



SENATE OF PAKISTAN

RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN *THE* SENATE 2012

(As amended upto 28th December, 2015)

P R E F A C E

Rules of Procedure and Conduct of Business are ‘standing orders’ whereby the business in the House, Committees and other Parliamentary functions are conducted in an organized and disciplined manner. The Senate of Pakistan, immediately after its establishment in 1973, adopted the Rules of Procedure and Conduct of Business in the Senate, 1973 which were repealed when Rules of Procedure and Conduct of Business in the Senate, 1988 were adopted. The Rules currently in force in the Senate are the one’s adopted by the Senate of Pakistan on 8th March, 2012.

The major change or addition in these rules, since March 2012, is incorporation of a whole set of new rules for establishment of Senate Forum for Policy Research (rule 269 to 276). Other changes since March, 2012 are in the Zero Hour and Calling Attention Notice (rules 61 & 64 respectively).

This edition of the Rules is being published on the eve of renewal of Senate after election of half of its membership in March, 2015. For the facilitations of members come IT based initiatives are also being taken to ensure easy access to these rules as and when required. Better understanding and adherence to the Rules of Procedure and Conduct of Business in the Senate will definitely enhance Parliamentary practice and performance.

AMJED PERVEZ
Secretary

Islamabad, the 10th February, 2015.

FOREWORD

In pursuance of clause (2) of Article 67 of the Constitution, the Senate made the Rules of Procedure and Conduct of Business in the Senate, 1988, which remained in force for twenty four years.

Due to various amendments made in the Constitution, changed political scenario and experience gained over time, it became imperative to carry out necessary revision of the existing rules including addition of some new rules. The revised rules were unanimously passed by the Senate on 8th March, 2012.

It is placed on record that the keen interest and valuable contribution made by members of both the 2006-2009 and the 2009-2012 Committee on Rules of Procedure and Privileges, headed by me. The collective wisdom, support and cooperation of the whole House extended to me and to the Committee helped to streamline our effort.

I must mention the professional guidance, contribution and input of Chairman Senate Mr. Farooq H. Naek and the support he extended to the entire exercise. I thank Secretary Senate, Mr. Iftikhar Ullah Babar, former Secretary Senate, Raja Muhammad Amin and their staff for their keen eye and whole hearted cooperation.

The untiring, constant and valuable contribution of Mr. Mehboob Ali, Additional Secretary, Senate and Secretary of the Committee, needs very special mention. His pain's taking efforts helped immensely to bring this herculean book to fruition.

It is hoped that the new rules will not only update and streamline the procedure and conduct of business in the Senate but also help in establishing true and sustainable democracy in the country and greatly enhance the honour, dignity and prestige of the Senate.

**Senator Col. (R) Syed Tahir
Hussain Mashhadi
Chairman Committee**

**RULES OF PROCEDURE AND CONDUCT OF
BUSINESS IN THE SENATE, 2012**

CHAPTER I

SHORT TITLE AND DEFINITIONS

1. **Short Title and commencement.**— (1) These Rules may be called the Rules of Procedure and Conduct of Business in the Senate, 2012.

(2) They shall come into force at once.

2. **Definitions.**— (1) In these rules, unless there is anything repugnant in the subject or context:-

“**Adviser**” means a person appointed as Adviser under Article 93 of the Constitution.

“**Amendment**” means a motion to amend an earlier motion before that earlier motion is put to the Senate for its decision;

“**Assembly**” means the National Assembly;

“**Bill**” means a motion for making a law;

“**Chairman**” means the Chairman of the Senate and includes the Deputy Chairman or in relation to a particular sitting, any other member when acting or performing the function of the Chairman;

“**Chamber**” means the place where the Senate meets to transact its business;

“**Committee**” means a committee constituted under these rules;

“**Constitution**” means the Constitution of the Islamic Republic of Pakistan;

“**Gazette**” means the Gazette of Pakistan;

“**Government**” means the Federal Government;

“**House**” means the Senate;

“**Leader of the House**” means the Prime Minister or a member appointed by him to represent Government and regulate Government business in the Senate when the Prime Minister is not sitting in the House;

“**Leader of the Opposition**” means a member of the House, who enjoys the support of the majority of the members in opposition to the Government in the House, and is declared as such by the Chairman of the Senate;

“**Lobby**” means the rooms and covered corridors immediately adjoining the Chamber and designated as Division Lobbies;

“**Member**” means a member of the Senate;

“**Member-In-Charge**” means, in the case of a Government Bill, a Minister or an Adviser and, in any other case, the member who has introduced the Bill or a member authorised by him in writing to assume charge of the Bill;

“**Minister**” means the Prime Minister, a Federal Minister or a Minister of State;

“**Motion**” means a proposal made by a member or a Minister or an Adviser relating to any matter which may be discussed by the Senate and includes an amendment;

“**Orders of the Day**” means the list of business to be brought before the Senate on any day;

“**Precincts of the Senate**” means and includes the Chamber, Lobbies, the Galleries and such other places as the Chairman may from time to time specify;

“**Presiding Officer**” means, in relation to a sitting, any person who is presiding over that sitting;

“**Private member**” means a member other than a Minister or an Adviser;

“**Resolution**” means a motion for the purpose of discussing and expressing an opinion on a matter of general public interest and includes a resolution specified in the Constitution;

“**Schedule**” means a schedule appended to these rules;

“**Secretary**” means the Secretary of the Senate and includes any person for the time being performing the functions of the Secretary;

“**Session**” means the period commencing on the day of the first sitting of the Senate after having been summoned and ending on the day it is prorogued;

“**Sitting**” means the meeting of the Senate or a Committee from the commencement of its business to the termination of the business for the day;

“Starred Question” means a question for an oral answer;

“Table” means the Table of the Senate and includes its Library; and

“Unstarred Question” means a question for a written answer.

(2) Words and expressions used in the Constitution and also in these rules shall, unless the context otherwise requires, have the meanings assigned to them in the Constitution.

CHAPTER-II

**SUMMONING, PROROGATION AND QUORUM OF
THE SENATE, SEATING, OATH AND ROLL OF
MEMBERS**

3. **Summoning of the Senate.**- When the Senate is summoned by the President under Article 54(1), or by the Chairman under Article 54(3) on a requisition signed by not less than one-fourth of the total membership of the Senate, the Secretary shall cause a notification to be published in the Gazette stating the date, time and place of the meeting, and shall, as far as practicable, also cause it to be issued to each member:

Provided that when a session is called at short notice or emergently, publication of the notification in the Gazette and its announcement over the radio/T.V. and in the press shall be deemed to be sufficient notice of the meeting to the members who shall also be informed by Courier Service.

4. **Prorogation of the Senate.**— When the Senate is prorogued, the Secretary shall cause a notification to that effect to be published in the Gazette.

5. **Quorum.**— If, at any time during a sitting of the Senate, the attention of the Presiding Officer is drawn to the fact that less than one-fourth of the total membership of the Senate is present, he shall cause the bells to be rung for five minutes, but if no quorum is available even when the bells stop ringing, he shall adjourn the sitting for thirty minutes and if again there is no quorum he shall adjourn the sitting for the next working day:

Provided that a member pointing out quorum shall remain present in the Chamber until a decision is made by the Chairman on the pointation of quorum.

6. **Oath of members.**— A person elected as member shall, before taking seat in the Senate, make before the Senate oath in the form set out in the Third Schedule to the Constitution.

7. **Roll of members.**— There shall be a Roll of Members which shall be signed by every member after making the oath before the Senate.

8. **Seating of members.**— The members shall sit in such order as the Chairman, or before the Chairman is elected, the Secretary may determine.

CHAPTER III

**THE CHAIRMAN, DEPUTY CHAIRMAN, PANEL
OF PRESIDING OFFICERS AND THE LEADER OF
THE OPPOSITION**

9. **Election of Chairman.**— (1) At the first meeting of the Senate, after the members have taken oath and to the exclusion of any other business including privilege and adjournment motions, the Senate shall proceed to elect from amongst its members a Chairman, and so often as the Office of the Chairman becomes vacant the Senate shall elect another member as its Chairman, in accordance with the rules.

*[(2) The first meeting of the Senate for election of the Chairman shall be presided over by the outgoing Chairman or, in his absence, by a person nominated by the President, for the purpose, hereinafter in this rule and in rule 10 referred to as the Presiding Officer:

Provided that no person shall preside over the meeting for the election in which he himself is a candidate.

(2A) Any subsequent meeting for the election of the Chairman shall be presided over by the outgoing Chairman or, in his absence, by the Deputy Chairman or when the office of Deputy Chairman is also vacant or he is otherwise unable to preside over such meeting, by a person nominated by the President, for the purpose, hereinafter in this rule and in rule 10 referred to as the Presiding Officer:

Provided that no person shall preside over the meeting for the election in which he himself is a candidate.]

(3) At any time before 12.00 noon on the day fixed for election, any member may propose another member for election as Chairman by delivering to the Secretary a nomination paper signed by him and accompanied by a statement by the member whose name is proposed that he is willing to serve as Chairman, if elected.

* *Substituted by SRO 801(1)/2015, dt.10-07-2015.*

(4) A member who has been nominated may, in writing, withdraw his candidature at any time before the Senate proceeds to elect a Chairman.

(5) On the day of election, the Presiding Officer shall read out to the Senate the names of the members who have been duly nominated and have not withdrawn their candidature, as also the names of their proposers, and, if there is only one such member, shall declare that member to have been elected.

(6) Where, after withdrawals, if any, there remain only two candidates for election, a ballot shall be held between them and the candidate who secures more votes than the other shall be declared to have been elected. If both the candidates secure an equal number of votes, a fresh ballot shall, be held between them until one of them secures more votes than the other, and the candidate securing more votes shall be declared to have been elected.

(7) Where, after withdrawals, if any, there remain more than two candidates for election, the candidate securing more votes than the aggregate of votes secured by the other candidates shall be declared to have been elected. If no candidate secures more votes than the aggregate of votes secured by the other candidates, there shall be a fresh ballot at which the candidate who secured the lowest number of votes at the last ballot shall be excluded from the election, and the balloting shall in like manner proceed until one candidate secures more votes than the remaining candidate or, as the case may be, the remaining candidates in the aggregate, and such candidate shall be declared to have been elected.

(8) Where at any ballot any three or more candidates secure an equal number of votes and one of them has to be excluded from election under sub-rule (7), the question as to which one of such candidates is to be excluded shall be determined by drawing of lots.

(9) The member elected as Chairman shall, before entering upon office, make before the Senate oath in the form set out in the Third Schedule to the Constitution.

10. Election of Deputy Chairman.— (1) Immediately after the election of Chairman, the Senate shall proceed to elect a Deputy Chairman and the procedure prescribed in rule 9 for the election of Chairman shall apply to the election of Deputy Chairman as if references therein to Chairman were references to Deputy Chairman and references to the Presiding Officer were references to the Chairman.

(2) A member elected as Deputy Chairman shall, before entering upon office, make before the Senate oath in the form set out in the Third Schedule to the Constitution.

11. **Vacancy in the office of Chairman or Deputy Chairman.**- Whenever the office of Chairman or Deputy Chairman becomes vacant, an election to fill that office shall be held,-

- (a) if the Senate is in session, as soon as possible but not later than seven days, during that session; and
- (b) if the Senate is not in session, within seven days from the commencement of its next session.

12. **Removal of Chairman or Deputy Chairman.—**

(1) Not less than one-fourth of the total membership of the House may give to the Secretary notice in writing of a motion for leave to move a resolution under Article 61 read with paragraph (c) of clause (7) of Article 53 of the Constitution for the removal from office of the Chairman or the Deputy Chairman and the Secretary shall forthwith circulate the notice to the members.

(2) After the notice has been received, the Senate shall not be adjourned to a date later than seven clear days excluding closed holidays.

(3) The motion for leave to move the resolution shall be entered in the names of the members concerned in the Orders of the Day for the first working day after the expiry of seven days from the date of the receipt of the notice under sub-rule (1).

(4) No other item shall be included in the Orders of the Day for the day fixed for a motion for leave to move a resolution under sub-rule (3).

(5) The Chairman or, as the case may be, the Deputy Chairman shall not preside over a sitting of the Senate in which a resolution for his removal from office is fixed for consideration.

(6) The Presiding Officer shall call upon the first available member on the list of movers to move the motion, on his behalf and on behalf of such other members, referred to in sub-rule (3).

(7) Immediately after the motion referred to in sub-rule (3) has been moved, the Presiding Officer shall call such of the members as may be in favour of the leave being granted to rise in their seats and, if at least one-fourth of the total membership of the Senate does not so rise, he shall declare that the member has not the leave of the Senate or, if such membership so rises, call upon the member concerned to move the resolution.

(8) Except with the permission of the Presiding Officer, a member shall not speak on the resolution for more than fifteen minutes:

Provided that the mover of the resolution and the Chairman or, as the case may be, the Deputy Chairman, against whom the motion has been moved, may speak for thirty minutes or such longer time as the Presiding Officer may permit.

(9) The Senate shall not be adjourned until the motion for leave is disposed of or, if leave is granted, the resolution has been voted upon.

(10) Voting on the resolution shall be by secret ballot which shall be held in such manner as the Presiding Officer may direct.

(11) If the session during which notice has been given under sub-rule (1) has been convened by the Chairman in pursuance of Article 61 read with clause (3) of Article 54 of the Constitution, the Senate shall not be prorogued until the motion has been disposed of or, if leave is granted, the resolution has been voted upon.

(12) The Chairman or, as the case may be, Deputy Chairman shall stand removed from his office on the resolution being passed by a majority of the total membership of the Senate.

13. Powers and functions of the Chairman.— (1) In addition to the specific functions and powers provided by these rules and subject to sub-rule (5) of rule 12, the Chairman shall take the Chair at every sitting of the Senate.

(2) The Chairman shall preserve order and decorum in the House and, in case of disturbance or disorder in the galleries, may cause them to be cleared.

(3) The Chairman shall decide all points of order.

(4) The Chairman may initiate, when necessary, such action against those responsible for violating prestige and / or privilege of the House by act of commission or omission including action that may obstruct the working / proceedings of the House.

(5) Subject to sub-rule (5) of rule 12, in the absence of the Chairman, the Deputy Chairman shall take the Chair at a sitting.

(6) The Chairman may, by order in writing, delegate to the Deputy Chairman all or any of his powers under these rules.

14. Panel of Presiding Officers.- (1) At the commencement of each session, the Chairman shall nominate, in order of precedence, from amongst the members a panel of not more than three Presiding Officers and, in the absence of the Chairman and the Deputy Chairman, the member having precedence amongst those present shall preside at the sitting.

(2) If at any time at a sitting of the Senate neither the Chairman nor the Deputy Chairman nor any member on the panel is present, the Secretary shall so inform the Senate and the Senate shall, by motion, elect one of the members present to preside at the sitting.

**INDEPENDENT MEMBERS AND GROUPS AND
DECLARATION OF THE LEADER OF THE
OPPOSITION**

15. **Independent members and groups.-** (1) An independent member including a member from FATA, elected to the Senate, may exercise his option to join the treasury or, as the case may be, the opposition benches within seven days of making oath before the Senate and shall inform the Secretary in writing, who shall immediately notify the option so exercised by the member.

(2) An independent member who withdraws support to the treasury or the opposition benches, an intimation to that effect shall be given to the Secretary in writing, who shall immediately notify the same.

(3) Independent members including members from FATA may form a group of not less than five members who shall nominate one of the members of the group to be their leader in the Senate and inform the Secretary in writing who shall immediately notify the same.

16. **Declaration of Leader of the Opposition.—** (1) After the election of Chairman and Deputy Chairman under Article 60 of the Constitution and at any time thereafter the Chairman shall declare Leader of the Opposition within fifteen days.

(2) The Chairman shall inform the members about the date, time and place for submission of a name for the Leader of the Opposition under their signatures:

Provided that an independent member including a member from FATA, elected to the Senate, who has not given his option to join the opposition benches, shall not be eligible to support any member for the office of Leader of the Opposition.

(3) The Chairman shall declare a member as Leader of the Opposition having the support of majority of the members in opposition:

Provided that if two or more members have equal support for the office of Leader of the Opposition, the member belonging to the party having largest numerical strength in the Opposition to the Government, shall be declared by the Chairman, as Leader of the Opposition in the Senate.

(4) A Leader of the Opposition so declared shall lose the office of the Leader of the Opposition as and when the majority of the members in Opposition withdraw their support.

(5) As a result of loss of support under sub-rule (4) the Chairman may declare another member as Leader of the Opposition, under this rule.

CHAPTER IV

ATTENDANCE AND RESIGNATION OF THE MEMBERS OF THE SENATE

17. **Leave of absence from the Senate.**— (1) A member desirous of obtaining leave for his absence from any sitting or session of the Senate shall make an application in writing under his hand addressed to the Chairman stating reasons for his absence.

(2) On receipt of an application under sub-rule(1), the Chairman shall, immediately after the questions, if any, put the question, without debate, that leave be granted.

(3) Where a member is prevented or incapacitated from making such an application, leave of the Senate may be granted on a motion moved by an other member, or on the basis of an application made *ex-post-facto*.

(4) The Secretary shall, as soon as possible, communicate the decision of the Senate to the member concerned.

18. **Resignation of Seat.**— (1) A member may resign his seat under clause (1) of Article 64 of the Constitution, by writing under his hand addressed to the Chairman where-upon resignation shall become effective after verification by the Chairman from the member.

(2) The Chairman shall record date and time of resignation and Secretary shall cause the Gazette Notification of the resignation issued and shall send a copy thereof to the Chief Election Commissioner for taking steps to fill the vacancy thus caused.

19. **Seat becoming vacant.**— (1) If a member is absent, without leave of the Senate, for forty consecutive days of its sittings the Chairman shall bring the fact to the notice of the Senate and thereupon any member may move that the seat of the member who has been so absent be declared vacant under clause (2) of Article 64 of the Constitution.

(2) If the seat of the member is declared vacant, the Secretary shall communicate the fact to the Chief Election Commissioner and to the member concerned.

20. **Attendance register.**— The Secretary shall cause a register to be kept showing the attendance of each member at each sitting and shall make the register available for inspection of the members.

CHAPTER V

SITTINGS OF SENATE AND CLASSIFICATION
AND ARRANGEMENT OF BUSINESS

21. **Calendar of sessions for the year.**-(1) At the commencement of the first session of each year, the Government shall in consultation with the Chairman provide a provisional calendar of sessions for the parliamentary year.

(2) The Chairman shall cause the provisional calendar to be circulated amongst the members forthwith.

(3) The President on the advice of the Prime Minister shall summon the Senate to meet, as far as practicable, on dates mentioned in the provisional calendar:

Provided that the President may, if so advised by the Prime Minister, summon the Senate to meet on a date different from that mentioned in the provisional calendar and intimation thereof shall be given to the Chairman who shall inform the members.

(4) Nothing contained in this rule shall limit the power of the Chairman to summon a Session of the Senate in terms of clause (3) of Article 54 of the Constitution.

22. **Days of sitting.**- (1) The Senate shall sit on such days as the Chairman, having regard to the state of business of the Senate, may, from time to time, direct.

(2) Every sitting shall commence with recitation from the Holy Quran followed by its Urdu translation.

23. **Hours of sitting and adjournment.**-(1) Every sitting of the Senate shall commence at such hour as the Chairman may direct.

(2) Subject to the other provisions of these rules, the Chairman may-

- (a) adjourn a sitting of the Senate *sine die* or to a particular day or to some other time on the same day; and
- (b) if he thinks fit, call sitting of the Senate at a time or date different from that to which it was earlier adjourned.

24. **Classes of Business.**— (1) Business of the Senate shall be classified as—

- (i) Government business;
- (ii) Private members' business; and
- (iii) Senate Business.

(2) The Secretary shall place the formal Senate business on the Orders of the Day as soon as practicable after the same has been received.

(3) Formal Senate business shall take precedence over other business on the day on which it is set down for consideration.

(4) The Chairman shall, after consultation with the Leader of the House or the Minister for Parliamentary Affairs, or any other Minister so authorized and the Leader of the Opposition or a member authorized by him in this behalf, fix the time and date for discussion of the Senate business.

(5) The Government Business shall include Bills, resolutions, amendments and other motions introduced, initiated or moved by a Minister.

(6) Private members' Business shall include Bills, resolutions, amendments and other motions introduced, initiated or moved by the private members.

(7) Senate business shall include business relating to Committees and such other business as the Chairman may designate as Senate Business.

25. Allotment of time for transaction of business.—

(1) On Mondays private members' business shall have precedence, and on all other days no business other than Government business shall be transacted except with the consent of the Leader of the House:

Provided that urgent Government business may be transacted on private members' day as a last item of the business of the day:

Provided further that if any Monday is a holiday and no sitting is held on that day private member's business shall have precedence on the next working day

Explanation,- The Ministers, Ministers of State or Advisers in whose name the business stands or to whom it has been addressed in the Orders of the Day shall subject to the provisions of clause (6) of Article 91 of the Constitution remain present in the Senate till disposal of the business concerning their Ministry or Division.

26. Arrangement of Government Business.- The Secretary shall arrange the Government business in such order as the Leader of the House or the Minister for Parliamentary Affairs or any other Minister authorized by the Leader of the House may intimate:

Provided that such order shall be intimated to the Secretary a day before the commencement of the sitting to which the order relates.

27. **Precedence of private members' Bills.**— (1) The relative precedence of private members' Bills shall be determined by ballot to be held in accordance with the procedure set out in the First Schedule:

Provided that the Chairman may, from time to time, make such variations in the procedure as he thinks fit.

(2) The ballot shall be held on a day, not being a day less than five days before the day with reference to which the ballot is held, as the Chairman may direct, and the members shall be informed accordingly.

(3) Unless the House decides otherwise, on a day on which private members' business has precedence, private members' Bills shall be taken up in the following order:-

- (i) Bills to be introduced;
- (ii) Bills passed by the Assembly and transmitted to the Senate;
- (iii) Bills passed with amendments by the Assembly and sent back to the Senate;
- (iv) Bills reported upon, or not reported upon within the time allowed, by a Standing Committee;
- (v) Bills in respect of which the report of a Select Committee has been presented;
- (vi) Bills in respect of which a motion has been carried that the Bill be taken into consideration;
- (vii) Bills which have been circulated for the purpose of eliciting public opinion thereon; and
- (viii) Other Bills.

(4) The relative precedence of Bills falling under the same paragraph of sub-rule (3) shall be determined by ballot to be held in accordance with the procedure set out in the First Schedule:

Provided that the Chairman, may, from time to time, make such variations in the procedure as he thinks fit.

28. **Ballot in respect of identical Bills.**— If notices of two or more identical Bills are received, the Bill securing first place in the ballot shall be proceeded with and, in case a motion for leave to introduce the Bill securing first place in the ballot is moved, the remaining Bills shall not be proceeded with.

29. **Precedence of resolutions.**— (1) The relative precedence of resolutions, notices of which have been given by private members and which have been admitted shall be determined by ballot to be held in accordance with the procedure set out in the ` on a day, not being a day less than five days before the day with reference to which the ballot is held:

Provided that the Chairman may, from time to time, make such variations in the procedure as he thinks fit:

Provided further that not more than three resolutions, notices of which have given by any one member, shall be included in the ballot to be held for any one day and, unless the member has indicated his preference for any three of such resolutions, his first three resolutions in the order of their receipt shall be included in the ballot.

(2) A resolution which does not find place in the ballot shall not lapse but shall be included in the subsequent ballot in the same session.

30. **Orders of the Day.**— (1) The Secretary shall prepare the Orders of the Day and make a copy thereof available for the use of every member and any other person entitled under the Constitution to speak or otherwise take part in the proceedings of the Senate.

(2) Save as otherwise provided by these Rules,—

- (i) the business for the day shall be transacted in the order in which it appears in the Orders of the Day;
- (ii) no business not included in the Orders of the Day shall be transacted at any sitting without the leave of the House; and
- (iii) no business requiring notice shall be set down for a day earlier than the day following the day on which the period of the notice necessary for that class of business expires.

(3) Unless the Chairman otherwise directs, not more than five resolutions (excluding any resolution moved on, and outstanding from, a previous day) shall be set down in the Orders of the Day for any day on which private members' business has precedence.

31. **Business outstanding at the end of the day.**— (1) Notwithstanding anything contained in rule 27 or rule 29, any private members' business which has been commenced shall be set down for the next day allotted to business of that class and shall have precedence over all other business set down for that day.

(2) Private members' business set down for any day and not moved on that day shall not be set down for any subsequent day, unless it has gained precedence at the ballot held with reference to that day.

CHAPTER VI

PRESIDENT'S ADDRESS

32. **President's Address.**—(1) An address by the President under clauses (1) and (3) of Article 56 of the Constitution shall be discussed by means of a motion of thanks.

(2) As soon as may be, after the Address of the President, a Minister shall lay a copy of the Address on the Table.

33. **Allotment of time for discussion of President's Address.**— The Chairman shall allot one or more days for discussion of the matters referred to in the President's Address and for this purpose the Chairman may suspend or vary the rules to the extent necessary.

34. **Scope of discussion.**— On the day allotted under rule 33, the Senate may discuss the matters referred to in such Address on a motion of thanks moved by a Minister or member.

35. **Amendments.**— Amendments may be moved to a motion of thanks in such form as may be considered appropriate by the Chairman.

36. **Transaction of other business on a day appointed for discussion of President's Address.**— (1) Notwithstanding that a day has been allotted for discussion on the President's Address.-

- (i) a motion for leave to introduce a Bill may be made and a Bill may be introduced on such day; and
- (ii) other business of a formal character like laying of reports or documents excluding adjournment motions may be transacted on such day before the Senate commences or continues the discussion on the Address.

(2) The discussion on the President's Address may be postponed in favour of a Government Bill or other Government business on a motion being made that the discussion on the Address be adjourned to a subsequent day to be appointed by the Chairman. The Chairman shall forthwith put the question, no amendment or debate being allowed.

37. **Time limit for speeches.**-The Chairman may, if he thinks fit, prescribe a time-limit for speeches, after taking the sense of the Senate.

38. **Government's right of reply.**-A Minister, whether he has previously taken part in the discussion or not, shall, on behalf of the Government, have a general right of

explaining the position of the Government at the end of the discussion.

39. **Message from the President.**— (1) Where a message from the President for the House is received by the Chairman, under Article 56(2) of the Constitution he shall read the message to the House.

(2) The Chairman may, if he considers it necessary or on a motion moved by a Minister or member, allot time for discussion of matters raised in the message and for this purpose the Chairman may suspend or vary the rules to the extent necessary.

(3) If the message is received when the Senate is not in session, the Chairman may advise the Government to summon the Senate for discussion of the matters raised in the message.

40. **Communications to the President.**— Communications from the Senate to the President after a motion therefore has been made and carried in the Senate shall be made through the Chairman.

CHAPTER VII

QUESTIONS

41. **Time of questions.**— Except as otherwise provided in these rules, the first hour of every sitting, after the recitation from the Holy Quran, and the making of oath by members, if any, shall be available for asking and answering of questions:

Provided that there shall be no question hour on a day designated as private members' day.

42. **Notice of questions.**— Not less than thirteen working days' notice of a question shall be given unless the Chairman, with the consent of the Minister concerned, allows a question to be asked at a shorter notice.

43. **Form of notice of questions.**— (1) A separate notice of each question shall be given in writing to the Secretary and shall specify the official designation of the Minister to whom it is addressed, or, if the question is addressed to a private member, the name of that member:

*[Provided that a notice received from an authenticated e-mail address of the Member to the prescribed e-mail address of the Senate Secretariat shall be deemed to be a proper notice in terms of sub-rule (1).

Explanation.- For the purposes of this rule, 'authenticated' means an e-mail address duly verified by a Member and 'prescribed' means notified by the Senate Secretariat.]

(2) A member who desires to ask a Starred Question shall distinguish it with an asterisk:

Provided that if, in the opinion of the Chairman, any Starred Question is of such a nature that a written reply would be more appropriate, he may direct that such question be placed on the list of Unstarred Questions.

44. **Notice of admission of questions.**— No question shall be placed on the list of questions for answer until eight working days have expired from the day when notice of admission of the question by the Chairman was given by the Secretary to the Minister or the member to whom it is addressed.

45. **Number and order of questions to be put on a day.**— (1) Not more than three Starred Questions including short notice questions and five Unstarred Questions from the same member shall be placed on the list of questions for a day:

**Added by SRO-----, dt.-----*

Provided that nothing in this sub-rule shall apply to a question deferred from an earlier date or transferred from one Division to another.

(2) The questions shall be arranged in the list of questions in the order in which their notices are received.

(3) A member may by notice in writing given at any time before the sitting for which his question has been placed on the list withdraw his question or with the consent of the Chairman request for the postponement of a question to a later date as specified in the notice. The question once postponed will not be postponed for the second time. The postponed question shall not be placed on the list until two clear days have expired from the time when the notice of postponement was received by the Secretary.

46. **Allotment of days for questions.**— The time available for answering questions shall be allotted on different days in rotation for the answering of questions relating to such Division or Divisions of the Government as the Chairman may, from time to time, specify and, on such day, unless the Chairman with the consent of the Minister concerned otherwise directs, only questions relating to the Division or Divisions for which time on that day has been allotted shall be placed on the list of questions for answers.

Explanation,- The Ministers and Ministers of State or Advisers whose questions have been set down for answering on a day allotted to their Ministries shall, subject to provisions of clause (6) of Article 91 of the Constitution, remain present in the House during question hour and will not leave the Senate till the business concerning their Ministries is disposed of.

47 **Written answers to questions not replied orally.**- If any question placed on the list of questions for answer on any day is not called for answer within the time available for answering questions on that day, the answer already supplied by the Minister concerned, or the member to whom the question is addressed, shall be laid on the Table and no oral reply shall be required for such question nor shall any supplementary question be asked in respect thereof:

Provided that if the Minister concerned is not ready with the answer to the question, the question shall be put for answer on the next following day allotted for the Division in the charge of that Minister or on a day to be specified by the Chairman in consultation with the Minister.

48 **Subject matter of questions.**— (1) Subject to the provisions of these rules, a question may be asked for the purpose of obtaining information on a matter of public concern within the special cognizance of the Minister to whom it is addressed.

(2) A question addressed to a Minister must relate to the public affairs with which he is officially connected or to a matter of administration for which he is responsible.

49 **Questions to private members.**— A question may be addressed to a private member provided the subject matter of the question relates to some Bill, resolution or other matter connected with the business of the House for which that member is responsible; and the procedure in regard to such questions shall, as far as may be, be the same as that followed in the case of questions addressed to a Minister with such variations as the Chairman may consider necessary or convenient.

50 **Admissibility of questions.**— In order that a question may be admissible, it must satisfy the following conditions, namely:—

- (i) it shall not bring in any name or statement not strictly necessary to make the question intelligible;
- (ii) if it contains a statement, the member shall make himself responsible for the accuracy of the statement;
- (iii) it shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements;
- (iv) it shall not ask for an expression of opinion or the solution of an abstract legal question or a hypothetical proposition;
- (v) it shall not refer to the character or conduct of any person except in his official or public capacity nor to the character or conduct which can be challenged only on a substantive motion;
- (vi) it shall not ordinarily exceed one hundred and fifty words;
- (vii) it shall not relate to a matter which is not primarily the concern of the Government;
- (viii) it shall not make or imply a charge of a personal character;
- (ix) it shall not raise questions of policy too large to be dealt with within the limits of an answer to a question;
- (x) it shall not repeat in substance questions already answered in the Senate or disallowed by the Chairman during the last four months;
- (xi) it shall not be trivial, vexatious, or vague;

- (xii) it shall not ask for information contained in documents ordinarily accessible to the public or ordinary works of reference;
- (xiii) it shall not ask for information on matters under the control of bodies or persons not primarily responsible to the Government, or in which the Government has no financial interest;
- (xiv) it shall not contain references to newspapers by name and shall not ask whether statements in the press or by private individuals or by non-official bodies are accurate;
- (xv) it shall not ask for information regarding Cabinet discussions, or any advice given to the President, or in relation to any matter in respect of which there is a constitutional or statutory obligation not to disclose information;
- (xvi) it shall not ask for information on matters which are under consideration before a Committee of the Senate nor shall it ask for information about the proceedings of any such Committee unless such proceedings have been placed before the Senate by a report of the Committee;
- (xvii) it shall not—
 - (a) contain any reflection on the conduct of the President including foreign Heads of State or Government or a Judge of the Supreme Court or of a High Court; or
 - (b) ask for information on matters which have already been discussed by means of an adjournment motion or otherwise during the same session; or
 - (c) contain any criticism of the decisions of the Senate or the Assembly; or
 - (d) seek information about matters which are in their nature secret or sensitive; or
 - (e) make derogatory or discourteous references to foreign Heads of State, or Government or to a foreign country;
- (xviii) it shall not contain any reflection on a decision of a court of law or a statutory tribunal established in Pakistan or such remarks as are likely to prejudice a matter which is *subjudice*;

- (xix) it shall not ordinarily ask for information on matters of past history which entails collection of data, information, or research of an order or degree not commensurate with effort, time or expenses involved;
- (xx) it shall not ordinarily ask about matters pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of inquiry appointed to enquire into or investigate any matter but may refer to matters concerned with procedure or subject or stage of enquiry if it is not likely to prejudice the consideration of the matter by the tribunal or commission or court of inquiry; and
- (xxi) it shall not ask for information on matters prejudicial to the integrity and security of the country.

51 **Short notice questions.**— (1) The question relating to a matter of public importance may be asked with notice shorter than thirteen clear days and if the Chairman is of the opinion that the question is urgent and admissible he may, after ascertaining from the Minister concerned, fix a date for reply of the question:

Provided that-

- (i) a member may not ask more than one short notice question on any one day; and
 - (ii) a short notice question may not be asked to anticipate reply to a question of which notice has already been given.
- (2) If the Minister concerned agrees to reply, such question shall be answered on a day indicated by him and shall be called immediately after the questions appearing on the list of questions for oral answer have been disposed of.
- (3) If the Minister is unable to answer the question at short notice and the Chairman is of opinion that the question is of sufficient public importance to be orally answered in the Senate, he may direct that the question be placed as the first question on the list of questions for the day on which it would be due for answer under rule 42:

Provided that not more than one such question shall be accorded first priority on the list of questions for any one day.

(4) Where a member desires an oral answer to a question at a short notice, he shall briefly state the reasons for asking the question with short notice. Where no reasons have been assigned in the notice of the question, the question shall be returned to the member.

(5) The member who has given notice of the question shall be in his seat to read the question when called by the Chairman and the Minister concerned shall give a reply immediately.

(6) In other respects, the procedure for short notice questions shall be the same as for ordinary questions for oral answer, with such modifications as the Chairman may consider necessary or convenient.

52 Questions relating to the Secretariat of the Senate.— Questions relating to the Secretariat of the Senate may be asked of the Chairman by means of a private communication and not otherwise or in the House.

53 Questions regarding correspondence between authorities.— A question shall not be asked (except as to a matter of fact) in respect of matters which are or have been the subject of correspondence between the Federal Government and a Provincial Government.

54 Chairman to decide admissibility of questions.— Within five days from the date of receipt of the notice, the Chairman shall decide on the admissibility of a question and shall disallow any question or a part thereof which, in his opinion, is in contravention of these rules, or he may, in his discretion, amend it in form.

55 List of questions.— (1) Questions, which have not been disallowed, shall be entered in the list of questions for the day alongwith the answers, if received from the Minister concerned not later than forty-eight hours before the commencement of the question hour on the day on which the questions are put down for answer:

Provided that the Minister concerned shall give reason(s) for not providing the answers within time:

Provided further if the Secretary of the Ministry or Division concerned responsible to submit a reply to the Senate Secretariat within time fails to do so the Chairman after taking sense of the House may refer the matter to the Committee on Rules of Procedure and Privileges for consideration.

(2) Questions shall be called in the order in which they stand in the list, unless the Chairman changes the order of questions with the leave of the Senate.

56 Mode of asking questions.- (1) At the time of asking questions, the Chairman shall call successively each member in whose name a Starred Question appears in the list of questions.

(2) The member so called shall rise in his place and, unless he states that it is not his intention to ask the question standing in his name, he shall ask the question by reference to its serial number on the list of questions.

(3) If, on a question being called, it is not put or the member in whose name it stands is absent, the answer already supplied by the Minister concerned or the member to whom the question is addressed shall be treated as laid on the table and no oral reply shall be required for such question nor shall any supplementary question be asked in respect thereof.

57. Supplementary questions.— When a question has been answered, any member may ask such supplementary questions as may be necessary for the elucidation of the answer, but the Chairman shall disallow any supplementary question which, in his opinion, either infringes any provision of these rules relating to the subject matter and admissibility of questions or is irrelevant or is beyond the scope of question or does not arise out of the answer given:

Provided that not more than three supplementary questions shall be asked in respect of any question:

Provided further that the member who has given notice for asking the question shall have the right to ask the first supplementary question:

Provided further that a supplementary question shall be short and precise and shall not be in the form of a speech.

58. No publicity of answers to questions in advance.— Answers to questions which Ministers propose to give in the Senate shall be placed on the members' desk *[as well as shall be electronically sent to the members two hours] before the commencement of question hour and shall not be released for publication until the answers have actually been given on the floor of the Senate or laid on the Table.

** Substituted by SRO. 329 (1)/2015, dt. 17th April, 2015.*

59 Prohibition of discussions on questions or answers.— There shall be no discussion on any question or answer except as provided by rule 60

60 Discussion on a matter of public importance arising out of answer to a question.— (1) Once in a period of seven consecutive working days, the Chairman may, on three clear days' notice being given by a member, allot half an hour for discussion on a matter which in his opinion is of sufficient public importance and has recently been the subject of a question, Starred or Unstarred:

Provided that the Chairman may not admit a notice which, in his opinion, seeks to revise the policy of the Government.

(2) The notices received under sub-rule (1) during a week ending Saturday, shall be considered by the Chairman for determination of their admissibility in the order in which they are received and when one such notice is admitted all other notices shall lapse.

(3) There shall be no voting nor any formal motion in the course of or at the conclusion of such discussion.

CHAPTER VIII

**RAISING OF MATTERS OF PUBLIC IMPORTANCE
UNDER *[PRIME MINISTER’S] ZERO HOUR**

61. ***[Prime Minister’s] Zero Hour.**— (1) Last **[***] hour of a sitting shall be utilized as “[Prime Minister’s] Zero Hour” to take up matters of urgent public importance.

(2) A member may raise a matter after giving a notice, in writing, to the Secretary, one hour before the commencement of sitting of the Senate to be taken up in *[Prime Minister’s] zero hour:

Provided that not more than one such notice shall be given by a member for the same sitting.

***[(2A) The Prime Minister shall whenever possible personally respond to points raised by members whenever he is present in the House. However, the Prime Minister shall attend the Prime Minister’s Zero Hour at least once in each week when the Senate is in session:

Provided that it shall be the joint responsibility of the Leader of the House and the Chief Whip to request/invite the Prime Minister to attend the Prime Minister’s Zero Hour and to inform all members of the Prime Minister’s attendance one day in advance.]

(3) The matter shall relate to the Government, requiring intervention of the Senate.

(4) The member shall not speak for more than two minutes while raising the matter.

***[(5) If the Prime Minister is not present, the Minister concerned shall respond to the matter raised under sub-rule (1).

*Substituted *vide* S.R.O. 309(I)/2014 dt. 16-04-2014.

**Omitted *vide* S.R.O. 309(I)/2014 dt. 16-04-2014.

***Inserted *vide* S.R.O. 309(I)/2014 dt. 16-04-2014.

(6) If both the Prime Minister and the Minister concerned are not present, the Chairman, if deemed necessary, may require the Minister concerned to respond to the point raised by the member on a date to be fixed by the Chairman.]

62 Conditions of admissibility.-(1) In order that a notice may be admissible, it shall satisfy the following conditions, namely:-

- (i) it shall not exceed fifty words;
- (ii) it shall not relate to a matter which has been discussed in the same session or which is substantially identical to the matter already raised by a member under this rule during the session;
- (iii) it shall not raise more than one issue and the issue shall not pertain to trivial matters;
- (iv) it shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements;
- (v) it shall not relate to any matter which is *subjudice* before a court of law;
- (vi) it shall be restricted to a matter of recent occurrence;
- (vii) it shall not refer to proceedings of a parliamentary Committee;
- (viii) it shall not refer to the conduct or character of persons except in their public capacity; and
- (ix) it shall not refer discourteously to a friendly foreign country.

63 Time for tabling notices and their validity.- (1) Notices shall be arranged in the order in which they are received.

(2) Notices received during a week shall be valid for that week only.

CHAPTER IX

CALLING ATTENTION NOTICES

64 **Procedure regarding calling attention.**— (1) A member may call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement at a later hour or date.

*[(2) There shall be no debate or voting on such a statement. The member in whose name the item stands shall make a brief statement and the Minister concerned shall make a statement on the subject. The statement by the member shall not exceed ten minutes and the statement by the Minister shall not normally exceed fifteen minutes].

65 **Notice of calling attention.**— Notice of a calling attention shall be given one day before the day on which the notice is to be considered and it shall be entered in the Orders of the Day:

Provided that if the notice is signed by more than one member then names of first five members who have signed the notice shall be shown in the Orders of the Day:

**[Provided further that a notice received from an authenticated e-mail address of the Member to the prescribed e-mail address of the Senate Secretariat shall be deemed to be a proper notice in terms of this rule.

Explanation.- For the purposes of this rule, 'authenticated' means an e-mail address duly verified by a Member and 'prescribed' means notified by the Senate Secretariat.]

66 **Conditions of admissibility.**-(1) In order that a notice may be admissible, it shall satisfy the following conditions, namely :-

- (i) it shall not refer to a matter which is not the concern of the Government;

*substituted *vide* S.R.O. 309(I)/2014 dt. 16-04-2014.

**Added by SRO-----, dt.-----

- (ii) it shall not refer to a matter which has been discussed in the same session or which is substantially identical to the matter already raised by a member under this rule during the session;
- (iii) it shall not raise more than one issue and the issue shall not pertain to trivial matters;
- (iv) it shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements;
- (v) it shall not relate to any matter which is *subjudice* before a court of law;
- (vi) it shall be restricted to a matter of recent occurrence;
- (vii) it shall not refer to proceedings of a parliamentary Committee;
- (viii) it shall not refer to the conduct or character of persons except in their public capacity; and
- (ix) it shall not refer discourteously to a friendly foreign country.

67 **Restriction on raising matters.**— Not more than *[two] such matter shall be raised at the same sitting.

**[Provided that the second matter shall not be raised by the same member who has raised the first matter.]

68. **Priority of the matter.**— In the event of more than one matter being presented for the same day, priority shall be given to the matter which is, in the opinion of the Chairman, more urgent and important.

* Substituted by S.R.O.329(1)/2015, dt. 17-04-2015.

** Added by S.R.O.329(1)/2015, dt. 17-04-2015.

69. **Notices to lapse.**—(1) Notices on subjects that have not been selected for a particular day shall be carried forward for consideration of the Chairman for the next sitting of the Senate.

(2) Notices not selected during the week for which they have been given, shall lapse at the end of the week.

(3) Members concerned may revive their notices(s) for the following week if they so desire by giving a fresh notice.

CHAPTER X**PRIVILEGE**

70 **Question of privilege.**— A member may, with the consent of the Chairman, raise a question involving a breach of privilege either of a member or of the Senate or of a Committee thereof, if based on,-

- (i) misconduct in the presence of House or the Committees thereof.;
- (ii) disobedience of order of the House or its Committees;
- (iii) presenting false, forged or fabricated documents to the House or its Committees;
- (iv) tampering with documents presented to the House or its Committees;
- (v) speeches or writings reflecting on the House, its Committees or members;
- (vi) publication of false or distorted reports of debates;
- (vii) publication of Expunged Proceedings;
- (viii) publication of proceedings of secret sessions;
- (ix) premature publication of proceedings, evidence or report of a Parliamentary Committee;
- (x) derogatory reflection on the report of a Parliamentary Committee;
- (xi) circulation of Petitions before presentation;
- (xii) premature publication of various other matters connected with the business of the House;
- (xiii) obstructing members in the discharge of their duties;
- (xiv) attempts by improper means to influence members in their parliamentary conduct;
- (xv) intimidation of members; obstructing officers of the House;
- (xvi) refusal of Government functionary to assist officers of the House when called upon to do so in pursuance of the orders of the House or a Committee thereof as the case may be;
- (xvii) obstructing of witnesses;

- (xviii) failure of the Government to lay before the House any report or a document required to be laid before the House in pursuance of the provisions of the Constitution or the law; and
- (xix) failure to provide information required by the House or its Committees.

71. **Notice of question of privilege.**— A member wishing to raise a question of privilege shall give notice in writing to the Secretary before the commencement of the sitting on the day the question is proposed to be raised. If the question raised is based on a document, the notice shall be accompanied by the document or its copy indicating the specific breach of privilege of the member or the House or its Committee:

Provided that the Chairman may, if he is satisfied about the urgency of the matter, allow a question of privilege to be raised at any time during the course of a sitting after the disposal of questions.

72. **Conditions of admissibility of question of privilege.**— The right to raise a question of privilege shall be governed by the following conditions, namely:

- (i) not more than one question shall be raised by the same member at the same sitting;
- (ii) the question shall relate to a specific matter and shall be raised at the earliest opportunity;
- (iii) the matter shall be such as requires the intervention of the Senate; and
- (iv) the question shall not reflect on the personal conduct of the President.

73. **Mode of raising a question of privilege.**— Where a question of privilege has been allowed to be raised, the Chairman shall, after the disposal of questions and before other business on the Orders of the Day is entered upon, call upon the member who gave the notice and thereupon the member shall raise the question of privilege and make a short statement relevant thereto:

Provided that where a member is allowed under the proviso to rule 71 to raise a question of privilege during the course of a sitting he shall raise that question immediately after his being allowed to do so or at such other time as the Chairman may direct

74. **Precedence of question of privilege.**— A question of privilege shall have precedence over adjournment motions.

75. Questions of privilege to be considered by the Senate or Committee.- If the Chairman holds the question of privilege to be in order, it shall stand referred to the Committee on Rules of Procedure and Privileges, unless the Senate decides to consider the question itself.

76. Reference of question of privilege by the Chairman to the Committee.— Notwithstanding anything contained in these rules, if the Senate is not in session, the Chairman in his Chamber, may refer any question of privilege to the Committee on Rules of Procedure and Privileges for examination, investigation and report.

77. Priority for consideration of report of the Committee.— A motion that the report of the Committee on Rules of Procedure and Privileges be taken into consideration shall be accorded the priority assigned to a matter of privilege and when a day has already been fixed for the consideration of the report, it shall be given priority as a matter of privilege on the day so appointed.

78. Punishment for breach of privilege.— (1) If the House finds any person to be guilty of the breach of privilege of the House or its Committee or any member it may award punishment to such person in accordance with Constitution and the law.

(2) The House may also direct the Ministry concerned or the relevant authority to take an appropriate action against the person committing the breach of the privilege of the House, its Committee or a member:

(3) The Division concerned shall report to the Senate about the action taken on the directions or recommendations made by the Committee within a period of two months from the date of communication.

(4) A report received from the Division concerned shall be circulated amongst the members.

79. Intimation to Chairman by magistrate, etc. of arrest, detention, etc. of a member.— (1) When a member is arrested on a criminal charge or for a criminal offence or is sentenced to imprisonment by a court or is detained under an executive order, the committing judge, magistrate or, as the case may be, executive authority, shall immediately intimate such fact to the Chairman indicating the reasons for the arrest, detention or imprisonment of the member in the appropriate form set out in the Second Schedule.

*[(2) When a member is summoned by or required to appear before any commission, tribunal, authority, organization, agency or other, for any investigation or inquiry, as the case may be, the Chairman shall be informed of the same. The concerned authority shall intimate the brief facts/reasons.]

80. Intimation to Chairman on release of a member.—

When a member after his arrest or detention is released on bail or otherwise or is acquitted of a criminal charge, such fact shall be intimated to the Chairman by the authority concerned in the appropriate form set out in the Second Schedule.

81. Treatment of communications received from

magistrate etc.— As soon as may be after the Chairman has received a communication referred to in rule 79 or rule 80, he shall read it out in the Senate if in session or, if the Senate is not in session, direct that it may be circulated for the information of the members.

82. Arrest within the precincts of Senate.—

No member shall be arrested within the precincts of the Senate without the permission of the Chairman.

83. Service of legal process.—

A legal process issued by any court, tribunal or other authority shall not be served on a member within the precincts of the Senate.

84. Production of a member in custody for a sitting of the Senate or meeting of a Committee.—

(1) The Chairman or Chairman of a Committee may summon a member in custody on the charge of any offence or under any law relating to preventive detention to attend a sitting or sittings of the Senate or meeting of a Committee of which he is a member if he considers his presence necessary.

* Substituted by SRO 801(1)/2015, dt.10-07-2015.

(2) On a Production Order, signed by the Secretary or by any other officer authorized by the Chairman in this behalf, addressed to the Federal Government or, as the case may be, the Provincial Government where the member is held in custody, or to the authority having or holding custody of the member, the Federal Government or the Provincial Government or such other authority shall cause the member in custody to be produced before the Sergeant-at-Arms who shall, after the conclusion of the sitting or the meeting, deliver the member into the custody of the Federal Government or the Provincial Government or other authority, as the case may be.

CHAPTER XI

ADJOURNMENT MOTIONS

85. **Adjournment motions.**— Subject to the provisions of these rules a motion for an adjournment of the business of the House for the purpose of discussing a definite matter of recent and urgent public importance may be made with the consent of the Chairman.

86. **Notice of a motion.**— Notice of a motion under rule 85, explaining the matter proposed to be discussed, shall be delivered to the Secretary not less than two hours before the commencement of the sitting in which the motion is proposed to be moved, and the Secretary shall thereupon bring the notice to the knowledge of the Chairman, the Leader of the House, the Minister concerned and the Minister for Parliamentary Affairs:

*[Provided that a notice received from an authenticated e-mail address of the Member to the prescribed e-mail address of the Senate Secretariat shall be deemed to be a proper notice in terms of this rule.

Explanation.- For the purposes of this rule, ‘authenticated’ means an e-mail address duly verified by a Member and ‘prescribed’ means notified by the Senate Secretariat.”

87. **Conditions of admissibility of a motion.**— A motion shall not be admissible unless it satisfies the following conditions, namely:-

- (a) it shall raise an issue of urgent public importance;
- (b) it shall relate substantially to one definite issue;
- (c) it shall be restricted to a matter of recent occurrence of which a notice has been given at the earliest opportunity;
- (d) it shall not revive discussion on a matter, including the discussion on the admissibility of an adjournment motion which has been discussed in the Senate within last four months;
- (e) it shall not anticipate a matter for the consideration of which a date has been previously appointed;

- (f) it shall relate to a matter which is primarily the concern of the Government or to a matter in which the Government has substantial financial interest;
- (g) it shall not contain arguments, inferences, ironical expressions or defamatory statements.
- (h) it shall not refer to the conduct or character of a person except in his official or public capacity;
- (i) it shall not relate to a matter of privilege;
- (j) it shall not deal with a hypothetical case;
- (k) it shall not relate to a matter which can only be remedied by legislation;
- (l) it shall not relate to a matter pending before any court or other authority performing judicial or quasi-judicial functions:

Provided that the Chairman may, in his discretion, allow such matter being raised in the Senate as is concerned with the procedure or subject or stage of inquiry and if he is satisfied that it is not likely to prejudice the consideration of the matter by such court or authority; or

- (m) it shall not raise discussion on a matter which is secret or sensitive.

88. **Asking leave for motion.**— (1) Leave to make a motion shall be asked for after questions and privilege motions, if any, and before other business entered in the Orders of the Day is taken up:

Provided that on the day fixed for the private members' business such leave shall be asked for immediately after recitation from the Holy Quran and the disposal of question of privilege motions, if any.

- (2) Leave to make a motion shall be asked for only by the member who has given notice thereof. If the member who has given such notice is absent at the time the matter is taken up it shall be treated as dropped and disposed of.
- (3) At this stage the member may read out his motion.
- (4) If the motion is opposed the Minister may make a brief statement thereon to which the member may reply confining himself to the question of admissibility of the motion.

89. **Grant or withholding of leave.**— (1) If the Chairman is of opinion that the matter proposed to be discussed is in order, he shall ask whether the member has the leave of the Senate to move the motion and, if objection is taken, he shall ask such of the members as may be in favour of leave being granted to rise in their seats.

(2) If less than one-fourth of the total membership of the Senate rises, the Chairman shall inform the member that he has not the leave of the Senate but if such membership rises, the Chairman shall announce that leave is granted and that the motion shall be taken up as the last item for discussion for not more than two hours on such day, as soon as possible, as the Chairman may fix preferably during the same session.

90. **Time-limit for determination of admissibility.**— On any one day, the aggregate time taken for asking for leave under rule 88 or, as the case may be, the grant or withholding of leave under rule 89, shall not exceed half an hour.

91. **Restriction on number of motions.**— Notwithstanding anything contained in this Chapter, not more than one motion shall be admitted on any one day; but motions, if any, remaining unconsidered as regards their admissibility shall be held over for the next day and shall be taken up in the same order in which they were received.

92. **Question to be put.**— On a motion under rule 85, the only question that may be put shall be “that the Senate do now adjourn”, but no such question shall be put after the time for the discussion of the motion has expired.

93. **Time-limit for speeches.**— A speech during the debate on a motion for adjournment shall not exceed ten minutes in duration:

Provided that the mover or Minister concerned or the Prime Minister may speak for thirty minutes

CHAPTER XII

LEGISLATION

BILLS ORIGINATING IN THE SENATE

INTRODUCTION OF BILLS

Private Members' Bills

94. **Notice of private members' Bills.**— (1) A private member may move for leave to introduce a Bill after giving to the Secretary ten working days' written notice of his intention to do so.

(2) Three copies of the Bill together with the Statement of Objects and Reasons signed by the member shall accompany the notice.

(3) The Chairman shall decide the question whether the Bill does or does not require the consent of the Government or previous sanction of the President.

(4) If the Bill requires, under the Constitution, the consent of the Government or previous sanction of the President for its introduction, the Secretary shall cause a copy of the Bill to be transmitted to the Ministry of Law, Justice and Parliamentary Affairs for obtaining orders of the President or the Government thereon, and shall on receipt of such orders from that Ministry intimate the same to the member concerned.

(5) The Senate shall render possible assistance to the member so that Bill is not rejected on technical grounds.

95. **Introduction of private members' Bills.**— (1) Motion for leave to introduce private members' Bill shall be set down in the Orders of the Day for a day meant for private members' business and copies of the Bill shall be circulated alongwith the Orders of the Day.

(2) When the item is called, the member-in-charge may move for leave to introduce the Bill.

(3) If the motion for leave to introduce the Bill is not opposed, the Bill shall stand introduced and referred to the Standing Committee concerned with the subject matter of the Bill.

(4) If leave to introduce the Bill is opposed, the Chairman shall allow the mover and the Minister or the member who raised the objection to make a brief statement and thereafter shall put the motion to the vote of the House. If the majority of the members present vote in favour of the leave, the Chairman shall announce that the leave is granted.

(5) After leave is granted, the member-in-charge shall introduce the Bill which after introduction shall stand referred to the Standing Committee concerned. If the leave is refused, the Bill shall stand rejected:

Provided that when the item is called and the member-in-charge is absent, the Bill shall be treated as dropped.

Government Bills

96. **Notice of Government Bills.**— (1) A Minister shall give notice in writing to introduce a Bill.

(2) The notice shall be accompanied by a copy of the Bill, together with a Statement of Objects and Reasons signed by the Minister, if it is a Bill which under the Constitution requires previous sanction of the President or the Government for its introduction, the notice shall be accompanied by such sanction. A certificate whether it is Money Bill or not shall be also attached with the notice. Copy of the Bill shall be supplied to the members on its introduction.

(3) If a question arises whether a Bill does or does not require previous sanction of the President or the Government, the question shall be decided by the Chairman.

(4) The introduction of the Bill shall ordinarily be included in the Orders of the Day for a day meant for Government business and copies of the Bill shall be circulated along-with the Orders of the Day. If the Bill involves amendment to an existing law, the Secretary shall also supply a relevant extract of the section or sections of the original Act which the Bill seeks to amend.

(5) When the item is called, the Minister shall introduce the Bill.

(6) For the purpose of this rule, an Ordinance first laid before the Senate under paragraph (b) of clause (3) of Article 89, read with sub-rule (1) of rule 145, shall be deemed to be a Bill introduced in the Senate on the day it is so laid and it shall also contain Statement of Objects and Reasons.

PUBLICATION OF BILLS

97. **Publication of Bills.**— (1) The Secretary shall cause every Bill that has been introduced to be published in the Gazette as early as possible.

(2) The President may order the publication of any Bill, together with the Statement of Objects and Reasons accompanying it, before its introduction and if it is so published it shall not be necessary to publish it again after its introduction.

CONSIDERATION OF BILLS

98. **Reference of Bills to Standing Committees.**— Upon introduction, a Bill shall stand referred to the Standing Committee concerned with the subject matter of the Bill:

Provided that the member-in-charge may move that the requirement of this rule be dispensed with and, if the motion is carried, the provisions of rule 99 shall apply to the Bill as if it were received back from the Standing Committee on the day on which the motion is carried.

99. **Time for consideration of Bills.**— (1) When a Bill has been received back from the Standing Committee, or when the time fixed for the Standing Committee to send it back has expired, the Secretary shall cause copies of the Bill, as introduced, together with modifications, if any recommended by the Standing Committee, to be supplied to each member within seven days after the receipt back or, as the case may be, expiry of time and shall set down the Bill on the Orders of the Day. If it is a private members' Bill for a day fixed for private members' business and if it is a Government Bill then for a day meant for Government business for a motion under rule 100.

(2) At least two clear days shall intervene between the day of supply of copies of the Bill to members and the day for setting down of the Bill for a motion under rule 100.

Provided that it shall not be necessary to supply copies of the Bill, where the requirement of rule 98 has been dispensed with or where the Standing Committee has not recommended any modification in the Bill or where the Standing Committee has failed to send back the Bill before the expiry of the time for it to send it back.

(3) In case of urgency, if the Chairman permits, the member-in-charge may move that the requirement of sub-rule (2) be dispensed with and, if the motion is carried the provisions of that sub-rule shall stand suspended in regard to that Bill and the member-in-charge may forthwith make any of the motions in rule 100.

100. **Motions to be made by member-in-charge.**— (1) On the day for which a Bill is set down under rule 99, or on any subsequent day to which the matter might have been adjourned, the member-in-charge may make any of the following motions in regard to his Bill, namely:-

- (a) that it be taken into consideration at once; or
- (b) that it be taken into consideration on a date to be fixed forthwith; or
- (c) that it be referred to a Select Committee; or
- (d) that it be circulated for the purpose of eliciting opinion thereon.

- (2) Any member may move an amendment to a motion moved under sub-rule (1) by the member-in-charge.
- (3) The member-in-charge shall explain the purpose of his moving the motion mentioned in sub-rule (1) and thereafter the member shall move his amendment to the said motion and shall speak in support of his amendment and thereafter the Chairman shall put it to the vote of the House and the House shall decide either in favour of the motion moved by the member-in-charge or in favour of the amendment moved by a member.
- (4) If the motion moved by the member-in-charge is carried and the amendment of the member is rejected the Bill shall be considered by the House under rule 104.
- (5) If the amendment moved by a member is carried then the Bill shall be dealt with as decided by the House.
- (6) Where a motion that a Bill be referred to the Select Committee is carried the Bill shall be referred to the said Committee to report within a specified period and after the receipt of the report the House may consider it under rule 104.
- (7) Where a motion or amendment that a Bill be circulated for the purpose of eliciting public opinion thereon is carried and the Bill is circulated in accordance with that direction and opinions are received thereon the member-in-charge if wishes to proceed with his Bill thereafter may move a motion that the Bill be referred to the Standing Committee concerned or Select Committee or that it be taken into consideration.

101. Procedure after presentation of report.— (1) Where a Bill has been referred to a Select Committee, the member-in-charge may, after the presentation of the final report by the Select Committee, move,-

- (a) that the Bill as reported by the Select Committee be taken into consideration; or
- (b) that the Bill as reported by the Select Committee be referred to the same Committee again either-
 - (i) as a whole, or
 - (ii) with respect to particular clauses or amendments only, or
 - (iii) with instructions to make some particular or additional provision in the Bill, or
- (c) that the Bill as reported by the Select Committee be circulated or re-circulated for the purpose of eliciting opinion or further opinion thereon.

(2) If the member-in-charge moves that the Bill as reported by the Select Committee be taken into consideration, any member may object to its being so taken into consideration, if a copy of the report of the Select Committee has not been made available for use of the members at least two days before the motion is made, and the objection shall prevail unless the Chairman allows the report to be taken into consideration. If it is allowed the procedure laid down in rules 103 to 115 shall be applicable.

102. **Bills repugnant to the Injunctions of Islam.**— (1) If a member raises the objection that a Bill is repugnant to the Injunctions of Islam, he may move a motion and if it is supported by not less than two-fifths of the total membership of the Senate the question shall be referred to the Council of Islamic Ideology for advice as to whether the Bill is or is not repugnant to the Injunctions of Islam. Such a motion can not be raised after the commencement of the motion for consideration of the Bill.

(2) Notwithstanding a reference under sub-rule (1), the Senate may at any time proceed with the Bill, if it considers that in the public interest the passage of the Bill should not be postponed until the advice is furnished.

(3) The advice of the Council of Islamic Ideology on a question referred to it under sub-rule (1) shall on receipt be circulated amongst the members and shall also be laid on the Table of the House.

(4) If the advice of the Council of Islamic Ideology is furnished after the Bill referred to in sub-rule (2) has been enacted and is to the effect that the law is repugnant to the Injunctions of Islam, the Minister concerned shall, within seven days of the laying of the advice on the Table, move that the law be reconsidered and further action thereon shall be taken in accordance with the provisions of this chapter as if the law were a Bill referred to the Standing Committee under rule 98.

FIRST READING OF THE BILL

103. **Discussion on principles of Bills.**— (1) On the day on which any of the motions referred to in rule 100 is made or on any subsequent day to which discussion thereof is postponed the principles of the Bill and its general provisions may be discussed, at this stage amendments to the Bill may not be moved but any member may give notice of any amendment.

(2) Notwithstanding anything contained in this rule, a Minister or a member at any stage of the Bill may move that it be circulated for the purpose of eliciting opinion thereon. Where this motion is carried and the Bill is circulated in accordance with that direction and opinions are received thereon, the Minister may, if he wishes to proceed with the Bill thereafter, move that the Bill be

referred to the Standing Committee concerned or that it be taken into consideration at once.

SECOND READING OF THE BILL

104. Consideration of the Bill clause by clause.— (1) On conclusion of general discussion on the principles of the Bill and its general provisions the motion for consideration of the Bill shall be put to the House. If the motion is carried the Bill shall be taken up clause by clause.

(2) At this stage any member may move an amendment to the Bill subject to the provisions of these rules.

105. Notice of amendments.— (1) When a motion that a Bill be taken into consideration is carried, any member may propose an amendment to the Bill. If notice of an amendment has not been given two working days before the day on which the relevant clause of or schedule to the Bill is to be considered, any member may object to the moving of the amendment and such objection shall prevail unless the Chairman allows the amendment to be moved.

(2) The Secretary shall cause a list of admitted amendments of which notices have been received to be made available for the use of every member.

106. Conditions of admissibility of amendments.— The following conditions shall govern the admissibility of amendments:-

- (i) An amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates.
- (ii) An amendment shall not be inconsistent with any previous decision of the Senate on the same question.
- (iii) An amendment shall not be such as to make the clause which it proposes to amend unintelligible or ungrammatical.
- (iv) If an amendment refers to, or is not intelligible without, a subsequent amendment or schedule, notice of the subsequent amendment or schedule shall be given before the first amendment is moved, so as to make the series of amendments intelligible as a whole:

Provided that in order to save time and repetition of arguments a single discussion may be allowed to cover a series of interdependent or identical amendments.

- (v) The Chairman shall determine the place at which an amendment shall be moved;

- (vi) The Chairman may refuse to propose an amendment, which is, in his opinion, frivolous or meaningless;
- (vii) An amendment may be moved to an amendment, which has been already proposed by the Chairman;
- (viii) An amendment shall not be moved which has merely the effect of a negative vote; and
- (ix) In respect of any amendment of the Bill under consideration of the Senate, the Chairman shall have the power to select one of the several identical or substantially identical amendments to be proposed or may club together the identical amendments.

107. **Order of amendments.**— (1) Amendments shall be arranged in the order in which notices thereof were received and shall be considered in the order of the clauses of the Bill to which they respectively relate and in respect of any such clause a motion shall be deemed to have been made: “That this clause stands part of the Bill”.

(2) Amendments shall be moved by the member only who has given notice thereof.

(3) A member may give notice of at least one working day to move an amendment to amendment and after the original amendment is moved the member giving notice of an amendment to amendment shall move his amendment and it shall be considered and decided first and in case the amendment to an amendment is carried the original amendment shall become out of order and in case the amendment to amendment is rejected then the original amendment shall be discussed and put to the vote of the House.

108. **Withdrawal of amendments.**— An amendment moved may, by leave of the Senate, but not otherwise, be withdrawn, at the request of the Minister or the member moving it. If an amendment has been proposed to an amendment, the original amendment shall not be withdrawn until the amendment proposed to it has been disposed of.

109. **The disposal of amendments.**— The Chairman may call each clause separately and, when the amendments relating to it have been dealt with, shall put the question : “That this clause or that this clause as amended stands part of the Bill”.

110. **Postponement of clause.**— The Chairman may, if he thinks fit, postpone the consideration of a clause.

111. **Schedule.**— The consideration of the schedule or schedules, if any, shall follow the consideration of clauses. Schedules shall be put from the Chair, and may be amended, in the same manner as clauses, and the consideration of new schedules shall follow the consideration of the original schedules. The question shall then be put: “That this schedule or that this schedule as amended do stand part of the Bill”.

112. **Clause one, preamble and title of the Bill.**— Clause one, the preamble, if any, and the title of a Bill shall stand postponed until the other clauses and schedules including new clauses and new schedules have been disposed of and the Chairman shall then put the question: “That clause one, or the preamble or the title or that clause one or the preamble or the title as amended do stand part of the Bill.

THIRD READING PASSING OF BILLS

113. **Passing of Bills.**- (1) When clause by clause consideration of the Bill has taken place and no amendment of the Bill is made, the member-in-charge may at once move that the Bill be passed.

(2) If any amendment of the Bill is made, any member may object to a motion being made that the Bill be passed at once, and such objection shall prevail, unless the Chairman allows the motion to be made.

(3) Where such objection as aforesaid prevails, a motion that the Bill be passed may be made on a subsequent day.

(4) At this stage no amendment to the bill may be moved, excepting verbal amendments which are of a formal or consequential nature.

114. **Scope of debate.**—The discussion on a motion that the Bill, or the Bill, as amended, be passed shall be confined to the submission of arguments either in support of the Bill or for the rejection of the Bill. In making his speech a member shall not refer to the details of the Bill further than is necessary for the purpose of his arguments which shall be of a general character.

115. **Withdrawal of Bills.**— The member-in-charge of a Bill may, at any stage of the Bill, move for leave to withdraw the Bill, and if such leave is granted, no further motion shall be made with reference to the Bill.

116. **Corrections of formal nature in the Bill.**— When a Bill is passed, with or without amendment, the Secretary may, if necessary,-

- (a) correct punctuations or grammatical or printing errors; or
- (b) make incidental, consequential or verbal alterations; or
- (c) re-number or re-letter the provisions of the Bill.

117. **Transmission of Bill to Assembly.**— When a Bill is passed by the Senate, it shall be transmitted to the Assembly for consideration with a message to that effect.

BILLS ORIGINATING IN THE ASSEMBLY AND TRANSMITTED TO THE SENATE

118. **Bills originating in and passed by the Assembly and transmitted to the Senate.**— When a Bill originating in the Assembly has been passed by it and is transmitted to the Senate, the Secretary shall, as soon as may be, cause it to be circulated among the members.

119. **Notice.**— At anytime after the Bill has been so circulated, any Minister, in the case of a Government Bill and, in any other case, any member, may give notice of his intention to move that the Bill be taken into consideration.

120. **Motion for consideration.**— On the day on which the motion for consideration is set down in the Orders of the Day which shall, unless the Chairman otherwise directs, be not less than two working days from the receipt of the notice, the Minister or, as the case be, the member giving notice may move that the Bill be taken into consideration.

121. **Reference to Standing Committee.**— Any member may move as an amendment that the Bill be referred to the Standing Committee and if such motion is carried, the Bill shall stand referred to the Standing Committee, and the rules regarding Bills originating in the Senate and referred to the Standing Committee shall then apply.

122. **Discussion.**— On the day on which such motion is made or on any subsequent day to which the discussion is postponed, the principles of the Bill and its general provisions may be discussed but the details of the Bill shall not be discussed further than is necessary to explain its principles.

123. **Consideration and passing.**— If the motion that the Bill be taken into consideration is carried, the Bill shall be taken into consideration clause by clause and the provisions of these rules regarding consideration of amendments to Bills and the subsequent procedure in regard to the passing of Bills shall apply.

124. **Bills passed without amendment.**— If the Bill is passed without amendment a message shall be sent to the Assembly to this effect.

125. **Bills passed with amendment or rejected.**— If a Bill passed by the Assembly and transmitted to the Senate is rejected or is not passed within ninety days of its laying in the Senate or is passed with amendment it shall be returned to the Assembly with a message to the effect.

**BILLS PASSED BY SENATE AND AMENDED,
REJECTED OR NOT PASSED BY ASSEMBLY**

126. **Bills amended, rejected or not passed by Assembly.**— (1) If a Bill passed by the Senate and transmitted to the Assembly is rejected or is not passed within ninety days of its laying in the Assembly, or is passed with amendment by the Assembly, the Secretary shall immediately communicate the fact to the members and also cause copies of the Bill to be supplied to them.

(2) At any time after the Bill passed by the Assembly with amendment has been so circulated, any Minister, in the case of a Government Bill, or, in any other case, any member may, after giving two working days notice, move that the Bill be taken into consideration.

(3) The Secretary shall forthwith cause the notice so received to be circulated among the members.

(4) When the motion for consideration is moved, any member may move as an amendment that the Bill be referred to the Standing Committee and if the motion is carried the Bill shall stand referred to the Standing Committee. The provisions of rule 121 shall *mutatis mutandis* apply:

Provided that the Standing Committee shall only examine the amendment made by the Assembly.

(5) If a motion under sub-rule (2) is carried, the provisions of these rules regarding passing of the Bills shall, so far as may be, and with the necessary modifications apply.

(6) After all the amendments made by the Assembly are disposed of, the member-in-charge shall move that the Bill be passed.

(7) If a Bill transmitted to the National Assembly is rejected or not passed within ninety days of its laying in the National Assembly, or is passed by the National Assembly with amendment but not passed by the Senate with such amendment, any Minister, in the case of a Government Bill, or, in any other case, any member may, after giving two days notice, move that the Bill be considered in a joint sitting.

(8) When a Bill, as amended by the Assembly, is passed by the Senate an authenticated copy thereof signed by the Chairman shall be transmitted to the President by the Secretary for assent under Article 75 of the Constitution.

(9) When a bill transmitted by the Assembly under clause (1) of Article 70 is passed by the Senate without amendment, a message shall be sent to the Assembly to this effect.

127. **Reference of Bill to the joint sitting.-** When a motion made under sub-rule (7) of rule 126 is carried, the Chairman shall refer the Bill to a joint sitting or, if a joint sitting is not in session, request the President to summon a joint sitting for consideration of the Bill.

128. **Authentication and submission of a Bill for assent.—** When a Bill transmitted by the Assembly is passed by the Senate, without amendment, an authenticated copy thereof signed by the Chairman shall be transmitted to the President by the Secretary for assent under Article 75 of the Constitution.

129. **Bills assented to by the President.—** When a Bill is assented to by the President under Article 75 of the Constitution, the Secretary shall immediately cause it to be published in the Gazette as an Act of Majlis-e-Shoora (Parliament).

130. **Money Bill transmitted to the Senate under Article 73.-** When a copy of Money Bill, including Finance Bill containing the Annual Budget Statement, is transmitted to the Senate, it shall be laid on the Table by a Minister;

- (1) After a copy of the Money Bill, including the Finance Bill containing the Annual Budget Statement, has been laid on the Table, the Minister shall move that the Senate may make recommendations thereon to the National Assembly. After the motion, the Senate shall commence its debate on the Bill;
- (2) Unless the Chairman otherwise directs, a member may, within three days of the motion, give notice of a proposal for making recommendations, together with the statement of reasons for such proposal, in writing to the Secretary:

Provided that a member shall not give notice of a proposal for making recommendations to the Annual Budget Statement which relates to the expenditure charged upon the Federal Consolidated Fund under clause (1) of Article 82 of the Constitution;

- (3) If such notice is admitted by the Chairman, the Secretary shall cause a list of proposed recommendations to be made available for the use of every member;

- (4) The provisions of rules 106, 107 and 108 shall, *mutatis mutandis*, apply in respect of a notice of a proposal for recommendations;
- (5) The proposed recommendations so received shall immediately be sent to the Standing Committee on Finance which shall examine them and present its recommendations to the House within a period of ten days;
- (6) When such a Bill is transmitted to the Senate, it may within fourteen days make recommendations, if any, thereon to the National Assembly;
- (7) The Chairman may if he considers it necessary, or on a motion moved by a Minister or member, allot time for discussion on the Bill and for this purpose the Chairman may suspend or vary the rules to the extent necessary;
- (8) A question relating to a proposed recommendation shall be decided by a majority of the members present and voting in the manner laid down in rule 239; and
- (9) No other business, except with the permission of the Chairman, shall be transacted on a day when any such Bill is discussed for making recommendations thereon to the National Assembly.

CONSTITUTION AMENDMENT BILL

131. **Constitution amendment Bill.**— (1) In respect of a Bill seeking to amend the Constitution, the provisions of this rule shall apply in addition to the rules contained in rules 118 to 125, 128 and 129 of this Chapter in so far as they are not inconsistent with any provision of this rule or Article 239 of the Constitution.

(2) Each clause or schedule, or clause or schedule as amended, as the case may be, shall be put to the vote of the Senate separately and shall form part of the Bill if it is passed by the votes of not less than two-thirds of the total membership of the Senate.

(3) Amendments to clauses or schedules shall be decided by a majority of members present and voting in the same manner as in the case of any other Bill.

(4) If the motion in respect of such Bill is that the Bill or as the case may be, the Bill as amended, be passed, then the motion shall be deemed to have been carried if it is passed by the votes of not less than two-thirds of the total membership of the Senate.

(5) Voting shall be by division whenever a motion has to be carried by the votes of not less than two-thirds of the total membership of the Senate.

(6) If the result of the voting shows that not less than two-thirds of the total membership of the Senate is in favour of the motion, the Chairman shall, while announcing the result, say that the motion is carried by the votes of not less than two-thirds of the total membership of the Senate.

(7) If a Bill passed by the Assembly is passed by the Senate, without amendment by the votes of not less than two-thirds of the total membership of the Senate it shall, subject to the provisions of sub-rule (9) be presented to the President for assent under clause (2) of Article 239 of the Constitution.

(8) If a Bill passed by the Senate and transmitted to the Assembly is passed by the Assembly with amendment, it shall be reconsidered by the Senate in the manner provided in sub-rules (2) to (6) and, if the Bill as amended by the Assembly is passed by the Senate by the votes of not less than two-thirds of the total membership of the Senate it shall, subject to the provisions of sub-rule (9) be presented to the President for assent under clause (3) of Article 239 of the Constitution.

(9) If a Bill to amend the Constitution which would have the effect of altering the limits of a Province shall not be presented to the President for assent unless it has been passed by the Provincial Assembly of the Province by the votes of not less than two-thirds of its total membership.

(10) When the Bill is assented to by the President, the Chairman shall immediately cause it to be published in the Gazette as an Act of Majlis-e-Shoora (Parliament).

CHAPTER XIII**RESOLUTIONS NOT MENTIONED
IN THE CONSTITUTION**

132. **Right to move resolution.**— Subject to the provisions of these rules, any member or a Minister may move a resolution relating to a matter of general public interest .

133. **Notice of resolution.**— (1) A private member who wishes to move a resolution shall give seven days' notice of his intention to do so and shall submit, together with the notice, a copy of the resolution which he intends to move.

(2) A Minister who wishes to move a resolution shall give three days' notice of his intention to do so and shall submit, together with the notice, a copy of the resolution which he intends to move:

Provided that the Chairman may allow moving the resolution of an urgent matter of public importance on a shorter notice.

134. **Form and contents of the resolution.**— (1) A resolution may be in the form of a declaration of opinion, or a recommendation, or convey a message, or commend, urge or request an action, or call attention to a matter or situation for consideration by the Government, or in such other form as the Chairman may consider appropriate.

(2) It shall relate to a matter which is primarily the concern of the Government or to a matter in which the Government has substantial financial interest.

(3) It shall be clearly and precisely expressed and shall raise substantially one definite issue.

(4) It shall not:

- (a) Contain arguments, inferences, ironical expressions or defamatory statements;
- (b) be vague, trivial or vexatious in form or content;
- (c) refer to the conduct or character of a person except in his official or public capacity;
- (d) raise discussion which is detrimental to public interest;
- (e) contain reflection on the President or a Judge of the Supreme Court or of a High Court; or

- (f) raise discussion on a matter which in its nature is secret or sensitive; and
- (g) relate to any matter which is pending before any court or other authority performing judicial or quasi-judicial functions:

Provided that the Chairman may, in his discretion, allow such matter being raised in the Senate as is concerned with the procedure or subject or stage of enquiry if he is satisfied that it is not likely to prejudice the consideration of the matter by such court or authority and is not inconsistent with any other rule.

135. Chairman to decide admissibility of resolution.— The Chairman shall decide whether a resolution or a part thereof is or is not admissible under these rules and may disallow any resolution or a part thereof when in his opinion it is an abuse of the right of moving a resolution or is calculated to obstruct or prejudicially affect the procedure of the Senate or is in contravention of any of these rules.

136. Moving of resolution or its withdrawal.— (1) A member or a Minister in whose name a resolution stands in the Orders of the Day may, if not withdrawn earlier, when called upon, either: -

- (i) move the resolution, in which case he shall commence his speech by a formal motion in the terms appearing in the Orders of the Day; or
- (ii) not move the resolution, but may make a brief statement.

(2) In the absence of the mover, the resolution shall be dropped and the member shall not repeat the notice raising substantially the same issue within a period of six months from the date the earlier resolution is dropped.

137. Amendment of a resolution.— (1) After a resolution has been moved, any member may, subject to these rules, move an amendment to the resolution.

(2) An amendment shall be within the scope of and relevant to the subject matter of the resolution to which it is proposed.

138. Notice of amendment.- (1) Ordinarily, the notice of an amendment shall be given two working days before the day on which the resolution is to be taken up for consideration. If notice of an amendment has not been given two clear days before the day on which it is moved, any member may object to the moving of the amendment, and thereupon the objection shall prevail, unless the Chairman in his discretion allows the amendment to be moved.

(2) The Secretary shall, if time permits, cause a copy of each amendment to be made available for the use of every member.

139. **Withdrawal of resolution or amendment after having been moved.**— A member or a Minister who has moved a resolution, or an amendment to a resolution, shall not withdraw the resolution or, as the case may be, amendment, except by leave of the Senate.

140. **Repetition of resolution.**— (1) When a resolution has been moved, no resolution or amendment raising substantially the same question shall be moved within six months from the date of the moving of the earlier resolution.

(2) When a resolution has been withdrawn with the leave of the Senate, no resolution raising substantially the same question shall be moved within four months from the date of the moving of the earlier resolution.

141. **Time-limit for speeches.**— Except with the permission of the Chairman a speech on a resolution shall not exceed ten minutes:

Provided that the mover of a resolution, when moving the same, and the Minister concerned may each speak for not more than fifteen minutes.

142. **Scope of discussion.**— The discussion on a resolution shall be strictly limited to the subject matter of the resolution:

Provided that there shall be no discussion on a resolution which has not been opposed.

143. **Copy to Division concerned.**— (1) On the conclusion of the discussion the Chairman shall put resolution or as the case may be, the resolution as amended, to the vote of the House and if passed by the House a copy thereof shall be forwarded to the Division concerned.

(2) The Division concerned shall report to the Senate Secretariat about the action taken on the resolution within a period of two months from the date of communication.

(3) A report received from the Division concerned shall be circulated amongst the members.

CHAPTER XIV

RESOLUTIONS MENTIONED IN THE CONSTITUTION

144. **Resolution for the removal of the President.**— (1) A notice of a resolution under clause (2) of Article 47 of the Constitution shall be given to the Chairman by not less than one half of the total membership of the Senate.

(2) Such notice shall set out the particulars of incapacity or of the charge upon which the notice is founded and shall not contain any statement or reflection not relevant to the specific charge.

(3) On receiving such notice, the Chairman shall transmit it forthwith to the Speaker of the Assembly.

145. **Resolutions for the disapproval or extension of Ordinances.**— (1) On the commencement of a session, as soon as may be but not later than ten days after the commencement of the session, all Ordinances referred to in sub-paragraph (ii) of paragraph (a) of clause (2) of Article 89 of the Constitution, made after prorogation of the last session, shall be laid on the Table.

(2) A member may move a resolution for disapproval of an Ordinance or a member or a Minister may move a resolution for extension of an Ordinance under sub-paragraph (ii) of paragraph (a) of clause (2) of Article 89 of the Constitution after giving three working days' notice of his intention to do so.

(3) Where two or more notices under sub-rule (2) are given in respect of the same Ordinance, the resolutions shall be taken up in the order in which the notices have been received.

(4) If a resolution disapproving or, as the case may be, extension of an Ordinance is passed, all other resolutions relating to that Ordinance shall lapse.

(5) When a resolution is passed, the Secretary shall immediately cause it to be published in the Gazette and also transmit a copy thereof to the President and Ministry of Law, Justice and Parliamentary Affairs.

146. **Resolution for the approval of a Proclamation.**—

(1) A member or a Minister may move a resolution, for the approval of a Proclamation, under clause(8) of Article 232 or clause (4) of Article 234 or clause (4) of Article 235 of the Constitution after giving three working days' notice of his intention to do so.

(2) Where more than one notice under sub-rule (1) are given in respect of the same Proclamation, the resolutions shall be taken up in the order in which their notices have been received.

(3) If a resolution approving a Proclamation is passed, all other resolutions relating to that Proclamation shall lapse.

147. Withdrawal of resolution after having been moved.— A member who has moved a resolution shall not withdraw the resolution except by leave of the House.

148. Amendment.— No amendment shall be moved to any resolution under this Chapter.

149. Certain Provisions of Chapter XIII to apply.— The provisions of rule 136, 140, 141, 142 and 143 shall apply to resolutions under this Chapter.

CHAPTER XV**RESOLUTIONS PASSED BY THE PROVINCIAL ASSEMBLIES**

150. **Treatment of resolutions.**— (1) Resolutions passed by one or more Provincial Assemblies under Article 144 of the Constitution, shall, on receipt be laid on the Table and if the Senate is not in session at that time, shall be circulated to the members for information. A copy of each such resolution shall also be forwarded to the Ministry of Law, Justice and Parliamentary Affairs and the Ministry concerned.

(2) A resolution passed by a Provincial Assembly drawing attention of the Senate to any matter shall be brought to the notice of the members, on its receipt.

(3) The Senate may, by resolution, express its opinion or make any observation or recommendation on the resolution received from any Provincial Assembly.

CHAPTER XVI

**REPORTS TO BE LAID BEFORE AND DISCUSSED
BY THE SENATE**

151. **Report on observance of Principles of Policy.-** (1) The report in respect of each year on the observance and implementation of the Principles of Policy in relation to the affairs of the Federation shall, when received from the President, be laid on the Table by a Minister in terms of clause (3) of Article 29 of the Constitution.

152. **Report of the Council of Common Interests.-** The annual report of the Council of Common Interests, when received, shall be laid on the Table by a Minister in terms of clause (4) of Article 153 of the Constitution.

153. **Report of the National Economic Council.-** The annual report of the National Economic Council, when received, shall be laid on the Table by a Minister in terms of clause (5) of Article 156 of the Constitution.

154. **Recommendations of National Finance Commission.—**(1) The recommendations of the National Finance Commission, together with an explanatory memorandum as to the action taken thereon, when received, shall be laid on the Table by a Minister in terms of clause (5) of Article 160 of the Constitution.

155. **Report of Auditor General.-** The annual report of the Auditor General relating to the accounts of the Federation, when received from the President, shall be laid on the Table by a Minister under Article 171 of the Constitution.

156. **Report of Council of Islamic Ideology.—** Each annual interim report and the final report submitted by the Council of Islamic Ideology, under clause (4) of Article 230 of the Constitution, shall be forwarded by Government, within six months of its receipt, to the Secretary which shall be laid on the Table by a Minister.

157. **Discussion on the reports.-** (1) After a report under rule 151 or any other statute has been laid on the Table, the Chairman shall fix a day for its discussion.

(2) On the day fixed under sub-rule (1), the Minister concerned shall move that the report be discussed by the Senate and may make a brief statement explaining the salient features of the report.

(3) The Senate may, by resolution, express its opinion or make any observation or recommendation on the report.

CHAPTER XVII

COMMITTEES OF THE SENATE

STANDING COMMITTEES, SPECIAL
COMMITTEES AND GENERAL PROVISIONS
REGARDING STANDING COMMITTEES

158. **Standing Committees of the Senate.**— (1) There shall be a Standing Committee of the Senate for each Ministry of the Government and shall include following Functional and other Committees:—

- (i) Committee on Government Assurances;
- (ii) Committee on Problems of Less Developed Areas;
- *(ii-a) Committee on Human Rights;
- (iii) Committee on Rules of Procedure and Privileges;
- ** (iii-a) Committee on Devolution;
- (iv) House Committee;
- (v) Library Committee;
- (vi) Business Advisory Committee; and
- *** (vii) Committee on Delegated Legislation.

Provided that the Chairman may in consultation with the Minister for Parliamentary Affairs direct that two or more Ministries may be combined for the purposes of a Standing Committee.

Explanation.— For the purpose of this Chapter, the Cabinet Secretariat and the Prime Minister's Secretariat shall be deemed to be a Ministry.

* Inserted by S.R.O. No. 1063 (1)/2013, dt. 20-12-2013

** Inserted by SRO 801(1)/2015, dt.10-07-2015.

*** Inserted by SRO -----, dt.-----.

(2) Each Committee shall deal with the subject assigned to the Ministry with which it is concerned or any other relevant matter referred to it by the Senate:

Provided that the Chairman of the Committee may call or summon any Government functionary or other than the concerned Minister with the prior approval of the Chairman Senate:

Provided further that any subject not so assigned or the subjects assigned to any Ministry for which a Standing Committee has not been constituted shall be dealt with by the Standing Committee dealing with Ministry of Parliamentary Affairs.

(3) In case there is any change in the composition of Ministries or their nomenclature, the Chairman shall, in consultation with Minister for Parliamentary Affairs and the Minister concerned, issue suitable directions in regard to the reallocation of the existing Standing Committees or, as the case may be, the modification in their nomenclature and election of the new Standing Committees.

(4) The Chairman shall also be authorized to determine the Committees to which the sitting Chairman shall be allocated and Committees for which fresh elections are to be held.

FUNCTIONAL COMMITTEE ON GOVERNMENT ASSURANCES

159. Functions of the Committee.- The functions of the Committee on Government Assurances shall be the following or such others as may be assigned to it from time to time -

To take note of the assurances, promises, commitments, and undertakings of the Government given its Ministers from time to time on the floor of the House and to regularly report on-

- (a) the extent to which such assurances and promises have been implemented; and
- (b) where implemented, whether the implementation has taken place in a timely and effective manner.

FUNCTIONAL COMMITTEE ON PROBLEMS OF LESS DEVELOPED AREAS

160. Functions of the Committee.- The functions of the Committee on problems of Less-developed Areas shall be to perform the following or such other functions as may be assigned to it from time to time:

promote a balanced development in different areas of the country and to pay special attention to the problems of less-developed areas, it shall:-

- (a) review plans and special programmes for less-developed areas as approved by the Government from time to time;
- (b) receive representations from affected persons and areas concerning the development of those areas within the framework of budgetary provisions already made in that behalf;
- (c) identify problems, bottlenecks and difficulties in the implementation of the programmes and policies for less-developed areas as approved and enunciated by the Government from time to time; and
- (d) make recommendation subject to availability of resources, for resolving these problems and for the speedier development of those areas in order to achieve more balanced and equitable utilization of resources in the country for greater socio-economic justice.

¹
[FUNCTIONAL] COMMITTEE ON HUMAN RIGHTS

161. **Functions.**— ²[The functions of the Committee on Human Rights] shall be the following or such others as may be assigned to it from time to time.

The Committee shall:—

¹Added by S.R.O. No. 1063 (1)/2013, dt. 20-12-2013.

²Substituted by S.R.O. No. 1063 (1)/2013, dt. 20-12-2013.

- (a) review on a continuous basis the over-all position of human right violations in the country;
- (b) receive representations from the affected persons, organizations and international agencies, including the Human Rights Commission, regarding human rights violations in the country;
- (c) ascertain if any violation of human rights has taken place and also identify the problem areas; and
- (d) undertake studies and make recommendations for redressing the human right violations including proposal for legislation in that area.

**COMMITTEE ON RULES OF PROCEDURE AND
PRIVILEGES**

162. Functions of the Committee on Rules of Procedure and Privileges.—The Committee—

- (a) shall consider matters of procedure and conduct of business in the Senate and recommend such amendments to these rules as may be deemed necessary;
- (b)..... shall examine every question of privilege referred to it by the Senate or the Chairman and determine with reference to the facts of each case whether a breach of privilege is involved and, if so, the nature of the breach and the circumstances leading to it; and make such recommendations as it may deem fit; and
- (c) may suggest the procedure to be followed by the Senate to give effect to its recommendations.

****FUNCTIONAL COMMITTEE ON DEVOLUTION***

***[162A. Functions.**— The functions of the Committee on Devolution shall be the following or such others as may be assigned to it from time to time. The Committee shall:-

- (a) Review, on a continuous basis, implementation of devolution scheme as envisaged in the Constitution of the Islamic Republic of Pakistan, 1973;
- (b) Identify and make remedial recommendations where the Constitution (Eighteenth Amendment) Act, 2010 has been deviated from, circumvented or not implemented;
- (c) identify and make recommendations to such aspects of the implementation plan/ process which due to administrative or lack of law or for any other reasons is facing or likely to face difficulty in its implementation; and
- (d) on regular basis, seek the views of the Federal Government, Provincial Governments and or any division, department, autonomous or semi-autonomous body/ bodies related with or pertaining to the process of implementation of the Constitution (Eighteenth Amendment) Act, 2010 to evaluate and oversee the implementation status of the Constitution (Eighteenth Amendment) Act, 2010.]

** Added by S.R.O. 801(1)/2015, dt. 10-07-2015.*

***[162B. Composition of Functional Committee on Devolution.-** (1) The composition of the Functional Committee on Devolution shall be such as may be determined by the House, from time to time.]

(2) The provisions of rules 173 (1) and 183 (1) shall not be applicable to the Functional Committee on Devolution.”.

163. Provisions relating to Standing Committees to apply to functional Committees.- All other matters including the composition and election to these Committees shall be regulated mutatis mutandis by rules relating to Standing Committee appearing hereafter.

164. Reference to Standing Committees.—Except as otherwise provided in these rules, the Senate may, on a motion made by a Minister or member, remit to the Standing Committee any subject or matter with which it is concerned and the Standing Committee shall study such subject or matter with a view to suggesting legislation or making recommendations to the Senate.

** Added by S.R.O. 796(1)/2015, dt. 11-08-2015.*

165. Composition of Standing Committees.— (1) Each Standing Committee shall consist of not less than *twelve members and not more than *[fourteen] members to be elected by the Senate. The Minister or Adviser concerned shall be an *ex-officio* member of the Committee:

Provided that the Minister shall not be entitled to vote as an *ex-officio* member unless, he is a member of the Senate:

Provided further that, in case of Ministry which is in the charge of the Prime Minister or for which no Minister has been appointed, the concerned Minister of State or an Adviser, if any, shall be its *ex-officio* member and, where there is no Minister of State or an Adviser also, the Minister or Minister of State or an Adviser to whom the subject or matter referred to the Committee is assigned shall act as its *ex-officio* member and in the absence of such assignment, the Minister for Parliamentary Affairs shall act as *ex-officio* member of the Committee.

(2) The member-in-charge other than a Minister, or member on whose motion any subject or matter was referred to the Committee may attend the meetings of the Committee, but shall not vote, unless he is a member of that Committee.

(3) The Secretary of the Ministry or Division concerned and head of the relevant department shall attend the Committee meetings as and when required to do so.

166. Functions of Standing Committees.— (1) A Standing Committee shall examine a Bill, subject or matter referred to it by the Senate or the Chairman and shall submit its report to the Senate or to the Chairman, as the case may be, with such recommendations including suggestions for legislation, if any, as it may deem necessary. In the case of a Bill, the Committee shall also examine whether the Bill violates, disregards or is otherwise not in accordance with the provisions of the Constitution.

(2) The Committee may propose amendments which will be shown in its report along-with original provisions of the Bill, but the Committee shall have no power of preventing the Bill from coming to the Senate.

(3) If a Committee does not present its report within the period prescribed, or the time allowed, the Bill, subject or matter referred to it may be considered by the Senate, without waiting for the report, upon a motion by any member or by the Minister concerned and such Bill, subject or matter shall be treated as withdrawn from the Committee.

*Words “twelve” and “fifteen” substituted by words “nine” and “twelve” vide S.R.O No. 158 (1)/2013 dated 28th February, 2013 and then words “nine” and “twelve” substituted by words “twelve” and “fourteen” vide S.R.O No. 177 (1)/2013 dated 6th March, 2013.

(4) A Committee may examine *suo moto* the *[budgetary allocation and its utilization,] administration, delegated legislation, public petitions and policies of the Ministry concerned and its attached corporations and public bodies and may call for views of the Ministry. After examining the views of the Ministry, the Committee shall make a report to the Senate, which may make such recommendations thereon as it may deem fit:

**[Provided that the Committee shall bi-annually examine the budgetary allocation and its utilization by the Ministry concerned and present a report in this regard before the House within forty-five days.]

(5) Public petitions may be presented on any matter connected with the business pending before the House or a Committee, or any matter of general public interest which is primarily the concern of the Government, provided that it is not one which falls within the cognizance of a court of law or tribunal, and it shall not directly relate to a matter pending before any court or other authority performing judicial or quasi-judicial functions.

***[(6)All nominations of members to various Policy and Administrative Boards, Councils, etc. made by the Chairman shall be ratified by the concerned Committees within a period of thirty days of reference of nomination to the Committee, failing which the nomination shall be deemed to have been ratified:

Provided that the Committee, for reasons to be recorded, may not ratify the nomination upon which the Chairman Senate shall nominate another Member which shall be ratified by the Committee within a period of fifteen days, failing which the nomination shall be deemed to have been ratified.]

* *Substituted by SRO 801(1)/2015, dt.10-07-2015.*

** *Added by SRO 801(1)/2015, dt.10-07-2015.*

*** *Added by SRO 801(1)/2015, dt.10-07-2015.*

HOUSE COMMITTEE

167. **Composition.**— (1) There shall be a House Committee consisting of not more than six members who shall be elected by the Senate.

(2) The Deputy Chairman shall be ex-officio Chairman of the Committee and the Minister concerned shall be *ex-officio* member of the Committee.

168. **Functions.**— The functions of the Committee shall be—

- (i) to deal with matters relating to the issue of admission cards for galleries, other than the President's Box and the Chairman's Box and such questions relating to residential accommodation for members as may be referred to it by the Chairman from time to time;
- (ii) to exercise supervision over facilities pertaining to accommodation, catering and other amenities provided to the members in the Parliament Lodges and Government hostels; and
- (iii) to deal with the matters relating to the residential accommodation for the staff of the Senate Secretariat.

LIBRARY COMMITTEE

169. **Composition.**— There shall be a Library Committee, to be nominated by the Chairman, consisting of *[six] members, including its Chairman.

170. **Functions.**— The functions of the Committee shall be:

- (i) to develop the Library, its reading room, Automation, Research Centre and Reference Service with a view to helping members of Majilis-e-Shoora (Parliament) in the discharge of their duties;
- (ii) to invite suggestions and advise on the selection of books, periodicals and newspapers;
- (iii) to advise on reciprocal arrangements for exchange of debates and other publications of the Senate, with friendly countries;
- (iv) to consider suggestions for improvement of the Library and help in its future expansion;
- (v) to assist and encourage the members of Majilis-e-Shoora (Parliament) in fully utilizing the services provided by the Library; and
- (vi) to consider matters incidental and ancillary to the above functions.

BUSINESS ADVISORY COMMITTEE

171. **Composition.**— (1) The Business Advisory Committee shall be headed by the Chairman Senate and consist of such other members as may be nominated by him, from time to time, in consultation with Leader of the House and Leader of the Opposition.

(2) While making nomination under sub-rule (1), the members belonging to various parliamentary parties, groups and independent members including members from FATA shall, as far as possible, be given representation in the Committee.

172. **Functions.**— (1) It shall be the function of the Committee to recommend the time that should be allocated for the discussion of various Government legislative and other business, including private members' business likely to be transacted during the ensuing session.

(2) The Committee shall have the power to indicate the different hours at which the various stages of a Bill or other business shall be completed.

(3) The Committee shall have such other functions as may be assigned to it by the Chairman, from time to time.

COMMITTEE OF THE WHOLE HOUSE

***[172A. Constituting the Committee.-** The House may constitute itself into a Committee of the Whole on a motion by the Leader of the House or Leader of the Opposition, as the case may be. When the House constitutes itself into a Committee of the Whole, it functions as one Committee acting upon any matter(s) referred by the House and conducts its proceedings like a regular Committee with its membership composed of all the members of the House:

Provided that if a motion to constitute the House into a Committee of the Whole is not passed, a similar motion shall not be presented within the same session.]

** Added by SRO. 329 (1)/2015, dt. 17th April, 2015.*

***[172B. Proceedings.-** (1) The Chairman or any member nominated by the Chairman shall preside over the Committee.

(2) The Committee shall conduct business only when there is a quorum. If there is no quorum, the Chairman or the person nominated by the Chairman to preside shall immediately suspend its proceedings.

(3) In addition to his vote as a member, the Chairman or the person nominated by the Chairman to preside shall, in the event of equality of votes, have a casting vote.

(4) Documents and papers in possession of the House or the Senate Secretariat may be called for by any member and read by the Secretary Senate for the information of the Committee unless the Committee orders otherwise. Resource persons and/or technical assistants may be invited to attend the proceedings, and upon permission of the Chairman, may directly answer questions asked and inquiries made by the members.]

(5) When a Committee of the whole has concluded consideration of a matter referred to it, the Leader of the House or the Leader of the Opposition, as the case may be, shall make a report to the House. Matters reported shall be presented before the House for action as though reported by any other Committee.

(6) The Committee shall have power to require the attendance of any person or summon production of papers, record from any Ministry, Division, department, autonomous body, semiautonomous body or organization, or examine such persons on oath or solemn affirmation, or invite or summon any person to give evidence in relation to any matter under its consideration.”

** Added by SRO. 329 (1)/2015, dt. 17th April, 2015.*

***[172C. Committee on Delegated Legislation.-** There shall be a Committee on delegated legislation to scrutinize and report to the Senate of Pakistan that whether the powers to make rules, regulations, bye-laws, schemes or other statutory instruments conferred by the Constitution or delegated by the Parliament have been timely and properly exercised within such conferment or delegation, as the case may be.

172D. Functions.- The functions of the Committee on Delegated Legislation shall be the following or such other as may be assigned to it from time to time:-

- (i) The Committee shall propose legislation and formulate policy for laying of each rule, regulation, bye-law, scheme or other statutory instrument (hereinafter referred to as the 'Rules') framed in pursuance of the Constitution or the legislative functions delegated by the Parliament to a subordinate authority.
- (ii) When the rules are so laid the Committee shall, in particular consider:-
 - (a) Whether the Rules are in accordance with the provisions of the Constitution or the Act of Parliament pursuant to which these are made;
 - (b) Whether the Rules contain matter which in the opinion of the Committee should more properly be dealt with in an Act of Parliament;
 - (c) Whether the Rules contain imposition of taxation;
 - (d) Whether the Rules directly or indirectly bar the jurisdiction of the Court;
 - (e) Whether the Rules give retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such power;
 - (f) Whether the Rules appear to make some unusual or unexpected use of the power conferred by the Constitution or the Act pursuant to which these are made;
 - (g) Whether there appears to have been unjustifiable delay in publication or laying the Rules; and
 - (h) Whether for any reason, the form or purport of the Rules require any elucidation.]

***[172E. Report.-** (1) If the Committee is of the opinion that any Rules should be annulled wholly or partially, or should be amended in any respect, it shall report that opinion and the grounds thereof to the House.

(2) If the Committee is of the opinion that any other matter relating to any Rules should be brought to the notice of the Senate, it may report that opinion and matter to the House.

(3) The Committee shall present a quarterly report before the House.”

GENERAL PROVISIONS REGARDING STANDING / FUNCTIONAL COMMITTEES

173. Membership of a Committee.— (1) A member shall not be a member of more than *[five] Standing / Functional Committees at the same time.

(2) The term of office of the members of a Standing or Functional Committee including its Chairman shall expire on the expiry of term of half of the members of the Senate in terms of clause (3) of Article 59 of the Constitution.

174. Time of election of Standing and Functional Committees.— The Senate shall elect the members of the Standing and Functional Committees within two months after the election of Chairman and Deputy Chairman.

175. Election of Chairman of a Committee.— (1) The Chairman of each Committee shall be elected by the Committee from amongst its members within thirty days after the election of the Committee or filling of the casual vacancies, as the case may be:

Provided that a Minister, Minister of State or an Adviser shall not be elected as Chairman of a Standing or Functional Committee:

Provided further that if the Chairman of a Committee is appointed as Minister, Minister of State or as an Adviser, he shall cease to be a Chairman, but may continue to function as a member of that Committee.

(2) The Chairmanship of Committees shall be allocated by the Chairman in accordance with proportional strength of political parties and independent groups in the House.

(3) If the Chairman of a Committee is not present at any sitting, the Committee shall choose one of its members present to act as Chairman for that sitting.

176. **Quorum of a meeting.**— The quorum to constitute a sitting of a Committee shall be one fourth of the total membership of the Committee.

177. **Resignation of members from the Committee.**— A member may resign his membership of a Committee by writing under his hand addressed to the Chairman.

178. **Casual vacancies.**— (1) Casual vacancies in a Committee shall be filled, as soon as possible after such vacancies occur, by election.

(2) Subject to the requirement of quorum, a Committee shall have power to act notwithstanding any vacancy in its membership.

**[Explanation.—For the purpose of this rule, a vacancy occurring on the retirement of a member under clause (3) of Article 59 of the Constitution shall be deemed to be a casual vacancy].*

179. **Adjournment, etc., of Committee.**- (1) If, at the time fixed for any sitting of a Committee or at any time during any such sitting, less than one fourth of the total membership of the Committee is present, the Chairman of the Committee shall either suspend the sitting until at least one fourth of the total membership of the Committee is present or adjourn the sitting to some future day.

(2) Where the sitting of a Committee is adjourned on two successive days, the Chairman of the Committee shall report the fact to the Chairman.

180. **Discharge of members absent from sitting of Committee.**- If a member is absent from three or more consecutive sittings of a Committee without the permission of its Chairman, such member shall cease to be the member of the Committee and he shall be informed accordingly by the Chairman.

181. **Voting in Committee.**— All questions at a sitting of a Committee shall be determined by a majority of the members present and voting.

182. **Casting vote of Chairman.**— ***[-]*The Chairman of a Committee or the person presiding in his absence shall, in the event of the equality of votes, have a casting vote.

183. **Power to appoint Sub-Committees.**— (1) A Committee may appoint not more than one sub-committee consisting of three members, having the powers of the whole Committee to examine any matter that may be referred to it:

Provided that the Chairman of the concerned Committee shall not be Convener of the sub-committee.

(2) The order of reference to a sub-committee shall clearly state the point or points for investigation. The report of the sub-committee shall be presented not later than two months from the date of reference to the whole Committee and, when approved by the whole Committee, be deemed to be the report of that Committee:

Provided that the sub-committee shall stand dissolved at the expiration of two months irrespective of presentation of the report.

* Added *vide* S.R.O. 309(I)/2014 dt. 16-04-2014.

** Omitted by S.R.O. 801(1)/2015, dt. 10-07-2015.

184. **Sittings of Committees.**— *[(1) A sitting of Committee shall be held at such day and time as the Chairman of the Committee may fix but a Committee may not sit without the leave of the Chairman at a time when the Senate is sitting:

Provided that,-

- (i) The Secretary to the Committee shall communicate the date and time to the Secretary of the concerned Ministry/Division;
- (ii) The Secretary of the concerned Ministry/Division, shall within three days of the receipt of the intimation, convey his confirmation or suggest an alternate date and time which shall not vary the original date and time for more than one week; and
- (iii) If the concerned Secretary fails to respond in terms of paragraph (ii), the date and time given originally shall be deemed to be the date and time of the meeting:

Provided further that the meeting of a Committee for election of its Chairman shall be fixed by the Chairman Senate.]

(2) The sittings of a Committee shall be held within the precincts of the Senate:

Provided that the Chairman of the Committee shall seek approval of Chairman Senate for holding a meeting outside precincts of the Senate, for justifiable reasons, as an exception to this sub-rule.

(3) If a Committee is sitting while the Senate is also sitting, the Chairman of the Committee shall, if a division is being called in the Senate, suspend the proceedings of the Committee for such time as will, in his opinion, enable the members to vote in the division.

(4) Subject to sub-rule (1), on a requisition signed by not less than one-fourth of the total membership of the Committee, the Chairman of the Committee shall call a meeting of the Committee within fourteen days from the date of receipt of the requisition:

Provided that where the Chairman of the Committee fails to call such meeting, the Secretary shall call the meeting on a date within three weeks of receipt of the requisition.

* Substituted by S.R.O. _____, dt. _____.

185. **Conflict of interest.**— A Chairman or a member of the Committee who has any personal or pecuniary interest in a matter under consideration of a Committee shall not sit in such meetings of the Committee.

186. **Meetings in camera.**— The sittings of a Committee may be held in camera if so determined by the Committee.

187. **Power to take evidence or call for papers, records or documents.**— (1) A Committee shall have power to require the attendance of any person or the production of papers or records, or examine such persons on oath or solemn affirmation, if such course is considered necessary for the performance of its functions:

Provided that the Government may, if it is of the opinion that the production of a document and its disclosure would be against the public interest, prejudicial to defence, security or external relations of Pakistan, refer the case to the Chairman of the Senate who after seeing the document shall determine whether or not document shall be produced before the Committee.

(2) Subject to the provisions of this rule, a person may be summoned as witness by an order signed by the Secretary who shall appear before the Committee to give evidence and produce such documents for the use of the Committee.

(3) A Committee may invite or summon any person or member having a special knowledge to give an expert opinion or give evidence in relation to any matter under its consideration.

(4) Subject to clause (3) of Article 66 of the Constitution, a Committee shall have powers of a civil court under the Code of Civil Procedure, 1908 (Act V of 1908) for enforcing the attendance of any person and compelling the production of documents.

188. **Examination of witnesses.**— The examination of witness before a Committee shall be conducted as follows:

- (i) The Committee shall, before a witness is called for examination, decide the mode of procedure and the nature of questions that may be asked of the witness;
- (ii) The Chairman of the Committee may first ask the witness such question or questions as he may consider necessary with reference to the subject matter under consideration according to the mode of procedure mentioned in paragraph (i) of this rule;

- (iii) The Chairman may call any other member of the Committee to ask questions which are not covered by answers to earlier questions;
- (iv) A witness may place before Committee any other relevant point or document which he thinks essential; and
- (v) A verbatim record of proceedings of the Committee shall, when a witness is summoned to give evidence, be kept.

189. Evidence or information to be kept confidential or secret.— Any evidence produced or information tendered before a Committee shall be treated as confidential or secret, unless the Committee, in the public interest, decides otherwise.

190. Request for views of Ministries or Divisions on private members' Bills.— In case of a private member's Bill, the Secretary shall transmit a copy thereof to the Ministry or Division concerned with the request to furnish its views on the Bill within a period not exceeding thirty days for consideration by the Committee.

191. Record of the proceedings of Committees.— (1) A summary of the record of the proceedings of each Committee shall be maintained by the Secretary.

(2) A copy of minutes of the meetings shall be provided to each member of the Committee on demand.

192. Restriction on publication, etc., of proceedings.— (1) A Committee may direct that the whole or any part of its proceedings or a summary thereof may be laid on the Table.

(2) The report of a Committee which has not been presented to the Senate or the proceedings of a Committee or any part or summary thereof which has not been laid on the Table shall be treated as confidential and shall not be open to inspection except with the permission of the Committee or the Chairman.

(3) The Chairman may direct that any part of the proceedings may be communicated to the members confidentially before it is laid on the Table.

(4) A Committee may, with the permission of the Chairman, make available to the Government its report or a part thereof before presentation to the Senate and such report or part shall be treated as confidential by Government until presented to the Senate.

193. **Special reports.**— A Committee may, if it thinks fit, make a special report on any matter that arises or comes to light in the course of its work which it may consider necessary to bring to the notice of the Chairman or the Senate.

194. **Reports of Committees.**— *[(1) Where the Senate has not fixed any time for the presentation of a report, the report of a Committee shall be presented within sixty days from the date on which reference was made to it by the Senate:

Provided that the House may, on a motion for extension of time, moved before the expiry of time fixed by the Senate or within sixty days, allow that the time for presentation of the report be extended to a date specified in the motion:

Provided further that if the House is not in session or is not likely to re-assemble till after the expiry of the date fixed for the presentation of the report, the Chairman in his Chamber may grant the required extension of time on behalf of the House and the House shall be informed of such extension of time as soon as it re-assembles.

Explanation,- For the purposes of motion for extension of time, it shall be the responsibility of the Secretary Committee to initiate the process well before time.]

(2) Reports may be either preliminary or final.

(3) The report shall—

(a) incorporate the views, if any, of the Minister concerned;

(b) set forth the recommendations of the Committee together with the minutes of dissent, if any; and

(c) be signed by the Chairman on behalf of the Committee or, if the Chairman is absent or not readily available, by another member appointed by the Committee.

* Substituted by SRO. 329 (1)/2015, dt. 17th April, 2015.

(4) The Secretary shall cause a copy of every report of a Committee, together with the minutes of dissent, if any, to be made available for the use of every member of the Senate. The report shall, if it relates to a Bill, be published in the Gazette together with the views of the minority, if any.

195. Presentation of report.— The report of a Committee required to be presented to the Senate shall be presented by the Chairman or, in his absence, by any other member of the Committee.

196. Discussion on the reports.— (1) Save as otherwise provided by these rules, after a report has been presented to the Senate on a matter other than a Bill, the Chairman or any member of the Committee may move that the report be considered and adopted.

(2) After the motion made under sub-rule (1) is carried, the Chairman may allot time as may be deemed necessary for discussion and adoption of the report.

(3) After the motion is carried the decisions of the House shall be communicated to the Ministry concerned for implementation. In case the Ministry is unable to implement decisions of the House it shall inform the House within two months of the reasons thereof, and if the Ministry fails to do so the decisions of the House shall be binding.

197. Printing, publication or circulation of report before its presentation to Senate.— The Chairman may, on a request being made to him when the Senate is not in session, order the printing, publication or circulation of a report of a Committee, although it has not been presented to the Senate. In that case the report shall be presented to the Senate during its next session at the first convenient opportunity.

198. Agenda and notice of meetings of Committee.- (1) The time table of business of a Committee and the agenda for each meeting of the Committee shall be determined by the Chairman of the Committee.*[****]

(2) Notices of all meetings of a Committee shall be sent to the members of the Committee, the Attorney General for Pakistan, Secretary Ministry of Parliamentary Affairs and the officials concerned.

(3) Every meeting of the Committee shall be attended by the Minister concerned alongwith Secretary or at least Additional Secretary if so required by the Committee.

199. **Supplementary rules.**— A Committee may, with the approval of the Chairman, make supplementary rules of its procedure not inconsistent with these rules.

200. **Application of general rules of Senate.**— Subject to the rules in this Chapter and the supplementary rules of the Committee, if any, the general rules of the Senate shall apply to the proceedings in each Committee.

201. **Removal of doubt and interpretation of rules.**— If any doubt arises on any point of procedure or interpretation of these rules in this Chapter, the Chairman of the Committee may refer the point to the Chairman of the Senate, whose decision shall be final.

202. **Business before Committees not to lapse on prorogation.**— Any business pending before a Committee shall not lapse by reason only of the prorogation of the Senate and the Committee shall continue to function notwithstanding such prorogation.

OTHER COMMITTEES

203. **Select Committees on Bills.**— (1) The Minister-in-charge of the Ministry to which a Bill relates, the Chairman of the Standing Committee concerned with the Bill, the member-in-charge and the Minister for Law, Justice and Parliamentary Affairs shall be included in every Select Committee and it shall not be necessary to include their names in any motion for election of such a Committee.

(2) The other members of the Committee shall be elected by the Senate when a motion that the Bill be referred to a Select Committee is adopted.

(3) At the time of election of the members of a Select Committee the number of members whose presence shall be necessary to constitute a sitting of the Committee shall be fixed by the Senate.

(4) The Minister-in-charge of the Ministry to which a Bill relates shall be the Chairman of the Select Committee unless the motion provides otherwise.

(5) If the Chairman of the Committee is not present at any sitting, the Committee shall choose one of its members present to act as Chairman for that sitting.

(6) In addition to his vote as a member, the Chairman of the Committee or the person presiding in his absence shall, in the event of the equality of votes, have a casting vote.

204. **Special Committees.**— The Senate may, by motion, appoint a Special Committee which shall have such composition and functions as may be specified in the motion.

205. **Provisions relating to Standing Committees to apply to other Committees.**— In the absence of special provisions relating to a Select Committee or a Special Committee, the provisions relating to the Standing Committees shall apply *mutatis mutandis* to a Select Committee and a Special Committee.

CHAPTER XVIII

GENERAL RULES OF PROCEDURE

NOTICE

206. **Applicability of general rules.**—Except for matters for which special provisions are made in these rules, the general rules contained in this chapter shall apply to all matters; and in case any provision in the special rules relating to a matter is inconsistent with the general rules, the former shall prevail.

207. **Notice by members.**— (1) Every notice required by these rules or the Constitution shall be given in writing addressed to the Secretary or the Chairman and signed by the member giving notice, indicating his full name in capital letters and shall be delivered at the Notice Office which shall be kept open for this purpose on every working day, between such hours as may be notified from time to time or sent by post under postal certificate or registered cover.

(2) A notice delivered when the Notice Office is closed shall be treated as given on the next working day.

(3) A notice given by a member in respect of any matter under these rules shall lapse if the member is appointed as a Minister or ceases to be a member.

208. **Circulation of notice to members.**— (1) The Secretary shall, if notice is given in time, and it is practicable to do so, circulate to each member and every other person entitled to take part in the proceedings of the Senate under the Constitution a copy of the notice or other paper which is, by these rules, required to be made available for the use of members and such other persons.

(2) Every notice or other papers shall be sent to the members by post on the address officially notified by the members to the Senate Secretariat and shall ordinarily be deemed to have been duly served on the members if so sent. During the session notices shall be delivered at the local address notified by the members or in its absence deposited in the mail box of the members.

209. **Lapse of pending notices on prorogation of Session.**— On the prorogation of the Senate all pending notices, other than notices of intention to move for leave to introduce a Bill, a notice of an amendment in a Bill and notice of a question of privilege, shall lapse and fresh notices shall be given for the next session.

210. **Council of Chairmen.**— (1) There shall be a Council of Chairmen consisting of the Chairmen of the Standing and Functional Committees headed by the Chairman of the Senate to consider and coordinate any matter relating to the Standing and Functional Committees.

(2) The meeting of the Council shall be convened by the Chairman as and when required.

211. Motion, resolution or amendment moved not to lapse.— A motion, resolution or an amendment, which has been moved and is pending in the Senate shall not lapse by reason only of the prorogation of the Senate.

212. Chairman to amend notices of questions, motions, etc.— If in the opinion of the Chairman any notice contains words, phrases or expressions which are argumentative, un-parliamentary, ironical, irrelevant, verbose or otherwise inappropriate, he may, in his discretion, amend or alter without changing the subject matter of the notice before it is circulated.

***[212A. Effect of retirement, etc., of a Member.-** Business of a Member in respect of any matter under these rules shall lapse if the Member is appointed as Chairman Senate, Deputy Chairman, Minister or ceased to be a Member:

Provided that a Private Members' Bill passed by the Senate and transmitted to National Assembly shall not lapse.]

MOTIONS

213. Repetition of motions.— (1) Except as otherwise provided by these rules, it shall not revive discussion on a matter or a motion which has been discussed in the Senate within the last four months or substantially identical with the one on which the Senate has already given a decision.

(2) This rule shall not be deemed to prevent the making of any of the following motions, namely:-

- (a) a motion for taking into consideration, or reference to a Standing Committee, of a Bill, where an amendment to the effect that the Bill be circulated for the purpose of eliciting opinion thereon has been carried to a previous motion for taking the Bill into consideration or for referring it to a Select or a Special Committee;
- (b) a motion for the amendment of a Bill which has been recommitted to a Select or a Special Committee or re-circulated for the purpose of eliciting opinion thereon;
- (c) a motion for the amendment of a Bill which is consequential or is designed to alter any provision of a Bill; or
- (d) a motion which has to be or may be made within a period determined by or under these rules.

**Inserted by SRO-----, dt.-----*

214. **Anticipation of a matter before the Senate.**— A motion or amendment shall not anticipate a matter already appointed for consideration of the Senate; and in determining whether a motion or amendment is out of order on the ground of anticipation, the Chairman shall have regard to the probability of the matter anticipated being brought before the Senate within a reasonable time.

215. **Withdrawal of motion.**— (1) A member who has made a motion may withdraw the same by leave of the Senate.

(2) Subject to sub-rule (3), the leave shall be signified not upon question but by the Chairman taking the pleasure of the Senate. The Chairman shall ask: “Is it your pleasure that the motion be withdrawn?” If no one dissents, the Chairman shall say: “The motion is by leave withdrawn.” But if any dissentient voice be heard or a member rises to continue the debate, the Chairman shall forthwith put the motion.

(3) If an amendment has been proposed to a motion, the original motion shall not be withdrawn until the amendment has been disposed of.

216. **Adjournment of debate on motion.**— At any time after a motion has been made, a member may move that the debate on the motion be adjourned.

217. **Dilatory motion in abuse of the rules of Senate.**— (1) If the Chairman is of opinion that a motion for the adjournment of a debate is an abuse of these rules, he may either forthwith put the question thereon or decline to propose the question.

(2) If the Chairman is of opinion that a motion for re-circulation of a Bill to elicit further opinion thereon is in the nature of a dilatory motion in abuse of these rules in as much as the original circulation was adequate or comprehensive or that no new or unforeseen circumstance has arisen since the previous circulation to warrant the re-circulation of the Bill, he may forthwith put the question thereon or decline to propose the question.

(3) If the Chairman is of the opinion that a motion for re-committal of a Bill to a Committee or circulation or re-circulation of the Bill after the Committee has reported thereon is in the nature of a dilatory motion is an abuse of these rules in-as-much as original circulation was adequate or comprehensive or that no new or unforeseen circumstance has arisen since the previous circulation to warrant the Committee, he may forthwith put the question thereon or decline to propose the question.

218. **Motion that policy or situation or statement or any other matter be taken into consideration.**— (1) Any Minister or a member may give notice of a motion that any policy, situation, statement or any other matter may be taken into consideration.

(2) The Senate shall proceed to discuss the motion after the mover has concluded his speech and no question shall be put at the conclusion of the debate unless any Minister or a member, with the consent of the Chairman, moves a substantive motion in appropriate terms in which case a question shall be put:

Provided that substantive motion shall be moved immediately after the Chairman has put the original motion to the House.

(3) Except as otherwise provided in this rule, the provisions of rules 132 to 143 shall apply *mutatis mutandis* to a motion for consideration moved under sub-rule (1), hereinafter in this rule referred to as the original motion, and to a substantive motion moved in substitution of the original motion hereinafter referred to as the substitute motion, as if such original motion were a resolution and the substitute motion were an amendment to the resolution.

(4) There shall be no voting on an original motion but if one or more substitute motions have been moved by the members, the Chairman may, in his opinion, put them to the vote of the House so, however, that the motions expressing disapproval of the matter referred to in the original motion are voted upon before the motions expressing approval thereof.

(5) When a substitute motion is carried by the House, all such other motions not put to the House shall lapse.

219. Notice signed by more than one member.— Where a notice of a motion or an amendment is given by more than one member, the member whose name appears first in the list and in his absence next member in the list shall move the motion and speak on behalf of such other members.

AMENDMENTS

220. Rules as to amendments.— (1) An amendment shall be within the scope of, and relevant to, the subject matter of the motion to which it is proposed.

(2) An amendment shall not raise a question, which by these rules can only be raised by the substantive motion after notice.

(3) An amendment shall not be moved which has merely the effect of a negative vote.

(4) An amendment on a question shall not be inconsistent with the previous decision on the same question at the same stage of a Bill or matter

(5) An amendment may be moved to an amendment which has been moved in the Senate.

(6) In respect of any motion or in respect of any Bill under consideration in the Senate, the Chairman shall have the power to select one of several identical or substantially identical amendments to be proposed or may club together all such amendments.

221. **Correction of errors.**—Where a resolution is passed by the House, the Chairman shall have power to correct grammatical or typographical errors and make such other changes in a resolution as are incidental or consequential upon the amendments accepted by the House.

222. **Notice of amendments.**— Notice of an amendment to a motion shall be given two working days before the day on which the motion is to be considered, unless the Chairman allows the amendment to be moved without such notice.

223. **Selection of amendments.**— The Chairman shall have power to select the amendments to be proposed in respect of any motion, and may, if he thinks fit, call upon any member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him to form a judgment upon it.

224. **Putting of amendments.**— The Chairman may put amendments in such order as he may think fit:

Provided that the Chairman may refuse to put an amendment, which in his opinion is frivolous or vague.

RULES TO BE OBSERVED BY MEMBERS

225. **Rules to be observed by members while present in the Senate.**—Whilst the Senate is sitting, a member—

- (i) shall not speak except with the permission of the Chair;
- (ii) shall not read any book, newspaper or a document except in connection with the business of the Senate;
- (iii) shall not interrupt any member during his speech by disorderly or objectionable gesture, expression, noise or any other manner whatsoever;
- (iii) shall not pass between the Chair and any member who is speaking;
- (v) shall not sit or stand with his back towards the Chair;
- (vi) shall not obstruct proceedings and shall avoid making running commentaries when speeches are being made in the Senate or engage in cross talk;
- (vii) shall not chant slogans, display banners, placards, throw and tear Table documents and reports, etc.;
- (viii) shall not indulge in rowdy behaviour;

- (ix) shall not approach the dais of the Chairman in a threatening manner;
- (x) shall not act to erode the sanctity of the House or act in a manner which lowers the dignity of the House;
- (xi) shall not act in any manner detrimental to the order, decorum and dignity of the House;
- (xii) shall not applaud or make a reference to, when a stranger enters any of the galleries or the Special Box except when a foreign dignitary is specially invited to address the Senate or witness the proceedings of the Senate;
- (xiii) shall not occupy a seat in the galleries nor while in the Chamber engage himself in conversation with any visitor in a gallery;
- (xiv) shall not use a mobile phone or a camera;
- (xv) shall not chew or drink or smoke;
- (xvi) shall not carry any walking stick unless permitted by the Chairman under exceptional circumstances;
- (xvii) shall bow to the Chair when taking or leaving his seat;
- (xviii) shall always address the Chair and shall do so in a respectful and decent manner;
- (xix) shall keep to his usual seat while addressing the Chair; and
- (xx) shall maintain silence when not speaking in the Senate.

226. Rules to be observed while speaking.— (1) The subject matter of every speech shall be relevant to the matter before the Senate.

(2) Except with the permission of the Chairman a member may not read his speech but may refresh his memory by reference to his notes.

(3) A member while speaking shall not—

- (a) discuss any matter which is sub-judice;
- (b) reflect upon the President in his personal capacity;

Provided that nothing in this paragraph shall preclude any reference, subject to the provisions of the Constitution, to the President in relation to any act done by him in his official capacity;

- (c) discuss the conduct of any Judge of the Supreme Court or of a High Court in the discharge of his duties;
- (d) make a personal charge against a member, Minister or the holder of a public office, except in so far as it may be relevant in regard to the matter before the senate;
- (e) use his right of speech for the purpose of wilfully and persistently obstructing the business of the Senate;
- (f) use offensive expressions about the conduct or proceedings in the joint sitting, Senate, National Assembly or a Provincial Assembly or a Committee thereof;
- (g) unnecessarily cast reflection on the conduct of any person who cannot defend himself before the Senate;
- (h) reflect on any decision of the Senate except on a motion for rescinding it;
- (i) use the President's name for the purpose of influencing the debate; or
- (j) utter unreasonable, seditious or defamatory words or make use of offensive or un-parliamentary expressions or which may hurt the religious susceptibilities of any class or persons.

Explanation.- In this paragraph, "un-parliamentary expression" includes any expression which imputes false motives to a member or accuses him of falsehood or is couched in abusive language.

DEBATE

227. Mode of address.— (1) A member desiring to speak on any matter before the Senate or to raise a point of order or question of privilege shall speak only when called upon by the Chairman to do so, shall speak from his seat, shall rise when he speaks and shall address the Chairman:

Provided that a member disabled by sickness or infirmity may be permitted to speak while sitting.

(2) The speech of a member who speaks without the permission of the Chairman shall not form part of the proceedings of the Senate.

228. Limitation on debate.— (1) Whenever the debate on any motion in connection with a Bill or on any other motion becomes unduly protracted, the Chairman may, after taking the sense of the Senate, fix a time limit for the conclusion of discussion on any stage or all stages of the Bill or, as the case may be, the motion.

(2) At the appointed hour, in accordance with the time limit fixed for the completion of a particular stage of a Bill or a motion, the Chairman shall, unless the debate is sooner concluded, forthwith put every question necessary to dispose of all the outstanding matters in connection with that stage of the Bill or the motion.

229. Questions to be asked through the Chairman.— When, for the purposes of explanation during discussion or for any other sufficient reason, any member has occasion to ask a question of another member on any matter then under the consideration of the Senate, he shall ask the question through the Chairman.

230. Irrelevance or repetition.— The Chairman, after having called the attention of the Senate to the conduct of a member who persists in irrelevance or casts reflection on the conduct of a person who can not defend himself in the Senate or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

231. Personal explanation.— A member may, with the permission of the Chairman, make a personal explanation arising out of some thing said, discussed or imputed to him in the House although there is no question before the Senate, but no debate shall be allowed on it.

232. Order of speeches and right of reply.— (1) After the member who has made a motion has spoken, other members may speak on the motion in the order in which the Chairman may call upon them. If any member who is so called upon does not speak, he shall not be entitled, except with the permission of the Chairman, to speak on the motion at any later stage of the debate.

(2) Except in the exercise of a right of reply or as otherwise provided by these rules, a member shall not speak more than once on any motion, except, with the permission of the Chairman, for the purpose of making a personal explanation, but in that case no debatable matter may be brought forward.

(3) A member who has made a motion may speak by way of reply, and if a private member has made the motion, the Minister concerned may speak after the mover has replied.

(4) Nothing in sub-rule (3) shall be deemed to give any right of reply to the mover of an amendment to a Bill, resolution or motion, save with the permission of the Chairman.

233. **Mover's reply concludes debate.**— Subject to the provisions of sub-rule (3) of rule 232, the reply of the mover of the original motion shall in all cases conclude the debate.

PROCEDURE WHEN CHAIRMAN ADDRESSES

234. **Procedure when Chairman addresses.**— (1) Whenever the Chairman addresses the Senate, he shall be heard in silence and any member who is then speaking or offering to speak shall immediately resume his seat.

(2) No member shall leave his seat while the Chairman is addressing the Senate.

CLOSURE

235. **Closure.**— (1) At any time after a motion has been made, any member may move “That the question be now put” and, unless it appears to the Chairman that the motion is an abuse of these rules or an infringement of the right of reasonable debate, the Chairman shall put the motion “That the question be now put”.

(2) Where a motion made under sub-rule (1) is carried, the question shall be put without amendment or debate.

QUESTION FOR DECISION

236. **Decision of the Senate.**— (1) A matter requiring the decision of the Senate shall be decided by means of a question put by the Chairman on a motion made by a Minister or a member.

(2) A decision of the Senate may be withdrawn or altered by a subsequent decision of the Senate on a motion moved by a Minister or a member, on a motion, stating reasons necessitating such revisit moved by a Minister or a member.

237. **Proposal and putting of question.**— When a motion has been made, the Chairman shall propose the question for consideration, and put it for the decision of the Senate. If a motion embodies two or more separate propositions, these propositions may be proposed by the Chairman as separate questions.

238. **Voting.**— (1) Save as otherwise provided, the votes of members on any question put by the Chairman may be taken by voices in the first instance. On the conclusion of a debate, the Chairman shall put the question and invite those who are in favour of the motion to say “Aye” and those against the motion to say “No”.

(2) The Chairman shall then say; I think the Ayes (or, as the case may be, the Noes) have it”. If the opinion of the Chairman as to the decision of a question is not challenged, he shall say twice; The Ayes(or, as the case may be, the Noes) have it” and the question before the Senate shall be determined accordingly.

(3) If the opinion of the Chairman as to the decision of a question is challenged, he shall order that the Lobby be cleared.

(4) After the lapse of two minutes, he shall put the question a second time and declare whether in his opinion the “Ayes” or the “Noes” have it.

(5) If the opinion so declared is again challenged, he shall direct that the votes be recorded either by division in the manner set out in the Third Schedule or by operating the automatic vote recorder:

Provided that, if in the opinion of the Chairman, the division is unnecessarily claimed, he may ask the members who are for ‘Ayes’ and those for ‘Noes’ respectively to rise in their places and, on a count being taken, he may declare the determination of the Senate. In such a case, the names of the voters shall not be recorded.

(6) The result of the voting by a division shall be announced by the Chairman and shall not be challenged.

(7) A member shall not vote on any question in which he has a pecuniary interest. If he votes on such a question, the vote shall, on a substantive motion carried by the Senate, be disallowed.

Explanation.— The interest contemplated in this sub-rule shall be direct and personal and not remote or general.

239. No speech after question is put.—A member shall not speak on a question after the Chairman has put the question to the Senate.

240. Casting vote.— The Chairman or the Person Presiding shall not vote except in the event of an equality of votes.

241. Division by automatic vote recorder.— (1) Where the Chairman directs under sub-rule (5) of rule 238 that the votes be recorded by operating the automatic vote recorder, it shall be put into operation and the members shall cast their votes from the seats respectively allotted to them by pressing the button provided for the purpose.

(2) After the result of the voting appears on the indicator board, the Chairman shall announce the result of the division and the result shall not be challenged.

242. Validity of proceedings, etc.— (1) The validity of the proceedings in the Senate shall not be called in question by any person including a member in the House or before any court of law on the ground of any irregularity of procedure.

(2) No member or officer of the Senate in whom powers are vested by or under the Constitution for regulating procedure or the conduct of business, or for maintaining order in the Senate, shall be subject to the jurisdiction of any court in respect of the exercise by him of those powers.

(3) The Senate shall have power to act notwithstanding any vacancy in the membership thereof and no proceedings in the Senate shall be invalid by reason only that a person who was disqualified for being or continuing as member, or a person who was otherwise not entitled to do so, was present at or voted or otherwise took part in the proceedings.”.

POINTS OF ORDER

243. **Decision on points of order.**— (1) A point of order shall relate to the interpretation or enforcement of these rules or such Articles of the Constitution as regulate the business of the Senate shall raise a question which is within the cognizance of the Chairman.

(2) A point of order may be raised in relation to the business before the Senate at the moment:

Provided that the Chairman may permit a member to raise a point of order during the interval between the termination of one item of business and the commencement of another if it relates to maintenance of order in, or arrangement of business before, the Senate.

(3) A point of order may not be raised before the Chairman has disposed of the earlier point of order:

Provided that a member shall not raise a point of order which has already been raised in the same sitting.

(4) Subject to the provisions of sub-rules (1), (2) and (3), a member may formulate a point of order and the Chairman shall decide whether the point raised is a point of order, and if so, give his decision thereon, which shall be final.

(5) No debate shall be allowed on a point of order, but the Chairman may, if he thinks fit, hear members before giving his decision.

(6) A point of order shall not relate to a question of privilege.

(7) A member shall not raise a point of order-

(a) to ask for information; or

(b) to explain his position; or

(c) when a question on any motion is being put to the Senate; or

- (d) on a matter which is hypothetical; or
 - (e) that Division Bells did not ring or were not heard; or
 - (f) simply interrupt another speaker or place before the House his own view of a matter when another member is holding the floor.
- (8) There shall be no discussion on a decision on a point of order.

MAINTENANCE OF ORDER

244. Chairman to preserve order and enforce decisions.— (1) The Chairman shall preserve order and shall have all powers necessary for the purpose of enforcing his decisions.

(2) For the purpose of enforcing the orders of the Chairman, there shall be a Sergeant-at-Arms to be assisted by such Staff or officials subordinate to him as may be necessary.

245. Withdrawal of members.— The Chairman may direct a member to refrain from violating any rule and if in his opinion the conduct of any member is disorderly despite such direction, he may proceed to name him to withdraw immediately from the Chamber and any member so named shall do so forthwith and shall absent himself during the remainder of the day's sitting.

246. Suspension of member.— (1) The Chairman may, if he deems it necessary, name a member who disregards the authority of the Chairman or sanctity of the House or abuses these rules consistently and wilfully by obstructing the business of the Senate.

(2) If a member is so named by the Chairman, he shall forthwith put the question that the member (naming him) be suspended from the service of the Senate for a period not exceeding the remainder of the session:

Provided that the Senate may, at any time, on a motion being made, resolve that such suspension be terminated.

(3) A member suspended under this rule shall forthwith withdraw from the precincts of the Senate.

SUSPENSION OF SITTING

247. Power of Chairman to suspend sitting or adjourn the Senate.— In the case of a grave disorder arising in the Senate, the Chairman may, if he thinks it necessary to do so, suspend any sitting for a time to be specified by him or adjourn the Senate.

**ADMISSION, WITHDRAWAL AND
REMOVAL OF STRANGERS**

248. **Admission of strangers.**— The admission of strangers during the sittings of the Senate to those portions of the House which are not reserved for the exclusive use of members shall be regulated in accordance with directions given by the Chairman.

249. **Withdrawal of strangers.**— The Chairman may, whenever he thinks fit, order the galleries to be cleared and any strangers to be removed.

250. **Removal of strangers.**— Any officer authorized in this behalf by the Chairman shall remove from the precincts of the Senate any stranger whom he may see, or who may be reported to him to be, in any portion of the precincts of the Senate reserved for the exclusive use of members, or having been admitted into any portion of the precincts of the Senate, misconducts himself or willfully infringes the directions given by the Chairman under rule 248 or does not withdraw when the strangers are directed to withdraw under rule 249 also remove a stranger who has previously misbehaved and apprehension of his doing so again exists.

SITTINGS IN CAMERA OF THE SENATE

251. **Sittings in camera.**— (1) Whenever the Leader of the House asks for a sitting in camera, the Chairman shall, fix a day or part thereof for sitting of the Senate in camera.

(2) When the Senate sits in camera, no stranger shall be permitted to be present in the Chamber, Lobby or galleries, except the Secretary and such other Officers of the Senate or other persons as the Chairman may direct.

252. **Report of the Proceedings.**— The Chairman may cause a report of the proceedings of a sitting in camera to be kept in such manner as he thinks fit, but no other person present shall keep a note or record of any proceedings or decisions of a sitting in camera, whether, in part or full, or issue any report of, or divulge, or purport to describe, such proceedings.

253. **Procedure in other respects.**— Subject to these rules, the procedure in all other respects in connection with a sitting in camera shall be in accordance with such directions as the Chairman may give.

254. **Lifting ban of secrecy.**— (1) When it is considered that the necessity for maintaining secrecy in regard to the proceedings of a sitting in camera has ceased to exist, a motion may, subject to the consent of the Chairman, be moved by the Leader of the House or any member authorized by him in this behalf that the proceedings be no longer treated as secret.

(2) On adoption of a motion under sub-rule (1), the Secretary shall cause to be prepared a report of the proceedings of this sitting in camera and shall, as soon as practicable, publish it in such form and manner as the Chairman may direct.

255. **Disclosure of proceedings or decisions.**— Save as provided in rule 254 disclosure of the proceedings or decision of a sitting in camera by any person in any manner shall be treated as a gross breach of privilege of the Senate.

LANGUAGE, RECORD AND REPORTS

256. **Language of the Senate.**— (1) The members shall address the Senate in Urdu or English, provided that the Chairman may permit any member who cannot adequately express himself in any of these languages to address the Senate in his mother tongue.

(2) If a member desires that a summary in Urdu of his speech delivered in a language other than Urdu or English be read out to the Senate, he shall supply a copy of the summary to the Chairman who may, in his discretion, allow it to be read to the Senate. Such summary shall be included in the record of the proceedings of the Senate.

(3) The official records of the proceedings of the Senate shall be kept in Urdu and English.

257. Report of proceedings.— (1) The Secretary shall cause to be prepared a full report of the proceedings of the Senate at each of its sittings, and shall, as soon as practicable, publish it in such form and manner as the Chairman may from time to time, direct.

(2) The Secretary may also cause to be prepared a journal of the Senate containing-

- (a) brief record of proceedings of the Senate at each of its sittings;
- (b) information on any matter relating to or connected with the business of the Senate or a matter which in the opinion of the Chairman may be included therein; and
- (c) information regarding the Committee.

*[(3) A detailed report of the business transacted by the Senate during a session shall be made public after prorogation of every session, as soon as practicable and a detailed report of the businesses transacted by the Senate during a parliamentary year shall also be made public at the end of each parliamentary year, as soon as practicable.]

258. Custody of documents and records.— The Secretary shall have the custody of all records, documents, including the original documents notified in the Gazette, and papers belonging to the Senate or any of its Committees or the Secretariat of the Senate, and he shall not permit any such records, documents or papers to be taken out of the Secretariat without the permission, in writing, of the Chairman:

Provided that the audio or video recording of the proceedings may be provided to a member on demand on payment basis.

259. Expunction of words from debates.— (1) If the Chairman is of opinion that words have been used in debate which are defamatory, indecent, un-parliamentary or undignified, he may, in his discretion, either during the debate or subsequently, order that such words be expunged from the proceedings of the Senate.

(2) The expunged words shall not be printed, published or mentioned by any person including media and if so published, printed or mentioned shall amount to breach of privilege of the House.

260. Indication in printed debates of expunged proceedings.— The portion of the proceedings of the Senate expunged under rule 259 shall be marked by asterisks and an explanatory foot-note shall be inserted in the proceedings as follows:-

“Expunged as ordered by the Chairman.”.

MISCELLANEOUS

261. **Secretary to be ex-officio Secretary of Committees.**— The Secretary shall be ex-officio Secretary of all Committees of the Senate.

262. **Secretary may authorise any officer.**— The Secretary may authorise any officer of the Secretariat to perform such duties as he may direct.

***[262A. Secretary to make announcements in the House.**- Subject to the provisions of Article 57 of the Constitution, the Secretary may, when asked to do so by the Chairman or the Presiding officer, or in the absence of the Chairman or the Presiding officer, if required under the circumstances, make announcements in the House.]

263. **Suspension of rules.**— Whenever any inconsistency or difficulty arises in the application of these rules, any member may, with the consent of the Chairman, move that any rule may be suspended in its application to a particular motion before the Senate, and if the motion is carried the rule in question shall stand so suspended.

264. **Residuary powers of the Chairman.**— All matters not specifically provided for in these Rules and all questions relating to the detailed working of these Rules shall be regulated in such manner as the Chairman may, from time to time, direct.

265. **Statement made by a Minister.**— A statement may be made by a Minister on a matter of public importance with the consent of the Chairman but no question shall be asked nor discussion take place thereon at the time the statement is made.

** Added by SRO 801(1)/2015, dt.10-07-2015.*

***[265A. Periodical reports by Ministers on matters referred by the House.-** (1) Ministers concerned shall, after every three months, appear before the House and make reports on all matters referred by the House and recommendations made by Committees.

Explanation.- The time period of three months contemplated in this rule shall be computed from commencement of Parliamentary Year i.e. 12th March of every year, accordingly, reports shall be due in June, September, December and March.

(2) The time for making reports shall be allotted on different days in rotation to the Ministers concerned as the Chairman may, from time to time, specify.

(3) The Senate Secretariat shall, on monthly basis, issue a consolidated list of matters referred by the House and recommendations made by Committees.]

266. Restriction on use of Chamber of Senate.— Except by the special permission of the Chairman, the Chamber shall not be used for any purpose other than the joint sittings, both Houses assembled together, the sittings of the Senate or Assembly or address by a foreign dignitary including a visiting Head of State or Head of the Government.

267. Papers quoted to be laid on the Table.— If a Minister quotes in the Senate a dispatch or other State paper which has not been presented to the Senate, he shall lay the relevant extract thereof on the Table:

Provided that where a Minister gives in his own words a summary or gist of such dispatch or State paper it shall not be necessary to lay the relevant extract thereof on the Table.

268. Treatment of papers laid on the Table.— (1) A paper or document to be laid on the Table shall be duly authenticated by member or Minister by whom it is so laid.

(2) All papers and documents laid on the Table shall be considered public.

** Added by SRO. 329 (1)/2015, dt. 17th April, 2015.*

***SENATE FORUM FOR POLICY RESEARCH**

269. **Senate Forum for Policy Research.**- There shall be a Forum known as the "Senate Forum for Policy Research".

270. **Composition of the Forum.**- (1) The Forum shall consist of sixteen Members, eight sitting Members of the Senate and eight former Members of the Senate as nominated by the Chairman in consultation with the Parliamentary Leaders in the House.

(2) The Chairman of the Senate shall be the Patron of the Forum.

** (3) The Members of the forum shall elect from amongst themselves a Member as Chairman of the forum within one month of the constitution or reconstitution of the forum or the occurrence of vacancy, as the case may be. The term of office of the Chairman shall be one year and he shall be eligible to be re-elected.

(4) The Secretary of the Senate shall be the ex-officio Secretary of the Forum and will be responsible for maintaining the record of the Forum and to correspond on its behalf.

271. **Tenure of the Members.**- (1) The tenure of the Members shall be for a period of three years.

(2) The Chairman shall nominate members of the Forum within thirty days of the commencement of the term of the newly elected members under clause (3) of Article 59 of the Constitution.

272. **Casual vacancies.**- A member may resign at any time. If a seat becomes vacant due to resignation of a member or any other eventuality, the Chairman shall appoint another member of the Forum in his place, in the manner provided in Rule 270 (1).

**Inserted by S.R.O. No. 966(I)/2014 dt. 30-10-2014.*

***Substituted by S.R.O. No. 118(I)/2015 dt. 06-02-2015.*

273. **Functions of the Forum.-** The functions of the Forum shall be the following:-

- (a) It shall assist and advise, as and when required, the Senate, the Chairman, the Committees, the Members and the Secretariat of the Senate;
- (b) It shall study questions of public importance that are already under consideration or likely to come up before the Senate and recommend policy options/solutions;
- (c) It shall act as an ideas generation and support forum for the members of Senate in discharge of their functions;
- (d) It shall promote partnerships amongst sitting and former members of the Senate. Besides Workshops, Seminars etc, it shall organize an Annual General Meeting of former and sitting Senators;
- (e) It shall suggest ways and means to enhance the efficiency, working and effectiveness of the Committees of the Senate;
- (f) It shall compile and disseminate knowledge generated by Senate proceedings, committee reports and proceedings at international and regional Parliamentary meetings;
- (g) It shall provide input on policy issues;
- (h) It shall prepare a statute Book of Pakistan to be kept under the custody of the Chairman of the Senate which he shall; hand over to the next Chairman at the time of laying down his office;
- (i) It shall keep the compendium of Pakistan Laws up to date, year-wise and subject-wise;
- (j) It shall compile the best speeches of the Members of the Senate made by them from time to time;
- (k) It shall supervise the compilation of a book on Parliamentary Practices and procedure with special reference to Parliament of Pakistan;
- (l) It shall supervise the compilation of a book containing the Rulings of the Chairmen given by them from time to time;
- (m) It shall suggest ways and means to promote democratic traditions and principles;

- (n) It shall suggest to the Senate, ways to coordinate the activities between National Assembly and the Senate particularly with reference to Private Members' Bills, recommendations made by the Senate to the National Assembly in respect of the Finance Bill and matters related to the Special Committees/Joint Committees. IPU and CPA:
- (o) It shall advise and assist the legislative drafting unit and research cell of the Senate and the PIPS; and
- (p) It shall, in consultation with the Chairman Senate, advise the donor agencies regarding Parliamentary Development Programs.

274. Meetings of the Forum.- (1) The Chairman of the Forum shall call the meeting of the Forum, at least once in two months or when a majority of the members give a notice in writing.

(2) The agenda of the meeting shall be proposed by the Secretary, under the directions of the Chairman of the Forum and shall be sent to the members at least seven days before the meeting.

(3) All the decisions of Forum shall be taken by majority of the members present.

(4) All the proceedings of the Forum shall be recorded by the Secretary in the minutes book and shall be signed by the Chairman of the Forum.

(5) The Chairman may call an extraordinary meeting at a shorter notice if so required.

275. Reports of the Forum.- (1) The Forum shall present the annual report of its activities to the Senate in the first session after a financial year.

(2) It may submit its report on any subject as deemed necessary.

(3) The report shall be presented by the Chairman of the Forum or a member authorized by him in this behalf.

(4) The Senate may discuss the report of the Forum and pass such directions as it may deem fit.

(5) The Forum shall publish a quarterly journal or magazine and other print, electronic or web based material to disseminate its work to stakeholders and general public.

276. **Miscellaneous.-** (1) The expenses for running the Forum shall be provided by the Senate.

(2) It shall have the status of Standing Committee of the Senate and shall be regulated by the Rules of Procedure of the Senate.

(3) A former member of the Senate appointed to the Forum shall be allowed the TA, DA and accommodation expenses available to a sitting member while attending meetings or performing functions related to or in connection with the Forum.

***[277. Procedure for submission of Public Petitions.-** (1) Subject to the provisions of these rules, any person may submit a petition to the Chairman Senate containing clear suggestion relating to the business before the House, business before a Senate Committee or issue of public importance concerning the Federal Government. The petitioner shall make himself responsible for the accuracy of the matter raised by him. The petition shall be submitted online by filling in the Performa on Senate website or by post or by delivering in the Senate Secretariat by hand. Every petition will be allotted a tracking number and updated record of each petition shall be maintained by the Secretariat. A consolidated statement of the petitions received and disposed off will be made by the Secretary in the House in each session.

(2) Unless the Chairman directs otherwise, the following will be the procedure for processing and disposal of petitions:-

- (a) On every Monday and Thursday, the petitions, received during the intervening period, will be submitted to the Chairman for appropriate decision. The Chairman will decide the admissibility of petitions and mode of action thereon;
- (b) A petition admitted by the Chairman for referral to Committee shall be transmitted to the Committee concerned which shall present its report within thirty working days;
- (c) The petitions admitted by the Chairman for taking up in the House and those received back from the Committees concerned requiring discussion in the House will be taken up in the forthcoming session of the Senate;

- (d) If the House makes any recommendation or the Chairman gives any direction or the Minister gives any understanding on a petition, the Ministry/Division/Authority concerned shall report to the Senate Secretariat about the action taken thereon within twenty working days. The response of the Ministry/Division/Authority concerned shall be submitted to the Chairman for appropriate orders; and
- (e) The petitioner concerned shall be informed of the action taken on his petition within three working days after completion of action thereon.]

** Inserted by S.R.O. 796(1)/2015, dt. 11-08-2015.*

CHAPTER XIX
AMENDMENT OF RULES

278. **Amendment of rules.**— (1) Unless the Chairman otherwise directs, seven clear days' notice of a motion for leave to amend these rules shall be given to the Secretary and the notice shall be accompanied by the amendment proposed.

(2) The Secretary shall, as soon as may be, circulate the notice to the members.

(3) The motion shall be included in the Orders of the Day on the expiry of the notice period.

(4) When the motion is reached, the mover shall read out the proposed amendment to the Senate and shall ask whether the member has the leave of the Senate or not. If objection is taken, the Chairman shall call such of the members as may be in favour of leave being granted to rise in their seats and, if majority of the members present does not so rise, he shall declare that the member has not leave of the Senate, or, if no objection is taken or such membership so rises, the Senate shall declare that the member has the leave of the Senate.

(5) When a member has the leave of the Senate under sub-rule (4), he may move that the proposed amendment be taken into consideration and to such a motion by any other member may move as an amendment that the proposed amendment be referred to the Committee on Rules of Procedure and Privileges.

(6) If the motion for consideration is carried, the proposed amendment will be put to the Senate immediately for decision. If the amendment to refer the proposed amendment to the Committee is carried, the matter shall be referred to the Committee.

(7) After the proposed amendment has been referred to the Committee, the procedure in regard to a Bill similarly committed shall, as far as may be, followed with such variation as the Chairman may consider necessary.

(8) When the motion for consideration is carried, the member who gave notice shall move that the amendment be adopted and the motion shall be put to the vote of the Senate.

(9) When a rule or an amendment of a rule is passed by the Senate, it shall come into force at once.

*(10) The rule or amendment of a rule shall be known in the name of the Member who had moved it.]

279. **Repeal.**— The Rules of Procedure and Conduct of Business in the Senate, 1988, are hereby repealed.

FIRST SCHEDULE**PROCEDURE FOR DETERMINING RELATIVE
PRECEDENCE OF PRIVATE MEMBERS' BILLS
AND RESOLUTIONS**

(See rules 27 and 29)

1. Not less than seven days before each day allotted for the disposal of private members' business, the Secretary will cause to be placed in the Notice Office a numbered list. This list will be kept open for two days, and during these days and at the hours when the office is open, any member who wishes to give or has given notice of a resolution or a Bill, may have his name entered, in the case of a ballot for resolutions, against one number only and, in the case of a ballot for Bills, against one number in the list for each Bill of which he has given notice up to the number of three.

2. The ballot will be held in the Committee Room in the presence of Secretary, and any member who wishes to attend may do so.

3. Papers with numbers corresponding to those against which entries have been made on the numbered list will be separately placed in a box.

4. A clerk will take out at hazard from the box one of the papers and the Secretary will call out from the list the corresponding name, which will then be entered on a priority list. This procedure will be carried out till all the numbers or, in the case of ballot for resolutions, five numbers have been drawn.

5. Priority on the list will entitle the member to have his Bill, or, as the case may be, resolution of which the required notice has been given, set down in the Orders of the Day in the same order of priority for the day with reference to which the ballot has been held.

SECOND SCHEDULE

**FORM OF COMMUNICATION REGARDING
ARREST, DETENTION, CONVICTION OR
RELEASE OF A MEMBER**

(See rules 79 and 80)

Place.....

Date.....

To

The Chairman of the Senate,
Islamabad.

(A)

DEAR MR. CHAIRMAN,

I have the honour to inform you that I have found it my duty in the exercise of my powers under section.... of the...(Act), to direct that Mr./Mrs/Miss..... Member of the Senate, be arrested/detained for
(reason for the arrest or detention).

Mr./Mrs/Miss..., Member of the Senate was accordingly arrested/taken into custody at...(time) on... (date) and is at present lodged in the...(jail)....(place).

I have the honour to inform you that Mr./Mrs/Miss... Member of the Senate, was tried at the..... Court before me on a charge (or charges) of... (nature of offence with which charged) on.... after trial lasting for...days, I found him/her guilty of... and sentenced him/her to imprisonment for....(period).

[His/Her application for leave to appeal to.... (Name of the Court) is pending consideration].

(C)

I have the honour to inform you that Mr./Mrs/Miss... , Member of the Senate, who was convicted on...(date) and imprisoned for...(nature of offence for which convicted) was released on bail pending appeal or released on the sentence being set aside on appeal on the....(date).

Yours faithfully,

**(JUDGE, MAGISTRATE OR
EXECUTIVE AUTHORITY).**

THIRD SCHEDULE**PROCEDURE REGARDING VOTING BY DIVISION**

(See rule 238)

When the minority desires a division and the Chairman is satisfied that the demand for the division is not an abuse of the rules, he will order a division to be held by uttering the word "Division" and shall direct that the division bells be rung for two minutes to enable members not present in the Chamber to return to their places; immediately after the bells stop ringing, all the entrances to the Lobby will be locked and the Senate staff posted at each entrance will not allow any entry or exist through these entrances until the division has concluded. The Chairman will then read the terms of the motion before the Senate and put the question for a second time. If the division is still demanded, he will say "Ayes to the right, Noes to the left; divide".

2. According as they wish to vote, members will then proceed to the Ayes or the Noes Lobby and there pass in single file before the tellers appointed by the Chairman. On reaching the desk of the tellers, each member will, in turn, call out the division number which will be allotted to him for this purpose. The tellers will then mark off this number on the division list simultaneously calling out the name of the member. In order to ensure that his vote has been properly recorded, the member should not move off until he has clearly heard the teller thus call out his name. The Division number allotted to each member will be communicated separately. The number will be marked on the seat-card of each member.

3. When the voting process as described above is completed in the division lobbies, the tellers will present their division lists to the Secretary who will count the votes recorded thereon and then present the total of the "Ayes" and "Noes" to the Chairman. The Chairman will then announce the result to the Senate. The division will *not be at an end until the result* is so announced. If the members of "Ayes" and "Noes" are equal, the question will be decided by the casting vote of the Chairman.
