



NATIONAL ASSEMBLY OF PAKISTAN

RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE NATIONAL ASSEMBLY 2007

[As modified upto the 29th January, 2013]

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PREFACE

In pursuance of clause (2) of Article 67 of the Constitution, the President made the Rules of Procedure and Conduct of Business in the National Assembly, 1973 on 31st August, 1973 which remained in force for about two decades.

On 5th August 1992, the National Assembly of Pakistan unanimously adopted its own Rules fulfilling the requirement of clause (1) of Article 67 of the Constitution. Since then, various amendments made in the Constitution and experience gained over the time necessitated an in depth revision of these Rules, therefore, the National Assembly passed the Rules of Procedure and Conduct of Business in the National Assembly, 2007 on 23rd February, 2007.

On the recommendations of the Parliamentary Committee on constitutional Reforms the Parliament made historic amendments in the Constitution by passing the Constitution (Eighteenth Amendment) Act, 2010, the Constitution (Nineteenth Amendment) Act, 2011 and the Constitution (Twentieth Amendment) Act, 2012.

After the passage of these amendments in the Constitution, it was necessary to amend the Rules of Procedure and Conduct of Business in the National Assembly, 2007 to bring them in conformity with the amended Constitution. Accordingly, the National Assembly unanimously passed various amendments in the aforesaid Rules on 24th December, 2010, 10th July, 2012 and 29th January, 2013.

The valuable guidance provided and keen interest taken by the honourable Speaker, Dr. Fehmida Mirza made possible the accomplishment of this legal exercise and adoption of these Rules unanimously.

KARAMAT HUSSAIN NIAZI
Secretary
National Assembly of Pakistan

Islamabad the 2nd May, 2013.

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**RULES OF PROCEDURE AND CONDUCT OF BUSINESS
IN THE NATIONAL ASSEMBLY**

CHAPTER I

PRELIMINARY

1. **Short title and commencement.**- (1) These rules may be called the Rules of Procedure and Conduct of Business in the National Assembly, 2007.
 - (2) They shall come into force at once.
2. **Definitions.**- (1) In these rules, unless there is anything repugnant in the subject or context,-
 - "Amendment" means a motion to amend an earlier motion before that earlier motion is put to the Assembly for its decision;
 - "Article" means Article of the Constitution;
 - "Assembly" means the National Assembly;
 - "Bill" means a motion for making a law;
 - "Bulletin" means the Bulletin of the Assembly containing-
 - (a) brief record of the proceedings of the Assembly at each of its sittings;
 - (b) information of any matter relating to or connected with the Assembly or other matter which in the opinion of the Speaker is to be included therein; and
 - (c) information regarding the Committees;
 - "Chairperson" in relation to a sitting means any person who is presiding at that sitting;
 - "Chamber" means the place where the Assembly meets to transact its business;
 - "Committee" means a Committee constituted under these rules;

"Constitution" means the Constitution of the Islamic Republic of Pakistan;

"Gazette" means the Gazette of Pakistan;

"Government" means the Federal Government;

"Leader of the House" means the Prime Minister or a Minister appointed by the Prime Minister to represent Government and regulate Government business in the Assembly;

"Leader of the Opposition" means a member who in the opinion of the Speaker is for the time being leader of majority of the members in the Opposition;

"Lobby" means the rooms and covered corridors adjoining the Chamber and designated as Division Lobbies by the Speaker;

¹[Omitted]

"Member" means a member of the Assembly;

"Member-in-charge" means, in the case of a Government Bill, a Minister and, in any other case, the member who has introduced the Bill or the member authorized by him in writing to assume charge of the Bill;

"Minister" means the Prime Minister, a Federal Minister or a Minister of State, or a Parliamentary Secretary in respect of any function delegated or entrusted to him by a Minister;

"Motion" means a proposal made by a member or a Minister relating to any matter, which may be discussed by the Assembly and includes an amendment;

"Orders of the Day" means the list of business to be brought before the Assembly on any day;

"Parliament House" means the building which is used for the purpose of sittings of the Assembly;

¹. Omitted *vide* S.R.O. No. 1153, dt. 27-12-2010.

"Precincts of the Assembly" includes the Chamber, lobbies, the galleries, offices attached to the Parliament and parking lots, offices which are in use of the Assembly, the places which are part of the Parliament House and such other places as the Speaker may from time to time specify;

"Private member" means a member other than a Minister;

"Resolution" means a motion for the purpose of discussing and expressing an opinion on a matter of general public interest and includes a resolution specified in the Constitution;

"Schedule" means a schedule appended to these rules;

"Secretary" means the Secretary of the Assembly and includes any person for the time being performing the duties of the Secretary;

"Senate" means the House of Majlis-e-Shoora (Parliament) known by that name;

"Session" means the period commencing on the day of the first sitting of the Assembly after having been summoned and ending on the day the Assembly is prorogued or dissolved;

"Sitting" means a meeting of the Assembly or of a Committee on a day;

"Speaker" means the Speaker of the Assembly and includes the Deputy Speaker or any other member for the time being acting as a Chairperson;

"Starred Question" means a question for an oral answer;

"Table" means the Table of the Assembly and includes its Library; and

"Unstarred Question" means a question for a written answer.

(2) The words and expressions used but not defined in these rules shall, unless the context otherwise requires, have the meaning assigned to them in the Constitution.

CHAPTER II

SUMMONING, PROROGATION AND QUORUM OF THE ASSEMBLY AND SEATING, OATH AND ROLL OF MEMBERS

3. **Summoning of the Assembly.**- When the Assembly is summoned, the Secretary shall cause a notification to be published in the Gazette stating the date, time and place of the meeting and shall also cause to be issued to each member a notice intimating these particulars:

Provided that when a session is called at short notice or in an emergency within seventy-two hours, the date, time and place of session shall be published in the Gazette and also announced on the radio, television and through press and the members shall be informed by urgent mail instead of normal notices.

4. **Prorogation of the Assembly.**- When the Assembly is prorogued, the Secretary shall cause a notification to that effect to be published in the Gazette.
5. **Quorum.**- If under clause (2) of Article 55, at any time during a sitting, attention of the Chairperson is drawn to the fact that less than one-fourth of the total membership of the Assembly is present, he shall either suspend the business of the Assembly until at least one-fourth of such membership is present, or cause the bells to be rung for five minutes, but if no quorum is available even on resumption of the proceedings after suspension or, when the bells stop ringing, he shall adjourn the sitting for the next working day:

Provided that the suspension of the business of the sitting shall not be for more than one hour.

6. **Oath of members.**- A person elected as member shall before taking his seat in the Assembly, make, before the Assembly, oath in the form set out in the Third Schedule to the Constitution.
7. **Roll of members.**- There shall be a Roll of members which shall be signed by every member after making the oath.
8. **Seating of members.**- The members shall sit in such order as the Speaker may determine:

Provided that, before the election of a Speaker, the Secretary shall determine the order.

CHAPTER III

THE SPEAKER, DEPUTY SPEAKER AND PANEL OF CHAIRPERSONS

9. **Election of the Speaker.**- (1) At the first meeting of the Assembly, following a general election, after the members have made oath and before the transaction of any other business, the Assembly shall proceed to elect a Speaker under clause (1) of Article 53, by secret ballot in accordance with this rule.

(2) The meeting of the Assembly shall be presided at by the outgoing Speaker or, in his absence, by a person nominated by the President for the purpose, hereinafter in this rule referred to as the Chairperson:

Provided that no person shall preside at the meeting for the election in which he himself is a candidate.

(3) At any time before 12.00 noon on the day preceding the day on which the election is to be held, any member may propose another member for election as Speaker by delivering to the Secretary a nomination paper signed by him and accompanied by a statement by the member whose name is proposed that he is willing to serve as Speaker, if elected.

(4) A member who has been nominated may, in writing, withdraw his candidature at any time before the Assembly proceeds to elect a Speaker.

(5) On the day of election, the Chairperson shall read out to the Assembly the names of the members who have been duly nominated and have not withdrawn their candidature, and also the names of their proposers, and, if there is only one such member, shall declare that member to have been elected.

(6) Where, after withdrawals, if any, there remain only two candidates for election, a ballot shall be held between them and the candidate who secures more votes than the other shall be declared to have been elected. If both the candidates secure an equal number of votes, a fresh ballot shall be held between them until one of them

secures more votes than the other, and the candidate securing more votes shall be declared to have been elected.

(7) Where, after withdrawals, if any, there remain more than two candidates for election, the candidate obtaining more votes than the aggregate of votes secured by the other candidates shall be declared to have been elected. If no candidate secures more votes than the aggregate votes secured by the other candidates, there shall be a fresh ballot at which the candidate who secured the lowest number of votes at the last ballot shall be excluded from the election, and the balloting shall, in like manner, proceed until one candidate secures more votes than the remaining candidate or, as the case may be, the remaining candidates in the aggregate, and such candidate shall be declared to have been elected.

(8) Where, at any ballot, any three or more candidates secure an equal number of votes and one of them has to be excluded from election under sub-rule (7), the question as to which one of such candidates is to be excluded shall be determined by drawing of lots.

(9) The member elected as Speaker shall, before entering upon office, make before the Assembly oath in the form set out in the Third Schedule to the Constitution.

10. **Election of the Deputy Speaker.**- (1) Immediately after the election of Speaker, the Assembly shall proceed to elect a Deputy Speaker and the procedure prescribed in rule 9 for the election of Speaker shall apply to the election of Deputy Speaker as if references therein to Speaker were references to the Deputy Speaker and references to Chairperson were references to the Speaker.

(2) A person elected as the Deputy Speaker shall, before entering upon office, make before the Assembly oath in the form set out in the Third Schedule to the Constitution.

11. **Vacancy in the office of the Speaker or Deputy Speaker.**- Whenever the office of the Speaker or Deputy Speaker becomes vacant, an election to fill that office shall be held,-

(a) if the Assembly is in session, as soon as possible during the session; and

(b) if the Assembly is not in session, at the commencement of its next session.

12. **Removal of the Speaker or Deputy Speaker.**- (1) A member may give to the Secretary notice in writing of a resolution, specifying the charges against the Speaker therein along with a motion for leave to move it under paragraph (c) of clause (7) of Article 53 for the removal from office of the Speaker or the Deputy Speaker and the Secretary shall forthwith circulate the notice to the members:

Provided that resolution shall not contain arguments, inferences, ironical expressions, epithets or defamatory statements, and in case the resolution contains such matter, the same shall be deleted therefrom.

(2) The motion for leave to move the resolution shall be entered in the name of the member concerned in the Orders of the Day for the first working day after the expiry of seven days from the date of the receipt of the notice under sub-rule (1).

(3) No other item shall be included in the Orders of the Day for the day fixed for a motion for leave to move a resolution under sub-rule (2).

(4) The Speaker or the Deputy Speaker shall not preside at a sitting of the Assembly when a resolution for his removal from office, as the case may be, is being considered.

(5) Immediately after the motion referred to in sub-rule (2) has been moved, the Chairperson shall call such of the members as may be in favour of the leave being granted to rise in their seats and, if at least one-fourth of the total membership of the Assembly does not so rise, he shall declare that the member has not the leave of the Assembly, or, if such membership so rises, call upon the member to move the resolution.

(6) The discussion on the resolution shall be strictly confined to the grounds stated therein:

Provided that the member who actually moves resolution in the Assembly and the Speaker or, as the case may be, the Deputy Speaker, against whom the resolution has been moved, may speak for fifteen minutes or such longer time as the Chairperson may allow:

Provided further that the Chairperson may allow the other signatories of the resolution, or any other member to speak on the resolution, for which he may fix the time limit.

(7) The Assembly shall not be adjourned for the next working day until the motion for leave is disposed of or, if leave is granted, the resolution has been voted upon.

(8) Voting on the resolution shall be by secret ballot, which shall be held in such manner as the Chairperson may direct.

(9) If the session during which notice has been given under sub-rule (1) has been summoned by the Speaker in pursuance of clause (3) of Article 54, the Assembly shall not be prorogued until the motion has been disposed of or, if leave is granted, the resolution has been voted upon.

(10) The Speaker, as the case may be, Deputy Speaker, shall stand removed from his office on the resolution being passed by majority of the total membership of the Assembly.

(11) When the Speaker or the Deputy Speaker is elected or removed, the Secretary shall cause a notification to be published in the Gazette.

13. **Panel of Chairpersons.**- (1) At the commencement of each session, the Speaker shall nominate, in order of precedence, from amongst the members, a panel of not more than six Chairpersons and in the absence of the Speaker and the Deputy Speaker, the member having precedence of the nomination amongst those present shall take the Chair.

(2) If at any time at a sitting of the Assembly neither the speaker nor the Deputy Speaker nor any member on the panel is present, the Secretary shall so inform the Assembly and the Assembly shall, by motion, elect one of the members present to preside at the sitting.

14. **Powers and functions of the Speaker.-** (1) In addition to the specific functions and powers provided by these rules and subject to sub-rule (4) of rule 12, the Speaker shall take the Chair at every sitting of the Assembly.
- (2) The Speaker shall preserve order and decorum, and, in case of disturbance or disorder in the galleries, may cause them to be cleared.
- (3) Subject to sub-rule (4) of rule 12, in the absence of the Speaker, the Deputy Speaker shall take the Chair at a sitting.
- (4) The Speaker may, by order in writing, delegate to the Deputy Speaker all or any of his powers under these rules.
15. **Powers of Chairperson at sitting of the Assembly.-** The Chairperson shall have the same powers as the Speaker when presiding at a sitting and all references in these rules to the Speaker shall be deemed to include a reference to the Chairperson.
16. **Reference of a question of disqualification of a member to the¹Election Commission.-** Whenever, a question of disqualification of a member is raised, in writing, the Speaker shall refer the question within thirty days from raising of such question to the¹Election Commission.
17. **Speaker to decide points of order.-** (1) A point of order shall relate to the interpretation or enforcement of these rules or such Articles as regulate the business of the Assembly and shall raise a question which is within the cognizance of the Speaker.
- (2) A point of order may be raised in relation to the business before the Assembly at the moment:
- Provided that the Speaker may permit a member to raise a point of order during the interval between the termination of one item of business and the commencement of another if it relates to maintenance of order in, or arrangement of business before, the Assembly.
- (3) A point of order may not be raised before the Speaker has disposed of the earlier point of order.

¹ Subs. vide S.R.O. No. 869, dt. 12th July, 2012.

(4) Subject to the provisions of sub-rules (1), (2) and (3), a member may formulate a point of order and the Speaker shall decide whether the point raised is a point of order and, if so, give his decision thereon which shall be final.

(5) No debate shall be allowed on a point of order but Speaker may, if he thinks fit, hear members before giving his decision.

(6) A point of order is not a point of privilege.

(7) A member shall not raise a point of order -

(a) to ask for information;

(b) to explain his position;

(c) when a question on any motion is being put to the Assembly;

(d) which may be hypothetical; or

(e) that Division Bells did not ring or were not heard.

(8) There shall be no discussion on a decision on a point of order.

18. **Raising a matter which is not a point of order.-** (1) The Speaker may allot last half an hour of every sitting except on Fridays for raising a matter which is not a point of order. The member shall be permitted to raise it, only after the Speaker has given his consent and at such date as the Speaker may fix.

(2) The matter referred to in sub-rule (1) shall be primarily the concern of the Government and it shall not raise more than one issue.

19. **Speaker to preserve order and enforce decisions.-** (1) The Speaker shall preserve order and shall have all powers necessary for the purpose of enforcing his decision.

(2) For the purpose of enforcing the orders of the Speaker there shall be a Sergeant-at-Arms.

20. **Withdrawal of member.-** The Speaker may direct any member whose conduct is, in his opinion, grossly disorderly to withdraw immediately from the Assembly and any member so ordered to

withdraw shall do so forthwith and shall absent himself during the remainder of the day's sitting.

21. **Suspension of member.**- (1) The Speaker may, if he deems it necessary, name a member who disregards the authority of the Speaker or abuses these rules by consistently and wilfully obstructing the business of the Assembly.

(2) If a member is so named by the Speaker, he shall forthwith put the question that the member (naming him) be suspended from the service of the Assembly for a period not exceeding the remainder of the session:

Provided that the Assembly may, at any time, on a motion made, resolve that such suspension be terminated.

(3) A member suspended under this rule shall forthwith withdraw from the precincts of the Assembly.

22. **Power of the Speaker to suspend sitting or adjourn the Assembly.**- In the case of a grave disorder arising in the Assembly, the Speaker may, if he thinks it necessary to do so, suspend any sitting for a time to be specified by him or adjourn the Assembly.

23. **Admission of strangers.**- The admission of strangers during the sittings of the Assembly to those portions of the House which are not reserved for the exclusive use of members shall be regulated in accordance with the directions given by the Speaker.

24. **Withdrawal of strangers.**- The Speaker may, whenever he thinks fit, order the galleries to be cleared and any strangers to be removed.

25. **Removal of strangers.**- Any officer authorized in this behalf by the Speaker shall remove from the precincts of the Assembly any stranger whom he may see, or who may be reported to him to be in any portion of the precincts of the Assembly reserved for the exclusive use of members, or who having been admitted into any portion of the precincts of the Assembly, misconducts himself or wilfully infringes the directions given by the Speaker under rule 23 or does not withdraw when the strangers are directed to withdraw under rule 24 and may also

remove a stranger who has previously misbehaved and apprehension of his doing so again exists.

26. **Secret sittings.**- (1) Whenever the Leader of the House asks for a secret sitting, the Speaker shall fix a day or part thereof for sitting of the Assembly in secret.
- (2) When the Assembly sits in secret, no stranger shall be permitted to be present in the Chamber, Lobby or Galleries, except the Secretary and such other officers of the Assembly or other persons as the Speaker may direct.
27. **Report of the proceedings.**- The Speaker may cause a report of the proceedings of a secret sitting to be kept in such manner as he thinks fit, but no other person shall keep a note or record of any proceedings or decisions of a secret sitting, whether in part or full, or issue any report of, or divulge, or purport to describe, such proceedings.
28. **Decision and ruling of the Speaker.**- Whenever the Speaker decides or gives his ruling on any matter on the floor of the House or in his office on the file, as the case may be, it shall not be called in question, and that shall be final except on a motion for rescinding it.
29. **Residuary powers of the Speaker.**- All matters not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may, from time to time, direct.
30. **Conduct of members while present in the Assembly.**- While the Assembly is sitting, a member -
- (a) shall not read any book, newspaper or letter except in connection with business of the Assembly;
 - (b) shall not pass between the Chair and any member who is speaking;
 - (c) shall not interrupt any member while speaking by disorderly expression or noises or in any other disorderly manner;
 - (d) shall always address the Chair;
 - (e) shall keep to his usual seat while addressing the Assembly;
 - (f) shall maintain silence when not speaking in the Assembly;
 - (g) shall not obstruct proceedings and shall avoid making running commentaries when speeches are being made in the Assembly;

- (h) shall not chant slogans, display banners or placards, throw and tear Table documents and reports, etc.;
- (i) shall not indulge in rowdy behaviour;
- (j) shall not approach the dais of the Speaker in a threatening manner;
- (k) shall not act to erode the sanctity of the House or act in a manner which lowers the dignity of the House;
- (l) shall not act in any manner detrimental to the order and decorum of the House;
- (m) shall not applaud when a stranger enters any of the galleries except when a foreign delegation or a foreign dignitary is specially invited to the sitting;
- (n) shall not while speaking make any reference to a stranger in any of the galleries except when a foreign delegation or a foreign dignitary is specially invited to the sitting;
- (o) shall not occupy a seat in the galleries nor while in the Chamber engage himself in conversation with any visitor in a gallery;
- (p) shall not use a mobile telephone;
- (q) shall not chew or eat or drink or smoke; and
- (r) shall not bring any stick unless permitted by the Speaker.

31. **Conduct to be observed while speaking.**- (1) The subject matter of every speech shall be relevant to the matter before the Assembly.

(2) Except with the permission of the Speaker, a member may not read his speech but may refresh his memory by reference to his notes.

(3) A member while speaking shall not -

- (a) discuss any matter which is *sub-judice*;
- (b) reflect upon the President in his personal capacity:

Provided that nothing in this clause shall preclude any reference, subject to the provisions of the Constitution, to the President in relation to any act done by him in his official capacity;

- (c) discuss the conduct of any Judge of the Supreme Court or of a High Court in the discharge of his duties;

- (d) make a personal charge against a member, Minister or the holder of a public office, except in so far as it may be relevant in regard to the matter before the Assembly;
- (e) use his right of speech for the purpose of wilfully and persistently obstructing the business of the Assembly;
- (f) use offensive expressions about the conduct of proceedings in the joint sitting, National Assembly, Senate or a Provincial Assembly or a Committee or Sub-Committee;
- (g) un-necessarily cast reflection on the conduct of any person who cannot defend himself before the Assembly;
- (h) reflect on any determination of the Assembly except on a rescission motion;
- (i) use the President's name for the purpose of influencing the debate; or
- (j) utter treasonable, seditious or defamatory words or make use of offensive or un-parliamentary expression.

Explanation.- In this clause, "un-parliamentary expression" means any expression which imputes false motives to a member or charges him with falsehood or is couched in abusive language.

CHAPTER IV

THE PRIME MINISTER

- ¹[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.]
33. **Scrutiny.**- (1) The Speaker shall, in the presence of the candidates or their proposers or seconders who may wish to be present, scrutinize the nomination paper and may reject a nomination paper if he is satisfied that -
- (a) the candidate is not a member of the Assembly;
 - (b) any provision of rule 32 has not been complied with; or
 - (c) the signature of the proposer, the seconder or the candidate is not genuine:

¹ Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

Provided that—

- (a) the rejection of a nomination paper shall not invalidate the nomination in respect of a candidate by any other valid nomination paper; and
- (b) the Speaker shall not reject a nomination paper on the ground of any defect, which is not of substantial nature and may allow any such defect to be remedied forthwith.

(2) The Speaker shall endorse on each nomination paper his decision accepting or rejecting it and shall, in case of rejection, record briefly the reasons therefore.

(3) The decision of the Speaker accepting or rejecting a nomination paper shall be final.

34. **Withdrawal.**- A candidate may withdraw his candidature at any time before the election takes place.

¹[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:

¹ Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

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.]

¹[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.]

37. **Resolution for vote of no-confidence against the Prime Minister.-** (1) A notice of a resolution under clause (1) of Article 95 shall be given in writing by not less than twenty per centum of the total membership of the Assembly.

(2) The Secretary shall, as soon as may be, circulate the notice to the members.

(3) A notice under sub-rule (1) shall be entered in the name of the members concerned in the Orders of the Day for the first working day after the expiry of one clear day of receipt of the notice.

(4) Leave, to move the resolution, shall be asked for after questions, if any, and before other business entered in the Orders of the Day is taken up.

(5) When the resolution is moved, the Speaker may, after considering the state of business, allot a day or days for the discussion on the motion:

Provided that the resolution shall not be moved while the Assembly is considering demands for grants submitted to it in the Annual Budget Statement.

(6) The resolution shall not be voted upon before the expiry of three days, or later than seven days, from the day on which the resolution is moved in the Assembly.

¹ Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

(7) The provisions of the Second Schedule shall apply *mutatis mutandis* to voting on a resolution under this rule.

(8) The Assembly shall not be prorogued until the motion is disposed of or, if leave is granted, the resolution has been voted upon.

38. **President to be informed.**- ¹[After the Prime Minister has been elected] or a resolution for a vote of confidence under rule 36 has been passed or rejected, as the case may be, or a resolution of no-confidence under rule 37 has been passed, the Speaker shall forthwith intimate the result in writing to the President and the Secretary shall cause a notification to be published in the Gazette.

¹ Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

CHAPTER V

LEADER OF THE OPPOSITION

39. **Declaration of Leader of the Opposition.-** (1) After the ¹[each] general election and at any time thereafter the Speaker shall, declare Leader of the Opposition as early as possible after the ¹[election of the Prime Minister.]

(2) After the ¹[election of the Prime Minister] the Speaker shall inform the members about the date, time and place for submission of a name for the Leader of the Opposition under their signatures.

(3) The Speaker shall declare a member as Leader of the Opposition having the greatest numerical strength after verification of the signatures of the members:

Provided that any member who is not signatory to the proposal, if he presents himself before the count, and signs the proposal, shall be included in the count.

¹[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 the Opposition.- Whenever the office of the Leader of Opposition becomes vacant, it shall be filled in the manner as provided in rule 39.]

¹ Substituted and inserted *vide* S.R.O. No. 1153, dt. 27-12-2010.

CHAPTER VI

LEAVE OF ABSENCE, RESIGNATION AND VACATION OF SEATS IN THE ASSEMBLY

40. **Application for leave of absence from the Assembly.-** (1) A member desirous of obtaining leave of absence from any sitting of the Assembly shall make an application in writing addressed to the Speaker stating reasons for his absence.
- (2) On receipt of an application under sub-rule (1) the Speaker shall immediately, after the questions, if any, but before any other business of the day is entered upon, put the question, without debate, that leave be granted.
- (3) Where a member is prevented or incapacitated from making such an application, leave of the Assembly may be granted on a motion moved by any other member, or on the basis of an application made *ex-post facto*.
- (4) The Secretary shall, as soon as possible, communicate the decision of the Assembly to the member concerned.
41. **Lapse of unexpired period of leave.-** If a member who has been granted leave of absence under these rules, attends the session of the Assembly during the period of which leave of absence has been granted to him, the unexpired portion of the leave from the date of his resumed attendance shall lapse.
42. **Attendance register.-** The Secretary shall cause a register to be kept showing the attendance of each member at each sitting and the register shall be available for inspection by the members.
43. **Resignation of seat.-** (1) A member under clause (1) of Article 64 may, by writing under his hand addressed to the Speaker, resign his seat.
- (2) If,-
- (a) a member hands over the letter of resignation to the Speaker personally and informs him that the resignation

is voluntary and genuine and the Speaker has no information or knowledge to the contrary; or

- (b) the Speaker receives the letter of resignation by any other means and he, after such inquiry as he thinks fit, either himself or through the National Assembly Secretariat or through any other agency, is satisfied that the resignation is voluntary and genuine, the Speaker shall inform the Assembly of the resignation:

Provided that if a member resigns his seat, when the Assembly is not in session, the Speaker shall direct that intimation of his resignation specifying the date of the resignation be given to every member immediately.

(3) The Secretary shall, after the Speaker satisfies himself that the letter of resignation is voluntary and genuine, cause to be published in the Gazette a notification to the effect that the member has resigned his seat and forward a copy of the notification to the ¹Election Commission for taking steps to fill the vacancy thus caused.

(4) The date of resignation of a member shall be the date specified in writing by which he has resigned or if no date is specified therein the date of receipt of such writing by the Speaker.

44. **Seat becoming vacant.**- (1) If a member is absent without leave of the Assembly, for forty consecutive days of its sittings, the Speaker shall bring the fact to the notice of the Assembly and thereupon any member may move that the seat of the member who has been so absent be declared vacant under clause (2) of Article 64.

(2) On consideration of the motion moved under sub-rule (1), the House may defer, reject or accept the motion and if motion is accepted the seat of the member shall be declared vacant:

Provided that no such motion shall be considered before the expiry of seven days from the date on which the motion was moved.

(3) If the seat of the member is declared vacant, the Secretary shall cause a notification to that effect to be published in the Gazette and forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused.

¹ Subs. *vide* S.R.O. No. 869, dt. 12th July, 2012.

45. **Unseating, disqualification and death of a member.-** (1) If any member is unseated as a result of an election dispute under Article 225 or becomes disqualified from being a member under Article 63 ¹or Article 63A, the ¹Election Commission shall immediately intimate the fact to the Speaker stating the date on which he has been unseated or, as the case may be, disqualified from being a member and on receipt of such intimation the Speaker shall, as soon as may be, inform the Assembly that such member has been unseated or disqualified by the ¹Election Commission:

Provided that if the Assembly is not in session, the Speaker shall direct that the aforesaid information be given to the members immediately.

- (2) In case of the death of a member, the Deputy Commissioner or, District Coordination Officer or, as the case may be, the Political Agent concerned shall immediately inform the Speaker and the Secretary shall, as soon as may be, after the Speaker has received intimation of the death of a member, cause to be published in the Gazette notification stating the name of the member who has died and the date of his death and also forward a copy to the Election Commission for taking steps to fill the vacant seat.

¹ Subs. *vide* S.R.O. No. 869, dt. 12th July, 2012.

CHAPTER VII

SITTINGS OF THE ASSEMBLY AND CLASSIFICATION AND ARRANGEMENT OF BUSINESS

46. **Annual Calendar for sessions of the Assembly.-** (1) After the commencement of each parliamentary year, the Government shall provide a calendar for sessions of the Assembly to the Speaker.
- (2) The Secretary shall cause the calendar to be circulated amongst the members.
- (3) The Assembly shall be summoned on the dates given in the calendar:
- Provided that the President may summon the Assembly on a date other than that of the calendar.
- (4) Nothing contained in this rule shall limit the powers of the Speaker to summon a requisitioned session of the Assembly to meet at any time under clause (3) of Article 54.
47. **Sessions of the Assembly.-** There shall be at least three sessions of the Assembly every year, and not more than one hundred and twenty days shall intervene between the last sitting of the Assembly in one session and the date appointed for its first sitting in the next session:
- Provided that the Assembly shall meet for not less than one hundred and thirty working days in each parliamentary year.
48. **Days of sitting.-** (1) The Assembly shall sit on such days as the Speaker, having regard to the state of business of the Assembly may from time to time direct.
- (2) Every sitting shall commence with recitation from the Holly Quran followed by its Urdu translation.
49. **Hours of sitting and adjournment.-** (1) Every sitting of the Assembly shall commence at such hour as the Speaker may direct.

- (2) Subject to the other provisions of these rules, the Speaker may,-
- (a) adjourn a sitting of the Assembly; and
 - (b) if he thinks fit, call a sitting of the Assembly at a time or date different from that to which it was earlier adjourned and the change shall be intimated to the members through announcement on radio and television.

50. **Classes of business.**-(1) Business of the Assembly shall be classified as:

- (a) Government business; and
- (b) Private members' business.

(2) Government business shall include Bills, resolutions, amendments and other motions introduced or initiated by a Minister.

(3) Private members' business shall include Bills, resolutions, amendments and other motions introduced or initiated by private members.

51. **Allotment of time for transaction of business.**- On Tuesday private members' business shall have precedence, and on all other days no business other than Government business shall be transacted except with the consent of the Leader of the House:

Provided that an urgent Government Bill can be introduced on private members' day as a last item of Orders of the Day:

Provided further that if there is no sitting on Tuesday, private members' business shall have precedence on the next working day:

Provided further that if any Tuesday is allotted by the Speaker for the presentation of the Budget or for any stage of the Budget, a day in lieu of such Tuesday shall be set apart by the Speaker for private members' business:

Provided further that the Speaker may allot different Tuesdays for the disposal of different classes of private members' business and on Tuesday so allotted for any particular class of business, business of that class shall have precedence.

52. **Arrangement of Government business.-** The Secretary shall arrange Government business in such order as intimated by the Minister for ¹[Law, Justice and Parliamentary Affairs].

53. **Precedence of private members' Bills.-** (1) The relative precedence of private members' Bills shall be determined by ballot to be held in accordance with the procedure as set out in the Third Schedule:

Provided that the Speaker may, from time to time, make such variations in the procedure as he thinks fit.

(2) The ballot shall be held on such day, not being less than five days before the day with reference to which the ballot is held, as the Speaker may direct.

(3) Unless the House decides otherwise, on a day on which private member's business has precedence, private members Bills shall be taken up in the following order namely:-

- (a) Bills to be introduced;
- (b) ²[Omitted]
- (c) Bills passed by the Senate and transmitted to the Assembly;
- ³[(ca) Bills passed with amendments by the Senate and sent back to the Assembly;]
- (d) Bills in respect of which the report of Committee has been presented;
- (e) Bills in respect of which a motion has been carried that the Bill be taken into consideration;
- (f) Bills which have been circulated for the purpose of eliciting public opinion thereon; and
- (g) other Bills.

(4) The relative precedence of Bills falling under the same class of sub-rule (3) shall be determined by ballot to be held in accordance with the procedure set out in the Third Schedule:

¹ Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

² Omitted *vide* S.R.O. No. 1153, dt. 27-12-2010.

³ Ins. *vide* S.R.O. No. 1153, dt. 27-12-2010.

Provided that the Speaker may, from time to time, make such variations in the procedure as he thinks fit.

54. **Procedure in respect of identical Bills.-** If notices of two or more identical Bills are received, the Bill securing first place in the ballot shall be proceeded with and, in case a motion for leave to introduce the Bill securing first place in the ballot is moved, the remaining Bills shall not be proceeded with.
55. **Precedence of resolutions.-** (1) The relative precedence of resolutions, notices of which have been given by private members and which have been admitted shall be determined by ballot to be held in accordance with the procedure set out in the Third Schedule, on such day, not being less than five days before the day with reference to which the ballot is held:

Provided that the Speaker may, from time to time, make variations in the procedure as he thinks fit.

(2) A resolution, which does not find place in the ballot, shall not lapse but shall be included in the subsequent ballot in the same session of the Assembly.

56. **Precedence of motions.-** The relative precedence of motions under rule 259, shall be determined in accordance with the procedure laid down in rule 55 with the variation that reference in that rule to resolutions shall be deemed as references to motions under rule 259.
57. **Orders of the Day.-** (1) The Secretary shall prepare the Orders of the Day and make a copy thereof available for the use of every member and any other person entitled under the Constitution to speak or otherwise take part in the proceedings of the Assembly.
- (2) Except as otherwise provided by these rules,-
- (a) the business for the day shall be transacted in the order in which it appears in the Orders of the Day;
 - (b) business not included in the Orders of the Day shall not be transacted at any sitting without the consent of the Speaker; and

(c) no business without the consent of the Speaker requiring notice shall be set down for a day earlier than the day following the day on which the period of the notice necessary for that class of business expires.

(3) Unless the Speaker otherwise directs, not more than five resolutions excluding any resolution moved on, and outstanding from a previous day shall be set down in the Orders of the Day for any day on which private members' business has precedence.

58. **Business outstanding at the end of day.-** (1) Notwithstanding anything contained in rule 53, 55 or 56, any private members' business which has been commenced shall be set down for the next day allotted to business of that class and shall have precedence over all other business of that class set down for that day.

(2) Private members' resolutions and motions under rule 259 set down for any day and not moved on that day shall not be set down for any subsequent day, unless it has gained precedence at the ballot held with reference to that day.

CHAPTER VIII

PRESIDENT'S ADDRESS AND MESSAGES TO THE HOUSE

59. **Address by the President.-** (1) The President may address the Assembly, and shall address both Houses assembled together in each parliamentary year, as required by Article 56.
- (2) An authenticated copy of the address shall be made available by the President's Secretariat to the Assembly Secretariat.
60. **Discussion of President's address.-** (1) At the first sitting of the Assembly held after the President's Address, a Minister shall lay a copy of the Address on the Table.
- (2) The President's Address may be discussed by means of a motion of thanks moved by Minister for ¹[Law, Justice and Parliamentary Affairs] and seconded by any Minister or a member.
61. **Appointment of day for discussion.-** The Speaker shall allot a day or days for discussion of the President's Address.
62. **Scope of discussion.-** The Assembly may discuss the matters referred to in the President's Address.
63. **Time-limit for speeches.-** The Speaker shall fix a time-limit for speeches keeping in view the days allotted for discussion.
64. **Amendments.-** Amendments may be moved to a motion of thanks in such form as may be considered appropriate by the Speaker.
65. **Government's right of reply.-** A Minister shall have a general right of defending the Government and rebutting points raised during the discussion and shall have also right to reply at the end of the discussion.
66. **Transaction of other business.-** (1) Notwithstanding that a day has been allotted for discussion on the President's Address,-
- (a) a Government Bill may be passed on such day; and

¹ Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

(b) other business of a formal character may be transacted on such day before the Assembly commences or continues the discussion on the Address.

(2) The adjournment motion shall not be taken up during the discussion.

67. **Messages from President.**-On receiving a message from the President under clause (2) of Article 56, the Speaker shall read the message in the Assembly and give necessary directions with regard to the procedure for consideration of matters required.

68. **Communication to the President.**- Communication from the Assembly to the President shall be made-

(a) by formal address after a motion therefore has been made and carried in the Assembly; and

(b) through the Speaker.

CHAPTER IX

QUESTIONS

69. **Time for questions.-** Except as otherwise provided in these rules, the first hour of every sitting, after the recitation from the Holy Quran, and taking oath by members, if any, shall be available for asking and answering of questions:

Provided that there shall be no question hour on Tuesdays.

70. **Notice of questions.-** Fifteen clear days notice of a question shall be given unless the Speaker, with the consent of the Minister concerned, allows a question to be asked at shorter notice.
71. **Form of notice of questions.-** (1) A separate notice of each question shall be given in writing to the Secretary and shall specify the official designation of the Minister to whom it is addressed.

- (2) A member who desires to ask a Starred Question shall distinguish it with an asterisk:

Provided that if, in the opinion of the Speaker, any Starred Question is of such a nature that a written reply would be more appropriate, he may direct that such question be placed on the list of Unstarred Questions.

72. **Notice of admission of questions.-** No question shall be placed on the list of questions for answer until ten clear days have expired from the day on which notice of admission of the question by the Speaker was given by the Secretary to the Minister.
73. **Limit of numbers of questions.-** Not more than two starred questions including a short notice question and two Unstarred questions from the same member shall be placed on the list of questions for any one day:

Provided that nothing in this rule shall apply to a question postponed or transferred from an earlier date or to another Division.

74. **Order of questions.-** The questions shall be put on the list of questions in the order in which their notices are received but a member

may, by notice in writing given at any time before the sitting for which his question has been placed on the list, withdraw his question.

75. **Allotment of days for questions.-** The time available for answering questions shall be allotted on different days in rotation for the answering of questions relating to such Division or Divisions of the Government as the Speaker may, from time to time, specify and, on such day, unless the Speaker with the consent of the Minister concerned otherwise directs, only questions relating to the Division or Divisions for which time on that day has been allotted, shall be placed on the list of questions for answers:

Provided that when the question hour is dispensed with owing to the cancellation of sitting of the House or its adjournment without transacting any business, questions entered in both starred and unstarred lists of questions for the day shall be deemed to be unstarred questions for next sitting, and such questions with their answers deemed to have been laid on the Table and shall be taken as included in the proceeding of the next sitting.

76. **Questions not replied orally.-** If any starred question placed on the list of questions for answer on any day is not called for answer within the time available for answering questions on that day the answer already supplied by the Minister concerned shall be laid on the Table and no oral reply shall be required for such question nor shall any supplementary question be asked in respect thereof:

Provided that if the Minister concerned is not ready with the answer to the question, the question shall be put for answer on the next following day allotted for the Division in the charge of that Minister or on a day to be specified by the Speaker in consultation with the Minister and it shall have precedence over the questions of that Division.

77. **Subject-matter of questions.-** (1) Subject to the provisions of these rules, a question may be asked for the purpose of obtaining information on a matter of public concern within the special cognizance of the Minister to whom it is addressed.

(2) A question addressed to a Minister must relate to the public affairs with which he is officially connected or to a matter of administration for which he is responsible.

78. **Admissibility of questions.-** In order that a question may be admissible, it must satisfy the following conditions, namely,-
- (a) It shall not bring in any name or statement not strictly necessary to make the question intelligible;
 - (b) if it contains statement, the member shall make himself responsible for the accuracy of the statement;
 - (c) it shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements;
 - (d) it shall not ask for an expression of opinion or the solution of an abstract legal question or a hypothetical proposition;
 - (e) it shall not refer to the character or conduct of any person except in his official or public capacity nor to character or conduct which can be challenged only on a substantive motion;
 - (f) it shall not ordinarily exceed one hundred and fifty words;
 - (g) it shall not relate to a matter which is not primarily the concern of the Government;
 - (h) it shall not make or imply a charge of a personal character;
 - (i) it shall not raise question of policy too large to be dealt with within the limits of an answer to a question;
 - (j) it shall not repeat in substance questions admitted for the same session or already answered or disallowed by the Speaker or to which an answer was refused in the Assembly during the last two sessions;
 - (k) it shall not be trivial, vexatious, vague or meaningless;
 - (l) it shall not ask for information contained in documents accessible to the public or in ordinary works of reference;
 - (m) it shall not ask for information on matters under the control of bodies or persons not primarily responsible to the Government, or in which the Government has no financial interest;
 - (n) it shall not contain references to newspapers by names and shall not ask whether statements in the Press or by private individuals or by non-official bodies are accurate;
 - (o) it shall not ask for information regarding Cabinet discussions, or any advice given to the President, or in relation to any matter in respect of which there is a constitutional or statutory obligation not to disclose information;
 - (p) it shall not ask for information on matters which are under consideration before a Committee of the Assembly; nor shall it ask for information about the proceedings of any such Committee unless such proceedings have been placed before the Assembly or, as the case may be, by a report of the Committee;

- (q) it shall not,-
- (i). contain any reflection on the conduct of the President or a Judge of the Supreme Court or of a High Court; or
 - (ii). ask for information on matters which have already been discussed by means of an adjournment motion or otherwise during the same session; or
 - (iii). contain any criticism of the decision of the Assembly or the Senate; or
 - (iv). seek information about matters which are in their nature secret or sensitive; or
 - (v). criticise or refer discourteously to a foreign country;
- (r) it shall not contain any reflection on a decision of a court of law or statutory tribunal established in Pakistan or such remarks as are likely to prejudice a matter which is *sub-judice*;
- (s) it shall not amount in substance to a suggestion for a particular course of action;
- (t) it shall not ordinarily ask for information on matters of past history;
- (u) it shall not ordinarily ask about matters pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of inquiry appointed to enquire into or investigate any matter but may refer to matters concerned with procedure or subject or stage of enquiry if it is not likely to prejudice the consideration of the matters by the tribunal or commission or court of enquiry; and
- (v) it shall not relate to a matter, except as to a matter of fact, which is, or has been, subject-matter of correspondence between the Federal Government and Provincial Government.

79. **Short notice questions.**- (1) A question relating to a matter of public importance may be asked with notice shorter than fifteen clear days and if the Speaker is of the opinion that the question is of an urgent character he may direct that an enquiry may be made from the Minister concerned if he is in a position to reply and, if so, on what date:

Provided that,-

- (a) a member may not ask more than one short notice question on any one day; and

(b) a short notice question may not be asked to anticipate reply to a question of which notice has already been given.

(2) If the Minister concerned agrees to reply, such question shall be answered on a day indicated by him and shall be called immediately after the questions appearing on the list of questions for oral answer have been disposed of.

(3) If the Minister is unable to answer the question at short notice and the Speaker is of the opinion that the question is of sufficient public importance to be orally answered in the Assembly, he may direct that the question be placed as the first question on the list of questions for the day on which it would be due for answer under rule 70:

Provided that not more than one such question shall be accorded first priority on the list of questions for any one day.

(4) Where a member desires an oral answer to a question at a short notice, he shall briefly state the reasons for asking the question with short notice. Where no reasons have been assigned in the notice of the question, the question shall be returned to the member.

(5) The member who has given notice of the question shall be in his seat to read the question when called by the Speaker and the Minister concerned shall give a reply immediately.

(6) In other respects, the procedure for short notice questions shall be the same as for ordinary questions for oral answer, with such modifications as the Speaker may consider necessary or convenient.

80. **Questions relating to Secretariat of the Assembly.-** Questions relating to the Secretariat of the Assembly may be asked of the Speaker by means of a communication and not otherwise.

81. **Speaker to decide admissibility of questions.-** Within five days from the receipt of the notices, the Speaker shall decide on the admissibility of a question and shall disallow any question or a part thereof which, in his opinion, is in contravention of these rules, or he may, in his discretion, amend it in form.

82. **List of questions.-** Questions which have not been disallowed shall be entered in the list of questions for the day and the answers, if received from the Minister concerned not later than forty eight hours before commencement of the question hour on the day on which the questions are set down in the list shall be entered along with, unless the Speaker changes the order of questions with the leave of the Assembly:

Provided that the Minister concerned shall state, in the House, the reasons for non-supply of answers in case they are not supplied forty-eight hours before the commencement of the relevant question hour.

83. **Mode of asking questions.-** (1) At the time of asking questions, the Speaker shall call successively each member in whose name a Starred Question appears in the list of questions.

(2) The member so called shall rise in his place and, unless he states that it is not his intention to ask the question standing in his name, he shall ask the question by reference to its serial number on the list of questions.

(3) If, on a question being called, it is not put or the member in whose name it stands is absent, the Speaker may, at the request of any other member, direct that the answer to it be given.

84. **Supplementary questions.-** When a question has been answered, any member may ask such supplementary questions as may be necessary for the elucidation of the answer, but the Speaker shall disallow any supplementary question which, in his opinion, either infringes any provision of these rules relating to the subject-matter and admissibility of question or is otherwise an abuse of the right of asking questions:

Provided that not more than two supplementary questions shall be asked in respect of any question.

85. **No publicity of answers to questions in advance.-**Answers to questions which Ministers propose to give in the Assembly shall not be released for publication until the answers have actually been given on the floor of the Assembly or laid on the Table.

86. **Prohibition of discussions on questions or answers.-** There shall be no discussion on any question or answer except as provided by rule 87.

CHAPTER X

MATTERS OF PUBLIC IMPORTANCE

87. **Discussion on matters of public importance.-** (1) The Speaker may allot, before taking up last calling attention notice, last half an hour of a sitting on private members' day for raising discussion on a matter of urgent public importance, including matters which have been the subject of a recent question, starred or unstarred.

(2) A member wishing to raise a matter shall give notice in writing to the Secretary three days in advance of the day on which the matter is desired to be raised. The notice shall briefly specify the point or points he wishes to raise and shall be accompanied by an explanatory note stating the reason for raising discussion on the matter in question:

Provided that the Speaker may, with the consent of the Minister concerned, waive the requirement concerning the period of notice.

(3) A notice may be signed by more than one member but it shall be deemed to have been given by the first signatory.

(4) The Speaker shall decide whether the matter is of urgent public importance to be put down for discussion and may not admit a notice which, in his opinion, seeks to revise the policy of Government.

(5) If more than two notices have been received and admitted by the Speaker, the Secretary shall hold a ballot with a view to drawing two notices for each day allotted for this purpose. The notices drawn in the ballot shall be put down in the order in which they were received in point of time:

Provided that, if any matter put down for discussion on that particular day is not disposed of on that day, it shall not be set down for any further day.

(6) There shall be no formal motion before the Assembly nor voting. The member who has given notice shall make a short statement and the Minister concerned shall reply. If the time permits, the Speaker

may allow any member to put a question for the purpose of further elucidating any matter of fact.

(7) Except as otherwise provided in these rules the provisions of rules 77, 78 and 81 shall apply *mutatis mutandis* to a matter raised under this rule.

CHAPTER XI

CALLING ATTENTION

88. **Procedure regarding Calling Attention.-** A member may, after question of privilege and adjournment motion, if any, with the previous permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement at a later hour or date:

Provided that no member shall give more than one such notice for any one sitting.

89. **No debate on the statement.-** There shall be no debate on such statement at the time it is made but each member in whose name the item stands in the Orders of the Day may, with the permission of the Speaker, ask a question:

Provided that names of not more than five members, shall be shown in the Orders of the Day.

90. **Member giving notice.-** Where a notice is signed by more than one member, it shall be deemed to have been given by the first signatory only.

91. **Notice of Calling Attention.-** Notice of Calling Attention shall be given one day before the day on which the notice is to be considered.

92. **Restriction on raising matters.-** Not more than two such matters shall be raised at the same sitting:

Provided that the second matter shall not be raised by the same members who have raised the first matter and it shall be raised at the end of the sitting.

93. **Priority of matters.-** In the event of more than one matter being presented for the same day, priority shall be given to the matter which is, in the opinion of the Speaker, more urgent and important.

94. **Notices to lapse.-** All the notices which have not been taken up at the sitting for which they have been given shall lapse at the end of the sitting.

CHAPTER XII

PRIVILEGE

95. **Question of privilege.-** A member may, with the consent of the Speaker, raise a question involving a breach of privilege either of a member or of the Assembly or of a Committee thereof.
96. **Notice of question of privilege.-** A member wishing to raise a question of privilege shall give notice in writing to the Secretary before the commencement of the sitting on the day the question is proposed to be raised. If the question raised is based on a document, the notice shall be accompanied by the document:

Provided that the Speaker may, after considering the notice, if satisfied about the urgency of the matter, allow a question of privilege to be raised at any time during the course of a sitting after the disposal of questions.

97. **Conditions of admissibility of question of privilege.-** The right to raise a question of privilege shall be governed by the following conditions, namely:-
- (a) not more than one question shall be raised by the same member at the same sitting;
 - (b) the question shall relate to a specific matter and shall be raised at the earliest opportunity; and
 - (c) the matter shall be such as requires the intervention of the Assembly.
98. **Mode of raising a question of privilege.-** Where a question of privilege has been admitted, the Speaker shall, after the disposal of questions, if any, and before other business on the Orders of the Day is entered upon, call upon the member who gave the notice and thereupon the member shall raise the question of privilege and make a short statement relevant thereto:

Provided that, where a member is allowed under the proviso to rule 96 to raise a question of privilege during the course of a sitting, he shall raise that question immediately after he is allowed to do so or at such other time as the Speaker may direct.

Explanation.- For the purpose of this rule the expression “Mover” means a member who has actually moved the question of privilege in the House.

99. **Precedence of question of privilege.-** A question of privilege shall have precedence over adjournment motions.

100. **Question of privilege to be considered by the Assembly or Committee.-** If the Speaker holds the motion to be in order, the Assembly may consider and decide a question of privilege or may, on a motion either by the member who raised the question or by any other member, refer it for report to the Committee on Rules of Procedure and Privileges.

101. **Reference by the Speaker to Committee.-** Notwithstanding anything contained in these rules, the Speaker may refer any question of privilege to the Committee on Rules of Procedure and Privileges for examination, investigation and report.

102. **Priority for consideration of report of Committee.-** (1) A motion that the report of the Committee on Rules of Procedure and Privileges be taken into consideration shall be accorded priority on the Orders of the Day after the question hour, as a matter of privilege.

(2) The House may take action according to the recommendations of the Committee under these rules.

(3) The Speaker shall have the powers to implement the decision of the Assembly, and any matter requiring action against Government functionary shall be referred to the concerned Division or Ministry to take action. The compliance report shall be submitted to the Assembly within the specified period.

103. **Intimation to the Speaker by Magistrate, etc., of arrest, detention, etc., of a member.-** When a member is arrested on a criminal charge or for a criminal offence or is sentenced to imprisonment by a court of law or is detained under an executive order, the committing judge, magistrate or executive authority, as the case may be, shall immediately intimate such fact to the Speaker indicating the reasons for the arrest, detention or conviction, as the case may be, as also the place of detention or imprisonment of the member in the appropriate form set out in the Fourth Schedule.

104. **Intimation to the Speaker on release of member.-** When a member is arrested and after conviction released on bail pending an appeal or otherwise released, such fact shall be intimated to the Speaker by the authority concerned in the appropriate form set out in the Fourth Schedule.
105. **Treatment of communications received from Magistrate, etc.-** As soon as may be, after the Speaker has received a communication referred to in rule 103 or 104, he shall read it out in the Assembly if in session or, if the Assembly is not in session, direct that it may be circulated for the information of the members.
106. **Arrest within the precincts of the Assembly.-** No member shall be arrested within the precincts of the Assembly without permission of the Speaker.
107. **Service of legal process.-** A legal process issued by any court, tribunal or other authority shall not be served on a member within the precincts of the Assembly without permission of the Speaker.
108. **Production of member in custody for a sitting of the Assembly or meeting of Committee.-** (1) The Speaker or Chairman of a Committee may summon a member in custody on the charge of a non-bailable offence to attend a sitting or sittings of the Assembly or meeting of a Committee of which he is a member, if he considers his presence necessary.
- (2) On a Production Order, signed by the Secretary or by any other officer authorised in this behalf, addressed to the Government of the Province where the member is held in custody, or to the authority concerned, the Provincial Government or such authority shall cause the member in custody to be produced before the Sergeant-at-Arms, who shall, after the conclusion of the sitting or the meeting, deliver the member into the custody of the Provincial Government or other authority concerned.
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CHAPTER XIII

ADJOURNMENT MOTIONS

109. **Speaker's consent.**- Subject to the provisions of these rules, a motion for an adjournment of the business of the House for the purpose of discussion on a definite matter of an urgent public importance may be made with the consent of the Speaker.
110. **Notice of a motion.**- Notice of a motion under rule 109, explaining the matter proposed to be discussed, shall be delivered to the Secretary in quadruplicate not less than one day before the commencement of the sitting in which the motion is proposed to be moved, and the Secretary shall thereupon bring the notice to the knowledge of the Speaker, the Leader of the House, the Minister concerned and the Minister for ¹[Law, Justice and Parliamentary Affairs]:

Provided that no member shall give more than one such notice for any one sitting.

111. **Conditions of admissibility of a motion.**- A motion shall not be admissible unless it satisfies the following conditions, namely:-
- (a) It shall raise an issue of urgent public importance;
 - (b) it shall relate substantially to one definite issue;
 - (c) it shall be restricted to a matter of recent occurrence;
 - (d) it shall not repeat in substance motions for which consent has been refused by the Speaker or which have been found to be inadmissible or for which leave has been refused by the House or which have already been discussed by the Assembly;
 - (e) it shall not revive discussion on a matter or a motion, including the discussion of an adjournment motion which has been discussed in the Assembly within last four months;
 - (f) it shall not anticipate a matter for the consideration of which a date has been previously appointed;
 - (g) it shall relate to a matter which is primarily the concern of the Government or to a matter in which the Government have substantial financial interest;

¹ Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

- (h) it shall not contain arguments, inferences, ironical expressions or defamatory statements;
- (i) it shall not refer to the conduct or character of a person except in his official or public capacity;
- (j) it shall not raise discussion which is detrimental to public interest;
- (k) it shall not relate to matter of privilege;
- (l) it shall not deal with a hypothetical case;
- (m) it shall not relate to a matter which can only be remedied by legislation;
- (n) it shall not be moved on any day fixed for general discussion of the Budget; or
- (o) it shall not relate to a matter pending before any court or other authority performing judicial or quasi-judicial functions:

Provided that the Speaker may, in his discretion, allow such matter being raised in the Assembly as is concerned with the procedure or subject or stage of enquiry if he is satisfied that it is not likely to prejudice the consideration of the matter by such court or authority.

112. **Asking leave for motion.-** (1) Leave to make a motion shall be asked for after questions, leave of absence and a question of privilege, if any, and before other business entered on the Orders of the Day is taken up:

Provided that on Tuesday such leave shall be asked for after recitation from the Holy Quran, leave of absence and question of privilege, if any.

- (2) Leave to make a motion shall be asked for only by the member who has given notice thereof.

113. **Grant or withholding of leave.-** (1) If the Speaker is of the opinion that the matter proposed to be discussed is in order he shall ask whether the member has the leave of the Assembly to move the motion and, if objection is taken, he shall ask such of the members as may be in favour of leave being granted to rise in their seats.

(2) If less than the majority of the members present rises, the Speaker shall inform the member that he has not the leave of the Assembly, and if the majority of members present rises, the Speaker shall announce that leave is granted and that the motion shall be taken up before the last Calling Attention Notice for discussion for not more than two hours on such day, within the same session, as the Speaker may fix.

114. **Time limit for asking and grant of leave.-** On any one day, the aggregate time taken for asking for leave under rule 112 and the grant or withholding of leave under rule 113 shall not exceed half an hour.

115. **Restriction on number of motions.-** Notwithstanding anything contained in this Chapter, not more than one motion shall be admitted on any one day, but motions, if any, pending consideration as regards their admissibility shall be held over for the next day and shall be taken up in the same order in which they were received.

116. **Question to be put.-** On a motion under rule 110, the only question that may be put shall be " that the Assembly do now adjourn" but no such question shall be put after the time for the discussion of the motion has expired.

117. **Time limit for speeches.-** A discussion on the adjournment motion shall not exceed more than two hours and the time shall not exceed ten minutes in duration for each member:

Provided that the mover or Minister concerned may speak more than ten minutes.

Explanation.- For the purpose of this rule the expression "Mover" means a member who actually moves the adjournment motion in the House.

CHAPTER XIV

LEGISLATION

INTRODUCTION OF GOVERNMENT AND PRIVATE MEMBERS' BILLS

PRIVATE MEMBERS' BILLS

118. **Notice of private members' Bill.**- (1) A private member shall give ten clear days written notice to move for leave to introduce a Bill, to the Secretary.
- (2) Three copies of the Bill along with a Statement of Objects and Reasons signed by the member shall accompany the notice.
- (3) If the Bill requires, under the Constitution, the consent of the Government ¹[Omitted] for its introduction, it shall also contain a request to obtain such consent ¹[Omitted] through the Ministry of ²[Law, Justice and Parliamentary Affairs]. On receiving the consent of the Government or sanction of the President from the Ministry, the member shall be intimated accordingly.
- (4) The Speaker shall decide the question whether an amendment does or does not require the consent of the Government ¹[Omitted].
- (5) The National Assembly Secretariat shall render possible assistance to the members so that the Bills are not rejected merely on technical grounds.
119. **Introduction of private member's Bill.**- (1) Motion for leave to introduce private members' Bill shall be set down in the Orders of the Day on private members' day.
- (2) If a motion for leave to introduce a private member's Bill is opposed, the Speaker may without further debate put the question. When the leave is granted, the member-in-charge shall move to introduce the Bill forthwith, and the Bill shall stand introduced. Copy of the Bill shall be supplied to the members:

¹ Omitted *vide* S.R.O. No. 1153, dt. 27-12-2010.

² Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

Provided that when the Bill is opposed at its introduction, the Speaker may permit a brief statement to the mover and the Minister opposing it.

(3) Subject to these rules, the procedure adopted for the Government Bills shall also be followed for the private members' Bills.

GOVERNMENT BILLS

120. **Notice of Government Bill.**- (1) A Minister shall give a notice to introduce a Bill.

¹[(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 be also attached with the notice.]

(3) ²[Omitted].

(4) When the item is called, the Minister shall move to introduce the Bill, thereupon the Bill shall stand introduced.

(5) Copy of the Bill shall be supplied to the members on its introduction.

(6) For the purpose of this rule, an Ordinance laid before the Assembly under sub-rule (1) of rule 170 shall be deemed to be a Bill introduced in the Assembly on the day it is so laid ²[Omitted]. It shall also contain Statement of Objects and Reasons and a certificate whether it is a Money Bill or not.

¹ Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

² Omitted *vide* S.R.O. No. 1153, dt. 27-12-2010.

PUBLICATION OF BILLS

121. **Publication of Bills.-** (1) The Secretary shall cause every Bill that has been introduced to be published in the Gazette as early as possible.

(2) The Speaker may order the publication of any Bill together with the Statement of Objects and Reasons accompanying it before its introduction and, if it is so published, it shall not be necessary to publish it again after its introduction.

CONSIDERATION OF BILLS

122. **Reference of Bills to Standing Committees.-** Upon introduction, a Bill, other than a Finance Bill, shall stand referred to the Standing Committee concerned with the subject matter of the Bill:

Provided that the member-in-charge may move that the requirement of this rule may be dispensed with and, if the motion is carried, the provisions of rule 123 shall apply to the Bill as if it were received back from the Standing Committee on the day on which the motion is carried.

Explanation.- In this rule " Finance Bill" means the Bill introduced each year to give effect to the financial proposals of the Government for the next following financial year and includes a Bill to give effect to the supplementary financial proposals for any period during the financial year.

123. **Time for consideration of Bills.-** (1) When a Bill has been received back from the Standing Committee, or when the time fixed for the Standing Committee to send it back has expired, or Bill is deemed to have been received back from the Standing Committee as a result of suspension of requirement of rule 122, the Bill shall be set down on the Orders of the Day for a motion under rule 124. The Secretary shall cause copy of the Bill, as introduced to be supplied to each member.

(2) At least two clear days in a session shall intervene between the day of supply of copies of the Bill to the members and the day for setting down of the Bill for a motion under rule 124:

Provided that the provision of this sub-rule shall not apply when the Bill is being considered without the report of the Committee.

124. **Motions to be made by Member-in-charge.-** On the day for which a Bill is set down under rule 123 or any subsequent day to which the matter might have been adjourned, the member-in-charge may make any of the following motions in regard to his Bill, namely:-

- (a) that it be taken into consideration at once; or
- (b) that it be taken into consideration on a date to be fixed forthwith;
or
- (c) that it be referred to a Select Committee; or
- (d) that it be circulated for the purpose of eliciting opinion thereon.

125. **Bills repugnant to the injunctions of Islam.-** (1) No law shall be enacted against Holy Quran and Sunnah as enshrined in Article 227 of the Constitution.

(2) If a member raises the objection that a Bill is repugnant to the Injunctions of Islam, the Assembly may, by a motion supported by not less than two-fifths of its total membership, refer the question to the Council of Islamic Ideology for advice as to whether the Bill is or is not repugnant to the Injunctions of Islam.

(3) Notwithstanding a reference under sub-rule (2), the Assembly may at any time proceed with the Bill, if it considers that, in the public interest, the passage of the Bill should not be postponed until the advice is furnished.

(4) The advice of the Council of Islamic Ideology on a question referred to it under sub-rule (2) shall, on receipt be immediately laid on the Table and if the Assembly is not in session at that time, it shall be laid on the Table on the first day of its next session.

(5) If the advice of the Council of Islamic Ideology is furnished after the Bill referred to in sub-rule (3) has been enacted and is to the effect that the law is repugnant to the Injunctions of Islam, the Minister concerned shall, within seven days of the laying of the advice on the Table, move that the law be considered and further action thereon shall

be taken in accordance with the provisions of this chapter as if the law were a Bill referred to the Standing Committee under rule 122.

126. **Discussion on principles of Bill.-** (1) On the day on which any of the motions referred to in rule 124 is made or on any subsequent day to which discussion thereof is postponed the principles of the Bill and its general provisions may be discussed but the details of the Bill shall not be discussed further than is necessary to explain its principles.

(2) At this stage amendments to the Bill may not be moved, but if the member-in-charge moves that the Bill be taken into consideration or referred to a Select Committee, any member may move as an amendment that Bill be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion.

(3) Where a motion that a Bill be circulated for the purpose of eliciting opinion thereon is carried and the Bill is circulated in accordance with that direction and opinions are received thereon, the member-in-charge may, if he wishes to proceed with his Bill thereafter, may move that the Bill be referred to the Standing Committee concerned or a Select Committee or that it be taken into consideration.

127. **Person by whom motions in respect of Bills may be made.-** No motion that the Bill be taken into consideration or be referred to a Select Committee shall be made by any member other than the member-in-charge and no motion that the Bill be circulated for the purpose of eliciting opinion thereon shall be made by any member other than the member-in-charge except by way of amendment to a motion made by the member-in-charge.

128. **Procedure after presentation of report.-** (1) Where a Bill has been referred to a Select Committee, the member-in-charge may, after the presentation of the final report by the Select Committee, move-

(a) that the Bill as reported by Select Committee be taken into consideration; or

(b) that the Bill as reported by the Select Committee be referred to the same Committee again either-

(i) as a whole,

- (ii) with respect to particular clauses or amendments only,
 - iii) with instructions to make some particular or additional provision in the Bill; or
- (c) that the Bill as reported by the Select Committee be circulated or recirculated for the purpose of eliciting opinion or further opinion thereon.

(2) If the member-in-charge moves that the Bill as reported by the Select Committee be taken into consideration, any member may object to its being so taken into consideration, if a copy of the report of the Select Committee has not been made available for the use of the members at least two days before the motion is made and the objection shall prevail unless the Speaker allows the report to be taken into consideration.

(3) If the member-in-charge moves that the Bill as reported by the Select Committee be taken into consideration any member may move as an amendment that the Bill be referred to the same Committee again or be circulated for the purpose of eliciting opinion thereon.

129. **Notice of amendments.**- (1) When a motion that a Bill be taken into consideration is carried, any member may propose an amendment to the Bill. If notice of an amendment has not been given one clear day before the day on which the relevant clause of or Schedule to the Bill is to be considered any member may object to the moving of the amendment and such objection shall prevail unless the Speaker allows the amendment to be moved.

¹[(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.]

¹ Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

(3) The Speaker shall decide the question whether an amendment does or does not require the consent of the Government ¹[Omitted].

(4) The Secretary shall, as far as practicable, cause a list of admitted amendments of which notices, have been received to be made available for the use of every member.

130. **Conditions of admissibility of amendments.-** The following conditions shall govern the admissibility of amendments, namely:-

- (a) an amendment shall be within the scope of the Bill relevant to the subject matter of the clause to which it relates;
- (b) an amendment shall not be inconsistent with any previous decision of the Assembly on the same question;
- (c) an amendment shall not be such as to make the clause which it proposes to amend unintelligible or ungrammatical;
- (d) if an amendment refers to, or is not intelligible without, a subsequent amendment or schedule, notice of the subsequent amendment or schedule shall be given before the first amendment is moved, so as to make the series of amendments intelligible as a whole:

Provided that in order to save time and repetition of arguments a single discussion may be allowed to cover a series of interdependent amendments;

- (e) the Speaker shall determine the place at which an amendment shall be moved;
- (f) the Speaker may refuse to propose an amendment which is, in his opinion, frivolous or meaningless;
- (g) an amendment may be moved to an amendment which has already been proposed by the Speaker;
- (h) an amendment shall not be moved which has merely the effect of a negative vote; and
- (i) in respect of any amendment of the Bill under consideration of the Assembly, the Speaker shall have the power to select one of the several identical or substantially identical amendments to be proposed.

¹ Omitted *vide* S.R.O. No. 1153, dt. 27-12-2010.

131. **Order of amendments.-** (1) Amendments shall be considered in the order of the clauses of the Bill to which they respectively relate, and in respect of any such clause a motion shall be deemed to have been made: "That this clause do stand part of the Bill".
- (2) The member who has given its notice shall move amendment.
132. **Withdrawal of amendments.-** An amendment moved may, by leave of the Assembly, but not otherwise, be withdrawn at the request of the Minister or Member moving it. If an amendment has been proposed to an amendment, the original amendment shall not be withdrawn until the amendment proposed to it has been disposed of.
133. **Submission of a Bill clause by clause.-** Notwithstanding anything contained in these rules, the Speaker may, when a motion that a Bill be taken into consideration has been carried, submit the Bill, or any part of the Bill, to the Assembly clause by clause. The Speaker may call each clause separately, and when the amendments relating to it have been dealt with, he shall put the question: "That this clause (or, as the case may be, that this clause as amended) do stand part of the Bill".
134. **Postponement of clause.-** The Speaker may, if he thinks fit, postpone the consideration of a clause.
135. **Schedule.-** The consideration of the schedule or schedules, if any, shall follow the consideration of clauses. Schedules shall be put from the Chair, and may be amended, in the same manner as clauses, and the consideration of new schedules shall follow the consideration of the original schedules. The question shall then be put: " That this schedule (or, as the case may be, that this schedule as amended) do stand part of the Bill".
136. **Clause one, preamble and title of the Bill.-** Clause one, the preamble, if any, and the title of a Bill shall stand postponed until the other clauses and schedules (including new clauses and new schedules) have been disposed of and the Speaker shall then put the question: "That clause one, or the preamble or the title (or as the case may be that clause one or the preamble or the title as amended) do stand part of the Bill".

PASSING OF BILLS

137. **Passing of Bills.-** (1) When a motion that a Bill be taken into consideration has been carried and no amendment of the Bill is made, the Minister may at once move that the Bill be passed.
- (2) If an amendment of the Bill is made any member may object to a motion being made that the Bill be passed, and such objection shall prevail unless the Speaker allows the motion to be made.
- (3) Where such objection as aforesaid prevails, a motion that the Bill be passed may be made on a subsequent day.
- (4) At this stage, no amendment to the Bill may be moved, except verbal amendments, which are of a formal or consequential nature.
138. **Scope of debate.-** The discussion on a motion that the Bill be passed shall be confined to the submission of arguments either in support of the Bill or for the rejection of the Bill. In making his speech, a member shall not refer to the details of the Bill further than is necessary for the purpose of his arguments, which shall be of general character.
139. **Withdrawals of Bills.-** The Minister may, at any stage of the Bill, withdraw the Bill with the consent of the Speaker and no further motion shall be made with reference to the Bill.
140. **Transmission of Bills other than Money Bills to the Senate.-** When a Bill other than a Money Bill is passed by the Assembly it shall be transmitted to the Senate for consideration with a message to that effect.
141. **Transmission of Money Bills to the Senate.-** (1) When a Money Bill including the Finance Bill containing the Annual Budget Statement is presented in the Assembly, a copy thereof shall be transmitted to the Senate by the Assembly.
- (2) If a Bill transmitted to the Senate is returned to the Assembly with recommendations, the Secretary shall immediately cause the recommendations to be circulated amongst the members.

(3) When a Bill is taken up clause by clause, the recommendations made by the Senate shall be considered in the order of the clauses of the Bill to which they relate and the provisions of rules 131 and 133 shall *mutatis mutandis* apply to the recommendations made by the Senate.

142. **Authentication and submission of Money Bills.-** (1) When a Money Bill 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.

(2) Every Money Bill presented to the President for assent shall bear a certificate under the hand of the Speaker that it is a Money Bill, and such certificate shall be conclusive for all purposes and shall not be called in question.

143. **Money Bills assented to by the President.-** When a Money Bill is assented to by the President under Article 75, the Secretary shall immediately cause it to be published in the Gazette as an Act of Majlis-e-Shoora (Parliament).

BILLS ORIGINATING IN THE SENATE AND TRANSMITTED TO THE ASSEMBLY

144. **Bills originating in, and passed by, the Senate and transmitted to the Assembly.-** When a Bill originating in the Senate has been passed by it and is transmitted to the Assembly, the Secretary shall, as soon as may be, cause it to be circulated among the members.

145. **Notice.-** At any time after the Bill has been so circulated, any Minister in the case of a Government Bill or, in any other case, any member may give notice of his intention to move that the Bill be taken into consideration.

146. **Motion for consideration.-** On the day on which the motion for consideration is put down in the Orders of the Day which shall, unless the Speaker otherwise directs, be not less than two days from the receipt of the notice, the Minister or, as the case may be, the member giving notice may move that the Bill be taken into consideration.

147. **Discussion.-** On the day on which such motion is made or on any subsequent day to which the discussion is postponed, the principles of the Bill and its general provisions may be discussed but the details of the Bill shall not be discussed further than is necessary to explain its principles.
148. **Reference to Standing Committee.-** Any member may move as an amendment that the Bill be referred to the Standing Committee and, if such motion is carried, the Bill shall stand referred to the Standing Committee, and the rules regarding Bills originating in the Assembly and referred to a Standing Committee shall then apply.
149. **Consideration and passing.-** If the motion that the Bill be taken into consideration is carried, the Bill shall be taken into consideration clause by clause and the provisions of these rules regarding consideration of amendments to Bills and the subsequent procedure in regard to the passing of Bills shall apply.
150. **Bills passed without amendment.-** If the Bill is passed without amendment a message shall be sent to the Senate to this effect.
151. **Bills passed with amendment or rejected.-** If the Bill is rejected or is not passed within ninety days of its laying in the Assembly or is passed with amendment, it shall be returned to the Senate with a message to this effect.
152. **Authentication and submission of Bills for assent.-** When a Bill is passed by the Assembly, without amendment, an authenticated copy thereof signed by the Speaker shall be transmitted to the President, by the Secretary for assent under Article 75.
153. **Bills assented to by the President.-** When a Bill is assented to by the President under Article 75, the Secretary shall immediately cause it to be published in the Gazette as an Act of Majlis-e-Shoora (Parliament).

**BILLS PASSED BY THE ASSEMBLY AND AMENDED,
REJECTED OR NOT PASSED BY THE SENATE**

¹[154. **Bills amended, rejected or not passed by the 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.

²(7) If a Bill transmitted to the Senate is rejected or not passed within 90 days of its laying in the Senate, or is passed by the Senate with amendment but not passed by the Assembly with such amendment, 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.

¹ Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

² Substituted *vide* S.R.O. No. 326, dt. 28-04-2011

(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.]

¹[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.]

CONSTITUTION AMENDMENT BILL

156. **Constitution amendment Bill.**- (1) In respect of a Bill seeking to amend the Constitution, the provisions of this rule shall apply in addition to the rules relating to Bills, other than a Finance Bill, in so far as they are not inconsistent with any provision of this rule or Article 239.

(2) Each clause or schedule, or clause or schedule as amended as the case may be, shall be put to the vote of the Assembly separately and shall form part of the Bill if it is passed by the votes of not less than two-thirds of the total membership of the Assembly. Voting shall be by rising of the members in their seats.

(3) Amendments to clauses or schedules shall be decided by a majority of the members present and voting in the same manner as in the case of any other Bill.

(4) Voting shall be by rising of the members in their seats, whenever a consideration motion has to be carried by the votes of not less than two-thirds of the total membership of the Assembly.

(5) If the motion in respect of such Bill is that the Bill or, as the case may be, the Bill as amended, be passed, then the motion shall be deemed to have been carried if it is passed by the votes of not less than two-thirds of the total membership of the Assembly and the voting shall be by division.

¹ Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

(6) If the result of the voting shows that not less than two-thirds of the total membership of the Assembly is in favour of the motion, the Speaker shall, while announcing the result, say that the motion is carried by the votes of not less than two-thirds of the total membership of the Assembly.

(7) If a Bill passed by the Senate is passed by the Assembly, without amendment, by the votes of not less than two-thirds of the total membership of the Assembly it shall, subject to the provisions of sub-rule (9) be presented to the President for assent under clause (2) of Article 239.

(8) If a Bill passed by the Assembly and transmitted to the Senate is passed by the Senate with amendment, it shall be reconsidered by the Assembly in the manner provided in sub-rules (2) to (6) and if the Bill as amended by the Senate is passed by the Assembly by the votes of not less than two-thirds of the total membership of the Assembly it shall, subject to the provisions of sub-rule (9), be presented to the President for assent under clause (3) of Article 239.

(9) A Bill to amend the Constitution which would have the effect of altering the limits of a Province shall not be presented to the President for assent unless it has been passed by the Provincial Assembly of the Province by the votes of not less than two-thirds of its total membership.

(10) When the Bill is assented to by the President, the Secretary shall immediately cause it to be published in the Gazette as an Act of Majlis-e-Shoora (Parliament).

CHAPTER XV

RESOLUTIONS NOT MENTIONED IN THE CONSTITUTION

157. **Right to move resolution.-** Subject to the provisions of these rules any member or a Minister may move a resolution relating to a matter of general public interest:

Provided that the number of resolutions to be moved by a private member in the same session shall not exceed five.

158. **Notice of resolution.-** (1) A private member who wishes to move a resolution shall give seven days' notice of his intention to do so and shall submit, together with the notice, a copy of the resolution which he intends to move.

(2) The names of all members from whom such notices are received shall be balloted and those members who succeed to secure more than one resolution in the ballot, the resolution of the member drawn at first instance shall have precedence over his other resolutions. Every successful member shall be allotted one resolution in the Orders of the Day.

(3) A Minister who wishes to move a resolution shall give three days' notice of his intention to do so and shall submit, together with the notice, a copy of the resolution, which he intends to move:

Provided that the Speaker may allow to move a resolution of an urgent nature.

159. **Form of resolution.-** A resolution may be in the form of a declaration of opinion or a recommendation, or convey a message, or commend, urge or request an action, or call attention to a matter or situation for consideration by the Government, or in such other form as the Speaker may consider appropriate.

160. **Contents of resolution.-** (1) It shall relate to a matter which is primarily the concern of the Government or to a matter in which the Government has substantial financial interest.

(2) It shall be clearly and precisely expressed and shall raise substantially one definite issue.

- (3) It shall not,-
- (a) contain arguments, inferences, ironical expressions or defamatory statements;
 - (b) refer to the conduct or character of a person except in his official or public capacity;
 - (c) raise discussion which is detrimental to public interest;
 - (d) contain reflection on a Judge of the Supreme Court or a High Court or any subordinate Court; or
 - (e) relate to any matter which is pending before any court:

Provided that the Speaker may, in his discretion, allow such matter being raised in the Assembly as is concerned with the procedure or subject or stage of enquiry if he is satisfied that it is not likely to prejudice the consideration of the matter by such court.

161. **Speaker to decide admissibility of resolution.-** The Speaker shall decide whether a resolution or a part thereof is or is not admissible under these rules and may disallow any resolution or a part thereof when in his opinion it is an abuse of the right of moving a resolution or is calculated to obstruct or prejudicially affect the procedure of the Assembly or is in contravention of any of these rules.
162. **Moving of resolution or its withdrawal.-** (1) A member or a Minister in whose name a resolution stands in the Orders of the Day may, if not withdrawn earlier, when called upon, either:
- (a) move the resolution in which case he shall commence his speech by a formal motion in the terms appearing in the Orders of the Day; or
 - (b) not move the resolution, but may make a brief statement.
- (2) In the absence of the member, the resolution shall be dropped.
163. **Amendment of a resolution.-** After a resolution has been moved, any member may, subject to these rules, move an amendment to the resolution.
164. **Notice of an amendment.-** (1) If notice of an amendment has not been given one clear day before the day on which it is moved, any member may object to the moving of the amendment, and thereupon the objection shall prevail, unless the Speaker in his discretion allows the amendment to be moved.

(2) The Secretary, if time permits, causes a copy of each amendment to be made available for the use of every member.

165. **Withdrawal of resolution or amendment after having been moved.-** A member or a Minister who has moved a resolution, or an amendment to a resolution, shall not withdraw the resolution, or as the case may be, the amendment, except by leave of the Assembly.

166. **Repetition of resolution.-** (1) When a resolution has been moved, no resolution or amendment raising substantially the same question shall be moved within six months from the date of the moving of the earlier resolution.

(2) When a resolution has been withdrawn with the leave of the Assembly, no resolution raising substantially the same question shall be moved within six months from the date of the moving of the earlier resolution.

167. **Time-limit for speeches.-** Except with the permission of the Speaker, a speech on a resolution shall not exceed ten minutes:

Provided that the mover of a resolution, when moving the same and the Minister concerned may each speak for more than ten minutes.

168. **Scope of discussion.-** The discussion on a resolution shall be strictly limited to the subject matter of the resolution:

Provided that there shall be no discussion on a resolution, which has not been opposed.

169. **Copy to Division concerned.-** (1) On the conclusion of the discussion, the Speaker shall put the resolution or, as the case may be, the resolution as amended, to the vote of the House and if passed by the House, a copy thereof shall be forwarded to the Division concerned.

(2) The Division concerned shall apprise the Assembly the action taken on the resolution within a period of six months from the date of communication by the Assembly Secretariat.

CHAPTER XVI

RESOLUTIONS MENTIONED IN THE CONSTITUTION

170. **Resolution for disapproval of Ordinances.-** (1) As soon as may be after the commencement of a session, all Ordinances made and promulgated after the prorogation of the last session shall be laid on the Table.

(2) A member may move a resolution for disapproval of an Ordinance after giving three clear days notice of his intention to do so.

(3) Where more notices than one under sub-rule (2) are given in respect of the same Ordinance, the resolutions shall be taken up on the private members' day in the order in which their notices have been received.

(4) If a resolution disapproving an Ordinance is passed, all other resolutions relating to that Ordinance shall lapse.

(5) When a resolution is passed under sub-rule (4), the Secretary shall immediately cause it to be published in the Gazette and also forward a copy of the notification to the Ministry of ¹Law, Justice and Parliamentary Affairs.

²[170A. **Resolution for extension of Ordinances.-**(1) In pursuance of first proviso to sub-paragraph (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 further 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.]

¹ Inserted *vide* S.R.O. No. 326, dt. 28-04-2011.

² Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

171. ¹[*Omitted.*]

172. **Withdrawal of resolution after having been moved.-** A member who has moved a resolution shall not withdraw the resolution except by the leave of the Assembly.

173. **Amendment.-** No amendment shall be moved to any resolution under this Chapter.

174. **Certain provisions of Chapter XV to apply.-** The provisions of rules 162, 167, 168, and 169 shall apply to resolutions under this Chapter.

¹ Omitted *vide* S.R.O. No. 869, dt. 12th July, 2012.

CHAPTER XVII

RESOLUTIONS PASSED BY THE PROVINCIAL ASSEMBLIES

175. **Treatment of resolution.**- (1) Resolutions passed by ¹one or more Provincial Assemblies under Article 144, shall, on receipt, be laid on the Table and if the Assembly is not in session at that time, they shall be circulated to the members for information. A copy of each such resolution shall also be forwarded to the Ministry of ¹Law, Justice and Parliamentary Affairs and the Division concerned.
- (2) A Provincial Assembly, while forwarding a resolution to the National Assembly, shall clearly state whether the resolution has been passed by the Provincial Assembly under Article 144 or otherwise.
- (3) A resolution other than the one passed by a Provincial Assembly under Article 144 and drawing attention of the National Assembly to any matter may be brought to the notice of the members, on its receipt.
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¹ Substituted and inserted *vide* S.R.O. No. 326, dt. 28-04-2011.

CHAPTER XVIII

REPORTS TO BE LAID BEFORE THE ASSEMBLY

176. **Recommendations of National Finance Commission.-** The recommendations of the National Finance Commission, together with an explanatory memorandum as to the action taken thereon when received, shall be laid on the Table by a Minister.
- “176A. **The Implementation Report of the Award of the National Finance Commission.-** The Implementation Report of the Award of the National Finance Commission shall, when received, be laid on the Table by the Finance Minister.”
177. **Report of Auditor-General.-** (1) The annual report of the Auditor-General relating to the accounts of the Federation, when received from the President, shall be laid on the Table by a Minister.
- (2) The report of the Auditor-General so laid shall be referred to the Public Accounts Committee.
178. **Report on observance of principles of policy.-** The report on the observance and implementation of the Principles of Policy in relation to the affairs of the Federation shall, when received, be laid on the Table by a Minister.
179. **Report of Council of Islamic Ideology.-** The Council of Islamic Ideology from time to time may submit a report which shall be laid on the Table of the House by a Minister.
- “179A. **Report of the Council of Common Interests.-** An Annual Report of the Council of Common Interests shall, when received, be laid on the Table by a Minister.
- 179B. **Report of the National Economic Council.-** An Annual Report of the National Economic Council shall, when received, be laid on the Table by a Minister.”
180. **Discussion, etc., on report.-** (1) After a report referred to in rule 178 or 179, 179A or 179B is laid on the Table, the Speaker shall fix a day for its discussion.

¹ Ins. and Subs. vide S.R.O. No. 869, dt. 12th July, 2012.

(2) On the day fixed under sub-rule (1), the Minister concerned may move that the report be discussed by the Assembly and may make a brief statement explaining the salient features of the report.

(3) The Assembly may, by a resolution, express its opinion or make any observation or recommendation on the report.

181. **Reference to Standing Committee.-** Any report, other than those referred to in rules 176, 176A, 178 and 179, laid on the Table of the House, shall stand referred to the Standing Committee concerned.

CHAPTER XIX

PROCEDURE IN FINANCIAL MATTERS

182. **Budget.-** (1) The Budget shall be presented to the Assembly on such day and at such time as the Leader of the House may appoint.

(2) No demand for grant shall be made except on the recommendation of the Government.

183. **Demands for grants.-** (1) A separate demand shall be made in respect of the grant proposed for each Ministry or Division:

Provided that the Government may cause to be included in one demand, grants proposed for two or more Ministries or Divisions or a demand to be made in respect of expenditure, which cannot readily be classified under a particular Ministry or Division.

(2) Each demand shall contain a statement of the total grant proposed and a statement of the detailed estimate under each grant divided into items.

184. **Presentation of the Budget.-** The Budget shall be presented by the Minister for Finance or, in his absence, any other Minister authorized by the Leader of the House, hereafter in this Chapter referred to as the Minister-in-Charge:

Provided that on the day the Budget is presented, no other business, including questions, calling attention notices, question of privilege and adjournment motion, shall be transacted except introduction of Finance Bill.

185. **No discussion on the day of presentation.-** There shall be no discussion on the Budget on the day on which it is presented to the Assembly.

186. **Stages of discussion of the Budget.-** The Budget shall be dealt with by the Assembly in the following stages, namely:-

(a) General discussion on the budget as a whole;

(b) discussion on appropriations (in respect of charged expenditure);
and

- (c) discussion and voting on demands for grants (in respect of expenditure other than charged expenditure), including voting on motions for reduction, if any.

187. **Allotment of days.**- The Speaker shall, in consultation with the Minister-in-Charge allot days for the different stages of the Budget referred to in rule 186:

Provided that at least two days shall elapse between the day the Budget is presented and the first day allotted for the general discussion on the Budget:

Provided further that not less than four days shall be allotted for the general discussion on the Budget.

188. **General discussion on the Budget.**- (1) On the days allotted for general discussion on the Budget, the Assembly may discuss the Budget as a whole or any question of principle involved therein, but no motion shall be moved at this stage nor shall the Budget be submitted to the vote of the Assembly.

(2) The Minister-in-Charge shall have a general right of reply at the end of the discussion.

(3) The Speaker may, if he thinks fit, prescribe a time limit for speeches.

189. **Cut-motions.**- Any member may move a cut-motion to reduce the amount of demand in any of the following ways,-

(a) "that the amount of the demand be reduced to Re. 1" representing disapproval of the policy underlying the demand. Such a motion shall be known as "Disapproval of Policy Cut". A member giving notice of such a motion shall indicate in precise terms the particulars of the policy, which he proposes to discuss. The discussion shall be confined to the specific point or points mentioned in the notice and it shall be open to members to advocate an alternative policy;

(b) "that the amount of the demand be reduced by a specified amount" representing the economy that can be effected. Such specified amount may be either a lump-sum reduction in the

demand or omission or reduction of an item in the demand. The motion shall be known as "Economy Cut". The notice shall indicate briefly and precisely the particular matter on which discussion is to be raised and speeches shall be confined to the discussion as to how economy can be affected;

- (c) "that the amount of the demand be reduced by Rs.100" in order to ventilate a specific grievance which is within the sphere of the responsibility of the Government. Such a motion shall be known as "Token Cut" and discussion thereon shall be confined to the particular grievance specified in the motion.

190. **Conditions for admissibility of cut-motions.-** In order that a notice of motion for reduction of the amount of demand may be admissible, it shall satisfy the following conditions, namely:-

- (a) It shall relate to one demand only;
- (b) it shall not seek to increase a grant or alter the destination of a grant;
- (c) it shall not relate to expenditure charged on the Federal Consolidated Fund;
- (d) it shall be clearly expressed and shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements;
- (e) it shall be confined to one specific matter which shall be stated in precise terms;
- (f) it shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion;
- (g) it shall not make suggestions for the amendment or repeal of any existing law;
- (h) it shall not refer to a matter which is not primarily the concern of the Government;
- (i) it shall not relate to a matter which is under adjudication by a court of law having jurisdiction in any part of Pakistan;
- (j) it shall not raise a question of privilege;
- (k) it shall not revive discussion on a matter which has been discussed in the same session and on which a decision has been taken;
- (l) it shall not anticipate a matter which has been previously appointed for consideration in the same session; nor shall it relate to a trifling matter; and

- (m) it shall not relate to any matter which is pending before any court or other authority performing judicial or quasi-judicial functions:

Provided that the Speaker may, in his discretion, allow such matter being raised in the Assembly as is concerned with the procedure or subject or stage of enquiry if he is satisfied that it is not likely to prejudice the consideration of the matter by such court or authority.

191. **Speaker to decide admissibility of cut-motions.-** The Speaker shall decide whether a cut-motion is or is not admissible under these rules and may disallow any cut-motion if in his opinion, it is an abuse of the right of moving cut-motion or is calculated to obstruct or prejudicially affect the procedure of the Assembly or is in contravention of any of these rules.
192. **Notice of cut-motions.-** If notice of a cut-motion has not been given two clear days before the day on which the demand is taken up for consideration any member may object to the moving of the motion and the objection shall prevail unless the Speaker allows the motion to be made.
193. **Amendment to cut-motions.-** No amendment to a cut-motion shall be permissible.
194. **Voting on demands for grants.-** (1) Each demand for grant referred to in clause (iii) of rule 186 shall be discussed separately.
- (2) Before a question is put in respect of a demand for grant, all cut-motions in respect of that demand shall be discussed and voted upon.
- (3) When several cut-motions relating to the same demands are tabled they shall be discussed in the order in which the heads to which they relate appear in the Budget.
- (4) On the last of the days allotted under rule 187 for the stage referred to in clause (c) of rule 186 at the time when the meeting is to terminate, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants.

195. **Schedule of authorized expenditure.-** The schedule of authorized expenditure, when authenticated under clause (1) of Article 83 or Article 84, shall be laid on the Table but shall not be open to discussion or vote thereon.
196. **Vote on account.-** (1) A motion for vote on account shall state the total sum required to be voted and the various amounts needed for each Division, Department or item of expenditure which compose that sum shall be stated in a schedule appended to the motion.
- (2) Amendment may be moved for the reduction of the whole demand for grant or for the reduction or omission of the items of which the demand is composed.
- (3) Discussion of a general character may be allowed on the motion or any amendments moved thereto but the details of the grant shall not be discussed further than is necessary to develop the general points.
- (4) In other respect, a motion for vote on account shall be dealt with in the same way as if it were demand for grant.
- (5) The schedule referred to in sub-rule (1) shall also separately specify the several sums required to meet the expenditure charged on the Federal Consolidated Fund.
197. **Procedure for dealing with supplementary and excess demands.-** The procedure for dealing with supplementary estimates of expenditure and excess demands shall, as far as possible, be the same as prescribed for the Budget except that, if, on a demand for a supplementary grant, funds to meet the proposed expenditure on a new purpose are available by re-appropriation, a demand for the grant of a token sum may be submitted to the vote of the Assembly and if the Assembly assents to the demand, funds may be made available.
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CHAPTER XX

COMMITTEES

PART-I

STANDING COMMITTEES AND GENERAL PROVISIONS REGARDING STANDING COMMITTEES

198. **Committees of the Assembly.-** (1) In addition to the Standing Committees on Public Accounts, Rules of procedure and privileges, House and Library, Government Assurances and Business Advisory, there shall be a Standing Committee of the Assembly for each Ministry of the Government.

Explanation.- For the purposes of this Chapter, the Cabinet Secretariat and the Prime Minister's Secretariat shall be deemed to be a Ministry.

- (2) Each Committee shall deal with the subjects assigned, under the rules for the allocation and transaction of business of the Government to the Division or the Ministry with which it is concerned or any other matter referred to it by the Assembly:

Provided that any subject not so assigned or the subjects assigned to any Ministry for which a Standing Committee has not been constituted shall be dealt with by the Standing Committee dealing with ¹[Law, Justice and Parliamentary Affairs.]

- (3) Whenever there is any change in the composition of Ministries or their nomenclature, the Speaker shall, in consultation with Minister for ¹[Law, Justice and Parliamentary Affairs] and the Minister concerned, issue suitable directions in regard to the re-allocation of the existing Standing Committees or, as the case may be, the modification in their nomenclature and election of the new Standing Committees.

199. **Reference to Standing Committee.-** Except as otherwise provided in these rules, the Assembly or the Speaker may remit to the Standing Committee any subject or matter with which it is concerned and the Standing Committee shall study such subject or matter with a view to suggest legislation or making recommendations to the Assembly.

¹ Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

200. **Composition.-** (1) Except as otherwise provided in these rules, each Committee shall consist of not more than ¹twenty members to be elected by the Assembly within thirty days after the ascertainment of the Leader of the House:

(2) The Minister concerned shall be an *ex-officio* member of the Committee:

Provided that the Minister shall not be entitled to vote as an *ex-officio* member unless he is a member of the Assembly:

Provided further that, in the case of Ministry which is in the charge of the Prime Minister or for which no Minister has been appointed, the concerned Minister of State, if any, shall be its *ex-officio* member and, where there is no Minister of State also, the Minister or Minister of State to whom the subject or matter referred to the Committee is assigned shall act as its *ex-officio* member and in the absence of such assignment the Minister for ²[Law, Justice and Parliamentary Affairs] shall act as *ex-officio* member of the Committee.

(3) The member-in-charge other than a Minister, or a member on whose motion any subject or matter was referred to the Standing Committee may attend the meetings of the Committee but shall not vote unless he is a member of the Committee.

(4) The Secretary of the Ministry or Division concerned or an officer not less than the rank of a Joint Secretary, designated in this behalf and the Secretary, ²[Law, Justice and Parliamentary Affairs] Ministry, or his nominee not lower in rank of a Joint Secretary may attend the meeting of the Committee.

201. **Functions.-** (1) A Committee shall examine a Bill, subject or matter referred to it by the Assembly or the Speaker and shall submit its report to the Assembly or to the Speaker, as the case may be, with such recommendations including suggestions for legislation, if any, as it may deem necessary. In the case of a Bill, the Committee shall also examine whether the Bill violates, disregards or is otherwise not in accordance with the Constitution.

¹ Substituted *vide* S.R.O. No. 326, dt. 28-04-2011.

² Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

(2) The Committee may propose amendments which shall be shown in its report along with original provisions of the Bill:

Provided that the Committee shall have no power of preventing the Bill from being considered by the Assembly.

(3) If a Committee does not present its report within the prescribed period, or the time allowed, the Assembly may consider the Bill, subject or matter referred to it, without waiting for the report upon a motion by any member or by the Minister concerned and such Bill, subject or matter shall be treated as withdrawn from the Committee.

(4) A Committee may examine the expenditures, administration, delegated legislation, public petitions and policies of the Ministry concerned and its associated public bodies and may forward its report of findings and recommendations to the Ministry and the Ministry shall submit its reply to the Committee.

(5) Public petitions may be presented on a Bill which has been introduced, or any matter connected with the business pending before the House, or any matter of general public interest which is primarily the concern of the Government, provided that it is not one which falls within the cognizance of a court, nor shall it relate to a matter pending before any court or other authority performing judicial or quasi-judicial functions.

(6) Each Standing Committee shall scrutinize and suggest amendments, if necessary, and recommend Ministry's Public Sector Development Program (PSDP) for the next financial year before the same is sent to the Ministry of Finance for inclusion in the Federal Budget for the next financial year. Each Ministry shall submit its budgetary proposals relating to the Public Sector Development Program (PSDP) for the next financial year to the relevant Standing Committee not later than the 31st January of preceding financial year and Standing Committee shall make recommendations thereon not later than the 1st March of preceding financial year:

Provided that where such recommendations are not made by the 1st March, the same shall be deemed to have been endorsed by the Standing Committee.

PUBLIC ACCOUNTS COMMITTEE

202. **Composition.-** The Standing Committee on Public Accounts shall consist of not more than ¹twenty three members to be elected by the Assembly and the Minister for Finance shall be its *ex-officio* member.

¹ Substituted *vide* S.R.O. No. 326, dt. 28-04-2011.

² Inserted *vide* S.R.O. No. 72(1)/2013, dt. 06-02-2013.

203. **Functions.-** (1) The Committee shall examine the accounts showing the appropriation of sums granted by the Assembly for the expenditure of the Government, the annual finance accounts of the Government, the report of the Auditor-General of Pakistan and such other matters as the Minister for Finance may refer to it.

(2) In scrutinizing the appropriation accounts of the Government and the reports of the Auditor-General of Pakistan thereon it shall be the duty of the Committee to satisfy itself-

- (a) that the moneys shown in the accounts as having been disbursed were legally available for, and applicable to the service or purpose to which they have been applied or charged;
- (b) that the expenditure conforms to the authority which governs it; and
- (c) that every re-appropriation has been made in accordance with the provisions made in this behalf under rules framed by the Ministry of Finance.

(3) It shall also be the duty of the Committee-

- (a) to examine the statement of accounts showing the income and expenditure of state corporations, trading and manufacturing schemes, concerns and projects together with the balance sheets and statements of profit and loss accounts which the President may have required to be prepared or are prepared under the provisions of the statutory rules regulating the financing of a particular corporation trading or manufacturing scheme or concern or project and the report of the Auditor-General of Pakistan thereon;
- (b) to examine the statement of accounts showing the income and expenditure of autonomous and semi-autonomous bodies, the audit of which may be conducted by the Auditor-General of Pakistan either under the directions of the President or under an Act of Majlis-e-Shoora (Parliament); and
- (c) to consider the report of the Auditor-General of Pakistan in cases where the President may have required him to conduct the audit of any receipt or to examine the accounts of stores and stocks.

(4) If any money has been spent on any service during a financial year in excess of the amount granted by the Assembly for that purpose, the Committee shall examine with reference to the facts of each case

the circumstances leading to such an excess and make such recommendation as it may deem fit.

(5) The report of the Committee shall be presented within a period of one year from the date on which reference was made to it by the Assembly unless the Assembly, on a motion being made, directs that the time for the presentation of the report be extended to a date specified in the motion:

Provided that extension in the time for the presentation of the report shall be asked for before the expiry of the time allowed under the rule.

204. **Unfinished work of the Committee.-** Any report, memorandum or note that the Committee may have prepared, or any evidence that the Committee may have taken before the dissolution of the Assembly, shall be made available to the new Committee.
205. **Continuity of the proceedings.-** Notwithstanding anything contained in these rules, the Public Accounts Committee may proceed from the stage where the previous Committee left the proceedings before the dissolution of the Assembly.

COMMITTEE ON RULES OF PROCEDURE AND PRIVILEGES

206. **Composition.-** A Committee on Rules of Procedure and Privileges consisting of not more than twenty two members shall be elected by the Assembly, and the Minister for ¹[Law, Justice and Parliamentary Affairs] shall be its *ex-officio* member.
207. **Functions.-** The Committee-
- (a) shall consider matters of procedure and conduct of business in the Assembly and recommend, such amendments to these rules as may be deemed necessary;
 - (b) shall examine every question of privilege referred to it by the Assembly or the Speaker and determine with reference to the facts of each case whether a breach of privilege is involved and, if so, the nature of the breach and the circumstances leading to it; and make such recommendations as it may deem fit; and
 - (c) may suggest the procedure to be followed by the Assembly to give effect to its recommendations.

¹ Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

HOUSE AND LIBRARY COMMITTEE

208. **Composition.-** (1) There shall be a House and Library Committee consisting of not more than thirteen members who shall be elected by the Assembly.

(2) The Deputy Speaker shall be *ex-officio* Chairman and the Minister for Housing and Works shall be *ex-officio* member of the Committee.

209. **Functions.-** The functions of the Committee shall be-

- (a) to deal with matters relating to the issue of admission cards for galleries, other than the President's Box and the Speaker's Box, and such questions relating to the residential accommodation for members as may be referred to it by the Speaker from time to time;
- (b) to exercise supervision over facilities pertaining to accommodation, catering and other amenities provided to the members during the session in the Parliament Lodges and the Government hostel;
- (c) to develop the Library, its Reading Room, Automation and Research Centre with a view to help members of Majlis-e-Shoora (Parliament) in the discharge of their duties;
- (d) to invite suggestions and advise on the selection of books, periodicals and newspapers;
- (e) to advise on reciprocal arrangements for exchange of debates and other publications of the Assembly with friendly countries;
- (f) to consider suggestions for improvement of the Library and help in its future expansion;
- (g) to assist and encourage the members of Majlis-e-Shoora (Parliament) in fully utilizing the services provided by the Library;
- (h) to deal with the matters relating to the residential accommodation for the staff of the Assembly Secretariat; and
- (i) to consider matters incidental and ancillary to the above functions.

COMMITTEE ON GOVERNMENT ASSURANCES

210. **Composition.-** The Committee on Government Assurances shall consist of not more than sixteen members to be elected by the Assembly, and Minister for ¹[Law, Justice and Parliamentary Affairs] shall be its *ex-officio* member.
211. **Functions.-** The function of the Committee would be to take note of and scrutinize the assurances, promises, commitments, and undertakings of the Government given by the Ministers from time to time on the floor of the Assembly and to regularly report-
- (a) the extent to which such assurances and promises have been implemented; and
 - (b) where implemented, whether the implementation has taken place in time.

BUSINESS ADVISORY COMMITTEE

212. **Composition.-** At the commencement of the House or from time to time, as the case may be, the Speaker may, in consultation with Leader of the House and Leader of Opposition, nominate a Committee called the Business Advisory Committee consisting of not less than nineteen members including the Speaker who shall be Chairman of the Committee.
213. **Functions.-** (1) It shall be the function of the Committee to recommend the time that should be allocated for the discussion of the stage or stages of such Government Bills and other business as the Speaker, in consultation with the Leader of the House, may direct for being referred to the Committee.
- (2) The Committee shall have the power to indicate, in the proposed timetable, the different hours at which the various stages of the Bill or other business shall be completed.
 - (3) The Committee shall have such other functions as may be assigned to it by the Speaker from time to time.

¹ Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

GENERAL PROVISIONS REGARDING STANDING COMMITTEES

214. **Membership of Committees.-** A member may be a member of more than one Standing Committee at the same time.
215. **Appointment of Standing Committees by the Speaker.-** For the period till elections to the Standing Committees are held, the Speaker may appoint the Standing Committees and may nominate their Chairmen.
216. **Chairman of a Committee.-** (1) The Chairman of each Committee shall be elected by the Committee from amongst its members within thirty days after the election of the Committee and the Secretary shall cause the notification to be published in the Gazette:
- Provided that a Minister shall not be elected as its Chairman:
- Provided further that if the Chairman is appointed as Minister or, Parliamentary Secretary, he shall cease to be the Chairman.
- (2) If the Chairman is not present at any sitting, the Committee shall choose one of its members present to act as Chairman for that sitting.
217. **Quorum of a meeting.-** The quorum to constitute a sitting of a Committee shall be one fourth of the total membership of the Committee.
218. **Resignation of members from a Committee.-** A member may resign his membership of a Committee by writing under his hand addressed to the Speaker.
219. **Casual vacancies.-** (1) Casual vacancies in a Committee shall be filled, as soon as possible after such vacancies occur, by election.
- (2) Subject to the requirement of a quorum, a Committee shall have power to act notwithstanding any vacancy in its membership.
220. **Adjournment, etc., of Committee.-** (1) If, at the time fixed for any sitting of a Committee or at any time during any such sitting, the number of members present is less than the quorum, the Chairman of

the Committee shall either suspend the sitting for a time not exceeding one hour or adjourn the sitting.

(2) After the suspension of sitting for an hour if the quorum is not complete, the meeting shall be adjourned.

221. **Discharge of members absent from sittings of Committee.-** If a member is absent from three or more consecutive sittings of a Committee without the permission of its Chairman, motion may be moved by any member in the Assembly for the discharge of such member from the Committee.
222. **Voting in Committee.-** All questions at a sitting of a Committee shall be determined by a majority of the members present and voting.
223. **Casting vote of Chairman.-** The Chairman of a Committee or the Chairperson in his absence, shall, in the event of the equality of votes, have a casting vote.
224. **Power to appoint Sub-Committees.-** (1) A Committee may appoint one or more Sub-Committees, each having the powers of the whole Committee, to examine any matter that may be referred to them.
- (2) The order of reference to a Sub-Committee shall clearly state the point or points for investigation. The report of the Sub-Committee shall be considered by the whole Committee and when approved by the whole Committee, be deemed to be the report of that Committee.
225. **Sittings of Committees.-** (1) A Committee shall sit on such day and at such hour as the Chairman may, in consultation with the Secretary fix:
- Provided that the Secretary in consultation with the Speaker shall fix the meeting of a Committee for election of its Chairman.
- (2) The sittings of a Committee shall ordinarily be held within the precincts of the Assembly.
- (3) If a Committee is sitting while the Assembly is also sitting, the Chairman of the Committee shall, if a division is being called in the Assembly, suspend the proceedings of the Committee for such time as will, in his opinion, enable the members to vote in the division.

(4) Subject to sub-rule (1), on a requisition made by not less than four members of a Committee, the Chairman of the Committee shall call a meeting of the Committee within fourteen days from the date of the requisition.

(5) If a notice of requisition for the meeting of a Committee is received when the Chairman is unable to convene the meeting of the Committee, it shall be submitted to the Speaker who may order to call the meeting of the Committee.

226. **Meetings in camera.**- The sittings of a Committee may be held in camera if so determined by the Committee.

227. **Powers to take evidence or call for papers, records or documents.**- (1) A ¹[Committee] shall have power to require the attendance of persons or the production of papers or records if such course is considered necessary for the discharge of its duties:

Provided that if any question arises whether the evidence of a person or the production of a document is relevant for the purposes of the Committee, the question shall be referred to the Speaker whose decision shall be final:

Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the defence, security or external relations of Pakistan, and, if the question arises whether the disclosure of a document would be prejudicial as aforesaid, the question shall be referred to the Speaker who shall, after perusing the document, decide whether or not the document should be produced before the Committee.

(2) Subject to the provisions of this rule, a witness may be summoned by an order signed by the Secretary and shall appear before the Committee and produce such documents as are required for the use of the Committee.

(3) A ¹[Committee] may invite or summon or allow to appear before the Committee any member or any other person having a special interest in relation to any matter under its consideration and may hear expert evidence and hold public hearing.

¹ Substituted *vide* S.R.O. No. 43(1)/2010, dated 23-1-2010.

(4) Subject to clause (3) of Article 66, a Committee shall have powers vested in civil court under the Code of Civil Procedure, 1908 (Act V of 1908) for enforcing the attendance of any person and compelling the production of documents.

228. **Evidence on oath.-** (1) A Committee may administer oath or affirmation to a witness examined before it.

(2) The form of the oath or affirmation shall be as follows:

'I A.B., swear in the name of ALLAH/solemnly affirm, that the evidence which I shall give in this case shall be true, that I will conceal nothing, and that no part of my evidence shall be false'.

229. **Examination of witnesses.-** The examination of witness before a Committee shall be conducted as follows:-

- (a) The Committee shall, before a witness is called for examination, decide the mode of procedure and the nature of questions that may be asked of the witness.
- (b) the Chairman of the Committee may first ask the witness such question or questions as he may consider necessary with reference to the subject matter under consideration or any subject connected therewith according to the mode of procedure mentioned in clause (a) of this rule.
- (c) the Chairman may call other members of the Committee one by one to ask any other questions.
- (d) a witness may be asked to place before the Committee any other relevant points that have not been covered and which a witness thinks are essential to be placed before the Committee.
- (e) a verbatim record of proceedings of the Committee shall, when a witness is summoned to give evidence, be kept.
- (f) the evidence given before the Committee may be made available to all members of the Committee.

230. **Evidence or information to be kept confidential or secret.-** Any evidence produced or information tendered before a Committee shall be treated as confidential or secret, unless the Committee, in the public interest decides otherwise.

231. **Request for views of Ministries or Divisions on Private Members' Bills.**- In case of Private Member's Bill, the Secretary shall transmit a copy thereof to the Ministry or Division concerned with a request to furnish its views on the Bill for consideration by the Committee.
232. **Record of proceedings of Committees.**- A summary of the record of the proceedings of each Committee shall be maintained by the Secretary.
233. **Restriction on publications etc. of proceedings.**- (1) A Committee may direct that the whole or any part of its proceedings or a summary thereof may be laid on the Table.
- (2) The report of a Committee required to be presented before the Assembly and which has not been presented to the Assembly or the proceedings of a Committee or any part or summary thereof which has not been laid on the Table shall be treated as confidential and shall not be open to inspection except with the permission of the Committee:
- (3) The Speaker may direct that any part of the proceedings may be communicated to the members of the Assembly confidentially before it is laid on the Table.
- (4) A Committee may, with the permission of the Speaker, make available to Government its report or a part thereof before presentation to the Assembly and such report or part shall be treated as confidential by Government until presented to the Assembly.
234. **Special reports.**- A Committee may, if it thinks fit, make a special report on any matter that arises or comes to light in the course of its work which it may consider necessary to bring to the notice of the Speaker or the Assembly.
- 234-A **Submission of Periodical Report.**- Each Committee shall submit report of its performance to the National Assembly after every six months.
235. **Reports of Committees.**- (1) Where the Assembly has not fixed any time for the presentation of a report, the report of a Committee shall be presented within thirty days from the date on which reference was made to it by the Assembly, unless the Assembly, on a motion being made, directs that the time for presentation of the report be extended to a date specified in the motion:

¹ Inserted *vide* S.R.O. No. 72(1)/2013, dt. 06-02-2013.

Provided that in reckoning the period, the days when the Assembly is not in Session shall be excluded.

- (2) Reports may be either preliminary or final.
- (3) The report shall,-
 - (a) incorporate the views, if any, of the Minister concerned with the matter;
 - (b) set forth the recommendations of the Committee together with the minutes of dissent, if any; and
 - (c) be signed by the Chairman on behalf of the Committee or, if the Chairman is absent or not readily available, by another member chosen by the Committee.
- (4) The Secretary shall cause a copy of every report of a Committee together with minutes of dissent, if any, to be made available for the use of every member of the Assembly. The report shall, if it relates to a Bill, be published in the Gazette together with the views of the minority, if any.

236. **Presentation of report.**- (1) The report of a Committee required to be presented to the Assembly shall be presented by the Chairman or, in his absence, by another member of the Committee authorized by the Chairman in this behalf.

(2) In presenting the report, the Chairman or in his absence the member presenting the report shall, if he makes any remarks, confine himself to a brief statement of facts, but there shall be no debate on that statement at this stage.

237. **Discussion on reports.**- (1) Save as otherwise provided by these rules, after a report has been presented to the Assembly, the Chairman or any member of the Committee or any other member may move that the report be taken into consideration whereupon the Speaker may put the question to the House.

(2) Before putting the question to the House, the Speaker may permit a debate on the motion, not exceeding half an hour in duration, and such debate shall not refer to the details of the report further than is necessary to make out a case for the consideration of the report by the House.

(3) After the motion made under sub-rule (1) is carried the Speaker may allot one or more days for discussion on the report.

238. **Printing, publication or circulation of report before its presentation to the Assembly.**- The Speaker may, on a request being made to him when the Assembly is not in session, order the printing, publication or circulation of a report of a Committee, although it has not been presented to the Assembly. In that case the report shall be presented to the Assembly during its next session at the first convenient opportunity.
239. **Agenda and notices of meetings of Committees.**- (1) The time table of business of a Committee and the agenda for each meeting of the Committee shall be determined by the Chairman in consultation with the Minister concerned.
- (2) Notices of all meetings of a Committee shall be sent to the members of the Committee and to the Attorney General for Pakistan and the official concerned.
240. **Supplementary rules.**- A Committee may, with the approval of the Speaker, make supplementary rules of its procedure not inconsistent with these rules.
241. **Application of general rules of the Assembly.**- Subject to the rules in this Chapter and the supplementary rules of the Committee, if any, the general rules of the Assembly shall apply to the proceedings in each Committee.
242. **Removal of doubt and interpretation of rules.**- If any doubt arises on any point of procedure or interpretation of these rules in this Chapter, the Chairman may refer the point to the Speaker whose decision shall be final thereon.
243. **Business before Committees not to lapse on prorogation.**- Any business pending before a Committee shall not lapse by reason only of the prorogation of the Assembly and the Committee shall continue to function notwithstanding such prorogation.

PART-II

OTHER COMMITTEES

244. **(A) Select Committee on Bills.-** (1) The Minister-in-Charge of the Ministry to which a Bill relates, the Chairman of the Standing Committee concerned with the Bill, the member-in-charge and the Minister for ¹[Law, Justice and Parliamentary Affairs] shall be included in every Select Committee and it shall not be necessary to include their names in any motion for election of such a Committee.

(2) The other members of the Committee shall be elected by the Assembly when a motion that the Bill be referred to the Select Committee is adopted.

(3) At the time of election of the members of a Select Committee the number of members whose presence shall be necessary to constitute a sitting of the Committee shall be fixed by the Assembly.

(4) A Minister may be elected as the Chairman of a Select Committee.

(5) If the Chairman is not present at any sitting, the Committee shall choose one of its members to act as Chairman for that sitting.

(B) Special Committees.- The Assembly may, by motion appoint a Special Committee which, shall have such composition and functions as may be specified in the motion.

¹**[(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.

¹ Inserted *vide* S.R.O. No. 1153, dt. 27-12-2010.

(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, declared as such by that Party].

¹(5) The Committee may make rules for regulating its procedure.

245. **Provisions relating to Standing Committees to apply to other Committees.-** In the absence of special provisions relating to a Select Committee or a Special Committee, the provisions relating to the Standing Committees shall apply *mutatis mutandis* to a Select Committee or a Special Committee:

Provided that a Minister may be elected as the Chairman of a Special Committee.

¹ Added *vide* S.R.O. No. 326, dt. 28-04-2011.

CHAPTER XXI

GENERAL RULES OF PROCEDURE

246. **Applicability of general rules.**- Except for matters for which special provisions are made in these rules the general rules contained in this Chapter shall apply to all matters; and if, and so far as, any provision in the special rules relating to a matter is inconsistent with the general rules, the former shall prevail.
247. **Notice by members.**- (1) Every notice required by these rules shall be given in writing addressed to the Secretary and signed by the member giving notice and shall be left at the Notice Office which shall be kept open for this purpose on every working day, between such hours as may be notified from time to time.
- (2) A notice delivered when the Notice Office is closed shall be treated as given on the next working day.
- (3) If a member, subsequent to his giving notice in respect of any matter under these rules, is appointed Minister or ceases to be a member, such notice shall be treated as having lapsed.
248. **Circulation of notice to members.**- (1) The Secretary shall make every effort to circulate to each member and every other person entitled to take part in proceedings of the Assembly, a copy of every notice or other paper which is required by these rules to be made available for their use.
- (2) A notice or other paper shall be deemed to have been made available for the use of every member if a copy thereof is deposited in such manner and in such place as the Speaker may from time to time direct.
249. **Council of Chairmen.**- There shall be a Council of Chairmen consisting of the Chairmen of the Standing Committees headed by the Speaker to consider and coordinate in the matters relating to the Standing Committees.

250. **Lapse of pending notices on prorogation of session.-** On the prorogation of the Assembly, all pending notices shall lapse:

Provided that notices of intention to move for leave to introduce a Bill, a notice of amendment in a Bill and a question of privilege shall not lapse:

Provided further that this rule shall not apply if there is an intervening period of three days or less between the last sitting of the Assembly in one session and the date appointed for the first sitting of the next session.

251. **Motion, resolution or amendment moved not to lapse.-** A motion, resolution or an amendment, which has been moved and is pending in the Assembly shall not lapse by reason only of the prorogation of the Assembly.

252. **Speaker to amend notice of questions, motions, etc.-** If in the opinion of the Speaker any notice contains words, phrases or expressions, which are argumentative, unparliamentary, ironical, irrelevant, verbose or otherwise inappropriate, he may, in his discretion, amend such notice before it is circulated.

253. **Effect of dissolution of the Assembly.-** (1) On the dissolution of the Assembly, all pending business shall lapse.

(2) A Bill pending in the Assembly, or a Bill which having been passed by the Assembly is pending in the Senate, shall lapse on the dissolution of the Assembly.

254. **Repetition of motion.-** (1) Except as otherwise provided by these rules, it shall not revive discussion on a matter or a motion, including the discussion on the admissibility of adjournment motion which has been discussed in the Assembly during the last four months.

(2) This rule shall not be deemed to prevent the making of any of the following motions, namely:-

(a) A motion for taking into consideration, or reference to a Standing Committee, of a Bill where an amendment to the effect that the Bill be circulated for the purpose of

eliciting opinion thereon has been carried to a previous motion for taking the Bill into consideration;

- (b) a motion for the amendment of a Bill which has been recommitted to a Committee or re-circulated for the purpose of eliciting opinion thereon; or
- (c) a motion for the amendment of a Bill which is consequential or is designed merely to alter the drafting of another amendment which has been carried.

255. **Anticipation of a matter before the Assembly.**- A motion or amendment shall not anticipate a matter already appointed for consideration of the Assembly; and in determining whether a motion or amendment is out of order on the ground of anticipation, the Speaker shall have regard to the probability of the matter anticipated being brought before the Assembly within a reasonable time.

256. **Withdrawal of a motion.**- (1) A member who has made a motion may withdraw the same by leave of the Assembly.

(2) Subject to sub-rule (3), the leave shall be signified not upon question but by the Speaker taking the pleasure of the Assembly. The Speaker shall ask: "It is your pleasure that the motion be withdrawn?" If no one dissents, the Speaker shall say: "the motion by leave stands withdrawn." But if any dissentient voice is heard or a member rises to continue the debate, the Speaker shall forthwith put the motion.

(3) If an amendment has been proposed to a motion, the original motion shall not be withdrawn until the amendment has been disposed of.

257. **Adjournment of debate on motion.**- At any time after a motion has been made, a member may move that the debate on the motion be adjourned.

258. **Dilatory motion in abuse of these rules.**- (1) If the Speaker is of the opinion that a motion for the adjournment of a debate is an abuse of these rules, he may either forthwith put the question thereon or decline to propose the question.

(2) If the Speaker is of the opinion that a motion for recirculation of a Bill to elicit further opinion thereon is in the nature of a dilatory

motion in abuse of these rules in-as-much as the original circulation was adequate or comprehensive or that no new or unforeseen circumstance has arisen since the previous circulation to warrant the re-circulation of the Bill, he may forthwith put the question thereon or decline to propose the question.

(3) If the Speaker is of the opinion that a motion for re-committal of a Bill to a Select Committee or circulation or re-circulation of the Bill after the Select Committee has reported thereon is in the nature of dilatory motion in abuse of these rules in-as-much as original circulation was adequate or comprehensive or that no new or unforeseen circumstance has arisen since the Bill emerged from such Committee, to warrant re-committal he may forthwith put the question thereon or decline to propose the question.

259. **Motion that policy, situation, statement or any other matter be taken into consideration.-** (1) Any Minister or member may give notice of a motion that any policy, situation, statement or any other matter may be taken into consideration.

(2) The Assembly shall proceed to discuss the motion after the mover has concluded his speech and no question shall be put at the conclusion of the debate unless any Minister or a member, with the consent of the Speaker, moves a substantive motion in appropriate terms in which case a question shall be put:

Provided that substantive motion shall be moved immediately after the Speaker has put the original motion to the House.

(3) Except as otherwise provided in this rule, the provisions of rules 158 to 169 shall apply *mutatis mutandis* to a motion for consideration moved under sub-rule (1), hereinafter in this rule referred to as the original motion, and to a substantive motion moved in substitution of the original motion hereinafter in this rule referred to as the substitute motion, as if such original motion were a resolution and the substitute motion were an amendment to the resolution.

(4) If one or more substitute motions have been moved, the Speaker may, in his discretion, put them to the vote of the Assembly

so, however, that the motions expressing disapproval of the matter referred to in the original motion are voted upon before the motions expressing approval thereof.

(5) When a substitute motion is carried, all such other motions not put to the Assembly shall lapse.

260. **Conditions of admissibility of amendments.-** (1) An amendment shall be within the scope of, and relevant to, the subject matter of the motion to which it is proposed.

(2) An amendment shall not raise a question, which by these rules can only be raised by the substantive motion after notice.

(3) An amendment shall not be moved which has merely the effect of a negative vote.

(4) An amendment may be moved to an amendment which has been moved in the Assembly.

(5) In respect of any motion under consideration in the Assembly, the Speaker shall have the power to select one of several identical or substantially identical amendments to be proposed.

261. **Correction of patent errors.-** Where a Bill or a resolution is passed by the House, the Speaker shall have power to correct patent errors and make such other changes in the Bill or a resolution as are incidental or consequential upon the amendments accepted by the House.

262. **Notice of amendments.-** Notice of an amendment to a motion shall be given one day before the day on which the motion is to be considered, unless the Speaker allows the amendment to be moved without such notice.

263. **Selection of amendments.-** The Speaker shall have power to select the amendments to be proposed in respect of any motion, and may, if he thinks fit, call upon any member who has given notice of an amendment to give such explanation of the object of the amendment as may enable the Speaker to form a judgment upon it.

264. **Putting of amendments.-** The Speaker may put amendments in such order as he may think fit:

Provided that the Speaker may refuse to put an amendment, which in his opinion is frivolous.

265. **Mode of address.-** A member desiring to speak on any matter before the Assembly or to raise a point of order or question of privilege shall speak only when called upon by the Speaker to do so, shall speak from his place, shall rise when he speaks and shall address the Speaker:

Provided that member disabled by sickness or infirmity may be permitted to speak sitting:

Provided further that the speech of a member who speaks without the permission of the Speaker shall not be recorded and it shall not form part of the proceedings of the Assembly.

266. **Limitation on debate.-** (1) Whenever the debate on any motion in connection with a Bill or any other motion, becomes unduly protracted, the Speaker may, after taking the sense of the Assembly, fix a time limit for the conclusion of discussion on any stage or all stages of the Bill or, as the case may be, the motion.

(2) At the appointed hour, in accordance with the time limit fixed for the completion of a particular stage of a Bill or a motion, the Speaker shall, unless the debate is sooner concluded, forthwith put every question necessary to dispose of all the outstanding matters in connection with that stage of Bill or the motion.

267. **Questions to be asked through the Speaker.-** When, for the purpose of explanation during discussion or for any other sufficient reason, any member has occasion to ask a question of another member on any matter then under the consideration of the Assembly, he shall ask the question through the Speaker.

268. **Irrelevance or repetition.-** The Speaker, after having called the attention of the Assembly to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by the other members in debate, may direct him to discontinue his speech.

269. **Personal explanation.**- A member may, with the permission of the Speaker, make a personal explanation although there is no question before the Assembly but no debate shall be allowed on it.
270. **Order of speeches and right of reply.**- (1) After the member who has made a motion has spoken, other members may speak on the motion in the order in which the Speaker may call upon them. If any member who is so called upon does not speak, he shall not be entitled to speak on the motion at any later stage of the debate.
- (2) Except in the exercise of a right of reply or as otherwise provided by these rules, a member shall not speak more than once on any motion, except with the permission of the Speaker, for the purpose of making a personal explanation but in that case no debatable matter may be brought forward.
- (3) A member who has made a motion may speak by way of reply, and if a private member has made the motion, the Minister concerned may speak during and after the mover has replied.
- (4) Nothing in sub-rule (3) shall be deemed to give any right of reply, to the mover of a cut-motion or to the mover of an amendment to a Bill, resolution or motion, except with the permission of the Speaker.
271. **Mover's reply to conclude debate.**- Subject to sub-rule (3) of rule 270, the reply of the mover of the original motion shall in all cases conclude the debate.
272. **Procedure when the Speaker addresses.**- (1) Whenever the Speaker addresses the Assembly, he shall be heard in silence and any member who is then speaking or offering to speak shall immediately resume his seat.
- (2) No member shall leave his seat while the Speaker is addressing the Assembly.
273. **Closure.**- (1) At any time after a motion has been made, any member may move "That the question be now put" and, unless it appears to the Speaker that the motion is an abuse of these rules or an infringement of the right of reasonable debate, the Speaker shall put the motion "That the question be now put".

(2) Where a motion made under sub-rule (1) is carried, the question shall be put without amendment or debate, unless the Speaker allows a member such right of reply as he may have under these rules.

274. **Decision of the Assembly.-** (1) A matter requiring the decision of the Assembly shall be decided by means of question put by the Speaker on a motion made by a member.

(2) A decision of the Assembly may be withdrawn by a subsequent decision of the Assembly on a motion moved by a Minister or a member.

275. **Proposal and putting of question.-** When a motion has been made, the Speaker shall propose the question for consideration, and put it for the decision of the Assembly. If a motion embodies two or more separate propositions, the Speaker may propose those propositions as separate questions.

276. **Voting.-** (1) Except as otherwise provided, the votes of members on any question put by the Speaker may be taken by voice in the first instance. On the conclusion of a debate, the Speaker shall put the question and invite those who are in favour of the motion to say "Aye" and those against the motion to say "No".

(2) The Speaker shall then say: " I think the Ayes or, as the case may be, the Noes have it" and the question before the Assembly shall be determined accordingly.

(3) If the opinion of the Speaker as to the decision of a question is challenged, he shall order that the Lobbies be cleared.

(4) After the lapse of two minutes, he shall put the question a second time and declare whether in his opinion the "Ayes" or the "Noes" have it.

(5) If the opinion so declared is again challenged, he shall direct that the votes be recorded either by division in the manner set out in the Fifth Schedule or by operating the automatic vote recorder:

Provided that, if in the opinion of the Speaker, the division is unnecessarily claimed, he may ask the members who are for "Aye" and

those for "No" respectively to rise in their places and, on a count being taken, he may declare the determination of the Assembly. In such a case the names of the voters shall not be recorded.

(6) The result of a voting by a division shall be announced by the Speaker and shall not be challenged.

(7) A member may not vote on any question in which he has a pecuniary interest. If he votes on such a question, the vote shall, on a substantive motion carried by the Assembly, be disallowed.

Explanation.-The pecuniary interest contemplated in this sub-rule shall be direct and personal and not remote or general.

277. **Division by automatic vote recorder.**- (1) Where the Speaker directs under sub-rule (5) of rule 276 that the votes be recorded by operating the automatic vote recorder, it shall be put into operation and the members shall cast their votes from the seats respectively allotted to them by pressing the buttons provided for the purpose.

(2) After the result of the voting appears on the indicator board, the Speaker shall announce the result of the division and the result shall not be challenged.

(3) A member who is not able to cast his vote by pressing the button provided for the purpose due to any reason considered sufficient by the Speaker, may, with the permission of the Speaker, have his vote recorded verbally by stating whether he is in favour or against the motion, before the result of the division is announced.

(4) If a member finds that he has voted by mistake by pressing the wrong button, he may be allowed to correct his mistake, provided that he brings it to the notice of the Speaker before the result of the division is announced.

278. **No speech after question is put.**- A member shall not speak on a question after the Speaker has put the question to the Assembly.

279. **Casting vote.**- The Speaker shall not vote except in the event of an equality of votes.

280. **Validity of proceedings.**- (1) The validity of the proceedings in the Assembly shall not be called in question on the ground of any irregularity of procedure.

(2) The Assembly shall have power to act notwithstanding any vacancy in the membership thereof and no proceedings in the Assembly shall be invalid by reason only that a person who was disqualified for being or continuing as member, or a person who was otherwise not entitled to do so, was present at or voted or otherwise took part in the proceedings.

281. **Language of the Assembly.**- (1) The members shall address the Assembly in Urdu or English, provided that the Speaker may permit any member who cannot adequately express himself in any of these languages to address the Assembly in his mother tongue.

(2) If a member desires that a summary in Urdu of his speech delivered in a language other than Urdu be read to the Assembly, he shall supply a copy of the Summary to the Speaker who may, in his discretion, allow it to be read to the Assembly. Such summary shall be included in the record of the proceedings of the Assembly.

(3) The official record of the proceedings of the Assembly shall be kept in Urdu and English.

282. **Report of proceedings.**- (1) The Secretary shall cause to be prepared a full report of the proceedings of the Assembly at each of its sittings, and shall, as soon as practicable, publish in such form and manner as the Speaker may, from time to time, direct.

(2) The Secretary may also cause to be prepared a Bulletin of the Assembly.

283. **Custody of documents and records.**- The Secretary shall have the custody of all records, documents, including the original documents notified in the Gazette, and papers belonging to the Assembly or any of its Committees or the Secretariat of the Assembly, and he shall not permit any such records, documents or papers to be taken out of the Secretariat without the permission, in writing, of the Speaker.

284. **Expunction of words from debates.-** If the Speaker is of opinion that words have been used in debates which are defamatory, indecent, un-parliamentary or undignified, he may, in his discretion, either during the debate or subsequently, order that such words be expunged from the proceedings of the Assembly.
285. **Indication in printed debates of expunged proceedings.-** The portion or the proceedings of the Assembly expunged under rule 284 shall be marked by asterisks and an explanatory footnote shall be inserted in the proceedings as follows:
"Expunged as ordered by the Speaker"
286. **Secretary to be *ex-officio* Secretary of Committees.-** The Secretary shall be *ex-officio* Secretary of all Committees of the Assembly.
287. **Secretary may authorize any officer.-** The Secretary may authorize any officer of the Secretariat to perform such duties as he may direct.
288. **Suspension of rules.-** Whenever any inconsistency or difficulty arises in the application of these rules, any member may, with the consent of the Speaker, move that any rule may be suspended in its application to a particular motion before the Assembly, and if the motion is carried the rule in question shall stand so suspended.
289. **Statement made by a Minister.-** A statement may be made by a Minister on a matter of public importance with consent of the Speaker but no question shall be asked nor discussion take place thereon at the time the statement is made.
290. **Restriction on use of Chamber of the Assembly.-** The Chamber shall not be used for any purpose other than the joint sittings, both Houses assembled together, the sittings of the Assembly or for the address of any visiting Head of State or Head of the Government.
291. **Papers quoted to be laid on the Table.-** If a Minister quotes in the Assembly a dispatch or other State paper which has not been presented to the Assembly, he shall lay the relevant extract thereof on the Table:

Provided that where a Minister gives in his own words a summary or gist of such dispatch or State paper it shall not be necessary to lay the relevant extract thereof on the Table.

292. **Treatment of papers laid on the Table.**- (1) A paper or document to be laid on the Table shall be duly authenticated by the member or Minister by whom it is so laid.

(2) All papers and documents laid on the Table shall be considered public.

CHAPTER XXII

AMENDMENT OF RULES

293. **Notice for amendment of these rules.**- (1) Unless the Speaker otherwise directs, seven clear days' notice of a motion for leave to amend these rules shall be given to the Secretary and the notice shall be accompanied by the amendment proposed.
- (2) The Secretary shall, as soon as may be, circulate the notice to the members.
- (3) The motion shall be included in the Orders of the Day on expiry of the notice period.
- (4) When the motion is reached, the mover shall read out the proposed amendment to the Assembly and the Speaker shall ask whether the member has the leave of the Assembly. If objection is taken, the Speaker shall call such of the members as may be in favour of leave being granted to rise in their seats, and, if the majority of the members present does not so rise, he shall declare that the member has not leave of the Assembly, or, if no objection is taken or such membership so rises, the Speaker shall declare that the member has the leave of the Assembly.
- (5) When a member has the leave of the Assembly under sub-rule (4), he may move that the proposed amendment be taken into consideration and to such a motion any other member may move as an amendment that the proposed amendment be referred to the Committee on Rules of Procedure and Privileges.
- (6) If the amendment to refer the proposed amendment to the Committee is carried, the matter shall be referred to the Committee.
- (7) After the proposed amendment has been referred to the Committee, the procedure in regard to a Bill similarly committed shall be, as far as may be, followed with such variation as the Speaker may consider necessary.
- (8) When the motion for consideration is carried, the member who has given the notice, may move that the amendment be adopted and the motion shall be put to the vote of the Assembly.

(9) When the Assembly passes a rule or an amendment of a rule, it shall come into force at once.

294. **Repeal and savings.**- (1) The Rules of Procedure and Conduct of Business in the National Assembly, 1992, are hereby repealed.

(2) Notwithstanding the repeal of the Rules referred to in sub-rule (1), anything done, action taken, powers exercised, proceedings commenced and appointment made under the aforesaid Rules shall be deemed to have been validly done, taken, exercised, commenced and made under the corresponding provisions of these rules.

¹[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 Nodo 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.]

¹ Substituted *vide* S.R.O. No. 1153, dt. 27-12-2010.

SECOND SCHEDULE

(See rules 35, 36 and 37)

PROCEDURE FOR RECORDING OF VOTES

1. Before voting commences, the Speaker shall direct that the bells be rung for five minutes to enable members not present in the Chamber to be present. Immediately after the bells stop ringing, all the entrances to the Lobby shall be locked and the Assembly staff posted at each entrance shall not allow any entry or exit through those entrances until the voting has concluded.
2. The Speaker shall then read out the resolution before the Assembly and ask the members who wish to vote in favour of the resolution to pass in single file through the entrance where tellers shall be posted to record the votes. On reaching the desk of the tellers, each member shall, in turn, call out the division number allotted to him under the rules. The tellers shall then mark off his number on the division list simultaneously calling out the name of the member. In order to ensure that his vote has been properly recorded, the member shall not move off until he has clearly heard the teller call out his name. After a member has recorded his vote, he shall not return to the Chamber until bells are rung under paragraph 3.
3. When the Speaker finds that all the members who wished to vote have recorded their votes, he shall announce that the voting has concluded. Thereupon the Secretary shall cause the division list to be collected, count the recorded votes and present the result of the count to the Speaker. The Speaker shall then direct that the bells be rung for two minutes to enable the members to return to the Chamber. After the bells stop ringing, the Speaker shall announce the result to the Assembly.

THIRD SCHEDULE

(See rules 53, 55, and 56)

PROCEDURE FOR DETERMINING RELATIVE PRECEDENCE OF PRIVATE MEMBERS' BILLS AND RESOLUTIONS

1. Not less than five days before each day allotted for the disposal of Private Members' business, the Secretary will cause to be placed in the Notice Office a numbered list. This will be kept open for two days, and during these days at the hours when the office is open, any member who has given notice of a resolution or a Bill, may have his name entered, in the case of a ballot for resolution, against one number only, and, in the case of a ballot for Bills, against one number in the list for each Bill of which he has given notice up to the number of three.
2. The ballot will be held in a Committee Room in the presence of the Chairman House and Library Committee or a member of the said Committee nominated by him, and any member who wishes to attend may do so.
3. Papers with numbers corresponding to those against which entries have been made on the numbered list will be separately placed in a box.
4. A clerk will take out at hazard from the box one of the papers and the Chairman, or the member will call out from the list of corresponding name, which will then be entered on a priority list. This procedure will be carried out till all the numbers, or in the case of a ballot for resolutions, five numbers have been drawn.
5. Priority on the list will entitle the member to have his Bill, or as the case may be, resolution of which the required notice has been given, set down in the Orders of the Day in the same order of priority for the day with reference to which the ballot has been held.

FOURTH SCHEDULE

(See rules 103 and 104)

**FORM OF COMMUNICATION REGARDING ARREST, DETENTION,
CONVICTION OR RELEASE OF A MEMBER**

Place.....

Date.....

To

The Speaker,
National Assembly of Pakistan,
Islamabad

(A)

Dear Mr. Speaker,

I have the honour to inform you that I have found it may duty in the exercise of my powers under section..... of the(Act), to direct that Mr./Mrs./Miss.....Member of the National Assembly of Pakistan, be arrested/detained for.....(reason for the arrest or detention).

Mr./Mrs./Miss..... Member of the National Assembly of Pakistan was accordingly arrested/taken into custody at.....(time) on..... (date) and is at present lodged in the..... (jail)(place).

(B)

I have the honour to inform you that Mr./Mrs./Miss.....Member of the National Assembly of Pakistan, was tried at the.....Court before me on a charge (or charges) of(Nature of offence with which charged) onafter trial lasting for days, I found him/her guilty of.....and sentenced him/her to imprisonment for..... (Period).

His/Her application for leave to appeal to..... (Name of the Court) is pending for consideration.

(C)

I have the honour to inform you that Mr./Mrs./Miss....Member of the National Assembly of Pakistan, who was arrested/detained/convicted on..... (Date), for... ..(reasons for arrest/detention/conviction), was released on(date) on.....(grounds for release).

Yours faithfully,

(JUDGE, MAGISTRATE OR EXECUTIVE AUTHORITY)

FIFTH SCHEDULE

[See rule 276 (5)]

PROCEDURE REGARDING VOTING BY DIVISION

1. When the minority desires a division and the Speaker is satisfied that the demand for the division is not in abuse of the rules, he will order a division to be held by uttering the word "Division" and shall direct that the division bells be rung for two minutes to enable members not present in the Chamber to return to their places; immediately after the bells stop ringing, all the entrances to the Lobbies will be locked and the Assembly staff posted at each entrance will not allow any entry or exit through these entrances until the division has concluded. The Speaker will then read the terms of the motion before the Assembly and put the question for second time. If the division is still demanded, he will say “ ‘Aye’ to the right, ‘No’ to the left; divide”.
2. According as they wish to vote members will then proceed to the “Ayes” or the “Noes” Lobby and there pass in single file before the tellers appointed by the Speaker. On reaching the desk of the teller, each member will, in turn, call out the division number, which will be allotted to him for this purpose. The tellers will then mark off this number on the division list simultaneously calling out the name of the member. In order to ensure that his vote has been properly recorded, the member should not move off until he has clearly heard the teller thus call out his name. The division number allotted to each member will be communicated separately. The number will also be marked on the seat-card of each member.
3. When the voting process as described above is completed in the division lobbies, the tellers will present their division lists to the Secretary who will count the votes recorded thereon and then present the total of the “Ayes” and “Noes” to the Speaker. The Speaker will then announce the result to the Assembly. The division will not be at an end until the result is so announced. If the members of “Ayes” and “Noes” are equal, the question will be decided by casting vote of the Speaker.
