in the situations in which he or she thinks that it is necessary to take the opinion of the Assembly.

**54. Presentation of Bills and Provisional Orders**

At the stage of business specified in Regulation 37(n), Bills and provisional orders shall be presented in accordance with the provisions of Chapter VII of these Regulations.

**55. Public Business**

- 1) Public business shall consist of Orders of the Day, Bills or other matters, which the Assembly has decided that they shall be considered upon a specified day. It shall consist as well of notices of motions relating to the business of the Assembly. It shall be presented at the stage of business specified in regulation 37(o)
- 2) An order of the Day and a notice of motion shall be set down on the Agenda in the name of the Leader of the Government Business, a Minister or a private member.
- 3) Subject to Regulation 36(3), the agenda shall be prepared in accordance with priority in the presentation of notices to the Speaker. However, the business of the Government of Southern Sudan shall have priority over any other business.
- 4) Any debate relating to a matter before the Assembly may be postponed to another sitting determined by the Speaker after taking the opinion of the Assembly; provided that the Speaker may at any sitting, if he or she considers it necessary, suspend the proceedings of the Assembly without putting the question. Any matter on which debate has been started shall constitute an order of the Day for subsequent sitting or sittings until debate on it is concluded.
- 5) Any debate postponed or interrupted in the Assembly or in any Committee of the Assembly shall, on coming again before the Assembly or the Committee, be resumed at the point where it was interrupted as if the debate had been continuous, and any member whose speech was interrupted shall have the right to

Speak first on such resumption. If the member does not avail himself or herself this right, he or she shall be deemed to have concluded his or her speech.

- 6) Any notice of motion by a member shall be handed in to the Clerk.
- 7) A notice of motion by any member shall be presented at least seven days before the motion is dealt with.
- 8) No motion shall be presented save in the form appearing in the agenda; provided that the Speaker may permit a member to move a motion in an amended form if in the opinion of the Speaker the amendment does not materially alter any principle embodied in the motion.
- 9) The Speaker shall fix the time for dealing with motions submitted by the members as set down in the Agenda.
- 10) Any member presenting a motion may apply to the Speaker for the withdrawal of the same to decide whether to abandon the motion or to have it redrafted. The Speaker shall, in both cases, accede to the decision of the member.

#### **56. Any Other Business**

- 1) At the stage of business specified in the Regulation 37(p), under the item of other Business, the Assembly shall consider the following matters
  - a. A matter of urgency approved to be discussed by the Assembly on that day,
  - b. Any matter presented by a member not for decision but for drawing attention; provided that the Speaker approves the submission thereof for the discussion on that day;
- 2) If any matter is raised under this Regulation, remarks by members shall be limited only to the matter submitted for discussion, and if more than one matter is raised, a member may speak more than once.
- 3) None of the following matters shall be raised under this heading:
  - a. Any matter not coming under the responsibility of the Government of Southern Sudan, or any minister; or
  - b. A matter which can only be tackled by legislation made by the Assembly; or
  - c. A matter already set down on the agenda or relating to another matter referred to a committee for report and no report respecting the same has been presented by such committee; or
  - d. A matter which may be raised at any stage of the business appearing on the agenda; or
  - e. A matter which may not be raised except by a substantive motion in accordance with **Regulation 45 (11)**