

MALAYSIAN PARLIAMENTARY PROCEDURE

A Guide to the Standing Orders
of the Dewan Rakyat



Monique M. Smith
Maha Balakrishnan

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Foreword I

The laws, rules and procedures regulating the Dewan Rakyat and its Committees, and the conduct of its Members, are set out in great detail in the internal rules of the House referred to as the Standing Orders of the Dewan Rakyat. There are other sources of legal rules binding the House, such as provisions found in the Federal Constitution and relevant Acts of Parliament, in particular the Houses of Parliament (Privileges and Powers) Act 1952. These other sources are undoubtedly important, but these are not raised, cited, argued, analysed or objected to, on a daily basis during a parliamentary sitting, unlike the Standing Orders. The call, “Peraturan Mesyuarat”, is an entrenched feature of the Dewan Rakyat, and this by itself requires Members to have an in-depth appreciation of the Standing Orders.

However, the Standing Orders, being couched in rather legalistic and sometimes very difficult language, makes it difficult to decipher properly. It is in this connection that this guide book aptly titled, “Malaysian Parliamentary Procedure: A Guide to the Standing Orders of the Dewan Rakyat”, will provide a useful aid to Members to constantly browse and check. I must commend the National Democratic Institute for International Affairs (NDI), and the immediate authors of this guide book, Ms Monique M. Smith and Ms Maha Balakrishnan, and the Program Coordinator, Malaysia of NDI, Ms Lena Hendry, for this timely work which has been produced within such a short duration after the initial discussions with the Speaker’s Office and the Setiausaha Dewan Rakyat’s Office, as part of the ongoing reform agenda of the Dewan Rakyat.

The brief given to the authors was simple: to produce a short and easy guide to Members comparable to the manuals produced in the established legislatures in the Commonwealth. I am very pleased to

say the authors have delivered exactly as expected. The treatment is thematic and written in simple language, thus making it relatively easier to read and understand.

The initial drafts were discussed with a select group of Members of the House and thereafter further refined. No doubt it will be improved in future editions. This guide book hopefully will be a precursor to other publications that the Dewan Rakyat hopes to produce in the effort to promote and create greater literacy in parliamentary affairs.

Tan Sri Dato' Mohamad Ariff Bin Md Yusof

Speaker

Dewan Rakyat

Parliament of Malaysia

Kuala Lumpur

Foreword II

The National Democratic Institute for International Affairs (NDI) congratulates Tan Sri Dato' Mohamad Ariff bin Md Yusof, Speaker of the Dewan Rakyat, on the development of this guide to parliamentary procedure. This guide represents a significant achievement as a symbol of the Speaker's commitment to partnership, openness, and reform. With a focus on Standing Orders, we hope the guide proves to be a valuable resource for new and veteran Members of Parliament (MPs) alike and makes a lasting contribution to the effectiveness of the Parliament of Malaysia.

Aside from our appreciation to the Speaker for his vision and support, we owe thanks to many others. Secretary of the House Datuk Roosme binti Hamzah and her team provided invaluable assistance in finalizing the guide, and significant input came from a wide range of MPs, staff members, and others. I would also like to express my gratitude to the guide's authors, Monique M. Smith and Maha Balakrishnan, for their skill in distilling and demystifying a complex subject matter to aid MPs in fulfilling their critical legislative and oversight duties effectively.

Since the 1980s, NDI has worked in 156 countries and territories around the world, supporting the development of open, participatory, transparent, and accountable governance. In the process, we have learned that democracy and good governance are built on hard work and small steps forward to build norms and practices of democratic institutions--steps like this one. We also know this work never stops, and we hope to have the opportunity to continue and deepen our engagement with the Speaker, MPs, and other stakeholders committed to democracy in Malaysia in the years to come.

Manpreet Singh Anand

NDI Asia-Pacific Regional Director

Preface

This Guide has been produced by the National Democratic Institute for International Affairs (NDI) at the request of the Speaker of the Malaysian House of Representatives, His Excellency Tan Sri Dato' Mohamad Ariff Bin Md Yusof.

The Guide is a thematic summary of the main Standing Orders of the House and is intended to assist Members of the House in the proper application of House rules and procedures, as they fulfil their legislative and oversight duties. Using concise language and an easy-to-read format, it provides Members and others with guidance on identifying Standing Orders and navigating the procedures of the House.

The Guide is not intended to function as a comprehensive manual on parliamentary rules and practice. The drafters have also not attempted to interpret or provide commentary on the Standing Orders, but to present a clear description of their intention as written. The Guide also serves as a reference tool for researchers, students and other interested parties who seek to understand the fundamental workings of the House. It is hoped that the Guide will complement the existing body of work on parliamentary procedure and to assist Malaysian legislators in their work.

The counsel and keen eye of the Speaker was invaluable in the drafting of this Guide, as was the co-operation of the Office of the Secretary of the House. The authors also thank the Members of Parliament who provided early feedback on the Guide, including The Honourable Dato' Sri Dr. Haji Wan Junaidi Bin Tuanku Jaafar and The Honourable Noor Amin Bin Ahmad. The authors are indebted to Lena Hendry for providing coordination and logistical support throughout the production of this Guide.

Monique M Smith

Maha Balakrishnan

January 2020

Glossary

Bill	A proposed or draft Act of Parliament. A Bill can be sponsored by a ministry (which is referred to as a Government Bill), or by an individual Member (which is referred to as a Private Member's Bill).
Divisions	A form of vote counting, where each Member is asked separately how they desire to vote and he/she must expressly say Aye, No or that he/she abstains.
Estimates	The Government's anticipated financial receipts and expenditure for the upcoming financial year. The Government is obligated to lay statements of Estimates before the House prior to the commencement of every financial year under Article 99 of the Federal Constitution.
House	In this document, the House refers to the <i>Dewan Rakyat</i> or House of Representatives of the Parliament of Malaysia, established under Article 44 of the Federal Constitution.
Leader of the House	A member of the House who is presently Leader or Deputy Leader of the Government [SO 4A(1)-(2)].
Leader of the Opposition	A member of the House who is the Leader of the group(s) in Opposition. In the case of any dispute as to who is entitled to be the Leader of the Opposition, the Speaker will make the decision, his/her decision being final and conclusive [SO 4A(3)-(4)].

Meeting	Each Session of the House is divided into Meetings. Each Meeting comprises a number of sittings encompassing several weeks in the calendar for the Session. A Meeting begins when the House is first summoned and ends when the House adjourns for more than fourteen days or <i>sine die</i> , or when a Session concludes [SO 98].
Member	In this document, Member refers to an elected Member of the House.
Motion	A motion is a form of procedure for a Member or the Government to bring a substantive or procedural proposal before the House. For further details, read the section on Motions.
Official Report	The official record of proceedings of the House. It is commonly referred to in parliamentary systems as the Hansard . For further details, read the sub-section on Official Reports.
Order Book	A compilation of the Order Papers (agenda) for all sitting days during a meeting.
Quorum	The minimum number of Members required in a sitting of the House for a vote or division to be valid or a parliamentary committee to function. The quorum requirements for different types of business of the House are set out in the sub-section on Quorum.

Reasoned amendment	Situations where a Member wishes to put on record his/her reasons for objecting to a motion, normally in relation to the passage of a Bill.
Royal Assent	Once Parliament passes a Bill, it is presented to the YDPA for the YDPA's assent through the affixing of the Public Seal. If the YDPA does not assent within 30 days, the Bill automatically becomes law [Federal Constitution, Art. 66(4)-(4A)].
Secretary	Commonly referred to as the “Clerk” in Westminster parliamentary systems. Details on the role and functions of the Secretary are set out in the sub-section on The Secretary.
Session	The period beginning from the date Parliament is summoned to sit and ending when Parliament is prorogued or dissolved [SO 98]. While there is no fixed length for a Session, customarily, each Session does not extend beyond 12 months. The First Session of a new Parliament must commence within 120 days from the date of the General Election. Parliament cannot break for more than six months between Sessions [Federal Constitution, Art. 55].
Sitting	A period during which the House sits without adjournment. A sitting day typically encompasses the daily convening of the House, including when the House is in Committee. A sitting begins and ends at the times prescribed under the SOs [SO 98]. For further details, read the sub-section below on A Typical Day.

Standing Order (SO)	A Standing Order (SO) is a written rule adopted by the House to regulate its proceedings. For further details, read the sub-section below on Standing Orders of the House.
Speaker	The presiding officer of the House. For details on the election, role and functions of the Speaker, read the sub-section on The Speaker.
Substantive motion	A motion that contains a self-contained proposal on a substantive question (and not on ancillary or procedural matters) that is drafted to express a decision or opinion of the House.
Table	The table that lies between the front benches of the House in front of the Speaker's Chair. While some Standing Orders require documents to be laid or placed on the Table, in practice, delivering the documents to the Secretary's office is often tantamount to delivering to the Table.
Tellers	Persons appointed to verify the counting of votes during a Division in the House, and are most often staff of the Secretary.

Introduction

Parliament and constitutional democracy

Malaysia's system of government is a Constitutional Democracy, modelled on the Westminster system. The Federal Constitution establishes the structure of government and the division of power between governing institutions. The principal institutions are:

- The **Executive**, which is headed by His Majesty the Yang di-Pertuan Agong (YDPA) as a constitutional monarch and comprises the Prime Minister, Ministers of the Cabinet and government departments. It is responsible for formulating and implementing policies.
- **Parliament**, which comprises the YDPA, House of Representatives or *Dewan Rakyat* (the House) and the Senate (or *Dewan Negara*). It shapes policy, adopts laws, provides financial resources by approving the supply and financial bills, and monitors the implementation of laws and policies.
- The **Judiciary**, which comprises judges and the system of courts. It is responsible for resolving disputes on the application of the law and ensuring that laws are properly implemented.

The division of power between these institutions is intended to preserve important democratic doctrines:

- **Separation of powers** and **checks and balances**, which ensures that power is not concentrated in the hands of a single individual or branch of government, and that any excesses of power of one institution may be curbed by another.

- The **rule of law**, which ensures that the system of law must be fair and not arbitrary; all individuals and institutions must obey the law; and everyone must have access to, and equality under, the law.

As a Federation of States, executive and legislative power in Malaysia is further distributed between the Federation, the States of Peninsular Malaysia, and Sabah and Sarawak. The Federal Constitution specifies the matters that fall within the jurisdiction of the Federal Government and Parliament, those that fall within the jurisdiction of the States, and matters on which both have jurisdiction (see Appendix 1). The Federal Constitution also sets out the circumstances under which Parliament has overriding authority over the States, and specific instances when consent of the States and/or their Rulers is required before the Federal Government or Parliament can act.



The House of Representatives

Along with the Senate, the House's main functions are to create laws, oversee the administration of government, and approve and oversee the allocation of the budget and public funds to the Executive.

As the only elected body within the three principal arms of government, the House also serves as the representation of the Malaysian people in its government. The Federal Government is also created from the House - the Prime Minister is chosen from among the Members of the House and must have the confidence of a majority of Members, and a Cabinet Minister must be either a Member of the House or the Senate.

Standing Orders of the House

The permanent written rules under which the House regulates its proceedings are called the “Standing Orders”. The continuing or “standing” nature of the rules means that they do not lapse at the end of a Session, but remain in force until the House itself decides to suspend, change or repeal them. There are at present more than 100 Standing Orders, each of which constitutes a continuing order of the House for the regulation of its proceedings. Interpretations given to the older rules have been adapted over time in response to changing political circumstances or to reflect the modern context.

Just as statutory law cannot set aside constitutional provisions, Standing Orders cannot set aside statutory law. The House can adopt its own rules as long as they respect the written constitution and statutory law.

Presiding Officers

The Speaker

The Speaker is the presiding officer and highest authority of the House, and is elected by the Members. The Speaker maintains order, regulates proceedings and enforces the rules of the House. The Speaker exerts control over the precinct of Parliament.



Role and functions of the Speaker

The Speaker does the following:

- Presides over sittings
- Calls on Members to speak, ask questions, make statements and participate in debates
- Puts questions to a vote
- Declares the results of a vote
- Maintains order and decorum
- Decides all points of order

- Corrects errors in the record of Votes and Proceedings
- Protects the rights and privileges of the House
- Represents the House in ceremonial/formal occasions and in official dealings with other institutions of government, foreign dignitaries and other external delegations.

Election of the Speaker

The election of the Speaker is the first order of business at the first meeting of the House after a General Election (or whenever there is a vacancy of the Office) [SOs 1(a) & 3].

The Speaker may be a Member of the House or a non-member who is qualified for election as Speaker under Article 57 of the Federal Constitution.

The election of the Speaker is conducted by the Secretary acting as chair [SO 4].

- Any Member may nominate another Member or person to be Speaker, by addressing the Secretary and moving [SO 4(2)]:

“That..... (naming the member) do take the chair of this House as Yang di-Pertua”.

- The nomination requires a seconder [SO 4(2)].
- No debate is allowed [SO 4(2)].
- Prior to the nomination, the Member must confirm that the candidate is willing to take on the responsibility [SO 4(1)].
- The Member must also notify the Secretary in writing of his/her proposed candidate at least 14 days before the date of the election [SO 4(1)].

Once nominations are completed and if only one person is nominated, the Secretary will declare that person Speaker without a vote [SO 4(3)].

If more than one person is nominated, an election is held [SO 4(3)]. Members write the name of their candidate of choice on a ballot, which must be signed [SO 4(4)].

The Secretary (or an officer deputised by him/her) collects and counts the ballots and declares the result [SO 4(5)]. To win the election, a candidate must obtain more votes than the combined votes obtained by all other candidates. If no candidate succeeds in the first round of voting, the balloting process is repeated with the candidate receiving the least number of votes being excluded from each round until one candidate either receives [SO 4(6)(a)-(b)]:

- More votes than the combined votes of all other candidates; or
- (Where only two candidates remain) more votes than the remaining candidate.

In the case of a tie between the final two candidates, another ballot is taken, and if it is still a tie, the election will be determined by a drawing of lots in such a manner as the Secretary may decide [SO 4(6)(c)].

Following the election of the Speaker, the ballots are kept for one month and then burned [SO 4(7)].

Once a Speaker is elected he/she takes the Oath and the Chair. The House then proceeds to elect the Deputy Speakers.

Deputy Speakers

There must be two Deputy Speakers of the House, who must be Members [Federal Constitution, Art. 57(1)]. The Deputy Speakers assist

the Speaker in discharging his/her functions and responsibilities. They may preside over sittings of the House whenever requested by the Speaker [SO 7(1)], including as Chairman of the Committee of the whole House and the Committee of Supply [SO 7(4)].

Election of the Deputy Speakers

The election of Deputy Speakers follows the same process as the election of the Speaker, but it is conducted by the Speaker [SO 6].

Member as Acting Speaker

If during the sitting of the House the Speaker is absent and there is no elected Deputy, a Member may be called on to preside. The Secretary will inform the House of the absence and a Minister must then table a motion for the House to call upon any member present to preside. The motion must be tabled and seconded and a vote taken but no debate is allowed [SO 7(1)].

The designated Member is invested with the powers of the Speaker until the Speaker or a Deputy becomes available [SO 7(2)]. The Speaker may also ask a Member to take the Chair temporarily during a sitting, without formerly informing the House, and that Member will be invested with the Speaker's powers [SO 7(3)]. The same rules apply to the Chair of Committee of the whole House and the Committee of Supply [SO 7(4)]. This may also occur in the Special Chamber [SO 16(5)].

The Secretary

The Secretary of the House is the principal advisor to the Speaker and Members on matters of parliamentary practice and procedure. He/she assists the Speaker on matters pertaining to proceedings in the House.

Role and Functions of the Secretary

The Secretary's responsibilities include:

- Preparing and issuing all correspondence and notices of meetings required by the House and Speaker and discharging the Speaker's orders [SO 9(1)]
- Preparing and providing to Members the Order Paper as soon as possible before each sitting [SO 9(2)(b)]
- Recording and maintaining minutes of the proceedings of the House (Votes and Proceedings) and circulating a copy on the day following each sitting or as soon as practicable [SO 9(3)]
- Keeping custody of the Votes and Proceedings, records, Bills and other documents tabled before the House [SO 9(6)]
- Supervising the preparation of the Official Report [SO 10(1)].

The Secretary maintains the minutes of the meetings and for practical purposes maintains the records of the House sittings and committees. The Secretary is responsible for the publication of all parliamentary documents and recording every decision made by the House.

It is the Secretary's duty to notify Members in writing of the dates of the Meetings of the House for each Session at least 28 days prior to the commencement of the Session (unless the Speaker deems otherwise) [SO 9(2)(a)].

Serjeant-at-Arms

The Serjeant-at Arms assists the Speaker or Chair in Committee to maintain order in the House among the Members and in the gallery [SO 44(7)].

During any sitting of the House or Committee of the whole House, the Serjeant-at-Arms is authorised to take into custody any stranger who is unauthorised, committing a misconduct or refusing to withdraw from the Chamber or gallery [SO 93].

The Serjeant-at-Arms carries the mace in the Speaker's procession when the House begins each day and announces the arrival of the Speaker.

Business of the House

Seating in the House

Seating in the House is divided between the Government and the Opposition Members. The Chamber of the House, which is in the shape of a U, has the government Members and Cabinet sitting to the right of the Speaker and the Opposition to the left, Cabinet sits on the front benches and the Prime Minister sits closest to the Speaker. Once elected, the Speaker allots a seat to every Member [SO 2(1)-(3)].



Language

The official language of the House is Bahasa Malaysia but the Speaker may permit the use of English [SO 8].

Taking the Oath

Before an elected Member can take his/her seat in the House, he/she must take the Oath of Office or alternatively make an affirmation, as set out in the Sixth Schedule to the Federal Constitution. The Oath is administered by the Secretary [SO 5]. Upon taking the Oath, a Member signs the book at the Table, which is kept for that purpose by the Secretary.

If an elected Member does not take the Oath on the first day of the first Meeting following a General Election, or in the case of a Member elected to the House through a by-election, that Member may present him/herself at the Table at the beginning of the next available sitting after Prayers and take the Oath [SO 14(1) & 5(2)].

If the House is adjourned, a Member may take the Oath at any time before the Speaker. The Speaker will report the Oath-taking at the next sitting [SO 5(3)].

Oath as Member of Parliament and of Allegiance

Sixth Schedule, Federal Constitution

“I, having been elected (or appointed) as a member of the House of Representatives (or the Senate) do solemnly swear (or affirm) that I will faithfully discharge my duties as such to the best of my ability, that I will bear true faith and allegiance to Malaysia, and will preserve, protect and defend its Constitution.”

Quorum

At any time during a sitting of the House, there must be 26 Members present in the Chamber, excluding the Chair [SO 13(1)].

The proceedings in the House will often proceed with fewer Members than is actually required to be present in the House. Any member can rise during proceedings and request a Quorum call from the Speaker.

A member can draw to the attention of the Speaker that there are fewer than 26 Members present and Members will be called to the Chamber by a bell as for a vote.

After the bell has rung for two minutes, the Speaker will then take count of the Members in the Chamber. If Quorum is not present, the House is adjourned without a vote until the following day [SO 13(3)].

A similar process occurs during the sitting of the Committee of the whole House and if quorum is not present, the Chair of the Committee leaves the Chair. The Speaker resumes the House, and if quorum is present it can resolve itself into Committee of the whole House but if quorum is not present, the Speaker must adjourn the House without a vote until the next business day [SO 13(4)].

If a division is called during a vote and it appears to the Chair that a quorum is not present, the division will be invalid and he/she must adjourn (stand over) the proceedings in question to the next sitting [SO 13(5)].

Setting the Calendar

The calendar of the House is set by the Government. The Leader or Deputy Leader of the House, in consultation with the Speaker, determines at least 28 days before the commencement of each Session

the dates on which the House will sit, and may alter those dates [SO 11(2)].

The YDPA issues a Proclamation to summon Parliament and announce the date and time of the first sitting of the House in each Session [SO 11(1)].

The Prime Minister may invoke the public interest and advise the Speaker that the House should meet at an earlier date than the date to which the House was adjourned. The Speaker then advises the House of the new date for sitting in a notice. The Prime Minister will set the business for the day [SO 11 (3)].

A Typical Day

The daily schedule of the House is set by the Secretary, under the direction of the Speaker. However, on every sitting day, Government business takes precedence over Private Members' business. The Government sets down the agenda for Government business and informs the Secretary [SO 15(1) & (2)].

Private Members' notices of motion are dealt with before Private Members' Bills, and these are set down in the order they appear in the Order Book. A Private Members' motion which has been moved but not disposed of at a meeting of the House, will, with due notice given by the mover to continue debate at a subsequent meeting, take precedence over other Private Members' motions [SO 15(3)-(5)].

The House sits Monday to Thursday from 10.00am to 1.00pm and 2.30pm to 5.30pm unless adjourned earlier by the completion or deferment of business [SO 12(1)].

A Minister may at any time and without notice move a motion to vary the time of sitting, and the motion must be decided without amendment or debate [SO 12(1)].

The Speaker may at any time suspend the sitting for a fixed time [SO 12(2)], or extend the time of sitting after 5.30pm (or after such time as may be determined by the House) for not more than 15 minutes to complete a matter [SO 12 (3)].

The Government may invite a foreign dignitary to address the House or the joint House and Senate at any time during the sitting of the House [SO 14(3)].

The following is the standard Order of Business in the House [SO 14(1)]:

- (a) Formal entry of the Speaker*
- (b) Prayers approved by the House*
- (c) Taking of the Oath by any new Member*
- (d) Message from the YDPA (if any)*
- (e) Announcements by the Speaker*
- (f) Petitions*
- (g) Minister's Question Time*
- (h) Questions to Ministers for oral answers*
- (i) Motion on matters of urgent public importance*
- (j) Statements by Ministers*
- (k) Tributes*
- (l) Obituary speeches*
- (m) Personal explanations*
- (n) Presentation of Government Bills (First Reading)*
- (o) Motions relating to the Order of Business*
- (p) Public Business*
- (q) Motions for the introduction of non-Government Bills*
- (r) Other items of business*

Official Report

Official Report recorders record all the proceedings in the House using digital audio recorders. They hand record any interjections that might not be caught on the recording to supplement the digital recording.

The Official Report of all speeches made in the House and Committee of the whole House is prepared under the supervision of the Secretary [SO 10(1)]. These reports are then prepared and delivered to Members for correction before they are published [SO 10(3)]. Members may only make minor changes to what they were reported as saying and cannot change the meaning or substance of what they have said. If they wish to make a material change, they must seek a ruling from the Speaker [SO 10(4)].

Votes and Proceedings

The names of Members attending, all decisions of the House and results of votes taken, including the names of those for and against and those declining to vote, are recorded and maintained as a separate record of Votes and Proceedings. The Speaker signs the document and he/she may correct it [SO 9(4)].

The Secretary is responsible for the Votes and Proceedings, records, Bills and other documents laid before the House [SO 9(6)]. These documents are open to inspection by Members and other persons with the sanction of the Speaker [SO 9(6)].

Parliamentary Questions

Members can ask two types of questions: Questions for Oral Reply (“Oral Questions”) and Questions for Written Reply (“Written Questions”).



Questions can be put to Ministers and to Members other than Ministers [SO 21].

Questions to Ministers must deal with [SO 21(1)]:

- Affairs within their official functions; or
- A Bill, motion or other public matter connected with the business of the House for which the Minister is responsible.

Questions to Members other than Ministers must relate to a Bill, motion or other public matter connected with the business of the House for which the Member is responsible.

The object of the question is to obtain information on a matter of fact within the special knowledge of the Member to whom it is addressed.

Each Member may not ask more than ten questions for Oral Reply and more than five questions for Written Reply in one meeting [SO 22(4)].

Notice of Question

Notice of questions must be submitted to the Secretary at least ten working days in advance of the meeting [SO 22(2)].

However, a Member may submit three Oral Questions to the Secretary during the sitting of the House, so long as at least seven working days'

notice is given to the Secretary before the sitting for which the questions are scheduled [SO 22(5)].

A Member must mark Oral Questions with the words “**Oral Reply**”. A Member cannot have more than three Oral Questions on the same day. The Speaker has the discretion to direct that any Oral Question be given a written answer instead [SO 22(3)].

Questions without Notice

A question can be asked without notice if the Speaker grants permission and deems it is of an urgent character and relates to [SO 22(1)]:

- a matter of public importance; or
- the arrangement of public business.

Format of Question

A question for Oral Reply must be asked in the following format [SO 23(1)(r)]:

- It may not exceed 40 words (excluding the name and constituency of the asking Member and the Minister responsible);
- It shall not contain more than two different questions or combinations of more than two questions.

Rules for Questions

Every question must [SO 23(1)]:

- Not include the names of persons;
- Not include statements that are not strictly necessary;
- Include accurate statements;

- Not contain any argument, interference, opinion, imputation, epithet or misleading, ironical or offensive expression;
- Not be frivolous or be asked seeking information on trivial matters;
- Not refer to debates or answers to questions in the current session;
- Not refer to proceedings in a Committee which have not been reported to the House;
- Not seek information about any matter which is of its nature secret;
- Not be drafted to likely prejudice a case under trial or asked to any matter which is *sub judice* (before the Courts);
- Not be asked for the purpose of obtaining:
 - ▶ An expression of opinion
 - ▶ The solution of an abstract legal case
 - ▶ The answer to a hypothetical proposition;
- Not be asked to determine whether a statement in the press, of a private individual or financial bodies is accurate;
- Not be asked as to the character or conduct of any person except in his/her official capacity;
- Not contain any discourteous reference to a friendly foreign country;
- Not seek information about the internal affairs of a foreign country;
- Not ask a question reflecting on the character of conduct of any person whose conduct can only be challenged on a substantive motion;
- Not be asked seeking information set forth in accessible documents or ordinary works of reference;

- Not be asked if the question has been fully answered during the same session;
- Not be asked in regard to any matter:
 - ▶ Within the State List in the Ninth Schedule of the Federal Constitution (see Appendix 1), which sets out the matters on which only state legislative assemblies may make laws.
 - ▶ Regarding the conduct or character of [SO 36(8)]:
 - (i) the YDPA, or any of the Rulers or Yang di-Pertua-Yang di-Pertua Negeri,
 - (ii) Judges or anyone involved in the administration of justice,
 - (iii) A member of the armed forces council,
 - (iv) A member of any Service Commission established under Part X of the Federal Constitution,
 - (v) A member of the Election Commission,
 - (vi) Sovereigns of friendly states;
- Not be asked in regard to matters that are not specified or too general.

A question making or implying a charge of personal character will be disallowed.

Disallowing, Altering or Editing Questions

The Speaker may disallow a question or direct that the question be altered if the Speaker determines that a question [SO 23(2)]:

- Is an abuse of the right of questioning;
- Is calculated to obstruct or affect prejudicially the procedure of the House;
- Promotes feelings of ill-will or hostility between different communities in Malaysia; or

- Infringes any of the provisions of the Federal Constitution or the Sedition Act 1948 or SO 23.

The Speaker may instruct that the question be altered as he/she directs or that the question be disallowed [SO 23(2)(a)-(b)]. Disallowance will be reported to the Member in writing with the reason for the disallowance [SO 23(3)].

The Secretary is empowered to edit questions [SO 23(5)].

Refusal of a Question by a Minister

A Minister to whom a question is addressed may with the Speaker's approval, refuse to answer a question on the grounds of public interest [SO 23(4)]. The refusal cannot be debated or questioned [SO 23(4)].

Procedure for Asking an Oral Question

When a Member's question is reached on the Order Paper, the Speaker will call upon the Member [SO 24(1)].

The Member, when called, will rise in his/her place and ask the question by reference to its number on the Order Paper [SO 24(1)]. The Member is given 30 seconds in the House to ask his/her question. In practice, the Member simply mentions the question number in the Order Paper.

If the Member fails to rise and ask his/her question, any other Member may ask the question when all other questions for the day have been disposed of [SO 24(2)].

A Member may request that his/her question be postponed to a later sitting or may withdraw his question at any time before it is called [SO 24(2)].

If no one rises to ask the Question on the Order Paper, the Minister to whom the question was addressed will send copies of the answer to the Secretary who will have the answer printed in the Official Report [SO 24(2)].

If the Member whose question is called rises and asks his/her question, the Minister or Deputy Minister responsible for the subject matter is, as a matter of administrative practice, given three minutes to respond.

A Minister may also answer other similar questions set on the Order Paper for another day if permitted by the Speaker. Those questions will then be removed from future Order Papers [SO 24 (1A)].

If an oral answer is not required, or if a written answer is directed under SO 22(3) by the Speaker, the Minister to whom it is addressed will send copies of the answer to the Secretary who will include the answer in the Official Report [SO 24(6)].

Supplementary Questions

After the original question is asked, a Member may ask a supplementary question.

Another Member can ask a supplementary question. It does not have to be the same Member who posed the original question.

Ministers will not necessarily be prepared for the supplementary question.

All parties are allowed to ask questions.

The Speaker may allow not more than three supplementary questions for the “purpose of elucidating any matter of fact regarding which an oral answer has been given” [SO 24(3)].

The Speaker may refuse any supplementary question which:

- introduces “matters not related to the original question” [SO 24(3)];
- infringes any provisions in SO 23 (Form of Question) [SO 24(3)];
- is made as the pretext for debate [SO 24(4)];
- a Minister declares has been answered at an earlier sitting of that Parliamentary Session [SO 24(3)(i)];
- consists of several questions or a combination of several questions [SO 24(3)(ii)].

Only Supplementary questions arising out of a question already asked can be asked after the 1 hour and 30 minutes of Question Time [SO 24(5)].

Replies to Written Questions

While the SOs do not specifically provide a time frame for Ministers to respond to Written Questions, in practice, written replies are provided or sent to the relevant Members by the end of the meeting in relation to which the questions were submitted.

Replies to both Written and Oral Questions are also published on the Parliamentary website at parlimen.gov.my.

Minister’s Question Time

Minister’s Question Time is held for 30 minutes on every Tuesday and Thursday when the House is sitting, before the beginning of Question Time [SO24(5A)].

To ask a question in Minister’s time, a Member must give one day’s notice in writing to the Secretary during usual office hours [SO 24A(1)].

A Member may ask questions of the Minister relating to policy matters for which the Minister is responsible.

Process for Minister's Question Time

The Speaker will call on the Member who has listed the question [SO 24A(3)].

The Member will rise in his/her place and ask the question [SO 24A(4)]. In practice, the Member simply reads the question in the Order Paper.

The questions and answers by the Minister cannot exceed ten minutes [SO 24A(5)].

The question is not debated [SO 24A(6)].

Supplementary questions can be asked within the ten minutes [SO 24A(7)] and may be asked by another Member.

All the rules listed in SO 23 apply.

Motions

When a Notice of Motion is required

Most motions in the House require a notice of motion.

The following motions do **not** need notice [SO 26(1)]:

- A motion by way of amendment to a question already proposed
- A motion in committee of the whole House
- A motion for the adjournment of the House
- A motion for the adjournment of any debate
- A motion to proceed to any particular business out of the regular order
- A motion of a Minister to have a Member sit as Speaker under SO 7(1)
- A motion that the proceedings on any specified business be exempted from the provisions of SO 12 (time be extended)



- A motion adjourning the House to a later day [SO 12(2)]
- A motion for the appointment of a Select Committee under SO 19(4)
- A motion for the suspension of a Member
- A motion to disallow a Member's vote under SO47(5)
- A motion to refer a Bill to a Select Committee under SO 54
- A motion for the recommittal of a Bill reported from a Committee of the whole House
- A motion for the withdrawal of a Bill under SO 62
- A motion to suspend any SO moved under SO 90 when the Speaker has expressed consent
- A motion of the withdrawal of Strangers
- A motion for the closure of debate under SO 40
- A motion relating to a matter of privilege when it occurred
- A motion that a petition be read, printed or referred to a Select Committee
- A motion that the report of a Select Committee be referred to a Committee of the whole House
- A motion for a resolution extending the period for the confirmation of ministerial orders to fix customs duties under section 11(1) of the Customs Act.

Motions involving Money Bills

A motion requesting any of the following will not proceed unless the Minister of Finance has indicated that it is the recommendation of the Government [SO 26(2)], or that it does not go beyond what is incidental and is not of a substantial nature [SO 26(3)]:

- Seeking a grant, charge or expenditure of public money
- Seeking the release of a debt due to the Government
- Seeking the remission of duties payable by any person
- Seeking compensation for loss out of the public revenues
- For the revocation, alteration or repeal of any rate, tax or duty.

How to give Notice of Motion

A notice of motion will be sent to the Secretary in writing during usual office hours [SO 27(1)]. Such notice of motion:

- Must be signed [SO 27(2)]
- Must provide at least 14 days in advance if given by a Member [SO 27(3)]
- Must provide at least seven days in advance if given by a Minister [SO 27(3)]
- Must be provided one day in advance if given by a Minister and the Speaker is satisfied that it is in the public interest that the motion should be debated as soon as possible [SO 27(3)]
- Must be provided more than two days in advance if it is to appeal the Speaker's ruling on a Point of Order [SO 43]
- Must be provided not less than two days in advance for a motion for the House to adopt the Report of a Select Committee [SO 86(5)]
- Must be printed and sent to Members not later than the day before the sitting for which the motion has been put down [SO 27(4)]
- Can be modified by the Speaker if in his/her opinion it infringes on the Standing Orders or is otherwise out of order [SO 27(5)]

- Can be sent back to the mover by the Speaker for being out of order [SO 27(5)].

If considered in order, the notice will be printed and circulated by the Secretary with motions for amendments of Bills arranged in the order which they will be proposed [SO 27(6)].

Amending or Withdrawing a Notice of Motion

If a Member wishes to alter the terms of his/her motion, he/she may give the Secretary an amended notice of motion provided that in the opinion of the Speaker the alteration does not materially alter the scope or principles set out in the original motion [SO 28].

The amended notice will run from the time at which the original notice was given [SO 28].

A Member may by notice in writing to the Speaker withdraw any notice of motion he/she has filed. If withdrawn after it appears on the Order of Business, the Speaker will announce it has been withdrawn and a note to that effect will be entered on the Votes and Proceedings record [SO 29(1) & (2)]

Amending a Motion

When a motion is under consideration in the House or in committee, an amendment may be proposed if it is relevant [SO 30(1)]. An amendment may also be proposed to any relevant amendment if it is relevant [SO 30(2)].

The amendment must not raise a question that can only be raised by a substantive motion with notice [SO 30(3)].

A question being posed by the Speaker or the Chair of a Committee may be amended [SO 30(4)]:

- by leaving out certain words in order to insert other words;
- by leaving out certain words; or
- by inserting or adding other words.

Any amendment to a motion moved in the House or Committee of the whole House must be provided in writing by the mover (unless the Chair dispenses with that requirement) and given to the Secretary [SO 32].

The Speaker will not call the question on a motion or amendment unless such a motion or amendment has been seconded [SO 31(1)]. A seconder is not required in Committee [SO 31(2)].

Debating Motions and Amendments

When a motion has been moved (and if necessary, seconded), the Chair will put the question to the House or Committee in the same terms as the motion. The question is then debated and (unless limited by another SO) can continue as long as any member who is entitled to wishes to speak [SO 33(1)].

- When no further Members wish to speak, the Chair puts the question to the House or Committee who will vote following the rules discussed in **Votes in the House** [SOs 33(2) & 45].

An amendment to a motion (as outlined in Amending a Motion) may be moved, and if necessary seconded, at any time after the Chair proposes the question and before the Chair puts the question after the conclusion of the debate [SO 33(3)].

- When every amendment on the motion has been disposed of, the Chair will propose either the question on the motion, or on the motion as amended, and after any further debate, the Chair will put the question to the House or Committee for its decision [SO 33(3)].

- The following questions will be proposed in the appropriate circumstance [SO 33(4)]:
 - ▶ For an amendment to leave out any words of a motion [SO 33(4)(a)]:

“That the words proposed to be left out of the question”.
 - ▶ For an amendment to insert any words in or to add words at the end of a motion [SO 33(4)(b)]:

“That those words be there inserted” or “added”.
 - ▶ For an amendment to leave out words and add or insert other words in instead [SO 34(4)(c)]:

“That the words proposed to be left out be left out of the question”,

if that is agreed, then:

“That those words be there inserted” or “added”.

If the first question fails, no further amendments may be made to the words which the House or Committee has decided to leave in.

- If an amendment is proposed to leave out certain words (original amendment), and another Member informs the Chair that he/she wishes to move another amendment to leave out only part of the words in question (second amendment), if it is the Chair’s opinion that the second amendment is substantially a new amendment, he/she will, if possible, put a question to the House or Committee to leave out only the parts of the original amendment that are not included in the second amendment. If the House or Committee agrees to the Chair’s question, it is deemed that the whole of the words proposed in the original amendment is ordered to be left out [SO 34(4)(d)].

- When more than one amendment is proposed to a motion, the Chair will call the movers in the order in which their amendments relate to the text of the motion, but in cases of doubt, the Chair can decide the order. However, if an amendment relates to words which the House or Committee had already decided shall not be left out, that amendment will not be moved [SO 34(4)(e)].

A Member who wishes to move an amendment to an amendment may propose it (and if necessary have it seconded) at any time after the question on the original amendment has been proposed but before that question has been put following the debate on the original amendment [SO 33(5)(a)].

- The format of proposing questions that is set out in SO 33(4) (as outlined above) will apply to move an amendment to an amendment, but replacing the word “question” with “original amendment” [SO 33(5)(b)].
- When every amendment to an amendment has been disposed of, the Chair will propose either the question on the original amendment, or on the original amendment as amended, as the case may be [SO 33(5)(c)].

Withdrawing a Motion or Amendment during Debate

A mover of a motion or amendment may request to withdraw it before the question is fully put by the Chair [SO 34(1)]. However, if a question has been proposed to amend the motion or amendment, the original motion or amendment cannot be withdrawn until the proposed amendment has been disposed of [SO 34(2)].

The same motion or amendment may be proposed again, provided that notice is given for the motion if required under the SOs [SO 34(1)].

Special Chamber

All Members are considered Members of the Special Chamber [SO 16(2)].

The Special Chamber may meet at any time during a sitting as the Speaker determines. The Special Chamber sits between 2.30pm and 4.30pm and may end if the business of the Chamber is completed early or deferred [SO 16(6)]. However, the Speaker may at any time suspend the sitting for a stated time or extend the time of sitting after 4.30pm for not more than 15 minutes to complete a matter that ought to be completed that day [SO 16(7) & (8)].

The Special Chamber is established to consider the following matters:

- A speech on any matter of administration for which the Government is responsible under SO 17:
 - ▶ A Member, other than a Minister, may address the Special Chamber on any matter of administration for which the Government is responsible. The Member must first give notice in writing to the Speaker and receive his/her permission. The notice to the Speaker must be given no less than seven days in advance and must include a text not exceeding 400 words.
 - ▶ The Speaker may edit the contents of the speech and the Member is required to read the approved text.
 - ▶ The Minister responsible for the matter may reply.
 - ▶ Members are not allowed to seek clarification or interrupt a Member who is speaking.



- A defined matter of urgent public importance as set out in SO 18:
 - ▶ Any Member, other than a Minister, may rise in his/her place and ask leave to discuss a defined matter of urgent public importance by reading the text of a motion approved by the Speaker;
 - ▶ The Member must ask leave of the Speaker at least 24 hours in advance by a written notification of no more than 300 words.
 - ▶ The Member must also submit the motion that he/she proposes to move.
 - ▶ The Member must submit a written explanation as to why the matter is definite, urgent and of public importance.
 - ▶ The Speaker has the discretion to determine whether the matter is definite, urgent and of public importance.
 - ▶ Not more than one motion under SO 18 can be made in one sitting.
 - ▶ A Member cannot reintroduce the issue during the same meeting if the matter has been refused by the Speaker.
 - ▶ The Speaker can refuse to allow a motion in chambers.

Quorum in the Special Chamber is three Members including the Chair [SO 13 (1A)], and must consist of the Speaker, a Member who moves a motion, and a member of the Government [SO 16(3)].

The Speaker determines the business of each sitting of the Special Chamber [SO 14A]. No more than two members on each sitting day are allotted the right to raise a matter in the Special Chamber [SO 17(3)]. Preference is given to those who have not previously raised a matter in the Special Chamber in that session.

The Speaker can refuse to allow a motion in chambers if he is satisfied that [SO 18(7)]:

- the mover intends only to take the opportunity to address the House;
- the matter has been discussed in the current session; or
- any motion contravenes the Standing Orders of the House.

If a motion has been refused in the Special Chamber, it shall not be proposed or read in the House [SO 18(8)].

Petitions

Every application to the House must be in the form of a petition and only a Member can present a petition. The Member must ensure that the language of the petition is respectful [SO 19(1)].



Petitions regarding Finances

The House will not receive a petition seeking the following unless the Finance Minister indicates it is the recommendation of the Government [SO 19(1)]:

- a grant charge
- expenditure of public money
- the release of a debt due to the Government
- the remission of duties payable by any person
- compensation for loss out of the public revenues
- the revocation, alteration or repeal of any rate, tax or duty.

Form and Process for a Petition

The prayer of the petition must be repeated on every page if signatures are affixed. A person unable to write may affix his/her mark in front of two witnesses [SO 19(2)(a)].

A petition cannot contain a reference to any debate in the House or the Senate or to any intended motion unless notice of the motion is in the Order Book [SO 19(2)(b)].

A Member may not present a petition from him/herself, or one which he/she is a signatory; but such a petition can be presented by another Member [SO 19(2)(c)].

The Member in charge of the petition must, however, sign the beginning of the petition before he/she deposits it with the Secretary. The petition must be deposited one clear day before it is presented [SO 2(d)].

The Secretary will examine the petition and will submit it to the Speaker for approval. No petition can be presented until it has been marked as “***Passed by Tuan Yang di-Pertua***” [SO 19(2)(d)].

A Member before presenting a petition must note at the top of the petition the number of signatures and must ensure that the petition does not contain language disrespectful to the House or the Senate [SO 19(2)(e)].

When presenting the petition, a Member may concisely state the purpose [SO 19(3)].

Reading a Petition

A Member may bring a motion to read a petition. The motion of the seconded [SO 19(4)(c)]. In making the motion, the Member shall state concisely the reasons for having it read [SO 19(4)(a)].

There is no debate on the motion. No other Member will speak except to second the motion [SO 19(4)(b)].

A vote is then taken to determine whether the petition can be read [SO 19(4)(c)].

Rules of Debate

Decorum and Dress

Decorum

During a sitting:

- Members must enter, leave and behave in the House with decorum [SO 41(a)].
- Members must not cross the floor of the Chamber unnecessarily [SO 41(b)].
- Members must not read newspapers, books, letters or other documents except those directly connected to the business being debated [SO 41(c)].
- Members must not smoke in the Chamber [SO 41(d)].
- While a Member is speaking, all other Members must be silent and not make “unseemly” interruptions [SO 41(e)].



- If the Chair intervenes or calls a Member to order, a Member then speaking or about to speak shall sit down and all Members shall be silent so the Speaker/Chair may be heard [SO 42].

Dress

During a sitting [SO 41(f)]:

- The attire for male Members is limited to either national dress, lounge suit or ceremonial dress
- The attire for female Members is limited to either:
 - ▶ National dress; or
 - ▶ Sarong and long-sleeved blouse; or
 - ▶ Skirt of at least up to knee length and long-sleeved blouse; or
 - ▶ Ceremonial dress,

unless the Speaker permits other forms of attire.

Scope of Debate

The scope of debates in the House is confined to the following:

- A debate on any motion, Bill or amendment (except a motion to adjourn the House) must be relevant to the motion, Bill or amendment being debated [SO 38(1)].
- A motion to adjourn the House may only be debated if Members raise a subject that is relevant to:
 - ▶ A motion to raise a matter of administration for which the Government is responsible under SO 17; or
 - ▶ A motion to discuss a defined matter of urgent public importance under SO 18.

- A debate on a Bill to amend an existing Act is confined to the Bill to amend and not the entirety of the principal Act [SO 36(1)].
- A debate on an amendment proposing to leave out words and insert other words may include both the words proposed to be left out and those to be added or inserted [SO 38(3)]. However if the debate is on an amendment proposing only to leave out words or to add or insert words, debate is confined to the omission, addition or insertion only [SO 38(4)].
- A debate on an adjournment motion, or in committee, on a motion that the Chair “report progress and ask leave to sit again”, is limited to the matter of the motion and the Member who has made or seconded such a motion cannot move or second a similar motion during the same debate [SO 38(5)].
- Members must not address matters that are before the Courts (*sub judice*) in such a way that might in the Chair’s opinion prejudice the interest of the parties in the case [SO 36(2)].

Speaking during Debate

- A Member wishing to speak in a debate must rise in his/her place. If called on to speak by the Speaker, the Member must address the Speaker (or Chair if in Committee).
- No Member can speak unless called on by the Speaker/Chair [SO 35(1)].
- The Speaker/Chair will call on the first Member to catch his/her eye, if two or more rise at the same time [SO 35(2)].
- A Member can only speak once on a matter, except:

- ▶ In Committee [SO 35(3)(a)]
 - ▶ To explain some material part of his/her speech which has been misunderstood [SO 35(3)(b) & (4)]
 - ▶ If he/she is a mover of a substantive motion, he/she may speak in reply if Members other than the seconder participate in the debate [SO 35(3)(c)].
-
- A Member may second a motion or amendment without losing the right to speak at a later period of the debate [SO 35(3)].
 - A Member may speak again in a debate if the Speaker/Chair proposes a new question – such as a proposed amendment or motion for adjournment of the debate [SO 35(5)].
 - If a Member wishes to speak to a matter in which he/she has a direct personal pecuniary (financial) interest (other than a Member's remuneration under any provision of the Federal Constitution), the Member must first disclose the extent of the interest [SO 35(6)].
 - The Speaker/Chair has the discretion to prescribe time limits for speeches [SO 35(7)].

Interruptions

No Member shall interrupt another Member except by rising to:

- Raise a point of order, directing attention to the point which he/she desires to bring to notice and submit it to the Speaker/Chair for a decision [SO 37(1)(a)];
- Seek clarification on some matter raised by the speaking Member, provided that the speaking Member is willing to give way and takes

his/her seat and the Speaker/Chair calls on the Member who has risen [SO 37(1)(b)].

In both cases the speaking Member must take his seat if the Interrupting Member is called by the Speaker/Chair [SO 37(1)].

The Speaker may disallow the seeking of clarification if [SO 37(2)]:

- The House does not have time to dispose of its business; or
- The Speaker believes that the intention of seeking clarification is simply to interrupt the Member making the speech.

Closure of Debate

At any time after a question has been proposed for debate, a Member may rise in his/her place and move to close the debate by moving “***That the question be now put***” [SO 40(1)].

The question: “***That the question be now put***” will then be voted on without amendment or debate even if the mover of the original motion or amendment has not had the opportunity to reply [SO 40(1)].

The question will **NOT** be put if the Speaker deems [SO 40(1)]:

- That such a motion is an abuse of the rules of the House; or
- That the motion is an infringement of the rights of the minority.

In order for the question to pass, at least 20 Members must vote in the majority [SO 40(3)].

If the question passes, any Member can claim that any other question already proposed by the Chair be voted on, and if the Speaker/Chair agrees, such questions are voted on without further amendment or debate [SO 40(2)].

Rules of Order

A Member will be ruled out of order if he/she:

- Attempts to reconsider a specific question already decided by the House during the current Session, unless he/she is speaking to a substantive motion for rescission [SO 36(3)].
- Uses offensive language or makes a sexist remark [SO 36(4)].
- Refers to any other Member by name [SO 36(5)].
- Imputes improper motives to any other Member [SO 36(6)].
- Refers to the conduct or character of any Member or public servant other than conduct in their capacity as Member or public servant [SO 36(9)].
- Uses treasonable or seditious words [SO 36(10)(a) & (b)].
- Uses words that will likely promote feelings of ill-will or hostility between different communities in the Federation or infringe any provision of the Federal Constitution or the Sedition Act 1948 [SO 36(10)(c)].
- A Member must not use the name of the YDPA, or any of the Rulers or Yang di-Pertua-Yang di-Pertua Negeri to influence the House [SO 36(7)].
- Except on a substantive motion for that purpose, a Member must not raise the conduct or character of [SO 36(8)]:
 - ▶ the YDPA, or any of the Rulers or Yang di-Pertua-Yang di-Pertua Negeri;

- ▶ judges or anyone involved in the administration of justice;
- ▶ members of the Armed Forces Council;
- ▶ members of any Service Commission under Part X of the Federal Constitution;
- ▶ members of the Election Commission; or
- ▶ sovereigns of friendly states.

A Member will also be ruled out of order if he/she:

- Anticipates (pre-empts) the discussion of a Bill that is pending on the Order of Business, by:
 - ▶ Discussing that Bill on a substantive motion or an amendment dealing with the same subject matter as the Bill; or
 - ▶ Raising the subject matter of the Bill on a motion to adjourn the House [SO 39(1)].
- Anticipates the discussion of a motion of which notice has been given, by:
 - ▶ Discussing it on an amendment; or
 - ▶ Raising the subject matter of the said motion on a motion to adjourn the House [SO 39(2)].

In ruling on “Anticipation”, the Speaker will take into account the probability of the anticipated matter being brought before the House within a reasonable time [SO 39(3)].

Maintenance of Order by the Speaker

The Speaker or Chair of a Committee of the whole House is responsible for the observance of the Rules of Order in the House or Committee. The Speaker or Chair’s decision on any point of order is not open to appeal

and will not be reviewed by the House except by a substantive motion moved for that purpose. Such a substantive motion will not require more than two days' notice [SO 43].

Attempt to Breach Order

If the Speaker is of the opinion that any motion, amendment or continuance of debate is calculated to breach the Rules of Order as set out above, the Speaker may:

- Disallow the motion or amendment;
- Terminate debate; or
- Direct that no further proceedings be taken on the motion or amendment [SO 36(11)].

A Member who “imputes statements that mislead the House” is deemed to be in contempt of the House and may be referred to the Committee of Privileges for the offence [SO 36(12)].

Disorderly Conduct

The Speaker or Chair may order a Member to discontinue his/her speech if, after calling the attention of the House to the conduct, the Member persists in irrelevance or tedious repetition either of his/her own arguments or the arguments used by other Members in debate [SO 44(1)].

The Speaker or Chair may adjourn the House at any time to deal with disorderly conduct committed in the House [SO 44(6)]. Upon resumption of the House, the Chair or the House may make a decision on the matter or take action against anyone found to have contravened the SOs by acting in a disorderly manner [SO 44(6)].

The Speaker or Chair may order any person, including a member of the staff of Parliament or any police officer to enforce any decision or order made under this Order [SO 44(7)].

Strangers

Strangers will be admitted to debates in the Chamber of the House under the rules set by the Speaker [SO 93(1)].

If any Member notices that strangers are present in the Chamber, the Chair will put to a vote the question “***That strangers do withdraw***” without any debate or amendment.

The Chair may also, whenever he/she sees fit, order the withdrawal of strangers from the whole or any part of the Chamber.

While the House or the Committee of the whole House is sitting, the Serjeant-at-Arms will take into custody any stranger who he/she may see or who may be reported as not being authorized to be in the Chamber or Gallery. The Serjeant-at-Arms shall also take into custody any stranger who has been admitted but who is found to have misconducted him/herself or who refuses to leave when strangers are directed to leave [SO 93(4)].

Press

The Speaker may grant general permission to any member of the press to attend the sittings of the House under the rules the Speaker creates for this purpose. If the rules are contravened, permission to attend could be revoked [SO 94].

Order of Withdrawal of a Member

The Speaker or Chair may order a Member to withdraw from the House for a period not exceeding ten days, if [SO 44(2)]:

- The Member's conduct is disorderly;
- The Member's acts are in contempt of the House; or
- The Member continues to disregard the authority of the Speaker/Chair.

If the Speaker or Chair does not determine the period of withdrawal, it is deemed to be two days including the day of the incident [SO 44(2)].

Upon being ordered to withdraw, the Member must immediately withdraw from the House [SO 44(2)].

If the meeting adjourns before the end of the Member's suspension period, the remainder of the suspension will carry forward to the next meeting unless Parliament is dissolved beforehand [SO 44(2)].

Order of Suspension of a Member

If the Speaker or Chair in the House feels withdrawal is inadequate, he/she may commence the procedure to suspend the Member [SO 44(3)]:

- The Speaker or Chair first names the Member:

"I hereby name the Honourable Mr/Mrs..."

- A Minister must then rise and propose, seconded by another Minister, a motion as follows:

"That the House hereby resolves that Mr/Mrs... be suspended from the service of the House until (date)"

The Speaker or Chair puts the motion to the House, to be decided without any amendment, adjournment or debate [SO 44(3)].

A Member who is suspended will be ordered to withdraw from the meeting and is disallowed to participate in the meeting until his/her suspension has expired. If the meeting ends before the suspension period has expired, the remainder of suspension will be brought to the next meeting unless Parliament is prorogued or dissolved beforehand [SO 44(5)].

The Speaker or Chair may order any person, including a member of the staff of Parliament or any police officer to enforce any decision or order made under SO 44.

Votes in the House

Voice Votes and Majorities

A vote is won in the House by a simple majority of the Members voting, except in the following circumstances:

- Any state enactment seeking to change/convert the title of Malay reservation land requires the approval by resolution of the House passed by a majority of the total number of Members of the House and at least two-thirds of the votes of the Members voting [Federal Constitution, Art. 89(1)]:
- Amendments to the Federal Constitution, save for certain exceptions, require the votes in support of not less than two-thirds of the total number of Members of the House on both the Second and Third Readings of the amendment Bill [see Federal Constitution, Art. 159 (Appendix 2)].



In the case of a tie, the Speaker or any other person presiding will vote.

- The Speaker shall not vote in other circumstances.
- The Speaker will not have a casting vote in the House or any Committee if he/she is only a member of the House by virtue of his/her position as Speaker and is not otherwise an elected Representative of the House of Representatives [SO 45(1); Federal Constitution Art. 57(1A)].

A Member absent from the House shall not be allowed to vote [SO 45(2)].

No Member may speak to a question once the question has been fully put by the Chair [SO 46(1)]. Fully put means the Speaker/Chair has asked for both the Ayes and the Noes [SO 46(2)].

A vote is taken by voice unless a Member calls for a division [SO 46(3)]. If no such call is made, the Chair declares the result based on the votes.

Divisions

Call for Division

If a Member challenges the declaration of the Speaker/Chair by calling for a division [SO 46(4)]:

- The Speaker/Chair will call on those Members desiring a division to rise in their places;
- If less than 15 Members rise, the Speaker or Chair can declare the result immediately or order a division;
- If 15 or more rise, the Speaker or Chair will order a division; and
- After such warning as he/she may consider necessary (two-minute bell), he/she will appoint Tellers.

The Division Vote

Each Member is asked separately how they desire to vote:

- Each Member must expressly say Aye, No or expressly state that he/she abstains. [SO 47(2)].
- The Member's response should be consistent with the voice vote taken [SO 47(2)].
- The Secretary enters on the Votes and Proceedings record each Member's vote and notes those Members who have abstained [SO 47(1)].
- When all Members present have voted, the Speaker will state the number of Ayes, Noes and the result, or give his/her casting vote if required [SO 47(3)].
- If a Member states that he/she voted in error, or that his/her vote was wrongly counted, he may request to have his vote altered prior to the declaration of the result by the Speaker or Chair [SO 47(4)].

Disallowed Vote

A Member cannot vote on any subject in which he/she has a direct personal pecuniary (financial) interest [SO 47(5)].

- A motion to disallow a Member's vote on this ground may only be made immediately after the number of Members voting has been declared and before the results are announced.
- If a motion for disallowance of a Member's vote is agreed to, the Secretary will correct the numbers voting in the division.

Mandatory Division

The Speaker/Chair will always call a division in the following cases [SO 46(5)]:

- Proceedings relating to amendments to the Federal Constitution;
- Proceedings in respect of delimitation of constituencies; or
- In all cases where the specified amount of votes is required.

Bills

First Reading

Government Bill

A Minister may present a Bill in the House with at least one day's notice [SO 48].

- When the Bill is presented, the Secretary will read the title of the Bill at the Table.
- The Bill is then considered to have been read for the first time and is set for Second Reading at the next or a subsequent sitting.

Private Member's Bill

A private Member may apply by motion to the House for leave to introduce a Bill [SO 49], subject to Article 67 of the Federal Constitution [see section on Bills or Amendments involving Taxation or Expenditures]. A copy of the motion must be submitted to the Secretary and include:

- A copy of the Bill with an explanatory statement of the objects and reasons for the Bill (but no argument) [SO 49(1)]; and
- The title of the Proposed Bill (SO 49(2)).

The Secretary will refuse to accept the application if it does not conform with the requirement of the SOs or any Federal law [SO 49(2)].

If leave to introduce the Bill is granted by the House (by putting a question on the motion for leave), the Bill will be deemed to have been read for the first time and ordered to be printed. A copy of the Bill will be delivered to the Secretary [SO 49(3)].

Once the Secretary is satisfied that the provisions of SO 51 are met, the Bill is printed and circulated to Members [see the sub-section on Form of a Bill], and referred to the Minister responsible for the subject matter (or a Minister or Member designated by the Speaker). No further proceedings are taken up on the Bill until the Minister or the Member to whom it has been referred has reported to the House on it [SO 49(4)].

When the Minister or Member to whom the Bill has been referred reports to the House, the Bill will be set down for Second Reading on a day chosen by the Member in charge of the Bill [SO 49(5)].



Private and Hybrid Bills

A **Private Bill** is a Bill intended to affect or benefit a particular person, association or corporate body [SO 50].

Before this type of Bill is introduced, notice must be given [SO 50].

- Notice of the Bill is given by advertising a statement of its general nature and objects in the Gazette and in at least one newspaper in the country.
- These advertisements must be published at least one month before the day on which a motion for leave to introduce the Bill is to be moved.

As with a Private Member's Bill, a Member must seek leave to introduce a Private Bill.

The motion for leave having been granted by a vote in the House, the Private Bill is deemed to have been read for the first time and will be ordered to be printed, and a copy of the Bill is delivered to the Secretary [SO 50(1)].

Once the Secretary is satisfied that the provisions of SO 51 are met, the Bill is printed and circulated to Members [see the sub-section on Form of a Bill].

Every Private Bill must contain a section saving the rights of the YDPA, the Rulers, the Yang di-Pertua-Yang di-Pertua Negeri, any political and corporate bodies, and any others not mentioned in the Bill [SO 50(2)].

A **Hybrid Bill** is any Bill that in the Speaker's opinion appears to prejudicially affect individual rights or interests [SO 50(3)].

After being read a second time, every Private Bill and Hybrid Bill will be referred to a Select Committee. Any affected party who has previously presented a petition to the House under SO 19 may be heard before that Select Committee on his/her petition, either in person or by counsel [SO 50(3)].

To sit on that Select Committee, an MP must sign a declaration that he/she [SO 50(4)]:

- Has no personal pecuniary (financial) interest in the Bill; and
- Will not vote on any questions that may arise without having duly heard and attended to the evidence given on those questions.

Any Select Committee reviewing a Private or Hybrid Bill must require proof of the facts and allegations set out in the Bill to show that it is expedient that the Bill should be passed. In requiring proof, the Select Committee can take oral or other evidence it deems necessary. If the Committee finds that the allegations and/or facts have not been proved, it will report that to the House [SO 50(5)].

If the Committee finds that the facts and allegations that form the basis of the Private Bill are proved, the Committee will proceed to conduct a clause-by-clause review as outlined in SO 58 (see the sub-section on Review of Bill in Select Committee).

All amendments made by the Committee must be set out in a special report to the House [SO 50(6)].

The Committee will not allow any new clause to be inserted in a Private Bill that is outside the terms of the notice in the Gazette [SO 50(7)].

The Member sponsoring the Private Bill is responsible for all expenses incurred in the giving of notice of the Bill [SO 50(8)].

Form of a Bill

Before any Bill is printed, the Secretary will ensure that [SO 51(1)]:

- the Bill is divided into clauses numbered consecutively;
- a short indication of the contents of each clause appears in the margin or above the clause;

- the Bill contains nothing foreign to what the title indicates; and
- the Bill complies with the provisions of the Standing Orders.

The Secretary will report to the Speaker if any of these conditions are not met. If the Speaker agrees, he/she will request the Secretary to inform the Member in charge of the Bill that the Bill may not be printed until all the above provisions are complied with [SO 51(2)].

As soon as the Bill is printed, the Secretary will circulate a copy to every Member with a short explanatory statement [SO 51(3)]. If the Bill involves the expenditure of public money, it must contain a statement to that effect and also state the amount of money involved (if possible) or that it is not possible to estimate the amount [SO 51(3)].

Waiver of printing of Bills

If the Speaker is satisfied that the printing of any Bill is impracticable by reason of urgency, he/she can so certify the Bill. The Bill may then proceed and be taken through all stages in this form provided that copies are available for the Members [SO 64].

Parties Affected

If a Bill may particularly affect an individual's rights or interests, all parties who are affected may be heard on petition before any Committee to which the Bill is sent, either in person or by counsel [SO 52].

Second Reading

In order for a Bill to proceed to Second Reading at the next sitting or meeting, notice of Second Reading must be given immediately after its First Reading [SO 53(1)].

Second Reading cannot occur until the Bill has been circulated to the Members [SO 53(2)].

When the Second Reading of the Bill is reached on the Order Paper, a motion is made “***That the Bill be now read a second time***”. A debate may then follow on the general merits and principle of the Bill [SO 53(3)].

A Member may move an amendment to postpone or stop the Second Reading of a Bill by giving at least one day’s notice in writing to move an amendment to the question “***That the Bill be now read a second time***”. The amendment can take either of the following forms [SO 53(4)]:

- The question is amended to: “***That the Bill be read a second time on this day six months***”; or
- The question is amended to: “***That [state the object and motive on which the Bill is opposed, which must be strictly relevant to the principle of the Bill and not its details]***”.

If the House agrees to the amendment in either of those forms, the Second Reading of the Bill is deemed to “have been negative” [SO 53(4)].

Sending a Bill to Committee

A Bill can be sent to a Select Committee before its Second Reading [SO 54(1)]. If sent to Committee before its Second Reading, the Committee may discuss the details of the Bill as well as its merits and principles [SO 55(1)].

When a Bill has been read a second time, it will stand committed to a Committee of the whole House unless the House, by a motion, commits it to a Select Committee [SO 54 (2)]. Any Committee to which a Bill is committed after Second Reading cannot debate the principle of the Bill but only its details [SO 55(2)].

If a Bill is sent to a Select Committee after Second Reading, the motion to do so [SO 54(2)]:

- does not require notice;
- must be made immediately after the Bill is read a second time;
- may be proposed by any Member;
- the question must be put to the House forthwith; and
- must be voted on without amendment or debate.

Except for bills falling under Article 67 of the Federal Constitution, a Committee can make any amendments to the Bill that it sees fit, subject to the following [SO 55(3)]:

- The amendments (including new clauses and new schedule) must be relevant to the subject matter of the Bill.
- If any amendments are not “within the title of the Bill”, the Committee will amend the title accordingly and report the change to the House.

Committee of the whole House

Any Member, before the conclusion of proceedings on a Bill in a Committee of the whole House, can move to report progress. If the motion is carried or if the proceedings in the Committee of the whole House have not finished at 5.30pm, the Speaker must report progress to the House and ask its leave to sit again. The Member whose Bill it is will name the date for the resumption of Debate [SO 56].

Procedure in Committee of the whole House [SO 57(1)]

In reviewing a Bill in Committee, the Secretary will call each clause by number in order.

If there are no amendments proposed, or when all amendments have been dealt with, the Chair calls the question “***That the clause [as amended] stand part of the Bill***”. Members may then speak to this motion, after which the Chair will ask for a vote of the Committee [SO 57(1)].

Amendments in Committee [SO 57(2)-(6)]

At least one day’s notice must be given for a proposed amendment.

If notice is not given, the amendment in writing shall be handed to the Chair, but it is not moved until the Chair is satisfied that in the circumstances it was not practicable to give notice.

No amendment can be moved which is inconsistent with any clause already agreed upon or any decision already made by the Committee.

The Chair can withdraw from consideration any amendment being discussed if in the Chair’s opinion, the discussion has shown that the amendment is inconsistent or that a decision has already been made.

The Chair may refuse to ask for a vote on any amendment which in the Chair’s opinion:

- Would make the clause or schedule which it proposes to amend unintelligible or ungrammatical;
- Is frivolous; or
- Amounts to a proposal to omit the whole substance of a clause for the purpose of inserting other provisions.

The provisions of SO 33(4) will apply with regard to amendments of Bills (see the sub-section on Debating Motions and Amendments), with the substitution of “clause” for “motion” or “question”, and of “the Chairman” for “Chair”, and that a proposed amendment to an amendment will be

dealt with before a decision is made on the original amendment [SO 57(5)].

A clause may be postponed unless a decision has already been taken upon an amendment. Postponed clauses are considered after all the remaining clauses of a Bill have been considered and before any new clauses are introduced.

New Clauses [SO 57(7)-(8)]

Any proposed new clause in relation to any clause in the Bill will be considered after the clauses of the Bill have been disposed of and before the consideration of any Schedule to a Bill.

Except if a new clause is being proposed in substitution for a clause which has been disagreed to – then the clause can be considered immediately after the disagreement.

Upon being read by the Secretary, any new clause will be considered read for the first time.

- The question will be put “***That the clause be read a second time***”.
- If this is agreed to, then amendments may be proposed to the new clause.
- The Chair will put a final question at the end of deliberations: “***That the clause [as amended] be added to the Bill***”.

Schedules [SO 57(9)]

Schedules are dealt with in the same way as clauses and any new schedule is considered after the schedules to the Bill have been disposed of and are treated in the same way as a New Clause.

Preamble [SO 57(11)]

When every clause and schedule and proposed new clause and schedule has been dealt with, the preamble (if there is one) is considered and the following question put: “***That the preamble [as amended] be the preamble to the Bill***”.

Unless made necessary by a previous amendment to the Bill, the Preamble will not be amended.

Title of the Bill [SO 57(12)]

If after deliberation of the Bill an amendment to the title is necessary, it is made after the deliberations of the clauses, schedules and preamble but no vote is taken that the Title [as amended] stands part of the Bill and no vote is taken on the enacting formula.

Enacting Formula [SO 95]

The enacting formula of all Bills is:

“Enacted by the Parliament of Malaysia as follows:”

Except in the case of a Bill that is passed by the House of Representatives only but not passed by the Senate within the time frame allocated under Article 68 of the Federal Constitution, then the enacting formula is:

“Enacted by the Parliament of Malaysia pursuant to Article 68 of the Federal Constitution as follows:”

Conclusion of Deliberations on a Bill in Committee [SO 57(13)-(14)]

At the conclusion of the proceedings in Committee on a Bill, the Member in charge of the Bill shall move “***That the Bill (as amended) be report to the House***” and a vote is taken without amendment or debate.

As soon as the Committee of the whole House has agreed that a Bill be reported, the Chair will leave the Chair and the House shall resume. The Member in charge of the Bill shall report it to the House. The House may proceed to a third reading of the Bill.

Review of Bill in Select Committee

When a Bill is referred to a Select Committee, the Select Committee (subject to SOs 83 and 84) shall go through the Bill as outlined in SO 57(1)-(4), prior to reporting the Bill to the House [SO 58(1)].

When a Bill is amended at Select Committee, the whole text of the Bill as amended is included in the Report of the Select Committee. If it is not practicable to do so, the text of every amended clause or schedule and every new clause and schedule added will be printed [SO 58(2)].

When a Bill is reported from the Select Committee, the House will proceed to consider the Bill as reported from the Select Committee.

Amendment Before Third Reading - Bill from Committee of the whole House

A Member can delete or amend any provision in a Bill which has been reported from the Committee of the whole House and can introduce any new provisions at any time before a Member rises to move the Third Reading of the Bill, by moving that the Bill be recommitted either in whole or in part [SO 59(1)].

No notice of this motion is required [SO 59(1)].

If the motion is agreed to, the Bill is recommitted and the House shall resolve itself into Committee to consider the business so recommitted [SO 59(1)].

If the motion to recommit is opposed, the Speaker will allow a brief explanatory statement for the reasons of recommitment from the mover and from a Member who opposes and then will call the vote without further debate [SO 59(1)].

If the whole Bill is recommitted, then Committee will go through the whole Bill as provided for in SO 57 (outlined above) [SO 59(2)].

If only a part or parts of the Bill has/have been recommitted, or a proposed new clause or schedule has been recommitted, the Committee will consider only the matter recommitted and any amendment moved thereto [SO 59(3)].

At the conclusion of these deliberations, the Member in charge of the Bill will move “***That the Bill [as amended on recommitment] be reported to the House***” and a vote is taken without amendment or debate [SO 59(4)].

Amendment Before Third Reading - Bill from a Select Committee

When a Bill is reported from the Select Committee, the House will proceed to consider the Bill as reported from the Select Committee upon a motion “***That the report of the Select Committee be approved***” [SO 60(1)].

If that motion is approved without amendment, the House can proceed to the Third Reading of the Bill as reported by the Select Committee [SO 60(2)].

Any Member may propose a motion to amend the motion to approve by including the following phrase [SO 60(3)]:

“subject to the recommittal of the Bill [either wholly or in respect only of some particular part or parts, some proposed new clause or new schedule] to the Committee of the whole House”.

If that motion is agreed to with the amendment, the Bill will stand so recommitted. The House may then, upon a motion made under SO 54 (see above) resolve itself into a Committee to consider the business recommitted [SO 60 (3)]. The Committee of the whole House will proceed in accordance with SO 59(2)-(4) (as outlined above) [SO 60(4)].

Third Reading

On the Third Reading of a Bill, amendments may be proposed to the question “***That the Bill be now read a third time***”, similar to those which may be proposed on Second Reading. The Debate will, however, be confined to the contents of the Bill. Any reasoned amendment that raises matters not included in the Bill will be considered out of Order [SO 61(1)].

The Speaker may permit amendments for the correction or errors or oversights before the question for Third Reading of the Bill is put. No amendments of a material character are allowed [SO 61(2)].

Withdrawal or Postponement of a Bill

Before the commencement of Public Business in the House or when any stage of a Bill is reached in the Order, the Member in charge of a Bill may rise in his/her place and request that the Bill be withdrawn or that the next stage of the Bill be postponed [SO 62].

Similar Bills

Once a Bill has passed Second Reading or been defeated at that stage, no other Bill containing substantially the same provisions can be voted on at Second Reading during the same Session [SO 63].

Survival of Bills at Prorogation

A Bill will not lapse at Prorogation if the debate has not been concluded [SO 63B].

Publication

As soon as practicable after a Bill has received Royal Assent, it will be published in the Gazette. At any time before the publication, the Secretary in consultation with the Senate Secretary may correct through additions, omissions or alterations, any grammatical and typographical errors in the Act, repetition, mistakes in cross-referencing, punctuation or marginal/shoulder notes [SO 96(2)].

Embargo

All Bills and Papers to be embargoed will have a slip attached that indicates they are embargoed until a stated date [SO 95A].

Any person who publishes an embargoed Bill or Paper or any part thereof before the stated date will be deemed to be in contempt of the House [SO 95A].

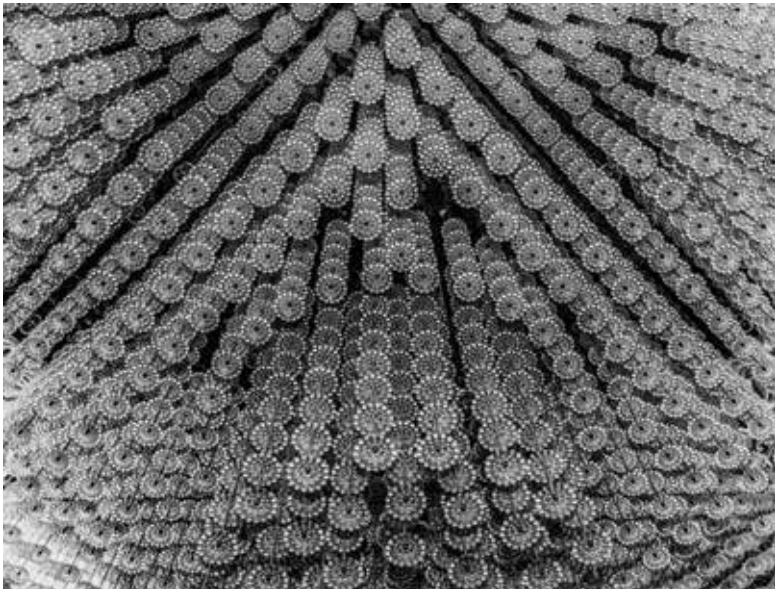
Money Bills

A Supply Bill is introduced in the House and contains the estimated financial requirements for the upcoming year for all heads of expenditure as set out in Article 100 of the Federal Constitution. The details of the financial requirements are set out in the Estimates [SO 66(1)].

Estimates

Annual Estimates

Draft Estimates (also referred to as the Ordinary Estimates) of Federal expenditure for the upcoming year are laid on the Table before the introduction in the House of the Annual Supply Bill [SO 65].



Annual Development Estimates

A statement of the proposed expenditure of development funds under the Development Funds Act 1966 for any financial year (also referred to as Development Estimates) must be laid on the Table before a resolution is introduced in the House to approve that expenditure under section 4(3) of the said Act [SO 65A].

Supply Bill

The Supply Bill follows the normal course of a Government Bill until the Second Reading of the Bill. However, unlike other Bills, a Supply Bill may be moved for Second Reading on the same day that it is presented in the House, so long as the Minister gives notice of his/her intention to do so [SO 48].

Second Reading of the Supply Bill

Immediately after the Second Reading is proposed and seconded, a motion may be moved without notice to refer the Development Estimates to a Committee of the whole House for a resolution to approve that expenditure under section 4(3) of the Development Funds Act 1966 [SO 66(2) read with SO 65A].

The Supply Bill and the Development Estimates may be moved, proposed and seconded simultaneously [SO 66(2A)].

Once the Supply Bill and the Motion on the Development Estimates have been moved, proposed and seconded, the debate on both will be adjourned for not less than two days [SO 66(3)].

When the Debate resumes, it is limited to the general principles of Government policy and administration in relation to the Supply Bill and the Ordinary and Development Estimates [SO 66(3)].

Second Reading of the Supply Bill and the Motion on the Development Estimates will be allotted a maximum of 13 days. Of these 13 days, two will be set aside for reply by Ministers [SO 66(3)].

At the end of the Debate, the Speaker will put any question necessary to bring the proceedings to a conclusion [SO 66(3)].

Supply Bill in Committee of the whole House

When the Supply Bill has passed Second Reading and the Motion on the Development Estimates has been agreed to, both are sent to the Committee of the whole House [SO 66(4)] where they, along with the Ordinary Estimates will be allotted a maximum of 20 days for discussion [SO 66(5)].

Allotment of Time in Committee of the whole House

The Speaker may determine the amount of time to be spent on each schedule of the Supply Bill, the clauses of the Bill and for any of the heads in the Development Estimates. At the end of the time allotted, if the question has not been put, the Chair will put the question to dispose of the schedule, clause or head [SO 66(6)(a)].

The Speaker or the Chair may enlarge the amount of time allotted at his/her discretion for any schedule, clause or head, but without exceeding the maximum 20-day limit, or reducing the time allotted to other schedules, clauses or heads [SO 66(6)(a)].

If no time is allotted for all or any schedule, clause or head by the Speaker, the Chair may allot a maximum time [SO 66(6)(b)].

Consideration of the Schedules to the Supply Bill

The schedules of the Bill will be dealt with before the clauses [SO 66(7)].

When reviewing the schedules, the Chair calls each head of expenditure, and unless an amendment stands on the Notice Paper, he proposes the following question [SO 66(8)]:

“That the sum of RM..... for head..... stand part of the schedule”

Any Member may move an amendment to reduce the sum allotted for any head of expenditure by giving at least two clear days' notice [SO 66(9)].

If more than one amendment is proposed on the same item, the amendment seeking a reduction to the smallest sum is dealt with first, and an amendment to omit the sub-head or item is only considered after all motions for reductions have been dealt with [SO 66(10)].

Once all the amendments standing on the Notice Paper in respect of a particular head or expenditure have been disposed of, the Chair proposes the question [SO 66(11)]:

“That the sum of RM..... for head ... stand part of the schedule”

Debate on these questions is confined to the Policy of the service for which the money is to be provided and does not deal with the details of the expenditure, but may refer to the details of revenues or funds for which that service is responsible [SO 66(12)].

Consideration of the Motion on the Development Estimates

A similar process is followed with the Chair calling the title of each head of expenditure and proposing the question on the motion [SO 66(13)]:

“That the expenditure shown in head of the Development Estimates for the year concerned be approved”

The Minister in Charge of the Head concerned may speak in support when the Head is called [SO 66(14)].

Any Member may, by giving at least two clear days' notice, move an amendment [SO 66(15)]:

- To omit any sub-head or item; or
- To reduce the sum allotted by adding at the end of the motion “**subject to a reduction of.....**” and specifying the relevant sub-head and item relating to the proposed reduction.

If more than one amendment is proposed on the same head, sub-head or item, the amendment seeking a reduction to the smallest sum is dealt with first, and an amendment to omit a sub-head or item is only considered after all motions for reductions have been dealt with [SO 66(16)].

When all the questions on all the heads of expenditure in both the Ordinary and Development Estimates have been disposed of and the Committee has passed the Supply Bill, the Chair will put to the Committee the question on the resolution on the Development Estimates subject to any reductions that have been made in amendments. The Committee makes a decision without further amendment or debate [SO 66(17)].

If the Committee passes the Motion, it will be reported immediately to the House, once it has been reported to the House that the Supply Bill has been passed [SO 66(17)].

Third Reading of the Supply Bill

When the Supply Bill has been reported to the House, a Minister will bring a motion for Third Reading of the Supply Bill. There will be no amendments or debate [SO 66(18)].

After the Bill has been read a Third time, a Minister will immediately move the motion for a resolution to approve that expenditure of the Development Estimates which will be amended, if the case requires, to give effect to any reductions agreed to in Committee. The motion may be moved without notice, amendment or debate [SO 66(19)].

Reallotment of Expenditures

Subject to the Supply Bill being approved as outlined above [SO 66], any reallotment of expenditure may be made through a motion by a Minister [SO 66A].

Supplementary Supply Bill

The Federal Constitution provides for the tabling of Supplementary Supply Bills to deal with supplementary or excess expenditures. Each new Supply Bill requires supplementary estimates for each head where additional authority is sought [SO 67(1)].

Supplementary estimates will include [SO 67(1)]:

- The total sum already authorized to that head;
- The additional expenditure required under any sub-head;
- The amount of any savings from other sub-heads under the same head which can be applied to reduce the supplementary appropriation required;
- The amount of the supplementary appropriation requested for the head.

Supplementary Estimates are tabled three clear days before the sitting at which the Supplementary Supply Bill will be introduced [SO 67(2)].

A similar process to the process for the Supply Bill and Estimates is followed, although a maximum of two days is allotted to the Second

Reading Debate [SO 67(5)]. The Speaker will then put the question necessary to bring the proceedings to conclusion.

At the Committee of the whole House, where the Supplementary Supply Bill and Estimates are committed, three days are allotted for discussion [SO 67(7)]. Again, the Speaker may allot a maximum time to be given to any of the heads of the Supplementary Supply Bill and the Supplementary Development Estimates, and the Chair may make or alter the time allotments [SO 67(6) & (7)].

The procedure laid down in SO 66(7)-(8) & (10)-(16) for the Supply Bill and Development Estimates apply (with necessary modifications) to the Supplementary Supply Bill and Supplementary Development Estimates. However, debate will be limited to the particulars contained in the Estimates on which the supplementary appropriations are sought, not on policy or expenditure sanctioned by the Estimates in which the original appropriation was obtained, unless they are referred to in the particulars of the supplementary Estimates [SO 67(9)].

Supplementary Development Estimates without a Supplementary Supply Bill

With the Permission of the Speaker, a Minister may move a motion without notice, which is not open to amendment or debate, for a resolution on a Supplementary Development Estimates to be debated without introducing a Supplementary Supply Bill [SO 67B(1)].

If approved by the House, the Minister may then, without notice, move to refer the motion to a Committee of the whole House [SO 67B(2)].

A similar process to that of the Supplementary Development Estimates as set out in SO 67 is followed, though a maximum of one day is allotted to debate the motion [SO 67B(4)].

When agreed, the resolution is committed to a Committee of the whole House [SO 67B(5)], where two days are allotted for discussion [SO 67B(6)(a)].

- The Speaker may allot a maximum time to any of the heads in the Supplementary Development Estimate, and the Chair may do so if the Speaker has not [SO 67B(6)(a)-(b)].
- The Chair may call the question to dispose of that head when the time allotted has expired in the same manner set out for Annual Development Estimates [SO 67B(6)(a) & (7)].
- When all the heads of the expenditures in the Supplementary Development Estimates have been reviewed and voted on, the Chair will put the question on the resolution of the Supplementary Development Estimates (including any reductions that have been agreed), without allowing amendments or debate, to the Committee of the whole House [SO 67B(8)].

If passed, the Minister will report to the House the passing of the resolution [SO 67B(9)].

Contingencies Funds

A Minister must present to the House any items of urgent and unforeseen expenditure for which advance has been made from the Contingencies Fund pursuant to the Financial Procedure Act during the period preceding such a Meeting [SO 68].

Expenditure on Account

Under Article 102(a) of the Federal Constitution, Parliament is empowered to authorize expenditure for part of the year otherwise than through the process of the Supply Bill. Such a Bill must be decided on without debate [SO 68A(1)].

Only a Minister can introduce an amendment to such a Bill [SO 68A(2)], and the amendment once seconded is voted on right away without debate [SO 68A(3)].

The Bill is then referred to Committee, and once passed is reported immediately to the House. The Minister then moves a Third Reading motion, which must be decided without amendment or debate [SO 68 (4)].

Expenditure shown in Provisional Statement

Any Provisional Statement of sums necessary to meet urgent expenditure under the Development Funds Act 1966 must be laid before the House (see sections 4(5) & (6) of the Act).

A Minister may move for a resolution for expenditure under a Provisional Statement without notice, for consideration by the House, and it is voted on without a motion and referred to the Committee of the whole House. The debate on the motion will not include matters of Government policy or administration or the purposes for which the sums included in the Provisional Statement are required to be expended [SO 68B(1)].

Only a Minister can move an amendment to the motion and such an amendment will be voted on immediately after it has been proposed and seconded without debate [SO 68B (2) & (3)].

Bills or Amendments involving Taxation or Expenditures

In accordance with Article 67 of the Federal Constitution, a Bill or amendment doing any of the following, directly or indirectly may only be introduced by a Minister [SO 89(1)]:

- Imposing or increasing any tax;
- Abolishing, reducing or remitting any tax;

- Borrowing money or giving a guarantee, by the country;
- Amending the law relating to the financial obligations of the Federation;
- Affecting the custody of the Consolidated Fund, the charging of any money on the Consolidated Fund or the abolition or alteration of any such charge;
- Affecting the payment of moneys into the Consolidated Fund or the payment, issue or withdrawal from the consolidated Fund of any moneys not charged thereon or any increase in the amount of such payment, issue or withdrawal;
- Affecting the compounding or remission of any debt due to the Federation;
- Affecting the assignment of tax or fee or the making of a grant to any State;
- Affecting the receipt of moneys on account of the Consolidated Fund or the custody or issue of such moneys, or the audit of the accounts of the Federation or a State,

which the Minister of Finance finds goes beyond what is incidental and not of a substantial nature having regard to the purposes of the Bill or amendment.

A Bill or amendment which:

- Imposes or alters any fine or pecuniary penalty
- Requires the payment or demand of a licence fee or a fee or charge for any service rendered
- Imposes, alters or regulates any tax or rate by any local authority or body for local purposes

will not be deemed to fall under SO 89(1) [SO 89(2)].

The Senate



Messages to the Senate

When a Bill has passed Third Reading in the House, the Speaker will send a Message to the President of the Senate informing him:

- That the House has passed the Bill; or
- If the Bill was brought from the Senate, that the House has agreed to the Bill with or without amendment,

and requesting the concurrence of the Senate to the Bill or to the amendments made by the House to the Bill [SO 70(1)]. The Secretary will send this message to the Senate with an endorsed clean copy of the House Bill, or an endorsed amended Senate Bill, with amendments clearly marked [SO 70(2)].

However, nothing in SO 70 affects the automatic assent of Bills passed by the House but not passed by the Senate within the time frame and conditions stipulated under Article 68 of the Federal Constitution [SO 70(3)].

Messages from the Senate

The Secretary receives all messages from the Senate, and delivers them to the Speaker. The Speaker may direct the Secretary to read the message at the same or next convenient sitting of the House [SO 71].

Bills brought from the Senate

All Bills brought from the Senate will lie upon the Table until a day is named for Second Reading [SO 72(1)].

At any time after the reading of the message that a Bill has been brought from the Senate, any Member may inform the Secretary that he/she will sponsor the Bill and name a day for Second Reading [SO 72(2)].

The Secretary will endorse the Member's name upon the back of the Bill, and record in Votes and Proceedings that the Bill has been read for the first time, is ordered to be read a second time on the day specified and is to be printed.

Senate Amendments

Upon reading a Message from the Senate agreeing to a Bill with amendments, and once the Speaker has agreed the amendments by the Senate are either drafting amendments or carry out the intention of the House and are not numerous, the Member in charge of the Bill may notify the Secretary, with at least five clear days' notice, of the day to be set for consideration of the Senate's amendments [SO 73(1)]. The day fixed will then be entered in the Votes and Proceedings, and the amendments will printed [SO 73(2)].

A similar procedure will be followed in respect to any message from the Senate relating to subsequent stages of the Bill [SO 73(3)].

Procedure for considering Senate amendments

Members can call for a vote on Senate amendments and move amendments to the Senate amendments, if [SO 74(1)]:

- Notice of such a motion or amendment has been given; and
- The question “***That this House agrees (or disagrees) with the Senate’s amendment***” has not been proposed from the Chair.

When any such motions or amendments have been disposed of, the Member in charge of the Bill will move:

“That this House agrees (or disagrees) with the Senate’s amendment (as amended).”

Only the following types of amendments may be proposed [SO 74(3)]:

- Amendments that are consequential on amendments made by the Senate, or on amendments made by the House to the Senate’s amendments; or
- Amendments that are in lieu of an amendment made by the Senate to which the House has disagreed.

House Rejection of Senate Amendments

When one or more Senate amendments to a Bill are disagreed to, the Speaker will, as soon as consideration of the Senate’s amendments to the Bill are concluded, create a Committee made up of three Members, including the Member in charge of the Bill to draw up Reason(s) to be provided to the Senate for the rejection of their amendment(s) [SO 74(4)]:

- Quorum for this Committee is two, and the Secretary or his/her designate will be the Secretary to the Committee.

- The Committee's Report is presented to the House by handing it to the Secretary at the Table, and at presentation, the House is deemed to have agreed to the Report. The Report will be entered in full in Votes and Proceedings.
- The Reason(s) will be incorporated by the Secretary in a message to the Senate and will be sent to the Senate together with the Bill endorsed by the Secretary.

A similar procedure is followed in respect of the Senate's amendments to amendments made by the House [SO 74(5)].

However, nothing in SOs 74 and 75 affects the automatic assent of Bills passed by the House but not passed by the Senate within the time frame and conditions stipulated under Article 68 of the Federal Constitution [SO 74(6)].

Senate Rejection of House Amendments

When reviewing a Reason assigned by the Senate for the rejection of an amendment made by the House, the House will deliberate a motion either:

- ***“That this House insists upon its amendment to which the Senate has disagreed”*** or
- ***“That this House does not insist upon its amendment to which the Senate has disagreed”***

If the latter motion is carried, amendments may be moved on the amendment to which the Senate has disagreed, or to the Bill in question. At the conclusion of the proceedings, the Secretary will endorse the Bill and transmit it to the Senate with the appropriate Message [SO 75(1)].

Should the House insist on any amendment which the Senate has disagreed with, it then follows the procedure set out in SO 74(4), which is outlined above under **Rejection of Senate Amendments** [SO 75(2)].

If the Senate insists on its amendment and the House disagrees, then subject to Article 68 of the Federal Constitution, the following may be moved in the House:

- ***“That the Bill be laid aside”***. If such a motion passes, no further proceedings will take place on the Bill and no Message will be sent to the Senate.

- Or, ***“That this House does not insist upon its disagreement with the Senate in respect of the amendment upon which that House insists”***. If this motion is passed, amendments may be moved on the Senate amendments or to the Bill in question. At the conclusion of the proceedings, the Secretary will endorse the Bill and transmit it to the Senate with the appropriate Message [SO 75(3)].

Joint House/Senate Select Committee Deliberations

Where

- a Select Committee of the House has been appointed to examine and report on a subject on which it is desirable to consult with the Senate; or

- it is decided to appoint a Standing Joint Committee to examine and report on matters affecting the welfare or internal administration of both Houses,

the House will pass a resolution that it is expedient to form a Committee of both Houses to consider a matter, or to commit a Bill or Bills to a

Committee of both Houses [SO 87(a)]. The Secretary transmits a copy of the resolution to the Senate Secretary [SO 87(b)].

Once the Senate concurs, the House appoints a Select Committee and nominates Members, to join with a Select Committee of the Senate. Unless the House otherwise orders, the Select Committee will have the power to send for persons, documents and papers [SO 87(c)]. The Secretary informs the Secretary of the Senate of the Select Committee appointment and requests on the House's behalf that an equal number of Senators join with the Select Committee [SO 87(d)].

Once it receives a Message that the Senate has appointed and nominated its Committee with similar powers as the Select Committee, and a suitable time and place for the meeting of the Joint Committee is agreed, the Speaker will direct the Select Committee to meet the Senate Committee [SO 87(e)].

Select Committees

There are a variety of Committees of the House. Some are set out in the Standing Orders while others are a creation of each Parliament but follow the Standing Orders for procedure.

Committee of Selection

The Committee of Selection is appointed at the beginning of every Parliament and consists of the Speaker as Chair and six Members to be elected by the House. The Committee reports to the House on the nomination of Members to any Committee and deals with other matters referred to it from time to time by the House [SO 76(1)-(2)].

The Committee does not have the power to send for persons, documents or papers without a resolution from the House [SO 76 (2)].

Public Accounts Committee

The Public Accounts Committee is appointed at the beginning of every Parliament and consists of a Chair and Vice Chair appointed by the House, and not less than 6 and not more than 12 Members nominated by the Committee of Selection as soon as possible after the beginning of each Parliament [SO 77(2)]. No Ministers can be appointed as a member or Chair of this Committee [SO77(4)].

The purpose of the Committee is to examine [SO 71(1)]:

- The accounts of the country and the appropriation of sums granted by Parliament to meet public expenditures;
- The accounts of public authorities and other bodies administering public funds which are laid before the House;

- The reports of the Auditor General which are laid before the House;
- Such other matters as the Committee may think fit or which the House refers to the Committee.

In the absence of the Chair or Vice Chair due to illness or for any other reason, the Committee shall elect any member to act as Chair to preside over the Committee meeting [SO 77(3)].

The Committee has the power to send for persons, papers or records and to report to the House from time to time [SO 77(5)].

Standing Orders Committee

The Standing Orders Committee is appointed at the beginning of each Parliament and consists of the Speaker as Chair and six other Members nominated by the Committee of Selection as soon as possible after the beginning of Parliament [SO 78(1)].

The purpose of the Committee is to consider from time to time and report on all matters relating to the Standing Orders which may be referred to it by the House [SO 78(1)].

The Committee does not have the power to send for persons, documents or papers without a resolution from the House [SO 78(1)].

If a notice of motion to be considered by the Committee involves any proposal for the amendment of the Standing Orders, a draft of the proposed amendments will accompany the motion and the motion when moved and seconded is immediately referred to the Standing Orders Committee without the taking of a vote. No further proceedings are taken until the Standing Orders Committee reports to the House [SO 78(2)].

House Committee

At the beginning of each Parliament, the House Committee is created and is made up of the Speaker as the Chair, and six members to be nominated by the Committee of Selection as soon as possible after the beginning of Parliament. The Committee advises the Speaker on all matters connected with the comfort and convenience of, and services and amenities available to, Members [SO 79(1)].

The Committee does not have the power to send for persons, documents or papers without a resolution from the House [SO 79(1)].

Minutes of the House Committee are circulated to all Members [SO 79(2)].

The House Committee may confer or sit as a Joint Committee with the House Committee of the Senate [SO 79(3)].

Committee of Privileges

At the beginning of each Parliament, the Committee of Privileges is created and is made up of the Speaker as the Chair, and six Members to be nominated by the Committee of Selection as soon as possible after the beginning of Parliament. Any matter that appears to affect the powers and privileges of the House is referred to this Committee. The Committee must consider those matters referred to it and report to the House [SO 80(1)]. When the House is not sitting, a Member may bring an alleged breach of privilege to the Speaker who may, if he finds a *prima facie* breach of privilege, refer the matter to the Committee, which will report to the House thereon [SO 80(2)].

The Committee has the power to send for persons, documents or papers without a resolution from the House [SO 80(3)].

Special Select Committees

Any other Committees not listed in the Standing Orders and created by Parliament are called Special Select Committees. A Special Select Committee is appointed by order of the House and is made up of Members nominated by the Committee of Selection. It has the power to elect its own Chair. If the elected Chair is unavailable to be present at any meeting, the Committee will elect another Chair for the day of his/her election [SO 81(1)-(2)].



Scope, Powers and Functions of Committees

Membership

The membership of every Select Committee must, as far as practicable, reflect the balance of the parties within the House [SO82 (1)]. If a member of the Committee dies or if his/her seat becomes vacant otherwise, the House or the Committee of Selection will appoint another member in his/her place, conserving the balance of the parties [SO

82(2)]. In the case of unavoidable absence, the Committee of Selection may nominate another Member to take the absent member's place. Any replacement during a House adjournment due to death or unavoidable absence will be announced in the House at its next meeting [SO 83(7)].

Quorum for a Committee is three members including the Chair [SO 83(3)].

Powers and Scope

A Select Committee has the power to send for persons, documents or papers and can report its opinion and observation together with the minutes of the evidence taken before it to the House [SO 83(2)].

A Select Committee can only review matters that have been referred to it by the House with any extension or limitation made by the House [SO 83(4)].

The Select Committee on Bills is limited in its deliberations to the Bill committed to it by the House and relevant amendments [SO 83(4)].

Procedure

The Chair determines the time and place of the first meeting of a Select Committee. The Committee then sets subsequent meetings. If the Committee fails to do so, the Chair, in consultation with the Secretary sets the subsequent meetings [SO 83(5)].

A Select Committee may hold its meetings while the House is sitting, and the meeting is held within the premise of Parliament [SO 83(5A)]. However, if a Division vote has been called, then the Select Committee is adjourned or is not convened until the result of the Division is declared [SO 83(6)]. In practice, a Select Committee may meet even when the House is not sitting.

A Select Committee continues to exist until the completion of the task in respect of which it was appointed or until a dissolution of the House [SO 83(6A)].

A Select Committee may continue its investigations beyond the adjournment of the House [SO 83(7)].

Parties whose conduct form the subject, or part of the subject, of an investigation by a Select Committee or whose rights or interests are directly affected by the matter being investigated may, with leave of the Committee, appear in person or be represented by counsel [SO 83(7A)].

The Secretary to the House or a Secretary appointed by him/her will serve as Secretary to a Select Committee [SO 83(8)].

Witnesses

Notice of witnesses being called to Committee will be delivered to the Secretary by the Member or petitioner requiring such witnesses at least ten days before the day they are to be examined. The notice must contain a list of the name, residence and occupation of every witness. The Secretary will then summon each witness on behalf of the House [SO 83(9)].

Unless the Chair directs otherwise, evidence of a witness will be recorded verbatim and sent in proof to the witness who will have seven days to suggest corrections due to inaccurate reporting. The evidence will then be printed with any corrections that have been approved by the Chair [SO 83(10)].

A Committee may refuse to hear any irrelevant evidence or any recalcitrant witness [SO 83(11)].

Reports

Any member of a Select Committee may bring up a report for the Committee's consideration. The report will be entered in full in the Minutes. When all the reports have been brought up, the Chair will call each report in the order they were brought up, beginning with his/her own, until one is accepted by the members for review. The Chair will propose "***That the Chairman's (or Mr/Mrs ...'s) report be read a second time, paragraph by paragraph***". Once a report is agreed on for review, no other report will be proposed, but any portion of another report, if relevant, can be offered as an amendment to the report being considered [SO 83(12)(a)].

The Committee will then review the report paragraph by paragraph using the same procedure as the Committee of the whole House would use in reviewing a Bill as set out in SO 57(1)-(8) and (10) [SO 83(12)(b)].

When a Select Committee completes its review of a report paragraph by paragraph, and when all new paragraphs have been considered, the Chair will call for a vote that the report be the Report of the Committee to the House [SO 83(12)(c)].

Minutes

The Minutes of Proceedings of a Committee shall record all proceedings of the meeting considering any report or Bill in the Committee including each amendment proposed to the report or the Bill. The Minutes will also include a note on any vote taken in Committee, and the names of the members voting and those who declined to vote. It need not be a verbatim report [SO 83(12A)].

A Member shall not speak on any matter in Committee in which he/she has a direct personal pecuniary (financial) interest (other than the matter of remuneration under the Federal Constitution) without disclosing the extent of the interest [SO 83(13)].

All votes in Select Committee taken by Division will be taken by the Secretary of the Committee. The Secretary will ask each member of the Committee separately how they wish to vote (Aye or No or expressly declining to vote), and record the vote [SO 84(1) & (3)]. Members are called to vote in alphabetical order [SO 84(2)].

As soon as the Secretary has called all the votes, the Chair will state the number of Ayes and Noes and declare the result. Only in the case of a tie will the Chair be called on to vote unless he is otherwise not qualified to [SOs 84(4) & 45(1)].

The Secretary will include in the Minutes of the Proceedings the record of the vote, noting those who declined to vote [SO 84(3)].

If a member of the Committee states that he voted in error or that his vote has been wrongly counted he may claim to have his vote altered if he advises the Chair as soon as he has announced the number of Ayes and Noes but before he has declared the results [SO 84(5)].

A Member cannot vote on any subject in which he/she has a direct personal pecuniary (financial) interest [SO 47(5)].

- A motion to disallow a Member's vote on this ground may only be made immediately after the numbers of Members voting has been declared and before the results are announced.

- If a motion for disallowance of a Member's vote is agreed to, the Secretary will correct the numbers voting in the division.

No Member of a Committee and no other person can publish evidence taken before a Select Committee or any document presented to the committee, before the Committee has presented its Report to the House [SO 85].

Reports and Special Reports of Select Committees

Every Select Committee shall make a report to the House on the matters referred to them as soon as possible. A Select Committee may make a Special Report relating to the powers, functions and proceedings of the Committee on any matters which it may think fit to bring to the notice of the House. These Reports or Special Reports are presented to the House by the Chair or any member deputed by the Committee. These reports will lie upon the Table and be printed without a vote being taken [SO 86(1)-(3)].

Any Member with not less than two days' notice, may move that the House adopt the Report of the Select Committee [SO 86(5)].

With respect to a Bill being reported from a Select Committee, the same process as **Amendment before Third Reading – Bill from a Select Committee** is to be followed.

Other Committees

The House may appoint any other Committee which is not a Select Committee, to carry out such matter as the House may from time to time refer to it [SO 88A(1)].

This Committee will consist of the Speaker as Chair and several other member of the House as appointed by the House [SO 88A(2)].

Other Orders Impacting Members

Personal Explanation

A Member may make a Personal Explanation after “Obituary Speeches” during Daily Proceedings with the permission of the Speaker. The Explanation must not include a controversial matter and there will be no debate of the Explanation. The Member must submit the Explanation (the full proposed statement), at least two hours prior to the beginning of the sitting to the Speaker when seeking his/her permission [SO 25].

Papers

Only the Speaker, a Minister or the Chair of a Committee can present papers in the House. A paper is sent to the Secretary and shall be in print, electronic or in the form directed by the Speaker [SO 20(1)].

Once received by the Secretary in paper copy, a paper is deemed to have been presented to the House and ordered to lie upon the Table [SO 20(2)]. The Presentation of Papers is recorded in Votes and Proceedings on the day they are presented or the next sitting day if presented on a day the House is not sitting [SO 20(3)].

Correcting Official Records

A Member may request that any grammatical and typographical errors, repetition, mistakes in cross-referencing, punctuation or marginal/shoulder notes be made to a petition, paper, question, motion, notice, Bill or other document he/she has presented [SO 96(2)].



Contempt

Notwithstanding the role of the Committee of Privileges, in a case where it appears to the House that there has been a commission, whether by a Member or any other person, of any acts, matters or things that are punishable as contempt under the Houses of Parliament (Privileges and Powers) Act 1952, the House may appoint a Committee to summarily enquire into such a case and what appropriate action should be taken under the Act [SO 80A].

Absence of Members

A Member must advise the Secretary as soon as possible of his/her inability to attend any meeting of the House [SO 91]. If a Member is absent without leave from every sitting of the House for a period of six months, the House may declare his seat vacant [Federal Constitution, Art. 52(1)].

A Member who is given a leave of absence from the sittings of the House cannot participate in the affairs and business of the House for the duration of such a leave [Federal Constitution, Art. 52(2)].

Employment Outside of Parliament

No Member of the House will appear before the House, or at Committee in any capacity for which he/she will receive a fee or reward, including as an Advocate or Solicitor for any party [SO 92].

Other Rules

Expenses

Any person who is summoned to attend or to produce any document to the House will be paid the same expenses as a witness attending Court in accordance with the rules under the code relating to criminal procedure. In interpreting this code, any reference to a judge or Registrar of the High Court will be interpreted as the Speaker or the Secretary as the case may require [SO 97].

Matters relating to Suspension of Standing Orders

The House will not consider any Bill, amendment, motion or petition which in the opinion of the Speaker would suspend the Standing Orders unless the Speaker consents [SO 90(1)].

No question will be proposed, the object or effect of which could be to suspend any Standing Order of the House, unless notice is given or the consent of the Speaker has been given. The Speaker will put the question immediately, without debate [SO 90(2)].



Rulings of the Speaker

The Speaker's decision in interpreting the Standing Orders or on any matter of practice is considered final, unless a substantive motion is moved to challenge his/her decision. The Speaker may from time to time issue rulings on the Standing Orders [SO 99].

Any failure to comply with the Standing Orders by the House or Committee in making a decision will be treated as an irregularity and will not nullify the proceedings or the resulting decision [SO 99A].

Residuary Powers

The Speaker has the authority to regulate all matters not specifically addressed in the Standing Orders and to interpret any questions relating to the working of the Orders so long as it is not inconsistent with the Standing Orders [SO 100].

Appendices

Appendix 1: Legislative Lists, Federal Constitution

NINTH SCHEDULE

[Articles 74, 77]

Legislative Lists

List I - Federal List

1. External affairs, including -
 - (a) treaties, agreements and conventions with other countries and all matters which bring the Federation into relations with any other country;
 - (b) implementation of treaties, agreements and conventions with other countries;
 - (c) diplomatic, consular and trade representation;
 - (d) international organizations; participation in international bodies and implementation of decisions taken thereat;
 - (e) extradition; fugitive offenders; admission into, and emigration and expulsion from, the Federation;
 - (f) passports; visas; permits of entry or other certificates; quarantine;
 - (g) foreign and extra-territorial jurisdiction; and
 - (h) pilgrimages to places outside Malaysia.
2. Defence of the Federation or any part thereof, including -
 - (a) naval, military and air forces and other armed forces;
 - (b) any armed forces attached to or operating with any of the armed forces of the Federation; visiting forces;
 - (c) defence works; military and protected areas; naval, military and air force bases; barracks, aerodromes and other works;
 - (d) manoeuvres;
 - (e) war and peace; alien enemies and enemy aliens; enemy property; trading with an enemy; war damage; war risk insurance;

- (f) arms, fire-arms, ammunition and explosives;
 - (g) national service; and
 - (h) civil defence.
3. Internal security, including -
- (a) police; criminal investigation; registration of criminals; public order;
 - (b) prisons; reformatories; remand homes; places of detention; probation of offenders; juvenile offenders;
 - (c) preventive detention; restriction of residence;
 - (d) intelligence services; and
 - (e) national registration.
4. Civil and criminal law and procedure and the administration of justice, including -
- (a) constitution and organization of all courts other than Syariah Courts;
 - (b) jurisdiction and powers of all such courts;
 - (c) remuneration and other privileges of the judges and officers presiding over such courts;
 - (d) persons entitled to practise before such courts;
 - (e) subject to paragraph (ii), the following:
 - (i) contract; partnership, agency and other special contracts; master and servant; inns and inn-keepers; actionable wrongs; property and its transfer and hypothecation, expect land; *bona vacantia*; equity and trusts; marriage, divorce and legitimacy; married women's property and status; interpretation of federal law; negotiable instruments; statutory declarations; arbitration; mercantile law; registration of businesses and business names; age of majority; infants and minors; adoption; succession, testate and intestate; probate and letters of administration; bankruptcy and insolvency; oaths and affirmations; limitation; reciprocal enforcement of judgments and orders; the law of evidence;
 - (ii) the matters mentioned in paragraph (i) do not include Islamic personal law relating to marriage, divorce, guardianship, maintenance, adoption, legitimacy, family law, gifts or succession, testate and intestate;
 - (f) official secrets; corrupt practices;

- (g) use or exhibition of coats of arms, armorial bearings, flags, emblems, uniforms, orders and decorations other than those of a State;
 - (h) creation of offences in respect of any of the matters included in the Federal List or dealt with by federal law;
 - (i) indemnity in respect of any of the matters in the Federal List or dealt with by federal law;
 - (j) admiralty jurisdiction;
 - (k) ascertainment of Islamic law and other personal laws for purposes of federal law; and
 - (l) betting and lotteries.
5. Federal citizenship and naturalization; aliens.
6. The machinery of government, subject to the State List, but including –
- (a) elections to both Houses of Parliament and the Legislative Assemblies of the States and all matters connected therewith;
 - (b) the Armed Forces Council and the Commissions to which Part X applies;
 - (c) federal services including the establishment of services common to the Federation and the States; services common to two or more States;
 - (d) pensions and compensation for loss of office; gratuities and conditions of service;
 - (e) Government and administration of the Federal Territories of Kuala Lumpur, Labuan and Putrajaya including Islamic law therein to the same extent as provided in item 1 in the State List and in respect of the Federal Territory of Labuan, native law and custom to the same extent as provided in item 13 of the Supplement to State List for States of Sabah and Sarawak;
 - (f) federal Government contracts;
 - (g) federal public authorities; and
 - (h) purchase, acquisition and holding of, and dealing with, property for federal purposes.
7. Finance, including -
- (a) currency, legal tender and coinage;
 - (b) national savings and savings banks;
 - (c) borrowing on the security of the Federal Consolidated Fund;

- (d) loans to or borrowing by the States, public authorities and private enterprise;
- (e) public debt of the Federation;
- (f) financial and accounting procedure, including procedure for the collection, custody and payment of the public moneys of the Federation and of the States, and the purchase, custody and disposal of public property other than land of the Federation and of the States;
- (g) audit and accounts of the Federation and the States and other public authorities;
- (h) taxes; rates in the federal capital;
- (i) fees in respect of any of the matters in the Federal List or dealt with by federal law;
- (j) banking; money-lending; pawnbrokers; control of credit;
- (k) bills of exchange, cheques, promissory notes and other similar instruments;
- (l) foreign exchange; and
- (m) capital issues; stock and commodity exchanges.

8. Trade, commerce and industry, including -

- (a) production, supply and distribution of goods; price control and food control; adulteration of foodstuffs and other goods;
- (b) imports into, and exports from, the Federation;
- (c) incorporation, regulation and winding up of corporations other than municipal corporations (but including the municipal corporation of the federal capital); regulation of foreign corporations; bounties on production in or export from the Federation;
- (d) insurance, including compulsory insurance;
- (e) patents; designs, inventions; trade marks and mercantile marks; copyrights;
- (f) establishment of standards of weights and measures;
- (g) establishment of standards of quality of goods manufactured in or exported from the Federation;
- (h) auctions and auctioneers;
- (i) industries; regulation of industrial undertakings;

- (j) subject to item 2(c) in the State List: Development of mineral resources; mines, mining, minerals and mineral ores; oils and oilfields; purchase, sale, import and export of minerals and mineral ores; petroleum products; regulation of labour and safety in mines and oilfields;
 - (k) factories; boilers and machinery; dangerous trades; and
 - (l) dangerous and inflammable substances.
9. Shipping, navigation and fisheries, including -
- (a) shipping and navigation on the high seas and in tidal and inland waters;
 - (b) ports and harbours; foreshores;
 - (c) lighthouses and other provisions for the safety of navigation;
 - (d) maritime and estuarine fishing and fisheries, excluding turtles;
 - (e) light dues; and
 - (f) wrecks and salvage.
10. Communications and transport, including -
- (a) roads, bridges, ferries and other means of communication if declared to be federal by or under federal law;
 - (b) railways, excluding Penang Hill Railway;
 - (c) airways, aircraft and air navigation; civil aerodromes; provisions for the safety of aircraft;
 - (d) regulation of traffic by land, water and air other than on rivers outside harbour areas wholly within one State;
 - (e) carriage of passengers and goods by land, water and air;
 - (f) mechanically propelled vehicles;
 - (g) posts and telecommunications; and
 - (h) wireless, broadcasting and television.
11. Federal works and power, including -
- (a) public works for federal purposes;
 - (b) water supplies, rivers and canals, except those wholly within one State or regulated by an agreement between all the States concerned; production, distribution and supply of water power; and
 - (c) electricity; gas and gas works; and other works for the production and distribution of power and energy.

12. Surveys, inquiries and research, including -
 - (a) census; registration of births and deaths; registration of marriages; registration of adoptions other than adoptions under Islamic law or Malay custom;
 - (b) survey of the Federation; social, economic and scientific surveys; meteorological organizations;
 - (c) scientific and technical research; and
 - (d) commissions of inquiry.
13. Education, including -
 - (a) elementary, secondary, and university education; vocational and technical education; training of teachers; registration and control of teachers, managers and schools; promotion of special studies and research; scientific and literary societies;
 - (b) libraries; museums; ancient and historical monuments and records; archaeological sites and remains.
14. Medicine and health including sanitation in the federal capital, and including -
 - (a) hospitals, clinics and dispensaries; medical profession; maternity and child welfare; lepers and leper institutions;
 - (b) lunacy and mental deficiency, including places for reception and treatment;
 - (c) poisons and dangerous drugs; and
 - (d) intoxicating drugs and liquors; manufacture and sale of drugs.
15. Labour and social security, including -
 - (a) trade unions; industrial and labour disputes; welfare of labour including housing of labourers by employers; employer's liability and workmen's compensation;
 - (b) unemployment insurance; health insurance; widows' orphans' and old age pensions; maternity benefits; provident and benevolent funds; superannuation; and
 - (c) charities and charitable institutions; charitable trusts and trustees excluding Wakafs; Hindu endowments.
16. Welfare of the aborigines.
17. Professional occupations other than those specifically enumerated.
18. Holidays other than State holidays; standard of time.

19. Unincorporated societies.
20. Control of agricultural pests; protection against such pests; prevention of plant diseases.
21. Newspapers; publications; publishers; printing and printing presses.
22. Censorship.
23. Subject to item 5(f) of the State List: theatres; cinemas; cinematograph films; places of public amusement.
24. (*Repealed*).
25. Co-operative societies.
- 25A. Tourism.
26. Subject to item 9A of the Concurrent List, prevention and extinguishment of fire, including fire services and fire brigades.
27. All matters relating to the Federal Territories, including the matters enumerated in items 2, 3, 4 and 5 of the State List and in the case of Federal Territory of Labuan, the matters enumerated in items 15, 16 and 17 of the Supplement to State List for States of Sabah and Sarawak.

List II - State List

1. Except with respect to the Federal Territories of Kuala Lumpur, Labuan and Putrajaya, Islamic law and personal and family law of persons professing the religion of Islam, including the Islamic law relating to succession, testate and intestate, betrothal, marriage, divorce, dower, maintenance, adoption, legitimacy, guardianship, gifts, partitions and non-charitable trusts; Wakafs and the definition and regulation of charitable and religious trusts, the appointment of trustees and the incorporation of persons in respect of Islamic religious and charitable endowments, institutions, trusts, charities and charitable institutions operating wholly within the State; Malay customs; Zakat, Fitrah and Baitulmal or similar Islamic religious revenue; mosques or any Islamic public place of worship, creation and punishment of offences by persons professing the religion of Islam against precepts of that religion, except in regard to matters included in the Federal List; the constitution, organization and procedure of Syariah courts, which shall have jurisdiction only over persons professing the religion of Islam and in respect only of any of the matters included in this paragraph, but shall not have jurisdiction in respect of offences except in so far as conferred by federal

law; the control of propagating doctrines and beliefs among persons professing the religion of Islam; the determination of matters of Islamic law and doctrine and Malay custom.

2. Except with respect to the Federal Territories of Kuala Lumpur, Labuan and Putrajaya, land including -

- (a) land tenure, relation of landlord and tenant; registration of titles and deeds relating to land; colonization, land improvement and soil conservation; rent restriction;
- (b) Malay reservations or, in the States of Sabah and Sarawak, native reservations;
- (c) permits and licences for prospecting for mines; mining leases and certificates;
- (d) compulsory acquisition of land;
- (e) transfer of land, mortgages, leases and charges in respect of land; easements; and
- (f) escheat; treasure trove excluding antiquities.

3. Except with respect to the Federal Territories of Kuala Lumpur, Labuan and Putrajaya, agriculture and forestry, including -

- (a) agriculture and agricultural loans; and
- (b) forests.

4. Local government outside the Federal Territories of Kuala Lumpur, Labuan and Putrajaya, including -

- (a) local administration; municipal corporations; local, town and rural board and other local authorities; local government services, local rates, local government elections;
- (b) obnoxious trades and public nuisances in local authority areas; and
- (c) (*Repealed*).

5. Except with respect to the Federal Territories of Kuala Lumpur, Labuan and Putrajaya, other services of a local character, that is to say:

- (a) (*Repealed*);
- (b) boarding houses and lodging houses;
- (c) burial and cremation grounds;
- (d) pounds and cattle trespass;
- (e) markets and fairs; and

- (f) licensing of theatres, cinemas and places of public amusement.
- 6. State works and water, that is to say:
 - (a) public works for State purposes;
 - (b) roads, bridges and ferries other than those in the Federal List, regulation of weight and speed of vehicles on such roads; and
 - (c) subject to the Federal List, water (including rivers and canals but excluding water supplies and services); control of silt; riparian rights.
- 7. Machinery of the State Government, subject to the Federal List, but including -
 - (a) Civil List and State pensions;
 - (b) exclusive State services;
 - (c) borrowing on the security of the State Consolidated Fund;
 - (d) loans for State purposes;
 - (e) public debt of the State; and
 - (f) fees in respect of any of the matters included in the State List or dealt with by State law.
- 8. State holidays.
- 9. Creation of offences in respect of any of the matters included in the State List or dealt with by State law, proofs of State law and of things done thereunder, and proof of any matter for purposes of State law.
- 10. Inquiries for State purposes, including commissions of inquiry and collection of statistics with respect to any of the matters included in the State List or dealt with by State law.
- 11. Indemnity in respect of any of the matters in the State List or dealt with by State law.
- 12. Turtles and riverine fishing.
- 12A Libraries, museums, ancient and historical monuments and records and archaeological sites and remains, other than those declared to be federal by or under federal law.

*List IIA - Supplement to State List for States of
Sabah and Sarawak*

[Article 95B(1)(a)]

13. Native law and custom, including the personal law relating to marriage, divorce, guardianship, maintenance, adoption, legitimacy, family law, gifts or succession, testate or intestate; registration of adoptions under native law or custom; the determination of matters of native law or custom; the constitution, organization, and procedure of native courts (including the right of audience in such courts), and the jurisdiction and powers of such courts, which shall extend only to the matters included in this paragraph and shall not include jurisdiction in respect of offences except in so far as conferred by federal law.
14. Incorporation of authorities and other bodies set up by State law, if incorporated directly by State law, and regulation and winding up of corporations so created.
15. Ports and harbours, other than those declared to be federal by or under federal law; regulation of traffic by water in ports and harbours or on rivers wholly within the State, except traffic in federal ports or harbours; foreshores.
16. Cadastral land surveys.
17. *(Repealed)*.
18. In Sabah, the Sabah Railway.
19. *(Repealed)*.
20. Subject to the Federal List, water supplies and services.

List IIB - (Repealed)

List III - Concurrent List

1. Social welfare; social services subject to Lists I and II; protection of women, children and young persons.
2. Scholarships.
3. Protection of wild animals and wild birds; National Parks.
4. Animal husbandry; prevention of cruelty to animals; veterinary services; animal quarantine.
5. Town and country planning, except in the federal capital.
6. Vagrancy and itinerant hawkers.

7. Public health, sanitation (excluding sanitation in the federal capital) and the prevention of diseases.
8. Drainage and irrigation.
9. Rehabilitation of mining land and land which has suffered soil erosion.
- 9A. Fire safety measures and fire precautions in the construction and maintenance of buildings.
- 9B. Culture and sports.
- 9C. Housing and provisions for housing accommodation; improvement trusts.
- 9D. Subject to the Federal List, water supplies and services.
- 9E. Preservation of heritage.

*List IIIA - Supplement to Concurrent List for States of
Sabah and Sarawak*

[Article 95B (1)(b)]

10. Personal law relating to marriage, divorce, guardianship, maintenance, adoption, legitimacy, family law, gifts or succession, testate or intestate.
 11. Adulteration of foodstuffs and other goods.
 12. Shipping under fifteen registered tons, including the carriage of passengers and goods by such shipping; maritime and estuarine fishing and fisheries.
 13. The production, distribution and supply of water power and of electricity generated by water power.
 14. Agricultural and forestry research, control of agricultural pests, and protection against such pests; prevention of plant diseases.
 15. Charities and charitable trusts and institutions in the State (that is to say, operating wholly within, or created and operating in, the State) and their trustees, including the incorporation thereof and the regulation and winding up of incorporated charities and charitable institutions in the State.
 16. Theatres; cinemas; cinematograph films; places of public amusement.
 17. Elections to the State Assembly held during the period of indirect elections.
 18. In Sabah until the end of the year 1970 (but not in Sarawak), medicine and health, including the matters specified in items 14(a) to (d) of the Federal List.
-

Appendix 2: Article 159 of the Federal Constitution

Amendment of the Constitution

159. (1) Subject to the following provisions of this Article and to Article 161E, the provisions of this Constitution may be amended by federal law.

(2) (*Repealed*).

(3) A Bill for making any amendment to the Constitution (other than an amendment excepted from the provisions of this Clause) and a Bill for making any amendment to a law passed under Clause (4) of Article 10 shall not be passed in either House of Parliament unless it has been supported on Second and Third Readings by the votes of not less than two-thirds of the total number of members of that House.

(4) The following amendments are excepted from the provisions of Clause (3), that is to say:

(a) any amendment to Part III of the Second or to the Sixth or Seventh Schedule;

(b) any amendment incidental to or consequential on the exercise of any power to make law conferred on Parliament by any provision of this Constitution other than Articles 74 and 76;

(bb) subject to Article 161E any amendment made for or in connection with the admission of any State to the Federation or its association with the States thereof, or any modification made as to the application of this Constitution to a State previously so admitted or associated;

(c) any amendment consequential on an amendment made under paragraph (a).

(5) A law making an amendment to Clause (4) of Article 10, any law passed thereunder, the provisions of Part III, Article 38, Clause (4) of Article 63, Article 70, Clause (1) of Article 71, Clause (4) of Article 72, Article 152, or 153 or to this Clause shall not be passed without the consent of the Conference of Rulers.

(6) In this Article “amendment” includes addition and repeal; and in this Article and in paragraph (a) of Article 2 “State” includes any territory.

Appendix 3: Sample Parliamentary Questions

CONTOH-CONTOH PERTANYAAN YANG MEMATUHI SYARAT-SYARAT PERATURAN MESYUARAT DEWAN RAKYAT

Contoh 1

[Ahli Dewan Rakyat] [Kawasan Parlimen] minta MENTERI DALAM NEGERI menyatakan apakah inisiatif Malaysia untuk memudahcara permohonan visa bagi menarik lebih ramai pelancong terutamanya warganegara China dan India untuk memasuki Malaysia sempena Tahun Melawat Malaysia 2020.

Contoh 2

[Ahli Dewan Rakyat] [Kawasan Parlimen] minta MENTERI HAL EHWAL EKONOMI menyatakan berapakah kadar pertumbuhan ekonomi negara pada 2017 dan jangkaan pertumbuhan ekonomi negara dan global pada tahun ini. Apakah kaedah-kaedah baru dan inisiatif Kerajaan bagi membantu rakyat menghadapi ekonomi global yang masih berada dalam keadaan tidak menentu.

Contoh 3

[Ahli Dewan Rakyat] [Kawasan Parlimen] minta MENTERI PERUMAHAN DAN KERAJAAN TEMPATAN menyatakan adakah Kementerian mempunyai perancangan untuk memberi status pemilikan kekal melalui jualan unit Projek Perumahan Rakyat (PPR) kepada penyewa yang telah lama tinggal di sesebuah PPR di seluruh negara.

Contoh 4

[Ahli Dewan Rakyat] [Kawasan Parlimen] minta MENTERI PENDIDIKAN menyatakan :-

- (a) langkah yang diambil Kementerian bagi menangani isu kegagalan pentauliahian 6,000 orang pelajar yang menjalani program Sijil Kemahiran Malaysia (SKM) di sekolah-sekolah harian pada tahun 2017; dan
- (b) bilangan pekerja teknikal berkemahiran tinggi tempatan dalam kalangan belia Malaysia dari tahun 2013 sehingga 2017.

**CONTOH-CONTOH PERTANYAAN YANG TIDAK MEMATUHI
SYARAT-SYARAT PERATURAN MESYUARAT DEWAN RAKYAT**

	PERTANYAAN YANG DITOLAK	SEBAB DITOLAK
Contoh 1	<p>[Ahli Dewan Rakyat] [Kawasan Parlimen] minta PERDANA MENTERI menyatakan secara terperinci status Composite Technology Research Malaysia (CTRM) sekarang dari segi penukaran serta peratusan hak milik sejak tahun 2010 sehingga terkini, jumlah syarikat ini dijual serta kepada siapa.</p>	<p>PM.21(1)(a)</p> <p>Bukan urusan Kerajaan</p>
Contoh 2	<p>[Ahli Dewan Rakyat] [Kawasan Parlimen] minta PERDANA MENTERI menyatakan berapa lamakah tempoh masa Kerajaan menggaji Josh Treveno dan berapakah jumlah wang sebenar yang Kerajaan telah bayar kepada beliau.</p>	<p>PM. 23(1)(c).</p> <p>Sesuatu pertanyaan itu tidak boleh mengandungi apa-apa hujah, sangkaan, fikiran, tohmahan, puji atau keji atau mengandungi kalimah-kalimah mengelirukan, menyindir, atau menyakitkan hati ataupun mengenai apa-apa perkara dangkal atau meminta penerangan mengenai perkara-perkara remeh.</p>
Contoh 3	<p>[Ahli Dewan Rakyat] [Kawasan Parlimen] minta MENTERI PERTAHANAN menyatakan berikutan laporan media bahawa Malaysia berminat untuk membeli senjata dan kapal perang China :-</p> <p>a) apakah rasional ketenteraan dan strategik di sebalik ini; dan</p> <p>b) bolehkah senjata-senjata tersebut disepadukan sepenuhnya dengan sistem pertahanan semasa Malaysia.</p>	<p>PM. 23(1)(f).</p> <p>Sesuatu pertanyaan itu tidak boleh meminta keterangan berkenaan dengan apa-apa perkara rahsia.</p>

	PERTANYAAN YANG DITOLAK	SEBAB DITOLAK
Contoh 4	[Ahli Dewan Rakyat] [Kawasan Parlimen] minta MENTERI BELIA DAN SUKAN menyatakan berapakah daripada jumlah penggelapan wang sebanyak RM107 juta yang melibatkan Kementerian Belia dan Sukan bagi tempoh 2010-2015 telah didapat balik oleh kerajaan. Nyatakan langkah-langkah yang telah dan akan diambil oleh Kerajaan untuk mendapat balik wang-wang tersebut.	PM. 23(1)(g). Sesuatu pertanyaan itu tidak boleh dikarangkan cakupannya sekira-kira harus menggelencungkan perkara yang sedang dibicarakan oleh Mahkamah dan tidak boleh ditanya berkenaan dengan apa-apa perkara yang dalam timbangan Mahkamah.
Contoh 5	[Ahli Dewan Rakyat] [Kawasan Parlimen] minta MENTERI WILAYAH PERSEKUTUAN menyatakan rancangan untuk memasukkan sebahagian Kedah, Pulau Pinang dan Melaka sebagai Wilayah Persekutuan. Nyatakan kebaikan dan keburukan cadangan tersebut.	PM. 23(1)(h). Sesuatu pertanyaan itu tidak boleh dikeluarkan dengan tujuan hendak mendapat buah fikiran atau hendak mendapat penyelesaian berkenaan dengan perkara undang-undang yang belum menjadi masalah atau kerana hendak mendapat jawab dalam perkara yang dimisal-misalkan sahaja.
Contoh 6	[Ahli Dewan Rakyat] [Kawasan Parlimen] minta MENTERI KERJA RAYA menyatakan sama ada Kerajaan mempunyai hasrat untuk melebarkan Jalan Pasir Putih (A3151) iaitu dari arah simpang Jalan Lahat kepada jalan raya dua laluan (dual carriageway). Jikalau tidak, kenapa.	PM. 23(1)(q)(i). Sesuatu pertanyaan tidak boleh dikeluarkan berhubung dengan apa-apa perkara yang terkandung dalam – (i) Senarai Negeri dalam Jadual Kesembilan kepada Perlembagaan Persekutuan.

	PERTANYAAN YANG DITOLAK	SEBAB DITOLAK
Contoh 7	<p>[Ahli Dewan Rakyat] [Kawasan Parlimen] minta MENTERI PEMBANGUNAN WANITA, KELUARGA DAN MASYARAKAT menyatakan :-</p> <p>(a) apakah statistik keganasan rumah tangga, penceraian dan bunuh diri mengikut pecahan negeri untuk tahun 2014, 2015, 2016 dan sehingga 30 September 2017. Apakah peranan agensi seperti Lembaga Penduduk dan Pembangunan Keluarga Negara (LPPKN) dalam mendidik masyarakat Mengenai tanggungjawab dalam keluarga agar mengurangkan masalah seperti keganasan rumah tangga, penceraian dan bunuh diri; dan</p> <p>** (b) apakah usaha dan plan Kerajaan Persekutuan untuk membantu warga emas dalam mengharungi kehidupan mereka selaras dengan kenaikan harga barang, peningkatan kos sara hidup dan tekanan ekonomi yang sedang melanda negara.</p>	<p>PM. 23(1)(r)(ii).</p> <p>Sesuatu pertanyaan untuk Jawab Lisan:</p> <p>(ii) tidak boleh mengandungi lebih daripada dua pertanyaan yang berlainan atau gabungan lebih daripada dua pertanyaan.</p> <p>Soalan itu hanya ditolak sebahagian sahaja iaitu ayat yang melibatkan:</p> <p>** [(b) apakah usaha dan plan Kerajaan Persekutuan untuk membantu warga emas dalam mengharungi kehidupan mereka selaras dengan kenaikan harga barang, peningkatan kos sara hidup dan tekanan ekonomi yang sedang melanda negara].</p>
Contoh 8	<p>[Ahli Dewan Rakyat] [Kawasan Parlimen] minta PERDANA MENTERI menyatakan senarai warga asing yang memiliki kekayaan dalam negara ini dan bentuk perniagaan yang dikendalikan.</p>	<p>PM. 23(1)(s).</p> <p>Sesuatu pertanyaan tidak boleh dikeluarkan berkenaan dengan perkara yang tidak tertentu atau terlalu umum.</p>

Appendix 4: Sample Notice of Motion



**PARLIMEN
MALAYSIA**

**YB ENCIK FONG KUI LUN
AHLI DEWAN RAKYAT
KAWASAN BUKIT BINTANG**

No. 8A, Lorong Brunei 2,
Off Jalan Pudu,
55100 Kuala Lumpur.
Tel : 03-2141 2762
Faks : 03-2144 9440
E-mail : dapbukitbintang@gmail.com

19 September 2019

Setiausaha
Dewan Rakyat Malaysia
Bangunan Parlimen
50608 Kuala Lumpur

Y Bhg Datuk

Soalan dan Usul Untuk Mesyuarat Dewan Rakyat Pada 7.10.2019 – 5.12.2019

Dengan hormatnya saya merujuk perkara diatas dan melampirkan disini soalan-soalan dan usul untuk dibangkitkan dalam sidang mesyuarat Dewan Rakyat bertarikh diatas, itu:

- 10 soalan untuk jawab lisan
- 5 soalan untuk jawab bertulis
- 2 usul

Sekian, terima kasih.

Yang benar

Fongkui Lun
(YB FONG KUI LUN)
Ahli Parlimen Bukit Bintang

lampiran

USUL-USUL DI BAWAH PERATURAN MESYUARAT 27

1. Tuan Fong Kui Lun mencadangkan Kerajaan supaya mempergiatkan usaha untuk menyatupadukan rakyat berbilang kaum di Malaysia yang kelihatan masih lemah dan longgar meskipun Negara telah menjadi Negara merdeka dan berdaulat sejak 60 tahun lalu supaya mereka boleh hidup dengan aman dan saling memerlukan dan memahami bagi memudahkan mereka membangunkan ekonomi Negara secara bersama dan merealisasikan impian Malaysia.
 2. Tuan Fong Kui Lun mencadangkan Kerajaan memulihkan pilihan raya Kerajaan tempatan seluruh Negara supaya urus tadbir Kerajaan menjadi lebih cekap, akauntabiliti dan bersih dengan mengambil langkah pertama untuk membuat kajian serius dan melakukan pungutan suara antara rakyat.
-

Appendix 5: Sample Special Chamber papers

Sample speech on a matter of administration for which the Government is responsible, under SO 17:

Ucapan : Tuan Cha Kee Chin [Rasah]

Tajuk Ucapan : Peruntukan MARRIS di daerah Seremban

Tarikh Ucapan : 4 Disember, 2019 (Rabu)

Kementerian : Kementerian Kerja Raya

Terima kasih Tuan Yang di-Pertua. Pada kesempatan petang ini, izinkan saya membangkitkan isu yang berkaitan dengan peruntukan di bawah Sistem Maklumat Rekod-Rekod Jalan Raya Malaysia (MARRIS).

Kita sedia maklum bahawa peruntukan MARRIS adalah satu pemberian atau peruntukan daripada Kerajaan Persekutuan kepada pihak berkuasa atau kerajaan negeri. Peruntukan ini amat mustahak dalam memastikan keberlangsungan pembangunan di setiap negeri kerana amaun peruntukan ini amat besar dan boleh membawa impak besar kepada setiap pelosok negara.

Saya ingin mengambil kesempatan ini untuk mendapat maklumat-maklumat berikut:

1. Bagaimanakah mekanisme atau garis panduan dalam pengagihan peruntukan MARRIS ini daripada Kerajaan Persekutuan kepada Kerajaan Negeri?
2. Siapakah pegawai di peringkat kerajaan negeri yang menentukan agihan peruntukan MARRIS ini kepada setiap agensi yang terlibat dan apakah garis panduan yang wajar dipatuhinya?
3. Berapakah jumlah peruntukan MARRIS yang disalurkan untuk Negeri Sembilan pada tahun ini dan senaraikan jumlah yang diagihkan kepada setiap daerah di Negeri Sembilan?
4. Mohon senaraikan semua projek yang dilaksanakan di bawah peruntukan MARRIS di Daerah Seremban pada tahun ini, termasuk agensi yang bertanggungjawab untuk pelaksanaan, amaun untuk setiap projek tersebut dan status pelaksanaannya ketika ini. (maklumat ini penting untuk membolehkan semua projek ini dipantau dan diketahui oleh rakyat setempat).

5. Mohon gariskan bagaimanakah kaedah permohonan untuk menggunakan peruntukan ini dan pihak manakah yang berkuasa untuk memberikan kelulusan.
6. Bolehkah cadangan-cadangan projek berikut dipertimbangkan untuk dilaksanakan di bawah peruntukan MARRIS:
 - a) Menyelesaikan masalah banjir di sepanjang Sungai Linggi (bahagian di Parlimen Rasah), khasnya di bahagian yang berdekatan dengan Kg Sri Mantau, Kg Batu 3 Mambau, Kg Pasir, Kg Singh dan Taman Happy.
 - b) Menaik taraf jalan yang menghubungkan Mambau dengan Bandar Sri Sendayan, untuk menjadikannya 2 lorong di setiap arah kerana penambahan trafik di jalan ini.
 - c) Menyelesaikan masalah takungan air yang berterusan di sekitar Lot C22 Gadong Jaya, 71900 Labu, Daerah Seremban kerana masalah takungan air ini dipercayai berpunca daripada saluran longkang yang tidak sempurna.
 - d) Menaik taraf jalan di sepanjang Jalan Labu, untuk menjadikannya 2 lorong di setiap arah jalan.
 - e) Membina dewan terbuka/ dewan serbaguna di Sekolah Kebangsaan Taman Rasah Jaya.
 - f) Membina jalan baru yang lebih sesuai dan lebar untuk menggantikan Jalan RJ 1/5 di Taman Rasah Jaya.
7. Saya berharap boleh mendapat jawapan atau ulasan tentang cadangan saya di Perenggan 6 di atas.

Saya memohon supaya YB Menteri dan Kementerian Kerja Raya dapat memberikan jawapan terhadap setiap satu persoalan yang dibangkitkan di atas.

Sekian, terima kasih.

Sample motion on a matter of urgent public importance, under SO 18:



PEJABAT AHLI PARLIMEN PASIR GUDANG

No. 11-02 Blok A, Jalan Kota 1,
Taman Cahaya Kota Puteri,
81750 Masai,
JOHOR DARUL TA'IM

Tel: 07-3823432, 012-7931148
Email: hassan.abdulkarim51@gmail.com

13 hb Mac 2019

Yang Dipertua
Dewan Rakyat
Parlimen Malaysia



YB Datuk,

**PER: KERAJAAN PERSEKUTUAN HARUS MENGISYTIHARKAN DARURAT DI PASIR GUDANG, JOHOR AKIBAT
PENCEMARAN KIMIA TOKSID**

Ini adalah untuk memberikan Notts di bawah Peraturan Mesyuarat 18(2) untuk mengusulkan perkara tertentu berkenaan kepentingan orang ramai yang berkehendaki disegerakan seperti berikut:

*Bahawa Dewan mengizinkan Hassan bin Abdul Karim, Ahli Parlimen Pasir Gudang untuk menenguhkan Dewan mengikut Peraturan Mesyuarat 18(1) untuk merundingkan perkara tertentu berkenaan kepentingan orang ramai yang berkehendaki disegerakan iaitu Kerajaan Persekutuan Harus Mengisytiharkan Darurat di Pasir Gudang, Johor akibat Pencemaran kimia toksid.

Laporan oleh Televisyen Malaysia TV1 jam 12.00 malam 13hb. Mac 2019 mengenai kedudukan bencana pencemaran kimia toksid di Pasir Gudang, Johor amat menakutkan kerana beberapa faktor penting:-

- i) 506 orang mangsa telah dimasukkan ke Hospital Sultan Ismail, Hospital Sultanah Aminah dan Klinik-Klinik Kesihatan;
- ii) 9 orang telah dimasukkan ke dalam Unit Rawatan Rapi (ICU);
- iii) 111 buah sekolah telah ditutup.

Statistik-statistik ini menunjukkan secara jelas bahawa pencemaran kimia toksid telah merebak luas bermula dari Kawasan Pasir Gudang dalam Parlimen Tebrau kini merebak ke Kawasan Parlimen Pasir Gudang menjadikan seluruh Kawasan Pasir Gudang kini terjejas dan tidak lagi selamat.

Kehidupan beratus ribu orang penduduk di Pasir Gudang kini terdedah kepada pencemaran kimia toksid berbahaya yang bermula akibat pembuangan kimia secara haram di Sungai Kim Kim di Pasir Gudang yang mengalir sepanjang 1.5 kilometer. Bahan-bahan kimia toksid itu kini disebarkan melalui udara dan tersebar luas dibawa angin. Penduduk-penduduk menjadi cemas dan bimbang.

Dewan Rakyat perlu membahas bencana pencemaran kimia toksid ini untuk kepentingan dan hak penduduk-penduduk Pasir Gudang supaya kesihatan dan nyawa mereka terjamin. Kejadian bencana pencemaran kimia di Bopal, India 20 tahun lalu yang telah meragut nyawa beribu-ribu orang penduduk diharap tidak berulang di Pasir Gudang, Johor, Malaysia. Tindakan pencegahan segera perlu diambil supaya nyawa rakyat dapat diselamatkan.

Yang benar,

Hassan bin Abdul Karim

Ahli Parlimen Pasir Gudang

Pejabat Yang di-Pertua Dewan Rakyat

Usul diterima pada.....14/3/19.....
masa.....8.25 am.....patah perkataan
.....215.....

