



STATE OF KELANTAN

*Standing Rules and Orders*

*of the*

STATE  
LEGISLATIVE ASSEMBLY  
OF KELANTAN

INDEX TO STANDING RULES AND  
ORDERS OF THE LEGISLATIVE  
ASSEMBLY OF THE STATE OF  
KELANTAN

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# THE LAWS OF THE CONSTITUTION OF KELANTAN (FIRST PART)

(Article XLIV)

## STANDING RULES AND ORDERS OF THE LEGISLATIVE ASSEMBLY OF THE STATE OF KELANTAN

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### PRELIMINARY

1. Whenever there is a vacancy in the office of Speaker whether as the result of a dissolution of the Legislative Assembly of the State (hereinafter referred to as "the Assembly") or otherwise, the Assembly shall, as soon as a quorum is present, proceed to elect a Speaker.

Election of a Speaker.

2. The procedure for the election of a Speaker shall be as follows:

Procedure for election of Speaker.

(1) Every member who wishes to propose a member for election as Speaker shall ascertain previously that that member is willing to serve if elected, and shall notify the Clerk of his proposal before the meeting.

(2) A member addressing himself to the Clerk shall propose some other member

then present to the Assembly for its Speaker, and move "*That.....(naming the member) do take the Chair of this Assembly as Speaker*". The proposal shall be seconded, but no debate shall be allowed.

(3) If only one member be so proposed and seconded as Speaker, he shall be declared by the Clerk without question put, to have been elected. If more than one member be so proposed and seconded the Assembly shall proceed to elect a Speaker by ballot.

(4) For the purpose of a ballot the Clerk shall give to each member present a ballot paper on which the member may write the name of the member for whom he wishes to vote. Ballot paper shall be folded so that the name written thereon shall not be seen, and shall be signed by the member voting.

(5) Ballot papers shall be collected by the Clerk, or by some officer of the Assembly deputed by him, and shall be counted by the Clerk, at the table of the Assembly. The result of the ballot shall be declared by the Clerk.

(6) (a) Where more than two candidates have been proposed and seconded and at the first ballot no candidate obtains more

votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and balloting shall proceed, the candidate obtaining the smallest number of votes at each ballot being excluded until one candidate obtains more votes than the remaining candidate or the aggregate votes of the remaining candidates as the case may be.

(b) Where at any ballot among three or more candidates two or more obtain an equal number of votes and one of them has to be excluded from the election under clause (a) above, the determination, as between the candidates whose votes are equal, of the candidate to be excluded, shall be by lot which shall be drawn in such manner as the Clerk shall decide.

(c) Where at any ballot between two candidates the votes are equal, another ballot shall be held; and if at such subsequent ballot the votes are equal, the determination shall be by lot which shall be drawn in such manner as the Clerk shall decide.

(7) As the ballot papers are counted they shall be placed in a box and, when a member has been declared elected as Speaker, the

box shall be sealed in the presence of the Assembly and kept in the custody of the Clerk for thirty days and then, subject to any direction he may receive from the Assembly, the Clerk shall burn the ballot papers and certify to the Assembly that this has been done.

Oath of members of Legislative Assembly.

3. The member elected as Speaker shall, immediately upon his election, take and subscribe before the Clerk the oath of a member of the Assembly in accordance with the provisions of Article XLVII of the Laws of the Constitution of Kelantan (First Part) (hereinafter referred to as "the Constitution") and, except for the purpose of enabling Article XLV of the said Part to be complied with, no other member shall sit or vote in the Assembly until he shall have taken and subscribed such oath before the Speaker or, in the absence of the Speaker, the presiding member of the Assembly.

Provided that every person authorised by law to make an affirmation instead of taking an oath in legal proceedings may make such affirmation in like terms instead of the said oath.

Speaker of Assembly and Chairman of meetings.

4. (1) The Speaker shall, if present, preside at sittings of the Assembly and in his

absence the Assembly may, upon the motion of a member, call upon any member present to preside. The motion shall be seconded, but no debate shall be allowed.

(2) The Speaker may, at any time during the sitting, ask a member to take the Chair temporarily without formal communication to the Assembly and such member shall be invested with all the powers of the Speaker until the Speaker returns.

(3) The Speaker, if present, or such other member appointed by the Assembly as aforesaid shall be Chairman when the Assembly is in Committee of the whole Assembly.

5. The official language of the Assembly shall be Malay, and except as hereinafter provided no member shall address the Assembly other than in the Malay Language :

Language of  
the Assembly

Provided that for a period of ten years after Merdeka Day and thereafter until the Federal Parliament otherwise provides, the English language may be used in the Assembly: And provided further that for a similar period the authoritative texts—

- (a) of all Bills to be introduced or amendments thereto to be moved in the Assembly; and

(b) of all Enactments and all subsidiary legislation;  
shall be in the English language.

#### SESSIONS AND MEETINGS

Sessions of  
the Assembly.

6. (1) The sessions of the Assembly shall be held at such times and places as His Highness shall from time to time in the *Gazette* appoint.

(2) There shall be a session of the Assembly once at least in every year so that a period of six months shall not intervene between the last sitting in one session and the first sitting in the next session.

Meetings of  
the Assembly.

7. (1) Meetings of the Assembly during each session shall be held on such days and shall begin at such hour as the Speaker shall determine.

(2) Written notice of meetings shall be given by the Clerk to members at least fourteen clear days before the day of the meeting, but in cases of emergency the Speaker may dispense with the necessity for such notice. In that event the longest notice possible shall be given.

(3) If it should prove inconvenient to hold a meeting on any day appointed for that

purpose, the Assembly may be adjourned to such day and hour as the Speaker shall appoint. The Speaker's decision shall be conveyed to each member by a notice in writing to be issued by the Clerk, if practicable, not less than five clear days before the day which had been appointed for such meeting.

8. No business except that of adjournment shall be transacted by the Legislative Assembly if objection is taken by any member present that there are less than ten members present besides the Speaker or other member presiding. Quorum.

9. A meeting of the Assembly may be adjourned at any time by the Speaker or by any other member presiding or by a majority of the members present and voting. Adjournment.

10. If at the conclusion of the business of the day the Assembly adjourns in Committee it shall re-assemble in Assembly. Adjournment  
in Committee.

### STRANGERS

11. The Clerk is authorised to issue orders of admission to any person who may be recommended for admission by any member Strangers.

of the Assembly and, if available accommodation permits, to any other suitable person at his discretion :

Provided that not more orders shall be issued than the available accommodation permits.

Duties of  
Clerk with  
respect to  
strangers.

12. The Clerk may himself or instruct any other person or persons to take into custody any unauthorised strangers whom he may see or who may be reported to him to be, in any part of the Chamber or gallery, and also any stranger who, having been admitted into any part of the Chamber or gallery, shall misconduct himself, or shall not withdraw when strangers are directed to withdraw, while the Assembly or any Committee of the whole Assembly is sitting.

Withdrawal  
of strangers.

13. If, at any sitting of the Assembly, or in Committee, any member shall take notice that strangers are present, the Speaker or the presiding member or the Chairman, as the case may be, shall forthwith put the question "That strangers be ordered to withdraw" without permitting any debate or amendment :

Provided that the Speaker or the presiding member or Chairman may, whenever he thinks fit, order the withdrawal of strangers



from the Chamber, and may order the doors of the Assembly Chamber to be closed.

14. Subject to the provisions of Rule 13, Press. the Speaker may grant a general permission to the representative of any journal to attend the sittings of the Assembly: provided that, if the journal publish a report of the proceedings which the Speaker considers unfair, such permission may be revoked.

#### ORDER OF BUSINESS

15. On the first day of a meeting of the Assembly after a general election, members having assembled at a time and place duly appointed and being seated in accordance with such arrangement as the Clerk may determine, the Clerk shall read the proclamation of His Highness by which the meeting is summoned, and thereafter the Order of Business on that day shall be—

Proceedings of first meeting.

- (a) the election of Speaker;
- (b) the taking and subscribing by the Speaker of the oath in the form set out in Article XLVII of the Constitution;
- (c) the taking and subscribing by all the other members present before the Speaker or the member presiding of the oath in the form set

out in Article XLVII of the Constitution;

and on the conclusion of such business the Assembly shall proceed with the order of business, if any, as hereinafter provided and fixed for that day.

16. (1) Unless the Assembly otherwise directs, the business of each sitting shall be transacted in the following order:

- (i) Prayer;
- (ii) Confirmation of minutes of the last preceding meeting;
- (iii) Taking of oath by any new member;
- (iv) Addresses by or messages from His Highness;
- (v) Communications from the Speaker or member presiding;
- (vi) Presentation of petitions and memorials;
- (vii) Presentation of papers and reports, including reports of Committees, by laying on the table;
- (viii) Notices of motions (given orally);
- (ix) Questions (written and oral) of which notice has been given and answers thereto;

- (x) Requests for leave to move the adjournment of the Assembly on matters of urgent public importance;
- (xi) Any motion, Bill or other business which, in the opinion of the Speaker or the member presiding, should precede the remaining business of the day;
- (xii) Motions of which notice has been given,
- (xiii) Bills.

(2) The Clerk shall, at least seven clear days before the meeting of the Assembly, send to each member of the Assembly an Order Paper containing a list of the Questions, Motions, Bills and other matters at that time proposed to be dealt with at the forthcoming meeting of the Assembly:

Provided that if the Speaker shall certify that any matter is one of public importance or urgency it may be included in the Business of the Day although not mentioned in the Order Paper.

(3) Notwithstanding any of the other provisions of this Rule the Assembly may by specific vote of simple majority determine

to proceed to any particular business out of the regular order, and a motion for such a vote may be made without notice and shall take precedence of all other business.

## RECORDS

**Minutes.**

17. Minutes shall be kept of all the proceedings of the Assembly.

**Contents of minutes.**

18. (1) The Clerk shall keep the Minutes of the proceedings of the Assembly and of the Committee of the whole Assembly and shall, if possible, seven clear days before each meeting, send a copy of the Minutes of the previous meeting to each member.

(2) Minutes shall record the names of members attending, and all decisions of the Assembly, whether made formally or informally, and shall be signed by the Speaker or the presiding member.

(3) In the case of divisions of the Assembly or Committee of the whole Assembly, the Minutes shall include the number of the members voting for and against the question, or declining to vote, and the names of the members so voting or declining to vote.

**Order Book.**

19. The Clerk shall prepare from day to day, and keep an Order Book showing all

business appointed for any future day, and any Notices of Questions, Motions or other business which have been set down for a future day, whether for a day named or not. The Order Book shall show the date and time of receipt of notice of each item of business and shall be open to the inspection of members at all reasonable hours.

20. The Clerk shall be responsible for the custody of Minutes, records, Bills and other documents laid before the Assembly which shall be open to inspection by members of the Assembly and other persons under such arrangements as may be sanctioned by the Speaker.

Custody of records.

#### PROPOSITIONS FOR DEBATE

21. Subject to the provisions of the Constitution and of these Standing Rules and Orders, any member of the Assembly may introduce any Bill or propose any motion for debate in, or may present any petition to, the Assembly, and the same shall be debated and disposed of according to the Standing Rules and Orders:

Propositions for debate.

Provided that—

- (a) except with the recommendation or consent of the Government signified by the Mentri Besar, no Bill,

amendment, motion or petition which would dispose of any public revenue or public funds of the State or revoke or alter any disposition thereof or impose, alter or repeal any rate, tax or duty, shall be received or debated by the Assembly; and

- (b) except with the consent of the Speaker or of the presiding member, the Assembly shall not proceed upon any motion or petition which in the opinion of the Speaker or the presiding member would suspend the Standing Rules and Orders of the Assembly, or any of them.

#### PETITIONS

Procedure on presentation of petitions.

22. (1) (a) Every application to the Assembly shall be in the form of a petition, and every petition shall be presented by a member, who shall be responsible for the petition being in respectful language.

(b) A petition seeking a grant, charge or expenditure of public money or the release of a debt due to the Government or the remission of duties payable by any person or compensation for loss out of the public

revenues shall not be received by the Assembly unless the recommendation of the Government thereto is signified by the Mentri Besar.

(2) (a) If signatures are affixed to more than one sheet, the prayer of the petition shall be repeated at the head of each sheet. A person unable to write may affix his mark in the presence of two witnesses.

(b) No reference shall be made in a petition to any debate in the Assembly nor to any intended motion unless a notice of such motion stands in the Order of Business of the Day.

(c) It shall not be competent for a member to present a petition from himself or to which he is a signatory but the petition may be presented by some other member.

(d) Every petition shall, before it is presented, be signed at the beginning thereof by the member in charge of it and deposited at least one clear day with the Clerk who, after examining the same, shall submit it to the Speaker for approval, and no petition shall be presented until it has been endorsed, "*Passed by the Speaker*".

(e) Every member before presenting a petition shall ascertain and write at the

head of it the number of signatures to it, and shall satisfy himself that it does not contain language disrespectful to the Assembly.

(3) A member presenting a petition to the Assembly may state concisely the purpose of the petition.

(4) (a) It shall be competent for any member to move that such petition be read. In making such motion he shall state concisely his reasons for wishing to have it read.

(b) No debate shall be permitted on such motion nor shall any other member speak upon or in relation to such petition, except to second the motion formally.

(c) Such motion being seconded, the question shall be put whether the petition shall be read.

(d) A petition, having been presented to the Assembly under paragraph (3) shall be referred to a Special Select Committee or other Committee.

(e) When any petition is referred to a Select or other Committee, all persons whose individual rights or interests are peculiarly affected by any proposed action or Enactment to which the petition relates may be heard by the Committee, either in person,



or, at the discretion of the Committee, by Counsel.

### PAPERS

23. (1) Papers shall be presented by the Speaker, Mentri Besar or a Chairman of the Committee of the Assembly and shall be sent to the Clerk. Papers laid

(2) Every paper a copy of which is so received by the Clerk shall be deemed to have been presented to the Assembly, and ordered to lie on the table.

(3) The presentation of all papers shall be entered in the Order of Business of the day on which they are presented or, if the Assembly is not then sitting, of the next sitting day following its presentation.

### QUESTIONS

24. (1) Any member desiring to ask a question shall (except in cases of emergency and with the leave of the Speaker or the presiding member) give notice thereof by delivering a copy of it in writing to the Clerk at least fourteen days before the day on which he intends to ask the question. Notice of questions.

(2) Any member may ask a question for oral reply at short notice concerning any item on the Order of Business of the day Short notice questions

for the meeting at which the question is to be asked. A copy of a short notice question shall be delivered to the Clerk at least three days before the meeting. The Speaker alone shall decide whether or not a short notice question is admissible.

Questions to whom put.

25. (1) Questions may be put to the Mentri Besar relative to public affairs, proceedings pending in the Assembly or any matter of administration.

(2) Questions may also be put to the Mentri Besar relating to a Bill, Motion or other public matter connected with the business of the Assembly.

Objects of questions and conditions with which they must comply.

26. (1) The proper object of a question is to obtain information on a matter of fact within the special cognizance of the Mentri Besar and a question must not be made the pretext for a debate.

(2) Without prejudice to the foregoing, questions must comply with the following conditions—

(a) A question shall not include the names of any person or statements not strictly necessary to make the question intelligible;

(b) If a question contains a statement, the member asking it must make

himself responsible for the accuracy of the statement;

- (c) A question shall not contain any argument, inference, imputation, epithet or ironical or offensive expression;
- (d) A question shall not ask for an expression of opinion or for the solution of an abstract legal question, or of a hypothetical question;
- (e) A question shall not be asked as to the character or conduct of any person except in his official capacity;
- (f) A question shall not be asked which reflects on the character or conduct of any person whose character or conduct can only be challenged on a substantive motion;
- (g) A question shall not be asked on any matter which is *sub judice*;
- (h) A question fully answered shall not be asked again during the same session.

(3) Notwithstanding anything hereinbefore contained, the Mentri Besar may,

with the approval of the Speaker, refuse to answer such question on the ground of public interest and such refusal cannot be debated or questioned.

(4) The Speaker alone shall decide whether a question is or is not admissible under the Standing Rules and Orders, and may disallow any question if it infringes any of the Standing Rules and Orders. He may, moreover, disallow any question when in his opinion it is an abuse of the right of questioning or is calculated to obstruct or impede the procedure of the Assembly.

(5) The Speaker may, in his discretion, direct that any question shall be answered at a subsequent session of the Assembly to be fixed by him and not at the session during which the question has been asked.

(6) Where the question asked refers to a matter which, by virtue of the Federal Constitution, is under the control of the Federal Government or any department thereof, the Speaker may, in his discretion, either refuse to allow such question, or direct that the question be referred to the Federal Government and the answer thereto tabled at a subsequent meeting of the Assembly.

(7) Questions shall not be permitted when the answer to the question is already within the knowledge of the member from his position on any Committee of the Assembly or from any reply made to any motion or adjournment speech :

Provided, however, if the member asking the question was not a member at the time the information was given, then the Clerk shall supply the member with a copy of such information.

(8) Disallowance of a question, with the reasons therefor, shall be communicated in writing by the Clerk to the member concerned.

27. (1) A question shall not be asked without giving the requisite notice as provided in Rule 24 of the Standing Rules and Orders, unless it is of an urgent character and the member has obtained the leave of the Speaker as provided in that Rule.

Manner of asking questions.

(2) A member who desires an oral answer to a question shall mark his notice "Oral Reply". If the question is not so marked, the Mentri Besar shall submit a written reply through the Clerk. No more than six questions marked for "Oral Reply" shall be asked by a member on the same day.

(3) When the time for asking questions shall have arrived, the Speaker or the presiding member shall call on each member in whose name a question requiring an oral reply appears in the Order of Business of the day. The member so called shall rise in his place and ask the question by reference to its number on the Order of Business of the day, and the Mentri Besar shall give his reply.

(4) If the member entitled to an oral reply fails to rise and ask his question, then any other member may make the question his own and may rise in his place and ask the question in the manner prescribed above.

(5) Any member may ask a supplementary question for the purpose of elucidating any matter of fact regarding which an oral answer has been given, but a supplementary question must not be used to introduce matter not included in the original question.

(6) The Speaker or the presiding member shall disallow any supplementary question if, in his opinion, it infringes any of the Standing Rules and Orders relating to Questions. He may moreover disallow any supplementary question when in his opinion it is an abuse of the right of questioning or

is calculated to obstruct or impede the procedure of the Assembly.

28. (1) In answering any question, the **Answers.**  
Mentri Besar is not to debate the subject to which it refers.

(2) The reply to questions may be read, and in such case, a written copy of the reply shall at once be handed to the Clerk.

#### ADJOURNMENT

29. A meeting of the Assembly may be **Adjournment for disorder, etc.**  
adjourned at any time by the Speaker or the presiding member without question put, and, in particular, in the case of grave disorder arising in the Assembly, the Speaker or the presiding member may adjourn the Assembly without question put or suspend any sitting for a time to be named by him.

#### DEFINITE MATTER OF URGENT PUBLIC IMPORTANCE

30. (1) No motion for the adjournment of the Assembly on a definite matter of urgent public importance shall be made unless a member at the commencement of public business (i.e. immediately after all questions have been disposed of), rises in his place and states that he asks leave to **Motion for adjournment to discuss urgent matter of public importance.**

move the adjournment of the Assembly for the purpose of discussing a definite matter of urgent public importance whereupon he shall state the matter, and deliver to the Speaker or the presiding member a written statement of the subject to be discussed.

(2) The Speaker or the presiding member shall thereupon, if he considers the motion is definite, urgent and of public importance, read the statement delivered to him and desire the members who support the motion to rise in their places, and if not less than nine rise accordingly, he shall call on the member to make the motion either forthwith or at some later stage in the business of the Assembly on that day, as the Speaker or the presiding member, in his discretion, may direct.

(3) At the conclusion of the debate on such a motion the Speaker or the presiding member may, without question put, either adjourn the Assembly or direct that business be resumed at the stage at which it was interrupted.

(4) A matter submitted in pursuance of this Rule which fails to obtain the requisite support, cannot within the twelve months following be again brought forward under



this Rule, nor can discussion be raised by this means upon matters already debated by the Assembly during the twelve months preceding, whether upon a previous motion for adjournment, upon a substantive motion, upon an amendment or upon an order of the day, nor upon matters under notice for discussion or standing as an order of the day, although the notice or order be previously withdrawn at the same sitting, nor upon a matter of privilege, nor upon any matter which cannot be debated save upon a substantive motion.

(5) No second motion under this Rule shall be made at one meeting.

### MOTIONS

31. (1) Propositions shall be submitted to the Assembly by way of motion. Notice of motion.

(2) Unless the Standing Rules and Orders otherwise provide or except by leave of the Speaker, the presiding member or the Chairman, no original motion other than those of the kind enumerated in Rule 33 shall be put unless notice of such motion in writing shall have been given to the Clerk at least fourteen days previously :

Provided that while the Assembly is sitting, notice of a motion may be given

orally in any case of urgency by leave of the Speaker or the presiding member.

No debate  
when notice  
given.

32. No debate shall take place on the giving of notice of any motion.

Motions  
without  
notice.

33. The following motions may be proposed without notice—

- (i) a motion by way of amendment to any motion being debated in the Assembly;
- (ii) a motion for the adjournment of the Assembly or of the debate;
- (iii) a motion for the suspension of Standing Rules and Orders put with the permission of the Speaker or the presiding member;
- (iv) a motion that a petition do lie on the table, or be printed, or be referred to a Committee, or be rejected;
- (v) a motion for the withdrawal of strangers;
- (vi) a motion that the Assembly resolve itself into Committee of the whole Assembly;
- (vii) a motion made when the Assembly is in Committee;

- (viii) a motion of which the urgency is admitted by the Speaker or the presiding member and supported by nine members rising in their places;
- (ix) a motion for the suspension of a member;
- (x) a motion made in accordance with the Standing Rules and Orders governing the procedure as to Bills;
- (xi) a motion to proceed to any particular business out of the regular order.

34. (1) When a motion of which due notice has been given appears as an Order of the Day, it shall be proposed at the proper time or at such time as the Assembly may direct and, if not then proposed, it shall not be debated and shall be considered as withdrawn, and a note of its having been withdrawn shall be entered in the Minutes.

Motions not proposed after notice given.

(2) A member may by notice in writing to the Clerk withdraw any notice of motion previously given by him.

(3) When any notice of motion has been so withdrawn after the motion to which it refers has appeared as an Order of the Day,

the Clerk shall as soon as possible notify each member of the withdrawal of such notice and thereupon such motion shall not be proposed but shall remain on the Order of Business of the Day and at the proper time the Speaker or the presiding member shall announce that the motion is to be considered as withdrawn and a note to that effect shall be entered in the Minutes.

Motions not seconded.

35. Every motion, except a motion proposed in Committee must be seconded. If not seconded, it shall not be debated and shall be considered as lost. A note of its having been lost shall be entered in the Minutes.

Vote on motion.

36. When a motion has been made and seconded and the debate thereon concluded, the question shall be put to the meeting by the Speaker or the presiding member.

Withdrawal of motion.

37. A motion which has been moved and seconded may be withdrawn with the leave of the Assembly, but if so withdrawn may be made again at some other meeting of the Assembly on due notice.

Motion disposed of.

38. When a proposition has been proposed, debated and disposed of, it shall not be competent to any member without special

leave of the Speaker or the presiding member to raise a proposition substantially identical therewith during the current session.

#### AMENDMENT OF MOTIONS

39. If a member desires to vary the terms of a motion standing in his name, he may do so by giving at the Table an amended notice of motion, provided that such amendment does not, in the opinion of the Speaker or the presiding member, materially alter any principle embodied in the original motion or the scope thereof. The notice of motion shall run from the time at which the original notice of motion was given.

Amendment  
of motion.

40. (1) An amendment must be relevant to the question to which it is proposed.

Rules for  
amendment  
of motions

(2) An amendment must not raise any matter which can only be raised by a distinct motion after notice.

(3) An amendment on a question must not be inconsistent with a previous decision on the same question given at the same stage of any Bill or matter.

(4) An amendment must not be substantially identical with an amendment moved by another member.

(5) An amendment must not be substantially a direct negative of the original proposition or of any amendment thereto.

(6) To any amendment, an amendment may be moved.

Amendments  
to be put in  
writing.

41. All amendments moved and seconded in Assembly, or moved in Committee shall, if so required by the Speaker, the presiding member or Chairman, be put into writing by the mover and delivered to the Clerk.

Admissibility  
of amendment.

42. The Speaker, the presiding member or Chairman shall be the sole judge of the admissibility of any amendment.

Procedure as  
to voting on  
amendments.

43. Amendments to a proposition shall be put before the original proposition. If amendments are moved to a proposed amendment, the last-mentioned amendment shall be dealt with as if it were the original question until all amendments to it have been disposed of.

#### MANNER OF GIVING NOTICE

Manner of  
giving notice.

44. (1) Where, under any Standing Rule and Order, notice is required, such notice shall (unless any Standing Rule and Order otherwise expressly provides) be in writing and shall be given by being handed in to the Clerk at the Table during a sitting of the

Assembly or by delivery at the office of the Clerk during the usual office hours and in either case at least fourteen clear days before the meeting to which the notice relates.

(2) The clerk shall record the date and time that such notice was received by him.

(3) Unless the Speaker rules the notice out of order, the notice shall be printed, cyclostyled or typewritten and despatched to members of the Assembly at least seven days before the next meeting of the Assembly.

(4) Subject as is hereinafter provided, every notice shall be printed, cyclostyled or typewritten in the form in which it is handed in.

(5) Where, in the opinion of the Speaker, any notice contains any unbecoming expression or is not clearly worded, he may cause it to be referred back to the member with such modification or alteration as the Speaker shall direct. If the member desires to re-submit the notice as modified or altered he shall return it to the Clerk.

45. Notice shall not be dispensed with, either wholly or in part, in the case of a question or a motion or in respect of any

Dispensing  
with notice.

other proceeding for which notice is required, except with the express consent of the Speaker, the presiding member or Chairman given on the ground that the dispensing with notice or a part of the notice is expedient in the public interest.

## RULES OF DEBATE

46. In speaking to any proposition under consideration of the Assembly or of a Committee of the whole Assembly, the following rules shall be observed :

(i) Every member, except the Speaker, the presiding member or Chairman, shall speak standing and shall address his observations to the Speaker, the presiding member or Chairman.

(ii) He is not to be interrupted unless out of order.

(iii) When he has finished his observations, he shall resume his seat and any other member wishing to address the Assembly or Committee may rise.

(iv) If more members than one rise at the same time, the Speaker, the

Rules of  
debate.

Member to  
speak  
standing.

Not to be  
interrupted.

To resume  
seat when  
finished.

Speaker to  
choose.



presiding member or Chairman will call on the member who first catches his eye.

- (v) A member shall not read his speech, but he may read extracts from written or printed papers in support of his argument and he may refresh his memory by reference to notes. **Notes.**
- (vi) Every member shall confine his observations to the subject under consideration and, where more than one question has been proposed, as by way of amendment, the debate must be relevant to the last question so proposed until it has been disposed of. **Relevancy.**
- (vii) Reference shall not be made to any matter which is *sub judice*. **Matters sub judice**
- (viii) It shall be out of order to attempt to revive in debate a matter upon which the Assembly has come to a conclusion during the current session except upon a substantive motion for rescission. **Matters already decided.**
- (ix) No member shall speak more than once on any proposition before **No member to speak more than once.**

the Assembly, except in explanation or to a point of order or in the exercise of the right of reply or when Assembly is in Committee. The Speaker or the presiding member may address the Assembly at any time.

Right of  
reply.

- (x) The member who originated a substantive proposition and, with the leave of the Speaker or the presiding member, the mover of an amendment, may reply after all the other members present have had an opportunity of making their observations and before the question is put. Such reply must refer solely to observations which have been made during the course of the debate and shall not contain any new argument in favour of the motion. When such reply has been made, no other member may speak.

Motion for  
closure.

- (xi) With the leave of the Speaker or the presiding member, any member may, at any time during the course of a debate, move that the question be now put. No debate

on this motion shall be allowed, and, if such motion be carried, the debate shall cease and the question shall be put.

- (xii) A member merely seconding a motion without making any further comment does not thereby forfeit his right of subsequently addressing the Assembly during the discussion of a motion. Member seconding motion.
- (xiii) A member must not— Personalities, etc.
- (a) impute improper motives to any other member;
  - (b) make a personal charge against any other member;
  - (c) use offensive expressions;
  - (d) indulge in personalities.
- (xiv) No member may speak on any matter in which he has a direct pecuniary interest without disclosing the extent of that interest. Direct pecuniary interest.
- (xv) The name of His Majesty the Yang di-Pertuan Agong, or of any of Their Highnesses the Rulers of the Malay States, or of either Their Excellencies the Governors of Penang and Malacca, or of any Regent or member of a Council Influence.

of Regency of a Malay State, shall not be used to influence the Assembly.

Conduct or character of the sovereign, etc.

(xvi) The conduct or character of His Majesty the Yang di-Pertuan Agong, or of any of Their Highnesses the Rulers of the Malay States, or of either Their Excellencies the Governors of Penang and Malacca, or of any Regent or member of a Council of Regency of a Malay State, or of members of Parliament or of the Assembly, or of the Judges or other persons engaged in the administration of justice, or of members of any Service Commission established under Part X of the Federal Constitution, or of members of the State Public Service Commission, or of members of Election Commission, shall not be raised except upon a substantive motion; and in any amendment, question to a member or remarks in a debate on a motion dealing with any other subject, reference to the conduct

or character of any of the persons aforesaid shall be out of order.

47. (1) Any member of the Assembly who deviates from the Standing Rules and Orders may be immediately called to order by the Speaker, the presiding member or Chairman upon which such member shall immediately resume his seat.

*Call to order*

(2) Upon a matter of order suddenly arising, any member may speak if he does so immediately and begins by a statement that he rises to a point of order. The member who was speaking must thereupon resume his seat. So also must the member who rose to the point of order when he has concluded his appeal to the Speaker, presiding member or Chairman.

*Procedure on point of order arising.*

(3) No other member may, except by leave of the Speaker, the presiding member or Chairman, speak to the point of order and the Speaker, the presiding member or Chairman shall, after the statement of the point has been concluded, give his decision thereon, after which the member who was speaking at the time the point of order was raised shall be entitled to proceed with his speech, giving effect to the ruling of the Speaker, the presiding member or Chairman.

*Interrupted speech to continue.*

**Speaker's  
ruling final.**

(4) Any question arising as to whether a member is or is not in order shall be decided by the Speaker, the presiding member or the Chairman whose ruling shall be final upon all questions of order and procedure.

**Resumption  
of seat  
when Speaker  
speaks.**

48. When the Speaker, the presiding member or Chairman speaks, any member speaking shall immediately resume his seat.

**Anticipation**

49. (1) It shall be out of order to anticipate the order of business by making a motion or moving an amendment dealing with the subject matter of a Bill or other Order of the Day appointed for later consideration; and an amendment shall also be out of order if it deals with the subject matter of a motion of which notice has been given.

(2) An Order of the Day, Notice of Motion or Amendment of which notice has been given, shall not be anticipated in a debate upon a motion for the adjournment of the Assembly.

**Termination  
of debate.**

50. (1) No member may speak to any question after the same has been fully put by the Speaker, the presiding member or Chairman.

(2) A question is fully put, when the Speaker, the presiding member or Chairman has collected the votes of the Ayes and the Noes.

51. (1) The Speaker, the presiding member or Chairman, after having called the attention of the Assembly, or of the Committee, to the conduct of a member who persists in irrelevance, or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

Order in the  
Assembly.

(2) The Speaker, the presiding member or Chairman shall order any member whose conduct is grossly disorderly to withdraw immediately from the Assembly during the remainder of that day's sitting, and the Clerk shall act on such orders as he may receive from the Speaker, the presiding member or Chairman in pursuance of this Order; but if, on any occasion, the Speaker, the presiding member or Chairman deems that the powers under the previous provisions of this Order are inadequate, he may name such member or members, in which event the same procedure shall be followed as is prescribed in paragraphs (3), (4), (5) and (6).

(3) Whenever a member has been named by the Speaker, the presiding member or Chairman immediately after the commission of the offence of disregarding the authority of the Speaker, the presiding member or Chairman or of persistently and wilfully obstructing the business of the Assembly by abusing the rules of the Assembly or otherwise, then, if the offence has been committed by such member in the Assembly a motion shall forthwith be proposed and seconded by any two members present "*That Mr.....be suspended from the service of the Assembly*", and the Speaker or the presiding member shall forthwith put the question on that motion, no amendment, adjournment or debate being allowed; and, if the offence has been committed in Committee of the whole Assembly, the Chairman shall forthwith suspend the proceedings of the Committee and report the circumstances to the Assembly; and the Speaker or the presiding member shall on a motion being made forthwith put the same question, on amendment, adjournment or debate being allowed, as if the offence had been committed in the Assembly itself.



(4) Not more than one member shall be named at the same time, unless two or more members present together have jointly disregarded the authority of the Speaker, the presiding member or the Chairman.

(5) If a member is suspended under the provisions of this Order, he shall be directed by the Speaker or the presiding member to withdraw, and his suspension shall last until the end of the meeting.

(6) If a member, or two or more members acting jointly who have been suspended under this Order from the service of the Assembly, shall refuse to obey the direction of the Speaker or the presiding member to withdraw, when severally summoned under the Speaker's or the presiding member's orders by the Clerk to obey such direction, the Speaker or presiding member shall call the attention of the Assembly to the fact that recourse to force is necessary in order to compel obedience to his direction. When the member or members named by him as having refused to obey his direction have been removed from the Assembly they shall thereupon without any further question being put be suspended from the service of

the Assembly during the remainder of the session.

(7) Members who are ordered to withdraw under paragraph (2) or who are suspended from the service of the Assembly under paragraphs (3) and (6), shall forthwith withdraw from the precincts of the Assembly and shall be excluded therefrom for the remainder of the sitting or for the period of their suspension, as the case may be.

(8) In the case of grave disorder arising in the Assembly, the Speaker or the member presiding may, if he thinks it necessary so to do, adjourn the Assembly without putting any question, or suspend the sitting for a time to be fixed by him; and in the case of grave disorder arising in the Committee of the whole Assembly the Chairman may suspend the proceedings of the Committee and report the circumstances to the Assembly, and the Speaker or the presiding member may thereupon take action as though the disorder had arisen in the Assembly.

(9) Nothing in this Order shall be taken to deprive the Assembly of the power of proceeding against any member according to any resolution of the Assembly.

## BILLS

52. All laws passed by the Assembly shall be styled "Enactments" and the words of enactment shall be "enacted by the Legislature of the State of Kelantan":

Words of  
Enactment.

Provided that the words of enactment of all laws passed by the Assembly by virtue of clause (3) of Article III of the Laws of the Constitution of Kelantan (First Part) shall be "enacted by Legislature of the State of Kelantan in accordance with clause (3) of Article III of the Laws of the Constitution of Kelantan (First Part)":

And provided that the words of enactment of all laws passed by the Assembly by virtue of clause (3) of Article III of the Laws of the Constitution of Kelantan (Second Part) shall be "enacted by the Legislature of the State of Kelantan in accordance with paragraph 4 of Article III of the Laws of the Constitution of Kelantan (Second Part)".

53. Every Bill, other than a private Bill, shall, save in case of urgency to be certified in writing by the Speaker, be published for general information in the *Gazette* at least fourteen days prior to its introduction into the Assembly.

Publication  
of Bills.

Notice of  
introduction  
of Bills.

54. (1) Except in the case of Bills introduced by the Government, at least one month's previous notice shall be given of the intention of any member to introduce any Bill and the text of the Bill together with a memorandum explanatory of the objects thereof shall be forwarded to the Clerk at least one month prior to its introduction.

(2) Subject to paragraph (1) of this Rule, notice of intention to introduce a Bill may be given at an ordinary meeting of the Assembly or may be given in writing to the Clerk.

Circulation  
of copies  
of Bills.

55. Except in case of urgency to be certified by the Speaker, printed copies of all Bills shall be sent by the Clerk to every member at least seven days prior to the first reading thereof, and, if the expenditure of public money is involved, an estimate of the probable cost to the State of the enacting of the Bill shall, where possible, be supplied to members.

#### PROGRESS OF BILLS

First  
reading.

56. The member in charge of the Bill shall move formally that the Bill be read a first time.

57. On the motion that the Bill be read a first time, no discussion shall be allowed, and, if the motion is seconded, the Bill shall be read a first time without question put.

No discussion allowed and no question put.

58. On the first reading of the Bill the Clerk shall read the long title only.

Long title only to be read.

59. The member in charge of the Bill shall give notice of intention to move the second reading at the next or a subsequent meeting of the Assembly: Provided that notice may be given of intention to move the second reading of a Supply Bill on the same or a subsequent day.

Notice of second reading.

60. (1) On the motion being made, "That a Bill be now read a second time," and if seconded, a debate may arise but shall be confined to the principles and merits of the Bill.

Second reading. Principles to be debated.

(2) The only amendments to the question permissible shall be one postponing the second reading to some subsequent date or one referring the Bill to a Select or other Committee. If the motion be carried, the Clerk shall read the long title of the Bill, and thereupon a day shall be fixed for the consideration of the Bill in Committee, which may either be the same or a subsequent day.

(3) The mover of the second reading shall have a right of reply.

Bill in  
Committee.

61. When the time for considering a Bill in Committee shall have arrived, the Assembly shall resolve itself into a Committee of the whole Assembly for the consideration of the Bill.

Committee  
stage.

62. When a Bill is under consideration in Committee of the whole Assembly, the Clerk may call the several clauses in order by reading the number of each clause.

Amendments.

63. (1) Amendments may be made to clauses, or clauses may be deleted, or new clauses may be added provided they are relevant to the subject matter of the Bill and otherwise in conformity with the Standing Rules and Orders.

(2) Notice of a proposed new clause shall be given to the Clerk at least two days prior to the sitting, unless the Chairman considers that such notice may be dispensed with.

Amendments  
to be reduced  
into writing.

64. When any member has given notice or expressed the desire to move an amendment of a clause by way of substitution or deletion or has given notice of a new clause to be added, the Chairman may call upon him to state the words which he wishes to

be substituted or deleted or the clause which he wishes to be added and every motion by way of amendment or addition shall, if the Chairman so requires; be reduced into writing in the English language and handed to the Clerk by the member proposing the same.

65. If more than one amendment to a clause is moved, the Chairman shall put the amendments in their proper order.

Order of amendments.

66. (1) An amendment must comply with the following conditions—

Requirements of amendments.

- (a) an amendment must be relevant to the subject matter of the Bill, and to the subject matter of the clause to which it relates;
- (b) an amendment must not be inconsistent with any previous decision of the Committee;
- (c) an amendment must not be such as to make the clause which it proposes to amend unintelligible or ungrammatical;
- (d) if an amendment refers to, or is not intelligible without, a subsequent amendment or schedule, notice of the subsequent amendment or schedule must be given before, or

when, the first amendment is moved so as to make the series of amendments intelligible;

(e) an amendment which proposes to omit the whole substance of a clause for the purpose of inserting different provisions is irregular. The proper course is to negative the clause and propose a new one in its place.

(2) The Chairman may refuse to propose a question upon any amendment which is, in his opinion, frivolous.

Time for consideration of amendments involving new clause.

67. Any proposed new clause shall be considered after the clauses of the Bill have been disposed of and before consideration of any schedule to the Bill :

Provided that a new clause proposed in substitution for a clause which has been disagreed to may be considered immediately after such disagreement.

Questions to be put.

68. If no amendment is proposed to a clause, the Chairman shall put the question "that this clause stand part of the Bill". If the clause be amended, he shall put the question "that this clause as amended stand part of the Bill".



69. Unless otherwise directed by the Chairman, consideration of the schedule or the schedules, if any, shall follow the consideration of the clauses. Schedules shall be put by the Clerk and may be amended, and new schedules may be added, in the same manner as clauses.

*Schedules.*

70. If the consideration of a Bill in Committee is not completed, it may, on motion made, be adjourned until the next or some subsequent sitting of the Assembly.

*Adjournment.*

71. The principle of the measure shall not be discussed in Committee of the whole Assembly, but only its details.

*Discussion of details only.*

72. After a Bill has been considered in Committee, but before resumption, any member may, with the leave of the Committee, move an amendment to any clause already passed.

*Amendments put with leave.*

73. When the consideration of a Bill in Committee has been completed, the Assembly shall resume its sitting without question put.

*Conclusion of Committee stage.*

74. When a Bill has been settled in Committee, the mover of the Bill shall report to the Speaker or the presiding member that the Bill has been considered in Committee and has been amended or agreed to without amendments, as the case may be.

*Report to Assembly.*

**Recommittal.**

**75.** A Bill, having been reported to the Assembly, may be recommitted for further amendment.

**Reference to Select or other Committee.**

**76.** A Bill may be referred to a Select or other Committee at any stage including while it is under consideration in Committee of the whole Assembly, and the reference to the Select or other Committee may be in respect of the Bill as a whole or of specified clauses.

**Procedure on reference of whole Bill to Select or other Committee.**

**77.** If the reference is in respect of the Bill as a whole, the following procedure shall be followed:

- (1) The report of the Select or other Committee shall be laid on the table and a copy thereof shall (except in cases of urgency) be distributed to every member of the Assembly at least seven days before the meeting of the Assembly. At least one day's notice shall be given of intention to move the adoption of the report.
- (2) If the Bill is reported by the Select or other Committee with amendments, the amendments proposed shall be set out in the report of the Committee.

- (3) On a motion for the adoption of the report of a Select or other Committee, the report shall be debated in Assembly; but by direction of the Speaker or the presiding member or at the request of any five members present, the Bill shall be referred to a Committee of the whole Assembly.
- (4) When the report of a Select or other Committee has been distributed to members less than seven days before the meeting of the Assembly, no motion shall be moved for the adoption thereof except with the permission of the Speaker or the presiding member.

78. If the reference is in respect of specified clauses, the report of the Select or other Committee shall be debated in Assembly on not less than one day's notice of motion for its adoption. The Bill shall then, or at a time to be arranged, be referred or returned to the Committee of the whole Assembly.

Reference in respect of specified clauses.

79. Where a Bill is reported from a Committee of the whole Assembly with or without amendment or is reported to the

Motion for third reading.

Assembly by a Select or other Committee and the report has been adopted as provided in Rule 77, the question may be put, on motion made and seconded, either forthwith or at a subsequent time, that the Bill be read a third time and passed.

**Amendments  
on third  
reading.**

80. If, on the third reading of a Bill, any member desires to amend or delete any provision contained in the Bill or to introduce any fresh provision, he may move that the Bill be recommitted and, if the motion be agreed, any alteration proposed may be discussed in Committee of the whole Assembly. The Assembly may then resume and the Bill be read a third time and passed.

**Formal  
amendments.**

81. Amendments which are, in the opinion of the Speaker or the presiding member, merely formal, clerical or consequential may be made before the Bill is read a third time without the Bill being recommitted.

**Third  
reading.**

82. (1) If the motion for the third reading be carried the Clerk shall read the short title to the Bill and the preamble, if any, and the enacting clause.

(2) If the motion for the third reading be not carried, the Bill shall be deemed to be rejected.

83. When any motion or amendment has been proposed it may be withdrawn at the request of the mover, if, on the Speaker, the presiding member or Chairman, as the case may be, asking whether it be the pleasure of the Assembly or Committee that the motion or amendment be withdrawn, a dissenting voice be not raised thereto.

Withdrawal  
of motions or  
amendments.

84. When any stage of a Bill is reached in the Order of Business, the member in charge of the Bill may, without notice, make a motion that the Bill be withdrawn.

Withdrawal  
of Bills.

#### ASSENT TO BILLS

85. A Bill, when passed, shall be submitted to His Highness for his assent thereto.

Bills to be  
submitted  
for assent.

#### PUBLICATION

86. As soon as practicable after the assent of His Highness has been signified thereto, every Enactment shall be published in the *Gazette*. At any time before such publication, the State Legal Adviser may correct grammatical and typographical mistakes in the Enactment, or cross-references, or punctuation or marginal notes, and, for any such purpose, may make verbal additions, omissions and alterations.

Publication  
in *Gazette*.

## PRIVATE RIGHTS

Private  
rights.

**87.** (1) If a Bill be pending peculiarly affecting private interests and any person whose interests are so affected apply by petition to be heard, by himself or Counsel and to have witnesses examined upon the subject of the Bill, a resolution may be made upon the motion of a member allowing the petitioners to be so heard before the Assembly, or a Select or other Committee thereof, provided the petition be received by the Clerk of the Assembly before the Bill shall have passed the third reading.

(2) In no other case or manner shall any stranger be heard by himself or Counsel.

Examination  
of witnesses.

**88.** When it is intended to examine any witnesses, the member or the petitioners requiring such witnesses shall give to the Clerk a list containing the names and residences of such witnesses before the day appointed for their examination, and in his examination the evidence of every such witness shall be taken down and signed by the witnesses.

### MEMBERS NOT TO APPEAR AS COUNSEL

Members not  
to appear  
as Counsel.

**89.** No member of the Assembly shall be permitted to appear before the Assembly

as Counsel in any matter to be deliberated by the Assembly.

#### PRIVATE BILLS

Definition of Private Bill.

90. A Private Bill is one for the particular interest or benefit of any private person, association or corporate body or whereby the private rights or property of any person, association or corporate body may be directly affected, but shall not include any Bill introduced by the Government.

Savings.

91. Except as otherwise therein provided a State Enactment, not being a State Government measure, intended to affect or benefit some particular person, association or corporate body, shall not affect the rights of His Majesty the Yang di-Pertuan Agong, or the rights of Their Highnesses the Rulers and Their Successors or the rights of Their Excellencies the Governors of Penang and Malacca, or the rights of any body politic or corporate, or of any other person.

Private Bills affecting private rights.

92. When any Private Bill shall be proposed which may directly affect the private rights or property of any person or company, notice shall be given to all parties concerned of the general nature and objects of such Bill by advertisement in the *Gazette* to be published one month before the presentation

of the petition for the introduction of such Bill; and such advertisement shall be inserted twice at least in the *Gazette* before such presentation.

Presentation  
of petition.

93. (1) No Private Bill shall be introduced except upon petition from the promoters, stating the nature and objects of the Bill, and alleging concisely any reasons which the promoters think fit to urge.

(2) The petition shall be presented by being lodged with the Clerk of the Assembly and shall be read at the first ordinary meeting of the Assembly after it is so lodged and thereupon the Speaker or the presiding member shall, before calling upon members who have given notices of motion, put the question that the promoters be allowed to proceed.

Bills, to be  
lodged with  
Clerk.

94. Where leave to proceed is granted, a copy of the Bill must be lodged with the Clerk of the Assembly within six months next after such leave is granted, and, on lodging such Bill, the promoters shall produce a certificate under the hand of the State Financial Officer certifying that the sum of one thousand dollars, or such less sum as the State Financial Officer may in writing approve, to meet the expenses of advertising



and printing has been deposited in the Treasury and a bond executed by two sufficient persons obliging them to pay on demand to the Clerk of the Assembly any excess over the deposited sum required for such expenses.

95. In the case of a Private Bill authorising the construction of works, before the promoters shall be allowed to proceed they shall deposit with the Clerk of the Assembly an estimate of the expense of the undertaking, signed by the person making the same, and they shall also deposit in the Treasury a sum not less than four per cent of the amount of such estimate and, in every such Bill, there shall be inserted a clause to the effect that, if the works authorised to be made are not completed previously to the expiration of a time to be limited by the Bill for such completion, the sum deposited shall be forfeited.

Bills authorising the construction of works.

96. The Clerk shall cause the Bill so lodged to be printed, circulated to members and published in the *Gazette* and, at the first sitting of the Assembly held not less than fourteen days after such publication, the Speaker or the presiding member, if he is satisfied that the advertisements required

First reading

by Rule 92 have been published, shall put the question that the Bill be read a first time, upon which no discussion shall be allowed. After the Bill is read a first time the promoters may make any amendments which they think fit; but the Clerk, if he considers such amendments beyond the scope of the petition for the Bill, shall report his opinion to the Assembly.

Second  
reading.

97. If the Bill be ordered to be read a first time, the Speaker or the presiding member shall, at the next meeting of the Assembly, unless the Assembly otherwise orders, put the question that the Bill be read a second time. If this be resolved in the affirmative, the Bill shall stand referred to a Committee being a Committee of the whole Assembly or a Select or other Committee as the Assembly may decide:

Provided that no member shall be allowed to sit on such Select or other Committee until he has made and signed a declaration that he will not vote on any question which may arise, and in respect of which evidence may be given, without having duly heard and attended to the evidence relating thereto.

How Bills  
may be  
opposed.

98. No person other than a member of the Assembly shall be heard in opposition

to any Private Bill unless he has previously lodged a petition with the Clerk of the Assembly showing the nature of his objections to the Bill and whether his objections extend to the whole or some part of the preamble or to the clauses of the said Bill and praying that he may be heard by himself or his Counsel against the Bill.

99. Subject to the provisions of these Orders, all petitions against the Bill, containing a prayer that the petitioners be heard by themselves or Counsel, shall stand referred to the Committee and the Committee shall hear all such opposers who appear to have a *locus standi*.

Committee to take evidence of opposers.

100. The Committee shall examine the Bill and make such amendments thereto as it thinks proper and shall report to the Assembly that it has examined the Bill and (if the fact be so) made amendments therein, and shall make to the Assembly such recommendations (if any) as it thinks fit.

Procedure of Committee.

101. Immediately after the report of the Committee has been presented and adopted the Speaker or the presiding member shall put the question that the Bill be read a third time.

Third reading

Expenses of  
printing

102. As soon as practicable after any Private Bill is passed, rejected or abandoned, the Clerk of the Assembly shall make out an account showing, according to a scale prescribed by His Highness, the expenses of printing and advertising and shall transmit the same signed by him to the State Financial Officer who, thereupon, shall, if the amount of the account is less than one thousand dollars, transfer such amount from the deposited sum of one thousand dollars to the general revenue of the State and pay the balance to the depositors or their executors or administrators or assigns. If the account for the expenses of printing and advertising exceeds one thousand dollars, the State Financial Officer shall transfer the whole of the deposited sum to the credit of the general revenue of the State and the Clerk shall take all necessary proceedings to enforce payment of the balance.

## COMMITTEES

### SELECT COMMITTEE

Appointment.

103. A Select Committee shall be appointed on motion by the Assembly and shall consist of such members as may be chosen by the Assembly or by Committee of the whole Assembly.

104. A Select Committee, may be appointed by the Assembly at any stage of its proceedings or when in Committee of the whole Assembly.

May be appointed at any stage.

105. At the time when the Select Committee is appointed a Chairman thereof may be named or the Committee may appoint its own Chairman. The Speaker may, from time to time, in case of the death or unavoidable absence of a member, appoint another member of the Assembly to take the place of such member on the Select Committee.

Chairman.

106. The quorum for any Select Committee shall be three members unless the motion for the appointment of the Committee states to the contrary.

Quorum.

107. The report of every Select Committee shall be signed by the Chairman thereof or in his absence by the member first in order of precedence and by every member of the Select Committee who agrees with the terms of the report, and shall be laid on the table or otherwise dealt with as the Assembly may direct.

Report of Committee.

108. Any member or members dissenting from the opinion of a majority of a Select

Minority report.

Committee may put in a written statement of the reasons for such dissent and such statements shall, if presented in time, be appended to the report of the Select Committee.

Report  
presented by  
Chairman.

109. (1) The report of a Select Committee shall be presented to the Assembly by the Chairman or by a member of the Committee.

Publication  
of reports.

(2) A Select Committee may, if it considers it in the public interest, authorise the publication of its report prior to it being laid on the table of the Assembly, provided that such publication shall not take place until at least three days after a copy of the report has been sent to each member of the Assembly.

#### COMMITTEE OF PUBLIC ACCOUNTS

Committee  
of Public  
Accounts.

110. (1) There shall be a Committee to be known as the Committee of Public Accounts appointed at the beginning of every Session, for the examination of—

- (a) The accounts of the State and the appropriation of the sum granted by the Legislative Assembly to meet the public expenditure;
- (b) Such accounts of public authorities and other bodies administering

public funds as may be laid before the Assembly;

(c) Reports of the Auditor-General laid before the Assembly in accordance with Article 107 of the Federal Constitution;

(d) Such other matters as the Committee may think fit, or which may be referred to the Committee by the Assembly.

(2) The Committee shall consist of a Chairman and not more than six members appointed by the Assembly, as soon as may be after the beginning of each session.

(3) No member may be appointed or nominated to or act as Chairman or member of the Committee of Public Accounts while he is a member of the State Executive Council.

(4) The Committee shall have power to send for persons, papers and records, and to report from time to time.

(5) The Auditor-General shall be invited to attend every meeting of the Committee and shall be entitled to be heard, whether in person or by representative, and, by leave of the Chairman, to question any person

who may have been called to appear before the Committee.

### FINANCIAL PROVISIONS

Supply Bill:  
Committee  
of whole  
Assembly.

111. (1) During each year there shall be introduced into the Assembly a Supply Bill which shall contain the estimated financial requirements for all heads of expenditure required to be included in a Supply Bill by Article LV of the Laws of the Constitution of Kelantan (First Part) for the succeeding financial year. The details of these financial requirements shall be contained in the estimates mentioned in Rule 112.

(2) After the motion for the second reading of the Bill has been proposed and seconded, the debate thereon shall follow and shall be confined to the general principles of Government policy and administration as indicated by the Bill and estimates.

(3) When the Bill has been read a second time it shall stand committed to a Committee of the whole Assembly; the deliberations of the Committee shall be in public.

(4) The schedules to the Bill shall be dealt with before the clauses.

(5) On the consideration of a schedule, the Chairman shall call the title of each



head of expenditure in turn, and unless any amendment thereto stands upon the Notice Paper, shall propose the question "That the sum of \$.....for head.....stand part of the schedule".

(6) Any member may move an amendment to the schedule to reduce by \$..... the sum to be allotted for any head of expenditure in respect of any sub-head or item therein, but at least two clear days' notice of such amendment shall be given.

(7) When several such amendments are proposed to the same sub-head or item, the amendment seeking a reduction to the smallest sum shall be first proposed and an amendment to omit the sub-head or item shall only be proposed after all motions for reduction have been disposed of.

(8) No notice of motion for an increase in the sum allocated for any head shall be given or amendment whereby any such increase would be affected moved, except by the Mentri Besar or a member deputed by him.

(9) When all amendments standing on the Notice Paper in respect of any particular head of expenditure have been disposed of

the Chairman shall propose the question "That the sum of \$.....for head.....stand part of the schedule".

(10) On the question "That the sum of \$.....for head.....stand part of the schedule", debate shall be confined to the policy of the service for which the money is to be provided and shall not deal with the details of expenditure, but may refer to the details of revenues or funds for which that service is responsible.

(11) When the Bill has been passed by the Committee, it shall be reported forthwith to the Assembly and a motion for the third reading shall thereupon be made by the member referred to in paragraph (8). Such motion shall not require to be seconded, and shall be decided without amendment or debate.

**Annual  
Estimates.**

112. The draft estimates of State expenditure for the succeeding year shall be laid upon the table before the introduction into the Assembly of the annual Supply Bill.

**Statement of  
advances  
made from  
Contingencies  
Fund.**

113. (1) At each meeting of the Assembly it shall be the duty of the Mentri Besar to present to the Assembly a statement detailing any items of urgent and unforeseen

expenditure for which advances have been made from the Contingencies Fund in accordance with the Financial Procedure Ordinance, 1957.

F M Ord  
62 of 1957

(2) If any member wishes to seek an explanation in regard to any item of expenditure contained in the statement presented under this order, he shall give to the Clerk reasonable notice of his intention to seek such explanation, which notice shall not be less than 24 hours.

114. Paragraph (2) of Rule 113 shall apply *mutatis mutandis* to a statement of virement made under the provision of a State Law.

Statement of  
Virements.

115. If in respect of any financial year it is found that the amount appropriated by the Supply Enactment for any purpose is insufficient, or that a need has arisen for expenditure for a purpose for which no amount has been appropriated by the Supply Enactment, or that moneys have been expended for any purpose in excess of the amount (if any) appropriated for that purpose by the Supply Enactment, a Supplementary Supply Bill showing the sums required or spent shall be introduced into the Assembly and the provisions of Standing Rule and Order No. 111 shall apply.

Supplementary  
Supply Bill.

116. (1) Save as otherwise provided by Article III of the Laws of the Constitution of Kelantan (First Part) and Article III of the Laws of the Constitution of Kelantan (Second Part), the Assembly shall, if not unanimous, take its decision by a simple majority of members present and voting; and the Speaker or the presiding member shall cast his vote whenever necessary to avoid an equality of votes, but shall not vote in any other case.

(2) A member shall not vote on any subject in which he has a direct personal pecuniary interest (other than the matter of remuneration under any provision of the Constitution), but a motion to disallow a member's vote on this ground may only be made immediately after the numbers of the members voting on the question have been declared. If a motion for the disallowance of a member's vote is agreed to, the Speaker or the presiding member shall direct the Clerk to correct the numbers voting in the division accordingly.

117. On a question being put by the Speaker, the presiding member or Chairman, the votes may be by voices, "Ayes" and "Noes" with show of hands and the result

shall be declared by the Speaker, the presiding member or Chairman, but any member who desires a division may call "Divide" whereupon, after such warning as the Speaker, the presiding member or Chairman may consider sufficient the votes shall be taken by the Clerk, by himself or by tellers appointed by him, asking each member separately how he desires to vote. The vote of the Speaker, the presiding member or Chairman shall be taken last. Every member shall, upon his name being called, give his vote by saying "Aye" or "No" or he may say "Not voting". When the votes have been taken by the Clerk, the Speaker, the presiding member or Chairman shall declare the result and the Clerk shall enter the vote of each member in the record of the proceedings.

#### MISCELLANEOUS

118. The evidence taken before any Committee of the Assembly and any documents presented to such Committee which have not been reported to the Assembly shall not be published by any member of such Committee or by any other person.

Publication  
of evidence.

119. No member or other person shall publish any report or statement purporting

Publication  
of proceedings  
of the  
Assembly.

to be a report of the debates or proceedings of the Assembly in any case when such debates or proceedings have been conducted after exclusion by order of the Assembly of the public or when such publication has been expressly prohibited by the Assembly or when such report or statement constitutes a wilful misrepresentation of the proceedings of the Assembly or of the speech of any particular member or is otherwise not made or published in good faith by such member or other person.

**Adjournment  
speeches**

120. (1) On a motion being made, at the conclusion of all other business, for the adjournment of the Assembly, any member who is entitled to speak as hereinafter provided may, subject to the rules of debate and rules regarding relevancy in debate contained in these Standing Rules and Orders, address the Assembly upon any matter of which he has given at least seven days notice to the Clerk before the meeting, but in the case of any speech referring to any matter under the sole control of the Federal Government, the Speaker or the presiding member may direct that the speech or so much thereof as refers thereto be not

answered but referred to the Federal Government and the reply tabled at a subsequent meeting.

(2) Notice of an adjournment speech shall contain sufficient indication of the subject and substance thereof.

(3) It shall not be necessary for the Clerk to circulate such notices to members, any contrary provision of these Standing Rules and Orders notwithstanding.

(4) Where such notice is given by not more than five members in respect of any meeting, every member so giving notice shall be entitled to speak on the motion for adjournment.

(5) Where such notice is given by more than five members in respect of any meeting, the Clerk shall, by ballot, select five of the members so giving notice and shall notify all the members included in ballot of the result thereof :

Provided that no member who has spoken on adjournment of a meeting in any session shall be included in any such ballot during the same session to the exclusion of any member who has not so spoken.

(6) Except with the permission of the Speaker or the presiding member, no member may speak on a motion for adjournment for more than 10 minutes.

(7) Any speech on a motion for adjournment may be replied to by a member of the State Executive Council on behalf of the Government.

Behaviour  
of members.

121. During a sitting :

- (a) all members shall enter or leave the Assembly with decorum;
- (b) no member shall cross the floor of the Chamber unnecessarily;
- (c) members shall not read newspapers, books, letters or other documents except such matters therein as may be directly connected with the business under debate;
- (d) no member shall smoke in the Chamber;
- (e) while a member is speaking all other members shall be silent and shall not make unseemly interruptions.

Suspension  
of Standing  
Orders.

122. (1) The Standing Rules and Orders of the Assembly may be suspended by the vote of majority of the members present at any meeting, on motion made with the



consent of the Speaker, the presiding member or Chairman without notice.

(2) If the motion be carried, the Standing Rules and Orders shall be suspended so far as is necessary to carry out the object for which the motion was made.

(3) There shall be no debate on any such motion.

**123.** Notwithstanding a prorogation of the Assembly—

- (i) proceedings on a Bill or Motion not passed during the session in which it is introduced may be resumed at the following session only;
- (ii) every Standing Committee shall continue in being until another Committee is appointed in its stead or until a dissolution of the Assembly;
- (iii) a Committee the life of which is not limited when it is appointed shall continue in being until the completion of the task in respect of which it was appointed or until a dissolution of the Assembly.

Proceedings on Bills and Motions, and Standing and certain other Committees to continue in being notwithstanding prorogation.

**124.** The State Secretary, the State Legal Adviser and the State Financial Officer may

Participation in proceedings of Officials.

take part in the proceedings of the Assembly as provided under Article XIII of the Laws of the Constitution of Kelantan (First Part).

Matters not  
provided for.

125. (1) In any matter for which these Standing Rules and Orders do not provide, the practice and procedure of the Dewan Ra'ayat of the Federation of Malaya, so far as the same may be not inconsistent with these Standing Rules and Orders, shall be followed.

(2) The decision of the Speaker or the presiding member upon any disputed point of interpretation of any of these Standing Rules and Orders shall be final.

Revocation.

126. These Standing Rules and Orders shall revoke and replace any previous Standing Rules and Orders of the Council of State or the Assembly.

Made and passed by the Legislative Assembly of the State of Kelantan in accordance with Article XLIV of the Laws of the Constitution of Kelantan (First Part) this 27th day of August, 1960.

HASSAN BIN MOHAMED,  
*Clerk of State Legislative Assembly,  
Kelantan*