

The National Assembly (Conduct of Business) Regulations 2010

On the strength of Article 96(1) of the Interim National Constitution of the Republic of the Sudan 2005, the National Assembly issued the following Regulations:

PART I

Chapter One

Preliminary Provisions

Title and Commencement

1. These Regulations shall be cited as the “National Assembly (Conduct of Business) Regulations 2010” and shall come into force as from the date of signature by the Speaker of the National Assembly.

Repeal and Saving

2. The National Assembly (Conduct of Business) Regulations 2005 shall be repealed, provided that all procedures made thereunder shall remain in force until repealed or amended as per these Regulations.

Interpretation

3. In these Regulations, unless the context requires otherwise:-

The Constitution :means the Interim National Constitution of the Republic of the Sudan 2005.

The National
Legislature : means The National Legislature comprising the National Assembly and the Council of States composed according to Article 83 of the Constitution.

The Assembly : means the National Assembly composed according to Article 84 of the Constitution.

The Council
of States : means the Council composed according to the provisions of Article 85 of the Constitution .

The Speaker : means the Speaker of the National Assembly.

The Deputy
Speaker : means any of the Deputy Speakers.

The Officers of the Assembly	: means the Speaker, the Deputy Speakers, the chairpersons of the Standing Committees ,the Secretary-General and the Legal Advisor.
The Minister of Parliamentary Affairs	: means the Minister concerned with relation between the National Legislature and National Executive appointed as a Minister for that purpose.
The Minister	: means the National Minister concerned.
The Parliamentary Caucus	: means the Parliamentary caucus stipulated in Section (7) herein.
The Chairperson of the Committee	: means any of chairpersons of the Standing Committees of the Assembly.
The Assembly Member	: means the Member of the Assembly who took the Constitutional Oath.
The Secretary-General	: means the Secretary-General of the Assembly.
The General Secretariat	: means the General Secretariat of the Assembly.
The Legal Advisor	: means the Legal Advisor of the Assembly.
The Standing Inter-Chamber Committee	: means the Standing Inter-Chamber Committee referred thereto in Article 91 of the Constitution.
The Regulations	: means the National Assembly (Conduct of Business) Regulations 2010.

Chapter Two

Functions and Seat of the Assembly

Functions of the Assembly

4. (1) The Assembly shall exercise, in accordance with the provisions of the Constitution, the following functions:-

- a. To assume legislation in all national affairs, subject to Article 91 (5) (b) of the Constitution.
- b. To approve plans, programs and policies relating to the State and the society.
- c. To approve the National Annual Budget.
- d. To ratify international treaties and agreements.
- e. To oversee the performance of the National Executive.
- f. To adopt resolutions on matters of public concern.
- g. To summon National Ministers to present reports on executive performance of the government generally or of specified Ministries or of a particular activity.
- h. May interrogate National Ministers about their performance or the performance of their Ministries. The Assembly may also recommend to the President of the Republic, in a subsequent sitting, the removal of a National Minister if he /she is deemed to have lost the confidence of the Assembly.

(2) The Assembly, when exercising functions within its competence, shall observe the following rules:-

(a) Any bill passed by the National Assembly, shall be referred to the Standing Inter-Chamber Committee for scrutiny and decision on whether or not it affects the interests of the States.

(b) If the committee decides that the bill affects the interests of the states, the bill shall be referred to the Council of States.

The Seat of the Assembly

- 5. The Assembly shall convene at its seat in Omdurman; however the Speaker may exceptionally call upon it to convene elsewhere.

Chapter Three

Membership

Exercise of Membership Competences

- 6. (1) No member is allowed to exercise membership competences before taking oath in accordance with proceedings laid down herein.
- (2) Every member, after oath taking, shall sign against his/her name in the Register of the Assembly members.

Parliamentary Caucuses

7. (1) Members of every party or a group of parties combined represented in the Parliament shall constitute one caucus to be called the Parliamentary Caucus.
- (2) Each Parliamentary Caucus shall select a chairperson to undertake the functions set for him/her, which are provided for herein.
- (3) The Caucus shall inform the Assembly of the name of the chairperson it selected.

Functions of the Parliamentary Caucus's Chairperson

8. (1) The Chairperson of the Parliamentary Caucus shall be concerned with the following:
 - (a) Initiation of deliberation on subjects under discussion before the Assembly.
 - (b) Representation of the Parliamentary Caucus, and he/she shall speak in its name before the Assembly and its Committees.
 - (c) Consultation with the Assembly Officers about essential issues submitted to the Assembly.
- (2) The Chairperson of a Parliamentary Caucus has the right to attend the meetings of Standing Committees in the Assembly except for those of the Assembly and Members Affairs Committee.

PART II

Chapter One

The First Sitting

The Oath Taking

9. (1) When members convene in the appointed time for the first sitting of the first session, the eldest member shall chair the sitting and read out the order to convene, and the members shall then take the oath set forth in Article 89 of the Constitution while standing up before the Assembly inside the Chamber.
- (2) With due consideration to the provisions of article 89 of the Constitution, the Speaker shall specify how the members who did not take the oath in the first sitting, take the oath.

Election of the Speaker

10. The procedures of electing the Speaker shall be as follows:-

- (1) In the first sitting of the first session of the Assembly and after oath taking, the chairperson who shall be the eldest member shall request the members to present nominations for the office of the Speaker.
- (2) Any member may nominate any other member provided that he/she confirms the consent of the nominee. The nomination shall be seconded.
- (3) The nominee shall be recommended by mentioning his/her qualifications and experiences and no deliberation shall take place thereon.
- (4) If there is more than one nominee, selection of the Speaker shall be by a secret ballot.
- (5) For selection for the speaker's office, it is a condition that the successful nominee shall obtain more than half of the votes of the members.
- (6) If no one of the nominees obtains the required rate of votes, a secret ballot shall be held again for the two nominees who have obtained the highest numbers of votes, and he/she who obtains more votes than the other shall be declared as the Speaker of the Assembly.

Election of the Deputy Speakers

11. (1) The Speaker shall have three Deputies to be elected by the Assembly in a sitting chaired by the Speaker provided that one of them shall be a woman.
- (2) With regard to nomination and secondment for the selection of the Deputy Speaker, the same procedures stated in Section 10 above shall be followed.
 - (3) If more than three members have been nominated for the office, the Assembly shall select from among them the members who obtain the highest number of votes, provided that one of them shall be the woman who obtains the highest number of votes among women nominees.

Election of the Standing Committees' Chairpersons and Deputies Chairpersons

12. (1) The Assembly shall elect, upon recommendation from its Speaker, the Chairpersons of Standing Committees, taking into consideration specialization and scientific and practical experiences.
- (2) The Assembly, when assigning offices, may consider broad basis of participation.

(3) The Chairpersons and Deputy Chairpersons of Standing Committees shall be selected by public voting while standing up.

Chapter Two

Vacancy of Office

Vacancy of the Speaker's Office

13. The office of the Speaker shall fall vacant in the following cases:-

- a. Death.
- b. Resignation.
- c. Lapse of membership in accordance with Article 87 of the Constitution.
- d. If the Assembly resolves to relieve him/her by a majority of two - thirds of the members, upon a draft resolution presented by fifty members at least.
- e. If the office of the Speaker falls vacant, the Assembly shall select a successor in a sitting chaired by the Deputy Speaker, by the same procedures laid down in Section 10 herein.

Vacancy of the Deputy Speaker's Office

14. The office of the Deputy Speaker shall fall vacant in the following instances:-

- a. Death.
- b. Resignation.
- c. Lapse of membership in accordance with Article 87 of the Constitution.
- d. If the Assembly resolves to relieve him from the office by a majority of two-thirds of the members upon a draft resolution presented by thirty members at least.

Vacancy of the Offices of Committee Chairpersons and Deputy Chairpersons

15. The office of the committee chairperson or deputy chairpersons shall fall vacant in the following cases:-

- a. Death.

- b. Resignation.
- c. Lapse of membership in accordance with Article 87 of the Constitution.
- d. If the Assembly resolves to relieve him/her with a recommendation from the Speaker by the majority of half of the members.

Functions of the Minister of Parliamentary Affairs

16. Minister of Parliamentary Affairs shall assume the following functions:-

- (a) Tabling of bills, provisional orders and international treaties and agreements.
- (b) Following-up the legislative proceedings between the Assembly and National Executive and coordinating with relevant state organs concerned with such proceedings.
- (c) Participating in preparation of the Assembly Business Agenda so as to organize participation of the National Executive in issues submitted to the Assembly.
- (d) Coordinating the participation of Ministers in the meeting of the Assembly and its Committees.

Chapter Three

Organs of the Assembly

17. The main organs of the Assembly are:-

- (1) The Officers of the Assembly.
- (2) The Standing Committees.
- (3) The Secretariat General.

The Presiding Officers of the Assembly

18. (1) The Presiding Officers of the Assembly are as follows :-

- (1) The Speaker.
- (2) The Deputy Speakers.

Powers and Functions of the Speaker

19. (1) The Speaker shall have the following powers and functions:
- (a) Shall represent the Assembly and speak in its name in and outside Sudan.
 - (b) Shall demarcate the official precincts of the Assembly and shall maintain security and order and good performance inside its chambers, seat and precincts.
 - (c) Shall supervise the preparation of the agenda, open up, chair and adjourn sittings and declare their adjournment and propagation. He/she shall conduct and direct deliberations. And he/she shall explain or ask for a clarification of any matter which in his/her opinion is not clear.
 - (d) Shall resolve the procedural matters and resolutions of the Assembly and shall put such subjects to vote in accordance with the provisions of the regulations.
 - (e) Shall declare the resolutions adopted by the Assembly and certify them.
 - (f) Shall adopt the organizational and job structures of the Secretariat General and worker terms of service regulations.
 - (g) Shall generally supervise the good conduct of the Assembly's business and its financial and administrative affairs, and shall issue relevant resolutions.
 - (h) Any other powers and functions provided for in the constitution, the law or herein.
- (2) The Speaker may delegate any Member to assume any of the powers and functions stated in Item (1).
- (3) Upon the absence of the Speaker from the sitting, the sitting shall be chaired by one of his deputies, and on absence of the Speaker and his deputies the sitting shall be chaired by a chairperson of one of the standing committees, in accordance with what the speaker orders.
- (4) The Speaker shall conduct consultation with the chairpersons of parliamentary Caucuses about essential issues submitted to the Assembly.
- (5) The Speaker on the absence of the Assembly, and after consultation with Assembly and Members Affairs Committee, may take necessary decisions required in national issues and issues of public impact, on behalf of the Assembly, provided that the Assembly be informed of the same when it resumes its business.

The Standing Committees

20. The Assembly shall have the following Standing Committees:-
- (1) The Assembly and Members Affairs Committee.
 - (2) The Legislation and Justice Committee.
 - (3) The Security and National Defense Committee.
 - (4) The Foreign Affairs Committee.
 - (5) The Financial and Economic Affairs Committee.

- (6) The Human Rights and Humanitarian Affairs Committee.
- (7) The Industry, Investment and Foreign Trade Committee.
- (8) The Agricultural, Animal and Water Affairs Committee.
- (9) The Energy and Mining Committee.
- (10) The Transport, Roads and Communications Committee.
- (11) The Labour, Administration and Public Grievances Committee.
- (12) The Culture, Information, Youth and Sports Committee.
- (13) The Health, Environment and Population Committee.
- (14) The Education, Instruction and Scientific Research Committee.
- (15) The Social, woman and Child Affairs Committee.
- (16) The Lands, Tourism & Wild Life Committee.
- (17) The Peace and Unity Committee.

The Secretariat General

Composition of Secretariat General

21. (1) The Secretariat General is composed of the Secretary General, his/her assistants and the employees according to the job structures adopted by the Speaker of the National Assembly.
- (2) Secretariat General shall assume the work necessary for the implementation of the Assembly functions.
- (3) Subject to the approval of the Speaker, the secretariat General shall issue its Workers' Terms of Service.

Appointment and Functions of the Secretary-General

22. (1) The Speaker shall appoint, with the approval of the Assembly, the Secretary-General from outside the Members.
- (2) The Secretary-General shall be the head executive official at the Assembly and shall be in charge of its administrative and financial affairs.
- (3) Without prejudice to Sub-section (2) above the Secretary-General shall undertake the following duties:
 - a) Preparation for the Assembly sittings by calling up the members.
 - b) Preparation of business agenda duly approved by the Speaker and its distribution together with any bills, statements, papers or other attachments.
 - c) Monitoring the attendance and absence of the members, as well as the order of their seating, the required quorum for a sitting and voting and executive follow up of their affairs and relations for the facilitation of performance of membership duties.
 - d) Editing of Assembly's records, registers, minutes, summaries and issue of correspondences relating to the Assembly's business and all its affairs in general.

- e) Administrrating financial, administrative and security affairs of the Assembly and its workers, and proposing of the organizational and administrative structures and follow-up its relations with other administrative bodies.

(4) The Secretary-General shall keep the following records:-

- a. A register of the Assembly members together with the date of their taking oath and signatures.
- b. A file of Assembly pending affairs together with relevant papers. The file shall be opened for perusal of the members.
- c. A complete record of deliberations of the sitting, word by word. Copies of which shall be distributed to members in succession and shall be available for public perusal.
- d. A summary of the proceedings of the Assembly and a complete text of resolutions signed by the Speaker to be distributed to members in succession and be made available for perusal by the public.

(5) The records shall be in both languages viz, Arabic and English.

(6) The Secretary-General shall take necessary measures to enable the public to follow up the activities of the Assembly.

(7) The Secretary-General shall carry out all his/her duties under the direction and supervision of the Speaker.

The Legal Advisor

23. (1) The Speaker shall appoint, with the approval of the Assembly, the Legal Advisor of the Assembly.

(2) The Legal Advisor shall undertake the following functions:-

- a) To give legal advice to the Speaker, the Assembly committees, the Assembly and the Secretariat General.
- b) To follow up the legislative procedures inside the Assembly and coordination thereof with other relevant organs of the State concerned with such procedures.
- c) To conduct comparative studies and researches relating to consultation and parliamentary systems.
- d) To assist Assembly members in drafting their legislative and control initiatives.
- e) To assist in perfecting the drafting of bills and preparing them for the final reading, and drafting the final resolutions of the Assembly.

(3) The Legal Advisor shall carry out his/her functions under direction and supervision of the Speaker.

Chapter Four

The Convening

The Call to Convene

24. (1) On the issue of the resolution of the President of the Republic calling the Assembly for the first convening and before the date of every convening that is not known to members beforehand, the Secretary-General, in the name of the Speaker, shall promptly inform the members of the call to convene, through any suitable means.
- (2) The chairperson of the sitting shall read out at the beginning of the first sitting of the first session, the resolution of the President of the Republic calling the Assembly to convene.
- (3) At the beginning of every emergency or extra-ordinary sitting, the Speaker shall read out the resolution of the Assembly that deemed the sitting necessary or the calling up of the President of the Republic or the request submitted by half of the members.
- (4) The Assembly, may when necessary, or in order to enable the members to participate in any national work or national or religious occasion, may resolve to adjourn its sittings for a period not exceeding one month.

The Sessions

25. (1) The Assembly shall convene two sessions each year.
- (2) The first session shall begin on Monday of the first week of April and shall end on Wednesday of the last week of June of the same year.
- (3) The second session shall begin on Monday of the first week of October and shall end on Wednesday of the last week of December of the same year.
- (4) The Assembly may resolve to extend the duration of the session.

The Quorum for Sittings

26. (1) The ordinary quorum for a sitting of the Assembly shall be by the presence of more than half of the members, nevertheless the Speaker may allow the beginning of the sitting or the continuation thereof by the presence of one-third of the members if he/she considers fit.
- (2) No voting shall be taken on a bill in its third or final reading stage or for decision on provisional order or a draft resolution requiring a special majority, unless the Speaker makes sure that the required quorum is

actually available at the time of voting. The Speaker may adjourn the sitting if necessary, or postpone taking the vote.

Chapter Five

Provisions of the Membership

Privileges and Immunities

27. (1) The Speaker shall coordinate with the authorities concerned to arrange for the administrative facilities and privileges necessary for the Assembly and the members for performance of their duties.
- (2) The permission for taking any criminal proceedings or measures of arrest against any member or against his/her belongings under Article 92(1) of the Constitution , shall be submitted by the Minister of Justice to the Speaker duly accompanied with a copy of any complaint, or information, or suit or investigations according to the law.
- (3) The Speaker may request the Minister of Justice to report on any legal proceedings to which any member was exposed in order to take any disciplinary actions against such member, or protect him/her against any illegal hindrance.
- (4) The Assembly may, in case of accusing a member with a serious charge, waive immunity from the accused member upon recommendation of the Legislation and Justice Committee.

Attendance and Absence of Members

28. (1) Every Member shall attend sittings in the scheduled time, and the Member shall accordingly sign against his/her name in the attendance list.
- (2) The Secretariat General shall prepare a list of names and cases of absence without permission. The list shall be posted on the notice board at the Assembly and copies thereof shall be delivered to heads of Parliamentary Caucuses.
- (3) No member shall be absent from the sittings of the Assembly or any meetings of its committees save on permission of the Speaker or of the chairperson of the committee as the case may be, or save on notifying the Speaker or the chairperson with the reason of absence as soon as possible in the cases that prior permission was impossible.
- (4) If the member is absent without prior permission or an excuse acceptable to the Speaker for six sittings in one month, the Speaker may censure him/her in writing.

(5) If the member is absent without prior permission or an excuse acceptable to the speaker for a successive twelve sittings, the Speaker shall suspend his/her remunerations. Likewise, the Speaker shall notify the Assembly of any long absence even if it was permitted and of any action he/she was taken in this respect.

(6) If the member is absent without a prior permission or an excuse acceptable to the Speaker for all the sittings along a complete session, the Speaker shall, in addition to suspension of the remunerations, submit the matter to Assembly and Members Affairs Committee so as to present a draft resolution to lapse his/her membership according to Article 87(1) (c) of the Constitution.

(7) The member who absented himself without permission shall not be entitle to sittings and Committee meetings allowance as well as a member who is absent with permission save on cases of assignment for official duty or respond to an invitation to a public issue through the Assembly or illness confirmed by a medical document.

Lapse of Membership of the National Assembly

29. The membership of the National Assembly shall lapse upon a resolution issued by the Assembly in any of the following cases:

- (a) Mental infirmity or physical incapacity.
- (b) Conviction for an offence involving honesty or moral turpitude.
- (c) Absence from one full session without permission or acceptable excuse.
- (d) Announcement of his/her written registration in the Assembly.
- (e) Change of political affiliation, identity or party on which the member was elected to the National Assembly.
- (f) Assumption of any office in the Government of Southern Sudan or any other state office.
- (g) Death.

Procedures for Lapse of Membership

30. (1) Membership shall lapse for any of the reasons provided for in Article 87 of the Constitution, upon recommendation of the Assembly and Members' Affairs Committee.

(2) Any judgment of conviction against any member which is likely to constitute reasons for taking proceedings to lapse his /her membership under Article 87(1)(b) of the Constitution , shall be referred to the Assembly and Members Affairs Committee.

(3) The Committee shall hear the member concerned if that is possible and then submit its report and recommendation to the Assembly for appropriate action. If the lapse recommendation is approved, the Assembly shall issue a resolution to that effect.

(4) In case of submission of a request for lapse of membership in accordance with Article 87 (1) (e) of the Constitution, the Committee shall refer to the reasons the request relied thereon to the Legislation and Justice Committee to hear the member concerned. If he/she admitted changing of his/her political affiliation, identity or party on which the member was elected accordingly, the Committee shall submit its report to the Assembly and Members Affairs Committee, but if the member denied then the Committee shall investigate correctness of the allegation, hence, submit its report to the Assembly and Members Affairs Committee.

(5) The Chairperson of the Legislation and Justice Committee shall present on behalf of Assembly and Members Affairs Committee a draft resolution of lapse of membership if any of the cases provided for in article 87(1) of the Constitution shall be applied.

(6) When the resolution of lapse of membership is issued, the Speaker shall inform the National Elections Commission of the vacancy of the seat.

(7) The lapse of membership resolution shall be considered in force from the date of issuance. In case of death, it shall be considered in force from the next day following the death and in case of assuming an office in the Government of Southern Sudan or any state office it shall come into force from the date of appointment in the new office.

Chapter Six

The System of Sittings and Deliberation

The Agenda

31. (1) The Secretary General, as directed by the Speaker, shall prepare the Agenda of the Assembly sittings weekly and daily.

(2) The Secretary-General shall supervise over the distribution of the Agenda together with the necessary enclosures to the members.

(3) The weekly Agenda shall be published two days before holding the first sitting in the week. And any amendment thereof shall be published.

(4) The new business shall be entered in the Assembly Agenda for a date to be fixed by the Speaker. The deferred business or those referred to the committees or pending ones shall be included for a date to be fixed by the Speaker if the Assembly has not already fixed a date for them in the Agenda by a procedural resolution.

(5) In arrangement of the items of the daily Agenda, the following shall be observed: first the taking of the oath, then lapse of membership, the messages, the announcements and the Assembly affairs, then the presentation of lodged papers and petitions, then the urgent matters then the

questions and answers, then the statements and notification requests and addresses, then the bills and matters entered for deliberation and then the urgent matters that are not entered.

(6) If the sitting did not cover all the business entered for the day, the Speaker may direct that the outstanding items or any procedures thereof transferred to another sitting in consultation with the presenters of such business, and so the business shall be deemed as included in the Agenda of the concerned sitting.

(7) At the sitting of the day, The Speaker may prioritize any statement or any urgent or transferred matters or any other subject or he/she may delay in the Agenda provided that he/she briefs the Assembly beforehand when sitting is opened.

(8) The Agenda, and all bills and reports and other enclosures shall be prepared in both Arabic and English languages.

Sittings

32. (3) The ordinary sittings of the Assembly shall be held three times per week on Mondays, Tuesdays and Wednesdays if not being holidays. The Speaker, by a procedural resolution may call for any additional morning or evening sittings whenever that is necessary.

(2) The Speaker shall fix the time of beginning and ending of sittings, and he may suspend the sitting if he considers necessary and may as well extend it until the subject for discussion is finished.

(3) The Minister or any member may move a motion, at any stage of the day's business that the sitting shall not be ended until all subjects on the Agenda are covered. If the motion is passed, the sitting shall continue until such time.

System and Control of the Sitting

33. (1) The sittings of the Assembly shall be open and may be attended by the public and be conveyed by the public mass media except when the Speaker or the Assembly decides otherwise on the request of the President of the Republic or any of the Ministers or on a procedural motion by any member, that the public interest necessitates that deliberation on the subject before the Assembly shall be in a secret sitting.

(2) When the Assembly holds a secret sitting, the chamber shall be emptied of guests as well as the galleries of the public, except those permitted by the Speaker to attend the sitting.

(3) The Secretary-General shall retain the records of the secret sittings

which shall not be published or disclosed to any person save with permission of the Speaker.

(4) Every member shall abide by the seat allotted to him/her during the sitting, and shall not move about in the chamber nor sit or leave the chamber except with decorum and leave permission of the Speaker.

(5) No food or smoking or similar stuff shall be taken inside the chamber or galleries. Reading a newspaper or a book or any written material not presented for the business of the sitting is not permissible during the sitting.

(6) The members shall observe the dignity and decorum of consultation during the sitting and discipline thereof. No comments or noise or uncommon words are allowed as a gesture of opposition or disturb proceedings.

(7) The members shall adhere to the directives of the Speaker in control of the sitting and conduct of speech therein. The Speaker shall not be interrupted while speaking by commenting or pointing of order or by standing up. No comment is allowed on any action taken by the Speaker save by a draft substantive resolution presented by ten members.

(8) The Speaker may inflict on any member, who fails to comply with his/her directives or who infringes the conduct and control of the sitting, any of the following penalties and he/she may take any measures to ensure enforcement of his/her penal decisions:-

(a) Order the member to withdraw unbecoming speech or to apologize for any improper remark or behaviour.

(b) Deprivation of speech during the sitting.

(c) Decision after the sitting to direct censure in writing, to the member and that such decision be read out to the Assembly in a following sitting.

(d) Deprivation of member to continue in the sitting and order him / her to withdraw or be removed.

(e) Decision after the sitting to deprive the member of participation in the Assembly work for a period not exceeding one month with the possibility of suspending remunerations for the period of deprivation and such decision be read out to the Assembly in a following sitting.

(9) All guests permitted to attend the sitting shall be subject to the rules of conduct and speech applicable to the members and the Speaker may order their withdrawal from the chamber if necessary.

(10) The public, in their movement inside the precincts of the Assembly and in their watching the sitting from the galleries shall be subject to the rules laid down by the Secretary General. They shall keep silent and quiet

during the sitting and avoid making noise or clapping or commenting and refrain from expressing approval or disapproval or interfere in any manner in the sitting. The Speaker may address and direct them and in the case of violation of system, he may order evacuation of galleries.

Rules for Speaking

34. (1) No member is allowed to speak except from the seat allotted to him/her and after registering his/her name in the computer board or by standing up in his/her place requesting to speak and after the permission of the Speaker in any of the two cases.

(2) A member shall not request to speak until after the Speaker presents the subject or the item on the Agenda and shall not ask to speak after conclusion of voting on the subject or after the Speaker proceeds to another stage or issue.

(3) The Speaker shall allow members to speak, observing priority to heads of parliamentary Caucuses and chairpersons of Committees concerned with the subject under discussion and distribution of chances among supporters and opponents of subject under discussion.

(4) A member given permission to speak shall not continue longer than the time fixed or permitted by the Speaker.

(5) The Minister or any of the officers of the Assembly or the mover of the subject may speak from the platform and any of them may request to speak more than once but shall not exceed the time fixed by the Speaker.

(6) Reading out from papers or documents or memos is not allowed without the permission of the Speaker except for addresses or when presenting statements or reports or texts and proposals or amendments or quotation from a written text.

(7) Repetition of one's own speech or repetition of what has been said by another or deviation from the subject under discussion or speaking unnecessarily long is not allowed. The Speaker may remind the member that his/her point has been made clear and direct him / her to be precise and to conclude.

(8) A member shall speak standing unless he/she can't stand for an excuse and shall direct his /her speech to the Speaker only. He/she shall be courteous in his/her speech and deliberation and use no offensive language about the members or expressions insulting persons or institutes or values or creeds or public interests.

(9) No member shall give an opinion or comment on a matter that is sub judice or under investigation by the Attorney General or before legal inquiry committees or speak about the President of the Republic or about any of his Two Deputies or the government in an unfashionable manner.

(10) No member shall interrupt another member while speaking except for a point of order provided that it shall not be a pretext for making a comment but to remind the Speaker to pay attention to provisions of the Constitution or law or Regulations. In this instance, a member may stand up and declare a point of order. Thereupon, the speaking member shall sit down or be asked by the Speaker to sit down. Then the member raising the point of order is asked to introduce his/her point and when he/ she has finished, the Speaker shall decide on the point of order. Then the member shall resume depending on the decision of the Speaker.

(11) Speaking shall be in Arabic or English language provided that translation shall be held in all instances.

(12) The Speaker may remind any speaking member to observe the time limit or procedural direction or a provision of the Regulations. He/she may order that any speech from a member inconsistent with the provisions of the Regulations to be deleted from the sitting records.

Motion

35. (1) The deliberation on any subject required to be resolved by the Assembly shall initiate in the form of a motion in accordance with these Regulations. No motion shall be considered unless it is seconded except the motions presented by a Minister by an official initiative or motions presented by more than one member or the motions mentioned in committee discussions.

(2) A motion may be presented by a procedural resolution by written presentation or reading out during discussion of the relevant subject. A motion for an amendment to a draft substantive resolution may be presented as well as a motion for a drafting or wording amendment of any subject entered the Agenda.

(3) The Speaker may, when a substantive motion has been presented by a minister or any of Assembly officers, permit to postpone the subject to a later date to enter the motion in the Agenda.

(4) No motion for rejection of another motion under consideration or for amending it in a manner changing its original form or in a way inconsistent with a provisions resolution adopted by the Assembly shall be accepted.

Postponement and Withdrawal

36. (1) A presenter of a subject or a motion may propose the postponement of deliberation thereon to a certain date or another date to be agreed upon with the Speaker. A Minister may move the postponement of the discussion on any motion of a bill or a substantive resolution in order to prepare an opinion thereon provided that the period of postponement shall not exceed

one month. In both cases, the Speaker may allow the postponement of deliberation.

(2) A presenter of a subject or motion may propose the postponement of deliberation thereon indefinitely or propose withdrawal thereof. But if the subject is presented by more than one member, or if the motion is already seconded, or if deliberation has already started thereon, it is necessary to have the opinion of the Assembly. If the Speaker or the Assembly, as the case may be, permits postponement or withdrawal, incorporation thereof in the business of the session is not allowed.

(3) If the presenter of a subject is absent at the beginning of the deliberation or if he/she fails to introduce a motion in that regard or if this happens at the closure of deliberation and the Speaker calls out for the presenter to read out his/her motion once more, the Speaker may, according to his/her direction, postpone the remaining procedure on the subject or shall consider it as cancelled and it shall not be entered in the business of the same session.

Closure of Deliberation

37. (1) At any stage of deliberation, a motion to close the deliberation may be presented, and when it is seconded, it shall be put immediately to vote without deliberation unless the Speaker otherwise considers that shall contradict consultation principle necessary for the subject and so he/she may ignore the motion.

(2) If the Speaker considers that the subject has its full share of deliberation or that there is no member willing to speak, he/she may propose to the Assembly the closure of deliberation and put the matter to the vote directly.

(3) The Speaker may, at the closure of deliberation, call on the member concerned to put his/her motion again and call also on the proposer of an amendment to the motion and call as well as on whoever may propose any amendment permitted by the Regulations and may ask for secondment necessary for any of such motion.

Taking the Vote

38. (1) The Speaker, after closure of deliberation, shall put the motion to vote by "aye" or "nay" and declare the result. If there are some motions for amendment, the Speaker shall put them to the vote first, starting with the motion most different from the original one and finally, he/she presents the motion in its original or the amended form if amendment has been passed.

(2) If no member objects the decision of the Speaker with regard to the result of voting, the result declared by the Speaker shall be deemed as the resolution of the Assembly.

(3) When taking the vote, if there is no "No" voice and no member

abstained from voting, the Speaker may direct the Secretary-General to record a unanimous resolution and if no member objects, then the Secretary-General shall record accordingly.

(4) If the Speaker suspects that votes are not equal or if the speaker's decision of taking vote by the voice has been objected or if any member requests that the voting be by standing up and sitting down, the speaker shall call on the members who support and who oppose and who abstain successively to stand in their places until they are counted. The Speaker shall then declare the number of those who voted for and against the motion and the number of the abstainers and declares the result.

(5) The Speaker at the request of ten members shall take the vote by calling the members by their names from a nominal roll and each member shall stand up in his/her place and vote by yes or no or abstain, and then the Speaker declares the result.

(6) The Speaker may, at any stage before declaring the result of voting proceed to contain the differences of opinions and endeavor to achieve a consensus through consultation with motion proposers and others, he/she may delay the procedure or postpone the subject if the consultation so requires or if a new amendment is deemed necessary to enter according to the Regulations.

PART III

Deliberated Business

The Assembly Affairs

39. (1) At the stage of Assembly affairs, the Speaker shall inform the Assembly of the messages received and of the actions taken according to the Resolutions and of any other matters relating to Assembly business or affairs. He/she may raise any matter relating to the Assembly and allow for a brief deliberation thereon.

(2) The members may, at this stage, direct any questions concerning the Assembly to the Speaker about the Assembly affairs and they may likewise raise any matters relating to the performance of their duties and the Speaker may allow for a brief deliberation thereon.

(3) No substantive motion for taking any decision at this stage shall be presented unless the matter is entered in the Agenda.

Lodged Papers

40. At the stage of lodged papers, announcement shall be made of any papers laid before the Assembly according to the Constitution or law or these Regulations as well as any statement or memo or other document which the

Speaker believes to be officially laid before the Assembly. The Speaker may allow a brief statement on any paper lodged and may permit a direct deliberation thereon or refer it to the committee concerned.

PART IV

Chapter Two

Means of Legislative Control and its Procedures

Reports of Constitutional Organs

41. (1) The General Grievances Chamber, the National Audit Chamber and the National Reconstruction and Development Fund shall submit periodical reports to the Assembly on the general performance of these organs.

(2) The Assembly may request from these organs to present reports on specific subjects.

(3) Such reports shall be referred to the committees concerned for study and they shall submit recommendation to the Assembly for taking appropriate decisions thereon.

(4) The Assembly shall form an *ad hoc* committee to ensure enforcement of the Assembly's resolutions on the reports of constitutional organs.

Petitions and Complaints

42. 1) Any non-governmental organization, which is legally recognized, may submit a petition on any question to the Assembly as an appeal for consideration provided that the petition shall involve a question of non-personal public interest and not concerned with a subject within the jurisdiction of local or state authority or the Government of Southern Sudan.

(2) The petitions or complaints shall be presented to the Secretary-General according to rules he/she sets, and then be submitted to the Speaker. If he/she decides on its suitability for consideration by the Assembly, they shall be entered in the Agenda to be presented to the Assembly briefly by the Speaker or by any other member. The Speaker, when petitions or complaints are presented, may allow a direct deliberation thereon or refer them to the committee concerned.

Urgent Matters

43. (1) Before the start of a sitting, a member may request the Speaker in writing to raise an urgent public matter to be brought to the notice of the Assembly or the notice of the Minister, and to which the member seeks an answer. If the speaker agrees to such request, he/she shall permit the member to raise the matter and deliver a brief statement of the facts and

necessity of the matter. The Speaker may allow for a brief deliberation thereon.

(2) The Minister concerned with the urgent matter may answer immediately or request for its postponement for a period not exceeding two days or until the next ordinary sitting.

(3) The Speaker may change any request for an urgent matter into a question to the Minister and notify the request presenter. The Speaker may decide to refer the request and any answer thereto to the committee concerned.

(4) If the Assembly concludes its business entered in the Agenda before the ordinary closing hour of the sitting, the Speaker may allow for raising any matter or urgent public matters impromptu for deliberation thereon.

(5) No motion for adoption of a substantive resolution shall be presented at this stage of Assembly business.

Questions

44. (1) A member may direct to a Minister any question on any public affairs that lies within his/her jurisdiction and related to the functions of the Assembly for questioning about any matter not known to the member or inquiry about the occurrence of any fact that came to his / her knowledge or for asking about the measures that may be taken by the government about any certain matters.

(2) Such question shall not relate to a private interest or be of a personal nature or pure local or state affair or be of the exclusive powers of the Government of Southern Sudan nor seeking for a juristic or legal opinion nor dealing with a matter which is subjoined. The question shall be clear and limited to the matters of inquiry, including no comment and free of disapproving or improper expressions.

(3) The questions shall be submitted to the Speaker in writing and recorded according to date of receipt. The Speaker shall convey the question to Minister concerned and shall enter it in consultation with him/her in the Agenda of the nearest sitting provided that this shall not take place before expiry of one week from the date of notification except with approval of the Minister. The answer to the question shall not be delayed for more than one month except with approval of the Speaker.

(4) The member presenting a question may withdraw it at any time. If the question has been entered in the Agenda, the Speaker shall call on the presenter, at the stage of questions, to read out his/her question and receive the answer. If the member presenting the question is absent, the Speaker may decide what he considers fit.

(5) Any member may direct a subsidiary question on any matter relating to

the answer of the Minister or emanating from it with a brief introduction. The member putting the original question may as well comment on the answer of the Minister. And then the Minister shall give answers to the subsidiary questions.

(6) Any member may direct any sub-question on any issue related to the minister reply or resulting therefrom with a brief introduction. Then the minister shall respond to the sub-questions. The main question raiser may comment on the minister reply.

(7) The Assembly may refer the question and the answer thereto to the committee concerned for consideration and reporting thereon to the Assembly as step for a general deliberation and taking suitable decision thereon.

(8) All questions shall lapse by the end of the session without prejudice to the right of the member to renew the question in the new session.

(9) The procedures regarding preparation of questions and answers do not apply to incidental questions directed to ministers during the deliberation of any subject presented to the Assembly. The members may pose such questions impromptu during the sitting.

(10) The Minister shall observe, when preparing the answer to the question, that it does not take the form of prolonged ministerial statements.

Interrogation

45. (1) Any Twenty members may submit to the Speaker a written application to interrogate a Minister about any policy or public matter he/ she is concerned and relating to the functions of the Assembly. The Speaker shall pass a copy of the request to the Minister and fix with him/her after consultation a date for the interrogation to be entered in the Agenda within two weeks from his / her notification.

(2) On the appointed date of interrogation and at the end of the stage of questions, one of the members concerned shall present the substance of interrogation in a brief statement. Thereafter, the Minister shall give his/ her answer thereto then the chance shall be opened for any subsidiary questions or brief comments to be answered by the minister.

(3) Any member may, at the end of the interrogation and before proceedings to another business, present a draft resolution for submission a recommendation to the President of the Republic to remove the Minister if he/ she is deemed to have lost the confidence of the Assembly. The draft resolution shall be entered in the Agenda of the next ordinary sitting for deliberation.

(4) If the draft resolution is passed after deliberation thereon by half

majority of the Assembly members, the Speaker shall submit the same with a message from him/her to the President of the Republic.

General Summoning and Inquiry

46. (1) The Assembly or any of its committees may summon any public official or any other person except the President of the Republic and his two Deputies, to give any testimony or opinion to the Assembly or to any of its committees.

(2) The Assembly shall not be allowed to inquire on any matter within the direct responsibility of the National Executive Authority save after notifying the President of the Republic.

Chapter Two

Addressing

Address of President of the Republic

47. (1) The President of the Republic may notify the Speaker that he/she intends to address the Assembly in person or through a message to be read out on his/her behalf by whom he/she may delegate. The Speaker shall give priority to this request over any other Assembly business and arrange for that in the Agenda at the first ordinary sitting.

(2) After Assembly hearing the address of the President of the Republic or his/her message, the Speaker may permit deliberation thereon immediately or refer it to the committee concerned.

(3) The Speaker may invite any guest of distinction to address the Assembly. The address shall be entered the Agenda for a suitable date.

Addresses of the Vice Presidents

48. (1) Any of the two Vice Presidents of the Republic or the President of the Government of the Southern Sudan may request to address the Assembly and the Speaker shall prepare for that in the Agenda of an ordinary sitting.

(2) After the Assembly hearing the address, the Speaker may allow deliberation immediately thereon or refer it to the committee concerned.

Statements of Ministers and Notification Requests

49. (1) The minister, on his/her own initiative, may request to give a statement to the Assembly on any subject relating to the policy of his/her Ministry or performance. The Speaker shall afford him /her the chance in the Agenda as

soon as possible provided that not later than two weeks from the date of such request .

(2) The Assembly may, upon a motion from ten members at least, or upon a recommendation from one of the standing committees or one of Parliamentary Caucuses, request a Minister to brief him personally with a statement on any subject of interest , within the framework of his/her responsibilities, and pertaining to the functions of the Assembly. The notification request shall be referred through the Speaker to the Minister, provided that the Minister responds to the request within a period not exceeding two weeks.

(3) At the stage of statement or notification request in the Agenda, the Minister concerned or any Minister representing him/her shall deliver the statement or notification request before the Assembly. The Speaker, thereafter, may permit deliberation thereon directly or refer it to the committee concerned.

(4) When deliberating a statement or a notification request or a report on either presented by the competent committee, the minister or his/her representative shall be present.

PART V

Chapter One

Proposed Business

Proposed National Plans and Programmes

50. (1) The Minister concerned shall submit to the Assembly on behalf of National Council of Ministers any proposed national plan or program by declaring tabling thereof before the Assembly. Such proposal shall not be entered in Agenda until after the lapse of two weeks from the date of its distribution to the members.

(2) The proposal shall be considered by the Assembly in a committee of the whole Assembly and the members may submit proposals for amendment to any provision of the proposal one week before date of consideration.

(3) The Speaker shall allow sufficient time for deliberation of the proposal and motions of amendments thereof. For passing such proposal the same procedures applicable to third and final reading of bill shall be adopted.

(4) The Speaker may refer the proposal to the committees concerned to prepare a joint report thereon.

Draft Resolutions

51. (1) Procedural resolutions shall be taken in the Assembly according to a motion presented during the deliberation, and be passed and no written resolution thereon issued.
- (2) Substantive resolutions shall be taken in the Assembly according to a draft resolution initiative to be presented in advance to the Speaker and be entered for a later date in the Agenda, or according to the draft resolution issued following a general deliberation on any matter, and the proposal be entered for a later date in the Agenda.
- (3) On the date fixed for the subjective draft resolution the proposer shall read out the text and explain the contents and meaning thereof and make a motion for adopting it. The Assembly proceeds to deliberate in the subject and propose any amendment thereof.
- (4) The Speaker may, before presenting the draft resolution to the Assembly, or the Assembly, during the deliberation by a procedural decision, refer the draft resolution to the committee concerned.
- (5) The resolutions of the Assembly shall wherever possible, be taken by unanimity or consensus. Alternatively, resolutions shall be passed by simple majority of members present.

Chapter Two

Acts

Procedures for Presentation and Consideration of Bills

52. The procedures of presentation and consideration of bills before the Assembly shall be as follows:-
- (1) The stage of the first reading and tabling of the bill before the Assembly shall be as follows:-
- a. If the bill is presented with a public initiative from the President of the Republic or the presidency of the Republic or National Council of Ministers or National Minister or any of the committees of National Legislature, shall be entered in the Agenda in time. The Speaker or the Minister shall then read out the name of the bill and this shall be considered as first reading indicating the tabling of the bill before the Assembly.
- b. If the bill is presented with a private initiative of a committee or a member, it shall be submitted to the Speaker to refer it to the committee concerned and if such committee recommends, after consideration, that the bill contains a public interest which is important and suitable for presentation to the Assembly, it shall then submit a report to the Assembly

where the name and the recommendation are read out. This shall be considered as a first reading and announcement of tabling it before the Assembly. If the committee recommends otherwise, it shall submit a report to the Speaker with a copy to the committee(s) or the member who presents the proposal. Any one of them may request the Speaker in writing to present the matter to the Assembly to report thereon and the matter shall then be entered in the Agenda at a date not later than the end of the session in which it has been presented.

c. The bill after first reading shall be distributed to the members. The Speaker shall refer the bill to the committee concerned so as to submit a general evaluation report thereon and a recommendation to be passed in principle. The bill shall then be entered in the Agenda for second reading at date to be determined.

(2) The second reading and the stage of considering the bill in principle in the Assembly shall be as follows:-

a. The committee concerned shall submit an initial report in the sitting fixed containing its overall observations about the bill and its recommendations for passing it in principle or disregarding the same. The Minister shall then present the advantages and the general characteristics of the bill showing the practical and theoretical reasons that led the bill to be presented and he/she then proposes to the Assembly to pass the bill in principle. The motion shall then be deliberated and put to the vote.

b. The committee concerned or any member may propose postponement of considering the bill indefinitely, giving the reasons justifying the same.

c. If the motion for passing the bill fails at the second reading or if the motion of postponement is adopted, no action shall be taken about the bill in the same session.

d. If the bill resolution is passed, it shall be referred to the committee for the Report Stage.

(3) The stage of committee consideration of the bill shall be as follows:-

a) The committee may, for the purpose of consultation, send a copy of the bill to any concerned body outside the Assembly whether it is official or private to look and decide on the legality and wisdom of the bill or send it to any interested body to look and report on its implication and acceptability. Such body may be called to address the committee. The committee may also appoint a time for any body which may request to comment on the bill. The committee shall decide whether to respond to such request according to its evaluation of the seriousness and benefit of the request. The committee may determine the method, and time for hearing the bodies concerned or for receiving notes and questions from any member or other bodies.

b. Any member may present to the chairperson of the committee, in writing a reasoned motion for amendment or addition or deletion of any provision of the bill. The committee may accept such motion or reject it.

c. The amendments referred to shall be presented during the period from the date of passing the bill at the second reading, to one day before the date fixed by the committee to consider the bill.

d. No motion for insertion of a new provision which annuls the basis of the bill or inconsistent with its general principles or with any resolution previously taken by the Assembly, shall be proposed.

e. No motion for any amendment which tends to impose any financial burden or charges on the treasury or the reserve funds or to levy new duties or tax or fresh dues or canceling or amending them except within the context of national budget bill and the bills attached thereto shall be proposed, save on the approval of competent authority.

f. The committee shall submit the bill or any proposed amendments to the committee of Legislation and Justice to seek its opinion on the drafting and harmony of the legal construction of the bill after amendment. This may be carried out in a joint meeting or in any other manner.

g. When the committee concludes consideration of the bill and prepares its report thereon, the bill shall be entered in the Agenda for the third reading at the date fixed by the Speaker.

(4) The stage of the third reading of bill and the stage of considering report in the Assembly shall be as follows:-

a. The committee shall submit to the Assembly a comprehensive report embodying all the steps taken on the bill and their comments on the text, the bodies heard by the committee and amendments received and a statement of motions adopted and the motions rejected and naming all the proposer of motions. The report including the texts of the amendments received shall be distributed to the members at least one day before appointed date for the Report Stage.

b. The Assembly shall deliberate, after the report is read out, on the texts of the bill and discuss first the amendments adopted by the committee and then all other amendments. The committee chairperson or the member proposing the motion of the amendment rejected by the committee may explain the motion and clarify further the motion of amendment. He/she may be asked some questions for purposes of clarification.

- c. Voting shall be taken first on the sections to which amendments have been proposed first starting with amendments adopted by the committee and then followed by other amendments. If the Assembly does not pass any of the amendments, the original section stands as it is. Voting shall then be taken on sections as a whole of the bill about which no amendments have been proposed.
- d. The Assembly may proceed to the final reading stage immediately unless the Speaker decides to refer the bill to Legislation and Justice Committee for perfection of the final drafting or if he decides entering the bill in the Agenda for final reading on any other date determined by him/her.
- e. The concerned minister or ministers or those acting on behalf of them should attend when the bill is discussed before the Assembly in third reading stage.

(5) The Final reading of the bill shall be as follows:-

- a. The Minister or the chairperson of committee concerned in the sitting fixed for final reading shall propose that the bill shall be passed in detail and in totality and then submit the bill for deliberation which shall not touch the principles of the bill and shall be limited to the general comment on its final form after the stage of amendments.
- b. A motion to return any part of the bill to the committee concerned or to Legislation and Justice Committee may be proposed if it appears that certain serious points arose at drafting. A motion for correction warding or insertion of a phrase which is dropped inadvertently may also be proposed. The Speaker shall not permit any amendment in the substance of provisions.
- c. The Assembly shall vote on the bill section by section and then annex by annex while the chairperson of the committee concerned reads out the text. Then the chairperson of the committee concerned shall submit the whole bill for voting.
- d. If the Assembly rejects any substantial section or an annex of the bill, and the Minister or the chairperson of the committee points out that it is a substantial Section within the framework of the provisions of the bill, voting thereon is repeated and if not passed by the Assembly, this shall be deemed as a rejection of the whole bill.
- e. The Minister at any stage before the final reading of the bill may propose the postponement indefinitely or withdrawal thereof. If the speaker permits this, the bill shall be considered as cancelled and it shall not be entered in the business of the session and this is possible

with a permission of Assembly to the member presenting the bill by a private initiative. This shall end up in the same consequence.

(6) The special or Summary Procedures concerning bills shall be as follows:-

a. The Assembly may, by a special procedural resolution issued according to a motion from a Minister, define special or summary procedures for consideration of a particular bill.

b. The special procedures may require formation of an ad hoc committee to which the bill may be referred or may require that the bill be considered at any stage by all the Assembly gathering in the form of a committee of the whole or require disposing with the stage of considering the bill by committee concerned and refer all motions of amendment to the Assembly directly after the second reading for decision thereon and then proceed to the stage of final reading.

c. The Summary procedures may require resolving the bill by a specified date. The Speaker shall then determine a definite time for each stage of procedure within the fixed period. At the end of the time of each stage, deliberation shall be closed and vote be taken immediately or finish any other business and proceed to the next stage.

(7) If the Assembly passes the bill at the final reading, the Speaker shall refer it to the Standing Inter - Chamber Committee. If the committee refers the bill back to the Assembly because it doesn't affect the interest of the states, the Speaker shall prepare a clear copy of the bill duly signed by him/her and submit it to the President of the Republic seeking his/her signature on the bill to become legally in force. If the President responds with his/her signature or abstains from signature for a month without giving reasons, the bill shall be considered approved. The Speaker shall then refer the law to Minister of justice to publish it in the official Gazette and notify the Assembly in the following sitting of the manner of the enforcement of the law.

Passing of Provisional Orders

53. (1) The provisional orders that issued during the absence of the Assembly and enter within its competence shall be presented in the first week of its convening. It shall be read out by the Minister or the Speaker as an indication of tabling thereof before the Assembly and then shall be referred to the committee concerned.

(2) The committee shall follow, in the consideration of the provisional orders, the same procedures stipulated in Section 50(3) (a) and it shall

submit a report contains a recommendation for passing the order in the original text or rejecting it. The report shall be entered in the Agenda of the Assembly.

(3) After reading out the committee report in the Assembly, the Speaker shall present the order for deliberation. If the order is passed in its original text, the Speaker shall refer it to the Minister of Justice for publication in the official Gazette and if rejected by the Assembly or if the session ends without it being passed, the provisional order shall lapse without retrospective effect.

(4) The Speaker shall refer the resolution of the Assembly rejecting the order or the notification of expiry of session without being passed to the Minister of Justice for publication in the official Gazette.

Chapter Three

National Budget Bill

54. (1) The Relevant authority assigned by the President of the Republic shall present the bill of the national budget to the Assembly before the beginning of the new financial year. This shall include a general evaluation of the financial and economic situation of the country together with detailed estimates of proposed revenues and expenditure for the forthcoming year compared to those of the previous financial year also a statement of the general budget and any reserve funds or any transfers thereto or allocations therefrom together with any clarifications and, of any special budgets or financial estimates policies or measures to be taken by the state in the financial and economic affairs of the country within the framework of national budget.

(2) The Authority concerned shall submit to the Assembly proposals of total expenditure entered into the budget as appropriation bill about allocation of credits and the detailed estimates shall be attached as a schedule to the bill and the proposals for taxes, fees and other levies as well as for borrowing or investment or government saving bonds shall all be presented as financial bills.

(3) Submission of national budget bill and its attachment shall be considered as first reading. The Speaker shall then refer the bill to Economic Affairs Committee and any other relevant committees provided that it shall be entered in the agenda for the stage of second reading after three days at least.

(4) The stage of second reading shall begin with a general report from the Economic Affairs Committee to be followed by a general deliberation on economic and financial situation and the general trend of the budget bill without dealing with the details of estimates.

(5) For the general deliberation, sufficient number of sittings shall be

allotted. Then the voting shall be taken on the bill for passing it in principle. If the bill is passed, it shall be scheduled for third reading on a date to be fixed by the Speaker. In that all provisions mentioned in these Regulations concerning law bill shall be followed.

(6) The Third reading and the report stage of the bill shall be as follows:-

a. The committee concerned shall submit a comprehensive report to the Assembly comprising all the steps taken by it as regards the bill, and its detailed comments on the text of the bill and the schedules attached thereto, in addition to any observations received from other committees or the members or other bodies heard by it as well as any amendments to the legal provisions or the estimation of expenditure.

b. The deliberation shall begin with the schedule of the estimates of expenditure when the motions for amendments to items are presented for deliberation and decision. The Speaker may arrange the order of the items and may fix a time for any of them in whatever methodology he/she considers appropriate. If the Assembly does not finish in the time fixed, the Speaker shall proceed immediately to take the vote on any motion of amendment to the items of legal expenditure provisions, and then enter the bill for the final reading.

c. At the stage of the final reading, the schedule of expenditure shall be presented to be adopted item by item and chapter by chapter and thereafter the bills be passed section by section.

Financial and Additional Measures Bills

55. In the procedure of additional measures in appropriation bills or laws connected with reserve funds of loans free from interests or State investment and saving bonds, the same procedures applied to the general budget bill, may be followed, though the Speaker in scheduling discussion of such bills, may not bind himself with any fixed number of days or sitting.

Chapter Four

International Treaties and Agreements Ratification Bills

56. (1) Any final agreement with any State or an international organization or any agency belonging thereto, shall be considered an international treaty or an international agreement.

(2) On tabling any international treaties and agreements Ratification Bills, the Speaker shall refer it to the committee concerned.

(3) The concerned committee shall present its report at time specified to be deliberated thereon, and the Assembly has the right to either pass, reject or

delay revision of the said bill, but has no right to introduce any modifications thereto.

(4) The concerned Minister may at any time request the withdrawal of such bill from the deliberations of the Assembly or to delay the deliberation of the said bill indefinitely. The bill shall then be withdrawn of the Assembly's deliberation under the Speaker's permission, and the said bill shall not be presented again in the same session. If the Assembly passes the bill, the Speaker shall present a clear copy thereof bearing his signature attached with the said agreement to the President of the Republic requesting the ratification of same and be rendered a law.

(5) The Assembly may delegate to the President of the Republic the power of ratifying the international treaties and agreements, during the Assembly's recess with a Republican decree which has the force of law without the need for a following passing by the Assembly, provided that such a decree be tabled before the Assembly when convened.

Delegated Legislative Measures

57. (1) Legislative measures issued according to a delegation of a national law, shall be presented to the Assembly within one month of issuance, by reading out the name of the by-law, in the stage of official papers in the Agenda. The concerned minister or the Speaker shall read out the by-law as an indication of lodging it with the Assembly, and then it shall be referred to the committee concerned.

(2) Any committee member may present to the committee with his observations against such by-law within two weeks from the date of referral. The committee shall not submit a report thereon to the Assembly except when it recommends the repeal of or the amendment to the by-law, where the report is entered in the Agenda for deliberation and voting on such recommendation for a draft resolution.

Part VI

Chapter One

Committees

Committees of the Assembly

58. (1) The Assembly shall sit in the form of a Committee of the whole provided for in the Regulations, and whenever a procedural resolution is passed by it for such a sitting for consideration of a certain business. The conduct of business in the Committee of the Whole shall be similar to that of the committees. The Speaker shall chair the sitting and the proceeding of the same shall be recorded in the Assembly records of proceedings.

(2) The Assembly shall form, by a procedural resolution within two weeks from the first sitting, the standing committees mentioned in Section (20) of these Regulations. The committee may, at any time, be dissolved in order to be re- formed.

(3)The Assembly may form by a substantive resolution any ad hoc committee and define its functions and term. The Assembly may at any time, dissolve such committee or re-form it by a procedural resolution.

Chapter Two

Formation of Committees

59. (1) The Assembly and Members Affairs Committee shall be formed of the Speaker as Chairman and all the officers of the Assembly as members, and the Secretary-General as rapporteur.

(2) The Speaker shall nominate the chairpersons and members of *ad hoc* committees as well as the members of the standing committees in the light of their preferences, with due consideration of their qualifications and the their proper distribution among the committees, provided that the Assembly, by a procedural resolution proposed by the Speaker, approves the membership of the standing committees and that the Assembly's Affairs Committee shall thereafter make any changes in the membership of these committees on the recommendation of the Speaker who shall then inform the Assembly.

(3) The chairman of the committee calls the committee to meet, he chairs its meetings, determines the agenda, conducts the business and declares its decisions, assumes representation of same to conduct its contacts and correspondence with the Assembly's bodies and committees and with external agencies, provided that such contacts and addressing shall be through the Speaker or by his knowledge.

(4) The Secretary-General shall appoint a secretary for each committee, to be responsible for the preparation and editorial work of the committee.

(5) The committee may set up one or more sub-committees and define their functions, and the conduct of the business in the sub-committee shall be carried out in the same method of the committee. The sub-committee shall submit its reports to the committee, and shall not address another authority save on delegation by the committee.

(6) The committee may hold, when there is a conflict of jurisdiction and after the direction of the Speaker or upon its own decision, a joint meeting with another committee, or set up a joint sub-committee with the other committee. The committee may also contact another committee for the sake of consultation.

Chapter Three

Standing Committees' Business

60. (1) All the committees shall abide by all the procedures followed by the Assembly with exception of:
- (a) Issues addressed with special provisions in these Regulations,
 - (b) Leave may be given to speak more than once in a meeting,
 - (c) It is permissible to present a motion impromptu for amendment to a bill, as a means of harmonizing the amendment received.
 - (d) Motions need no secondment,
 - (e) The deliberations and business of a committee shall remain confidential and not be publicized until a report thereon is submitted to the Assembly.
- (2) Each committee may lay down separate sub-regulations or decide any rules for the conduct of its business, taking into account the Assembly Regulations.
- (3) The committee meetings are called for by the Speaker or the chairperson of the committee concerned or according to previous decision of the committee, or on the request of one-third of its members. The convening order is issued in the name of the chairperson in every case. The adjournment of the Assembly or the end of the session does not prevent committee meeting.
- (4) The quorum for a committee meeting is satisfied by the presence of half of its members. If no quorum is present, the chairman of the committee shall call for another meeting in a following day, any number present then shall form a quorum.
- (5) Any committee may request the attendance of ministers or the senior staff, to the meetings of the committee. They shall attend or delegate who may represent them, and they may be accompanied by their assistants in the committee meeting.
- (6) Any committee may call any member or any body from outside the Assembly, who is competent or qualified, to seek his opinion. The committee may summon any person to give testimony or a statement, and may direct, upon the consent of the Chairperson, a limited or public invitation for a meeting to share opinions on any matter under discussion.
- (7) The committee shall consider matters referred to it by the Assembly or the Speaker including bills, statements, questions or any other matters, and shall present a report thereon unless these Regulations provide otherwise. The

report shall be submitted to the Speaker for distribution and entry into the agenda for a certain date.

(8) The committee shall follow up, in the sphere of its concern, the effect of application of the laws and the policies that affect the public interest, and assure implementation of the Assembly's resolutions and the ministers' pledges taken before them to consider actual compliance of the executive measures with the above considerations. The committee may present reports or take initiatives in this connection to be submitted to the Speaker to direct for their distribution and to be entered in the Agenda for a certain date.

(9) The report of the committee shall contain their recommendation on the subject matter and its merits as well as all the proposals and views presented by the members if they request to have them recorded in the report.

(10) The record of the proceedings of a committee meeting shall be limited to the minutes of the meeting including names of the members present, members absent, summary of the proceedings, hearing and deliberation and the text of the decisions or the recommendations to be signed by the chairperson of the committee.

Chapter Four

Functions of Standing Committees

61. (1) The Assembly and Members Affairs Committee shall be concerned with the following:

- (a) Assist the Speaker in supervising the activities of the Assembly and its committees, in such a manner that guarantees systematic discharge of the business, observes appropriate prioritization of the work and affording the proper atmosphere for reasonable deliberations.
- (b) Give the Speaker its opinion about the organization of deliberations on any bill, subject or report submitted to the committee.
- (c) Assist the Assembly committees in performing their functions and developing the regulations and rules regulating their business.
- (d) Assist the members in performing their duties, and examine the cases of those who are exposed to difficulties in such performance, and those who fail to satisfy their duties or whose behavior is incompatible with the duties of the membership, and propose on the proper action to be taken in such cases.

- (e) Take care of the members' affairs and recommend to the Assembly on lapse of membership.
 - (f) Assist the Speaker and the Secretary-General in supervising the quarters of the Assembly, its campus and other facilities as well as its administrative affairs.
 - (g) Pass the Assembly budget before presenting it to the concerned authorities.
 - (h) Give the Speaker its opinion about any matter connected with the constitutional, administrative or external relations of the Assembly or any other matter concerning the Assembly.
 - (i) Recommend to the Assembly on the nomination of constitutional office holders.
 - (j) Revise the Assembly Conduct of Business Regulations when motion for amendment thereon has been received, and report to the Assembly thereon.
- (2) The Justice and Legislative committee shall be concerned with the following:
- (a) The national constitutional and legal rules and systems,
 - (b) The general policies of justice and matters concerned with justice systems, organs, professions and services.
 - (c) Elections and political organizations, criminal and civil procedures, administrative and international litigation procedures of disputes litigation, arbitration and settlement.
 - (d) Reform of the legal structure and perfection of the legislative drafts referred to the Assembly.
 - (e) Any other functions provided for in these Regulations.
- (3) The Security and National Defense Committee shall be concerned with the national plans, policies, legislations and measures related to the following matters:
- a. Security and defense Organs, forces and measures including armed forces affairs, national police, national security forces and other regular forces.
 - b. Any matter connected with threatening the territories of the Sudan, the system of governance and the order of public life or the security of the society.

- c. Matters related to the nationality and naturalization, issue of national identity cards, passports, visa and residence with regard to aliens and immigration.
 - d. Matters related to national flag, Emblem and Anthem.
- (4) The Foreign Affairs Committee shall be concerned with plans, policies, legislations and measures related to the following:
- a. Measures related to Sudan foreign policy.
 - b. International and regional Legislations, agreements and treaties.
 - c. Relations with governmental and non-governmental organizations on international and regional levels.
- (5) The Financial and Economic Affairs Committee shall be concerned with national plans, policies, legislations and measures connected with the following matters:
- e. Planning of the economic policies.
 - f. Financial Institutions and systems.
 - g. The National budget bill including budgets of public corporations and institutions.
 - h. Examining of the final accounts of the State and the reports of national Audit chamber thereon and evaluation of their compatibility with allocations, systems and requirements of the economy.
 - i. Economic and financial legislations, agreements and protocols.
 - j. Financial reports submitted to the Assembly according to the Constitution and law.
- (6) The Human Rights and Humanitarian Affairs Committee shall be concerned with the national plans, policies, legislations and measures related to the following matters:
- (a) Promotion of the human rights and protection thereof in the Sudan, according to the Bill of Rights incorporated in the Constitution and in activation of the national legislations and the ratified international obligations and agreements.
 - (b) Raise awareness on public life rights and obligations and call for their fulfillment, disseminating recognition of same in the society.
 - (c) Coordinate and contact with the organizations working in the field of the civic rights and duties inside the country and abroad.

- (d) Return of refugees to the homeland.
 - (e) Voluntary return of internally displaced persons to their homelands.
 - (f) Reconstruction of war and natural disaster-affected areas and the resettlement of the internally displaced and refugee' returnees.
 - (g) Reintegration of the disarmed into civil service and civil society institutions, addressing child soldier problem, reunification of families and support war-affected persons.
 - (h) Voluntary and humanitarian work and activation of same in the fields of charity, relief and alleviation of natural disaster impact.
 - (i) National preparations for reduction of disaster effects.
- (7) The Industry , Investment and Foreign Trade committee shall be concerned with national plans, policies, legislations and measures related to the following matters:
- a) The national industry, increase of production rates, provision of inputs and control of technical quality.
 - b) The national industrial institutions and schemes.
 - c) Investment at the national level.
 - d) Foreign trade.
- (8) The Agricultural, Animal and Water Affairs Committee shall be concerned with national plans, policies, legislations and measures related to the following matters-:
- a. Planning of agricultural production and its means, production relations, marketing and agricultural finance.
 - b. Planning and caring for animal and fish wealth in terms of its production, marketing and provision of veterinary services.
 - c. National planning of natural resources, forests, pastures, desertification combat and plant protection.
 - d. Planning of irrigation policies, water resources and systems in Sudan and following up of the Nile water agreements.
 - e. National agricultural, animal and fish institutions and projects.
- (9) The Energy and Mining committee shall be concerned with national plans, policies, legislations and measures relating to following matters:
- a. The electric power and new and renewable energies and their sources and means of extraction and distribution.

- b. Oil excavation and development of oil fields, plants, derivatives and investments.
 - c. Extraction and investment of minerals.
 - d. Warding off negative effects resulting from drilling and mining operations.
- (10) The Transport, Roads and Telecommunications Committee shall be concerned with the national plans, policies, legislations, and measures related to the following matters:-
- a) The land, air, sea and river transport.
 - b) The national roads and bridges.
 - c) General policies for telecommunications and development of telecommunications' technology, technical standards and specifications for the equipment and communication devices and their quality oversight and control.
 - d) Technologies of information processing and exchange, Electronic Government project and decision support.
- (11) The Labor, Administration and Public Grievances Committee shall be concerned with the national plans, policies, legislations and measures related to the following matters:
- a) National measures connected with public service and administrative planning.
 - b) Planning of the policies of manpower, employment, training, wage systems, social security and social insurance and pensions at the national level.
 - c) Planning of trade unions and working forces.
 - d) Consideration of any frequent public complaints from persons if such complaints, collectively, constitute a general fault phenomenon in the performance of any of the national government organs.
 - e) Submission of regular reports to the Assembly on the public grievances and complaints it had considered, accompanied by any recommendations it sees fit.
- (12) The Culture, Information, Youth and Sport Committee shall be concerned with the national plans, programs, policies, legislations and measures related to the following matters:-

- a. National planning of the affairs related to literature, arts, cultures, authorship and publication.
 - b. National planning for information and sharing of information.
 - c. Means of public expression, including journalism, radio, television and audio-visual publication and their organization, policies and performance.
 - d. Planning for youth and sport activities.
- (13) The Health, Environment and Population Committee shall be concerned with national plans, programs, policies, legislations and measures related to the following matters :
- a) Planning of human health at the national level.
 - b) National pharmaceutical policies and control over dealing with, and consumption of medicines, drugs, poisons and narcotics.
 - c) Epidemic diseases and prevention of its spread and combating.
 - d) Matters related to the incapable and the disabled at the national level.
 - e) Planning of population growth, national census and national surveys and statistics and rural and urban matters.
 - f) Follow-up of national population policy implementation.
 - g) National environment safety, sanitation and purity; conservation thereof, prevention of environment pollution and harming.
- (14) The Education, Instruction and Scientific Research Committee shall be concerned with the national plans, policies, legislations and measures related to the following matters:-
- a) Education and planning of general and higher education and eradication of illiteracy.
 - b) Scientific and technology research.
 - c) Any matter connected with national scientific issues and student systems.
- (15) The Social, Woman and Child Affairs Committee shall be concerned with the national plans policies, legislations and measures related to the following matters:-
- a. Planning of worship and religious rites organizations affairs, worship facilities and religious education.
 - b. National endowments.
 - c. National plans and projects of social development and poverty combat.
 - d. Combating homelessness and rehabilitation of the homeless.
 - e. Planning of woman-related issues and enhancement of her role in public life and combat of harmful traditions.
 - f. Planning of affairs relating to child and child care.

- g. Planning of family and marriage affairs.

(16) The Lands, Tourism and Wildlife Committee shall be concerned with the national plans, programs, legislations and measures related to the following matters:-

- a. Any national matter related to national lands, urban planning and survey.
- b. Tourism at national level.
- c. Matters related to wildlife preservation.
- d. National planning matters related to antiquities, museums and national heritage sites.

(17) The Peace and Unity Committee shall be concerned with the national plans, programs, legislations and measures related to the following matters:-

- (a) Work to enhance the national unity and the territorial integrity of Sudan and consolidate the national intermingling.
- (b) settlement of any internal or civil dispute and formulation of proposals and solutions for reservation of social texture, cohesion, and enhancement communal reconciliation and peaceful coexistence among the people of Sudan;
- (c) Treatment of any internal or external affairs related to any internal or civil dispute in Sudan or with procedures concerned with settlement or treatment of effects thereof and any policies or activities concerning such disputes.
- (d) Political and social mobilization for gathering efforts to support peace, reconciliation and national unity.

Part VII

Chapter One

Miscellaneous Provisions

Approval of Nominations of Office-holders

62. (1) When tabling the name of a person nominated by the President of the Republic for an office that requires according to the Constitution or law the approval of the Assembly:

- a. The nomination shall be referred to the Assembly and Members Affairs Committee.
- b. The Committee shall submit within a week a draft resolution on approval of such nomination.
- c. Vote is taken by ballot in a secret sitting. The resolution shall be submitted to the President of the Republic.

(2) In the case of approval of the appointment of Auditor General, it is a condition to obtain the approval of two- thirds majority of the members.

Chapter Two

Referring to the public referendum

63. (1) Fifty members may present a reasoned proposal to the Speaker to refer any matter concerning national or public interest, to referendum
- (2) The speaker shall refer the proposal to the Assembly and Members Affairs Committee or to any concerned committee or to any ad hoc committee, to study the proposal and submit a report thereon to the Assembly.
- (3) The report shall be presented to the Assembly, and it may resolve, by a majority of more than half of the members, to refer the matter to referendum.
- (4) The Speaker shall then refer the resolution of the Assembly to the National Elections Commission.

The budget of the Assembly

64. The Speaker shall prepare, after consultation with officers of the Assembly an independent budget for the Assembly and it shall be entered as a lump sum within the state national budget.

Remunerations

65. The Remunerations, Privileges and Immunities of Executive and Legislative Constitutional Office-holders Act 2001 and the presidential decrees made thereby shall determine the remunerations of the Assembly officers and members.

Amendment to the Regulations

66. (1) The Speaker, by initiation therefrom, may propose any motion he/she considers to amend these Regulations; and any twenty members at least may propose such amendment motion.
- (2) The Speaker shall inform the Assembly of the amendment motion and request the members to present further amendment proposals and he/she shall refer all the proposals to the Assembly and Members Affairs Committee for consideration and decision thereon, and then refer the proposals to the Legislation and Justice Committee for legal drafting.
- (3) The draft amendments shall thereafter be submitted to the Assembly together with the report of the committee. The ordinary procedures of bills shall not be followed in such cases, and deliberations thereon shall start immediately after the report. The draft proposals shall then be put to the

vote, item by item and the amendments, shall come into force once the speaker declares their being passed.

Certificate

I, hereby, certify that the National Assembly passed the National Assembly (Conduct of Business) Regulations 2010, in its sitting No. (1) of the first session, dated 17 Gumada II, 1431, corresponding to 31 May, 2010.



Ahmed Ibrahim El Tahir,
Speaker of the National Assembly .

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