

**AMENDMENTS IN THE RULES OF PROCEDURE AND CONDUCT
OF BUSINESS IN THE NATIONAL ASSEMBLY, 2007.**

1. Amendment of Rule 2

That in rule 2, in sub-rule (1), the inverted commas, words and semicolon “Mediation Committee” means the Committee constituted under Article 71 of the Constitution;” shall be omitted.

2. Substitution of Rule 32

That for rule 32, the following shall be substituted, namely,-

“32. Election of the Prime Minister. - (1) After the election of the Speaker and the Deputy Speaker following a general election or whenever the office of the Prime Minister falls vacant for any reason, the Assembly shall, to the exclusion of any other business, proceed to elect without debate one of its Muslim members to be the Prime Minister.

(2) Any member may propose or second the name of any Muslim member for election as Prime Minister, hereinafter referred to as the candidate.

(3) Every proposal shall be made on a separate nomination paper in the form set out in the First Schedule and shall be signed by the proposer and seconder and also by the candidate stating that he has consented to the nomination.

(4) A candidate may be nominated by more than one nomination paper, but no member shall subscribe to more than one nomination paper, either as proposer or as seconder.

(5) Every nomination paper shall be delivered by the candidate or his proposer or seconder to the Secretary by 2.00 P.M. on the day preceding the day on which the election of Prime Minister is to be held.”

3. Amendment in Rule 34

That in rule 34, for the word “ascertainment” the word “election” shall be substituted.

4. Substitution of Rule 35

That for rule 35, the following shall be substituted, namely:-

“35. Poll. - (1) Before commencement of the poll, the Speaker shall read out to the Assembly the names of the validly nominated candidates who have not withdrawn, hereinafter referred to as the contesting candidates, in the order in which their nomination papers were received and proceed to hold the poll in accordance with the procedure set out in the Second Schedule.

(2) If there is only one contesting candidate and he secures the votes of the majority of the total membership of the Assembly, the Speaker shall declare him to have been elected.

(3) If there is only one contesting candidate and he fails to secure the votes of the majority of the total membership of the Assembly, all proceedings shall commence afresh.

(4) If there are two or more contesting candidates and if no contesting candidate secures such majority in the first poll, a second poll shall be held between the candidates who secure the two highest numbers of votes in the first poll and the candidate who secures a majority of votes of the members present and voting shall be declared to have been elected as Prime Minister:

Provided that, if the number of votes secured by two or more candidates securing the highest number of votes is equal, further poll shall be held between them until one of them secures a majority of the votes of the members present and voting.”

5. Substitution of Rule 36

That for rule 36, the following shall be substituted namely:-

“36- Procedure for vote of confidence in the Prime Minister.- Whenever the Prime Minister has to obtain a vote of confidence under clause (7) of Article 91, voting shall be recorded in accordance with the procedure set out in the Second Schedule.”

6. Amendment of Rule 38

That in rule 38 for the words and figure “after a member has been declared under rule 35 as commanding the confidence of the majority of the members”, the words “after the Prime Minister has been elected” shall be substituted.

7. Amendment of Rule 39

That in rule 39,-

- (a) in sub-rule (1),-
 - (i) for the words “the forthcoming” the word “each” shall be substituted; and
 - (ii) for the words “ascertainment of the Leader of the House” the words “election of the Prime Minister” shall be substituted; and
- (b) in sub-rule (2), for the words “ascertainment of the Leader of the House” the words “election of the Prime Minister” shall be substituted.

8. Insertion of new rules 39A and 39B.

That after rule 39, new rules 39A and 39B shall be inserted, namely:-

“39A. Removal of Leader of the Opposition.- (1) A notice signed by a majority of the members of the opposition may be given to the Secretary showing that the Leader of the Opposition has lost the support of the majority of the members of the opposition.

(2) Such notice shall be accompanied by the nomination of a proposed new Leader of the Opposition signed by a majority of the members of the opposition.

(3) After verification of the signatures of the members, if the Speaker is satisfied that the Leader of the Opposition has lost the support of the majority of the members of the opposition, he shall declare him to be removed from office.

(4) When the Leader of the Opposition is removed, the Speaker shall immediately declare the member who has been nominated in sub-rule (2) as Leader of the Opposition.

39B. Vacancy in the office of Leader of Opposition.- Whenever the office of the Leader of Opposition becomes vacant, it shall be filled in the manner as provided in rule 39.”

9. Amendment in Rule 52

That in rule 52, for the words “Parliamentary Affairs”, the words and comma “Law, Justice and Parliamentary Affairs”, shall be substituted.

10. Amendment in Rule 53

That in rule 53,-
in sub-rule (3),-

- (a) clause (b), shall be omitted; and
- (b) after clause (c), the following new clause shall be inserted, namely:-

“(ca) Bills passed with amendments by the Senate and sent back to the Assembly;”.

11. Amendment in Rule 60

That in rule 60, in sub rule (2) for the words “Parliamentary Affairs”, the words and comma “Law, Justice and Parliamentary Affairs”, shall be substituted.

12. Amendment in Rule 110

That in rule 110, for the words “Parliamentary Affairs”, the words and comma “Law, Justice and Parliamentary Affairs”, shall be substituted.

13. Amendment in Rule 118

That in Rule 118,-

- (a) in sub-rule (3),-
 - (i) the words “or previous sanction of the President” shall be omitted;
 - (ii) the words and commas “or as the case may be, previous sanction,” shall be omitted;
 - (iii) the words “or sanction of the President” shall be omitted; and
 - (iv) for the words “Parliamentary Affairs”, the words and comma “Law, Justice and Parliamentary Affairs”, shall be substituted.
- (b) in sub-rule (4), the words “or the previous sanction of the President” shall be omitted.

14. Amendment in Rule 120

That in Rule 120,-

- (a) for sub-rule (2), the following shall be substituted, namely:-

“(2). The notice shall be accompanied by a copy of the Bill, along with a Statement of Objects and Reasons signed by the Minister. A certificate whether it is a Money Bill or not shall also be attached with the notice.”;

- (b) sub-rule (3), shall be omitted; and

(c) in sub-rule (6), after the word “laid” occurring for the second time, the words and commas “and, if the Ordinance is one which, if it were to be introduced as a Bill, would have required previous sanction of the President for its introduction, it shall also be accompanied by such sanction, when it is laid before the Assembly”, shall be omitted.

15. Amendment in Rule 129

That in Rule 129,-

- (i) for sub-rule (2), the following shall be substituted, namely:-

“(2) If the amendment is an amendment which under the Constitution requires the consent of the Government before it is moved, the notice shall be accompanied by a request that such consent may be obtained and the Secretary shall cause a copy of the amendment to be transmitted to the Minister of Law, Justice and Parliamentary Affairs for obtaining orders of the Government thereon and on receipt of such order from the Ministry, intimate the same to the member concerned.”; and

- (ii) in sub-rule (3), the words “or the sanction of the President” shall be omitted.

16. Amendment in Rule 151

That in Rule 151, for the word “receipt” the words “laying in the Assembly” shall be substituted.

17. Substitution of Rule 154

That for rule 154, the following shall be substituted, namely:-

“154. Bills amended, rejected or not passed by Senate.- (1) If a Bill passed by the Assembly and transmitted to the Senate is rejected or is not passed within ninety days of its laying in the Senate, or is passed with amendment by the Senate, the Secretary shall immediately communicate the fact to the members and also cause copies of the Bill to be supplied to them.

(2). At any time after the Bill passed by the Senate with amendment has been so circulated, any Minister, in the case of a Government Bill, or, in any other case, any member may, after giving two days notice, move that the Bill be taken into consideration.

(3). The Secretary shall forthwith cause the notice so received to be circulated among the members.

(4). When the motion for consideration is moved, any member may move as an amendment that the Bill be referred to the Standing Committee and if the motion is carried the Bill shall stand referred to the Standing Committee. The provisions of rule 148 shall *mutatis mutandis* apply:

Provided that the Standing Committee shall only examine the amendment made by the Senate.

(5) If a motion under sub-rule (2) is carried, the provisions of these rules regarding passing of the Bills shall, so far as may be, and with the necessary modifications apply.

(6) After all the amendments made by the Senate are disposed of, the member-in-charge shall move that the Bill be passed.

(7) If a Bill passed by the Senate with amendment is rejected or is not passed within 90 days of its laying in the Assembly, or a Bill transmitted under clause (1) of Article 70 is not passed within 90 days of its laying in the Assembly, any Minister, in the case of a Government Bill, or, in any other case, any member may, after giving two days notice, move that the Bill be considered in a joint sitting.

(8) When a Bill, as amended by the Senate, is passed by the Assembly an authenticated copy thereof signed by the Speaker shall be transmitted to the President, by the Secretary for assent under Article 75.

(9) When a Bill transmitted by the Senate under Article 70(1) is passed by the Assembly without amendment, a message shall be sent to the Senate to this effect.

18. Substitution of rule 155

That for rule 155, the following shall be substituted, namely:-

“155. Reference of Bill to the joint sitting.- When a motion made under sub-rule (7) of rule 154 is carried, the Speaker shall refer the Bill to a joint sitting or, if a joint sitting is not in session, request the President to summon a joint sitting for consideration of the Bill.”

19. Insertion of new rule 170A

That after rule 170, a new rule 170A shall be inserted, namely:-

“170A. Resolution for extension of Ordinances.- (1) In pursuance of first proviso to subparagraph (i) of paragraph (a) of clause (2) of Article 89 of the Constitution, a member or a Minister may, after giving three days' notice, move a resolution for extension of an Ordinance for a period of one hundred and twenty days.

(2) Where more notices than one under sub-rule (1) are given, the resolutions shall be taken up in the order in which their notices have been received, and if one of the resolution is passed, all other resolutions relating thereto shall lapse.

(3) When a resolution is passed, the Secretary shall immediately cause it to be published in the Gazette and also transmit a copy thereof to the President and Ministry of Law, Justice and Parliamentary Affairs.”

20. Amendment of rule 198

That in rule 198,-

- (i) in sub-rule (2), in the proviso, for the words “Parliamentary Affairs”, the words and comma “Law, and comma Justice and Parliamentary Affairs”, shall be substituted.
- (ii) in sub-rule (3), for the words “Parliamentary Affairs”, the words and comma “Law, Justice and Parliamentary Affairs”, shall be substituted.

21. Amendment of rule 200

That in rule 200,-

- (i) in sub-rule (2), in the second proviso, for the words “Parliamentary Affairs”, the words and comma “Law, Justice and Parliamentary Affairs”, shall be substituted.
- (ii) in sub-rule (4), for the words and comma “Law, Justice and Human Rights”, the words and comma “Law, Justice and Parliamentary Affairs”, shall be substituted.

22. Amendment of rule 206

That in rule 206, for the words “Parliamentary Affairs”, the words and comma “Law, Justice and Parliamentary Affairs”, shall be substituted.

23. Amendment of rule 210

That in rule 210, for the words “Parliamentary Affairs”, the words and comma “Law, Justice and Parliamentary Affairs”, shall be substituted.

24. Amendment of rule 244

That in rule 244,-

- (i) in sub-rule (1), for the words “Law, Justice and the Minister for Parliamentary Affairs”, the words and comma “Law, Justice and Parliamentary Affairs”, shall be substituted.
- (ii) after heading (B), the following shall be added, namely:-

“(C) Parliamentary Committee.-(1) There shall be a Parliamentary Committee to be constituted by the Speaker in terms of clause (2B) of Article 213 read with Article 218 of the Constitution.

(2) The Committee shall comprise fifty percent members from the Treasury Benches and fifty percent from the Opposition Parties, based on their strength in *Majlis-e-Shoora* (Parliament), to be nominated by the respective Parliamentary Leaders.

(3) For nomination of members of the Committee, the Speaker shall invite the respective Parliamentary Leaders to send nominations within a fortnight of receipt of such invitation.

(4) The total strength of the Parliamentary Committee shall be twelve members out of which one third shall be from the Senate.”

Explanation:- In this rule, Parliamentary Leader means the Parliamentary Leader of a Political Party, to be declared by that Party within thirty days after oath taking of Members following a general election.”

25. Substitution of the FIRST SCHEDULE

That for the First Schedule, the following shall be substituted, namely:-

“FIRST SCHEDULE [see rule 32(2)]

NOMINATION FOR

ELECTION TO THE OFFICE OF THE PRIME MINISTER OF PAKISTAN

(To be filled in by the proposer)

(1) I
(Name of the proposer)

Member of the National Assembly elected from constituency No. do hereby propose the name of a Muslim member of the National Assembly elected from Constituency No..... for election as Prime Minister of Pakistan.

(2) I hereby declare that I have not subscribed to any other nomination paper as proposer or seconder.

Date..... Signature of proposer.

(to be filled in by the seconder)

(1) I
(Name of the seconder)

Member of the National Assembly elected from constituency No. do hereby second the above nomination.

(2) I hereby certify that I have not subscribed to any other nomination as proposer or seconder.

Date..... Signature of seconder.

(to be filled in by the candidate)

(1) I
(Name of the candidate)

do hereby declare that I have consented to the above nomination and that I am qualified to be elected as Prime Minister of Pakistan.

Date..... Signature of candidate.”

INSERTION OF NEW RULES 39A AND 39B

After rule 39, the following new rules 39A and 39B, shall be inserted, namely:-

“39A. Removal of Leader of Opposition.- (1) A notice signed by a majority of the members of the opposition may be given to the Secretary showing that the Leader of the Opposition has lost the support of the majority of the members of the opposition.

(2) Such notice shall be accompanied by the nomination of a proposed new Leader of the Opposition signed by a majority of the members of the opposition.

(3) After verification of the signatures of the members, if the Speaker is satisfied that the Leader of the Opposition has lost the support of the majority of the members of the opposition, he shall declare him to be removed from office.

(4) When the Leader of the Opposition is removed, the Speaker shall immediately declare the member who has been nominated in sub-rule (2) as Leader of the Opposition.

39B. Vacancy in the office of Leader of Opposition.- Whenever the office of the Leader of Opposition becomes vacant, it shall be filled in the manner as provided in rule 39.”

INSERTION OF NEW RULES 39A AND 39B

After rule 39, the following new rules 39A and 39B, shall be inserted, namely:-

“39A. Removal of Leader of Opposition.- (1) A notice for removal of Leader of Opposition shall be given in writing by a member, accompanied by a nomination of a member for Leader of Opposition, singed by majority of the members in the Opposition.

(2) After verification of the signatures, if the Speaker is satisfied that the Leader of the Opposition has lost support of the majority of the members in the Opposition, he shall declare him to be removed from office.

(3) When the Leader of Opposition is removed, the Speaker shall immediately declare a member as Leader of the Opposition who has been nominated under sub-rule (1).

39B. Vacancy in the office of Leader of Opposition.- Whenever the office of the Leader of Opposition becomes vacant, it shall be filled in the manner as provided in rule 39.”