

CHAPTER V

VACANCY OF OFFICE

15. Vacancy of the Speaker's and the Deputy Speaker's Offices

The offices of the Speaker and the Deputy Speaker shall fall vacant in the following cases:

- a) Death
- b) Resignation
- c) Lapse of membership in accordance with Article 62 (1) (e) of the Constitution
- d) If the Assembly resolves to relieve the Speaker or Deputy Speaker by a majority of two-thirds of the members upon a draft resolution presented by at least twenty members.
- e) If the office of the Speaker falls vacant, the Assembly shall elect a successor in a sitting chaired by the Deputy Speaker.

16. Vacancy of the offices of the ChairPersons of Specialized Standing Committees.

The offices of the Chairpersons of the Specialized Standing Committees shall fall vacant in the following instances:

- a) Death
- b) Resignation
- c) Lapse of membership in accordance with Article 62(1) (e) of the Southern Sudan Interim Constitution.
- d) If the assembly resolves to relieve him/or her with a recommendation from the Speaker by the majority of half of the members.

17. Appointment of the Clerk

- 1) The Speaker shall, in consultation with the Assembly Business Committee appoint the Clerk of the Assembly subject to confirmation by the Assembly.
- 2) The Clerk shall be a civil servant subject to the Public Service Regulations.

18. Legal Advisor of the Assembly

1. The Assembly shall have a legal advisor who shall advise the Assembly on all legal matters.
2. The Speaker of the Assembly shall appoint the Legal Advisor subject to confirmation by the Assembly.

19. Sergeant-at-Arms of the Assembly

The Speaker shall also appoint the Sergeant-at-Arms and the staff of the Assembly

20. Validity and Annulment of Membership

Any matter connected with validity or annulment of membership of any member of the Assembly shall be referred to the appointing authority for consideration and the Speaker shall be notified in writing by the appointing authority on the decision taken. The Speaker shall inform the Assembly accordingly.

21. Annulment of Membership of a Member

- 1) The Assembly may by a motion passed by a two-thirds majority annul the membership of any of its members on the following grounds: -
 - a) Physical infirmity or incapacity to perform his or her duties.
 - b) Absence from at least eighteen (18) uninterrupted sittings of the Assembly in one session without the permission of the Speaker.
 - c) Failure to comply with the Regulations after exhaustion of punishment awarded under these Regulations.
 - d) Conviction of a member for an offence connected with honour or moral turpitude.
- 2) A notice of Motion for annulment of membership under sub-regulation (1) hereof shall be presented to the Speaker in writing, bearing the names and signatures of at least twenty members of the Assembly.
- 3) On receipt of the notice under sub-regulation (2) above, the Speaker shall refer such notice to the relevant committee for study before presentation to the Assembly.
- 4) The Committee shall after studying the notice of the motion for annulment of membership submit its report to the Speaker within a period not exceeding thirty days from the date of reference of such notice.
- 5) The Speaker shall present the report of the Committee to the Assembly for decision; and the member concerned shall have the right to participate in the debate, defend himself or herself and vote.

22. Announcement of Vacant Seats

- 1) If the seat of the Speaker falls vacant, the Deputy Speaker shall assume the functions of the Speaker and announce the vacancy to the Assembly at the stage

of business specified in these Regulations; election of the new Speaker shall be conducted within one week if the assembly is in session and in the first sitting, if the Assembly is on recess.

- 2) If any seat of the Assembly falls vacant at any time, the Speaker shall notify the President of the Government of Southern Sudan and announce the same to the Assembly.
- 3) Upon receipt of the notice of a vacancy in the Assembly, the President of the Government of Southern Sudan shall, take the necessary measures to fill the vacancy.

23. Leave of Absence

- 1) Leave of absence may be given by the Speaker to any member on account of any reasonable cause. The speaker shall announce this to the Assembly during the sitting immediately following the granting of such leave of absence.
- 2) If a member who has been granted leave of absence by the Speaker is absent for more than the period he or she has been granted without any reasonable cause, the remuneration to which he or she is entitled, as a member of the Assembly shall cease for the period of such absence.
- 3) If a member, not having obtained the leave of absence from the Speaker, is absent from any number of sittings, the remuneration to which he or she is entitled, as a member of the Assembly shall cease for the period of such absence.
- 4) If a member is sentenced to a term of imprisonment, the remuneration receivable by him or her by virtue of his or her membership of the Assembly shall cease to be paid from the date of the announcement of the sentence by the Court, and no payment thereof shall be made for the duration of the term of imprisonment so long as the sentence continues in force.
- 5) For the purposes of sub regulations (3) and (4) hereof the period of absence of a member shall be counted as from the day of the first sitting of the consecutive sittings from which he or she was absent to the day preceding the first subsequent sitting at which he or she was present, both inclusive.

24. Non-members taking part in Proceedings

Ministers who are not members of the Assembly and who wish to be present at any sitting and to take part in the proceedings may do so. They shall be subject to the same rules of order within the precincts of the Assembly and shall have the same rights and privileges as members of the Assembly, save only that they shall not vote and shall not be included in the quorum.

25. Records to be kept

- 1) The clerk of Assembly shall keep two forms of records of the deliberations of the Assembly and of the Committees thereof. One record shall contain everything said word for word, and the other shall contain a summary of such deliberations. He or she shall also keep a record containing the decisions passed by the Assembly.
- 2) The said records shall be prepared and kept in English, Arabic or any national language.

26. Secrecy of Records

The Clerk of the Assembly shall keep with due care the records of deliberations of secret sittings. Such records shall not be published or announced.

27. Distribution of Records to Members

The records of deliberations in every sitting shall be distributed by the Clerk of the Assembly to every member as soon as they are ready for distribution.

28. Meetings

- 1) Subject to these Regulations, the Assembly shall meet on such days, as the Speaker shall determine.
- 2). Not less than fourteen days before the date of meeting, the Clerk shall dispatch a notice of the meeting to each member;
- 3) When the Speaker adjourns the Assembly to a specified date, no further notice to the members shall be required.

29. Extra-ordinary Meetings

In the case of an emergency and if the Assembly is not in session, the President of the Government of Southern Sudan or the Speaker may call an extra-ordinary meeting of the Assembly at any time he or she considers expedient.