

REPUBLIC OF ZAMBIA

**NATIONAL ASSEMBLY OF ZAMBIA
STANDING ORDERS, 2021**

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PRAYER

Almighty God, who, in Your infinite wisdom and providential goodness, has appointed the offices of Leaders and Parliaments for the welfare of Society and the just government of the people, we beseech You to consider with Your abundant favour, us, Your servants, whom You have been pleased to call to the performance of such important responsibilities in this Land.

Let Your blessings descend upon us, here, in Parliament assembled, and grant that we may, as in Your presence, treat and consider all matters that shall come under our deliberation in so just and faithful a manner as to promote Your honour and glory, and to advance the peace, prosperity and welfare of our Country and of those whose interests You have committed to our charge.

AMEN

NATIONAL ASSEMBLY OF ZAMBIA STANDING ORDERS, 2021

PART ONE: PRELIMINARY PROVISIONS

CHAPTER 1: SHORT TITLE, COMMENCEMENT AND DEFINITIONS

1. Short Title and Commencement

These Standing Orders may be cited as the National Assembly of Zambia Standing Orders, 2021, and shall come into operation on 12th August, 2021.

2. Definitions

In these Standing Orders, unless the context otherwise requires-

'Assembly' or 'House' means the National Assembly and includes its committee or sub-committee;

'back bencher' means a Member of Parliament who is not a Minister;

'ballot box' means a transparent box for the purpose of an election;

'Bill' means a proposed law;

'broadcast' includes live transmission of the proceedings of the House by radio, television or webcast;

'Chairperson of Committees' means the Chairperson of the Committees of the Whole House;

'Chamber' means the place where the House meets during its sittings;

'Clerk' means the Clerk of the National Assembly appointed under **Article 84** of the Constitution and includes a Deputy Clerk and an officer of the National Assembly when at the Table;

'Committee Chairperson' means a Chairperson of a Standing, Select or other Committee of the House;

'Committee of Supply' means a Committee of the Whole House in which the annual estimates of expenditure, including supplementary estimates of expenditure, are considered;

'Committee of Ways and Means' means a Committee of the Whole House in which the revenue measures or tax proposals are considered;

'Constitution' means the Constitution of Zambia, Chapter 1 of the Laws of Zambia;

'Deputy Speaker' means the person elected First or Second Deputy Speaker under **Article 82 (4) and (5)** of the Constitution;

'Deputy Chairperson of Committees' means the Deputy Chairperson of the Committees of the Whole House;

'dissolution' means bringing to an end a term of Parliament followed by a general election;

'document' means a device by means of which information is recorded, stored or transmitted and includes a book, paper, drawing, plan, radio feed, or television footage;

'Estimates' means Estimates of Revenue and Expenditure for a financial year and includes Supplementary Estimates;

'Government Chief Whip' means a member appointed Government Chief Whip under Standing Order *forty-five* of these Standing Orders;

'gross disorderly conduct' means behaviour which disrupts the proceedings of the House, shows serious disrespect to a presiding officer or another member or brings the House into disrepute, ridicule or contempt;

'international agreement' means an agreement concluded between States, in written form, and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation, and includes a convention, treaty or protocol, but excludes a bilateral agreement;

'joint committee' means a committee with membership drawn from two or more committees;

'Leader of the Opposition' means the Leader of the Opposition elected under **Article 74 (2)** of the Constitution;

'Maiden speech' means a backbencher's first speech in the House;

'Meeting' means a series of sittings of the Assembly for a period beginning when the Assembly first sits after being summoned and terminating when the Assembly is adjourned *sine die*;

'member' means a member of the Assembly and includes the Vice-President, Speaker and First Deputy Speaker;

'minister' means a Cabinet Minister;

'motion' means a proposed resolution of the House on a particular matter;

'officer' means a member of staff in the department of the Clerk of the National Assembly and includes the Clerk;

'Opposition Whip' means the Opposition Whip appointed under Standing Order *forty-eight* of these Standing Orders;

'Order of the Day' means an item of business appearing on the Order Paper as a carry-over from the previous sitting of the House;

'Order Paper' means the agenda for a sitting of the House;

'petition' means a written request addressed to the Speaker asking the House to take or not to take some particular action on a specified matter that is within the mandate of the Assembly;

'Point of Order' means an assertion by a member that a rule of procedure or privilege of the House has been breached;

'precincts of the Assembly Chamber' means the Chamber in which the Assembly sits for the transaction of business together with the offices, rooms, lobbies, galleries, courtyards, gardens, National Assembly Motel, constituency offices and other places provided for the use of office accommodation of members, officers or visitors, and any passages connecting such places and any other place as may be designated by the Speaker from time to time;

'President' means the President of the Republic of Zambia;

'presiding officer' means the Speaker, Deputy Speaker or a member elected under **Article 77(3) (d)** of the Constitution to preside at a sitting;

'private Bill' means a Bill, not being a Bill introduced by a minister, intended to benefit or promote the interests of some particular person, association or corporate body as distinguished from a measure meant for the general public;

'Private business' means an item of business on the Order Paper initiated by a backbencher;

'private member's Bill' means a public Bill promoted by a backbencher;

'prorogation' means the formal end of a Session of Parliament;

'public Bill' means a Bill, introduced by a minister or backbencher, which relates to matters of public policy and affects the public generally, or a section of the public;

'public business' means an item of business on the Order Paper that is not private business;

'public document' means a document published by the State or under State authority;

'ratification' means the act by which the State signifies its consent to be bound by an international agreement, and includes acceptance, approval and accession where the international agreement so provides;

'ruling' means a decision by the Speaker on a matter of order or procedure;

'select committee' means an *ad hoc* committee appointed for a specific task and stands dissolved at the end of the task;

'Sergeant-at-Arms' means the officer with responsibilities for maintaining order and security in the House;

'Session' means a period not exceeding twelve months, within a term of the Assembly, which commences on the first sitting day of the House after a general election or prorogation of Parliament and ends with a prorogation or dissolution of Parliament;

'Sitting' means the period between the time when the Speaker takes the Chair and the time when the Assembly is adjourned;

'Speaker' means a person elected Speaker under **Article 82** of the Constitution;

'Special Sitting' means a sitting of the Assembly at which the President or a visiting foreign dignitary, including a Zambian holding the most senior position in an international organisation, addresses the House subsequent to the ceremonial official opening in the same Session in the case of the President and at any time in the case of a visiting foreign dignitary;

'standing committee' means a committee established for the

life of an Assembly;

'Standing Orders' means rules made by the House for the regulation of its proceedings;

'stranger' means a person other than the President, a foreign dignitary, an officer or an accredited journalist on the floor of the House;

'substantive motion' means an independent motion of which notice is duly given but which is neither incidental nor relating to proceedings or an order of the day already before the House;

'summoning' means the calling of a Session of Parliament;

'supplementary question' means a follow-up oral question;

'table' means to deposit formally a document on the Table;

'Tablet' means a wireless touch screen personal computer and includes a Smartphone;

'Table' means Table of the House on which documents are laid;

'visitor' means a person other than a member or an officer, who has permission to enter the precincts of the Assembly;

'Votes and Proceedings' means a record of the proceedings of a Sitting of the House; and

'whip' means a member appointed by a political party or grouping to which the member belongs, as the person responsible for the organisation and discipline of other members in the party or group in the House.

CHAPTER 2: FIRST SITTING OF NEW ASSEMBLY

3. Swearing in of Members of Parliament

(1) At least seven days before the first Sitting of a new Assembly, a member shall present himself or herself before the Clerk to take and subscribe the Oath or Affirmation of Office as set out in appendix 'II' of these Standing Orders.

(2) The Clerk shall, at the place, date and time determined by the Clerk, administer the Oath or Affirmation of Office to members under paragraph (2) in alphabetical order.

4. Notice and First Sitting of new Assembly

(1) The Speaker shall, in accordance with **Article 75(1)** of the Constitution, within thirty days after a general election, place a notice in the *Gazette* appointing the date of the first Sitting of the Assembly.

(2) After the members have assembled at the place, date and time appointed by the Speaker in the *Gazette*, the Clerk shall read aloud the *Gazette* notice.

(3) After the Clerk has read the *Gazette* notice, the House shall proceed to elect new presiding officers.

(4) The Clerk shall preside at the election of the presiding officers.

(5) The Clerk shall determine any question arising in the House, before and during the election of the presiding officers.

(6) Until the Speaker is elected, the House shall not transact any other business.

5. Election of Speaker

(1) Members of Parliament shall, in accordance with **Article 82(1)** of the Constitution, elect, by secret ballot, a Speaker of the Assembly from a list of names of persons, who are qualified to be elected as Members of Parliament, but are not Members of Parliament, submitted to the Assembly by-

- (a) the President; and
- (b) political parties holding seats in the Assembly.

(2) In accordance with **Article 82(2)** of the Constitution, a person is qualified to be elected as Speaker of the Assembly if that person-

- (a) is a citizen by birth or descent;
- (b) does not have dual citizenship;
- (c) has been ordinarily resident in Zambia;
- (d) is at least thirty-five years old;
- (e) has obtained, as a minimum academic qualification, a grade twelve certificate or its equivalent;
- (f) declares that person's assets and liabilities, as prescribed;
- (g) has paid that person's taxes or made arrangements satisfactory to the appropriate tax authority for the payment of the taxes; and
- (h) is not a Member of Parliament.

6. Election of First and Second Deputy Speaker

(1) After the election of the Speaker, but before the Speaker-elect takes the Chair, the House shall, in accordance with **Article 82(3)** of the Constitution, proceed to elect the First and Second Deputy Speakers who are not members of the same political party and are of different gender.

(2) The House shall, in accordance with **Article 82(4)** of the Constitution, elect, by secret ballot, the First Deputy Speaker from a list of three names, selected by the political parties represented in the Assembly, from among persons who are qualified to be elected as Members of Parliament but are not Members of Parliament.

(3) The House shall, in accordance with **Article 82(5)** of the Constitution, elect, by secret ballot, the Second Deputy Speaker from among their number.

(4) The House shall, in accordance with **Article 82(6)** of the Constitution, elect a Speaker and the Deputy Speakers-

- (a) when the Assembly first sits after a general election; or
- (b) if the office of Speaker or Deputy Speaker becomes vacant.

(4) When the office of Speaker or Deputy Speaker becomes vacant,

business shall not be transacted in the National Assembly, other than an election to the office of Speaker or Deputy Speaker.

7. Procedure for nominating Speaker or Deputy Speaker

(1) The President and political parties holding seats in the House shall, when submitting the names of candidates for the position of Speaker and Deputy Speaker, each designate one member as proposer and another member as seconder in respect of a candidate for purposes of nominations.

(2) In the case of election to the office of Speaker and First Deputy Speaker, the proposers and seconders shall obtain nomination papers from the Clerk as set out in appendices V and VI.

(3) The proposers and seconders shall submit the completed nomination paper to the Clerk at least forty-eight hours before the time appointed for the elections.

(4) The names of candidates for the position of Second Deputy Speaker shall be handed to the Clerk at least twenty-four hours before the time appointed for the election of the Speaker and First Deputy Speaker in the form set out in appendix VII.

8. Voting Procedure for election of Speaker and Deputy Speaker

(1) At least twenty-four hours before the time appointed for the election, the Clerk shall enter the names of candidates for the positions of Speaker and First Deputy Speaker, submitted by the President and the political parties represented in the House, on ballot papers.

(2) When a quorum of the House is present at the time appointed for the election of Speaker, the Clerk shall cause the division bells to be rung for five minutes.

(3) At the end of the five minutes, the Clerk shall announce the start of the election of the presiding officers.

(4) The Clerk shall issue a ballot paper to a member who comes to the Table to obtain it.

(5) A member who, before the conclusion of the ballot, marks a ballot

paper in error may, by returning it to the Clerk, obtain another one in its place, and the Clerk shall immediately destroy the returned ballot paper.

(6) A member shall vote by marking an 'X', and no other writing or signature, in the space against the name of the candidate for whom the member wishes to vote.

(7) At the commencement of each ballot, the Clerk shall-

- (a) cause the empty and unlocked ballot box, to be displayed to the House; and
- (b) close and lock the ballot box and keep it in full view of the House until the ballot is concluded.

(8) When the Clerk is satisfied that all members who are present and who wish to vote have cast their ballot, the Clerk shall-

- (a) make an announcement that the ballot is closed, and no member who has not cast his or her vote shall be allowed to do so after the Clerk closes the ballot;
- (b) in the presence of one election agent, each from the parties proposing a candidate, unlock the ballot box, examine the ballot papers cast and count the votes for each candidate; and
- (c) announce the result, including the rejected ballot papers and the reasons for the rejection.

(9) After the election of the Speaker, but before the Speaker-elect takes the Chair, the House shall proceed to elect the First Deputy Speaker.

(10) After the election of the First Deputy Speaker, the Clerk shall suspend Business for not more than thirty minutes in order to enter the names of candidates for the position of Second Deputy Speaker on the ballot papers, and to ensure that gender and political party balance under **Article 82(3)** of the Constitution is attained.

(11) The provisions of Standing Orders *seven to twelve* shall apply with the necessary modifications in electing the Speaker or the First Deputy Speaker under this Standing Order.

(12) The Clerk shall make such necessary arrangements to enable any member differently abled, to vote.

9. Withdrawal of Candidate

(1) A candidate may, by written notice to the Clerk, withdraw his or her candidature at any time before the voting begins.

(2) Where a candidate withdraws his or her candidature, the Clerk shall cross the name of that candidate off any ballot papers issued for that or any subsequent ballot.

10. Election Threshold

(1) A person shall not be elected Speaker or Deputy Speaker unless the person is supported by a simple majority vote.

(2) In case of a tie in the number of votes, another ballot between the candidates with the highest votes shall be held on the same day.

(3) Where it is not practicable to hold the ballot on the same day, the Clerk shall determine a subsequent day for the election.

(4) The date for the subsequent election under paragraph (3), shall be within three working days of the date of the initial election.

11. Single Duly Nominated Candidate

Despite anything to the contrary contained in these Standing Orders, if there is only one candidate who has been duly nominated for the position of Speaker, First Deputy Speaker or Second Deputy Speaker, that candidate shall be declared to have been duly elected Speaker, First Deputy Speaker or Second Deputy Speaker, without a ballot being held.

12. The Speaker-elect takes the Chair

(1) When the Speaker has been elected, the Speaker's proposer and seconder shall rise and go out of the Chamber to meet the Speaker-elect and, leading him or her by the hand through the main entrance into the Chamber, shall conduct him or her to the Chair.

(2) The Speaker-elect shall rise and say, '**in accordance with tradition, I rise to submit myself to the will of the House.**' From the upper step of the Chamber, the Speaker-elect shall express his or

her acknowledgment of the honour given to him or her and then suspend business for five minutes to enable the Speaker to robe.

(3) The Speaker-elect shall be led by the Sergeant-at-Arms to the Table of the House to take and subscribe the Oath or Affirmation of Office.

(4) The Clerk shall administer the Oath or Affirmation of Office to the Speaker.

(5) The Speaker shall take the Chair.

(6) The Sergeant-at-Arms shall place the Mace in the upper brackets of the Table immediately after the Speaker has taken the chair.

(7) The Leader of Government Business in the House or, in his or her absence, a minister shall rise and congratulate the Speaker.

(8) On a motion by the Leader of Government Business or in his or absence, an acting Leader of Government Business shall adjourn to the next Sitting day.

13. Oath or Affirmation of Office for First Deputy Speaker

The Speaker shall, soon after he or she has been sworn in, administer the Oath or Affirmation of Office to the First Deputy Speaker.

14. Oath or Affirmation of Office for Members

(1) In accordance with **Article 260** of the Constitution, a member shall not perform the duty of his or her office unless he or she has taken and subscribed the Oath or Affirmation of Office.

(2) When a member first attends to take his or her seat after the first Sitting of the House, the member shall, before taking his or her seat, be escorted to the Table by two members to be nominated by the Government Chief Whip and be presented to the Speaker who shall then administer to the member, the Oath or Affirmation of Office.

(3) The Speaker shall administer the oath or affirmation of office to a new member immediately after the prayer has been said.

15. Presidential Approval

(1) The Speaker and Deputy Speakers, shall, as soon as the First Deputy Speaker is sworn in, present themselves to the President for presidential approval.

(2) The Speaker shall, at an appropriate time, report the approval to the Assembly.

16. Vacation of Office by Speaker or Deputy Speaker

(1) The office of Speaker or Deputy Speaker shall become vacant if the Speaker or Deputy Speaker-

- (a) becomes disqualified under **Article 70(2)** of the Constitution;
- (b) resigns by notice, in writing, to the President;
- (c) is removed from office in accordance with **Article 83** of the Constitution; or
- (d) dies.

(2) The Speaker or Deputy Speaker, as the case may be, shall notify the House of the resignation of the Speaker or Deputy Speaker within seven (7) days of the resignation.

(3) Where the Speaker or Deputy Speaker is removed from office in accordance with **Article 83** of the Constitution, an election of Speaker or Deputy Speaker shall be conducted within seven days of the resolution of the House, in accordance with Article 82 of the Constitution.

CHAPTER 3: ANNUAL SESSION OTHER THAN FIRST SESSION OF ASSEMBLY

17. Session of the Assembly

(1) A Session shall, in accordance with **Article 75(2)** of the Constitution, have at least three Meetings.

(2) A Session shall commence with the Ceremonial Official opening of Parliament by the President.

(3) The Speaker shall place a notice in the *Gazette* notifying members and the public of the place, date and time for the Ceremonial Official opening of Parliament.

18. Procedure for Ceremonial Official Opening of Parliament

(1) On the day appointed for the Ceremonial Official opening of Parliament in the Speaker's *Gazette* notice, the Clerk shall read the *Gazette* notice.

(2) A member elected or nominated since the last adjournment of the Assembly shall take and subscribe the Oath or Affirmation of Office.

(3) The Leader of Government Business in the House or, in his or her absence an acting Leader of Government Business shall inform the House the time at which the President will address the House.

(4) The Speaker shall then suspend business of the House until the President arrives.

(5) A member and a visitor shall stand in his or her place whenever the Speaker, the President or both the Speaker and the President enter or leave the Chamber.

(6) When the President leaves the Chamber at the conclusion of his or her Address, the Vice-President shall, at the appropriate time, move a motion for the adjournment of the House.

19. Motion of thanks on President's Address

A motion of thanks on the President's Address shall be moved by a member nominated by the Government Chief Whip and debated for a period of ten sitting days or as determined by the House Business Committee.

CHAPTER 4: SPECIAL SITTING OF ASSEMBLY

20. Procedure for Special Presidential Address

(1) The President shall attend Parliament each year to render a Special Address to the Assembly as provided under **Article 9(2)** of the Constitution.

(2) The Speaker shall inform the House of the date and time of the Special Address.

(3) The Speaker shall, before the time appointed for the Special Address, suspend Business until the President arrives.

(4) The Speaker shall meet the President in the foyer at the main entrance to the Chamber.

(5) The House shall debate the Special Address for ten sitting days or as determined by the House Business Committee.

21. Time of Ceremonial Opening of Parliament or Special Sitting

The Speaker or the House Business Committee shall determine the sitting time for the day of the Ceremonial Official Opening of each Session or a Special Sitting.

22. President to be heard in silence

(1) The President shall be heard in silence when delivering an address to the Assembly.

(2) Members shall observe utmost dignity and decorum during the President's address.

(3) A member shall not disrupt or interrupt the President's address through disorderly conduct.

CHAPTER 5: PRESIDENTIAL MESSAGE AND ADDRESS BY FOREIGN DIGNITARY

23. President's message to Assembly

(1) The President may, in accordance with **Article 86(2)** of the Constitution, at any time during the term of Parliament, send a message to the Assembly, which may be read by the Leader of Government Business in the House or by a minister designated by the President.

(2) When the President's message is read, the message shall be deemed to have been laid on the Table of the House and the House Business Committee shall determine the manner in which the message shall be considered by the House.

24. Address by visiting foreign dignitary

(1) The Speaker may, in consultation with the House Business Committee, allow a visiting Head of State, a visiting foreign dignitary or a Zambian holding the most senior position in an international organisation to address the House.

(2) Standing Orders *twenty, twenty-one and twenty-two* shall, with necessary modifications, apply to a foreign visiting dignitary or Zambian holding the most senior position in an international organisation.

CHAPTER 6: SITTING OF ASSEMBLY

25. Days and times of sitting

(1) The Assembly shall sit at 14:30 hours on Tuesday, Wednesday and Thursday, and 09:00 hours on Friday.

(2) The Assembly shall not sit on a public holiday or a weekend.

(3) Despite paragraph (2), a committee may sit on a public holiday or weekend.

26. Suspension of Business

(1) A presiding officer shall suspend business for twenty minutes at 16.40 hours on Tuesday, Wednesday and Thursday and at 10.40 hours on Friday.

(2) Despite paragraph (1), a presiding officer may, if necessary, suspend business at any time and for such period as the presiding officer may determine.

27. Automatic adjournment

(1) On Wednesday and Friday, the normal time for adjournment shall be 19:15 hours and 13:00 hours, respectively.

(2) On Tuesday and Thursday, the normal time for adjournment shall be 18:45 hours.

(3) The presiding officer shall, five minutes before the time of adjournment, interrupt business under consideration by the House.

(4) If the House is in committee, the Chairperson of Committees shall report progress and ask for permission to sit again.

(5) If voting is in progress at the time appointed for the interruption of business, the interruption shall take place after the announcement of the results.

(6) Business interrupted under paragraph (2) shall be deferred to a day as the member in charge of it shall appoint and, if no day is appointed, the business shall lapse.

28. Resumption of interrupted business

(1) A debate interrupted under Standing Order *twenty-seven* shall, on being placed on the Order Paper, be resumed at the stage where it was when the interruption occurred.

(2) A member whose speech is interrupted under Standing Order *twenty-seven* shall have the right to speak on resumption for the remainder of the time available to him or her.

(3) Where a member whose debate was interrupted is not in the House at the time of resumption of debate, his or her debate shall be deemed to have been concluded at the time of the interruption.

29. Exemption from Automatic Adjournment on Wednesday

On interruption of business on Wednesday, the Leader of Government Business in the House shall move a motion for the adjournment of the House.

30. Subject for Debate on Motion of Adjournment

(1) On interruption of business on Wednesday, or when the business of the House is concluded before the time of adjournment, the House may debate a subject for which notice has been handed in to the Clerk before 11:00 hours on the previous day.

(2) If the debate is not concluded before 20:00 hours, or by 20:00 hours, the presiding officer shall at that hour adjourn the House without question put and the subject shall lapse.

31. Adjournment of House

(1) If the business of the House is concluded before the time set for automatic adjournment on any day, the Leader of Government Business in the House shall move a motion for the adjournment of the House.

(2) On all days except Wednesday, the Speaker shall adjourn the House without question put.

(3) Except as otherwise provided in these Standing Orders, the House may be adjourned only upon its resolution.

32. Suspension or Adjournment in case of grave disorder

If grave disorder arises in the House, the Speaker may suspend the business under consideration, or adjourn the House, for a period, as the Speaker considers appropriate under the circumstances, without Question put.

33. Adjournment by Leader of Government Business in case of emergency

The Leader of Government Business in the House may, at any time and with prior permission from the Speaker, move a motion to adjourn the House due to a national emergency.

34. Adjournment *sine die* and lapsing of business

(1) When Standing Order *twenty-seven* is suspended for purposes of completing business appearing on the Order Paper for the last sitting day in a Meeting, the House shall not sit beyond 23:00 hours.

(2) Business that remains outstanding at 23:00 hours, shall be transacted the following day at the time to be determined by the Speaker, even if the following day is a public holiday or a weekend.

CHAPTER 7: DUTIES OF PRESIDING OFFICERS

35. Presiding in Assembly

(1) In accordance with **Article 77 (3)** of the Constitution, there shall preside at a Sitting of the Assembly-

- (a) the Speaker;
- (b) in the absence of the Speaker, the First Deputy Speaker;
- (c) in the absence of the First Deputy Speaker, the Second Deputy Speaker; or
- (d) in the absence of the Second Deputy Speaker, another member as the members may elect for that Sitting.

(2) The Clerk shall preside over the election of the member to preside at a Sitting of the Assembly in the absence of the Speaker, First Deputy Speaker and Second Deputy Speaker.

(3) A presiding officer shall maintain order and decorum in the House.

(4) A presiding officer shall, in discharging the duties of a presiding officer, act fairly and impartially.

36. Presiding in Committees of the Whole House

(1) The First Deputy Speaker shall be the Chairperson of the Committees of the Whole House.

(2) The Second Deputy Speaker shall be the Deputy Chairperson of the Committees of the Whole House.

(3) There shall preside at a sitting of the Committees of the Whole House-

- (a) the Chairperson of Committees;
- (b) in the absence of the Chairperson of Committees, the Deputy Chairperson of Committees; and
- (c) in the absence of the Deputy Chairperson of Committees, another member as the members may elect for that Sitting.

(4) The Clerk shall preside over the election of a member to preside at

a sitting of the Committees of the Whole House in the absence of the Chairperson of Committees and Deputy Chairperson of Committees.

(5) The Chairperson of Committees shall guide the proceedings and maintain order and decorum in Committees of the Whole House.

CHAPTER 8: DUTIES OF THE CLERK

37. Presiding over elections and Administering Oath or Affirmation of Office

The Clerk shall -

- (a) preside over the election of the Speaker and Deputy Speakers;
- (b) preside over the election of a member to preside at a sitting of the Assembly in the absence of the Speaker and Deputy Speakers;
- (c) administer an Oath or Affirmation of Office to the Speaker; and
- (d) administer an Oath or Affirmation of Office to the Members of Parliament prior to the first Sitting of a new Assembly following general elections.

38. Principal Advisor

The Clerk shall be the principal advisor to the House, presiding officers and members on all aspects of business, procedure, practice and privileges of the House.

39. Preparation of documents

(1) The Clerk shall be responsible for the preparation and circulation to members and other authorised persons of all documents to be used in the House or its committees and regulation of all matters connected with the efficient conduct of business in the Assembly.

(2) The Clerk shall be responsible for the production of the Hansard.

40. Custody of records

The Clerk shall be responsible for the safekeeping of all documents and records of the House and its committees.

41. Other Duties

The Clerk shall perform all other duties he or she is required to perform under these Standing Orders or any other written law.

CHAPTER 9: OTHER OFFICES OF THE ASSEMBLY

42. Leader of Government Business in the House

In accordance with **Article 74(1)** of the Constitution, the President shall appoint the Vice-President as the Leader of Government Business in the National Assembly.

43. Leader of the Opposition

(1) In accordance with **Article 74 (2)** of the Constitution, the opposition party with the largest number of seats in the House shall elect a Leader of the Opposition from amongst members of the Opposition in the House.

(2) The party shall, upon electing a Leader of the Opposition under paragraph (1), communicate the decision, in writing, to the Speaker.

44. Duties of the Leader of the Opposition

The Leader of the Opposition shall -

- (a) liaise regularly with the Speaker, Leader of Government Business and Government Chief Whip on business of the House;
- (b) study Government policy and propose possible alternatives in his or her debate; and
- (c) assist the presiding officers to maintain discipline in the House.

45. Government Chief Whip

The party in Government shall appoint a Government Chief Whip from among its members in the House.

46. Duties of Government Chief Whip

The duties of the Government Chief Whip includes-

- (a) liaising regularly with the Speaker, Leader of Government Business and Leader of the Opposition on business of the House;
- (b) ensuring that there is quorum in the House at all times;
- (c) ensuring attendance and participation in the House by members of the ruling party;

- (d) ensuring an adequate number of members of his party is present during voting in the House;
- (e) keeping members of the ruling party informed of parliamentary business;
- (f) co-ordinating parliamentary business with the Leader of the Opposition and party whips or whip;
- (g) granting members permission to be absent from parliamentary business; and
- (h) assisting the presiding officers maintain discipline in the House.

47. Deputy Government Chief Whip

(1) The party in Government shall appoint a Deputy Government Chief Whip from among its backbenchers.

(2) The Deputy Government Chief Whip shall -

- (a) in the absence of the Chief Whip, perform the functions of Government Chief Whip; and
- (b) carry out any functions that may be delegated to him or her by the Chief Whip.

48. Whip

(1) An opposition political party with ten or more members in the House may appoint a whip and deputy whip.

(2) Where there are ten or more independent members in the House, the independent members may elect a whip and a deputy whip from amongst their number.

49. Duties of Party Whip or Whip

The duties of a Party Whip or Whip includes-

- (a) ensuring attendance and participation of party or independent members in the House;
- (b) keeping party or independent members informed of parliamentary business;
- (c) ensuring all or an adequate number of party or independent members are present during voting;

- (d) coordinating parliamentary business with the Government Chief Whip and the whips; and
- (e) assisting the presiding officers to maintain discipline in the House.

50. Ranking of other Offices of Assembly

The offices of the Assembly shall be ranked as follows:

- (a) Leader of Government Business;
- (b) Government Chief Whip, Leader of the Opposition;
- (c) Deputy Government Chief Whip,
- (d) Whip; and
- (e) Deputy Whip.

PART TWO: BUSINESS OF THE HOUSE

CHAPTER 10: ORDER OF BUSINESS

51. Daily Routine of Business

(1) The daily routine of business of the Assembly shall be as follows:

- (a) National Anthem;
- (b) Prayer;
- (c) Swearing in of new members;
- (d) Announcements by the Speaker;
- (e) A motion relating to the arrangement of the Business of the House;
- (f) Matters of urgent public importance;
- (g) The Vice President's Question Time;
- (h) Statements by the Vice -President or Ministers;
- (i) Personal explanations;
- (j) Questions to the Vice -President or Ministers;
- (k) Government Bills;
- (l) Private Members' Bills;
- (m) Public business; and
- (n) Private business.

52. Order Paper to be prepared and circulated in advance

(1) The Clerk shall prepare and circulate, in advance, the Order Paper, showing the business to be transacted by the House on a sitting day.

(2) The Clerk shall publish the Order Paper on the parliamentary website and make it available to members before the House commences a sitting.

53. Precedence of business

(1) On all days other than Wednesday, Government business shall have precedence over Private Members' business. If there is no Government business, the time may be utilised for Private Members' business.

(2) On Wednesday, Private Members' business shall have precedence over Government business, to be followed by Private Members' orders of the day, to be followed by Government business.

(3) If there is no Private Members' business, the time may be utilised for Government business.

54. Order to be read without question put

On reaching an Order of the Day, the Speaker shall direct the Clerk to read the Order without question put.

55. Business to be disposed of in manner it appears on Order Paper

(1) The House shall dispose of business in the order it appears on the Order Paper or in such other order as the Speaker may, for the convenience of the House, direct.

(2) Despite paragraph (1), a member may, by leave of the House, withdraw or defer an item of business on the Order paper.

(3) A member who wishes to withdraw or defer an item of business on the Order Paper shall seek leave of the House to defer or withdraw the item immediately the Speaker calls upon the member to debate on the item.

(4) Subject to Standing Order eighty-three, an item of business that is-

- (a) deferred for six months or more, or
- (b) withdrawn, shall not be presented again in the House in the same Session.

CHAPTER 11: RULES OF DEBATE

56. Precedence of Presiding Officers

(1) When a presiding officer rises during debate or interrupts debate, a member who is speaking or indicating to speak, shall sit down and allow the presiding officer to address the House.

(2) A member whose debate is interrupted under paragraph (1), may resume his or her debate on being called upon by the presiding officer.

57. Speaking in the House

(1) A member may only speak when called upon by the presiding officer.

(2) In calling a member under paragraph (1), the presiding officer shall follow the order in which the names are displayed on the console of the multi-media system in the House.

(3) Despite paragraph (2), the presiding officer has discretion not to follow the order in which members are listed on the console in order to balance debate in the House.

(4) When two or more members rise or indicate to speak at the same time, the presiding officer has discretion on whom to call upon to speak.

(5) Despite the provisions in this Standing Order, the Leader of the Opposition shall be given precedence among backbenchers to speak whenever he or she indicates his or her intention to speak.

(6) A member may speak only to the question before the House, or an amendment to be proposed by him or her, or on a Point of Order.

(7) A minister shall at all times debate in his or her official capacity and not as a Member of Parliament for a specified constituency.

58. Manner of speaking

(1) A member shall stand and address the Speaker when debating in the House.

(2) A member shall refer to another member as he, she, his or hers and not you or yours which reference is to the presiding officer.

(3) A member who uses a word or expression in another language shall immediately translate it into English.

(4) A member shall not read a speech during debate but may make reference to notes or quote from a document.

(5) Despite paragraph (4), a -

- (a) minister moving a motion or rendering a ministerial or policy statement shall read a speech;
- (b) backbencher moving a motion shall read a speech; or
- (c) backbencher making a maiden speech may read a speech.

(6) A member seconding a motion in the House shall not read a speech but may make reference to copious notes.

59. Time Limits for Debate

(1) A member shall not debate for more than eight minutes on any question that is before the House.

(2) Despite paragraph (1), -

- (a) the debate of the Vice-President or a minister when moving or responding to a motion shall not exceed **ten minutes**;
- (b) a member moving a motion shall debate for not more than **ten minutes**;
- (c) a member winding up debate on a motion may debate for not more than **five minutes**;
- (d) the Leader of the Opposition shall debate for not more than **ten minutes**;
- (e) a member moving a Motion of Thanks to the President's Address shall not debate for more than **ten minutes**; and
- (f) a member winding up debate on a Motion of Thanks to the President's Address shall not debate for more than **five minutes**.

60. Member not to speak twice

(1) A member may not speak twice on a matter.

(2) Despite paragraph (1), a member may speak twice on a matter in an explanation or reply, or in Committee of the whole House.

(3) A member may give an explanation under paragraph (2), only if a material part of the member's speech has been misquoted or misunderstood.

(4) Where a member is giving an explanation under paragraph (2), the member shall not introduce any new matter or debate the explanation.

(5) Where an amendment to a question before the House is moved, a member who has spoken to the main question may speak again on the amended question.

(6) A member moving or seconding an amendment to the main question shall not speak again to the amended question.

(7) A member who has spoken to the main question may move or second an amendment.

61. Reply on Substantive Motion or Order of the Day

A member who moves a substantive motion or an Order of the Day shall be entitled to reply in winding up the debate.

62. Reserved Speech

(1) A member who moves a motion or an Order of the Day shall debate first.

(2) A member who seconds a motion without debating it immediately, may debate at any subsequent time of the debate on the motion.

63. Interruption

A member shall not interrupt another member who is speaking unless the member interrupting wants to raise a Point of Order.

64. Personal explanation

(1) The Speaker may grant permission to a member to explain matters of a personal nature without debate or question being put. However, the member shall confine himself or herself strictly to the vindication of his or her own conduct.

(2) A personal explanation shall not exceed **five minutes**.

65. Content of Speech

(1) A member who is debating shall -

- (a) confine his or her debate to the subject under discussion; and
- (b) ensure that the information he or she provides to the House is factual and verifiable.

(2) A member who is debating shall not –

- (a) impute any improper motives to the President, Vice-President or any other member;
- (b) refer to any matter pending determination before the Assembly or the courts of law;
- (c) use the President's name to influence debate;
- (d) make reference to documents that are not before the House;
- (e) use unparliamentary language or offensive expressions; or
- (f) make reference to a person who is not able to defend himself or herself in the House.

(3) Except for purposes of rescinding a resolution of the House, a member shall not reflect upon any resolution of the Assembly.

66. Unparliamentary Language

(1) Unparliamentary language refers to the use of offensive, provocative, insulting, threatening or obscene language in the House.

(2) A member shall not use unparliamentary language in the House.

(3) A member who alleges that another member has used

unparliamentary language in the House, may immediately raise a Point of Order.

(4) The Speaker shall have the sole discretion to determine whether or not the language used by a member is unparliamentary.

(5) In determining whether the language used by a member is unparliamentary, the Speaker shall take into account the following:

- (a) the tone, manner and possible intention of the member alleged to have used unparliamentary language;
- (b) the provocation or threat in the unparliamentary language; and
- (c) whether or not the alleged unparliamentary language creates disorder in the House.

(6) The Speaker shall order a member who uses unparliamentary language to-

- (a) withdraw the unparliamentary language; or
- (b) withdraw and apologise for using the unparliamentary language.

(7) Where a member refuses to withdraw, and/or apologise for using unparliamentary language, the Speaker may name the member in accordance with *Standing Order Two Hundred and Eight* of these Standing Orders.

(8) The Speaker may order that the unparliamentary language be expunged from the Hansard.

(9) Where appropriate and necessary, the Speaker may review and declare a word or an expression previously ruled unparliamentary to be parliamentary.

67. Irrelevance or repetition

The Speaker or the Chairperson of Committees, after having called attention to the conduct of a member who persists in irrelevance or tedious repetition either of the member's own arguments or the arguments by other members in debate, may, after having first

warned him or her, curtail the member's debate.

68. Sub judice or secret Matters

(1) Subject to paragraph (4) of this Standing Order, a member shall not in his or her debate refer to a matter active before the courts of law or a quasi-judicial body or which is secret by operation of any written law.

(2) A matter shall be considered to be *sub judice* when it refers to active criminal or civil proceedings and the discussion of such matter is likely to prejudice its fair determination.

(3) In determining whether a criminal or civil proceeding is active, the following shall apply-

- (a) criminal proceedings shall be deemed to be active when a charge has been made or a summons to appear has been issued;
- (b) criminal proceedings shall be deemed to have ceased to be active when they are concluded by verdict and sentence or discontinuance;
- (c) civil proceedings shall be deemed to be active when arrangements for hearing, such as setting down a case for trial, have been made, until the proceedings are ended by judgment or discontinuance; and
- (d) appellate proceedings whether criminal or civil shall be deemed to be active from the time when they are commenced by application for leave to appeal or by notice of appeal until the proceedings are ended by judgment or discontinuance.

(4) Despite paragraphs (1), (2) and (3), the Speaker has the discretion to determine whether a matter is *sub judice* or not.

69. Maiden Speech

(1) A backbencher shall not debate in the House until he or she has made his or her maiden speech.

(2) A member may not interrupt a member making a maiden speech.

(3) In making a maiden speech, a Member shall not speak for more than **ten minutes**.

CHAPTER 12: QUESTIONS

70. Types of Questions

There are four types of questions as follows:

- (a) questions for Oral Answer;
- (b) questions for Written Answer;
- (c) urgent questions; and
- (d) questions to the Vice - President.

71. Admissibility of Questions

(1) A question shall be admissible if it-

- (a) is not too general in nature, leading or incapable of receiving a specific answer;
- (b) does not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements;
- (c) does not ask for an expression of opinion or the solution of an abstract legal question of a hypothetical proposition;
- (d) does not ask about the conduct of a public officer except in that public officer's official capacity;
- (e) does not relate to a matter which is not primarily a concern of the Government;
- (f) does not refer to proceedings in a committee or matters under consideration by a committee before the Committee has reported back to the House;
- (g) does not reflect on the conduct of a presiding officer;
- (h) does not make or imply an allegation of a personal nature;
- (i) does not repeat in substance questions which have already been answered or to which an answer has been refused;
- (j) does not ask for information on matters pending adjudication in a court of law, a tribunal, commission of inquiry or any statutory authority performing a judicial

- or quasi-judicial function;
- (k) does not relate to a matter for which a minister is not officially concerned;
- (l) does not refer discourteously to a foreign country; or
- (m) does not seek information about matters which are classified by the State.

(2) In all other cases, the Speaker shall determine the admissibility of a question.

(3) A member shall take responsibility for the accuracy of the facts upon which his or her question is based.

(4) A question shall not be admissible if its subject matter was rendered in a Ministerial Statement during the same session or is likely to be addressed in a Ministerial Statement already approved by the Speaker for issuance by a minister or the Vice-President.

72. Questions to be directed to Ministers or the Vice - President

A question shall be directed to the Vice President or a minister and shall only relate to the ministerial or public affairs with which the Vice President or the minister is responsible officially.

73. Notice of Question

(1) A member shall give notice of a question the member seeks to ask.

(2) In giving notice of a question, a member shall deliver to the Office of the Clerk, a copy of the notice fairly written, indicating his or her full name, signature and constituency name.

(3) Subject to paragraph (4) of this Standing Order, a member giving notice of a question must indicate in the notice whether the question is for oral or written answer or is an urgent question.

(4) The Speaker shall approve all questions before they are answered.

74. Question for Oral Answer

(1) A member may submit a question for Oral Answer to the Office of the Clerk.

(2) A question for Oral Answer of a policy nature shall be ready for placement on the Order Paper after seven days of dispatch of the question by the Clerk's office to the Office of the Vice- President or appropriate ministry.

(3) A question for Oral Answer not of a policy nature shall be ready for placement on the Order Paper after fourteen days of dispatch of the question by the Clerk's office to the Office of the Vice-President or appropriate ministry.

(4) The Vice-President or a minister to whom a question for Oral Answer is directed shall respond to the question on the Floor of the House.

(5) A member who asks a question for Oral Answer shall be entitled to ask two supplementary questions.

(6) If, in the opinion of the Speaker, a question seeking an Oral Answer should more properly be given a Written Answer because it is not of a policy nature or the answer will be very long or requires detailed statistical information, the question may be converted to a question for Written Answer.

75. Question for Written Answer

(1) A member who seeks detailed information on a public matter may submit a question for Written Answer.

(2) A question for Written Answer shall be ready for placement on the Order Paper after fourteen days of dispatch of the question from the Clerk's office to the Office of the Vice- President or appropriate ministry.

(3) A member who asks a question for Written Answer shall be entitled to receive a copy of the Written Answer.

(4) The response to a question for Written Answer shall be reported in the Hansard for the date on which the question appears on the Order Paper.

76. Urgent Question

(1) A member shall submit in writing, an urgent question, to the Clerk's office at least forty-eight hours before the day it is to appear on

the Order Paper.

(2) The Vice - President or a minister shall respond to an urgent question on the floor of the House.

(3) A member who asks an urgent question shall be entitled to ask two supplementary questions.

77. Admissibility of Urgent Question

A question shall be admissible as an urgent question if the Speaker, in his or her sole discretion, is satisfied that the matter it raises is of public importance and urgent.

78. Lapsing of Questions

(1) Where a member asking a question appearing on the Order Paper is absent from the House when the question comes up for consideration, the question shall lapse and shall not be asked again during the same Session.

(2) Despite paragraph (1) of this Standing Order, a member who, due to his or her absence in the House, is unable to ask his or her question when it comes up for answer, may authorise, in writing, another member to ask the Question in the member's stead.

(3) Where the minister or the acting minister responsible for answering the question is not present in the House when the question comes up for consideration, the Leader of Government Business in the House may answer the question.

(4) Where the minister or acting minister and the Leader of Government Business in the House are absent from the House at the time the question comes up for consideration, the Speaker may defer the question to a later time or date.

(5) All questions in the Notice of Questions that are not placed on the Order Paper before the end of one Session, may be carried forward to the ensuing Session provided the questions are not stale.

(6) Despite paragraph (5) of this Standing Order, all questions that not placed on the Order Paper shall lapse upon the dissolution of Parliament.

79. Withdrawal of Questions

(1) A member may, at anytime, withdraw a question that is in the Notice of Questions before the question appears on the Order Paper.

(2) A member may, with leave of the House, withdraw a question that is on the Order Paper immediately after the question comes up for consideration.

(3) A question that is withdrawn shall not be asked again in the same Session.

80. Questions to the Vice-President

(1) The House shall allocate up to forty-five minutes every Friday for members to ask Questions without notice to the Vice-President.

(2) A question to the Vice-President shall be based on a matter of public policy.

(3) In the absence of the Vice-President, there shall be no Question Time allocated for the Vice-President.

(4) When a member is asking a question, or the Vice President is answering a question during the Vice President's Question Time, the Speaker shall, prior to making an interruption for any reason, direct that the clock in the Chamber be paused.

CHAPTER 13: MOTIONS

81. Motion by Vice-President or Minister

(1) The Vice-President or a minister may submit a motion for debate at any time during a Sitting of the House.

(2) The Vice-President or a minister shall submit a notice for a motion at least twenty-four hours before the motion is to be placed on the Order Paper.

82. Private Members' Motion

(1) A backbencher may introduce a Private Members' Motion in the House.

(2) A member who wishes to introduce a motion in the House, shall deliver to the Clerk's office, a type-written notice signed by both the member and a seconder of the motion.

(3) The member shall indicate, in the notice, the date proposed for introducing the motion in the House.

(4) The day proposed for introducing a motion shall not be less than three working days ahead, including the day of delivery.

(5) Where notice is given on Friday, the day proposed for introducing the motion shall not be less than three working days ahead excluding the day of delivery.

(6) The Speaker, may, by leave of the House, exempt a motion from the provisions of paragraphs (4) and (5) of this Standing Order.

(7) Where a member is unavailable to introduce his or her motion in the House, the member may authorise, in writing, another member to move the motion in the member's stead.

(8) Where a member fails to move his or her motion at the appropriate time, such motion shall not again be presented to the House during the same Session except with the leave of the Speaker.

(9) Where the motion is resolved in the affirmative, the Clerk shall,

within three working days, transmit the resolution to the Vice-President or the minister responsible for the subject matter of the motion.

(10) The Vice-President or the minister responsible for the subject matter of the motion shall, within, thirty days of the resolution being passed by the House submit a report on how government intends to implement the resolution.

(11) On receipt of the report under paragraph (10), the report shall stand referred to the Committee on Government Assurances.

83. Deferment or withdrawal of Motion

(1) A member who wishes to withdraw or defer a motion on the Order Paper shall seek leave of the House to defer or withdraw the motion immediately a presiding officer calls upon a member to move the motion.

(2) A motion that has been deferred may be reintroduced in the same Session of the House at the stage at which it had reached at the time of its deferment.

(3) A motion that has been withdrawn may be reintroduced afresh in the same Session of the House.

84. Rules of Admissibility of Motions

(1) The Speaker may approve a motion for debate in the House if –

- (a) it complies with these Standing Orders;
- (b) it does not raise a matter awaiting or under adjudication by a court of law;
- (c) it is in the form of an order or resolution of the House;
- (d) the motion is not substantially the same as one already submitted by another member or dealt with by the Assembly in the same Session;
- (e) it bears the name of the proposer and the seconder and is personally signed by them; and
- (f) it indicates the date proposed for its introduction in the House.

(2) A motion shall not be admissible if its subject matter was rendered in a Ministerial Statement during the same Session or is contained in a Ministerial Statement already approved by the Speaker for issuance by the Vice-President or a minister.

85. Member to give notice of Motion

Every motion requires notice except a motion-

- (a) for the adjournment of the House;
- (b) for which notice is dispensed with by leave of the House;
- (c) dependent on an Order of the Day or on another motion; and
- (d) for the suspension of a member.

86. Time for submission of Notice

(1) A notice required to be given under these Standing Orders may be given by delivering a fairly written copy, subscribed with the full name and signature of the Vice-President, minister, or a member giving it, to the office of the Clerk during the normal office hours.

(2) A notice delivered before 13:00 hours on a working day shall be deemed to have been given on that day.

(3) A notice delivered after 13.00 hours shall be deemed to have been given on the next working day.

87. Motion to be seconded

(1) A motion shall be seconded except a motion moved by a minister or the Vice - President.

(2) A motion which is not seconded shall lapse.

88. Withdrawal of Notice of Motion

(1) A member who wishes not to proceed with a notice of motion may withdraw it, but notice of the same motion may be given again either by the same or another member.

(2) The Clerk shall circulate to members a notice of withdrawal of the motion.

(3) Where a motion is already placed on the Order Paper, a member may only withdraw the motion as soon as the Speaker calls upon the member to proceed with the motion.

89. Manner of debating Motion

(1) When a motion has been moved and, if necessary seconded, the Speaker shall propose the question on the Motion in the same terms as the motion, and debate may then take place upon that question.

(2) At the conclusion of the debate, the Speaker shall put the question on the motion.

90. Motion for adjournment of the House

The Leader of Government Business in the House may move a motion for the adjournment of the House, where a situation arises, which makes it impossible or unreasonable for the House to proceed with the business of the House.

91. Motion of Censure on Minister

(1) The Assembly may, in accordance with **Article 87** of the Constitution, censure a minister or Provincial Minister where the Members of Parliament are dissatisfied with the conduct or performance of the minister or Provincial Minister.

(2) The proceedings to censure a minister shall be commenced by a notice of Motion, submitted to the Speaker, signed by at least one-third of the members in support of the Motion and stating the grounds.

(3) The Speaker shall, on receipt of the notice of motion submitted in accordance with **Article 87(2)** of the Constitution, cause a copy of the notice to be given to the minister or Provincial Minister.

(4) The Motion to censure a minister or Provincial Minister shall not be debated until after the expiry of seven days from the date the notice of motion is submitted to the Speaker.

(5) The Assembly may pass a vote of censure on a minister or Provincial Minister by resolution supported by two-thirds of the votes of the Members of Parliament.

92. Amendment of motion

A motion, having been proposed, may be amended -

- (a) by leaving out certain words;
- (b) by leaving out certain words in order to insert other words; or
- (c) by inserting other words.

93. Amendment on Floor of Assembly

A member who wishes to propose an amendment to a motion of which notice has not been given shall, before moving it, put the amendment in writing, sign it and hand it to the Clerk not less than thirty minutes before the amendment is moved.

CHAPTER 14: LEGISLATIVE PROCESS

94. Types of Bills

The following are the types of Bills that may be introduced in the House:

- (a) **Public Bill**
A public Bill deals with matters of public interest.
- (b) **Private Bill**
A private Bill deals with the interest of a private group, association or corporate body.
- (c) **Hybrid Bill**
A hybrid Bill is a Bill that affects both public and private interests.

95. Bill to be accompanied by Memorandum

(1) A Bill shall be accompanied by a memorandum signed by the Attorney-General or the Solicitor-General in the case of a Government Bill and a backbencher, in the case of a Private Bill or a Private Member's Bill.

(2) The memorandum referred to in paragraph (1) shall state –

- (a) the objects of the Bill;
- (b) the name and address of the Attorney-General or Solicitor-General if a Government Bill;
- (c) the name, address and constituency of the backbencher if a Private Bill or Private Member's Bill; and
- (d) the name and address of the promoter if a Private or Hybrid Bill.

96. Expenses for Drafting and introducing Bills

The expenses of drafting and introducing a Bill in the Assembly shall be a charge on the Consolidated Fund in accordance with **Article 64(2)** of the Constitution.

97. Public Bills

(1) A Public Bill can be either a Government Bill or Private Member's Bill.

(2) A member, a minister or the Vice-President may introduce a Bill in the Assembly in accordance with **Article 64(1)** of the Constitution.

(3) A Government Bill shall be introduced in the House by a minister or the Vice-President.

(4) A Private Member's Bill shall be introduced in the House by a backbencher.

(5) A money Bill shall only be introduced by a minister in accordance with **Article 65(1)** of the Constitution.

(6) For purposes of this Standing Order, a 'Money Bill' means a Bill that provides for, among other matters, -

- (a) the imposition, repeal, remission, alteration or regulation of taxes;
- (b) the imposition of charges on the Consolidated Fund or any other public fund, or the variation or repeal of any of those charges;
- (c) the appropriation, receipt, custody, investment, issue or audit of accounts of public moneys;
- (d) the grant of public money to a person or authority or the variation or revocation of such grant; or
- (e) the raising or guaranteeing of a loan or the repayment of it.

98. Private Bills

(1) A private Bill shall be introduced in the House by a backbencher.

(2) A private Bill shall not be introduced in the House unless-

- (a) upon a petition signed by, or on behalf of, the promoter of the Bill; and
- (b) it is published in the *Gazette* with a notice stating the general objects of the Bill; and
- (c) it is published in a newspaper with national circulation in Zambia with a notice stating the objects for the Bill.

(3) In a notice relating to the introduction of a Private Bill in the House, the short and long titles of the Bill shall be stated.

(4) The procedure for considering Public Bills shall apply to a Private Bill with the necessary modifications.

99. Hybrid Bills

The procedure for a private Bill shall apply to a hybrid Bill.

100. Bill to amend Constitution

(1) In accordance with **Article 79(2)** of the Constitution, a Bill to amend the Constitution shall not be passed unless –

- (a) not less than thirty days before the First Reading of the Bill in the Assembly, the text of the Bill is published in the *Gazette*; and
- (b) the Bill is supported on Second and Third Readings Stages by the votes of not less than two-thirds of all the members of the Assembly.

(2) A Bill for the alteration of **Part III of the Constitution or Article 79** of the Constitution shall not be passed unless before the first reading of the Bill in the Assembly, the Bill has been put to a national referendum with or without amendment by not less than fifty per cent of persons entitled to be registered as voters for the purposes of Presidential and Parliamentary elections in accordance with **Article 79(3)** of the Constitution.

101. Officer not to disclose Information on Bill Concept

(1) An officer engaged in the drafting of a Bill on behalf of a member, or to whose knowledge information concerning a member's Bill or Bill concept comes in the course of the officer's duty, shall not disclose information shared with the member or such similar information as may be otherwise acquired by the officer in the course of duty, except with the express written permission of the member.

(2) Despite paragraph (1), an officer shall disclose to a member that a named member has approached the officer with a similar Bill or Bill concept.

(3) An officer shall not divulge the contents of a Bill or Bill concept prior to its publication or express withdrawal by the member promoting the Bill.

102. Soliciting or Misrepresenting information on Bill Concept

(1) A member shall not solicit information regarding a Bill or Bill concept of another member from a person other than the member.

(2) A member shall not, knowing that another member has developed a Bill concept or originated a Bill, misrepresent or attempt to misrepresent the Bill concept or Bill as his or her own.

103. Stages of a Bill

A Bill shall go through the following stages before it is passed by the Assembly:

- (a) First Reading;
- (b) Second Reading;
- (c) Committee; and
- (d) Third Reading.

104. First Reading Stage

(1) A Bill shall be introduced in the House by a member reading the long title and objects of the Bill.

(2) Once a Bill has been introduced and upon direction of the Speaker, the Clerk shall read aloud the short title and number of the Bill only.

(3) When a Bill has been read the first time, it shall stand referred to an appropriate committee for detailed examination.

(4) Despite paragraph (3), the Speaker may exclude a Bill from being referred to a committee.

105. Consideration of Bill by appropriate Committee

(1) A committee shall examine the Bill referred to it and report back to the House within a period of not less than twenty working days.

(2) Despite paragraph (1), the Speaker may determine a period longer or shorter than twenty days for a committee to examine a Bill.

(3) Where the committee requires additional time to examine the Bill, the Speaker may determine additional time, under paragraph (2), to be given to the committee to complete its work.

(4) Where the meeting of the committee considering a Bill coincides with a Sitting of the House, a member shall give priority to the meeting of the committee considering a Bill.

106. Second Reading Stage

(1) The minister or backbencher responsible for the Bill shall move a motion for the Bill to be read a second time.

(2) Despite paragraph (2) (a) of Standing Order Fifty-Nine, in moving the Motion under paragraph (1), the minister or backbencher shall not be restricted in the length of speech.

(3) The Chairperson of the committee that considered the Bill shall present the report of the Committee on the Bill to the House and shall debate for not longer than **ten minutes**.

(4) Any other member may debate the Bill, for not longer than **eight minutes**.

(5) A Bill that has been read a second time shall stand committed to a Committee of the Whole House.

107. Committee Stage

(1) In the Committee of the Whole House on a Bill, the Chairperson of Committees shall call out the number of each clause and read the corresponding marginal note.

(2) If a notice of an amendment to a clause has not been given, the Chairperson of Committees shall, without putting a question, declare that the clause is agreed to.

(3) Where a notice of an amendment to a clause has been given, the Chairperson of Committees shall propose a question for debate on the amendment.

(4) If a clause has been amended, the Chairperson of Committees shall immediately propose the question that the clause, as amended, stands part of the Bill.

(5) Where an amendment is not agreed to, the Chairperson of Committees shall order the original clause to stand part of the Bill.

(6) Schedules shall be dealt with in the same manner as clauses, after the clauses and any new clauses have been disposed of.

(7) The title and preamble shall be considered after the clauses and schedules without question put.

(8) A question shall not be put on the words of enactment.

108. Amendment to Bills

(1) A member has a right to move an amendment to a Bill at Committee Stage or Report Stage.

(2) Subject to paragraph (3), a notice of amendment to a Bill may be submitted at any time after the Bill is read the first time.

(3) A member who wishes to propose an amendment to a Bill shall submit the proposed amendment, fairly written and signed by him or her, to the Clerk's office at least twenty-four hours before the date on which the Bill is to appear on the Order Paper for Committee Stage or Report Stage.

(4) Unless the proposed amendment is on the objects of the Bill, a member who wishes to propose an amendment shall ensure that the amendment is within the objects of the Bill.

109. Consolidation of Orders on Bills

(1) Where there is more than one Order of the Day on Bills, which are at Committee Stage, the Orders may be consolidated.

(2) When the House has resolved into Committee of the Whole House in accordance with any such consolidated orders, the Committee shall consider each Bill in turn, and the Chairperson of Committees shall not make a report to the House until the Committee has attended to all the Orders or resolved to report progress.

110. Report on Bill

(1) When the Committee of the Whole House has gone through a Bill, the Chairperson of Committees shall, without question put, report the Bill to the House with or without amendment, as the case may be.

(2) When a Bill has been reported without amendment, the Speaker

shall order that the Bill be read the third time on such day as the member sponsoring it may appoint.

(3) When a Bill has been reported with amendments, the report shall be taken into consideration on such day as the member sponsoring the Bill may appoint.

111. Report Stage

(1) The member sponsoring a Bill shall move the report stage of the Bill.

(2) A Bill which is amended at Committee Stage may be amended further at Report Stage.

(3) Where a clause has been amended, the Speaker shall immediately propose the question that “**the clause, as amended, stands part of the Bill.**”

(4) Where an amendment is not agreed to, the Speaker shall order the original clause to stand part of the Bill.

(5) A member may, with leave of the House, move an amendment to a Bill of which notice has not been given at Report Stage.

112. Third Reading

(1) A Bill shall not be amended at Third Reading Stage.

(2) The Speaker may put the question 'that the Bill to be now read the Third time', without debate on the Motion.

(3) A Bill that has gone through Third Reading Stage is considered passed by the House.

(4) For purposes of Standing Orders *one hundred and four, one hundred and six* or this Standing Order, a Bill is considered read the first, second or third time, as the case may be, immediately after the Clerk reads aloud the short title and number of the Bill upon the direction of the Speaker.

113. Deferring or withdrawing a Bill

(1) A member who sponsors a Bill may defer or withdraw the Bill at any time by formally writing to the Speaker stating his or her decision.

(2) If the Bill to be deferred or withdrawn is already appearing on the Order Paper, the member shall seek leave of the House to defer or withdraw the Bill, as the case may.

(3) Upon reaching the Order of the Day relating to the Bill to be deferred or withdrawn, the member shall, when called upon by the Speaker, stand in his or her place and state that "**Mr/Madam Speaker, with leave of the House, I beg to move that the Bill be deferred to a later date**" or "**Mr/Madam Speaker, with leave of the House, I beg to move that the Bill be withdrawn**"; as the case may be.

114. Effect of Deferment or Withdrawal

(1) A Bill that has been deferred for a period exceeding six months is deemed withdrawn by the member sponsoring the Bill.

(2) A Bill that is withdrawn shall not be presented to the House again in the same Session.

(3) A Bill, substantially the same as a Bill that has been withdrawn, shall not be presented to the House again in the same Session.

115. Stages of Bill not to be taken at same sitting

Not more than one stage of a Bill shall be taken at the same Sitting without leave of the House.

116. Same Bill not to be presented twice in same Session

When a Bill has been passed or rejected, a Bill of substantially the same substance shall not be introduced again during the same Session.

117. Correction of clerical errors in Bill

(1) The Speaker or Deputy Speaker or, in their absence, the Clerk, shall, in accordance with **section 5** of the Acts of Parliament Act, effect corrections to a Bill that has been passed by the House.

(2) The corrections shall relate to misprints, typographical errors and wrong references only.

118. Printing of Bill and Presenting to President for Assent

(1) In accordance with **section 5** of the Acts of Parliament Act, as soon as a Bill has been passed, the Clerk shall cause the text of the Bill to be sent to the Government Printer who shall print four copies on vellum or paper of enduring quality and send the printed copies back to the Clerk.

(2) The Speaker or the First Deputy Speaker or, in the absence of both the Speaker and First Deputy Speaker, the Second Deputy Speaker or if they are all absent or unable to act, the Clerk shall compare the said copies to the text of the Bill as passed and if satisfied that they are correct, sign them and cause them to be presented to the President for assent.

(3) A Bill, other than a Bill to amend the Constitution, shall be accompanied by a certificate that it has been compared with the Bill which was passed by the Assembly, and found to be a true and correctly printed copy of the Bill.

(4) A Bill to amend the Constitution shall be accompanied by a certificate that the Bill was passed after having been supported on Second and Third Reading Stages by the votes of not less than two-thirds of all the members of the Assembly.

119. Presidential Assent

(1) In accordance with **Article 66** of the Constitution, where a Bill is presented to the President for assent, the President shall, within twenty-one days after receipt of the Bill-

- (a) assent to the Bill; or
- (b) refer the Bill to the Assembly for reconsideration, indicating any reservation that the President has concerning the Bill.

(2) Where the President refers the Bill to the Assembly for reconsideration in accordance with paragraph (1)(b) of this Standing Order, the Assembly may-

- (a) amend the Bill taking into account the President's

reservation; or

- (b) pass the Bill, without amendment, by a vote supported by at least two-thirds of all the members of the Assembly.

(3) Where the Assembly passes the Bill with amendments, in accordance with paragraph (2)(a), the Speaker shall submit the Bill to the President for assent.

(4) Where the Assembly passes the Bill, in accordance with paragraph (2)(b) -

- (a) the Speaker shall, within seven days of passing the Bill, resubmit the Bill to the President; and
- (b) the President shall, within seven days of receipt of the Bill, assent to the Bill.

(5) Where the Assembly fails to pass the Bill, in accordance with paragraph (2) (b), the Bill or a Bill of substantially the same subject matter shall not be presented to the Assembly in that Session.

(6) Where the President does not assent to a Bill within the periods prescribed in paragraphs (1) and (4) of this Standing Order, the Bill shall be deemed to have been assented to upon the expiry of those periods.

120. Procedure when Bill is returned

(1) Where the Bill is returned to the Assembly with a message from the President, under Standing Order *one hundred and nineteen* of these Standing Orders, the Clerk shall, on direction of the Speaker, read aloud the message to the Assembly.

(2) The Bill shall, together with the message, stand referred to an appropriate committee for examination.

(3) The committee shall, within five days of the Bill being referred to it, submit a report on the Bill to the House.

(4) The committee shall, in considering the Bill, rely on the information on record on the Bill submitted by witnesses, and where

the information is insufficient the Committee may resolve to call witnesses.

(5) Where the committee resolves to call witnesses, only witnesses relevant to the specific issue raised in the President's message shall be called.

(6) The Speaker shall determine the day on which the Bill shall be considered for Second Reading Stage.

(7) Despite standing Order *one hundred and fifteen*, all stages of the Bill may be considered at one sitting.

121. Consultations on Bill in Assembly

When a Bill has been introduced in the House, a minister or public officer shall not consult, brief or sensitise the public on the Bill except before the committee to which the Bill is referred for scrutiny until the report of the committee on the Bill is tabled.

122. Continuation of Bill in next Session

(1) A Bill shall not lapse due to the prorogation of Parliament.

(2) Despite paragraph (1), a Bill shall lapse upon the dissolution of Parliament.

CHAPTER 15: PETITIONS

123. Right of citizen to petition

(1) A citizen may petition the Assembly to initiate an enactment, amendment or repeal of legislation in accordance with **Article 88(1)** of the Constitution.

(2) A citizen may also petition the Assembly on any subject matter within the jurisdiction of the Assembly.

(3) A citizen who wishes to petition the Assembly under paragraphs (1) and (2), shall submit to the office of the Clerk, during normal working hours, a type-written letter or a completed form as set out in Appendix I of these Standing Orders.

(4) The letter under paragraph (3), shall-

- (a) be addressed to the Speaker;
- (b) ask the House to take action on a specified subject matter;
- (c) be signed by the petitioner;
- (d) be in the English language; and
- (e) have the full name of the petitioner, address and a day time telephone number.

(5) A petition may be submitted electronically provided it bears a digital signature.

124. Rules governing the admissibility of Petitions

A petition is admissible if-

- (a) it is not addressed to a Government Minister or the Vice-President;
- (b) the subject matter of the petition is not pending determination before a court of law;
- (c) the petitioner has exhausted all channels for remedial action;
- (d) it is not similar to a petition that has already been considered by the House during that term of Parliament;
- (e) it is written in a respectful manner and in civil

- language; or
- (f) it does not involve expenditure from the Consolidated Fund.

125. Petition to be laid on Table

(1) On receiving the petition, the Speaker shall, if the Speaker considers that the petition qualifies as a parliamentary petition, cause it to be laid on the Table.

(2) The petition under paragraph (1) shall, upon being laid on the Table, be referred to an appropriate committee for consideration.

126. Report on Petition to be laid on Table

(1) The report of the committee on a petition shall be laid on the Table for debate and, upon adoption by the House, the recommendations of the committee shall be submitted to the relevant institution for possible action.

(2) The Clerk shall, in writing, inform the petitioner of the manner in which the petition is dealt with and the resolution of the Assembly on the matter.

CHAPTER 16: APPROVAL OF INTERNATIONAL AGREEMENTS FOR RATIFICATION

127. Procedure for Approving of International Agreements

(1) The Vice-President shall submit to the Assembly a proposal for approval of an international agreement in accordance with **Article 63(e)** of the Constitution.

(2) An international agreement presented under paragraph (1), shall be accompanied by an explanatory memorandum showing, in detail, the following information:

- (a) the objectives and subject matter of the international agreement;
- (b) policy considerations;
- (c) the date of entry into force of the international agreement;
- (d) the number of State parties to the international agreement;
- (e) the reasons for Zambia becoming party to the international agreement;
- (f) the advantages and disadvantages of the international agreement to Zambia;
- (g) the obligations which would be imposed on Zambia by the international agreement;
- (h) the ministries that will be responsible for implementing the international agreement;
- (i) recommendations of reservations, if any, where the international agreement provides for reservations;
- (j) the proposed text of any reservations to be entered when signing the international agreement;
- (k) the economic, social, cultural, and environmental effects of the international agreement on Zambia;
- (l) the financial implications of compliance with the international agreement;
- (m) the measures which could or should be adopted to implement the international agreement;

- (n) consistency of the international agreement with the Constitution;
- (o) legislation that may need to be amended or enacted;
- (p) the possibility of any subsequent protocols (or other amendments) to the international agreement, and their likely effects;
- (q) a statement setting out the consultations which have been undertaken or are proposed with the community and interested parties in respect of the international agreement; and
- (r) whether the international agreement provides for withdrawal or denunciation.

(3) Upon being submitted to the Assembly, the international agreement together with the explanatory memorandum shall stand referred to an appropriate committee of the House for examination.

(4) In examining an international agreement and the accompanying explanatory memorandum, the committee considering the international agreement may invite an expert witness to appear before it.

128. Report by Committee on International Agreements

The committee to which an international agreement is referred under paragraph (3) of Standing Order *one hundred and twenty-seven* shall, within the time determined by the Speaker or the House Business Committee, present a report to the House on the international agreement for approval or otherwise of the House.

CHAPTER 17: MINISTERIAL STATEMENTS

129. Presentation of Ministerial Statements

(1) The Vice-President or a minister may ask for permission from the Speaker to present a statement in the House on behalf of the Government on any matter falling within his or her portfolio in case of a minister.

(2) The Speaker may direct the Vice-President or a minister to present a ministerial statement on any matter, which, in the opinion of the Speaker, is of public interest.

(3) The Speaker shall determine the day when an approved ministerial statement is to be issued.

(4) Members shall not debate a ministerial statement, but may ask the Vice-President or a minister questions for purposes of clarifying matters raised in the statement.

(5) The period for presenting and considering a ministerial statement shall not exceed **thirty minutes** unless otherwise determined by the Speaker.

130. Admissibility of Ministerial Statements

A ministerial statement shall not be admissible if—

- (a) the subject matter of the statement has been considered by the House through a question or a motion during the same Session;
- (b) the Speaker has approved a notice of a question or motion on substantially the same subject matter; or
- (c) the information contained in the statement has already been issued by the Vice-President or Minister outside the House.

CHAPTER 18: POINTS OF ORDER

131. Procedure on Point of Order

(1) A member who is of the opinion that the rules of procedure have been breached by another member may raise a Point of Order.

(2) A member who wishes to raise a Point of Order under paragraph (1), shall stand in his or her place and say "**on a Point of Order, Mr or Madam Speaker**", if in the House or "**on a Point of Order Mr or Madam Chairperson**" if in Committee of the Whole House.

(3) In raising a Point of Order, a member shall cite the Standing Order, law on privilege of members, rule of procedure or practice, which has been allegedly breached.

(4) Where a member does not cite the Standing Order, law on privileges of members, rule of procedure or practice breached, the presiding officer may insist on him or her doing so, and if he or she fails or does not adequately do so, the presiding officer may rule that the Point of Order is inadmissible.

(5) A member shall not speak on his or her Point of Order until the Speaker recognises him or her.

(6) A Point of Order shall only be raised in relation to the conduct of business of the House being transacted at the time the Point of Order is raised.

(7) A Point of Order shall relate to the interpretation or enforcement of a law on privileges of members, or the procedure or practice regulating the business of the House.

(8) A Point of Order shall not raise a substantive argument of a motion or resolution of the House.

(9) When a Point of Order is raised, the member debating shall resume his or her seat, and no other member shall rise until the presiding officer has decided on the Point of Order.

(10) After the presiding officer has decided on the Point of Order, the member who was on the floor at the time the Point of Order was

raised, shall be entitled to continue his or her debate, unless the decision on the Point of Order prevents him or her from doing so.

(11) Despite the provisions of this Standing Order, the presiding officer shall decide whether or not the Point of Order is admissible.

(12) The decision of a presiding officer on the admissibility of a Point of Order shall be final and binding and may not be challenged or questioned in the House.

(13) A presiding officer may either rule on a Point of Order immediately or reserve his or her ruling.

132. Admissibility of Point of Order

(1) A Point of Order may be admissible if –

- (a) it is raised immediately after the alleged breach occurs;
- (b) it is brief and precise;
- (c) it is raised in civil language;
- (d) it is not raised against a decision of the presiding officer;
- or
- (e) it does not relate to a general interpretation of a written law.

(2) A member shall not raise a Point of Order –

- (a) on another Point of Order;
- (b) during Vice-President's Question Time;
- (c) on an administrative matter;
- (d) on a presiding officer or an officer;
- (e) when a member is delivering his or her maiden speech;
- (f) to ask for information or to explain a member's position in the House;
- (g) if it is hypothetical or merely academic;
- (h) on the basis that division bells did not ring or were not heard;
- (i) when a minister is delivering a ministerial statement on the Floor of the House; or
- (j) when the Republican President or a foreign visiting dignitary is addressing the House.

(3) A member shall not reopen the Point of Order, which has already been decided.

(4) Where a member observes a breach of rules long after the breach has occurred, the member may submit a written complaint to the Speaker.

133. Discretion to allow a Point of Order

A presiding officer may exercise discretion over the taking of, or allowing, a Point of Order.

134. Raising Matter of Urgent Public Importance

(1) A Member who intends to raise a matter of urgent public importance may, at the appropriate time, rise in his or her seat or indicate the intention electronically.

(2) Upon being recognised by the presiding officer, the member shall state the matter he or she considers urgent and of public importance.

(3) The presiding officer may, in his or her sole discretion -

- (a) allow the matter as being one of urgent public importance and direct the Vice President or a minister to respond to the matter either immediately or on a specific future date;
- (b) direct the member to reduce in writing the urgent matter of public importance and schedule it for debate on a specific future date; or
- (c) disallow the matter as not being one of urgent public importance.

(4) Where more than one matter of urgent public importance is admitted and the presiding officer considers that each matter justifies debate, the presiding officer shall give priority to the matter which, in the presiding officer's opinion, is the most urgent and important.

135. Admissibility of Matter of Urgent Public Importance

(1) A matter shall be considered urgent and of public importance if -

- (a) it is a case of recent occurrence;
- (b) it does not relate to a general state of affairs;

- (c) it involves the administrative or ministerial responsibility of the Government;
- (d) it requires the immediate attention of the House and the Government and
- (e) it deals with only one substantive issue.

(2) A matter is inadmissible as a matter of urgent public importance if

- (a) it has not been raised at the earliest opportunity;
- (b) it has already been discussed by the House during the same Session;
- (c) it is not so serious as to require urgent attention; or
- (d) it is *sub judice*.

136. Debate on Matter of Urgent Public Importance

(1) Where the presiding officer directs that debate on the matter of urgent public importance must take place on a specified date, under paragraph (3)(b) of Standing Order **one hundred and thirty-four**, the presiding officer shall order the Member responsible to give Notice of Motion on the matter of urgent public importance.

(2) Debate on the motion of urgent matter of public importance shall not exceed one hour.

(3) At the conclusion of the debate, the motion shall lapse without any question being put.

(4) Only one motion on a matter of urgent public importance may be debated on the same day.

CHAPTER 19: TABLING OF DOCUMENTS IN ASSEMBLY

137. Tabling Documents

(1) A document is tabled in order to supply authoritative facts and information to the House to enable members to effectively participate in debate.

(2) A document may be tabled at anytime whether the House is in session or on recess.

(3) Once a document is Tabled, it becomes a permanent record of the House and accessible to both members and the public.

138. Tabling of Document by Minister

(1) A minister may, on behalf of Government, table a document at any time.

(2) Where a minister quotes from a document in the House, which has not been presented to the House, the minister shall table the document unless the document is classified and the minister indicates that the disclosure is not in the public interest.

(3) Where a minister tables a confidential document, the document shall only be accessible to members.

(4) A member shall neither divulge the contents of a confidential document nor make copies thereof for third parties.

139. Tabling of Public Document by backbencher

(1) A backbencher may table a public document provided it is an original document.

(2) A backbencher shall not table a copy of a public document unless the copy has been certified as a true copy of the original document by the relevant head of Government ministry, department or agency that has custody of the original document.

140. Tabling of Private Document by backbencher

(1) A backbencher who wishes to table a private document shall seek prior permission of the Speaker.

(2) In seeking permission under paragraph (1), the backbencher shall submit a copy of such document to the Speaker at least twelve hours in advance, to enable the Speaker examine it.

(3) A member who has prior permission to table a document under paragraph (2), shall table it immediately after he or she has finished debating.

141. Admissibility rules for tabling a Private Document by backbencher

(1) In deciding whether or not to grant permission to a backbencher to table a private document, the Speaker shall take into consideration the following:

- (a) that the subject matter contained in the document is in some way connected with business that is currently or will soon come before the House;
- (b) that the document is important to form part of the Journals of the House;
- (c) that the document does not contain anything contrary to public interest or morality;
- (d) that by tabling the document, the House will not be turned into a forum for expressing views which may lower its integrity, decorum or authority; and
- (e) that the document is authentic.

(2) The Speaker may refuse to grant permission to table a document on any ground, including the following:

- (a) that the document is a private correspondence;
- (b) that the authenticity of the document cannot be easily established;
- (c) that the document is a statement of figures prepared by the member or contains his or her views and the member cannot vouch for the authenticity of the contents;
- (d) that the document is easily available for reference by any member; or
- (e) that the member seeks to lay the document unrelated or irrelevant to the business before the House.

(3) Where the Speaker grants permission for a document to be tabled,

the member shall provide an authenticated copy of the document, which shall be recorded in the Daily Parliamentary debates and also in the Votes and Proceedings of the House.

(4) Where the Speaker refuses to grant permission for a document to be tabled, the document shall be returned to the member concerned with reasons for the Speaker's refusal attached.

(5) A private document is considered authentic if it meets one of the following criteria:

- (a) the document is original; or
- (b) the document is certified as a true copy of the original by a Commissioner for Oaths.

142. Tabling of Government and Quasi-Government Reports

(1) A ministry, department or a body that receives Government funding, shall submit an annual report on the operations of the ministry, department or body for the year preceding the financial year.

(2) The annual report under paragraph (1), shall be tabled in the House within fourteen days of the start of a new Session of the Assembly.

(3) The Vice-President or a minister under whose jurisdiction the Ministry, Department or body falls shall sign the letter requesting the Clerk to table the annual report.

(4) An annual report shall contain the following information:

- (a) the structure or organisation of the ministry, department, statutory corporation or organisation, showing clearly the principal officers;
- (b) major programmes, strategies and extent of execution which clearly indicate the effectiveness of the ministry, department or organisation in executing development programmes;
- (c) major constraints to the execution of the programmes;
- (d) proposed solutions to the challenges faced in the

- preceding year; and
(e) an audited financial statement.

(5) For the purposes of tabling, a Government ministry, department or statutory corporation or organisation shall submit a minimum of ten copies of the annual report to the National Assembly, and in the case of Presidential and Budget Speeches not less than twenty copies.

(6) An institution submitting an annual report shall also submit a soft copy of the report to the Office of the Clerk.

(7) An annual report shall become a public document only after being tabled.

143. Tabling of Auditor-General's Report

(1) When the Auditor -General submits a report under **Article 212** of the Constitution, the Speaker shall, within forty-eight hours of its receipt, cause it to be tabled.

(2) Upon being tabled, the report under paragraph (1) of this Standing Order, shall stand referred to the appropriate committee for examination.

(3) The committee to which the report of the Auditor General is referred shall submit a report on its findings to the House.

(4) A report of the Auditor-General not falling under **Article 212** of the Constitution shall be tabled on the authority of the Vice-President.

(5) The Auditor-General shall not publish a report prior to its submission to the Assembly, for tabling.

144. Tabling of Committee Report and uploading on website

(1) A committee chairperson or, in the absence of the committee chairperson, the committee vice chairperson, or in the absence of both the committee chairperson and vice chairperson, a member of the committee, may cause a report of his or her Committee to be laid on the table.

(2) In causing the report to be tabled under paragraph(1), the committee chairperson, the vice-chairperson or, the member, as acting committee chairperson, shall submit the report together with an accompanying letter signed by him or her, to the Clerk requesting the Clerk to table the report.

(3) The Clerk shall upload a committee report onto the official parliament website once it is tabled.

(4) A committee report that has been tabled may be placed on the Order Paper for debate on a date determined by the Speaker.

(5) The committee chairperson or, in the absence of the committee chairperson, the committee vice-chairperson, or in the absence of both the committee chairperson and vice chairperson, any member of the committee may move or second the motion, to adopt the report of the committee.

145. Amendment to Committee Report

(1) A member may at any time after a committee report has been laid on the Table of the House, propose an amendment to the report.

(2) A member who wishes to propose an amendment under paragraph (1), shall, not less than twenty-four hours before the date set for debate of the committee report, submit a type-written and signed notice of amendment to the Office of the Clerk.

(3) Upon the motion to adopt the committee's report being moved and seconded, the Speaker shall call upon the member proposing the amendment to give reasons for the proposal.

(4) A member proposing the amendment or contributing to the debate on the proposed amendment shall not speak for more than **five minutes**.

(5) The House may adopt the committee report under paragraph (4). subject to the amendment.

(6) The Clerk shall submit the amended committee report to the Speaker for approval before submitting the Report to the Executive for action.

(7) A member shall not propose an amendment to a report of a committee to which he or she is a member.

(8) The amount of time allocated for consideration of all proposed amendments to each report shall not exceed **thirty minutes**.

146. Report of Parliamentary Delegation

(1) A leader of a parliamentary delegation or a member of the delegation on behalf of the leader of the delegation shall table a report on the activities of the international conference the delegation attended abroad.

(2) If the House is then sitting, the report shall be laid on the Table within ten days of the delegation's return from abroad.

(3) If the House is on recess, the report shall be laid on the Table within ten days of the resumption of sitting of the House next following the delegation's return from abroad.

(4) The leader of the delegation or a member of the delegation, on behalf of the leader of the delegation, shall sign the report under paragraph (1).

(5) On a day determined by the Speaker, the leader of the delegation or a member of the delegation, on behalf of the leader of the delegation, shall by motion, present an executive summary of the report, highlighting the key recommendations contained in the report.

(6) Upon the report being adopted, the Speaker shall refer the recommendations in the report to an appropriate committee for follow up action.

(7) For purposes of this Standing Order-

'abroad' includes an international conference held in, or hosted by, Zambia; and

'international conference' means a conference organised by international organisation to which the Assembly pays subscription fees.

147. Public Access to Tabled Document

The public has access to, and if necessary, may take extracts from or copies of all Tabled documents except confidential documents whose access is restricted to members.

CHAPTER 20: VOTING AND DIVISIONS

148. Voting in the House

(1) Unless otherwise provided under the Constitution, a question arising in the House shall be decided by a majority of the members in the House, present and voting.

(2) In ascertaining the results on a question under paragraph (1), the Speaker shall, in the first instance, collect the voices of the “Ayes” and the “Noes” and shall declare the results accordingly.

(3) On a question proposed for decision in the Assembly, the Speaker shall have no vote and in the case of a tie, the question shall be lost.

149. Division to take place if decision is challenged

(1) Any member who is in disagreement with the decision of the House on a question put may call for a division in accordance with paragraph (2) of this Standing Order.

(2) Members in support of a call for a division shall stand in their places or indicate electronically, and-

- (a) if less than twelve members so stand or indicate, the Speaker or the chairperson of committees shall declare the decision of the Assembly; or
- (b) if at least twelve members stand or indicate, the Speaker or chairperson of committees shall announce that a division has been called for.

(3) During division, members shall maintain order in the House and shall be in their designated seats until the result is announced.

150. Member calling Division not to leave the Chamber

(1) A member calling for a division shall not leave the Chamber until after the division has taken place and shall vote with those who, in the opinion of the Speaker, were in the minority.

(2) A member is not obliged to vote, and in the case of roll call voting, a member who does not wish to vote shall not enter a division lobby while a division is in progress.

(3) A record shall be made of the names of members who abstain from voting.

151. Electronic voting

(1) Unless the Speaker or Chairperson of Committees otherwise directs, voting on a division in the House shall be conducting electronically.

(2) When the Speaker or the Chairperson of Committees, as the case may be, directs that an electronic vote be taken, the Division Bells shall be rung for **five minutes**.

(3) At the end of the **five minutes**, the Speaker or Chairperson of Committee shall direct for the doors to be locked and the Bar drawn and no member shall thereafter enter or leave the Chamber until after the voting.

(4) When the Bar is closed, the Speaker or the Chairperson of Committee shall again put the question and thereafter give instructions on electronic voting.

(5) The Speaker or the Chairperson of Committees, as the case may be, shall, as soon as the result of the voting appears on the indicator board or the voting is complete, announce the results of the division to the House.

(6) In the event of a technical failure, confusion or error occurring in the course of voting which in the opinion of the Speaker or Chairperson of Committees cannot otherwise be corrected, the Speaker or Chairperson of Committees may direct the House to another round of electronic voting or proceed to a roll call voting.

152. Roll call voting

(1) When the Speaker or the Chairperson of Committees directs that a roll call voting be taken, the Division Bells shall be rung for **five minutes**.

(2) At the end of **five minutes**, the Speaker or Chairperson of Committees shall direct for the doors to be locked and the Bar drawn and no member shall thereafter enter or leave the Chamber until after the roll call vote has been taken.

(3) When the Bar is closed, the Speaker shall again put the question and shall appoint two tellers for the 'Ayes' and two tellers for the 'Noes' whose names shall be recorded in the votes and proceedings.

(4) The tellers shall record the names of the members voting, sign their division lists and hand them to the Speaker, who shall declare the result of the Division to the House.

(5) In case of confusion or an error occurring concerning the numbers reported which cannot be rectified, the House shall repeat the voting process.

(6) For the purposes of Standing Order *one hundred and fifty-one and one hundred and fifty-two* 'Bar' means a marking in the House represented by a rail beyond which a visitor or stranger may not go when the House is sitting.

153. Manner of Voting

A member shall vote by either “Yes”, “No”; or, “Abstain.”

154. Correction of clerical errors after Voting

If a clerical error occurs in the names or numbers on a division list, the Speaker shall inform the House about the fact and order the votes and proceedings to be corrected accordingly.

155. Member to disclose Pecuniary interest

(1) A member shall not, in the House or in a committee of the House, vote upon any matter in which he has a direct or indirect pecuniary interest.

(2) A motion to disallow a member's vote on the ground that a member had pecuniary interest when he or she voted may be made, without notice within two sitting days of the vote and at no other time.

(3) This Standing Order shall not apply to a vote concerning remuneration or allowance to be received by a member in his or her capacity as such or to any interest which a member may have in any matter in common with the public generally or with any class or section thereof, or to any vote on a matter involving a question of public policy.

PART THREE: PROCEDURE FOR FINANCIAL BUSINESS

CHAPTER 21: NATIONAL BUDGET

156. Submission of Green Paper

(1) The minister responsible for finance shall, in accordance with **Section 37(2)** of the National Planning and Budgeting Act, submit to the appropriate Committee of the Assembly a Green Paper on the Medium -Term Expenditure Framework Budget Plan.

(2) The appropriate Committee shall, within **ten working days**, submit comments on the Green Paper to the minister responsible for finance.

157. Presentation and consideration of Estimates

(1) The minister responsible for finance shall, in accordance with **Article 202** of the Constitution, present to the Assembly the Estimates for the ensuing financial year.

(2) When presenting the Estimates, under paragraph (1), the minister responsible for finance shall specify the maximum limit that the Government intends to borrow or lend in that financial year.

(3) In a year where a general election is held, the minister responsible for finance shall prepare and lay before the Assembly, within ninety days of swearing in of the President, Estimates for the Republic for the next financial year.

(4) Upon being presented, the Estimates shall stand referred to the Expanded Planning and Budgeting Committee for detailed consideration for **fifteen sitting days**.

(5) When the Estimates are referred to the Expanded Planning and Budgeting Committee under paragraph (4), the House shall continue with the general policy debate on the Estimates.

(6) The debate on the general policy shall not exceed **fifteen sitting days**.

(7) On the last day of the debate on the general policy the Speaker

shall put all the necessary questions to determine the decision of the House on the motion to resolve into Committee of Supply.

(8) If the House agrees to resolve into Committee of Supply, the House shall immediately resolve into Committee of Supply.

(9) The work of the Committee of Supply may start immediately after the House resolves into Committee of Supply or on a subsequent day.

(10) The Assembly may vary Estimates but shall not amend the total amount of Estimates.

(11) The Assembly shall, by a resolution, approve the Estimates with or without amendments.

158. Procedure in Committee of Supply

(1) Consideration of individual Heads shall take place in the Committee of Supply.

(2) In considering the Estimates, the Committee of Supply shall take into account the report of the Expanded Planning and Budgeting Committee on the Estimates.

(3) The First Deputy Speaker or in the absence of the First Deputy Speaker, the Second Deputy Speaker or in the absence of both the First Deputy Speaker and the Second Deputy Speaker, a member elected by the Committee of Supply, shall preside over the proceedings of the Committee of Supply.

(4) The Vice-President or a minister shall first present the policy of his or her ministry before the House debates the Head for that ministry.

(5) When the Head has been presented, the chairperson of the committee of Supply shall put a question only on the Head total.

(6) Despite paragraph (5), a member may ask the Vice-President or responsible minister a question on any programme or department of that particular Ministry.

159. Report of the Committee of Supply

(1) When the Committee of Supply has considered all the Heads in the Estimates, the chairperson of the committee shall report to the House that the Committee of Supply has agreed to the Estimates for the period (state period), with or without amendments.

(2) The chairperson of the committee of Supply shall, immediately, handover to the Speaker, a copy of the Estimates together with the amendments as agreed to by the Committee of Supply.

(3) A report of the Committee of Supply under paragraph (1) shall, unless leave of the House is granted to consider it on the same day, be considered on a future day.

(4) The Speaker shall then appoint the minister responsible for finance, a Committee of one to bring up the necessary Bill or Bills to give effect to the resolution of the Committee of Supply.

160. Notice of Amendments

(1) Except with leave of the House, an amendment to the Estimates may not be moved without notice.

(2) When an amendment is moved under paragraph (1), the Chairperson of Committees shall propose the question on the amendment for debate.

161. Order for considering Amendments

When notice of more than one amendment on a Head has been given, the amendments shall be considered and disposed of in the order in which the items to which the amendments relate, appear in the Estimates.

162. Postponement of Head

When it becomes necessary that consideration of a Head or an item in a Head be postponed, a member may move that:

- (a) the Head be considered after a specified Head or item in Head has been considered, or
- (b) until the remaining Heads in the Estimates have been considered.

163. Committee of Ways and Means

(1) On date to be determined by the Speaker, the minister responsible for finance shall, with prior notice, move that the House resolves into Committee of Ways and Means to consider the raising of revenue.

(2) In moving the Motion under paragraph (1), the minister responsible for finance shall indicate that he or she is the bearer of, and lay on the Table, the message from the Head of State.

(3) A Money Bill shall originate in Committee of Ways and Means.

(4) A Money Bill shall be accompanied by a memorandum indicating

- (a) the nature and objects of the tax proposed;
- (b) the socio-economic programmes and budgetary provisions it relates to; and
- (c) the projected impact of the tax and achievable targets.

(5) All Money Bills shall be referred to the Planning and Budgeting Committee or any other Committee of the House for detailed examination.

(6) The Planning and Budgeting Committee or the Committee to which the Money Bills are referred, shall within the period determined by the Speaker, report back to the House on its findings on the Bill.

(7) If the Planning and Budgeting Committee requires more time to conclude its business, the Speaker, may extend the initial period.

164. Meaning of Expanded Planning and Budgeting Committee

For purposes of this part, 'Expanded Planning and Budgeting Committee' means the Planning and Budgeting Committee and the chairpersons of general purposes and portfolio committees sitting together.

PART FOUR: PARLIAMENTARY COMMITTEES

CHAPTER 22: GENERAL PROVISIONS

165. Establishment of Committees

(1) In accordance with **Article 80** of the Constitution, parliamentary committees shall be established at the first Sitting of the Assembly after a general election.

(2) The Standing Orders Committee shall appoint members to serve on a committee at the commencement of each Session.

(3) In selecting members of a committee, the Standing Orders Committee shall ensure that there is an equitable representation of the political parties holding seats in the Assembly and independent Members of Parliament.

(4) In addition to the equitable political party representation on committees, the Standing Orders Committee shall take into account gender representation and the experience and qualifications of individual members.

(5) Except for the Standing Orders Committee, a committee shall consist of not more than ten members including the chairperson and the vice-chairperson.

166. Membership to Committees

(1) Except for the Leader of Government Business in the House, Deputy Speakers, Ministers, Government Chief Whip, Leader of the Opposition and Government Deputy Chief Whip, every member shall belong to a general purposes or portfolio committee.

(2) For avoidance of doubt, the Leader of Government Business in the House, Deputy Speakers, Minister, Government Chief Whip, Leader of the Opposition, and Government Deputy Chief Whip shall only be members of House Keeping Committees.

(3) A member shall not be appointed to more than two committees.

(4) Despite paragraph (3), a member may be appointed to three committees provided that the third committee is a House-Keeping Committee.

(5) The Standing Orders Committee or the Speaker may make appropriate adjustments to the membership of a committee when need arises during a Session.

167. Quorum and Voting

(1) The quorum of a committee shall be one-half of its membership.

(2) If a quorum is not present within fifteen minutes of the appointed time of a committee sitting, the committee shall stand adjourned and the committee chairperson shall instruct the Clerk to convene another meeting at another time on the same day or at some future date and the matter shall be reported to the Speaker.

(3) If, at any time during the sitting of a committee, the quorum is not present, the committee chairperson shall either suspend business until a quorum is present or adjourn the committee to the next sitting day.

(4) Despite paragraphs (1) and (2), a committee may co-opt not more than two members from another committee for purposes of forming a quorum.

(5) On a question proposed for a decision of a committee, the committee chairperson shall not vote and, in case of a tie, the chairperson shall have a casting vote.

168. Election of Committee Chairperson and Vice-Chairperson and presiding at committee meeting

(1) At its first meeting in a Session, or whenever a vacancy in the office of committee chairperson or vice chairperson occurs, a committee shall elect a committee chairperson and a vice - chairperson.

(2) Unless where it is practically impossible, in electing a committee

chairperson or vice - chairperson, each committee shall ensure that the committee chairperson and the vice - chairperson are of opposite gender.

(3) Unless where it is practically impossible, the committee chairperson and the vice - chairperson shall not be members of the same political party.

(4) In case of a conflict between paragraph (2) and paragraph (3) of this Standing Order, paragraph (2) will take precedence over paragraph (3).

(5) The First Deputy Speaker or the Second Deputy Speaker shall preside at the first meeting of a portfolio and a general purposes committee for the purpose of electing a committee chairperson and vice - chairperson.

(6) During the election of committee chairperson and vice - chairperson, the First or Second Deputy Speaker, as chairperson under paragraph (5) of this Standing Order, shall not vote and, in case of a tie, the First or Second Deputy Speaker shall have a casting vote.

(7) The committee chairperson shall preside at a meeting of a committee and in the chairperson's absence, the vice - chairperson or, in the absence of both the committee chairperson and vice - chairperson, a member selected by the members present shall preside at the meeting.

169. Vacancy in office of Committee Chairperson and Vice - Chairperson

A vacancy in the office of committee chairperson or vice - chairperson may arise if the committee chairperson or vice chairperson-

- (a) dies;
- (b) resigns; or
- (c) is absent for three consecutive meetings without permission or reasonable cause.

170. Filling of Vacancy in the office of Committee Chairperson and Vice - Chairperson

(1) When a vacancy in the office of committee chairperson occurs, the committee vice-chairperson shall preside at the meeting of the committee to fill the vacancy and vice-versa.

(2) If a vacancy in the office of the committee chairperson and vice - chairperson occurs at the same time, the First or Second Deputy Speaker shall preside over the meeting to fill both vacancies.

(3) The provisions of paragraph (6) of Standing Order *one hundred and sixty-eight* shall apply in the event of a tie.

171. Powers of Committee Chairperson

(1) The committee chairperson shall maintain order and decorum in the committee.

(2) The committee chairperson shall act fairly and impartially in discharging the duties of chairperson.

172. Prayer at Committee Sitting

The committee chairperson, the vice-chairperson or a member presiding over a committee sitting, shall say the prayer prescribed under these Standing Orders at the start of the sitting.

173. Public Participation in Parliamentary Work

(1) In accordance with **Article 89** of the Constitution, a committee shall not exclude the public or media from its sittings, unless there are justifiable reasons for the exclusion and the Speaker informs the public or media of the reasons.

(2) A committee shall to the extent possible facilitate a member of the public, who wishes to submit on a matter under the committee's consideration, to appear before the committee to make the submission.

174. Power to invite persons

(1) A committee may invite a person to make submissions on a matter under the committee's consideration.

(2) The committee shall determine the manner and form of the submission.

(3) Where the invited person under paragraph (1) is unable to physically appear before the committee and the committee determines that the reasons advanced by the witness are valid and reasonable, the witness may appear virtually.

175. Witnesses to conform to directions of Chairperson

A person appearing before a committee shall observe directions and conform to rules as the committee chairperson shall require in accordance with these Standing Orders, the Speaker's directions and the provisions of the National Assembly (Powers and Privileges) Act.

176. Concurrent sitting of Committee and Assembly

(1) A committee may sit whilst the House is sitting.

(2) When a committee is sitting and a division is called in the House, the committee chairperson shall, when the division bells ring, suspend the proceedings in the committee to enable the members participate in the division.

177. Failure by member to attend meetings

(1) If a member fails to attend four consecutive sittings of a committee without the written permission of the committee chairperson, the committee chairperson shall report the matter to the Committee on Privileges and Absences.

(2) If a chairperson of a committee fails to attend four consecutive sittings of a committee without the written permission of the Speaker, the committee vice-chairperson shall report the matter to the Committee on Privileges and Absences.

(3) Upon receipt of a report under paragraph (1) or (2) of this Standing Order, the Committee on Privileges and Absences shall consider the matter and shall recommend to the Speaker appropriate disciplinary action against the offending member, if found guilty.

178. Speaker to approve Committee's Programme of Work

(1) Every general purposes and portfolio committee shall, at the start of the Session, prepare and submit a work plan for the year to the Speaker.

(2) The Speaker may approve the committee's programme of work under paragraph (1) with or without amendments..

179. Scope of Committee's Programme of Work

(1) A committee's programme of work shall be confined to the committee's mandate as prescribed in these Standing Orders.

(2) A committee may conduct study tours and visits to a relevant government ministry, department or any place within or outside Zambia.

180. Action-Taken Report on Report of a Committee

(1) Within sixty (60) days of the adoption of a general purposes or portfolio committee's report, the Executive shall table an action-taken report on a committee's observations and recommendations contained in the Committee's report.

(2) Before the Executive lays an Action-Taken Report under paragraph (1), the Ministry or Department responsible for the preparation of the Action-Taken Report shall submit to the office of the Clerk of the National Assembly two draft copies for purposes of scrutinising the report for completeness and adequacy of responses.

(3) When the Clerk of the National Assembly confirms the completeness and adequacy of responses in the draft Action-Taken Report, the responsible Ministry or Department shall submit the final Action-Taken Report to the Office of the Vice President or the responsible minister for purposes of laying on the Table.

(4) If, during the consideration of the Action-Taken Report, the Parliamentary Committee finds that the Action-Taken Report is incomplete or inadequate, the Parliamentary Committee may

summon the Permanent Secretary responsible for the preparation of the Action-Taken Report to appear before it and present a complete and adequate Action-Taken Report to the satisfaction of the Parliamentary Committee.

181. Joint Committee

(1) The House or the Speaker may refer a matter to a joint committee for consideration.

(2) The Speaker shall appoint the chairperson and vice-chairperson of a joint committee from among the chairpersons of the committees constituting a joint committee.

(3) The quorum of a sitting of a joint committee shall be the number obtained by adding the respective quorum of each committee.

182. Engagement of expert

A committee may, with the approval of the Speaker, engage an expert, as it may consider necessary in furtherance of its mandate.

183. Committee to appoint sub-committee

(1) A committee may, subject to the Speaker's approval, establish a sub-committee, as it may consider necessary for the discharge of its functions.

(2) A sub-committee shall be accountable to the main committee.

184. Names of Members present and divisions to be entered

(1) An officer shall record the names of members attending each meeting.

(2) An officer shall record every motion or amendment proposed in the committee, together with the names of the mover and seconder.

(3) If a division takes place, an officer shall record the names of the members voting and the results.

185. Committee minutes and report to be signed

(1) The minutes of each day's proceedings of a committee and its report shall be signed by the chairperson.

(2) A minority report or an expression of opinion shall not be contained in, or annexed to, a report of a committee.

(3) A member of a committee shall not dissent from, or vote against, the recommendations contained in the committee's report.

(4) The Speaker may refer the matter of a member that dissents from, or votes against, a report under paragraph (3) to the Committee on Privileges and Absences or take an appropriate action against such member.

CHAPTER 23: TYPES OF COMMITTEES

186. Establishing of Committees

The Assembly may establish the following types of committees:

- (a) *Committees of the Whole House*- These are committees that involve the entire membership of the House except the Speaker, to consider various matters such as Committee Stage of a Bill;
- (b) *Select Committees* - These are *adhoc* Committees established from time to time to consider specific matters requiring Parliamentary approval such as Presidential appointments; and
- (c) *Standing Committees* - These are committees established for the life of the Assembly.

187. Types of Standing Committees

The House shall, at the start of a new Parliament, establish the following standing committees:

- (a) House Keeping;
- (b) General Purposes; and
- (c) Portfolio.

(a) *House Keeping Committees*

188. Standing Orders Committee

(1) There is established the Standing Orders Committee, as a House Keeping Committee, comprising the Speaker, the Leader of Government Business in the House, the Minister of Finance, the Government Chief Whip, the Leader of the Opposition, the First and Second Deputy Speakers, Opposition Whip and four other members appointed by the Speaker.

(2) The Standing Orders Committee shall consist of twelve members.

(3) The Speaker shall be the chairperson and the First Deputy

Speaker shall be vice Chairperson of the Standing Orders Committee.

(4) In the absence of both the Speaker and the First Deputy Speaker, the Second Deputy Speaker shall act as chairperson of the Committee.

(5) In the absence of the Government Chief Whip, the Deputy Government Chief Whip may attend the meeting of the Standing Orders Committee.

(6) In addition to other duties that may be conferred upon it by the Assembly, the Standing Orders Committee shall-

- (a) consider all proposals for amendments to these Standing Orders;
- (b) consider all matters connected with the welfare and support services of members and staff;
- (c) appoint members to serve on standing committees; and
- (d) consider and approve the proposed annual estimates of expenditure for the Assembly before submitting them to the Ministry responsible for finance.

(7) The Standing Orders Committee shall circulate its report on amendment of Standing Orders to Members of Parliament and, if within the prescribed period, no comments, in writing, by a member, is received by the Clerk, the report shall be deemed to have been approved by the Assembly.

(8) If a comment is received from a member within the prescribed period, the Standing Orders Committee shall consider the comment and may render a final decision on it, in which case, the amendment to the Standing Orders shall be final and take effect as shall be determined by the Standing Orders Committee or may report on the comment to the House for a final decision.

(9) The Standing Orders Committee shall prescribe the period within which members are to submit comments for consideration by the Standing Orders Committee.

189. House Business Committee

(1) There is established the House Business Committee, as a House Keeping Committee, comprising the Speaker, the Deputy Speakers, Leader of Government Business in the House, Government Chief Whip, Leader of the Opposition, Opposition Whip and three other members appointed by the Standing Orders Committee.

(2) The Speaker shall be the chairperson of the House Business Committee and the First Deputy Speaker shall be the vice-chairperson.

(3) In the absence of both the Speaker and the First Deputy Speaker, the Second Deputy Speaker shall act as chairperson of the Committee.

(4) In the absence of the Government Chief Whip, the Deputy Government Chief Whip may attend the meeting of the House Business Committee.

(5) The House Business Committee shall, in addition to duties conferred upon it by the House, consider all matters related to the business of the House.

(6) The House Business Committee shall approve the Parliamentary Calendar.

190. Committee on Privileges and Absences

(1) There is established the Committee on Privileges and Absences as a House Keeping Committee, comprising the First Deputy Speaker and nine other members appointed by the Standing Orders Committee.

(2) The First Deputy Speaker shall be the chairperson of the committee.

(3) The committee shall elect a vice-chairperson at its first sitting in a Session from among its number.

(4) The committee shall assist the Speaker in considering matters relating to the privileges and discipline of members.

(5) Subject to approval by the Standing Orders Committee, the committee may make rules for determining disciplinary matters of members.

(6) Any member of the committee who is found guilty of misconduct shall lose his or her membership to the committee.

191. Parliamentary Reforms and Modernisation Committee

(1) There is established the Parliamentary Reforms and Modernisation Committee, as a House Keeping Committee, comprising the Second Deputy Speaker, the Minister of Finance, the Minister of Justice, the Minister of Local Government and six other members appointed by the Standing Orders Committee.

(2) The Second Deputy Speaker shall be the chairperson of the committee.

(3) The committee shall elect a vice-chairperson at its first sitting in a Session.

(4) The committee shall examine and propose reforms to the powers, procedures and practices, organisation and facilities of the Assembly.

(5) In proposing reforms under paragraph (4), the committee shall bear in mind the balance of power between the respective constitutional responsibilities, roles of the Assembly and the Government and the duties of other committees.

(6) The committee shall submit a report to the House on proposed reforms.

(7) The committee shall consider matters referred to it by the House or Speaker..

(b) General Purposes Committees

192. Public Accounts Committee

(1) There is established the Public Accounts Committee, as a general purposes committee, appointed by the Standing Orders Committee.

(2) The Chairperson of the Committee shall not be a member of the political party in government.

(3) The committee shall examine the accounts showing the appropriation of sums granted by the Assembly to meet the public expenditure, the Report of the Auditor-General on the accounts and such other accounts.

(4) The committee shall consider Estimates of Expenditure of ministries and departments, as may be referred to the Committee by the Speaker.

(5) The committee shall consider Bills as may be referred to it by the Speaker.

(6) The committee may consider matters referred to it by the House or Speaker.

193. Committee on Delegated Legislation

(1) There is established the Committee on Delegated Legislation, as a general purposes committee, appointed by the Standing Orders Committee.

(2) In appointing the members of the committee, the Standing Orders Committee shall give preference to members who have a legal background and experience.

(3) The committee shall scrutinise statutory instruments and report to the House on whether the power to make orders, regulations, rules, sub-rules and by-laws delegated by Parliament has been properly exercised by the person or authority to which the power has been delegated.

(4) For avoidance of doubt, in examining the Statutory Instruments

the committee shall ensure that the Statutory Instrument-

- (a) has been issued in accordance with the Constitution or statute under which it has been made;
- (b) does not trespass unduly on personal rights and liberties;
- (c) does not make the rights and liberties of citizens depend upon administrative decisions; and
- (d) is concerned only with administrative detail and does not amount to substantive legislation.

(5) The committee may consider a Bill referred to it by the Speaker.

(6) The committee may consider a matter referred to it by the House or Speaker.

(7) The committee shall consider estimates of Expenditure of Government Ministries and Departments as may be referred to the committee by the Speaker.

194. Committee on Government Assurances

(1) There is established the Committee on Government Assurances, as a general purposes committee, appointed by the Standing Orders Committee.

(2) The committee shall *scrutinise the assurances, promises or undertakings given by the Vice President or a minister on the floor of the House.*

(3) *The committee shall comment on delays in implementation and adequacy of the implementation of the assurance, promises or undertaking by the Executive.*

(4) *The committee shall follow up on the implementation of the resolutions of the House on Private Member's Motions.*

(5) The committee shall consider estimates of Expenditure of Government ministries and departments that may be referred to it by the Speaker.

(6) The committee may consider any Bill referred to it by the Speaker.

(7) *The committee may consider any matter referred to it by the*

House or Speaker.

195. Planning and Budgeting Committee

(1) There is established the Planning and Budgeting Committee, as a general purposes committee, appointed by the Standing Orders Committee.

(2) The committee shall examine Estimates of Revenue and Expenditure, including the Supplementary Estimates of Expenditure and Excess Expenditure.

(3) The committee shall report on economics, improvement in organisation, efficiency for administration reform, consistent with the policy underlying the Estimates, and examine whether the money is well laid out within the limits of policy implied in the Estimates.

(4) The committee shall study and report on matters related to coordination, control and monitoring of the performance of the National Budget.

(5) The committee shall examine money Bills.

(6) The committee shall examine tax rates and estimates, economic and budgetary policies and programmes with direct budget outlays.

(7) The committee shall examine public debt before it is contracted.

(8) The committee shall exercise powers conferred on it under **Article 203 (5)** of the Constitution.

(9) *The committee shall consider any matter referred to it by the House or Speaker.*

(c) Portfolio Committees

196. Establishment of Portfolio Committees

There are established the following Committees, as portfolio committees:

- (a) Committee on Agriculture, Lands and Natural

- Resources;
- (b) Committee on Media, Information and Communication Technologies;
- (c) Committee on Education, Science and Technology;
- (d) Committee on Energy, Water Development and Tourism;
- (e) Committee on Health, Community Development and Social Services;
- (f) Committee on Legal Affairs, Human Rights and Governance;
- (g) Committee on National Guidance and Gender Matters;
- (h) Committee on Local Government Accounts;
- (i) Committee on Local Governance, Housing and Chiefs' Affairs;
- (j) Committee on National Economy, Trade and Labour matters;
- (k) Committee on National Security and Foreign Affairs;
- (l) Committee on Parastatal Bodies;
- (m) Committee on Cabinet Affairs;
- (n) Committee on Transport, Works and Supply; and
- (o) Committee on Youth, Sport and Child Matters.

197. Functions of Portfolio Committees

Portfolio committees shall perform specific duties as set out hereunder:

- (a) ***Committee on Agriculture, Lands and Natural Resources***
Oversee the operations in the ministries responsible for agriculture, fisheries, livestock, land, natural resources, environmental protection, including departments and agencies under their portfolio.
- (b) ***Committee on Media, Information and Communication Technologies***
Oversee the operations in the ministries responsible for media and information and communications technologies and departments and agencies under their portfolios.
- (c) ***Committee on Education, Science and Technology***

Oversee the operations in the ministries responsible for general and higher education and departments and agencies under their portfolios.

(d) *Committee on Energy, Water Development and Tourism*

Oversee the operations in the ministries responsible for water development, sanitation, tourism, arts and energy and departments and agencies under their portfolios.

(e) *Committee on Health, Community Development and Social Services*

Oversee the operations in the ministries responsible for health, community development and social welfare and departments and agencies under their portfolio.

(f) *Committee on Legal Affairs, Human Rights and Governance*

Oversee the operations in the ministries responsible for justice, Human Rights and governance and departments and agencies under their portfolios.

(g) *National Guidance and Gender Matters*

Oversee the operations in the ministries responsible for religious affairs, national guidance and gender and departments and agencies under their portfolios.

(h) *Committee on Local Government Accounts*

Scrutinise reports of the Auditor-General on accounts of local authorities, including the Constituency Development Fund, the Local Government Equalisation Fund and other financial operations of Local authorities.

(i) *Committee on Local Governance, Housing and Chiefs' Affairs*

Oversee the operations in the ministries responsible for local government, housing, chiefs and traditional affairs, and departments and agencies under their portfolios.

(j) Committee on National Economy, Trade and Labour Matters

Oversee the operations in the ministries responsible for commerce, trade, industry, finance, mines and minerals development, national development and planning, labour and social security, co-operatives and departments and agencies under their portfolios.

(k) Committee on National Security and Foreign Affairs

Oversee the operations in the ministries responsible for defence, foreign affairs and home affairs and departments and agencies under their portfolios.

(l) Committee on Parastatal Bodies

Scrutinise reports of the Auditor-General on the accounts of parastatal bodies and other statutory institutions and oversee the operations of parastatal bodies and other statutory institutions.

(m) Committee on Cabinet Affairs

Scrutinise the operations of the Civil Service Commission, Public Service Management Division, Management Development Division and Office of the Vice President, and departments and agencies under the Presidential and Cabinet affairs portfolios.

(n) Committee on Transport, Works and Supply

Oversee the operations in the ministries responsible for transport, communications, works, supply, housing, infrastructure development, and departments and agencies under their portfolios.

(o) Committee on Youth, Sport and Child Matters

Oversee the operations in the ministries responsible for youth, sport and child development and departments and agencies under their portfolios.

198. General Functions of Portfolio Committees

A portfolio committee shall-

- (a) study and submit a report on the mandate, management, administration and operations of the Government

ministries, departments and agencies under their portfolios to the House;

- (b) carry out detailed scrutiny of activities being undertaken by the Government ministries, departments and agencies under their portfolios and make appropriate recommendations to the House;
- (c) study the programme and policy objectives of ministries and departments and the effectiveness of their implementation;
- (d) make, if considered necessary, recommendations to the Government on the need to review certain policies and certain existing legislation;
- (e) examine annual reports of Government ministries and departments under their portfolios in the context of the autonomy and efficiency of Government ministries and departments and determine whether the affairs of the said bodies are being managed according to relevant Acts of Parliament, established regulations, rules and general orders;
- (f) consider International Agreements, conventions and Treaties in accordance with **Article 63** of the Constitution;
- (g) consider special audit reports referred to it by the Speaker or a resolution of the House;
- (h) consider estimates of revenue and expenditure referred to it by the House;
- (i) where appropriate, hold public hearings on a matter under its consideration; and
- (j) study and review Bills referred to it by the House.

(d) Select Committees

199. Appointment of Members to Select Committee

The Speaker shall appoint not less than **ten** but not more than **fifteen** members to serve on a select committee.

200. First meeting of Select Committee

The first meeting of a select committee shall be convened within a period of five days of appointment of the committee, if the House is in session or within five days of the start of a Meeting of the House if the House is on recess.

201. Election of Chairperson of Select Committee

(1) A select committee shall at its first meeting elect one member from among its number to be the committee chairperson and another member of the opposite gender to be vice- chairperson.

(2) If the chairperson is absent from a meeting of a select committee, the vice -chairperson or, in the absence of both the chairperson and vice - chairperson, a member elected by the members present shall preside at the meeting.

**PART FIVE: PRIVILEGES, CONDUCT OF MEMBERS AND
PARLIAMENTARY ETIQUETTE**

202. Privileges of Members

(1) Parliamentary privilege refers to certain rights, powers and immunities enjoyed by the House and its committees collectively and by the members individually and without which the House cannot discharge its functions effectively and efficiently.

(2) The House and members shall enjoy the privileges and immunities prescribed under the National Assembly (Powers and Privileges) Act.

(3) A member who abuses the privileges commits an offence of 'breach of privilege' and may be punished by the House.

(4) A member who alleges that his or her privilege is being, or has been, denied in the House may, as soon as the alleged denial occurs, raise a Point of Order.

(5) A member who alleges that his or her privilege is being, or has been, denied either outside the House or long after the alleged denial occurred, may file a written complaint with the office of the Speaker specifying the allegation.

203. Conduct of Members

(1) A member shall at all times conduct himself or herself in a manner that upholds the dignity, integrity and decorum of the House.

(2) A member shall not act in a manner that brings the House or other members generally into disrepute.

(3) In accordance with sections *four, five and six* of the Parliamentary and Ministerial Code of Conduct Act, a member shall-

- (a) not acquire dishonestly or improperly any pecuniary advantage;
- (b) disclose any pecuniary interest to the House before

- speaking on the matter before the House; and
- (c) declare interest in a Government contract made or proposed to be made between the member and the Government.

204. Parliamentary Decorum and Etiquette

(1) Parliamentary decorum and etiquette refers to an essential standard of behaviour that a member must observe in the House in order to maintain the dignity and decency of the House.

(2) A member shall observe the following rules of parliamentary etiquette:

- (a) a member shall be in the House or in a meeting room a few minutes before the appointed time for commencement of the sitting of the House and after health breaks;
- (b) a member shall stop any conversation and rise in his or her place as soon as the Speaker's procession enters the Chamber;
- (c) a member who enters the Chamber when the Speaker's procession is entering, shall stand silently in the gangway until the Speaker has taken the Chair;
- (d) after adjournment of the House, a member shall remain standing in his or her place until the last person on the Speaker's procession has completely left the Chamber;
- (e) a member shall bow to the Chair on entering or leaving the Chamber, or taking or leaving his or her seat;
- (f) a member shall not interrupt another member holding the Floor by making noise or other disorderly expressions;
- (g) a member shall listen in silence to the debates in the House;
- (h) a member shall not obstruct, interrupt proceedings or make disruptive running commentaries when another member is speaking;
- (i) a member shall not applaud when a stranger enters the galleries;
- (j) a member shall not shout political party slogans or display political flags, emblems or any such articles in

- the House;
- (k) a member shall not leave the House immediately after debating. Instead, after debating, a member shall resume his or her seat to listen to debates of other members and only leave the House afterwards, if necessary;
 - (l) a member shall not distribute literature, a questionnaire, pamphlet, flyer, press notes or any such material, within the precincts of Parliament;
 - (m) a member shall not bring into the Chamber boards for writing purposes;
 - (n) a member shall not smoke in the Chamber or walk into the Chamber carrying a coat or jacket on his or her arm or shoulder;
 - (o) a member shall not sit or stand with his or her back towards the Chair;
 - (p) a member shall not carry a walking stick or a medical aid into the Chamber without permission of the Speaker;
 - (q) a member shall not tear an official document in the House;
 - (r) a member shall not sing or play music in the House;
 - (s) a member shall not pass in between a presiding officer and a member who is speaking;
 - (t) a member shall not talk to other members in a manner that disturbs the proceedings of the House. If it is unavoidable to consult another member during proceedings, a member shall talk in a very low voice;
 - (u) a member shall resume his or her seat as soon as the presiding officer rises to speak or calls out 'order' or "a Point of Order is raised";
 - (v) a member shall be referred to by his or her constituency name and not by individual name;
 - (w) a member shall not read a book, newspaper or any literature, unless the literature is connected with the Business of the House then under consideration;
 - (x) a member shall not argue with another member who is debating. The member may, however, wait for his or her turn to rebut or contribute to the debate; and
 - (y) a member shall not sign or log onto the multimedia system in the House on behalf of another member.

(3) A member who breaches a rule of etiquette may be sent out of the House for one sitting day.

205. Gross disorderly conduct

A member commits an act of gross disorderly conduct if the member

- (a) defies a ruling or direction of a presiding officer;
- (b) declines to retract words ruled unparliamentary by a presiding officer or declines to offer an apology, when ordered to do so;
- (c) demonstrates or makes disruptive utterances against the suspension of a member;
- (d) attempts to or causes disorder of whatever nature during an address by the President or a visiting dignitary;
- (e) uses violence against a member or other person in the House, committee or within the precincts of the Assembly;
- (f) attempts to or disrupts the Speaker's Procession when the Procession is entering or leaving the Chamber;
- (g) attempts to or removes the mace from its place in the Chamber;
- (h) deliberately gives false information to the House;
- (i) acts in any other way to the serious detriment of the dignity or orderly procedure of the House; or
- (j) commits an act that, in the opinion of the Speaker, constitutes gross disorderly conduct.

206. Dress Code for Members

(1) The official dress for a male member shall be –

- (a) a formal executive suit, or a pair of long trousers, a shirt, a neck tie and jacket;
- (b) a toga;
- (c) a decent traditional attire such as *siziba*; or
- (d) a safari suit, with long or short sleeves and a scarf or a neck tie.

(2) The official dress for a female member shall be-

- (a) a formal dress, formal executive suit either with a skirt below the knee or a pair of trousers; or

- (b) a decent traditional attire such as a formal 'chitenge' outfit with long or short sleeves, *musisi*.

(3) A member who neglects, refuses or fails to wear the prescribed attire, shall be sent out of the House.

207. Contempt of the House

(1) Contempt of the House refers to an act, omission or conduct, which obstructs or impedes either the House or members or officer in the discharge of their duties.

(2) In addition to instances under Section *nineteen* of the National Assembly (Powers and Privileges) Act, the following, may constitute contempt of the House:

- (a) a speech or writing reflecting negatively on the House or members;
- (b) a reflection on the character or impartiality of the Speaker in the discharge of the Speaker's duties;
- (c) a publication of a false or distorted report on the proceedings of the House;
- (d) molestation of members on account of their debate or conduct in the House or a committee; and
- (e) obstructing a member while he or she is performing his or her duties or while on their way to or from the House.

(3) Any person who commits contempt of the House shall be dealt with in accordance with the provisions of the National Assembly (Powers and Privileges) Act.

208. Naming a Member

(1) Naming a member is a process where the presiding officer suspends the proceedings then under consideration on the Floor of the House in order to, instantly, deal with a matter of gross disorderly committed by a member.

(2) If, in the opinion of a presiding officer, the conduct of a member in the House is grossly disorderly and sending the member away from the House for one day is not sufficient punishment considering the

gravity of the misconduct, the presiding officer may name the member.

(3) In naming the member, the Presiding officer shall say *“Mr., Mrs., Ms, Dr, Prof....., I find your behaviour grossly disorderly and sending you away for today's sitting is insufficient punishment. I, therefore, in accordance with Standing Order two hundred and eight, name you.”*

(4) When a member is named, the Speaker shall immediately put the Question, *“That, [name of member] be suspended from the service of the House for a period of ... [state period of suspension].”* The Question shall neither be debated nor amended.

(5) If the Question is resolved in the affirmative, the member named shall leave the House through the main entrance.

(6) If a member is named in a Committee of the Whole House, the Chairperson of Committees shall suspend the proceedings and report the matter to the House. The Speaker shall then put the Question for the member's suspension as provided for under paragraph (3) and (4) of this Standing Order.

(7) The power to name a member shall be exercised only when the Speaker or the First Deputy Speaker or the Second Deputy Speaker acting as Speaker, is presiding over the business in the House, and in the Committees of the Whole House only when the Chairperson or the Deputy Chairperson of the Committees is presiding.

209. Duration of suspension of Member named

(1) If a member is named under Standing Order *two hundred and eight*, the suspension period shall be as follows:

- (a) on the first occasion, for seven sitting days excluding the day of suspension;
- (b) on the second occasion in the same or subsequent Session, for fourteen sitting days excluding the day of suspension; and
- (c) on the third or a subsequent occasion in the same Parliament, for thirty sitting days excluding the day of suspension.

(2) A member who is suspended from the Assembly shall, during the period of suspension-

- (a) not enter the precincts of the Assembly;
- (b) not participate in an activity of the Assembly or a committee of the Assembly; and
- (c) not be paid the salary or allowance the member is entitled to as a member.

210. Failure to attend sittings

(1) If, during a Session, a member is absent for four consecutive Sittings of the Assembly without permission, in writing, from the Government Chief Whip or the Speaker, the Government Chief Whip shall report the matter to the Committee on Privileges and Absences for hearing and determination.

(2) If the committee finds that the member has offered a satisfactory explanation for the member's absence from Sittings of the Assembly, there shall be no further proceedings on the matter.

(3) If the committee finds that the member has not offered a satisfactory explanation for the member's absence from Sittings of the Assembly, the committee shall, through the Speaker, report to the House recommending appropriate action to be taken against the member.

211. Procedure to be followed when a member dies and the House is sitting

(1) Where a member dies and the House is then sitting-

- (a) the Speaker shall announce the death of the deceased member at the next sitting day of the House and inform the House the date on which the Leader of Government Business will move a Motion to place on record the Assembly's regret and sympathies on the death of the member; and
- (b) immediately following the announcement under paragraph (1), the House will observe one minute of silence in honour and memory of the deceased member.

(2) As soon as the date and place for burial of the deceased member are known, the Speaker shall-

- (a) inform the House the date and time the body of the deceased member will be brought to Parliament for a valedictory service; and
- (b) constitute a parliamentary delegation to attend the burial of the deceased member.

(3) During the valedictory service, the body of the deceased member shall be placed at the foot of the Chamber in front of the Table.

(4) During the valedictory service, speeches shall be delivered, in the following order, by:

- (a) the Leader of the Opposition, or in the absence of the Leader of the Opposition, a member of the opposition nominated by the Leader of the Opposition;
- (b) the Government Chief Whip, or in the absence of the Government Chief Whip, a member of the ruling party nominated by the Government Chief Whip; and
- (c) the Speaker, or in the absence of the Speaker, the First or Second Deputy Speaker.

(5) Except for the Parliamentary delegation appointed under paragraph (2)(b), all other members shall attend the valedictory service and burial of the deceased member on voluntary basis.

212. Procedure to be followed when a member dies and the House is on recess

(1) Where a member dies and the House is on recess, the Speaker shall, as soon as the Speaker receives the notice of death, notify in writing, all Members of Parliament about the death of the member.

(2) The Speaker shall announce the death of the deceased member at the next sitting day of the House following the death of the member and inform the House the date on which the Leader of Government Business in the House will move a Motion to place on record the Assembly's regret and sympathies on the death of the deceased member.

(3) Immediately following the announcement under paragraph (2), the House shall observe one minute of silence in honour and memory

of the deceased member.

(4) The provisions of paragraphs (2) to (4) of Standing Order *two hundred and eleven* shall apply with the necessary modifications.

(5) For purposes of this Standing Order, a member who dies not more than forty-eight hours before the House starts sitting, shall be deemed to have died when the House is in Session and the provisions of Standing Order *two hundred and eleven* shall apply.

PART SIX: BROADCASTING OF PROCEEDINGS OF THE ASSEMBLY

213. Broadcasting of House and Committee proceedings

(1) The proceedings of the House may be broadcast simultaneously in the English and Sign languages.

(2) Audio and visual digital footage of the proceedings shall form part of the records of the House.

214. Television Broadcasting

When filming and broadcasting the proceedings of the House on television, the following rules shall apply-

- (a) the camera shall focus on the member recognised by the presiding officer until the member has finished speaking;
- (b) group shots and cut-ways may be taken for purposes of showing the reaction of a group of members to an issue on the Floor;
- (c) wide-angle shots of the Chamber shall be used during voting and Division and no shot shall be taken so as to show the manner in which a member has voted;
- (d) the presiding officer shall be televised whenever he or she rises;
- (e) press and public galleries shall not be televised except as part of the wide angle shots;
- (f) no close-up shots of members' papers or reference materials may be shown; and
- (g) shots designed to embarrass a member shall not be televised.

215. Radio Broadcasting

When broadcasting the proceedings of the House on radio, commentaries during a live broadcast shall be limited to the introduction of a matter under debate and of the member on the Floor.

216. Conduct of Broadcasting Officer

An officer of the Parliamentary Broadcasting Unit shall conduct

himself or herself in a professional and impartial manner, giving a balanced, fair and accurate account of proceedings.

217. Restrictions on use of Audio and Visual Recordings

A member or any person shall not use recordings of the proceedings of the House or Committees for purposes of political party advertising, ridicule, commercial sponsorship or any form of negative publicity.

218. External Media Houses

(1) In these Standing Orders an 'external media house' means any media house other than the Parliamentary Broadcasting Unit.

(2) An external media house or person may not broadcast proceedings of the House or a committee except as received from the broadcast feed provided by the Parliamentary Broadcasting Unit.

(3) A media house that receives a broadcast feed from the Parliamentary Broadcasting Unit shall broadcast it without any manipulation or distortion.

(4) An accredited journalist shall be allowed access to designated areas for purposes of following the proceedings and taking notes and any journalist so allowed shall adhere to these broadcasting rules.

(5) The Speaker shall not allow into the House, a camera, recording or broadcasting equipment that has not undergone a security check.

219. Breach of Broadcasting Rules

A person who fails to comply with these broadcasting rules shall be liable to such punishment, as the House may consider appropriate.

220. Application of Broadcasting Rules

These broadcasting rules shall apply, with necessary modifications, to broadcasting of other Parliamentary proceedings or events and webcasting.

PART SEVEN: GENERAL PROVISIONS

221. Language of Proceedings and Debates

The proceedings and debates of the Assembly shall be in the English language.

222. Quorum at commencement of sitting

(1) In accordance with **Article 77(4)** of the Constitution, the quorum of the Assembly shall be one-third of all the members of the Assembly.

(2) The Speaker shall take the Chair at the time appointed for the Sitting of the House.

(3) If there is no quorum at the appointed sitting time, immediately after the prayer, the Speaker shall order for the bells to be rung for **seven minutes**.

(4) After the bells have rung for **seven minutes** and there is still no quorum, the Speaker shall after twenty-three minutes adjourn the House to the next sitting day.

223. Procedure when no quorum after suspension of business

(1) If, there is no quorum on resumption of business after a suspension, the bells shall be rung for **five minutes**.

(2) The presiding officer shall wait for another **five minutes** after the bells have been rung and, if there is still no quorum, the presiding officer shall adjourn the House to the next sitting day.

224. Procedure when no quorum during proceedings

(1) If it appears, on objection being taken, or on a report of a division, that a quorum is not present, the Speaker shall order the bells to be rung for **five minutes**, and unless a quorum is previously present, the Speaker shall, after a further **two minutes**, order a count of the House and if a quorum is still not present, shall adjourn the House without question put to the next sitting day; and no decision shall be considered to have been arrived at by such division.

(2) The Bar of the House shall not be closed during the counting of members in the House.

225. Point of Order on lack of Quorum

A member who raises a Point of Order on a lack of quorum, shall be deemed to be present during the count, whether he or she is present or not.

226. Challenging decision of the Chair

(1) A member who wishes to challenge a decision of a presiding officer shall move a substantive motion.

(2) The request to move a substantive motion shall be made in writing to the Speaker and shall state the grounds for the challenge.

(3) The grounds upon which the challenge is based shall relate only to the decision of the presiding officer.

(4) The substantive motion shall be referred to the committee responsible for Privileges of members for determination of merit in the motion.

(5) The motion shall not be debated in the House unless the committee responsible for Privileges of members resolves that the request has merit and the motion be tabled for debate.

(6) The presiding officer against whom the substantive motion is moved shall not preside over the debate on the motion.

(7) If the decision a member wishes to challenge emanates from, or is as a result of, the decision of the committee responsible for Privileges of members, the Speaker shall, in consultation with the leaders of all political parties represented in the House appoint, and refer the challenge motion to, a select committee for determination of merit.

(8) Where the committee responsible for Privileges of members or the select committee, as the case may be, finds merit in the challenge, the committee shall inform the Speaker and the Speaker shall allow the aggrieved member to move a substantive motion "**That the ruling rendered by the Speaker that (indicate decision of Speaker) on (indicate the date of the ruling) be nullified for irregularity.**"

227. Lapsing of Business on dissolution of House

(1) All business pending consideration by the House at the end of a

Session may be carried forward to the next Session.

(2) All Business pending consideration by the House, shall lapse upon the dissolution of Parliament.

228. Same motion, subject or amendment not to be moved twice in same Session

A motion, subject or amendment which is of the same substance as a motion, subject or amendment which, unless deferred, has been resolved affirmatively or negatively by the House, shall not be reintroduced in the same Session unless the earlier resolution is rescinded by the House.

229. Permission to be absent

(1) A member seeking to be absent from a Sitting of the House shall seek the written permission of the Government Chief Whip or the Speaker in such form as the Speaker may determine, stating the period of absence, the reasons and any other relevant information.

(2) The Government Chief Whip shall keep custody of requests for permission and may not disclose the information to third parties without the written consent of the Speaker.

230. Speaker's Mace

(1) The Speaker's Mace is an instrument that symbolises the authority of the Speaker and the right conferred on the House by the Constitution for the House to assemble as a peoples' representatives and carry out its constitutional functions.

(2) On each day that the House sits, the Mace shall be carried into the Chamber, ahead of the Speaker's procession, by the Sergeant-at-Arms, and shall be placed in the upper bracket at the Table.

(3) A member shall not, in anyway, tamper with the Speaker's Mace at any time.

(4) A member who tampers with the Speaker's Mace commits contempt of the House and shall forthwith be suspended from the House in accordance with Standing Orders *two hundred and eight*.

231. Use of Electronic Devices

(1) A member may use a Tablet in the House.

(2) A member shall ensure that the Tablet is switched to silent mode and that its use does not cause disorder or distract other members.

(3) Subject to paragraph (4) of Standing Order *fifty-eight*, a member may use a Tablet in debating a Motion.

(4) A member may use a Tablet to send or receive messages for use in the proceedings of the House.

(5) A member may use a Tablet to access parliamentary documents which are relevant to the current Business in the House or search for information for use during debate.

(6) A member shall not make or receive a telephone call in the Chamber.

232. Visitors

(1) The Speaker shall control the admission of visitors in the House.

(2) A visitor shall be subjected to a security check before entering the House.

(3) A visitor may only be allowed entry into the Chamber if he or she is dressed in, at minimum, a smart casual attire.

(4) The presiding officer may, at anytime, order a visitor to withdraw from the Chamber for misconduct.

233. Dress Code for Witnesses

The dress code for a witness appearing before a committee shall be smart casual or the dress code according to the trade to which the witness belongs.

234. Presence of Stranger in the House

(1) A member may call attention of the House to the presence of a stranger in the Chamber and the presiding officer shall order the stranger to immediately withdraw.

(2) An officer may remove a stranger from any part of the Chamber when ordered to do so by the presiding officer.

235. Firearms and offensive weapons

(1) A member or visitor shall not bring into the Chamber a firearm or an offensive weapon.

(2) A member or visitor who comes into the Parliamentary precincts with a firearm or an offensive weapon may deposit it with the Sergeant-at-Arms for safe custody and collect it the same day upon leaving the chamber.

(3) For purposes of this Standing Order, an offensive weapon includes a knife, chisel, screwdriver, catapult, hammer, walking stick or any instrument meant for attack of any person.

236. Ladies' Handbags

A female member or visitor may be allowed to carry an ordinary sized handbag into the Chamber.

237. Hansard Reports

(1) There shall be published a verbatim report of all proceedings of the House.

(2) A member shall have an opportunity to correct the draft verbatim report of his or her contribution, but not so as to alter the substance of what the member actually said.

(3) Where there is doubt as to the content of the verbatim record of the House, the Speaker shall make a final determination.

(4) A member shall receive through his or her official email box, a copy of the daily Debates.

238. Speaker's Power to expunge words from Journals of House

The Speaker has the power to order the expunction of words from the journals of the House which, in the opinion of the Speaker, are defamatory, indecent, unparliamentary, undignified, or insinuatory in nature or levels allegation against a high dignitary or authority or organization or are secret.

239. Speaker to decide on cases not provided for

(1) Where a procedural question arises on a matter that is not expressly provided for by these Standing Orders or by other Orders of the House, the Speaker shall decide the question.

(2) A decision made in paragraph (1) of this Standing Order shall be based on the Constitution of Zambia, statute law and the usages, precedents, customs, procedures, traditions and practices of the Parliament of Zambia and other jurisdictions.

240. Sale of Publications of the Assembly

Any publication of the Assembly may be sold to the public at prices and places as the Speaker may determine.

241. Suspension of Standing Orders

(1) The House may, upon a motion made after notice, suspend any Standing Order except for those that emanate from the Constitution.

(2) The suspension of a Standing Order shall be limited in its operation to the particular purpose for which the suspension is sought.

242. Recognition of a Parliamentary Caucus

(1) The Speaker may, upon a written request of at least fifteen members, recognise a parliamentary caucus formed for the purpose of advancing a common legislative objective.

(2) A request to the Speaker under this Standing Order shall-

- (a) indicate the name of the caucus;
- (b) outline the legislative objective of the caucus; and
- (c) contain the names and signatures of the fifteen members of the caucus.

243. Periodic Review of Standing Orders

(1) The Standing Orders Committee shall, if need be, not later than six months before the end of the term of Parliament, review these Standing Orders and submit a report to the House for consideration and adoption.

(2) Despite paragraph (1), these Standing Orders may be amended at anytime.

244. Adjournment of House

When the House has been adjourned to a fixed date or *sine die*, the Speaker shall, by Gazette Notice, reconvene the House at an

appropriate time.

245. Transitional Provisions

Upon the coming into operation of these Standing Orders, all business and proceedings pending before the House and all notices previously given shall be set down for such days as the member in charge may appoint and all proceedings on such business and all such notices shall, provided they are regularly taken or given under the standing rules and orders, then in force, be deemed to have been regularly taken or given under these Standing Orders, notwithstanding any contrary provision to these Standing Orders.

246. Regulations

The Speaker may make regulations as the Speaker may consider necessary for the proper carrying out of the provisions of these Standing Orders or any part thereof.

247. Revocation of National Assembly of Zambia Standing Orders, 2016

Upon the coming into operation of these Standing Orders, the National Assembly of Zambia Standing Orders, 2016, shall be revoked but without prejudice to anything properly done under those Standing Orders.

APPENDIX I

FORM FOR FILING PETITION IN NATIONAL ASSEMBLY
(STANDING ORDER 123)

To the Honourable Mr Speaker
The petition of

(Please print clearly the full names of principal petitioner)

(Please print clearly address and day time telephone number of principal petitioner)

(Signature)

and _____ others

Respectfully requests:

That _____

(Ask the House to take/not to take action on the subject matter of the petition)

APPENDIX II

OATH OR AFFIRMATION OF OFFICE (STANDING ORDER 3)

I having been elected Member of Parliament for Constituency do swear/affirm* that I will well and truly serve the Republic and the President of Zambia; that I will be faithful and bear true allegiance to the President and the Republic of Zambia, that I will preserve, protect and defend the Constitution of Zambia, as by law established; and that I will not directly or indirectly reveal or transmit any such information or matter as shall be brought under my consideration, or shall be made known to me by reason of my office except as may be required in the discharge of my duties as such or with the authority of the President.

So help me God

.....

Sworn at Lusaka this day of 20.....

Before me:

.....

Clerk of the National Assembly

*Delete the inapplicable word.

APPENDIX III

DECLARATION OF THE RESULT OF THE POLL -ELECTION OF THE SPEAKER AND
DEPUTY SPEAKERS
(STANDING ORDERS 5 AND 6)

I, Clerk of the
National Assembly, being the Returning Officer for the election of Speaker, First
Deputy Speaker/Second Deputy Speaker*, do hereby declare that I have, in accordance
with the law, ascertained the results of the poll for the position of Speaker/First Deputy
Speaker/Second Deputy Speaker* as follows:

1..... Votes
2..... Votes
3..... Votes

I have rejected..... Votes

I, therefore, declare that.....
has been duly elected as Speaker/First Deputy Speaker/Second Deputy Speaker*.

Dated this day of 20.....

*Delete the inapplicable word(s).

APPENDIX IV

**DECLARATION OF RESULT OF THE POLL FOR UNOPPOSED CANDIDATE TO
THE POSITION OF SPEAKER AND DEPUTY SPEAKER (STANDING ORDER 11)**

I,, Clerk of the National Assembly of Zambia, being the Returning Officer for the election of Speaker of the National Assembly, do hereby declare that I have in accordance with the law and the Standing Orders of the House, ascertained that only one nomination for the election of Speaker of the National Assembly has been received as follows

Name of Candidate: _____

In accordance with the provisions of Standing Order No. 11 of the National Assembly, I, therefore, declare that Hon, has been duly elected as Speaker* of the National Assembly unopposed.

(In case of the Speaker)

In accordance with the provisions of Standing Order No. 12 of the National Assembly, the Proposer and the Seconder of the said Hon _____ are directed to lead and conduct the Speaker-Elect to the Chair.

*Delete the position that does not apply.

APPENDIX V

ARTICLE 82 OF THE CONSTITUTION OF ZAMBIA
NATIONAL ASSEMBLY STANDING ORDER 5, 6 AND 7

**NOMINATION PAPER FOR THE
POSITION OF SPEAKER**

We, being duly elected Members of Parliament, hereby support the candidature of

for the position of Speaker of the National Assembly of Zambia and DECLARE that *he/she is willing to serve in this position.

Proposer's name in capital letters	Constituency	Signature

Seconder's name in capital letters	Constituency	Signature

DECLARATION BY THE NOMINEE

I hereby declare that I am willing to serve as Speaker of the National Assembly of Zambia.

Signature:

Dated this day of 20.....

**Delete where inapplicable*

APPENDIX VI

ARTICLE 82 OF THE CONSTITUTION OF ZAMBIA
NATIONAL ASSEMBLY STANDING ORDER 5, 6 AND 7

NOMINATION PAPER FOR THE
POSITION OF FIRST DEPUTY SPEAKER

We, being duly elected Members of Parliament, hereby support the candidature of

for the position of First Deputy Speaker of the National Assembly of Zambia and DECLARE that *he/she is willing to serve in this position.

Proposer's name in capital letters	Constituency	Signature

Seconder's name in capital letters	Constituency	Signature

DECLARATION BY THE NOMINEE

I hereby declare that I am willing to serve as First Deputy Speaker of the National Assembly of Zambia.

Signature:

Dated this day of 20.....

**Delete where inapplicable*

APPENDIX VII

ARTICLE 82 OF THE CONSTITUTION OF ZAMBIA
NATIONAL ASSEMBLY STANDING ORDER 6 AND 7

**NOMINATION PAPER FOR THE
POSITION OF SECOND DEPUTY SPEAKER**

We, being duly elected Members of Parliament, hereby support the candidature of

for the position of Second Deputy Speaker of the National Assembly of Zambia and
DECLARE that *he/she is willing to serve in this position.

Proposer's name in capital letters	Constituency	Signature

Seconder's name in capital letters	Constituency	Signature

DECLARATION BY THE NOMINEE

I hereby declare that I am
willing to serve as Second Deputy Speaker of the National Assembly of Zambia.

Signature:

Dated this day of 20.....

**Delete where inapplicable*
