

[Legal Notice No. 10]

**STANDING ORDERS  
OF  
CENTRAL PROVINCIAL ASSEMBLY**

**ARRANGEMENT OF STANDING ORDERS**

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IN accordance with Section 5 of the Provincial Government Act 1981 the Provincial Assembly hereby makes the following Standing Orders -

**1. INTERPRETATION**

Words contained in these Orders shall, unless the context otherwise requires, have the meanings as in the Constitution of the Solomon Islands and in the Provincial Government Act 1981 subject to the following:

“absolute majority” means one-half of the elected members plus one.

“majority” means one-half of the members present plus one.

“move” means the method by which a member requests the Assembly to vote on a matter.

“paper” means any account, paper, return, order, report, statement or other document that is laid upon the Table of the Assembly.

“point of order” means a statement of a member regarding the proper procedure to follow according to the Standing Orders.

“proposed Ordinance” means an Ordinance in bill form that has not been approved by the Assembly, assented to by the Minister or gazetted.

“resolution” means a statement of the position of the Assembly with respect to a certain matter whether that matter is within the control of the Assembly and therefore binding or outside of the power of the Assembly and therefore merely advisory.

## 2. OATH OF ALLEGIANCE

No member shall take part in the proceedings of the Assembly until he has made the following oath of affirmation.

I ....., do swear (solemnly affirm) that I will uphold the Constitution and Laws of the Solomon Islands and be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, Her Heirs and successors, according to law (so help me God).

## 3. APPOINTMENT OF SPEAKER AND DEPUTY SPEAKER

(a) The Speaker and Deputy Speaker shall be elected at the first sitting of the Assembly after a general election or whenever either Office is vacant.

(b) The Speaker and Deputy Speaker shall be registered voters in the Province. The Speaker shall not be a member of the provincial Assembly or Parliament; the Deputy Speaker shall be a member of the Assembly.

(c) Members of the Assembly shall nominate candidates for Speaker and Deputy Speaker. Nominations, signed by 2 members, shall be given to the Clerk to the Assembly 24 hours in advance of the election.

(d) The persons appointed to be Speaker and Deputy Speaker shall be the ones who receive the most votes on the first secret ballot for each office.

- (e) The Speaker and Deputy Speaker may resign in writing to the Premier or be removed by the Assembly through a motion of no confidence.
- (f) The term of the Speaker shall continue until the election of a new Speaker.

4. DUTIES OF THE SPEAKER AND DEPUTY SPEAKER

- (a) The Speaker shall perform the duties as resolved by the Assembly from time to time.
- (b) The Deputy Speaker shall perform such duties in the absence of the Speaker.

5. MEETINGS

- (a) The Assembly shall meet at least twice in any period of twelve months.
- (b) The Provincial Assembly shall meet at the day and time determined by the Premier.
- (c) The Speaker shall give notice as to the date and time of an Assembly Meeting to members as far in advance as possible. The Speaker shall also provide members with notice of matters to be considered at the meeting.
- (d) The meeting shall end by majority vote upon motion by any member.

6. SITTINGS

- (a) Sitting shall be on the days and at the times determined by the Speaker.
- (b) A sitting may be adjourned by majority vote upon motion by any member.

7. QUORUM

- (a) The Assembly shall not meet unless an absolute majority is present.
- (b) The Speaker shall adjourn a meeting at any time a quorum does not exist.

8. VOTING

- (a) All matters put to the Assembly for decision shall be determined by a majority unless some other number is specifically provided for in the Provincial Government Act 1981 or these Standing Orders.
- (b) Each elected member shall have one vote. At such times as the Deputy Speaker is presiding over the Assembly,

he shall have no original vote, but shall have a casting vote in the event of a tie.

- (c) Voting shall be by a show of hands.
- (d) The Speaker shall declare the result.

## 9. ORDER OF BUSINESS

- (a) The Order of business shall be:

Prayer  
Administration of Oaths  
Elections  
Approval of Minutes  
Messages and Announcements  
Subsidiary Legislation  
Ordinance  
Resolutions  
Questions  
Papers

- (b) The Speaker in consultation with the Premier shall decide the order of business for each sitting subject to these Standing Orders. He shall issue order papers for the information of the members.

## 10. ORDER

- (a) The Speaker is responsible for maintenance of order and insuring that members follow the Standing Orders. His decision on a point of order shall be final.
- (b) The Speaker shall insure proper dress, language, decorum and personal habits by members during sittings.
- (c) The Speaker may order the removal of anyone who violates the Standing Orders or behaves in a disorderly or offensive manner. The Speaker shall determine the appropriateness of a removed person's return.
- (d) Where any matter arises that is not provided for in the Standing Orders, the Speaker shall make a ruling. His decision shall be final.

## 11. RULES OF DEBATE

- (a) No member may speak until given permission to do so by the Speaker except to raise a point of order.
- (b) Members shall stand to speak and address the Speaker when speaking.

- (c) The Speaker may order a member to resume his seat if the content of his speech is irrelevant, repetitious or argumentative.
- (d) A member called upon by the Speaker to address an item on the order paper, shall stand and make such introductory and explanatory remarks as he chooses and then move a motion urging approval of the terms of the item (i.e, subsidiary legislation, Ordinance, Resolution).
- (e) After the item has been moved, the Speaker shall follow the procedure for that item as prescribed in the Standing Orders.

## 12. SUBSIDIARY LEGISLATION

At every meeting, the Premier shall be responsible for laying on the table of the Assembly any subsidiary legislation approved by the Provincial Executive since the last Assembly meeting. The validity of the subsidiary legislation shall continue unless revoked by a majority of the members. If there is no debate or vote, the subsidiary legislation shall stand. Revocation of the subsidiary legislation shall not affect anything done pursuant to it prior to revocation.

## 13. ORDINANCES

- (a) All proposed Ordinances must be submitted to the Speaker prior to inclusion in the Order Paper. The Speaker shall review the proposed Ordinance with the Provincial Secretary, Treasurer, Legal Advisor and anyone else prior to presentation to the Assembly.
- (b) Any member may propose an Ordinance.
- (c) Proposed Ordinances shall be in the form determined by the Speaker and shall comply with the Standing Orders.
- (d) The Speaker shall provide the Minister with a draft of the proposed Ordinance prior to debate in the Assembly.
- (e) A proposed Ordinance shall have a title, an explanatory preamble and shall be followed by "Enacted by the Provincial Assembly and assented to by the Minister". It shall have a section entitled "Arrangement of Section" and an interpretation. The proposed Ordinance shall be divided into sections but matters of detail may be included in a Schedule.
- (f) At the time scheduled for presentation of the proposed Ordinance, the Speaker shall read the title and explanatory preamble. At that time he shall call upon the member

responsible for the presentation of the proposed Ordinance to assess the general principles of the proposed Ordinance. This opening address is open to debate, comments and questions. No amendments may be offered at this time. At the conclusion of the debate, the member responsible shall move that the Assembly consider the proposed Ordinance section by section. The Speaker shall call for vote on the motion.

- (g) If the Assembly approves consideration of the proposed Ordinance section by section, the Speaker shall to read each section. Each section shall be open to debate, comments, questions and amendments. Any member desiring to change a section shall move a specific amendment. If no amendments are moved and approved by the majority, the original section shall stand. The Speaker shall call for a vote by proposing "that the section (as amended) stand part of the Ordinance". When the Assembly has vote on each section, they shall vote on the preamble and any schedules. Following this, the Speaker shall call for a vote on the proposed Ordinance.
- (h) If the Assembly passes the proposed Ordinance, the Speaker shall obtain the necessary signatures and the assent of the Minister.
- (i) If the Minister does not assent to the proposed Ordinance, the Speaker shall learn why the Minister has withheld consent, then consult with the Premier about further action.

#### 14. APPROPRIATION ORDINANCE

The Provincial Assembly shall not proceed with any proposed ordinance to appropriate any sum out of the Provincial Fund unless either;

- (a) There has been laid before the Assembly the Estimates of expenditure on which the proposed Ordinance is base;  
or
- (b) The proposed ordinance would have effect only in relation to the first four months of a financial year and would appropriate a sum sufficient only to maintain existing services.
- (c) No appropriation Ordinance may be passed except in pursuance to a recommendation of the Provincial Executive.

- (d) The procedure for the proposed ordinance shall be as per section 13 except that the Assembly shall go through the proposed Ordinance sub-head by sub-head.

#### 15. RESOLUTIONS

- (a) A resolution shall be submitted to the Speaker prior to presentation to the Assembly. The Speaker shall make the final determination as to the appropriateness of the Resolution. Any member may submit a resolution.
- (b) At the time scheduled for debate on the resolution, the Speaker shall read the resolution and call upon the member sponsoring the resolution to speak on behalf of the resolution and to move its passage. Then the resolution shall be open to debate, comments, questions and amendments. When no more members wish to speak, the Speaker shall call for a vote on the Resolution.

#### 16. QUESTIONS

- (a) A member may ask a question of another member.
- (b) Questions shall be limited to those involving Provincial government.
- (c) Questions shall be submitted to the Speaker prior to presentation to the Assembly.
- (d) No specific notice is required but a member responsible for answering a question may delay the answer in order to obtain information necessary to answer the question. The answer shall be provided before the end of the meeting.
- (e) At the time scheduled for the question, the Speaker shall call upon the member to personally ask the question. The member may ask supplementary questions on the same subject.

#### 17. PAPERS

- (a) A paper may be presented to the Assembly by:
  - (i) a member for the Executive;
  - (ii) any other member of the Assembly; or
  - (iii) any other person authorised by the Speaker.
- (b) A paper shall be presented by submission to the Speaker who shall distribute the paper to all members.
- (c) Any member may move that the Assembly consider the paper. If the Assembly approves the motion, the paper is open to debate, comments and questions.

**18. COMMITTEES**

- (a) The Assembly may establish such committees as it thinks necessary to perform the business of the Assembly.
- (b) The premier shall be Chairman of any Committee and shall appoint other members from the Assembly.

**19. DECLARATION OF INTEREST**

- (a) A member who has a Financial or other interest in a matter involving the Province must inform the Speaker and Provincial Secretary before participating in any official manner concerning the matter.
- (b) A violation of this order shall be considered a violation of the Leadership Code.

**20. ADMISSION OF PRESS AND PUBLIC**

Members of the public and press shall be admitted to all sittings of the Assembly unless upon majority vote of the Assembly the proceedings are made private.

**21. PARTICIPATION OF OTHERS**

The Speaker may invited anyone to address the Assembly. The Speaker may permit someone other than an Assembly member to participate in the Assembly debates.

**22. DEPUTY PREMIER**

In the absence of the Premier, the Deputy Premier shall perform the duties of the Premier under these Standing Orders.

**23. ELECTION OF THE PREMIER**

- (a) The election of the Premier shall follow the requirements of the Provincial Government Act 1981.
- (b) The election shall be conducted by the Speaker.
- (c) A candidate shall be nominated by two members; no candidate may nominate another candidate and a member may nominate one candidate only.
- (d) Nominations shall be submitted to the Speaker 24 hours in advance of the election.
- (e) The election shall continue until a Premier is elected.

**24. MOTION OF NO-CONFIDENCE**

Any member may move a motion of no-confidence in the Premier, Speaker and Duputy Speaker. There shall be at least one week's notice given to members prior to debate on the



motion. The Premier, Speaker and Deputy Speaker shall be removed from Office if the motion of no-confidence is supported by an absolute majority of the members of the Assembly.

25. DISSOLUTION

Any member may move a motion for the dissolution of the Assembly. There shall be at least one week's notice given to members prior to debate on the motion. The Assembly shall be dissolved if the motion for dissolution is supported by an absolute majority of the members of the Assembly.

26. SUSPENSION OF STANDING ORDERS

Any member may move a motion for the suspension of a Standing Order.

The order shall be suspended upon majority of the members.

27. SUPERCESSION

These Standing Orders of 1994 shall supercede any and all Standing Orders heretofore made and approved by the Provincial Assembly.

These Standing Orders of the Central Provincial Assembly passed by the Central Provincial Assembly twenty-second day of September, 1994.

M. MANU (MRS)

Clerk to Assembly - Central Province