



STANDING ORDERS

of the

**LEGISLATIVE ASSEMBLY OF
PERAK DARUL RIDZUAN**

Approved by the Perak Darul Ridzuan Legislative Assembly, in the Second Meeting of the Fifth Year of the Fourteenth Perak Darul Ridzuan Legislative Assembly on 20th July 2022, in accordance with Paper No. 24/2022.

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DOA



SEGALA puji bagi Allah selawat dan salam atas RasulNya, maka dengan nama Allah Yang Maha Pemurah lagi Pengasih, Dewan Negeri ini dibuka.

Ya Allah, yang bersifat maha hikmat, limpah keadilan, yang menanggungkan kewajipan ke atas Raja dan Ahli Majlis Permesyuaratan, bagi mentadbir muslihat masyarakat pergaulan, mudah-mudahan sentosa aman, makmur, limpah kebahagiaan, meliputi sekalian penduduk Negeri Perak Darul Ridzuan.

Ya Allah, kami sekalian hambaMu yang diperkenan menjadi Ahli Dewan Negeri, menyempurnakan kewajipan yang diamanahkan, yang terutama bagi Negeri Perak Darul Ridzuan serta rakyatnya sekalian.

Ya Allah, berkatMu ke atas kami berhimpun dipohon anugerahkan, taufikMu, hidayatMu dimohon menyuluh, memandukan, pada ketika kami berunding, menimbang, bertukar-tukar fikiran, pada segala perkara yang dibentangkan, dengan saksama serta berkeamanan, menjunjung perintah dan kebesaranMu, mudah-mudahan berlebih-lebih keamanan, kemakmuran dan kesejahteraan bagi Negeri Perak Darul Ridzuan, serta penduduknya sekalian.

Ya Allah, dipohonkan doa kami diperkenan, Amin, Ya Allah seru sekalian alam.

STANDING ORDERS

of the

LEGISLATIVE ASSEMBLY OF PERAK DARUL RIDZUAN

PUBLIC BUSINESS

1. On the first day of the meeting of the Legislative Assembly after a State General Election, after members having assembled at the time and place duly appointed and being seated in accordance with the provisions of Standing Order 2, the Secretary of the Legislative Assembly shall read the Proclamation of His Royal Highness by which the meeting was summoned, and thereafter the business to be conducted on such day shall include —

**Proceedings of first
Meeting of the
Assembly after a State
Election**

- (a) The election of the Speaker;
- (b) Recitation of prayer;
- (c) The taking and subscribing of the oath by the Speaker in the form prescribed under Clause (1) of Article XLVII First Part of the Laws of the Constitution of Perak Darul Ridzuan as follows:

“Adalah saya ... yang telah dipilih menyanggah jawatan Yang di-Pertua bersumpah (atau berikrar) bahawa sesungguhnya saya akan menunaikan segala kewajipan bagi jawatan tersebut dengan sehabis-habis daya upaya saya dan akan taat setia dengan sebenar-benarnya kepada Negeri Perak Darul Ridzuan dan

memelihara, menaungi dan membela Perlembagaannya.”;

- (d) The taking and subscribing of the oath by all members as prescribed under Clause (1) of Article XLVII of First Part of the Laws of the Constitution of Perak Darul Ridzuan;
- (e) The election of the Deputy Speaker;
- (f) The taking and subscribing of the oath by the Deputy Speaker in the form prescribed under Clause (1) of Article XLVII First Part of the Laws of the Constitution of Perak Darul Ridzuan as follows:

“Adalah saya ... yang telah dipilih menyandang jawatan Timbalan Yang di-Pertua bersumpah (atau berikrar) bahawa sesungguhnya saya akan menunaikan segala kewajipan bagi jawatan tersebut dengan sehabis-habis daya upaya saya dan akan taat setia dengan sebenar-benarnya kepada Negeri Perak Darul Ridzuan, dan memelihara, menaungi dan membela Perlembagaannya.”;

and on the conclusion of such business, the Legislative Assembly shall stand adjourn to the date and time fixed by His Royal Highness in summoning the Legislative Assembly.

2. (1) On the first day of the Legislative Assembly Meeting after a State General Election and thereafter, members shall be seated in accordance with such arrangements as the Secretary may determine, until a seat has been allotted to each member.

Seating of Members

(2) As soon as practicable after his election, the Speaker shall allot a seat to each member and may vary such allotment from time to time, as he may think fit.

(3) Seats shall be allotted at the discretion of the Speaker, and his decision shall be final.

3. Upon the office of the Speaker becomes vacant, whether as a result of the dissolution of the Legislative Assembly or any other reason, the Legislative Assembly shall, as soon as a quorum is present, elect a Speaker.

Election of Speaker

4. (1) The procedures for the election of the Speaker shall be as follows:

Procedure of election of Speaker

(a) Every member who wishes to propose a member or non-member to be elected as the Speaker, shall first ascertain that the person is willing to serve if elected, and shall notify the Secretary in writing at least seven days before the meeting;

(b) A member shall propose to the Legislative Assembly, a candidate as the Speaker and shall move the following motion "*That... (name of the candidate) be elected as the Speaker.*". The proposal shall be seconded but no debate shall be allowed;

(c) If only one member or non-member is proposed, seconded and determined by the Legislative Assembly as the Speaker, he shall be declared by the Secretary to have been elected. If more than one member or non-member is proposed and seconded as the Speaker, the Legislative Assembly shall proceed to elect by ballot;

- (d) For the purpose of a ballot, the Secretary shall give to each member present a ballot paper on which the member may write the name of the candidate for whom he wishes to vote. Ballot papers shall be folded to keep the name of the candidate written thereon from being seen and shall be signed by the member voting;
- (e) The ballot papers shall be collected by the Secretary or any officer of the Legislative Assembly delegated by him and shall be counted by the Secretary at the Table. The result of the ballot shall be declared by the Secretary.
- (2) (a) Where more than two candidates have been proposed and at the first ballot, no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who obtained the lowest number of votes shall be excluded from the election. Thereafter, balloting shall resume, and the candidate who obtained the lowest number of votes shall be excluded. This procedure shall be repeated successively until one candidate obtains more votes than the remaining candidate.
- (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 paragraph (a) above, the determination as to the candidates to be excluded, shall be made in any manner decided by the Secretary.
- (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 made in any manner decided by the Secretary.

- (3) As the ballot papers are counted, they shall be placed in a box and when a member or non-member is declared to be elected as the Speaker, the box shall be sealed in the presence of the Legislative Assembly and kept in the custody of the Secretary for a period of thirty days and then, subject to any direction he may receive from the Legislative Assembly, the Secretary shall dispose of the ballot papers and inform the Legislative Assembly that it has been disposed.

5. (1) Upon the office of the Deputy Speaker becomes vacant, whether as the result of a dissolution of the Legislative Assembly or any other reason, the Legislative Assembly shall, when a quorum is present, elect a Deputy Speaker among its members.

The election of the Deputy Speaker

- (2) The procedure for the election of a Deputy Speaker shall be the same as that of the election of a Speaker and shall be conducted by the Speaker.

6. (1) The Speaker shall preside at sittings of the Legislative Assembly and in his absence, the Deputy Speaker shall preside the sittings, or if no Deputy Speaker has been elected or if the office of the Deputy Speaker is vacant for any reason, or if the Deputy Speaker is absent from the Legislative Assembly for any reason, upon notification by the Secretary, the Legislative Assembly may call upon any member to preside the sittings after a motion by the Menteri Besar, or in his absence, a Member of the State Executive Council. The motion shall be

Appointment of Temporary Chairman

seconded by a member and submitted to the Secretary but no debate shall be allowed.

- (2) When the Secretary announces the absence of the Speaker and the Deputy Speaker, the member presiding pursuant to the provisions of paragraph (1) shall be invested with all the powers of the Speaker until the Speaker becomes available.
- (3) The Speaker may at any time during a sitting, ask a member to preside over the meeting temporarily, without formal communication to the Legislative Assembly and the member who presides the sitting shall have all the powers of the Speaker until the Speaker returns.
- (4) When the Legislative Assembly sits as the Committee of the Whole Legislative Assembly, including the Committee of Supply, the member who is the Chairman under the provisions of paragraph (1) or (3) shall be the Chairman of the Committee of the Whole Legislative Assembly.
- (5) In these Standing Orders, unless it is expressly provided otherwise, the word "Speaker" includes any member presiding under paragraphs (1) to (3), and the word "Chairman", unless the context indicates otherwise, shall mean any member who is the Chairman under the provisions of paragraphs (1) to (4).

7. (1) There shall be a Leader of the Opposition.

**Leader of the
Opposition**

(2) The Leader of the Opposition means, in relation to the Legislative Assembly, that member of the Legislative Assembly who is presently the Leader of the group in Opposition.

(3) In any dispute as to who is the Leader of the Opposition at any material time, such dispute shall be decided by the Speaker.

8. (1) The oath to be taken as prescribed under Clause (1) of Article XLVII of First Part of the Laws of the Constitution of Perak Darul Ridzuan shall be administered by the Secretary and each member taking the oath shall sign a book to be kept for that purpose by the Secretary.

The Oaths

(2) Subject to the provisions of paragraph (3), on any day on which the Legislative Assembly sits, a member who has not previously taken oath under paragraph (1) may himself be present at the Table, at the time appointed under Standing Order 17 and shall take the oath and sign a book.

(3) A member may, when the Legislative Assembly stands adjourned, in order for the member to be present and take part in a Committee meeting between the time of his becoming a member of the Legislative Assembly and the next sitting of the Legislative Assembly, take the oath before the Speaker; in any such case, the Speaker shall inform the Legislative Assembly at its next sitting that the member has taken the oath before him.

9. The official language of the Legislative Assembly shall be the Malay language. The use of the English language shall be with the consent of the Speaker.

Official Language

10. (1) At least fourteen days before the opening of a new year session or before the reassembling of the Legislative Assembly, the Secretary shall notify each member in writing of the proclamation summoning the Legislative Assembly:

Duties of the Secretary to the Assembly

Provided that in cases of urgency, such notice may be dispensed with, and in that event the notice shall be given as soon as possible.

(2) The Secretary shall send to each member a copy of the Order of Business for each sitting—

(a) For the first sitting of meeting, unless in the opinion of the Speaker there is a need for urgency, at least seven days before the sitting; and

(b) For any other sitting, as soon as practicable.

(3) The Secretary shall keep minutes of proceedings of the Legislative Assembly and of the Committee of the Whole Legislative Assembly; and shall circulate a copy of such minutes to the members on the following day, or as soon as practicable thereafter.

(4) The minutes shall record the names of members attending and all decisions of the Legislative Assembly, and in the case of divisions of the Legislative Assembly or the Committee of the Whole Legislative Assembly, shall include the numbers of members voting for and against, the names of members voting and the numbers and names of members present who declined to

vote. The minutes shall be signed by the Speaker and any errors therein may be corrected by him.

- (5) The Secretary shall prepare from day to day, an Order Book showing all business appointed for any future day and any notices relating to the questions or motions which have been set down for a future day whether the day is determined or not. The Order Book shall be open for inspection by members at any reasonable time.
 - (6) The Secretary shall be responsible to keep the minutes, records, Bills and other documents tabled in the Legislative Assembly, which shall be open for inspection by members and other persons under such arrangements as may be permitted by the Speaker.
- 11.** (1) The Hansard which contain all the speeches made in the Legislative Assembly and the Committee of the Whole Legislative Assembly shall be prepared under the supervision of the Secretary. **Hansard**
- (2) The Hansard shall be published in such form as the Speaker may direct, and a copy thereof shall be sent to each member as soon as practicable after the conclusion of each meeting thereof.
 - (3) A copy of the record of a member's speech shall be sent to each member before it is published. If any member does not return the copy to the Secretary within seven days from the date upon which it was sent to the members, the speech shall be published without correction.
 - (4) If a member disputes the correctness of the record of his speech or seeks to make any material change in the record, the Speaker shall

make a ruling and the speech shall be published in accordance with his ruling. The ruling of the Speaker shall be informed to the member and shall be final.

12. (1) The Session of the Legislative Assembly shall be held at such time and place as may be appointed by His Royal Highness from time to time by way of proclamation in the *Gazette*. **Year of the Legislative Assembly**

(2) A meeting of the Legislative Assembly shall be held at least once in every six months and such period of six months does not lapse between the final sitting in that year and the first sitting in the following year.

13. Meetings of the Legislative Assembly during each year shall be held on such days and begin at such time as determined by the Speaker. **Meetings of the Legislative Assembly**

14. (1) Members shall be dressed in “Hari Kalung” attire for the Official Opening Ceremony and the Inaugural Sitting of the New Year of the Legislative Assembly. **Dresscode**

(2) Members may be dressed in the national attire, lounge suits or other clothing as determined by the Speaker for other sittings.

(3) The Speaker may order any member who does not comply with this Standing Order to leave the Legislative Assembly until conclusion of the sitting on that day.

15. Each sitting of the Legislative Assembly may be broadcast live, either through a television station or via online for the whole duration of the sitting. **Live telecast of the Legislative Assembly sitting**

16.(1) The Legislative Assembly may carry on its business notwithstanding any vacancy in its membership and the presence or participation of any person not entitled thereto shall not invalidate any proceedings. **Quorum**

(2) The Legislative Assembly shall not carry out any business other than adjournment of meeting if there is objection from any member present that the number of members present is less than one fourth, excluding the Speaker or any other person presiding over the meeting.

(3) If at any time a member draws the attention of the Speaker that a quorum is not present as provided in paragraph (2), the Speaker may order the members not present to be summoned and if after the expiration of five minutes, a quorum is not then present, the Speaker shall adjourn the meeting without any vote.

17.(1) The business of each sitting shall be transacted in the following order unless the Legislative Assembly otherwise directs — **Order of Business**

(a) Formal entry of the Speaker into the Legislative Assembly;

(b) Recitation of prayers;

(c) Taking of oath by the new member;

(d) Royal Decree from His Royal Highness;

(e) Announcements by the Speaker;

(f) Petitions;

(g) Questions to the Menteri Besar;

- (h) Motion to adjourn the Legislative Assembly on matters of urgent public importance;
 - (i) Statements by the Menteri Besar;
 - (j) Tributes;
 - (k) Obituary speeches;
 - (l) Personal explanations;
 - (m) Presentation of Government Bills;
 - (n) Motions relating to the Order of Business (to be moved by the Menteri Besar);
 - (o) Motions for the introduction of Bills; and
 - (p) Public business.
- (2) The Legislative Assembly may, upon a motion moved by the Menteri Besar or in his absence by a Member of the State Executive Council to be decided without amendment or debate which may be made without notice and shall take precedence over all other business, decide to proceed to any particular business out of the regular order.
- 18.** (1) On every sitting day, Government business shall take precedence over business of private members.
- (2) Government business shall be set down in such order as the Government think fit and shall be communicated to the Secretary.
- (3) Notice of motion intended to be moved by private members shall have precedence over

**Arrangement of
public business**

Bills moved by private member and shall be arranged accordingly in the Order Book.

(4) Bills moved by private members shall be administered according to the arrangement in the Order Book.

(5) A private members' motion which has been moved but not disposed of at a meeting of the Legislative Assembly shall, upon due notice given by the mover for continuance thereof at a subsequent meeting, take precedence at such subsequent meeting over other private members' motions.

19. (1) Except in accordance with the provisions of Standing Order 21, a motion to adjourn the Legislative Assembly shall not be moved until the conclusion of all business set down in the Order of Business for the sitting and such motion shall not be moved except pursuant to the provisions of this Standing Order and Standing Order 20.

**Adjournment of the
Legislative Assembly**

(2) Upon the conclusion of the business set down in the Order of Business for the sitting, the Speaker shall, either adjourn the Legislative Assembly, or in any sitting at which notice has been given concerning the motion to adjourn the Legislative at Assembly pursuant to the provision of Standing Order 20, call upon a member of the Government to move "*That the Legislative Assembly be now adjourned.*".

20. (1) Upon the motion "*... that the Legislative Assembly be now adjourned*" moved in accordance to paragraph 19(2) any member who has obtained the right to speech may address the Legislative Assembly on any matter of administration for which the Government is

**Motion to adjourn final
meeting of sitting**

responsible, and the Menteri Besar or his representative may reply.

- (2) Any member who wishes to raise a matter under paragraph (1) shall give notice of the matter in writing to the Speaker, not less than seven days before the sitting at which he wishes to do so. Subject to the giving of such notice, the Speaker shall allot the right to raise the matter to not more than two members on each sitting day, if necessary by ballot, and in making such allotment the Speaker shall give preference to members who have not previously raised a matter under this Standing Order during the present year.
- (3) In any address upon the motion “... *that the Legislative Assembly be now adjourned*”, the time allowed to each member addressing the Legislative Assembly and to each member of the Government replying shall be 10 minutes, unless otherwise permitted by the Speaker in any particular case.
- (4) Upon the conclusion of such proceedings, the Speaker shall put the question to be determined in the meeting “... *that the Legislative Assembly be now adjourned*”.

21. (1) Any member may, at the time appointed pursuant to Standing Order 17, rise in his place and ask for leave to move the adjournment of the Legislative Assembly for the purpose of discussing a definite matter of urgent public importance.
- (2) A member who wishes so to ask for leave to move the sitting of the Legislative Assembly to be adjourned shall hand to the Speaker a written notification of the matter which he wishes to

**Adjournment of
Sitting of Legislative
Assembly definite
matters of urgent
public importance**

discuss at least one hour before the sitting. The Speaker shall refuse to allow the request unless he is satisfied that the matter is definite, urgent and of public importance.

- (3) If the Speaker is so satisfied and either —
 - (a) The Legislative Assembly gives leave with no members objecting; or
 - (b) If the Legislative Assembly does not give leave but at least one fourth of the members rise from their seats in support of the request, the motion shall be adjourned to such time determined by the Speaker on the same day, and any matter being transacted by the Legislative Assembly shall be adjourned until either the motion to adjourn has been decided or the debate on the motion has exceeded two hours. At the expiration of two hours, the motion, if yet to be concluded, shall lapse and the matter previously adjourned shall be resumed.
- (4) Only one motion shall be allowed to adjourn the Legislative Assembly at one sitting under this Standing Order.
- (5) A member shall not reintroduce the same matter during the same meeting.

22. (1)(a) Every application to the Legislative 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. **Petitions**

- (b) A petition seeking a grant, charge or expenditure of state 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 state revenues or for the revocation, alteration or repeal of any rate, tax or duty shall not be received by the Legislative Assembly unless supported by the Government and endorsed by the Menteri 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 thumbprint in the presence of two witnesses.
- (b) No reference shall be made in a petition to any debate in the Legislative Assembly or any motion intended to be presented in a meeting unless a notice of such motion stands in the Order Book.
- (c) A member shall not present a petition from himself or to which he is a signatory but the petition may be presented by any other member.
- (d) Every petition, before it is presented in a meeting, shall be signed at the beginning thereof by the member in charge of it and deposited at least one day to the Secretary. The Secretary after examining the petition, shall submit it to the Speaker for approval. No petition shall be presented in a meeting until it has been endorsed "*Passed by the Speaker.*".
- (e) Every member before presenting a petition, shall 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 Legislative Assembly.

(3) A member presenting a petition to the Legislative Assembly shall state the purpose of the petition concisely and accurately.

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

(b) No debate shall be permitted on a motion under subparagraph (1)(a) nor shall any member be permitted to speak in relation to such petition, except to second the motion formally.

(c) After such motion being seconded, it shall be put forth to the meeting to determine whether the petition shall be read.

23. (1) Meeting Papers shall be presented only by the Speaker, Menteri Besar or the Chairman of a Committee and shall be sent to the Secretary.

Meeting Papers

(2) Every Meeting Paper which a copy of it is received by the Secretary shall be deemed to have been presented to the Legislative Assembly and ordered to lie upon the Table.

(3) After the presentation of the Meeting Papers in the meeting, the business shall be entered into the minutes of meeting of the day it is presented, or if the Legislative Assembly is not in sitting, on the next sitting day.

24. (1) Questions may be put to the Menteri Besar relating to —

Questions

(a) Affairs within his official functions; or

(b) A Bill or motion or other public matter connected with the business of the Legislative Assembly.

(2) The purpose of a question is to obtain explanation on a matter of fact within the specific knowledge of the Menteri Besar.

25. The Menteri Besar may appoint any Member of the State Executive Council to answer questions on his behalf.

Appointment by Menteri Besar to answer questions

26. (1) A question shall not be asked without notice unless the Speaker is of the opinion that it is urgent and relates either to a matter of public importance or to the arrangement of public business, and the member has obtained the permission in writing of the Speaker to ask it.

Notice of questions

(2) Notice of every question shall be given by a member in writing not less than twenty-one days from the day on which the answer is required by submitting it to the office of the Secretary during office hours.

(3) If a member requires an oral answer to his question, he shall mark his notice the words "*Oral Reply*". The Speaker may, in his discretion, direct any question marked for an "*Oral Reply*" be given a written answer.

(4) A member may not ask more than three questions for oral reply and more than five questions for written reply in any meeting of the Legislative Assembly; and each such question shall not contain more than three sub-questions.

27. (1) Every question shall conform to the following rules—

Contents of questions

- (a) a question shall not include the names of persons or statements not strictly necessary to render the question intelligible,
- (b) if a question contains a statement, the member who asks the question shall be responsible for the accuracy of the statement,
- (c) a question shall not contain any argument, inference, opinion, imputation, praise or insult or contain derisive, insinuating or offensive expression,
- (d) a question shall not refer to debates or answers to questions in the current year,
- (e) a question shall not refer to proceedings in a Committee which have not been reported to the Legislative Assembly,
- (f) a question shall not seek information about any matter which is of its nature secret,
- (g) a question shall not be so drafted as to be likely to prejudice a case under trial, or be asked of any matter which is *sub judice*,
- (h) a question shall not be asked for the purpose of obtaining an expression of opinion or the solution of an abstract legal matter or the answer to a hypothetical proposition,
- (i) a question shall not be asked as to whether statements in the press or of private individuals or financial bodies are accurate,
- (j) a question shall not be asked as to the character or conduct of any person except in his official or public capacity,

- (k) a question shall not contain any discourteous reference to a friendly foreign country,
 - (l) a question shall not seek information about the internal affairs of a foreign country,
 - (m) a question shall not be asked as to reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion,
 - (n) a question shall not be asked seeking explanation or information set forth in accessible documents or ordinary reference works,
 - (o) a question making or implying a charge of a personal character shall be disallowed, and
 - (p) a question which has been fully answered shall not be asked again during the same year.
- (2) If the Speaker is of the opinion that any question of which a member has given notice to the Secretary or which a member has sought leave to ask without notice, is an abuse of the right of questioning, or calculated to obstruct or, prejudicially affect the procedure of the Legislative Assembly, or to promote feelings of ill-will or hostility between the different communities in Malaysia, or infringes any of the provisions of these Standing Order, he may direct —
- (a) that it be printed or asked with any alterations as he may direct; or
 - (b) the member concerned be informed that the question is disallowed.

(3) The reasons for the disallowing a question shall be informed in writing to the member concerned by the Secretary.

(4) Notwithstanding paragraphs (1) to (3), the Menteri Besar may, with the approval of the Speaker, refuse to answer such question on the ground of public interest, and such refusal may not be debated or questioned.

28. (1) If a question requires an oral answer and no written answer has been directed by the Speaker, the Speaker, upon reaching the question in the Order of Business, shall call upon the member whose name is written on the question. The member who is called shall rise in his seat and ask the question by reference to its number on the Order of Business and the Menteri Besar may reply.

**Manner of asking
and answering
questions**

(2) If a member asking a question for an oral reply fails to rise and ask his question, any other member may make the question his own and may rise in his seat and ask the question in the manner prescribed in paragraph (1). If no other member so rises, the Menteri Besar may send copies of the answer to the member concerned and to the Secretary for the answer to be included in the Hansard:

Provided that at any time before the Speaker has called upon the member who asked the question to rise, that member may signify his desire to postpone the question to a later sitting and may also withdraw it.

(3) The Speaker may allow a member to ask supplementary questions for the purpose of clarifying any matter of fact regarding which an oral answer has been given, but he may refuse

any question which in his opinion introduces matter not related to the original question or which infringes any of the provisions of Standing Order 27.

- (4) A question shall not be made as pretext for a debate.
- (5) Questions other than supplementary arising out of a question already asked and permitted by the Speaker, shall not be asked after thirty minutes from the beginning of the question time.
- (6) If a question does not require an oral answer, or if a written answer is directed pursuant to paragraph 26(3), the Menteri Besar shall send copies of the answer to the member concerned and to the Secretary to be included in the Hansard.

29. With the leave of the Speaker, a member may make a personal explanation at the time stipulated under Standing Order 17 although there is no question before the Legislative Assembly. Matters which give rise to dispute may not be debated pursuant to the explanation. The content of the proposed explanation shall be submitted in full to the Speaker when his leave to make it is sought.

Personal explanation

30.(1) Unless the provisions of these Standing Orders otherwise provided, notice shall be given of any motion which is proposed to be moved in a meeting, except the following motion —

Notice of motions

- (a) a motion to amend a question already proposed from the Chairman,
- (b) a motion in Committee of the Whole Legislative Assembly,

- (c) a motion to adjourn the Legislative Assembly or of any debate,
- (d) a motion to proceed to any particular business out of the regular order,
- (e) a motion of the Menteri Besar under the provisions of paragraph 6(1),
- (f) a motion that the proceedings on any specified business be exempted from the provisions of Standing Order 13,
- (g) a motion to appoint a Select Committee,
- (h) a motion to suspend a member,
- (i) a motion to disallow a member's vote under the provisions of paragraph 51(5),
- (j) a motion to refer a Bill to a Select Committee under Standing Order 58,
- (k) a motion for the recommittal of a Bill reported to the Legislative Assembly from a Committee of the Whole Legislative Assembly,
- (l) a motion to withdraw a Bill under Standing Order 66,
- (m) a motion to suspend any Standing Order moved under Standing Order 85 when the consent of the Speaker has been obtained,
- (n) a motion to remove strangers,
- (o) a motion to close a debate under Standing Order 44,

- (p) a motion relating to a matter of privileges,
- (q) a motion that a petition be read, printed or referred to a Select Committee, or
- (r) a motion that the report of a Select Committee be referred to a Committee of the Whole Legislative Assembly.

(2) A motion —

- (a) seeking a grant, charge or expenditure of state money; or
- (b) seeking the release of a debt due to the Government; or
- (c) seeking the remission of duties payable by any person; or
- (d) seeking compensation for loss out of the state revenues; or
- (e) to revoke, alter or repeal of any rate, tax or duty,

shall not be proceeded with unless it is supported by the Government and endorsed by the Menteri Besar.

(3) A motion which, directly or indirectly, involves any grant, expenditure, charge, release, remission or compensation as mentioned in subparagraphs (2)(a) to (d), shall be treated as seeking the grant, charge, expenditure, release, remission or compensation, unless the Menteri Besar verifies that it does not go beyond what is incidental only and not of a substantial nature having regard to the purposes of the motion.

(4) The Menteri Besar may appoint another member to move on his behalf a motion standing in his name.

31. (1) Where under any Standing Order (or in accordance with the practice of the Legislative Assembly) notice is required, such notice shall be given to the Secretary during the usual office hours.

Manner of giving notices

(2) Every such notice shall be signed.

(3) Except as provided in Standing Order 47 and in paragraph 83(5), not less than 21 days' notice of any motion shall be given unless it is in the name of the Menteri Besar or a member acting on behalf of the Menteri Besar, in which case seven days' notice shall be sufficient or, if the Speaker is satisfied upon representation to him by the Menteri Besar that the interest of the public requires a motion to be debated as soon as possible, one day's notice shall be sufficient.

(4) All notices shall be printed or typewritten and sent to members one day before the sitting for which they have been put down.

(5) If the Speaker is of the opinion that any notice received by the Secretary contravenes any of the provisions of these Standing Orders or is otherwise out of order, he may direct —

(a) that it be printed with any alterations as he may direct; or

(b) that it be returned to the member who signed it as being, in the Speaker's opinion, out of order.

(6) Subject to the provisions of paragraph (5), motions or amendments sent to the Secretary shall be printed and circulated by him. Any amendments to Bills shall be arranged in the order in which they will be proposed.

32. If a member desires to alter the terms of a motion standing in his name, he may do so by giving to the Secretary a notice of amendment of motion, provided that such alteration does not, in the opinion of the Speaker, alter the fundamentals or purpose contained in the original motion or the scope thereof. The notice of amendment of motion shall run from the time at which the original notice was given.

Alteration of terms of motions

33. (1) A member may, by sending a notice in writing to the Secretary, withdraw any notice of motion previously given by him.

Withdrawal of notice of motion

(2) When any notice of motion has been so withdrawn after the motion to which it refers has appeared on the Order of Business, such motion shall not be proposed but shall remain on the Order of Business and, at the proper time, the Speaker or the Deputy Speaker or the presiding member shall announce that the motion be entered in the minutes of meeting.

34. (1) When a motion is under consideration in the Legislative Assembly or a Committee thereof, an amendment may be proposed to the motion if it is relevant thereto.

Amendments to motions

(2) An amendment may be proposed to any such amendment if it is relevant thereto.

(3) An amendment must not raise any question which, by the rules of the Legislative Assembly,

can only be raised by a substantive motion after notice.

(4) A question, when proposed from the Chairman, may be amended in all or any of the following methods—

(a) by deleting certain words in order to insert other words,

(b) by deleting certain words; or

(c) by inserting or adding other words.

35. (1) In the Legislative Assembly, the question upon a motion or amendment shall not be proposed by the Speaker unless such motion or amendment has been seconded.

Seconding of motions and amendments

(2) In Committee, a seconder shall not be required.

36. Any amendment to a motion upon which the question has been proposed in the Legislative Assembly or in Committee of the Whole Legislative Assembly shall be put into writing by the mover and delivered to the Secretary, unless the Chairman dispenses with the requirement that it be put in writing.

Amendments to motions to be put in writing

37. (1) When a motion has been moved and if necessary seconded, the Chairman shall proposed the question thereon to the Legislative Assembly or Committee in the same terms as the motion; debate may then take place upon that question and may, subject to the provisions of these Standing Orders, continue so long as any member wishes to speak.

Manner of debating motions and amendments thereto

(2) When no more members wish to speak, the Chairman shall put the question to the Legislative Assembly or Committee, which

shall express its decision in accordance with the provisions of Standing Order 49.

- (3) Any amendment to the motion which a member wishes to propose in accordance with the provisions of Standing Order 34 may be moved and if necessary seconded, at any time after the question upon the motion has been proposed by the Chairman, and before it has been put to the meeting at the conclusion of the debate. When every such amendment has been disposed of, the Chairman shall either again propose the question upon the motion or shall propose the question upon the motion as amended, as the case may be, and after any further debate which may arise thereon, shall put the question to the Legislative Assembly or Committee for its decision.
- (4)
 - (a) If any amendment proposed to delete any of the words of the motion, the question to be proposed shall be “... *that the words proposed to be deleted, shall be deleted of the question.*”.
 - (b) If any amendment proposed to insert or add words at the end of a motion, the question to be proposed shall be “... *that those words be there inserted*” or “*added*”, as the case may require.
 - (c) If any amendment to delete words and insert or add other words instead, a question shall first be proposed “... *that the words proposed to be deleted be deleted of the question*”, and if that question is agreed to, the question shall then be proposed “... *that those words be there inserted*” or “*added*”, as the case may require. If the first question is disagreed to, no further amendment may

be proposed to the words which the Legislative Assembly or Committee have so decided shall not be deleted.

- (d) If before putting a question to delete any words, Chairman is informed that a member wishes to move an amendment to delete only part of these words, and if the Chairman is of the opinion that the proposed amendment of which he is so informed is substantially a new amendment, he shall, if possible, put the question to delete only so much of the original amendment as is unaffected by the second amendment; but if that amendment is agreed to, the whole of the words proposed in the original amendment to be deleted shall be deemed to have been ordered to be deleted.
 - (e) When two or more amendments are proposed to be moved to the same motion, the Chairman shall call upon the mover in the order which their amendments relate to the text of the motion or in cases of doubt in such order as he shall decide; provided that no amendment may be moved which relates to any words which the Legislative Assembly or Committee has decided shall not be deleted of the motion.
- (5) (a) When a member wishes to propose any amendment to an amendment, the amendment may be moved and if necessary seconded at any time after the question upon the original amendment has been proposed, and before it has been put at the conclusion of the debate on the original amendment.

(b) The provisions of paragraph (4) shall apply to the discussion of amendments to amendments, with the substitution of the words “*question*” for the words “*original amendment*” wherever appropriate.

(c) When every such amendment to an amendment has been disposed of, the Chairman shall again propose the question upon the original amendment, or shall propose the question upon the original amendment as amended, as the case may require.

38. (1) A motion or an amendment may, at the request of the mover and with leave of the Speaker or Chairman, be withdrawn before the question is put to the meeting. A motion or amendment so withdrawn may be proposed again, provided that a notice on the motion is given, as required by these Standing Orders.

Withdrawal of motions and amendments

(2) If the question has been proposed on an amendment to a motion or an amendment to another amendment, the original motion or amendment may not be withdrawn until the amendment thereto has been disposed of.

RULES OF DEBATE

39. (1) A member who wishes to speak, shall rise in his seat and when called upon, shall stand and address his speech to the Chairman. No member shall speak unless called upon by the Chairman.

Time and manner of speaking

(2) If two or more members rise at the same time, the Chairman shall call upon the member who first catches his eye.

(3) No member shall speak more than once to any question except —

(a) in a Committee sitting; or

(b) in explaining a matter as prescribed in paragraph (4); or

(c) in the case of the mover of a substantive motion, in reply to a submission made in a debate,

Provided that a member may, without prejudice to his right to speak at a later period of the debate, second a motion or amendment by rising in his seat and stating that it is his intention to second the motion or amendment.

(4) A member who has spoken to a question may again be heard to offer explanation of any material part of his speech which has been misunderstood but he shall not introduce new matter.

(5) A member who has spoken may speak again when a new question has been proposed by the Chairman, such as a proposed amendment or a motion for the adjournment of the debate.

(6) A member shall not read his speech but he may read extracts from books or papers in support of his argument, and may refresh his memory by reference to notes.

(7) A member shall not speak on any matter in which he has a direct personal pecuniary interest (other than the matter of remuneration under any provision of the Federal Constitution or Laws of the Constitution of Perak Darul

Ridzuan) without disclosing the extent of that interest.

(8) The Chairman may, at his discretion, prescribe the time limit for a member to participate in the debate, if necessary.

40. (1) A member shall confine his observations to the matters under discussion and shall not introduce any matter irrelevant thereto.

Contents of speeches

(2) Reference shall not be made to any matter which is under deliberation of the court if, in the opinion of the Chairman, it may touch the interests of the parties thereto.

(3) (a) A member shall be responsible for the accuracy of his statement and the contents of his speech.

(b) If any member contravenes the provisions of paragraph (a), another member may, with the agreement of the Chairman, propose a motion which does not require prior notice to refer the matter to the Committee of Privileges of the Legislative Assembly for its consideration and to report to the Legislative Assembly with its recommendations.

(4) It shall be out of order to reconsider any specific matter upon which the Legislative Assembly has decided during the current year, except upon a specific motion for rescission.

(5) It shall be out of order for a member to use derogatory and censorious language against any other member.

- (6) No member shall refer to any other member by name.
- (7) No member shall impute improper motives to any other member.
- (8) The name of the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong, Duli Yang Maha Mulia Paduka Seri Sultan Perak Darul Ridzuan, Duli Yang Maha Mulia Raja-Raja, Tuan-Tuan Yang Terutama, Yang di-Pertua-Yang di-Pertua Negeri or Judges shall not be used to influence the Legislative Assembly.
- (9) The conduct or character of the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong, Duli Yang Maha Mulia Paduka Seri Sultan Perak Darul Ridzuan, Duli Yang Maha Mulia Raja-Raja, Tuan-Tuan Yang Terutama, Yang di-Pertua-Yang di-Pertua Negeri or Judges or other persons engaged in the administration of justice of members of the Armed Forces Council or any Service Commissions established under Part X of the Federal Constitution or Members of the Election Commission or any sovereigns of friendly states shall not be referred to except upon a specific motion moved for that purpose.
- (10) No reference shall be made in any debate to the conduct or character of any Member of Parliament or Legislative Assembly or of any public servant other than conduct in the capacity of Member of Parliament or Legislative Assembly or public servant, as the case may be.

- (11) It shall be out of order to use —
- (a) words that are treasonable to the country, state or ruler,
 - (b) seditious words; or
 - (c) words which are likely to promote feelings of ill-will or hostility between the races in Malaysia.
- (12) If the Chairman is of the opinion that any motion or amendment or the continuance of the debate thereon is calculated to give rise to breaches of these Standing Order, he may disallow the motion or amendment or, as the case may be, may terminate the debate and direct that no further proceedings be taken on the motion or amendment.

41. No member shall interrupt another member who is speaking except —

Interruptions

- (a) by rising in his seat and making a remark on the point of order, when the member speaking shall sit and the member interrupting shall direct the attention to the point in which he desires to bring to the notice of the meeting and submit it to the Chairman for decision; or
- (b) to elucidate any matter raised by that member in the course of his speech provided that the member speaking is willing to give way and resumes his seat and that the member wishing to interrupt is called by the Chairman.

42. (1) Debate upon any motion, other than a motion for the adjournment of the Legislative Assembly, and debate on any Bill or

Scope of debate

amendment, shall be relevant to such motion, Bill or amendment.

- (2) Debate upon any motion for the adjournment of the Legislative Assembly shall be relevant to the subject to be raised under Standing Orders 20 and 21.
- (3) When an amendment proposes to delete any words and to insert other words as a replacement, debate upon the question “... *that the words proposed to be deleted be deleted*” may include the words proposed to be deleted, added or inserted.
- (4) In an amendment proposing only to delete any words or to add or insert words, debate shall be confined to the deletion, addition or insertion of such words respectively.
- (5) Debate upon any motion “... *that the debate be now adjourned*” or in Committee “... *that the Chairman do report progress and ask leave to sit again*”, shall be confined to the matter of such motion, and a member who has made or seconded any motion shall no longer be entitled to move or second any similar motion during the same debate.

- 43.** (1) It shall be out of order to precede a debate on a Bill in the Order of Business by debating a substantive motion or an amendment relating to the same subject matter as the Bill, or by raising the subject matter of the Bill upon a motion for the adjournment of the Legislative Assembly.
- (2) It shall be out of order to precede a debate on a motion of which notice has been given by discussing an amendment, or by raising the same subject matter on the motion upon a

Preceding a debate

motion for the adjournment of the Legislative Assembly.

- (3) In determining whether a debate is out of order on the grounds of preceding a debate, regard shall be had by the Chairman to the probability of the matter being brought before the Legislative Assembly within a reasonable time.

44. (1) After a question has been proposed, a member may rise in his seat and claim to move "*That the question be now put*", and unless it appears to the Chairman that such motion is an abuse of the rules of the Legislative Assembly or an infringement of the rights of the minority, the question "*That the question be now put*", shall be put forthwith and decided without amendment or debate, notwithstanding that the mover of the original motion or amendment has had no opportunity to make his reply.

Closure of debate

- (2) When the motion "*That the question be now put*" has been agreed and the original question has been decided, any member may claim that any other question already proposed from the Chairman be now put and if the assent of the Chairman is given, such questions shall be put forthwith to the meeting and decided without amendment or debate.

45. During a sitting —

Behaviour of members not speaking

- (a) all members shall enter, leave and behave in the Legislative Assembly with decorum,
- (b) no member shall cross the floor of the Chamber unnecessarily,
- (c) no member shall speak in the Legislative Assembly unnecessarily,

(d) members shall not read newspapers, books, letters or other documents except any matter therein as may be directly connected with the business under debate,

(e) no member shall eat, smoke or do any similar act in the Legislative Assembly; and

(f) while a member is speaking, all other members shall be silent and shall not make unseemly interruptions.

46. When the members are called to order by the Chairman or whenever the Chairman intervenes during a debate, any member then speaking or offering to speak shall sit down and the Legislative Assembly or Committee shall be silent so that the Chairman may be heard without interruption.

Chairman to be heard in silence

47. The Speaker in the Legislative Assembly or the Chairman in Committee shall be responsible for the observance of the rules of order in the Legislative Assembly or Committee respectively, and his decision on any point of order shall not be open to appeal, reconsideration or review by the Legislative Assembly except upon a specific motion moved for that purpose. Such a motion shall be made within two days' notice.

Decision of Speaker or Chairman is final

48. (1) The Chairman, after having called the attention of the Legislative Assembly, or of the Committee, may direct a member to discontinue his speech should such member persist in irrelevant, or tedious repetition either of his own arguments or of the arguments used by other members in the debate.

Order in the Legislative Assembly

(2) The Chairman shall order any member whose conduct is disorderly to withdraw from the Legislative Assembly forthwith until the

conclusion of the sitting on that day, and the *Bentara* shall carry out any order received from the Chairman in accordance with this Standing Order, but if at any time the Chairman deems the power under the foregoing provisions of this Standing Order to be inadequate, he may name the member behaving disorderly in which circumstance the same procedure as set out in paragraphs (3), (4), (5) and (6) shall be followed.

- (3) When a member is named by the Chairman as soon as he commits the offence of disregarding the authority of the Chairman or the offence of persisting and deliberately interrupting the business of the Legislative Assembly by abusing these Standing Orders or otherwise, if the offence is committed by a member in the Legislative Assembly, a motion "*That Yang Berhormat ... be suspended from the service of the Legislative Assembly*" shall forthwith be moved by the Menteri Besar or any Member of the State Executive Council and seconded by another member present and the Chairman shall forthwith put the motion to be decided without any amendment, adjournment or debate, and if the offence is committed in Committee of the Whole Legislative Assembly, the Chairman shall forthwith determine the period of the Committee's proceeding and notify the same to the Legislative Assembly; and the Speaker shall forthwith put the motion to be decided without any amendment, adjournment or debate being as if the offence was committed in the Legislative Assembly itself.
- (4) Not more than one member shall be named at the same time, unless if two or more members have jointly disregarded the authority of the Chairman.

- (5) If a member is suspended pursuant to this Standing Order, the member shall be ordered by the Speaker to withdraw from the meeting and his suspension shall continue until the conclusion of the meeting.
- (6) If one or more members who jointly commit the offence and have been suspended from their service as members of the Legislative Assembly under this Standing Order fail to obey the order of the Speaker to withdraw, when each of them is asked to withdraw by the *Bentara* on the order of the Speaker, the Speaker shall draw the attention of the Legislative Assembly to the fact that strict action is essential to force that member to obey his orders. When one or more members who have been named by the Speaker for failing to follow his orders are withdrawn from the Legislative Assembly, the member shall be suspended from his service as a member of the Legislative Assembly until the end of the year, without the question being put to the meeting.
- (7) A member who has been ordered to withdraw pursuant to paragraph (2) or who has been suspended from his service as member of the Legislative Assembly pursuant to paragraphs (3) and (6) shall forthwith remove himself from the Legislative Assembly and shall not be permitted to enter until the conclusion of the sitting or for the duration of his suspension from the service to the Legislative Assembly, as the case may be.
- (8) In the event of grave disorder arising in the Legislative Assembly, the Speaker may adjourn the Legislative Assembly if he deems necessary without question put, or suspend the sitting for

a time to be named by the Speaker, and in the event of grave disorder arising in the sitting of a Committee of the Whole Legislative Assembly, the Chairman may suspend its proceedings and notify the same to the Legislative Assembly upon which the Speaker may take any action as if the situation has arisen in the Legislative Assembly.

- (9) Nothing in this Standing Order shall be taken to deprive the Legislative Assembly of the power to carry out any proceeding against any member in accordance with any resolution of the Legislative Assembly.

- 49.** Subject to the provisions of clause (4) of Article Three, First Part of the Laws of the Constitution of Perak Darul Ridzuan, the Legislative Assembly shall take its decision by a simple majority of members voting; and the Speaker or any other person presiding shall cast his vote in the event of an equality of votes, but shall not vote in any other case.

Decision of questions

- 50.** (1) No member may speak to any question after the same has been fully put from the Chairman.

Collections of voices

- (2) A question is fully put when the Chairman has collected the voices both of the Ayes and of the Noes.
- (3) When the question has been put by the Chairman to the meeting for decision at the conclusion of the debate, the votes shall be taken by voices of Ayes and Noes; provided that no member then claims a division, the result shall be declared by the Chairman.
- (4) If the opinion of the Chairman as to the decision of a question is challenged by any member

calling for a division, the Chairman shall call upon members desiring a division to rise in their seats. If less than ten members so rise, the Chairman shall declare the result forthwith. If ten or more members so rise, the Chairman shall order a division and shall, after warning as he may consider necessary, appoint Tellers.

- 51.** (1) When a division has been ordered, the Tellers shall ask each member separately how he desires to vote and the Secretary shall enter in the minutes of meetings a record of each member's vote and of the members who abstained from voting. **Divisions**
- (2) When a member is asked how he desires to vote at a division, he may answer either by voting for the Ayes or for the Noes, or by expressly stating that he abstains from voting. A member shall not answer in a manner inconsistent with any opinion which he may have expressed when the voices were taken collectively.
- (3) When every member present has been asked how he desires to vote, the Chairman shall state the numbers voting for the Ayes and for the Noes respectively and shall then declare the result of the division, and if necessary, the Speaker or the Chairman shall give his casting vote.
- (4) If a member states that he voted in error or that his vote has been counted wrongly, he may claim to have his vote altered, provided that such request is made as soon as the Chairman has announced the numbers and before the Chairman has declared the result of the division.
- (5) A member shall not vote on any matter in which he has a direct personal pecuniary interest (other

than the matter of remuneration under any provision of the Federal Constitution and Laws of the Constitution of Perak Darul Ridzuan), but a motion to disallow a member's vote on this ground may only be made immediately after the numbers of the members voting have been declared. If the motion is agreed to, the Chairman shall direct the Secretary to correct the number of votes accordingly.

52. Each Bill, other than a private Bill, shall be declared in the Government *Gazette* for public knowledge at least fourteen days before it is presented in the Legislative Assembly, unless it is important for the Bill to be expedited as may be signified by the Speaker in writing.

Publication of Bills

53. (1) Any private member desiring to introduce a Bill may apply to the Legislative Assembly for leave to do so, and shall state the object and leading features of such Bill.

Private member's Bills

(2) Every such application shall be made in the form of a motion, and the member making such application shall also deliver to the Secretary a copy of his motion containing the title of his proposed Bill.

(3) When leave is granted on a question put to the meeting and carried, the Bill shall be deemed to have been read the first time and ordered to be printed, and a copy of the Bill shall be delivered to the Secretary.

(4) Subject to Standing Order 55, the Bill shall be printed and circulated to members and, without being debated, shall stand referred to the Menteri Besar, and no any further proceedings shall be taken upon such Bill until the

Legislative Assembly receives a report from the Menteri Besar.

- (5) After the report referred to in the preceding paragraph of this Standing Order has been made, the Bill shall be set down for second reading on such day as the member in charge of the Bill shall desire.

54. (1) Where any member proposes to introduce a Bill which is intended to affect or benefit some particular person, association or corporate body (referred to in these Standing Orders as a "Private Bill") notice of the Bill shall be published through a statement of its general nature and objects in the *Gazette*, and also in at least one newspaper circulating in the Federation, at least one month before the day on which a motion for leave to introduce the Bill is to be moved. Upon leave being granted, the Bill shall be deemed to have been read for the first time and ordered to be printed. A copy of the Bill shall be delivered to the Secretary and the Bill shall, subject to Standing Order 55, thereupon be printed and circulated to members.

Private and Hybrid Bills

- (2) Every Private Bill shall contain a section saving the rights of the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong, the Duli Yang Maha Mulia Paduka Seri Sultan Perak Darul Ridzuan, the Duli-Duli Yang Maha Mulia Raja-Raja and Tuan-Tuan Yang Terutama, Yang di-Pertua-Yang Dipertua Negeri, all bodies politic and corporate and of all other rights, except such as are mentioned in the Bill, and those claiming by, from or under them.
- (3) Every Private Bill, and any other Bill which in the opinion of the Speaker appears to

prejudicially affect individual rights or interests (referred to in these Orders as a “Hybrid Bill”) shall, after being read a second time, be referred to a Select Committee, before which any affected party who has previously presented a petition to the Legislative Assembly under the provisions of Standing Order 22 may be heard upon the petition, either in person or by counsel.

- (4) No member shall be allowed to sit on such Select Committee until he has made and signed a declaration —
 - (a) that he has no personal pecuniary interest in the Bill; and
 - (b) that he will not vote on any question that may arise, and in respect of which evidence may be given, before having duly heard and attended to the evidence relating thereto.
- (5) Every Select Committee on a Private or Hybrid Bill shall require proof of the facts and other submissions set forth in the Bill as showing that it is beneficial that the Bill should be passed, and the Committee may take any oral or other evidence as it may think necessary, and thereafter if the Committee finds that the facts and submissions are not proved, it shall report to the Legislative Assembly accordingly.
- (6) If the Committee finds that the said facts and allegations have been proved, the Committee shall proceed as provided in Standing Order 62, and in respect of all amendments which it makes, shall describe their purport in a special report to the Legislative Assembly.
- (7) In the case of a Private Bill, the Committee shall not allow any new clause to be inserted which is

outside the terms of the notice in the State Government *Gazette*.

- (8) The member in charge of the Bill shall be responsible for the payment of all expenses incurred in the promotion of the Bill.

55. (1) Before any Bill is printed, the Secretary shall satisfy himself that —

Form of Bills

- (a) The Bill is divided into clauses numbered consecutively,
- (b) A shoulder note indicates the contents of each clause,
- (c) The Bill contains nothing foreign to what the title thereto imports; and
- (d) The Bill complies with the provisions of these Standing Orders.
- (2) If the Secretary is not satisfied that the provisions of paragraph (1) have been complied with in any respect, he shall so report to the Speaker, and if the Speaker is of such opinion he shall direct the Secretary to inform the member in charge of the Bill that the Bill may not be printed until the said provisions have been complied with.
- (3) As soon as possible after the printing of a Bill, the Secretary shall circulate a copy to every member together with a short explanatory statement on the Bill which, if the Bill involves the expenditure of state money, shall include a statement to that effect and either such indication if any of the amount thereof as is possible or a statement that it is not possible to estimate the amount of such expenditure.

- 56.** In any case in which individual rights or interests may be particularly affected by a Bill, all parties so involved may be heard upon petition before any Committee to which the Bill is referred, either in person or by counsel. **Parties affected**
- 57.** (1) If it is intended for the Bill to proceed at the same sitting or meeting, notice of a second reading must be given immediately after its first reading. **Second reading**
- (2) No Bill shall be read a second time until it has been circulated to members.
- (3) When the second reading of a Bill is reached in the Order of Business, a motion may be made "*That the Bill be now read a second time*", and a debate may arise covering the general merits and principle of the Bill.
- (4) Upon the second reading of a Bill, an amendment may be proposed to the question "*That the Bill be now read a second time*", to leave out all the words after the word "*That*" in order to add words stating the object and motive on which the opposition to the Bill is based, but such words must be relevant to the basis of the Bill and not deal with its details. If the Legislative Assembly agrees to the amendment, the second reading of the Bill shall be considered as not agreed.
- 58.** (1) A Bill may be committed to a Select Committee before its second reading. **Committal of Bills to Committee**
- (2) When a Bill has been read a second time, it shall stand committed to a Committee of the Whole Legislative Assembly, unless the Legislative Assembly on motion commits it to a Select

Committee. Such motion shall not require notice, but must be made immediately after the Bill is read a second time, and may be proposed by any member. The question thereon shall be put forthwith to the meeting and shall be decided without any amendment or debate.

- 59.** (1) Any Committee to which a Bill is committed before its second reading, may discuss the details of the Bill as well as its principle and merits.
- (2) Any Committee to which a Bill is committed after its second reading shall not debate the principle of the Bill but only its details.
- (3) Subject to paragraph (1), any such Committee shall have power to make any amendments to the Bill as it shall think fit, provided that the amendments (including new clauses and new schedules) are relevant to the subject-matter thereof; but if any such amendments are not in line with the title of the Bill, the Committee shall amend the title accordingly and shall report the same to the Legislative Assembly.

**Functions of
Committees on Bills**

- 60.** If a member, before the conclusion of proceedings on a Bill in a Committee of the Whole Legislative Assembly, moves to report progress and such motion is carried, or if the proceedings in a Committee of the Whole Legislative Assembly have not been concluded, the Chairman shall report progress to the Legislative Assembly and ask its leave to sit again, and a day for the resumption of the proceedings shall be named by the member in charge of the Bill.

**Committee of the
whole Legislative
Assembly**

- 61.** (1) The Secretary shall call the number of each clause or a number of clauses in succession. If no amendment is proposed thereto, or when all

**Procedure in
Committee of the
whole Legislative
Assembly on a Bills**

proposed amendments have been disposed of, the Chairman shall propose the question “*That the clause [as amended] stand part of the Bill*” and when all members who wish to speak thereon have spoken, the Chairman shall put the question to the Committee for its decision.

- (2) Any proposed amendments shall be given at least one day’s notice. Any proposed amendment of which notice has not been given shall be handed to the Chairman in writing and shall not be moved unless the Chairman is satisfied that it was not practicable to give such notice.
- (3) No amendment shall be moved which is inconsistent with any clause already agreed upon or any decision already come to by the Committee, and at any time during the debate on a proposed amendment the Chairman may withdraw all amendment from the consideration of the Committee, if in his opinion the discussion has shown that the amendment contravenes the provisions of this paragraph.
- (4) The Chairman may refuse to propose any amendment which in his opinion –
 - (a) would make the clause or schedule which it proposes to amend unintelligible or ungrammatical; or
 - (b) is frivolous; or
 - (c) amounts to a proposal to omit the whole substance of a clause for the purpose of inserting other provisions.
- (5) The provisions of paragraph 37(4) shall apply to the debate on amendments to Bills, with the

substitution, where appropriate of the word “clause” for the word “motion” or the word “question”; any amendment proposed to such an amendment shall be dealt with before a decision is taken on the original amendment.

- (6) A clause may be postponed unless any amendment thereto has been decided. The postponed clause shall be considered after the remaining clauses of the Bill have been considered and before new clauses are brought up.
- (7) Any new clause proposed 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.
- (8) When the title of any new clause being read by the Secretary, the clause shall be deemed to have been read for the first time. The question shall then be proposed “*That the clause be read a second time*”; if this is agreed to, amendments may then be proposed to the new clause. The final question to be proposed shall be “*That the clause [as amended] be added to the Bill*”.
- (9) Schedules shall be disposed of in the same way as clauses and any new schedule proposed shall be considered after the schedules to the Bill have been disposed of and the manner for consideration of the new schedule shall be in the same way as the new clause.
- (10) When every clause or schedule and every new clause or new schedule has been dealt with, the preamble, if there is one, shall be considered

and the question put “*That the preamble* [as amended] *be the preamble to the Bill*”. Any amendment to the preamble shall not be considered if it is not made necessary by a previous amendment to the Bill.

- (11) If any amendment to the title of the Bill is necessary, it shall be made at the conclusion of the proceedings detailed above, but no question shall be put that the title [as amended] stand part of the Bill; and nor shall any question be put upon the enacting formula.
- (12) Upon 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 reported to the Legislative Assembly*” and the question thereon shall be decided without amendment or debate.
- (13) As soon as a Committee of the whole Legislative Assembly has agreed that a Bill be reported, the Legislative Assembly shall resume, and the member in charge of the Bill shall report it to the Legislative Assembly and may proceed to the third reading of the Bill.
- 62.** (1) A Select Committee in considering a Bill shall be subjected to all the provisions of Standing Orders 80 and 81, but before reporting the Bill to the Legislative Assembly, it shall consider the Bill as provided in paragraph (1) to (4) of Standing Order 61.
- (2) When a Bill has been amended in a Select Committee, the whole text of the Bill as amended shall, if practicable, be printed as part of the report of the Select Committee; but if this is not practicable, the text of the clause or

**Procedure in Select
Committee on a Bill**

schedule amended and of every new clause or new schedule added shall be so printed.

- 63.** (1) If any member desires to delete or amend any provision contained in a Bill as reported from a Committee of the Whole Legislative Assembly or to introduce any new provisions therein, he may at any time before a member rises to move the third reading of the Bill, move that the Bill be recommitted either wholly or in respect only of some particular part or in respect of some proposed new clause or new schedule, no notice of such motion being required, and if the motion is agreed to, the Bill shall stand so recommitted. The Legislative Assembly shall resolve itself into a Committee in accordance with Standing Order 58 to consider the matter so recommitted. If a motion to recommit a Bill to the Committee of the Whole Legislative Assembly be opposed, the Speaker shall permit a brief explanatory statement of the grounds for recommittal from the member who moves and from a member who opposes the motion, and shall then put the question thereon without further debate.
- (2) When the whole Bill has been recommitted to the Committee, the Committee shall consider the Bill as provided in Standing Order 61.
- (3) When the Bill has been recommitted in respect only of some particular part or parts or of some proposed new clause or new schedule, the Committee shall consider only the matter so recommitted and any amendment which may be moved thereto.
- (4) At the conclusion of the proceedings in Committee on a Bill recommitted under the provisions of this Standing Order, the member in charge of the Bill shall move "*That the Bill*

Recommittal of Bills reported from Committee of the whole Legislative Assembly

[as amended on recommittal] be reported to the Legislative Assembly” and the question thereon shall be decided without being amended or debated.

- 64.** (1) When a Bill has been reported from a Select Committee, the Legislative Assembly shall proceed to consider the Bill as reported from the Select Committee upon a motion “*That the report of the Select Committee be approved*”.
- (2) If that motion is agreed to without amendment, the Legislative Assembly may proceed to the third reading of the Bill as reported from the Select Committee.
- (3) Upon a motion to approve the report of a Select Committee on a Bill, any member may propose an amendment to add, at the end of the motion, the words “*subject to the recommittal of the Bill [either wholly or in respect only of some particular part or parts or any new clause or new schedule proposed] to a Committee of the Whole Legislative Assembly*”, and if the motion is agreed to with such an amendment, the Bill shall stand so recommitted. The Legislative Assembly may then, upon a motion made in accordance with the provisions of Standing Order 58, resolve itself into a Committee to consider the business so recommitted.
- (4) A Committee of the Whole Legislative Assembly upon a Bill recommitted under the provisions of this Standing Order shall proceed in accordance with the provisions of paragraph (2) or (3) of Standing Order 63 and the manner to conclude its proceeding and any remaining proceedings on the Bill shall be subjected to the provisions of paragraph 63(4).

**Proceedings on Bills
reported from Select
Committees**

65. (1) 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 the second reading of the Bill; but the debate shall be confined to the contents of the Bill and any reasoned amendment which raises matters not included in the Bill shall be out of order.

Third reading

(2) Amendments for the correction of errors or oversights may, with the Speaker’s leave, be made before the question for the third reading of the Bill is put from the Chairman, but no amendments of a material character shall be proposed.

66. Either before the commencement of public business or when any stage of a Bill is reached in the Order of Business, the member in charge of a Bill may, without notice, move a motion that shall not be amended or debated, that the Bill be withdrawn or that the next stage of the Bill be postponed.

Withdrawal and postponement of Bills

67. Once the second reading of a Bill has been agreed to or disagree, no question shall be proposed during the same year for the second reading of any other Bill containing substantially the same provisions.

Bills containing substantially the same provisions

68. A Bill which has not been agreed to by the Legislative Assembly before the next prorogation or dissolution of the Legislative Assembly after the Bill was introduced shall not be further proceeded with, however, the same Bill may be brought in the subsequent year of the Legislative Assembly.

A Bill shall lapse

69. Notwithstanding anything contained in these Standing Orders, when the Speaker is satisfied that on any ground that is reasonable the Bill cannot be printed, he may so certify and the Bill may be proceeded with despite not having been printed, provided that soft

Waiver of printing of Bills

copies are available for the use of members. The Bill may be considered through all its stages in such form.

70. Estimated of State Government Expenditure for the succeeding year shall be laid upon the Table before the introduction into the Legislative Assembly of the annual Supply Bill.

Annual estimates

71. (1) There shall be introduced into the Legislative Assembly a Supply Bill which shall contain the estimated expenditure for all heads of expenditure required to be included in a Supply Bill by Article LV of First Part of the Laws of the Constitution of Perak Darul Ridzuan for the year concerned. The details of this expenditure shall be contained in the Estimates mentioned in Standing Order 70.

Procedure of debate on Supply Bill and consideration of Annual Development Estimates

(2) Immediately after the motion for the second reading of the Supply Bill has been proposed and seconded, but before the debate thereon is adjourned for a period of not less than one hour, a motion to refer to a Committee of the Whole Legislative Assembly the resolution on the Development Estimates for the year concerned pursuant to subsection 4(3) of the Development Fund Act 1966 [*Act 406*] may without notice be moved.

(3) When the Motion to refer to a Committee as mentioned in paragraph (2) have been proposed and seconded, the debate on the motions for the second reading of the Bill and the Development Estimates for the year concerned shall be adjourned for not less than one hour and, when resumed the debate shall be confined to the general principles and Government administration in relation to the Supply Bill and both the Ordinary and Development Estimates. Period of time shall be set aside for replies by

the Menteri Besar, the resumed debate on the second reading of the Bill and the motion relating to the Development Estimates. At such time on the last day allotted to the debate as the Speaker determines, the Speaker shall put any question necessary to bring the proceedings relating thereto to a conclusion.

- (4) When the Supply Bill has been read a second time and the motion on the Development Estimates has been agreed to, the Bill and the resolution shall stand committed to a Committee of the Whole Legislative Assembly.
- (5) There shall be allotted to a maximum of three days for discussion of the Supply Bill and both the Ordinary and Development Estimates in the Committee.
- (6) (a) The Speaker may allot the time to be given for each schedule and clause of the Bill and for any of the heads in the Development Estimates. If the allotted time for any schedule, clause or head has reached before any schedule, clause or head is disposed of, the Chairman shall put forthwith any question necessary to dispose of that schedule, clause or head:

Provided that the Speaker or the Chairman may, at his discretion, extend the time allotted for a particular schedule or clause or head, but the discussion in the Committee shall not exceed four days and shall not reduce the time allotted for any subsequent schedule or clause or head.

- (b) If no time has been allotted by the Speaker for all or any of the schedules or clauses or

heads, the Chairman may allot an adequate time.

- (7) The schedules to the Bill shall be dealt with before the clauses.
- (8) 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 Papers, shall propose the question "*That the sum of RM... for the head... stand part of the schedule*".
- (9) Any member may move on amendment to the schedule to reduce by RM ... from the sum to be allotted for any subhead or item therein, but at least two clear days' notice shall be given.
- (10) Where there are several proposals for reduction of the same subhead or item, the proposal seeking a reduction to the smallest sum shall be first proposed and an amendment to omit the subhead or item shall only be proposed after all motions for reduction have been disposed of.
- (11) When all amendments standing on the Notice Paper in respect of any head of expenditure have been disposed of, the Chairman shall propose the question "*That the sum of RM ... for head ... stand part of the schedule*".
- (12) On the question, "*That the sum of RM... for head ... stand part of the schedule*", the debate shall be confined to the policy of the service for which the money is to be allocated 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.

- (13) On consideration in the Committee of the motion referred to in paragraph (2) relating to the Development Estimates for the year concerned, the Chairman shall call the title of each head of expenditure in turn and shall propose the question on the motion *“That the expenditure mentioned in the head... of the Development Estimates for the year concerned be approved”*.
- (14) When the question mentioned in paragraph (13) has been proposed, the Menteri Besar or Member of the State Executive Council in charge of the head concerned may speak in support of the head, and thereafter—
- (a) if notice has been given of amendments to that head or to any part or item of that head, such amendments shall be disposed of in accordance with paragraphs (15) and (16);
or
- (b) if no notice has been given of any amendments or when all amendments have been disposed of, a debate may take place on the motion mentioned in paragraph (13), or on that motion as amended, as the case may be, and the debate on the motion shall be confined to the service concerned.
- (15) Amendments requiring at least two clear days’ notice may be moved the motion mentioned in paragraph (13) to omit any subhead of service or item of expenditure or to add at the end of the motion *“subject to a reduction of RM ...”* specifying the subhead of expenditure and item of expenditure if any to which the reduction relates.

- (16) When several amendments are proposed for the reduction of allocation in respect of the same head, subhead or item of expenditure, an amendment seeking a reduction to the smallest sum shall be first proposed and an amendment to omit a subhead or item of expenditure shall only be proposed after the motions for reduction have been disposed of.
- (17) When all the questions on all heads of expenditure in both the Ordinary and Development Estimates have been disposed of and the Bill has been passed by the Committee, the Chairman shall, without allowing amendment or debate, put to the Committee the question on the resolution on the Development Estimate for the year concerned, or if reductions have been made in the proposed expenditure, the Chairman shall put that question to the Committee with the reduction.

Upon the motion being agreed to, it shall be reported forthwith to the Legislative Assembly following the report to the Legislative Assembly that the Bill has been passed by the Committee.

- (18) When the Bill has been reported to the Legislative Assembly, a motion for the third reading thereof shall thereupon be made by the Menteri Besar or any Member of the State Executive Council. Such motion shall be decided without amendment or debate.
- (19) After the Bill has been read a third time, the Menteri Besar or any Member of the State Executive Council shall immediately move the resolution referred to in paragraph (2), amended, if the case requires, to give effect to the reduction agreed to by the Committee. The

motion may be moved without notice, and the question thereon shall be decided without amendment or debate.

72. (1) Every Supply Bill introduced to meet supplementary expenditure and expenditure in excess of that allowed as set out in Article LVI, First Part of the Laws of the Constitution of Perak Darul Ridzuan shall be supported by a supplementary estimate for each head which additional authority is sought showing —

**Procedure for debate
on Supplementary
Supply Bill and
consideration of
Supplementary
Development
Estimates**

- (a) the total sum authorised under that head,
- (b) the additional expenditure required under any subhead,
- (c) the amounts of any savings from other subheads under the same head which can be applied to reduce the supplementary allocation required to meet such additional expenditure; and
- (d) the amount of the supplementary allocation requested for the head.

(2) Every supplementary estimate shall be laid upon the Table before the meeting at which the Supplementary Supply Bill is to be introduced.

(3) After the motion for the second reading of the Bill has been proposed and seconded, but before the debate thereon is commenced, a motion for a resolution on a Supplementary Development Estimates pursuant to subsection 4(3) of the Development Fund Act 1966 [Act 406] shall, without notice, be moved by the Menteri Besar or Member of the State Executive Council for matters to be referred to a Committee of the Whole Legislative Assembly

- (4) A statement of the proposed expenditure out of the Development Fund in respect of a financial year in accordance with subsection 4(2) of the Development Fund Act 1966 [*Act 406*] shall be laid upon the Table before the introduction into the Legislative Assembly of a resolution pursuant to subsection 4(3) of the Act.
- (5) When the motion to refer the Bill to Committee as mentioned in paragraph (3) having been proposed and seconded, the debate on the motion for the second reading of the Supplementary Supply Bill shall proceed and shall be confined to the general principles of Government policy and administration as indicated by the supplementary allocation included in the Bill and the Supplementary Development Estimates and on the general principle of Government policy with respect to the purpose for which the Development fund is applicable as are dealt with in the statement under subsection 4(2) of the Development Fund Act 1966 [*Act 406*]. Debate on the second reading of the Supplementary Supply Bill and the motion for a resolution to refer to the Supplementary Development Estimates shall not be more than two hours. The Speaker shall put any question necessary to bring the proceedings relating thereto to a conclusion immediately after the debate.
- (6) After the Supplementary Supply Bill has been debated for the second time and the motion on the Supplementary Development Estimates has been agreed to, the Supplementary Supply Bill and the resolution shall stand committed to a Committee of the Whole Legislative Assembly.

- (7) (a) There shall be allotted a maximum of two hours for discussion of the Supplementary Supply Bill as well as the Supplementary Development Estimates. The Speaker may allot a maximum time to be given to any of the heads in the Supplementary Supply Bill and the Supplementary Development Estimates. If in the case of any head, the end of the allotted time is reached before the head has been disposed of, the Chairman shall put forthwith any question necessary to dispose of that head:

Provided that the Chairman may, at his discretion, extend the time allotted for any head, but the discussion in the Committee shall not be more than two hours and shall not diminish the time previously allotted for any subsequent head.

- (b) If no time have been allotted by the Speaker for all or any of the heads, the Chairman may allot a maximum time.
- (8) (a) The procedure laid down in paragraphs (7) to (12) of Standing Order 71 shall, with necessary modifications, apply to the debate on the Supplementary Supply Bill.
- (b) The procedure laid down in paragraphs (13) to (16) of Standing Order 71 shall, with necessary modifications, apply to the discussion of the resolution relating to the Supplementary Development Estimates.
- (9) The debate on the Supplementary Supply Bill in Committee shall be limited to the particulars contained in the estimates on which supplementary allocations are sought; such debate shall not touch on the policy or

expenditure sanctioned by the estimates in which the original allocation was obtained, except in so far as such policy or expenditure is brought before the Committee by the particulars contained in the supplementary estimates.

(10) Where all the questions on all the heads of expenditure in both the Supplementary Supply Bill and the Supplementary Development Estimates have been disposed of and the Bill has been passed by the Committee, the Chairman shall without allowing amendment or debate, put to the Committee the question on the resolution on the Supplementary Development Estimates or if any reductions have been made in the proposed expenditure, shall put that question to the Committee subject to the reduction. On the motion being agreed to, it shall be reported to the Legislative Assembly following the report to the Legislative Assembly of the Supplementary Supply Bill and the third reading thereof.

(11) Where the Supplementary Supply Bill has been reported to the Legislative Assembly, a motion for the third reading thereof shall be made by the Menteri Besar or any Member of the State Executive Council. Such motion shall be decided without amendment or debate.

(12) When the Supplementary Supply Bill has been read for the third time, the Menteri Besar or any Member of the State Executive Council shall immediately report to the Legislative Assembly that the resolution referred to in paragraph (3) has been agreed to.

73. For the purpose of proceedings on the Supply Bill and the Development Estimates or the Supplementary Supply Bill and the Supplementary Development

**Member of State
Executive Council
may represent the
Menteri Besar**

Estimates, a Member of the State Executive Council may represent and speak on behalf of the Menteri Besar.

SELECT COMMITTEES

- 74.** (1) There shall be a Committee to be known as the **Public Accounts Committee** appointed at each session of the Legislative Assembly, for the examination of —
- (a) the accounts of the State of Perak Darul Ridzuan and the allocation of the sums granted by the Legislative Assembly to meet state expenditures,
 - (b) such accounts of public authorities and other bodies administering state funds tabled in the Legislative Assembly,
 - (c) reports of the Auditor-General laid before the Legislative Assembly in accordance with Clause (2) Article 107 of the Federal Constitution; and
 - (d) such other matter that the Committee may think fit, or any matter which may be referred to the Committee by the Legislative Assembly.
- (2) The Committee shall consist of a Chairman, appointed from among the members of the Opposition, a Deputy Chairman and not more than five members to be appointed by the Legislative Assembly as soon as may be after the beginning of each session.
- (3) No member of the Legislative Assembly may be appointed to hold the position of or act as

Chairman, Deputy Chairman or member of the Public Accounts Committee while he is a Member of the State Executive Council.

- (4) The Committee shall have power to call for persons to appear before it or to request for letters or records and to issue statements to the Legislative Assembly from time to time.
- (5) The Auditor-General or his representative may be invited to attend every meeting of the Committee and shall be entitled to be heard and, with leave of the Chairman, to question any person called before the Committee.

- 75.** (1) There shall be a Committee to be known as the Standing Orders Committee to consist of the Speaker as Chairman, Deputy Speaker as a Deputy Chairman and six other members to be appointed by the Legislative Assembly as soon as may be after the beginning of each session. It shall be the duty of the Committee to consider from time to time and put forward report to the Legislative Assembly on all matters relating to the Standing Orders which may be referred to it by the Legislative Assembly. The Committee shall not have power to call for persons or request for documents unless the Legislative Assembly so resolves.
- (2) The Committee may, from time to time, consider any matter relating to the Standing Orders and if it deems necessary, report the same to the Legislative Assembly.
 - (3) If a notice of motion involves any proposal for the amendment of Standing Orders, the notice shall be accompanied by a draft of the proposed amendments, and the motion when

**Standing Orders
Committee**

proposed and seconded, shall stand referred without any question being proposed thereon to the meeting, and no further proceedings shall be taken on any such motion until the Standing Orders Committee has put forward the report thereon to the Legislative Assembly.

- 76.**(1) There shall be a Committee to be known as the Committee of Privileges consists of the Speaker as Chairman, Deputy Speaker as a Deputy Chairman and six members appointed by the Legislative Assembly as soon as may be after the beginning of each session. Any matters affecting the powers and privileges of the Legislative Assembly shall be referred to this Committee. It shall be the duty of the Committee to consider any such matters to them referred, and to put forward the report thereon to the Legislative Assembly.

Committee of Privileges

- (2) When the Legislative Assembly is not sitting, a member may bring an alleged breach of privilege to the notice of the Speaker who may, if he is satisfied that a *prima facie* breach has been committed, refer such matter to the Committee, which shall report thereon to the Legislative Assembly.

- (3) The committee shall have power to call for persons and request for documents, and to put forward the report to the Legislative Assembly from time to time.

- 77.** (1) There shall be a Committee to be known as the Members' Welfare Committee appointed at the beginning of each session to consider and advise the Speaker on all matters relating to the needs and welfare of members.

Members' Welfare Committee

(2) This Committee shall consists of the Speaker as Chairman, Deputy Speaker as a Deputy Chairman and not more than five members to be nominated by the Legislative Assembly as soon as may be after the beginning of each session.

78. (1) A Select Committee other than the Sessional Committees shall be known as a Special Select Committee. This Committee shall be appointed by order of the Legislative Assembly and shall consist of such members appointed by the Legislative Assembly.

Special Select Committee

(2) Subject to the order of the Legislative Assembly, a Special Select Committee shall have power to elect its own Chairman. If the member so elected is unable to be present in a meeting, the Committee shall elect from among its members to chair the meeting.

79. (1) Every Select Committee shall as immediately as practicable be established to reflect the composition of parties within the Legislative Assembly.

Constitution of Select Committees

(2) In the event of the death or unavoidable absence of a member appointed to a Committee, or if his seat becomes vacant for any other reason, the Legislative Assembly shall, as soon as practicable, appoint another member in his place or if the Legislative Assembly has been adjourned, the appointment shall be made at its next sitting and in so doing, shall observe the provisions of paragraph (1).

80. (1) These Standing Orders shall apply to all Select Committees except as otherwise provided in Standing Orders 74 to 77 (in respect of Sessional Select Committees).

Procedure in Select Committees

- (2) A Select Committee shall have power to call for persons or request for documents, and may issue reports on its opinion and observations, as well as the details of evidence taken before it to the Legislative Assembly.
- (3) Unless otherwise directed by the Legislative Assembly, three members shall be the quorum of a Select Committee.
- (4) The deliberations of a Select Committee shall be confined to matters referred to it by the Legislative Assembly and to any extension or limitation thereof made by the Legislative Assembly. In the case of a Select Committee on a Bill, such deliberations shall be confined to the Bill and to the relevant amendments.
- (5) The first meeting of a Select Committee shall be held at such time and place as the Chairman may fixed, if it involves a Sessional Select Committee, or by the Speaker, if it involves a Special Select Committee. Subsequent meetings shall be held at such time and place as the Committee may determine —

Provided that if the Committee fails to do so, the Chairman shall, in consultation with the Secretary, appoint such time and place.

- (6) A Select Committee shall not hold its meeting while the Legislative Assembly is sitting except with leave of the Legislative Assembly.
- (7) A Select Committee may continue its investigations although the Legislative Assembly has been adjourned.
- (8) The Secretary shall be the Secretary to every Select Committee.

- (9) When it is intended to examine any witnesses, the member requiring such witness shall deliver to the Secretary a list containing the name, address and occupation of each witness at least two days before the day appointed for their examination. In the case of a Committee on a Private or Hybrid Bill, the petitioner requiring such witnesses shall deliver such list. The Secretary shall then summon the witness. Provided that, except for witnesses required to be examined by a Select Committee on a Bill and is required by the member in charge of the Bill or a petitioner, the Secretary shall not summon a witness unless the Chairman, on behalf of the Committee, has issued an order (to be delivered to the Secretary at least four days before the day appointed for the examination) to summon the witness.
- (10) Unless the Chairman otherwise directs, the details of evidence of each witness shall be taken down verbatim and sent in proof to the witness. The witness, within seven days from the day on which the Secretary sent out the proof, the witness may suggest corrections due to inaccurate reporting and the evidence shall be printed with such corrections as approved by the Chairman.
- (11) The Chairman may, at his discretion, refuse to hear any irrelevant evidence or any recalcitrant witness.
- (12) (a) Any Member of a Select Committee may bring up a report for its consideration and all such reports shall be entered in full in the minutes of meeting of the Committee. When all the reports have been presented to the Committee, the Chairman shall propose the

reports in order, beginning with his own report and proceeding with the remainder in order, and present them until one is accepted as a basis for discussion. The question to be proposed by the Chairman on the report shall be *“That the Chairman’s (or Mr. ...’s) report be read for the second time, paragraph by paragraph”*. When this question has been agreed to, it shall not be proposed on any further report, but any portions thereof may be proposed as amendments to the report under consideration, if they are relevant to it.

(b) The Committee shall then proceed to consider the report paragraph by paragraph, and the provisions of paragraphs (1) to (8) of Standing Order 61 shall apply as if the report were a Bill and the paragraphs thereof the clauses of the Bill.

(c) Upon the conclusion of the consideration of the report paragraph by paragraph and when all proposed new paragraphs have been considered, the question that this report be the report of the Committee to the Legislative Assembly shall be put by the Chairman.

(13) The provisions of paragraph 39(7) shall apply to the deliberations of a Select Committee.

81. (1) Each division in a Select Committee shall be taken by the Secretary by asking each member of the Committee, one by one, how he desires to vote and any such votes shall be written.

Divisions in Select Committees

(2) In taking the division, the names of all members of the Committee present shall be called in alphabetical order.

- (3) When a division is claimed in a Select Committee, each member present shall, unless he expressly states that he declines to vote, record his vote either for the Ayes or Noes. The Secretary shall enter in the minutes of proceedings the record of each member's votes and shall record the names of members declining to vote. A member's vote is according to his voice.
- (4) As soon as the Secretary has collected the votes, the Chairman shall state the number of members voting for the "Ayes" and "Noes" respectively, and he shall then declare the result of the division. The Chairman shall not have voting right but in the event of an equality of votes, the Chairman shall give a casting vote.
- (5) 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, provided that such request is made as soon as the Chairman announces the number of votes and before he shall have declared the result of the division.
- (6) Provision of paragraph 51(5) shall apply to a division in a Select Committee.

82. The evidence taken before a Select Committee and any documents presented to it shall not be published by any member of such Committee, or by any person, before the Committee has presented its report to the Legislative Assembly.

**Premature
publication of
evidence**

83. (1) Every Select Committee shall make a report to the Legislative Assembly upon the matters referred to them before the end of the year of the Legislative Assembly. In the event a Committee

**Reports from Select
Committee**

finds itself unable to conclude its investigation before the end of such year, it may so report to the Legislative Assembly.

- (2) A Select Committee is allowed to 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 attention of the Legislative Assembly.
- (3) A report or special report, together with the minutes of the proceedings of a Select Committee and the minutes of any evidence taken before it, shall be presented to the Legislative Assembly by the Chairman or any member of the Committee, and shall be laid upon the Table and be printed without question put.
- (4) The minutes of proceedings of a Committee shall include all proceedings upon deliberations considering a report or Bill in the Committee, and upon every amendment proposed to such report or Bill together with a note of any division taken in the Committee and the names of members voting therein or declining to vote.
- (5) Any member may, after not less than two days' notice, move in the Legislative Assembly that the report of a Select Committee be adopted.
- (6) When a Bill has been reported to the Legislative Assembly from a Select Committee, the report shall be subjected to the provisions of Standing Order 64.

84. In accordance with the provisions of Article LVII of First Part of the Laws of the Constitution of Perak Darul Ridzuan, a Bill or amendment involving expenditure of the Consolidated Fund of Perak shall not

**Bills and amendments
involving expenditure
of Consolidated Fund**

be introduced or moved except by a Member of the State Executive Council.

85.(1) Except with the consent of the Speaker, the Legislative Assembly shall not proceed upon any Bill, amendment, motion or petition which, in the opinion of the Speaker, would suspend the Standing Orders of the House or any of them.

Suspension of Standing Orders

(2) A question, the object of which may be to suspend the operation of any Standing Order or cause to be suspended the operation of the Standing Orders may only be proposed after notice is given or with the consent of the Speaker.

86. Notwithstanding Article XXXVA of First Part of Laws of the Constitution of Perak Darul Ridzuan, a member shall acquaint the Secretary immediately of his inability to attend a meeting of the Legislative Assembly.

Absence of members

87. No member shall appear before the Legislative Assembly or any Committee of the Legislative Assembly, in any capacity for which he is to receive a fee or reward, or as Advocate or Solicitor for any party.

Prohibition against members providing service in Professional capacity

88. (1) Strangers shall be admitted to meetings in the Legislative Assembly under such rules as the Speaker may issue from time to time.

Strangers

(2) If any member takes notice that strangers are present, the Chairman shall put forthwith the question "*That strangers to withdraw*", without permitting any debate or amendment.

(3) The Chairman may, if he thinks fit, order the withdrawal of strangers from the whole or any part of the Legislative Assembly.

- (4) The Secretary shall remove or cause to be removed any unauthorized strangers or who may be reported to be in any part of the Legislative Assembly or gallery, who have misconduct themselves or refuse to withdraw when directed, while the Legislative Assembly or any Committee of the Whole Legislative Assembly is sitting.

89. The Speaker may grant a general permission to the representative of any media to attend the sittings of the Legislative Assembly under such rules as he may issue from time to time. If the media representative contravened such rules, the permission may be revoked.

Press representative

90. The enacting formula of Bills shall be as follows:
“Enacted by the Legislature of the State of Perak Darul Ridzuan”.

Enacting formula of Bills

91. (1) Every Bill which has been assented by His Royal Highness shall be published forthwith in the State Government *Gazette*.

Publication of bills in the Government Gazette

(2) At any time before such publication, the Secretary may correct grammatical and printing mistakes in the Enactment, repetitions of substance, errors in cross-references, punctuation or marginal notes and in so doing he may add, delete any word or replace them with other words without changing the real meaning.

92. The sum to be paid or tendered for the expenses of a witness who is summoned to attend or to put forward any document shall be the sum equivalent to a witness attending Court in accordance with the rules for the time being in force under the code relating to criminal procedure:

Expenses of witnesses

Provided that in applying such rules, any reference therein to a Judge or Registrar of the High Court shall be construed as a reference to the Speaker or Secretary, as the case may be.

93. In these Standing Orders, unless the context otherwise requires —

Interpretation

“Bill” means the draft of a law, whether new or amended introduced for approval of the Legislative Assembly;

“Chairman” shall be construed to include the Speaker, Deputy Speaker or any member appointed under these Standing Orders;

“collection of voices” means resolving a problem by voice based on the rulings of the Speaker;

“debate” means discussion on a matter including motions and Bills;

“division” shall be construed as one of the methods of voting through a head count or according to block;

“Hari Kalung” attire” means the Number One (1) Attire for Members of the Legislative Assembly and the official robe for the Speaker, Deputy Speaker and Secretary;

“Lounge Suit” shall be construed as dark-coloured suit, collared shirt, tie, dark-coloured socks and shoes;

“meeting” means any sitting or sittings of the Legislative Assembly commencing when the Legislative Assembly first meets after being summoned at any time and terminating when the Legislative Assembly is adjourned for more than

fourteen days or *sine die* or at the conclusion of a year;

“member” shall mean a person who has taken oath under paragraph 1(f);

“Menteri Besar” shall be construed to include a person directed to carry out the duties and powers of the Menteri Besar in his absence;

“motion” means a matter introduced by a member to be decided in the Legislative Assembly;

“Order Book” means all business set for the following day and any notice in relation to questions or motions set for the following days whether or not the exact day has been ascertained;

“Meeting Paper” means the paper containing business of meeting presented on every sitting day;

“petition” means an application or appeal presented by a group of members of the public to the Government through a member;

“public business” means business wherein public interest is to be given priority by the government through motion introduced by a member;

“question” means oral and written questions presented by a member to the Secretary;

“Secretary” means the Secretary of the Legislative Assembly and includes the Assistant Secretary of the Legislative Assembly;

“Select Committee” shall be construed to include Special Select Committees or Sessional Select Committees, as the case may be;

“session” means the sittings of the Legislative Assembly commencing when the Legislative Assembly first meets after being constituted or after its prorogation or dissolution at any time and terminating when the Legislative Assembly is prorogued or is dissolved without having been prorogued; and

“sitting” means a period, in days, during which the Legislative Assembly is sitting continuously (including the period it is in meeting) without adjournment, and includes any period the Legislative Assembly sits as a Committee.

94. The decision of the Speaker upon any point of interpretation of any of these Standing Orders, or upon any matter of practice, shall, subject to a substantive motion moved for that purpose, be final, and the Speaker may from time to time issue rulings thereon.

Rulings of the Speaker

95. All matters not specifically provided in these Standing Orders and all matters relating to the detailed working of these Standing Orders shall be regulated in such manner, not inconsistent with these Orders, as the Speaker may from time to time direct; and in issuing such direction, the Speaker shall have regard to Malaysian and Commonwealth Parliamentary practice, inasmuch as the same may be applicable to the proceedings of the Legislative Assembly.

Residuary powers

LEGISLATIVE ASSEMBLY

Producer for dealing with the Development Estimates

The Menteri Besar or any member of the State Executive Council, at the appropriate time, will move the following motion of which notice has been given. In doing so, he will make general observations and give reasons for the proposal that the Legislative Assembly should resolve itself into Committee of the whole Legislative Assembly:

“That this Legislative Assembly doth now resolve itself into Committee of the whole Legislative Assembly to consider the Statement laid on the Table as Paper No... of the 20... and to recommend whether the expenditure shown therein shall be approved by this Legislative Assembly with or without modification”

After this motion has been seconded, it is open to debate, and amendments may be moved.

At the conclusion of the debate, Speaker will put the question to the Legislative Assembly. If the Legislative Assembly agrees to the substantive motion, Speaker will say *“Legislative Assembly in Committee”*

In Committee

The Secretary to the Assembly will call all the heads in the Development Estimates and the Menteri Besar or any member of the State Executive Council then moves that the expenditure shown under head No ... to head No ... totalling RM... be approved.

Amendments may be moved by any member, but they must conform to the provisions of Standing Orders.

(The ordinary rules of procedure in Committee will apply, i.e —

- (i) a member may speak more than once on the same question;
- (ii) a motion need not be seconded.)

At the conclusion of the debate, the Menteri Besar or any Member of the State Executive Council will move: That the resolutions agreed upon by this Committee be reported immediately to the Legislative Assembly.

Speaker will put the question, and if it is agreed to, will say: "*Legislative Assembly resumes*"

In Legislative Assembly

The Menteri Besar or any member of the State Executive Council will say: "*Speaker, I beg to report that the Committee appointed to consider the proposals set out in Paper No ... of 20... has become certain resolutions, namely, that the proposals set out in Paper No ... of 20... should be approved (and if there are amendments— 'subject to the following modifications ...').*"

He will then move a motion as follows:

"Speaker, Sir I beg to move that this Legislative Assembly doth agree with the Committee in its resolutions namely, that the expenditure of RM... proposed in the statement laid on the Table as Paper No ... of 20... be approved by this Legislative Assembly and accordingly resolves that a sum not exceeding RM... be expended out of the Development Fund in the

financial year 20... and that to meet the heads and sub-heads of expenditure set out in the ... column of the statement aforesaid there shall be appropriated the sum specified in respect thereof in the ... and ... column and that the resolution passed by this Legislative Assembly on ... in respect of expenditure to be met out of the Development Fund for the financial year 20... be rescinded”

A member will second the motion. The motion is then open to debate. At the conclusion of the debate, Speaker will put the question.

AMENDMENTS

- | | | | | |
|----|------------------|-----|-----|-------------------|
| 1. | First Amendment | ... | ... | 1 May 1988 |
| 2. | Second Amendment | ... | ... | 11 September 2015 |
| 3. | Third Amendment | ... | ... | 20 July 2022 |