

National Assembly of Afghanistan

Rules of Procedure of Meshrano Jerga

14th, Dalwa 1386 (February 2008)

Chapter One

General Regulation

Article 1

These Rules, issued pursuant to Article 87, 88 and 108 of the Constitution of Afghanistan, regulate the Internal Affairs of the Meshrano Jerga (Upper House).

Article 2

The definition of words and expressions used in the Rules of Procedure of the Upper House shall be understood as follows:

1. **Rules:** Rules of Procedure of the Upper House
2. **Bill:** Legislative (proposal which, in accordance with the provisions of Article 95 of the Constitution, is transmitted by the Executive to Upper House for its consideration and/or approval
3. **Member's Bill:** A draft law/legislative proposal which, according to article 95 and 97 of the Constitution, is initiated by a Member of either Houses of the National Assembly of Afghanistan.
4. **Member:** The members of the Upper House
5. **Constitution:** The Constitution of the Islamic Republic of Afghanistan
6. **Interpellation:** Requesting that the Government provides an explanation on its action in accordance with Article 93 of the Constitution
7. **Administrative Board of the House:** The Speaker, the Vice-Presidents, the Secretary and the Assistant Secretary of the House, in accordance with article 87 of the Constitution
8. **Sessions:** The annual ordinary session of the Upper House in accordance with Article 107 of the Constitution
9. **Jirga:** Meshrano Jirga
10. **National Assembly:** The Upper House and Lower House

Chapter Two

First Session of the National Assembly

Article 3

After the official announcement on the out come of the national assembly election and approval by the President of the Islamic Republic of Afghanistan, the Secretary Generals shall issue a summons to the Members of the National Assembly specifying the date and place of the Inaugural Session and the procedure for electing the Provisional Speaker.

At the first session, the most Senior Person (oldest of age) shall be appointed as Provisional Speaker for Jerga among the members of the Jerga (House)

If there is more than one candidate with the same qualifications, the Provisional Speaker shall be appointed by lot.

Two youngest Junior Members shall be appointed provisionally as Deputy Assistant and Secretary.

After the appointment of the Provisional administration boards, the result shall be formally notified to the President of the Islamic Republic of Afghanistan by the Secretary General of the House.

No debates shall take place during the Inauguration Ceremony.

Article 4

The Provisional Speaker cannot candidate himself for a perpetual Speaker of the House.

Article 5

In the presence of the President of the Islamic Republic, the Members of the National Assembly shall perform the following oath:

“In the name of almighty God, the most gracious I do swear and in the light of Islamic rules, and values of the Constitution for the purpose of establishing the national unity and the prior national interest that I shall discharge my duties without any kind of discrimination but with faith and honesty”.

Chapter Three

Election of the Speaker and the Administrative Board

Article 6

Under the chairmanship of the Provisional speaker, the Speaker of the House shall be elected in accordance with articles 84 and 87 of the Constitution of the Islamic Republic of Afghanistan, by majority and by secret and direct ballot, for the term of the legislature as follows:

Candidatures, supported by at least 10 Members other than the candidate, must be submitted in writing to the Secretaries no later than two hours before the session.

The Provisional Speaker shall read out the list of candidates and give permission to each of the candidates to deliver a five-minute speech.

After the speeches, the Provisional Speaker shall announce the beginning of the vote.

If none of the candidates wins more than 50 percent of the votes in the first round, the second round shall be held between those two candidates who obtained the most of the votes in the first round; the one who wins the most of the vote in the second round shall be declared the winner. In the event of equal votes in the second round, an individual shall be drawn by lot.

Article 7

After the election of the Speaker of the House and under his chairmanship two Members shall be elected as First and Second Deputy and two other Members shall be elected plebiscitary as Secretary and Assistant Secretary for a period of one year by putting 4 ballot boxes in due time.

If there are more than two candidates, the candidate who gained the most votes shall be going to the next round for election. The members who gain the most votes shall be announced as winner. If there is only one candidate for each position, they must still be approved by the majority of the Members.

After the election of the Administrative Board, the Secretary General of the House shall notify the President of the Republic of Afghanistan formally on the issue.

Article 8

In the event of death or resignation of the Speaker of the House, another Member shall be elected for the remainder of the legislative period; in the event of death or resignation of one of the Deputies or the Secretaries, another Member of the House shall be elected for the remainder of the period.

Article 9

The president, administration board and the members of the house could be dismissed through the proposal of one third of the whole Members of the House and confirmation of the tow third of the House Members after the issued edict through an authorized court and under the following circumstances;

- 1- Acts against constitutions
- 2- Commitment on national treacherousness
- 3- Involvement on criminal activity against humanity.
- 4- Getting incurable disease that causes the prevention of carrying out the duty.

Chapter 4

Structure, duties and authorizations

1: Structure

Article 10:

The House shall have an Administrative Board, Directors for the commissions and the Committee of the Directors and General Secretariat.

The Administrative Board of the House shall consist of the Speaker of the House, the First and Second Vice-Presidents, the Secretary and the Assistant Secretary, in accordance with article 87 of the Constitution.

The Directors Committee of the House shall consist of the Administrative Board of the Parliamentary Group and Directors for Standing Commission.

The Minister in-charge on parliamentary affairs shall be invited to the meetings of the Committee when deemed necessary.

2) Duties and authorizations

A: The duties of the Speaker of the House shall be as follows:

1. Presiding over the plenary sittings of the House and calling to order the session.
2. Conducting the proceedings of the House.
3. Putting to vote questions and issues which require voting and announcing the results.
4. Preserving order and decorum of the sessions of the House with full neutrality.
5. Maintaining the security of the House and its Members inside and outside the House with the assistance of the security department.
6. Signing all letters and documents on behalf of the House.
7. Interpreting the Rules of Procedure in accordance with the Constitution.

8. Overseeing the records of the debates in plenary sitting and their publication in the official Journal of the House.
9. Enforcing disciplinary measures so as to maintain order during the sitting.
10. Supervision the activities of the General Secretariat.
11. During the official trip, the Speaker of the House and his assistants should present the agenda of the trip to the setting and appoint an individual of the relevant commission as a member of the board and after departure they should present the reports of their trip to the general setting.
12. In all official visits the Administration Board should accompany the international and local guests including a member of the international relation commission and a member of the related commission on debating issue should be attending.
13. Organising the international and domestic trips of the members would be processed on a separate procedure.

B: Duties and authorizations of the Deputies of the House shall be as follows:

1. The first Deputy Assistant shall carry out the duties and using the authorization of the Speaker of the House on his behalf during his absence and indeed shall carry out the duties assigned to him by the Speaker of the House while his presence based on a written official letter (indicating his full authorization).
2. The Second Deputy shall assume the duties and using the authorization of the Speaker of the House as well as the first Deputy during their absence and indeed shall carry out the given tasks and authorization assigned to him by both while their presence based on a written official letter (indicating his full authorization).
3. At the absence of the Speaker and his deputy, the General Secretary and his Assistant shall be conducting the general setting.

C: Duties of the Secretary and the Assistant Secretary shall be as follows:

1. Assisting the Speaker of the House in carrying out the activities of the House.
2. Establishing the result of the referendum.
3. Recording the minutes of the session and preparing the official report of Plenary Sitzings of the House, in Pashto and Dari, to be signed by him and countersigned by the Speaker.
4. Registration of the House assets and properties.
5. Monitoring of the Upper House daily press and bulletin and its effluences.

The Assistant Secretary shall assist the Secretary and shall carry out the activities and authorizations of the secretary while his absence.

D) Duties of the Chairmen Committees:

1. Preparation of working plan and the agenda of the plenary session
2. Control and monitoring on finance issues and press affairs after reporting that performed by the commission of privileges and immunity.

Article 11

The Secretary General of the House as a civil servant shall be in charge of administrative and executive affairs that the list of his job description is mentioned in the Staff Regulation of the National Assembly.

In performance of his duties, the Secretary General shall be responsible to the Speaker and the members of the House.

The Secretary General shall be appointed upon a proposal of the Administrative Board of the House.

Chapter Five Parliamentary Groups

Article 12

The Members of the House may establish themselves in groups according to their subscription of ideas.

The minimum number of Members in the house required to form a parliamentary group is 15. Each Member of the House shall only belong to a parliamentary group.

Article 13

The Group shall be formed by presenting an announcement that included a list which is mentioning the names of the members and the chairman of the group and signed by whole Members and submitted to the administration board and this document shall be published in the official Journal of the House.

No any group may be formed for the purpose of representing personal, regional, professional, religious, ethnical, tribal and mystic tongue interests.

Changes in the composition of a group including adhesion, resignation or expulsion of a Member or dismissal of the chairman of the Group must be communicated to the Administrative Board of the House by a notice signed by the majority of the Members.

Article 14:

The Parliamentary Group may recruit a personal assistant to carry out the personal activities of the Group. The remuneration and other privileges of the assistant shall be provided by the own resources of the relevant Parliamentary Group.

Article 15

Once groups have been formed, the Speaker of the House shall call up the chairmen of the groups for a meeting in order to consult them about dividing the floor of the Sitting Hall into as many sections as there are Groups, proportionally to the number of their Members, and about determining where independent Members of the House shall sit.

Chapter Six Standing Commission and ad-hoc Sub- Committees

Article 16

The Standing Committees in the Upper House shall be as follows:

1. Commission on National Economic, Finance, Budget and General Accounts (Rural Development, Agriculture and Live Stock, International and Local NGOs, general Inspection and Narcotics/Drugs Campaign).
2. Commission on Ethnical/Tribal, Frontiers, Refugees and Koochies (Nomads) affairs.
3. Commission on Internal Security, Defence Affairs and Local Organs.
4. Commission on International Affairs.
5. Commission on Legislative Affairs, Justice and Judiciary (Legal Monitoring, Human rights and Corruption Campaign).
6. Commission on Religious Affairs, Higher education, Education, Cultural and Scientific Researches Affairs.
7. Commission on Public Welfare Affairs, Natural Resources and Environment (health Labour and Worker, Sports, Red Crescent and Administrative Reforms).
8. Commission on Complaints and Petitions
9. Commission on relation to the Provincial/Districts Councils and the Immunities and Privileges of the House Members.
10. Commission on Handicapped, Disabled and Dependents of Martyrs, widows, Gender issues and Civil Society.
11. Commission on Transport and Telecommunication (Urban development, Aviation, Working Resource, Kabul Municipality, Housing Affairs, Water and Energy Supply).

Article 17:

The Membership list of the Commissions shall be proposed by the own Members to the Administrative Board and shall be approved in the plenary sitting of the House.

Taking under consideration the quality and quantity formation of each committee, the significance and working professional of the Commission of the House shall be taken into account.

Each Member can only be a Member of a Committee and by invitation; a Member of a Committee may attend other Committee meetings without the right to vote or to move written proposals to the respected commission.

Article 18:

Each Standing Committee shall be composed of 5 to 10 Members of the House.

1. In case of incompleteness by minimum members of a commission, the administrative board shall be authorised to introduce the new members amongst the other commissions for the purpose of completion of quorum.
2. No any of the above mentioned Commission Members could be transformed to another Commission in case of reaching the Commission quantity in to the minimum.
3. Whenever the Commission quorum goes above the minimum rate then the Member could get transformed to another Commission by the agreement of Administrative board.

Article 19:

On the first sitting, each Commission shall elect for a period of one year its Chairman, an assistant and a secretary accordance with the procedure laid down in Article 7 of the Rules of Procedure.

1. The administrative board is authorised to divide the Members of the Upper House in

to eleven Commission that shall their capability, profession, working experience and their interests be taken in to account according to their Personal Bio Data.

2. The Secretary of the session shall announce the list of the Commission Members to the plenary session before the election.

3. After the announcement of the list on Commissions, the Members shall elect amongst themselves an individual as Chairman, deputy and secretary through a referendum. If more than one individual is elected for the post of Administration board, then the Administrative board candidates shall be introduced to the plenary session for being elected. Those Members who get more votes shall be elected as Chairman, deputy and Secretary for the Commission.

The voting process shall take place mysteriously and directly.

Article 20:

Duties and authorisations of the Commission are underlined as follow:

1. Reviewing of draft bills referred by the Speaker of the House
2. Proposing amendments to draft bills
3. Submitting draft bills
4. Preparing reports and recommendations to the House.
5. Organising audience and viewers

The commissions shall invite the social institutions including the National and International NGOs to their sessions for the purpose of hearing if it deems necessarily.

Article 21

Committees shall have the right to call up the ministers and the Directors of the Independent Commissions, General Directories and the entire government officials for being questioned about specific topics.

The Commissions shall relay the issue to the Directors Committee for the purpose of coordination

Article 22:

1. The director and the Members of the Commissions shall be present at all Committee meetings regularly and in case of getting sick or compelling such circumstances that may cause prevention of duty performance, the director shall inform the administrative board of the House and the Members shall inform the Director of the Commission about the cause of their absence.

2. The Commission meetings shall take place as usual on Saturday, Monday and Wednesday. The quorum for a Committee to take valid decisions shall be the majority of its Members, and decisions shall be approved by majority of Members presence.

Article 23:

If a Bill covers matters falling within the area of competence of more than one Committee, the President of the House shall refer it to the Committee within the competence of which the principal matter falls.

Article 24:

Each proposal shall be handed over by the director to a Member as the reporter after being approved through the Commission.

When selecting a Member as Reporter, his professional expertise shall be assessed in conformity with the needs of the Committee's business.

Article 25:

The agenda of Committee meetings shall be set by the Chairman of the Committee.

Article 26:

Standing Committees may setup ad-hoc Sub-Committees to examine special issues of importance.

Article 27:

The number of the Members of these Sub-committees shall not exceed 9.

The creation of ad-hoc Sub-committees and the list of its Members shall be approved through the plenary sitting of the House.

The Sub-Committee is responsible to fulfill its activities within 3 months; if the given task was not performed on due time then it shall be extended through the plenary session.

The Sub-Committee shall elect the chairmen of the Committee through a referendum amongst the Members of the House.

Article 28:

The Speaker of the House may attend any Commissions or Sub-committee as an observer.

Chapter Seven

The Agenda of the Plenary Sitzings of the House

Article 29:

The agenda of the plenary sitting shall be divided into two parts:

- 1) Sessions on Government activities
- 2) Sessions on the House activities

Government activities shall include Bills, resolutions and proposals, introduced on behalf of the government by the Minister for Parliamentary Affairs in accordance with the Constitution.

The whole House activity affairs shall not include the government activities.

Article 30:

The House activity shall be arranged through the Chairmen Committee.

Upon a proposal from the Minister for Parliamentary Affairs, the Chairmen Committee shall determine the orders of the government activities in plenary sittings.

The Minister for Parliamentary Affairs shall, on behalf of the Government, determine the order on priority of bills initiated by the Government, in particular treaties and development plans in the plenary sittings of the House.

Chapter Eight

The Plenary Sitzings of the House, Organization of Debates.

Article 31:

Duration of the House official working shall cover a total of 9 month annually which is divided into two periods of four and a half months each.

Article 32:

The House shall establish its plenary sittings on Sunday and Tuesday according to the agenda of the session. If required then extraordinary sessions shall be established as well.

Article 33:

On Thursdays the Members of Meshrano Jerga Upper House) shall visit their clients in order to solve their problems.

Article 34:

Every sitting shall begin with a recitation of the Holy Koran.

Article 35

If the quorum required is met, the Speaker shall begin the sitting by mentioning the following sentence:

“We begin the sitting in the name of God the almighty” and ending of each session shall be announced by mentioning of following word:

“In the name of the almighty God we end the session”

Article 36:

When the House decides to hold a confidential sitting, the Speaker of the house shall order the galleries and entrance doors to be closed.

Only the Secretary General and any other person specially authorized by the Administrative Board of the House shall be admitted to the sitting.

Article 37:

At the beginning of every sitting the Secretary shall read the agenda; if the agenda comprises several items, priority shall be given to the item that carries the earliest date.

Article 38:

The Members of the House shall observe the following rules while sitting:

1. Shall not cross between the chair and the Member who is speaking.
2. Maintain silence.
3. Shall not speak unless to be permitted by the Speaker.
4. Shall not depart from the matter being discussed at the sitting.
5. Avoids using of self-interested words and impressions which dose not met the parliamentary policies.
6. Shall keep switch off their Mobile phones.
7. During the official settings no any Members shall interrupt the session by their physical presence close to the administrative board.

Article 39:

The Members of the House who is willing to express his opinion, shall request permission by raising his hand, the Secretary shall note down his name. The Speaker shall read the name of the Member who will be given time to deliver a speech and only than the Member shall begin to speak.

Article 40:

Every Member shall have the right, to express his opinion concerning an issue under discussion and shall not deviate from the issue while expressing.

Whenever a Member deviates from the issue, the Speaker shall bring this to his attention.

If the Member continues speaking beyond the scope of the subject matter, the Speaker of the House by observing the attention of the House Members shall ask the mentioned Member to sum up his speech immediately and shall then allow another Member to speak on the matter.

Article 41:

A Member shall conclude his speech within the time allotted to him by the Speaker.

Article 42:

Whenever a Member misconstrues a statement of another Member, then the later Member once may ask the President to give him the opportunity to present an explanation with out observing the turn.

Article 43:

The Ministers, Chairmen and the Reporter of the Committee concerned shall be given leave to speak whenever they seek it.

Article 44:

The President shall declare the session adjourning at the last sitting day of the session.

Article 45:

The President may announce the urgency of a topic not included in the agenda; if the majority of the Members approve it may be debated immediately.

Article 46

In the course of the debate, every Member shall have the right to present an objection in the following way:

The objecting Member rising up the red card shall address the Speaker by saying: "I object"; then the Speaker shall allow him out of turn to voice his objection within a minuet. Then the House shall decide subsequently whether the objection is relevant or not.

Article 47:

The Chairmen Committee shall organise the debate so as to guarantee speaking time to the Parliamentary Groups and the Independent Members in proportion to their number and their presence in the House.

Article 48:

The Chairmen of the Parliamentary Groups shall register the names of Group Members wishing to speak on a list which they shall present to the Speaker of the House, indicating the order in which they recommend those listed to be called and the duration of their speeches.

The Speaker shall determine the order of the Groups and the order of speakers, taking into consideration the lists presented to him.

Article 49:

Members of the Parliamentary Groups shall not speak for more than the time allotted to their Group. Once the allotted time is being used by the Group Members, no further Members of the mentioned Group shall be called to speak.

Chapter Nine

Medias, Publications and Spectators

Article 50

The proceedings of the sitting shall be in live broadcast through Radio and TV unless the House decides otherwise.

Spectators

Article 51

The House shall have its own publication, in which only the debates of the House and voting results shall be published.

Article 52

The House may publish its decisions concerning national and international issues in the form of a statement in the mass media.

Article 53

The sittings of the House shall be open to the public/spectators subject to the following conditions:

A) According to the number of seats available, cards shall be distributed to the spectators wishing to attend a sitting.

B) Priority shall be given to those who have applied first.

Article 54

The spectators shall remain respectful, and refrain from applause and conversation.

Article 55

While sitting in special seats or during their presence in the Hall, the spectators shall not be allowed to communicate with Members.

Chapter Ten

Voting

Article 56

The Member's right to vote is a personal right.

Article 57

Voting shall be shown by rising of hands, by sitting or standing, or by secret ballot.

Voting shall always be public, unless a special issue imposes secrecy.

If the House is dealing with a complex matter or complicated provisions of a bill, a split vote shall be allowed if requested by the Government, the Chairman or the Reporter of the Committee concerned. In other cases, after due consultation with the Government and the Committee concerned, the Chairman shall decide whether there will be a split vote.

Article 58

In case of doubt about the result by show of hands, the Speaker shall request the House to vote by standing and sitting. If doubt remains, Members shall then vote by public ballot. No one shall be given leave to speak during voting.

Article 59

Each Member shall personally put a ballot paper into the ballot box, under supervision of the Secretaries of the House and with the assistance of the ushers: a green paper if he is in favour, red if he is opposed and white if he abstains.

No more than one ballot paper per Member shall be put into the ballot box.

When the vote is over, the speaker shall order that the boxes be closed in the following terms:
“Close the boxes”.

The ballot boxes shall then be placed in front of the Members, and the Speaker shall order that the boxes be opened in the following terms:

“Open the boxes”.

When the boxes are being opened no one shall be given leave to speak.

The Speaker of the House shall announce the result of the vote ascertained by the secretaries.

Article 60

If the Constitution requires an absolute majority for the adoption of a motion, the majority shall be calculated by reference to the Members present.

When the votes are equal, the speaker’s vote shall determine the result.

The results of the vote shall be announced by the Speaker in the following terms:

“The Upper House has adopted the motion” or

“The Upper House has not adopted the motion”.

The result of the vote shall be recorded and made public.

Article 61:

While an issue is being approved through a referendum in the plenary setting or in the commission setting, no further voting shall be allowed on the same issue.

Chapter eleven

Absence and presence

Article 62:

The Members are responsible to be present in the plenary and commission settings.

In case of having acceptable excuse, the Members should inform the Speaker of the setting.

Article 63:

No any Members could leave before the official adjourning of the setting announced by the Speaker of the House or Chairman of the commission except to the objectionable case.

Article 64:

The plenary and the Upper House Commission settings shall be established in hot season at 09:00 AM and in cold season at 10:00 AM.

The name of the Member, who has not attended the setting but has already informed the session in written on regards to his absence, shall be read out by mentioning the cause for his excuse in the beginning of the setting.

Whenever a Member of the House does not attend the plenary and commission settings without an acceptable excuse or pre-informing the Administrative Board and the relevant Committees, their names shall be read out in the session and the issue of their absence shall be put into the public through the Medias.

Article 65:

In the respect of a successive absence during the period of a month, the Member shall not be entitled for salary including other allowances for the mentioned period of the month.

Article 66:

When the absence of a Member exceeds more than a month, then the Administrative Board shall propose the issue to the House in order to be taken appropriate decision about.

Article 67:

Whenever, a Member of the House faces some exigency that requires being away of the duty for 20 days, then the Speaker of the House shall grant him leave permission.

Article 68:

If the reason for being absent is due to the sickness, the Member shall provide a medical certificate to the commission of privilege and immunity after getting restored for the purpose of being subsequent processed.

Article 69:

In consideration to the regular presence of a Member in the plenary and Commission settings as well as good performance towards his/her duty and after being confirmed through the privilege and immunity Commission, the Speaker of the House Shall spiritually glorifies him/he.

Article 70:

- 1- Arrangement and records of the Members attendance shall be organised by the Secretary of the setting in plenary session and in Committee settings shall be organised by the Secretary of Commissions.
- 2- The relevant Secretaries shall send officially the presence and absence list of the Members in Plenary and Commission settings to the General Secretariat for the purpose of consideration on their presence right.

Chapter twelve

Disciplinary Measures

Article 71:

After having called the attention of the House to the conduct of a Member persisting in irrelevance or tedious repetition of either his own arguments or of those used by other Members in the debate, the President may order to interrupt the speech.

The President shall then order that the Member's words shall not appear in the records of the debates in the Official Journal of the Upper House.

Article 72:

If a Member's conduct is contrary to the Rules of the House or causes disorder, the Speaker shall at first inform him, give him a warning at the second time and order him to leave the session at the third time. The Member shall withdraw forthwith. The Member ordered to withdraw shall absent himself during the remainder of the day's sitting.

Article 73:

The Speaker may, if he deems it necessary for preserving the order in the House, propose to the Administrative Board the suspension, for a period not exceeding two months, of a Member who disregards his authority or abuses the Rules of the House by consistently and willfully obstructing the business of the House, making verbal attacks on the president of the Islamic Republic, or making physical attacks on his colleagues or on Members of the Government. The mentioned Member shall be removed from the House immediately upon a decision of the Administrative Board and approval by the House.

Article 74:

Any Member of a Committee, who violates the provisions of this chapter, shall be sanctioned in accordance with articles 65 and 66 of these Rules of Procedure.

Article 75:

If the Member concerned tries to enter the House by force before the period of his exclusion is finished, he shall be prevented from doing so and the President shall decide whether the period of his suspension shall be doubled.

If a Member refuses to obey, the President shall immediately suspend the sitting and, after deliberation with the Administrative Board, announce a practicable decision.

Chapter Thirteen Legislative Procedure

1) Introduction of Bills**Article 76:**

After its approval by the House of People, a bill shall be sent to the Upper House in accordance with article 97 of the Constitution. The Upper House shall examine the bill and subsequently approve or reject the bill.

Ten Members of the House may also introduce a bill by notifying it to the President of the House. The notification shall be accompanied by a copy of the bill, together with an explanatory statement signed by the Members.

Article 77:

Bills introduced by the Government or by Members of the House shall be registered, tabled and announced at the sitting.

When the House is not sitting, tabling shall be notified in the Official Journal of the House.

Article 78:

The Government, the Chairman of the Committee, the directors of the Parliamentary Groups or ten Members of the House may request to take up the bill for immediate consideration on urgent grounds.

If a majority of the Members of the House or the Committee to which the bill has been referred approves the request, the bill shall be in process without consideration of its turn.

Article 79:

Before being submitted to a Standing Committee, Members' bills must be approved by one fifth of the Members of the House.

Article 80:

Government bills and Member's bills approved for introduction shall be included in the agenda of the House and formally introduced.

At this stage, there shall be no debate, unless the Government wishes to state its reasons for introducing a bill, or if a Parliamentary Group wishes to state their position publicly. After its introduction, the President shall refer the bill to the appropriate Standing Committee.

2) Legislative Proceedings in Standing Committees**Article 81:**

Committees shall designate a Reporter for each bill and his report shall be submitted, printed and distributed sufficiently early in order to enable the House to debate the bill as required by the agenda. If a report has not been distributed on time, the debate in plenary session shall take place without the report.

The report shall make recommendations on approving, rejecting or amending the bill.

Amendments may be proposed by the Reporter or Members of the Committee or Members of the House no later than twenty four hours before the beginning of the debate in plenary sitting.

Amendments adopted by the Committee shall be appended to the report.

Article 82:

The Government may be heard by the Committee if the Government expresses such a request. The author(s) of a Member's bill may be heard by the Committee if the Committee so decides.

3) Ordinary legislative proceedings in Plenary Sitting**Article 83:**

Debate on a bill shall start with hearing the Government, followed by the presentation of the Committee report by its Reporter.

Except if the debate is organized in accordance with articles 45 and 46 of these Rules of Procedure, leave to speak shall be given to those Members who have registered their names on the list for the general debate.

Article 84:

After the closure of the general debate, the articles or paragraphs of the bill shall be debated and voted in turn.

Interventions by Ministers, by the Chairman or the Reporter of the Committee, or by Members, concerning existing articles or paragraphs of the bill, or on new articles or paragraphs, or on new articles put forward in the form of amendments, shall not last more than five minutes.

Article 85:

An amendment is admissible only if it is submitted in writing, signed at least by one of the Members moving it and tabled in the House or in Committee.

Article 86:

If a Member is not present when the amendment proposed by him is debated in plenary sitting, he may be replaced by another Member of his choice if approved by the Speaker of the House.

Article 87:

An amendment shall only be admissible if it relates to a single article or paragraph and if it effectively relates to the matter of the text to which it refers.

Alternative texts of bills being debated shall be introduced in the form of amendments, article by article.

Article 88:

The debate on amendments in the House is carried in the following order:

- 1) Initiation by the Speaker
- 2) Scrutiny by the relevant Committee
- 3) Presentation of reasons for the proposed amendments by their authors

Article 89:

Competing amendments shall be debated in the following order:

- 1) Repealing amendments which depart most from the original text.
- 2) Those which oppose it.
- 3) Those which are to be inserted in it.
- 4) Those which are to be added to it.

Amendments put forward by the Government or by the Committee concerned shall be debated before amendments with a similar purpose moved by Members. A single vote shall be taken on all such amendments with a similar purpose.

Article 90:

After the vote has been taken on the last article or last paragraph of an article, or on the last additional paragraph put forward in the form of an amendment, the entire text of the bill shall be put to a final vote.

Before this vote, Members may be given leave to speak for explanations of their votes. These explanations shall last for no more than five minutes.

At the end of vote the President shall decide about the closure of the sitting.

Article 91:

When the Government submits an un-amendable bill to the House (in order to obtain the approval of a treaty which cannot be amended), the Speaker shall put the entire bill directly to vote.

Article 92:

If the Upper House has not completed the examination of a Government bill within 15 days after it has been submitted to the House, the Speaker shall immediately put the entire bill to a final vote including the amendments already adopted if any.

Chapter Fourteen

Relations between the House of People and the House of Elders

Article 93:

The text of a bill approved by one House shall be submitted to the other House.

If a Government bill is rejected by the Lower House, the Upper House shall deliberate upon the text of the bill as originally introduced by the Government.

If a Member's bill is rejected by the relevant House from which it originates, it cannot be included in the agenda of the session.

Article 94:

If one House rejects a bill approved by the other House, a Joint Commission composed of an equal number of Members from each House shall be formed to resolve the difference, in accordance with Article 100 of the Constitution. The Committee responsible for the bill shall propose Members to sit on this Joint Commission and the list of Members must be approved by the House.

The representatives of each House shall reflect the political and gender composition of the House. The list of names of the candidates shall be proposed in each House by the Standing Committee responsible for the bill. This list must be approved in Plenary Sitting in a single vote without debate. If the list is not approved the Commission shall propose a new one.

Article 95:

The first session of the Joint Commission shall be convened by the oldest Member with a view to elect its Chairman and its Vice-Chairman.

The Joint Commission shall discuss the bill in accordance with the procedure laid down for Standing Committees and the legislative debate.

The Members shall elect a Chairman and a Vice-Chairman in such a way that if the Chairman is from one House the Vice-Chairman shall be from the other House, in accordance with the procedure laid down in these Rules of Procedure. The Commission shall discuss the bill in accordance with the procedure laid down for the Standing Committees. The Minister who has proposed the bill may attend the debate.

Chapter Fifteen

Parliamentary Control, Statements of the Government, Privileged Hour, Questions and discussion out of the agenda

1) Statements by the Government

Article 96:

The Government may request to make statements with or without debate before the House. In the event of statements with debate, the debate shall be organized in accordance with Articles 38, 39, 40 and 41 of these Rules of Procedure. The Minister speaking on behalf of the Government shall be given the floor at the end of the debate.

2) Privileged Hour

Article 97:

Every week there shall be a Privileged Hour for free discussion on topics not included in the agenda, on a day fixed by the Speaker. Any Member may speak on any matter of general interest. Members wishing to make use of the Privileged Hour must apply in writing to the Speaker of the House.

3) Oral Questions

Article 98:

Twice a week, at a time fixed by the Chairmen Committee, two hours shall be set apart for oral questions and oral answers.

A separate notice of each question shall be given in writing to the Speaker eight days in advance and shall specify the name of the author and the Minister to whom it is addressed.

Members may ask only one oral question at the same sitting;

Questions shall be put on a list in the order in which notices are received.

The Speaker shall successively call the Members according to the order in which they appear on the list.

Members shall not speak for more than five minutes and the Minister answering him shall respond to the question in no more than ten minutes.

If questions remain on the list at the expiration of question time, the remaining questions are included in the list for the next question time, except in the cases that questions are drawn.

4) Written Questions for written answers

Article 99:

Written questions for written answers from a Minister shall be drafted briefly and shall be confined to the minimum necessary for the understanding of the question.

They shall contain no allegations against any person.

Members wishing to table a written question shall convey them to the Speaker of the House who shall notify the Government.

Written questions shall be published in the Official Journal of the House. The Minister's answer shall be published within one month after publication of the question.

Answers to questions which the Minister proposes to give at the sitting shall not be released for publication until the answers have actually been given on the floor of the House.

Article 100:

Interpellations or hearings shall be governed by the following conditions:

1. They shall be to the point, specific and single issue-based only.
2. They shall not contain arguments, insinuations, ironical expressions, imputations, epithets, or defamatory statements.
3. They shall not touch upon the character or the conduct of any person except in his official or public capacity.
4. They shall not request the expression of a subjective opinion or the solution of an abstract legal question or a hypothetical proposal.

Article 101:

The Minister or the representative of the government who is invited to the sitting, at the end of the interpellation or hearing, as per their wish and with the permission of the President of the House or the Chairman of the Committee, may stay to follow the rest of the sitting.

Chapter Sixteen

Reports of Debates

Article 102:

In accordance with the constitutional principle that the sessions of the Upper House are open to the public, the debates in the plenary sittings of the Upper House shall be reported verbatim and in extensor in the Official Journal of the House, except if the House decides to hold a confidential one.

The Official Journal shall mention the Agenda of the House, the Reports of the Committees, and all information on the parliamentary activities.

The Speaker of the House is responsible for oversight of these reports.

Chapter Seventeen

Complaints and Petitions

Article 103:

Complaints and petitions received by the Complaints and Petitions Office shall be registered and referred to the Committee on Complaints and Petitions for further examination.

In accordance with the law, the Committee may forward the complaint or petitions received to the authority concerned for further investigation, or summon the person authorised by the Government to one of its meetings in accordance with the provisions of these Rules of Procedure.

Article 104:

If necessary, the Committee may set up an Investigation Commission in order to examine the complaint or petition received.

Article 105:

If the complaint or petitions of a complainant produces a result solving a problem or administering justice, the proceeding of such an event shall be published in the Official Journal of the House.

Chapter Eighteen Miscellaneous Provisions

1) Sitting Hall

Article 106:

The Sitting Hall for Plenary Sitzings of the House shall be used only for this purpose, unless the House orders otherwise.

2) Papers and Records

Article 107:

All papers and records relating to completed business of the House shall be delivered to the parliamentary archives, and kept and preserved there.

3) Official Seal

Article 108:

The House shall adopt its own Official Seal.

Chapter Nineteen Final provisions

Article 109:

Legislative decrees shall be submitted to the Upper House after having been reviewed in the Lower House. The Upper House shall scrutinize the bills in accordance with the procedure stipulated in these Rules of Procedure.

The State Budget and the development programmes of the Government shall first be submitted to the Upper House in accordance with article 98 of the Constitution.

Article 110:

The budget of the House shall be prepared by the President of the House in consultation with the Government and shall be considered as a part of the State budget after adoption by the House.

Article 111:

These Rules of Procedure shall come into effect on the date of their approval and they shall be published in the Official Journal of the House.

February 2008

Appendix # 2

Regulations of Internal Affairs of Meshrano Jerga

Article 21:

Every member shall be present in all sittings of the Commission unless necessarily prevented from doing so by sickness or other unavoidable or compelling circumstances duly reported to the President of the commission.

The Standing Legislative Commissions shall meet on Saturday morning, in the morning and afternoon of Tuesday and in the afternoon of Thursdays. The sittings shall be held from 9 a.m. to 1 p.m. and from 3 p.m. to 6 p.m. If necessary the sittings can be held from 6 p.m. to 12 midnight.

The quorum is the presence of the majority members of the commission and decisions of the commission are approved by a majority of the voting of the present members.

The above mentioned article was amended as the following:

The sessions of the commissions are held in the morning and afternoon of Saturday and Monday and the morning of Wednesdays

Article 35:

Plenary sitting days of the House are Saturday afternoon, Sunday, Monday and Wednesday in the morning and in the afternoon, Thursday in the morning.

Plenary sittings shall be held from 9.30 a.m. to 1 p.m. and from 3 p.m. to 6 p.m.

On the proposal of the President of the Jerga, Presidents of the committees and Heads of commissions, the House may decide to hold further sittings, even in the evening.

The above article was amended as the following:

The plenary sittings of the Jerga are held in the morning and the afternoon of Sunday and Tuesday.

Working hours of the sittings are defined in accordance with the condition of each season of the year by the head of the Jerga.

Appendix 1 of the Regulations of Internal duties of Meshrano Jerga

Based on suggestion of some of the members of Meshrano Jerga and approval of the general sitting dated 25/11/1384, two extra commissions are added to the commission which has been defined in the article 15 of Regulations of Internal Duties of Meshrano Jerga.

A:

- 1- Commission of Aquam-o-Qabayel Wa Omoor-e-Sarhadat (Commission on Tribe and Frontier Affairs).**
- 2- Commission of Handicapped and Disabled, Disabled and dependants of the Martyrs.**

B:

- 1. By the formation of the above two mentioned commissions: The words of (Handi-Capped and Disabled and Dependants of the Martyrs) are eliminated from the clause 11 of the article 15 of the Regulations of Internal Duties.**