

CHAPTER IV

MEMBERS AND OFFICERS OF THE ASSEMBLY

6. Election of the Speaker

- 1) At the first sitting of the first session, members having assembled at the time appointed and being seated, the business shall be limited to the election of the Speaker.
- 2) Any member, having first ascertained that the person to be proposed for the office of the Speaker is willing to perform the duties of such office if elected, may rise in his or her place, address himself or herself to the Chairperson, propose such person and ascertain his or her willingness to perform such duties.
- 3) The said proposal shall be seconded, but no debate thereon shall be allowed.
- 4) If only one candidate is so proposed and seconded, he or she shall be declared by the Chairperson to have been elected.
- 5) Where more than one person is nominated the Assembly shall proceed to elect the Speaker by secret ballot.
- 6) When more than two candidates have been proposed, and at the first voting no candidate obtains an absolute majority, the candidate who has obtained the least number of votes each time shall be excluded from the election until one candidate obtains an absolute majority.
- 7) In case of voting among three or more candidates, if two or more obtain an equal number of votes and one of them has to be excluded from the election under sub regulation (6) hereof, the determination of the candidate to be excluded shall be by voting between the two candidates concerned. The candidate who obtains the lesser number of votes shall be excluded from the election.
- 8) When at any voting between two candidates the votes are equal, the Chairperson shall suspend the sitting for thirty minutes after which another voting shall be held unless this is rendered unnecessary by a withdrawal.
- 9) After declaration of the result of voting, the Speaker shall immediately take the following oath of office:

“Ihaving been elected as Speaker of the Southern Sudan Legislative Assembly, do hereby swear by Almighty God/ solemnly affirm/that I will bear faith and allegiance to Southern Sudan and its people; that I will obey and respect the Interim Constitution of Southern Sudan and the Interim National Constitution and abide by the law; and that I shall faithfully and

conscientiously discharge my duties as the Speaker of the Assembly and serve the people of Southern Sudan to the best of my ability; and so help me God/ God is my witness”.

7. Functions of the Speaker

- 1) The Speaker is the Head of the Assembly. He or she represents the Assembly in and outside Southern Sudan and he or she shall speak in its name in accordance with its resolutions and shall demarcate the official precincts of the assembly, maintain security, order and good performance inside its chambers, residence and precincts. The Speaker shall supervise the preparation of the agenda, open up, chair and adjourn sittings and declare their adjournment and prorogation and he or she shall conduct and direct deliberations. He/she shall explain or ask for a clarification of any matter, which in his/her opinion is not clear, and he shall resolve the procedural questions in accordance with the provisions of the regulation and resolutions of the assembly. He or she shall put questions to the vote, declare the resolutions adopted by the Assembly; and certify them, generally supervise the good conduct of the Assembly's business and its administrative affairs.
- 2) The Speaker shall conduct consultations with the chairpersons of the other political parties about essential issues submitted to the Assembly whenever appropriate.
- 3) The Speaker in consultation with the Business Affairs Committee shall take necessary decisions to conduct consultations on behalf of the Assembly when on recess provided that the assembly shall be informed of the same when it resumes its business.

8. Election of the Deputy Speaker

- (1) In its first sitting after the election of the Speaker the Assembly shall proceed to elect the Deputy Speaker of the Assembly.
- (2). The Deputy Speaker of the Assembly shall be elected in the same manner as the Speaker, except that the Speaker shall preside over such election.
- (3) The Deputy Speaker shall take the same oath as that of the Speaker.

9. Functions of the Deputy Speaker

- 1) The Deputy speaker shall assist the Speaker in the discharge of his or her duties in accordance with these Regulations, and shall act on his or her behalf in case of his or her absence. He or she shall also supervise the work of all the Committees of the Assembly.
- 2) The Speaker may, at anytime, without formal communication to the Assembly require that the Deputy Speaker takes the chair in any meeting of the Assembly;

- 3) Where the Deputy Speaker occupies the chair in accordance with sub-Regulation (2) hereof; he or she shall perform the duties and exercise the powers of the Speaker until the Speaker resumes the chair.
- 4) In case of an inevitable absence of both the Speaker and the Deputy Speaker, the Speaker shall appoint any Chairperson of any specialized committee to preside over the sittings and oversee any other business of the Assembly.

10. Standing Specialized Committees

There shall be constituted at the commencement of every Assembly the following Standing Specialized Committees:

- 1) Committee of Security and Public Order
- 2) Committee of Development, Economy and Finance,
- 3) Committee of Public Services and Administrative Reforms ,
- 4) Committee of Business of the Assembly,
- 5) Committee of Legislation and Legal Affairs,
- 6) Committee of Members' Affairs,
- 7) Committee of Information and Culture
- 8) Public Accounts Committee,
- 9) Human Rights and Humanitarian Affairs Committee,
- 10) Regional and International Cooperation,
- 11) Energy, Industry and Mining,
- 12) Committee on Land, Natural Resources and Environment
- 13) Gender, Social Welfare, Youth and Sports
- 14) Education, Research, Science and Technology
- 15) Services and physical infrastructure
- 16) Committee for Peace and Reconciliation

11. Composition of the Standing Specialized Committees

- 1) a) Every Standing Specialized Committee shall comprise a reasonable number of members provided that no one member of the Assembly shall be a member of more than two Standing Specialized Committees at one given time
b) No Minister shall be a member of any Specialized Committee of the Assembly; but the Chairperson may invite any Minister when he or she deems it fit, to help or enlighten the Committee.
2. The Assembly shall elect the Chairperson of each Specialized Committee from among its members.
3. The Committee of Business of the Assembly shall consist of the Speaker, the Deputy Speaker, the Leader of government business and all the Chairpersons of Specialized Committees.

12. Functions of Standing Specialized Committees

1) *Committee of Security and Public Order*

Committee of Security and Public Order shall have the competence to:

- (a) Examine draft Bills in respect of the security forces; review legislations relating to preservation or promotion of internal security and public order, with regard to their proper execution and effectiveness; and legislations governing conduct of the security forces.
- (b) Examine factors and circumstances which create, or are likely to create, disorder and insecurity and present reports and recommendations thereon to the assembly for deliberation.
- (c) Listen to reports presented by the relevant Minister or the security organs to any proposal, in respect of the conduct, standard and performance of the security forces, whereupon the committee may make the necessary recommendations. It may in similar meetings listen to evidence of threat to Security presented thereto by the Minister of Police and Security, whereupon the committee may present to the assembly proposals for emergency legislation authorizing the Minister concerned to exercise within a specified period the powers necessary to eliminate and avert such threat.

(2) *Committee of Development, Economy and Finance*

- (a) The Committee of Development, Economy and Finance shall be concerned with the study of main problems affecting the Southern Sudan economy or related plans; all draft financial bills, financial or economic reports and budgets presented to the Assembly. The committee in particular shall focus its activities on the following matters:
 - 1) Economic plans and policies
 - 2) Financial institutions and systems
 - 3) Trade and Commerce
 - 4) General budgets of the Government of Southern Sudan
 - 5) Consideration of economic and Financial Bills and Agreements
 - 6) General reconstruction programs
 - 7) Investment policies and legislations
- (b) The Chairperson of the Committee may in consultation with the Speaker present to the Assembly major financial and economic problems for study in the course of which the Committee may interview the minister or any other person concerned. The Committee may present its reports and comments to the Assembly or minister concerned.

(3) *Committee of Public Service and Administrative Reform*

The mandate of the Committee shall include the following:-

- a) Plans, policies, bills and measures connected with the public service and planning for human resource development.
- b) Overseeing policies of work, recruitment, training, wage systems, social insurance and pension schemes;
- c) Inquiring into labor disputes in both the public and private sectors and make reports to the Assembly;
- d) Scrutinize policies on appointments promotions, dismissals and other terms and conditions of service in both the public and private sector;
- e) Any other matters related to public administration which may be assigned to the Committee by the Speaker or the Assembly

4) *Committee of Business of the Assembly*

The Committee of Business of the Assembly shall be chaired by the Speaker and membership of Deputy Speaker, the Leader of Government Business and Chairpersons of Standing Specialized Committees and its functions shall include the following: -

- a) Preparation of program of work for the Assembly in a manner that shall enable the Assembly to discharge its business expeditiously and efficiently.
- b) Ensuring that motions are presented according to the Regulations.
- c) Revising the rules and procedures governing the conduct of business of the Assembly or any of its committees.
- d) Submitting to the Assembly any proposals in respect of the administrative affairs of the Assembly.
- e) Any other functions that may be assigned to it by the Assembly

5) *Committee of Legislation and Legal Affairs*

- a) The Committee of Legislation and Legal Affairs shall have power to examine draft bills presented to the Assembly and shall render opinion on the appropriateness and compatibility of such bills with the Constitution.
- b) The Committee shall investigate any formal petitions, questioning the validity of membership of any member of the Assembly and any allegations of breach of the privileges of the Assembly and its members.
- c) The Committee shall present its report on any draft bill referred to it by the Speaker as expeditiously as possible.
- d) Any other functions assigned to it by the Speaker or the Assembly.

6) *Committee of Members Affairs*

The Committee of members Affairs of the Assembly shall: -

- a) Cater for the welfare of the members;
- b) Ensure that the privileges and immunities of members are respected and upheld;
- c) Study and recommend ways to strengthen harmonious relations among the members and with the general public.
- d) Promote exchange programs and interaction between the members of the Assembly and other parliamentary institutions in and outside the Sudan
- e) Organize cultural and social activities for the members.
- f) Promote leadership and capacity building for the members.
- g) Perform any other functions as deemed necessary by the Speaker or the Assembly.

7) *Committee of Information and Culture*

The mandate of the Committee of Information and Culture shall include the following:-

- a) Promote the Southern Sudan culture, values and heritage;
- b) Ensure that freedom of information, expression and media are upheld;
- c) Review plans, policies, bills and measures connected with information, means of expression, press, broadcasting, television and all the audio-visual media.
- d) Develop language policy and protect national languages
- e) Any other functions that may be assigned to it by the Speaker or the Assembly.

8) *Public Accounts Committee*

The functions of the Public Accounts Committee shall include the following: -

- a) Monitor and oversee public collection of revenue and expenditure thereof;
- b) Scrutinize the report of Auditor General on the Government of Southern Sudan audited accounts.
- c) Any other functions deemed to be necessary by the Speaker or the Assembly.

9) *Human Rights and Humanitarian Affairs Committee.*

The Committee shall, inter alia, have the following functions: -

- a) Ensure and promote respect for human rights and the rule of law;
- b) Promote peaceful coexistence and human rights awareness through civic education in Southern Sudan.
- c) Promote gender equality;
- d) Exercise oversight on programs of repatriation, resettlement, rehabilitation and reintegration of Returnees and Internally Displaced Persons.

10) *Committee of Regional and International Cooperation,*

The Committee shall be concerned with the following: -

- a) Promotion of cooperation with the neighboring states and other friendly nations on culture, trade, sports, education, investment and technical assistance;
- b) Encouragement of co-operation amongst peoples to promote regional and international peace and solidarity;
- c) Any other function deemed necessary by the Speaker or the Assembly

11) *Committee of Energy, Industry and Mining*

The committee shall be concerned with the plans, policies, legislations and measures of: -

- a) Electric power generation and distribution
- b) Development and management of petroleum and mineral resources in Southern Sudan;
- c) Promotion of industrial development
- d) Development of non-renewable sources of energy
- e) Protection of environment
- f) Foreign investment in strategic sectors of the economy
- g) Any other functions that may be assigned by the Speaker or the Assembly.

12) *Committee of Land, Natural Resources and the Environment*

The Committee shall be concerned with the following:

- a) Overseeing land policies and legislations, Ensuring rational land use and environmental protection policies,
- b) Protection, conservation and sustainable utilization of natural resources,
- c) Conservation of forests and wildlife resources,
- d) Any other related matters as the Speaker or the Assembly may assign to it.

13. *Committee of Gender, Social Welfare, Youth and Sports*

The mandate of the committee shall include the following:

- a) Ensure empowerment of women in public life;
- b) Promote gender equality and mainstreaming;
- c) Monitor the implementation and enforcement of the Convention on the Rights of the Child;
- d) Promote policies and legislations for the protection of the family, the elderly, persons with disabilities, widows, orphans and other vulnerable groups;
- e) Promote physical and moral development of the youth through correct policies and provision of necessary sports and recreational facilities; and
- f) Creation of national consciousness and patriotism among the youth.

14. *Committee of Education, Research, Science and Technology*

The Committee shall have the following functions:

- a) Promote and ensure application of correct educational policies, plans and programs;
- b) Evaluate and ensure implementation of the Millennium Development Goals that are relevant to its mandate;
- c) Encourage scientific research geared towards development;
- d) Promote the development and application of information technology in the development process;
- e) Any other relevant matters assigned to it by the Speaker or the Assembly.

15) Committee of Services and Infrastructure

- (a) Committee of Services and Public Utilities shall have the competence to study policies and draft bills relating to public services; the type of public services, their quantity and quality, whether the general policies are being effectively carried out, and the cost match with types, quantity and quality of the services. The committee may submit reports and recommendations thereon to the minister concerned or the Assembly. The Committee shall not be concerned with the merits of the policy in respect of which the money was voted by the Assembly.
- (b) The Committee shall discuss problems affecting the management, quality and delivery of public services.
- (c) The mandate of the Committee shall include the following.
 - 1) Education at all levels
 - 2) Health
 - 3) Transport and Communications
 - 4) Housing and Public Utilities
 - 5) Quality control and standards

16) Committee for Peace and Reconciliation

Southern Sudan Peace and Reconciliation Committee shall be concerned with plans, programs, legislations and measures related to the following matters;

- a) Monitor and ensure the proper implementation of the Comprehensive Peace Agreement
- b) settlement of any internal or civil dispute and formulation of proposals and solutions for reservation of social texture, cohesion, and enhancement of communal reconciliation and peaceful coexistence among the people of Southern Sudan;
- c) Any internal or external affairs concerned with internal or civil dispute in Southern Sudan or with procedures concerned with settlement or treatment of effects thereof or policies, activities or organs concerning such disputes.

- d) Political and social mobilization for gathering efforts to support peace and national reconciliation.

13. Select Committees

- 1) The Assembly may establish ad hoc committees to be known as Select Committees, whenever necessary, to deal with any emergent matters that the Assembly or the Speaker considers necessary to refer to a select committee. The Assembly shall determine and elect the number of the members of such Select Committees.
- 2) The Speaker in consultation with the members of the Assembly Business Committee shall appoint the Chairperson of any Select Committee.
- 3) Whenever it is desired to enable a Select Committee to which a bill or matter has been referred to, hear evidence thereon, the Assembly may by order empower that Committee to send for persons, documents and records; and any Committee on which such powers have been conferred shall have the right to report its opinion and observations, together with the record of evidence taken before it, to the Assembly, and to make a special report of any matters outside its terms of reference but relating to the powers, functions or proceedings of the Committee which it may think fit to bring to the notice of the Assembly.
- 4) The Committee shall hold its first meeting at such time and place as may be appointed by the Chairperson; provided that no meeting of a Select Committee shall be held outside the Assembly buildings unless power to hold such meeting has been specifically given to the Committee by the Speaker.
- 5) The speaker may from time to time in case of death, resignation or prolonged absence of a member or appoint another member of the Assembly to take the place of such member on a Select Committee.
- 6) If the Chairperson of a Select Committee is inevitably absent, the Committee shall either postpone the meeting or elect one of its members to act as Chairperson at the meeting. If the absence of the Chairperson appears likely to be prolonged, the Secretary of the Committee shall report the matter to the Speaker who shall appoint another Chairperson from amongst the members to act in his or her place and shall so inform the Assembly at its first sitting subsequent to such appointment.
- 7) The Assembly shall not order the dissolution of a Select Committee except after such committee has presented its final report to the Assembly, or when it has become clear that the continuation of the existence of such a committee serves no purpose of the Assembly.

- 8) There shall be entered into the minutes of the proceedings in every sitting of any select committee, the names of the members present, the names of the witnesses examined, if any, and in the event of any division taking place, the question proposed, the name of the proposed and the result of the voting.
- 9) Evidence taken before any select committee of the Assembly and any documents presented to such committee, shall not be published by any person until they have been reported to the Assembly by the committee.
- 10) The procedures in the select committees shall be in accordance with Regulation 14 herein.

14. Procedure in the Committees

- 1) The Chairperson shall chair all proceedings and shall have an original vote. If the votes cast are equally divided, he or she shall declare that the motion is lost.
- 2) The quorum shall be more than half the number of members.
- 3) Members may be discharged, and the Chairperson in consultation with the Speaker shall fill vacancies.
- 4) Committee meetings may be held even if the Assembly is on recess.
- 5) Meetings shall be held whenever called by the Chairperson.
- 6) In the absence of the Chairperson, the Deputy Chairperson, if any, or such member as the Committee shall elect, shall preside over the meeting.
- 7) Any member of a Committee who, without permission, absents himself or herself from three successive meetings about which notice has been given, shall forfeit his or her membership thereof. The Speaker shall appoint another member to take his or her place.
- 8) Committee reports submitted to the Assembly may be distributed to the members before the sitting instead of the same being read during the sitting.