

**THE REPUBLIC OF SOMALILAND
RULES OF THE HOUSE OF REPRESENTATIVES**

(Somalilandlaw.com draft - 2006)

THE HOUSE OF REPRESENTATIVES

Noting that: the legislative powers of the Republic are vested in the two Houses of Parliament and that the power to legislate cannot be transferred to anyone outside the Parliament as set out in Article 38 of the Constitution;

Cognisant of: the duty of the House of Representatives to make laws that effectively respond to the needs of our people and fulfil their aspirations for a just and humane society where every person can enjoy the blessings of freedom and democracy in a state strengthened by the rule of law and social justice;

Conscious of: the pressing need for the revision of all the old laws and the introduction of new laws that are in accord with the Constitution of the Republic and the aspirations of the Somaliland people;

Aware of: the public trust reposed in the members of the House of Representatives, who are also accountable to the people at all times;

Stressing that: the members of the House shall perform their legislative and other duties with utmost competence, efficiency, effectiveness, integrity and fidelity to the people's welfare and the national interest.

Aware of: the need to ensure that the House works and is organised in a way which will enable to function as an effective legislative body with proper constitutional oversight of the work of the Executive;

Noting that: under Article 46(3) of the Constitution, the House has power to adopt its own Rules and shall establish such committees, as it deems necessary;

Conscious that: the previous Standing Rules of the House which were adopted on 16 June 1997 and subsequently revised in March 1999 are no longer adequate to meet the demands of a popularly elected House which is based on a multi-party system and that Revised Standing Rules adopted by the House on 2 January 2006 needs updating so that the House can have a comprehensive set of Rules which guide all aspects of its work;

HAS HERBY APPROVED THE FOLLOWING RULES

GENERAL PROVISIONS

Article 1: The Seat of the House

1. The seat of the House is the capital city of the country, Hargeisa.
2. The Speaker may authorise meetings of the committees or sub-committees of the House to sit, in the furtherance of their duties, at any place outside Hargeisa, or, in exceptional circumstances and with the approval of the House on a simple majority, at any place outside the country.

Article 2: The Seal

The seal of the House is a mature tree underneath which is a wooden cross-shaped book holder displaying an open copy of the Quran.

Article 3: Language

In line with Article 6 of the Constitution, the proceedings and the activities of the House shall be conducted in the country's official language, Somali. Arabic shall be the second language and other languages shall be used, when considered necessary.

Article 4: The Rules of the House

As set out in Article 46(3) of the Constitution, the Rules of the House shall be adopted during the first session of each newly elected House and shall continue to be in force until such time they are amended by the House or replaced by a newly elected House.

MEMBERSHIP

Article 5: Composition

The House shall consist of the 82 elected representatives as declared by the Supreme Court after the General Election.

Article 6: Loss of membership

- 1) Membership of the House shall be lost in accordance with Article 50 of the Constitution. These are:
 - a) The death of the member or incapacity which makes it impossible for him to fulfil his duties.
 - b) The voluntary resignation by the member, which has been accepted by the House.
 - c) If one of the pre-requisite conditions of his election is broken; or the member fails to fulfil his duties.
 - d) The passing of a final sentence on the member for a crime which has been proven in a court.

- e) The absence, without a valid excuse, of the member from 20 (twenty) consecutive sittings.
- 2) Incapacity as set out in the preceding Clause 1(a) of this Article may be mental or physical and shall be certified by a committee of no less than three recognised medical experts.
- 3) Issues relating to loss of membership caused, other than by death, shall be referred to the Permanent Committee of the House which, having confirmed that the reasons for loss of membership accord with the provisions of the Constitution, shall report to the House. The Committee shall accord the member and or his representatives an opportunity to make any submissions and shall make any such enquiries that they deem necessary.
- 4) The House shall consider the report and recommendation of the Committee and shall reach a decision on a simple majority vote. The members of the Permanent Committee may participate in the discussion, but will not be eligible to vote on the final resolution of the House.
- 5) If the House confirms the loss of membership, the Speaker shall issue a declaration and inform promptly the National Electoral Commission (NEC) which, in accordance with Article 14(2) of the House of Representatives Elections Law, shall, within two weeks, inform formally the Speaker and the Supreme Court the name of the appropriate substitute candidate on the regional list of the party to whom the person who lost his membership of the House belonged. The Speaker shall then inform the new member and arrange his swearing- in ceremony within 10 days of the date of receipt of the NEC confirmation.
- 6) In case of death of a member, the Speaker shall inform the NEC within 10 days of the Speaker's receipt of the death certificate and the procedure set out in the preceding Clause of this article shall then be followed. The Speaker, may, however, refer to the Permanent Committee for investigation and confirmation in the exceptional circumstance where the death of a member cannot be easily confirmed, in which case, the procedures set out in Clauses 3 and 4 of this Article shall be followed, as appropriate, and the Committee may also, in exceptional cases where the death cannot be established readily, to consult the Attorney General for a court declaration under Article 309 of the Civil Procedure Code.

Article 7: The Term of Office

- 1) Members of the House elected at the General Election shall serve for a term of five (5) years that begins, as set out in Article 42(1) of the Constitution, from the date the Supreme Court declares the electoral results in line with Article 59 of the House of Representatives Elections Law (Law NO: 20-02 /2005).

- 2) As set out in Article 51 of the Constitution, no seat of the House which becomes vacant after six months from the end of the term of the incumbent House shall be filled.
- 3) A substitute candidate who takes up the place of a member who loses office in accordance with Article 50 of the Constitution, shall serve for the remainder of the term of office of his replacement

Article 8: The Powers and Duties of the House

- 1) The powers and duties of the House of Representatives are set out in the Constitution and in any other relevant laws.
- 2) The House is the first branch of the Somaliland Legislature and represents the whole Somaliland electorate.
- 3) The main duties are:
 - a) the consideration and approval of all draft legislation;
 - b) the consideration and approval of all draft legislation laws and regulations relating to all public bodies, including independent public agencies, publicly owned corporations and other public organs;
 - c) the oversight of the workings of all the branches of the executive, including independent public agencies, publicly owned corporations and other public;
 - d) confirmation of presidential appointments as set out in the constitution and any laws;
 - e) approval of the national budget, consideration of the annual accounts and oversight of the budgetary expenditure as set out in the Constitution and any other law;
 - f) decisions relating to finance, taxation and issue of currency as set out in the Constitution and the law;
 - g) providing advice to the government and discussing and commenting on the programmes of the Government and their implementation;
 - h) undertaking any such enquiries or investigation as are relevant to its powers and duties;
 - i) representing the interests of the electorate, as well as those of the nation;
 - j) Any other duties and functions assigned to the House by the Constitution and other laws.

Article 9: the Duties of the Members

- 1) In order to fulfill their duties, Members shall:
 - a) prepare, introduce and work for the passage of legislative measures which address effectively the social, political and economic needs and concerns of the nation;
 - b) participate actively in deliberations of the House and of the Committees;

- c) articulate faithfully the demands and interests of the nation, their parties, as well as their constituencies;
 - d) perform such other actions as may be lawful and necessary to ensure that the duties of the House are carried out effectively and efficiently;
 - e) Participate fully in any other duties to be undertaken by the members of the House.
- 2) Members shall abide by the Rules of the House, the laws of the land and the provisions of the Constitution.

Article 10: Immunities, Limitations and Disqualifications

- 1) The privileges and immunities of members are set out in Article 49 of the Constitution.
- 2) Any issues relating to the privileges and immunities of members shall be referred to the Permanent Committee for investigation and reporting to the Speaker who shall, when appropriate, put to the House, when it is in session, or to the Standing Committee, when the House is not in session, for a decision, in line with Article 49(5) and 49(6) of the Constitution.
- 3) As set out in Article 48 of the Constitution, a Member shall not hold any other public office or employment in the Government, or any public agency or instrumentality thereof, including government-owned or controlled corporations or subsidiaries, during his term without forfeiting his seat in the House.
- 4) A Member shall not also be appointed to any office created or the emoluments thereof increased during the term of such Member.
- 5) During his term of office, a Member shall not appear personally or act as counsel for the Government, or any instrumentality thereof, including any a or a public agency or a government-owned or controlled corporation, or its subsidiaries, or be directly or indirectly financially interested in any contract with, or in any franchise or special privilege granted by these public bodies. This does not extend to any legal aid which may be paid in connection with private clients that the member any acted for, as counsel.
- 6) As set out in Article 48 of the constitution, a Member shall not use his office for private gain. He is similarly prohibited from intervening in any matter before any office of the Government for his pecuniary benefit or where he may be called upon to act on account of his office.

Article 11: Salaries and Benefits

- 1) In accordance with Article 47 of the Constitution, the salaries and benefits of Members including expenses, medical care and training shall be set out in law (which will repeal the Parliamentary Remuneration and Expenses Law - Law No: 13 of 2000).

- 2) Members shall be entitled to salaries and benefits from beginning of their term of office which is as defined in Rule 7(1) above, to the end of the term of office which is normally the day before the date when the Supreme Court declares the results of the election of the incoming House .
- 3) Female members shall be entitled to four months maternity leave starting from the end of the seventh month of the pregnancy. Members on maternity leave shall enjoy the same benefits and privileges as other members and are entitled to receive once a month copies of the House resolutions and minutes.
- 4) Any Member barred legally by the Speaker from attending sessions and/or performing such other functions relating to his office as a legislator shall be denied salary, other compensation, office space and other privileges to which Members are entitled as of the date such bar becomes effective. However, upon the lifting or cessation of such bar, the salary and other entitlements that were denied shall, forthwith, be restored.

OFFICERS

Article 12: Election of Officers

- 1) The officers of the House, the Speaker and the two Deputy Speakers, shall be elected at the inaugural meeting of the newly elected House in line with Article 36 of these Rules and whenever there is a vacancy.
- 2) A vacancy is created whenever any of the officers dies, resigns or is permanently incapacitated, or otherwise loses office in accordance with Article 50 of the Constitution or when the Members vote and declare any office vacant in accordance with this Rule.
- 3) Any 27 members of the House may propose a motion that any or all the offices of the House be declared vacant. On receipt of the written and signed motion, the Speaker and the General Secretary shall ensure that the motion is put as the first item of business in the meeting of the House on the following day.
- 4) The motion shall be put to the House at a quorate meeting and, after listening to speeches from the proposers and opposers of the motion, the matter shall be put to the vote by show of hand, provided, that in the case of the office of Speaker, the General Secretary shall call the name of each member from the roll and record the vote of each Member which shall be cast without any speech or explanation by each member. The motion shall be carried if 55 members vote for it.
- 5) If the motion which is carried by a vote of 55 members is proposing that all the three offices be declared vacant, then the meeting shall promptly move on to the election of the Speaker and the Deputy Speakers. In such a case, the voting for the offices shall be chaired

by the oldest member of the House and the actual voting shall be conducted in accordance with the provisions set out in Article 36(4) - (6) of these Rules.

- 6) To ensure continuity of the work of the House, newly elected officers shall assume their offices immediately after their election.
- 7) Any motion to the effect that an office of the House shall be made vacant tendered within the last three months of the term of the House shall require the support of 43 members before it is put on the agenda of the House and is voted upon.

Article 13: Term of Office

Unless replaced earlier in accordance with the preceding Article 12, the officers of the House shall hold office until the end of the term of the House which elected them.

Article 14: Absence or Temporary Incapacity

In case of absence or temporary incapacity of any of the officers to perform the functions of their office, the following rules shall apply:

- a) The first Deputy Speaker chosen shall assume the duties and the powers of the Speaker when the latter is absent or temporarily incapacitated.
- b) In the absence of both the Speaker and the first Deputy Speaker, the second Deputy Speaker shall assume the duties and the powers of the Speaker.
- c) In the extremely unusual situation where all three officers are absent or incapacitated and the House has to meet for reasons of an emergency that cannot await the return of either of the three officers, the Speaker and the Deputies shall designate beforehand at the beginning of each session a temporary presiding officer who shall preside over such emergency meeting until such time that one of them returns to the performance of his duties. In such a meeting no resolutions, other than those relating to the unusual emergency shall be passed without the presence of the elected officers.

Article 15: Resignation, Death, Permanent Incapacity or Vacancy

- 1) In case of resignation, death, or permanent incapacity of the Speaker, or a vacancy of any such office arising in line with Article 50 of the Constitution, but not by a motion of the members of the House as set out in Article 12 above, the first Deputy Speaker shall assume the duties of the Speaker until a new Speaker is elected within 15 days of the resignation.
- 2) If the vacancy relates to any of the offices of Deputy Speakers, the Speaker shall arrange an election within 15 days.

- 3) If a vacancy arises during a recess, the election to fill the vacancy shall take place at the first sitting of the House after the recess.
- 4) The resignation of any of the officers shall be submitted in writing to the General Secretary and shall be put to the House for acceptance on a simple majority vote by show of hand.
- 5) The election relating to the vacant office of Speaker shall be chaired by the first Deputy Speaker, unless he is standing for election as the Speaker, in which case the second Deputy Speaker shall chair the meeting. If the latter is also standing for the election, the election meeting shall be chaired by the oldest member of the House.
- 6) When one or both of the Deputy Speakers decide to stand for election to a vacant Speaker's post, they shall resign their office first and their resignation shall be dealt with in line with Clause 3 of this Article.

THE SPEAKER

Article 16: Duties and Powers

- 1) The Speaker, as the political and administrative head of the House, and in consultation with the Deputy Speakers, is responsible for the overall management of the proceedings, activities, resources, facilities and employees of the House.
- 2) The Speaker shall:
 - a) prepare the agenda for every ordinary and extra-ordinary session and establish systems and procedures to ensure full and exhaustive deliberation and swift approval of measures included therein, with the assistance of the Deputy Speakers, and in consultation with the Majority Leader, the chairmen of the committees, as well as the Minority Leader and any other Members of the House as he may choose;
 - b) inform the House of the start and ending of sessions, and the order and schedule of business of the House and its Committees;
 - c) conduct a regular quarterly meeting of all the Chairmen of the Committees or as often as may be necessary, to discuss priority measures and to facilitate dialogue, consensus and action on issues and concerns affecting the House and the performance of its functions;
 - d) exercise general supervision over all the Committees and, in furtherance thereof, conduct regular monthly meetings with the Chairmen of the committees to set legislative targets, to review performance in the attainment of such targets, to ensure that the priorities of the Committees are attuned to the legislative agenda of the House, and to discuss and resolve issues and concerns that affect the operations and performance of the Committees;

- e) establish an information management system in the House that can facilitate access to and dissemination of data and information needed in legislation, systematise gathering, recording, storage and recall of data and information relating to activities and proceedings of the House. and sustain a public information program that disseminates accurate information on the House in a timely manner;
- f) establish an efficient and effective system to monitor and evaluate the performance of the House, its Members and its Committees;
- g) establish close links and working mechanisms with the House of Elders of Somaliland which facilitate action on bills transmitted to each House and the joint meetings as well as any joint or concurrent resolutions;
- h) preside over the meetings of the House and decide on all questions of order, as well adjournment of meetings unless there are motions to the contrary;
- i) take appropriate measures as he may deem advisable or as the House may direct to preserve security, order and decorum in the meeting hall, the galleries, lobbies, chambers, offices, corridors and premises of the House;
- j) affix his signature on all bills, resolutions, and decisions that may be issued by or upon order of the House;
- k) perform administrative functions attached to his office that include, among others:
 - i) appointing the personnel of the House with authority to delegate this power;
 - ii) administering the oath of office to the General Secretary and the Advisers;
 - ii) suspending, dismissing or, in any manner, imposing necessary disciplinary measures on House personnel in accordance with the relevant rules, provided that, the suspension or dismissal of the General Secretary shall take effect only upon the concurrence of the majority of all the Members;
 - iii) consolidating or splitting vacant positions carrying salaries and wages which may be increased or reduced in the process, and/or creating new positions provided that the total amount involved shall not exceed the total amount appropriated for the salaries and wages of the personnel of the House; and
 - iv) implementing merit-based policies and programs on personnel recruitment, training and development, promotions, incentives and benefits to ensure that the House has a corps of competent professionals able to provide needed legislative support services.
- l) prepare the annual budget of the House with the assistance of the Budget & Economy Committee; and

- m) require the submission of performance reports at the end of every regular session and every fiscal year from the Committee Chairmen, the General Secretary and, and such other reports as may be required from all concerned officers of the House.

Article 17: Representation in International Parliamentary Gatherings and Organisations

- 1) The Speaker shall be the permanent representative of the House and head of any delegation in all international gatherings and organisations of parliamentarians and legislators, but he may designate any of his two Deputies, or when appropriate, the Chairman of a Committee, to act as a representative of the House or head of any such delegation.
- 2) The Speaker shall also determine, in consultation with his Deputies and the Majority and Minority Leaders, who shall constitute the House delegation to any international conference or forum of parliamentarians or legislators.

Article 18: Right to Vote

The Speaker shall not be compelled to vote, except in the case of a tie of votes.

THE DEPUTY SPEAKERS

Article 19: Duties and Powers

- 1) The duties and powers of the First Deputy Speaker are:
 - a) to assume the duties and powers of the Speaker when the Speaker is absent or temporarily incapacitated, until such time that the Speaker returns to the performance of his duties; and, in case of resignation, removal, permanent incapacity or death of the Speaker, until such time that a new Speaker is elected and qualified;
 - b) to preside over the House meetings when, even if present, the Speaker does not preside;
 - c) to recommend to the Speaker appropriate policies, strategies and programs of action to improve the pace and quality of legislation and to address effectively issues and concerns of Members on matters affecting them, their constituencies, and the overall operations and integrity of the House;
 - d) to perform such other duties and functions as may be assigned and/or delegated by the Speaker.
- 3) The duties and powers of the Second Deputy mirror those of the First Deputy, but shall be exercised only in the absence, temporary incapacity of both the Speaker and the First Deputy Speaker, until

one of them returns to the performance of his duties, and, in case of resignation, removal, permanent incapacity or death of both of the Speaker and the Deputy, until such time that a new Speaker and a new deputy Speaker is elected. The Speaker may, however, assign any such duties or functions to the Second Deputy, as he thinks, appropriate.

- 4) The Speaker and the two Deputies shall work together as a team. They shall not be all absent from a sitting of the House unless they have informed the House of such an eventuality, at least a day before the meeting.

THE SECRETARIAT AND PARLIAMENTARY ADVISERS

Article 20: The Secretariat

- 1) The secretariat of the House consists of the General Secretary, his deputy, and any section directors and staff, as may be necessary.
- 2) The duties and powers of the General Secretary are:
 - a) to prepare the Order of Business for the inaugural session of the House;
 - b) enforce orders and decisions of the House which he is mandated to enforce;
 - c) prepare and distribute the Calendar of Business of the House;
 - d) attend all sessions of the House, call the roll of the Members and read bills, resolutions, messages, communications, petitions and other documents which should be reported by him to the House or the reading of which is required by the House or the Speaker;
 - e) to note all questions of order and the decisions thereon;
 - f) to keep and to certify the Minutes of each meeting of the House and of the Committees, which shall be a clear and succinct account of the business conducted and actions taken by the House or by the committees;
 - g) to provide the House with information on approved bills to be transmitted to the House of Elders and/or to the President for action;
 - h) within three (3) months after the close of a regular session, to complete the printing of and placing at the House Archives the Records of the House for each regular session and of the laws and Resolutions passed and adopted during the same, all properly indexed;
 - i) within three (3) months after the close of a regular session, to send printed copies of the Record of the House to the President of the Somaliland, the Cabinet Members, and to other persons or entities as the House may authorise;

- j) to cause to be printed and delivered to each relevant Committee Member, a list of the reports which each Minister or Head of Government Department is required to submit to the House;
 - k) to procure and retain in the library of the House and/or in his/her office sufficient copies of books, records and documents for the use of the Members and the Officers of the House;
 - l) to certify and affix the seal of the House on all approved bills, laws, orders, and resolutions;
 - m) to affix the seal of the House on all other formal documents issued by or upon order of the House or the Speaker;
 - n) to submit to the Speaker all contracts and agreements and other documents relating to the House for approval;
 - o) to recommend to the Speaker policies and programs on recruitment of competent professionals and other staff and to appoint support staff when so authorised by the Speaker;
 - p) to appoint the staff of the Secretariat after he has received the approval of the Speaker in line with Article 52(3) of the Constitution;
 - q) to ensure that the employees of the House perform their duties competently, efficiently and effectively, and in furtherance thereof, to impose, when necessary, disciplinary measures and recommend dismissal of employees to the Speaker in accordance with the appropriate service rules;
 - r) to ensure that the employees of the House provide necessary technical and other support services to the Members,
 - s) to acquire the necessary facilities and equipment under the direction of the Speaker;
 - t) to act as custodian of the archives, records and property of the House and all government property within the House premises, and to make an inventory of all these archives, records and property at the beginning and end of each regular session;
 - u) To prepare and submit to the House, through the Speaker, at the end of each fiscal year, a comprehensive report on the performance of the House Secretariat and other Staff and the expenditures incurred in the operations thereof, and
 - v) to perform other duties that may be assigned or ordered by the House or by the Speaker.
- 3) The Secretariat shall assist the General Secretary in the performance of the above duties.

Article 21: The House Chief Security Officer

As soon as practicable, the Speaker and the General Secretary shall appoint a Chief Security Officer whose duties and powers shall be:

- a) to be present in all sessions of the House unless excused by the Speaker or the Presiding Officer, and through his staff, when required, in all meetings of the Committees;
- b) to enforce strictly rules relating to admission to the session hall, the galleries, offices, corridors and premises of the House building;
- c) to ensure that security officers under his supervision observe proper behaviour and perform faithfully their duties;
- d) to implement orders and serve all processes issued by authority of the House or by the Speaker;
- e) to be responsible for the security and maintenance of order in the session hall, galleries, offices, corridors and premises of the House building during sessions, and during the conduct of meetings of committees and other proceedings or activities of the House whether the House is in session or not;
- f) to be responsible for the safety of the Members while in the House premises or, as the Speaker may direct, in any other place;
- g) to be responsible for the security of the properties of the House;
- h) to recommend to the Speaker, and to implement upon the direction of the Speaker, security management systems, policies and programs that will ensure security and the maintenance of order in the House and its premises, protect the safety of the Members and employees, visitors and other persons who are within the premises of the House on official business, and the preservation of properties, equipment, facilities, documents and records of the House; and
- i) to prepare and submit to the House, through the Speaker and the General Secretary, at the end of every fiscal year, a performance report relating to the security and maintenance of order in the House.

Article 22: Legal Adviser and Chief Draftsman

The Speaker shall appoint a Legal Adviser and Chief Draftsman whose duties are:

- a) to advise the Speaker, the House and all the Committees on the Constitution and on all legal matters;
- b) to lead a team of lawyers and legal draftsman who can assist the House and the Committee in the drafting of legislation, amendments, resolutions and other legal documents;
- c) together with the General Secretary, to ensure that all legislation passed by the House is printed correctly and copies are kept at the House Library;
- d) to advise the Speaker and the Committee Chairmen on any issues relating to the Rules of the House; and

- e) to participate, as appropriate, in any initiatives or committees aimed at revising or consolidating Somaliland legislation

Article 23: Other Advisers

The Speaker may also appoint other advisers, as and when necessary.

Article 24: Salary and other Conditions

- 1) The Salary and Remuneration of the General Secretary, the Secretariat staff, the House Chief Security Officer, the Legal Adviser, any other advisers, as well as all the other staff of the House shall be set periodically by the House. The conditions of employment of all the staff of the House shall be broadly similar to comparable jobs and grades in the Somaliland civil service, but are set out in a separate law - the House of Representatives Employees Law - Law No: 15 of 26/2/2000.
- 2) Any appeals arising out of the grievance or disciplinary decisions relating to employees of the House and made by the Speaker shall be dealt by the Permanent Committee of the House.

POLITICAL PARTIES

Article 25: The Majority and the Minority

- 1) The Party or Parties who voted for the winning candidate for Speaker at the inaugural meeting of the House and at any subsequent challenging vote for the office of Speaker under Article 12 of these Rules, shall constitute the majority in the House and they shall elect from among themselves the Majority Leader who can be changed only by a majority vote of all the majority members, at any time.
- 2) Those who voted for the losing candidate(s) for Speaker shall constitute the minority in the House. These Members shall elect from among themselves the Minority Leader who can be changed only by a majority vote of all the minority members at any time.
- 3) The majority and minority shall elect one Deputy Majority and Minority Leader.
- 4) As the Somaliland Constitution allows only three Parties, each majority and minority of the House can only consist of one or two of the Parties.
- 5) The Speaker and his Deputies shall hold regular consultation meetings and with the Majority and Minority Leaders and their deputies so as to facilitate the business of the House and its committees.

THE COMMITTEES

Article 26: Types of Committees and their general functions

- 1) The House shall have standing committees, special or ad hoc committees and joint committees as may be deemed necessary for the performance of the duties and powers of the House, as set out in Article 46(2) of the Constitution.
- 2) The functions of the various types of Committees are:
 - a) **Standing Committees** shall have jurisdiction over the needs, concerns, issues and interests affecting the general welfare and/or which require continuing and/or intensive parliamentary or legislative study, attention and action.
 - b) **Special committees** or **Ad hoc committees** shall address special or urgent needs, concerns, issues and interests of certain sectors or constituencies requiring immediate parliamentary or legislative study and action, or such needs, concerns, issues and interests that may fall within the scope of the jurisdiction of a standing committee, but which the standing committee concerned is unable to act upon with the necessary dispatch. Ad hoc committees are normally set up for a short duration on any subject and shall disband when they report on the matter on which they have been entrusted to study. Special and ad hoc committees shall function in accordance with the terms of reference set for them by the House.
 - b) **Joint committees** are those set up with the members of the House of Elders on any specific subject and may well have the characteristics of a standing, or special /ad hoc committee.
- 3) Without prejudice to any other duties and powers given by the House to a specific Committee, the main duties and powers of all the Committees are:
 - a) to study and act upon all issues including bills and resolutions referred to them and make recommendations to the House within the deadlines set for them by the House;
 - b) to conduct research and studies, hold consultations with affected sectors and constituencies, and seek the assistance of experts and professionals from the public or private sectors as may be needed in the performance of their functions;
 - c) to establish appropriate systems and procedures to ensure that constituencies, sectors and groups whose interests are affected by any measures or issues they are considering are given sufficient opportunities to be heard;
 - d) to conduct, upon a majority vote of all their Members or on referral by the House, hearings and inquiries on issues and concerns within their respective jurisdictions;
 - e) to debate and comment on the programme of work and budget the Government ministries, departments, agencies and other public bodies and agencies, and to formulate any advice or recommendation.

- f) to keep oversight of the work of the relevant government departments, public agencies and any other publicly owned corporations, and, in the furtherance of this duty to summon, in line with Article 53(6) and 53(7) of the Constitution, the appropriate ministers, heads of departments or heads of agencies and public corporations so as to seek explanations about the performance of their duties;
 - g) without prejudice to any legal proceedings, to enquire into any credible information indicating malfeasance or misuse or abuse of public office committed by members of the Executive and officers and employees of the government and public organisations on its own initiative or upon order of the House.
- 5) Each standing committee may create such working sub-committees as may be necessary for the efficient and effective performance of its functions, provided that all decisions shall be taken or endorsed by the Committee.

Article 27: Membership of the Committees

- 1) Members of the committees shall be chosen by the Speaker and his Deputies in consultation with the Majority and the Minority Leaders. So far as possible, due regard should be given to the expertise and skills of the members, as well as the need for wide representation from all the regions. With the exception of the permanent committee, all the other committees of the House shall be organised on the basis of proportional representation of the Majority and the Minority.
- 2) Provided that any Committee is functioning properly, no changes, other than the filling of any vacancies, may be made to the membership of the Standing Committees during the first year and last year of the term of the House and any other changes shall not involve the whole membership of a Committee.
- 3) A vacancy in any committee shall be filled in line with the preceding Clause (1) of this Article provided that the proportional representation of the Majority and the Minority in the committee is maintained.
- 4) Each committee shall elect its own Chairman and Deputy Chairman at its inaugural meeting, and those elected shall remain in that capacity until they resign or the majority and minority leadership of the House changes or the committee votes to elect any Chairman or Deputy Chairman. Each committee shall have clerks assigned to them by the Speaker and the General Secretary
- 5) In case of absence or temporary incapacity of the committee Chairman, the Deputy Chairman shall automatically assume the duties of the Chairman until such time that the latter returns to the performance of his duties. In case of absence or temporary incapacity of both the Chairman and the Deputy Chairman, the

Committee shall chose as a temporary Chairman of the meeting a member of the Committee who is from the Majority group until such time the Chairman or the Deputy Chairman can assume their duties.

- 6) In case of vacancy in the position of committee Chairman or Deputy Chairman by reason of death, resignation, permanent disability or removal, the vacancy in the Committee shall first be filled by the Speaker in line with Clause 1 of this Article and the Committee can then proceed to elect one of its members to the vacant position of Chairman and Deputy Chairman. In the mean time, the meetings of the Committee shall be presided, if necessary, in line with the preceding Clause (4) of the Article.
- 7) Committee members shall be entitled to appropriate allowances deemed necessary for the fulfilment of their duties.

Article 28: The Permanent Committee

- 1) There shall be a Permanent Committee of the House consisting of 17 members (including, if possible, a lawyer) who shall deal with all matters directly and principally relating to:
 - a) the duties, conduct and discipline, rights, privileges and immunities, dignity, integrity and reputation of the House and its Members;
 - b) all urgent decisions which need to be taken during the recess periods;
 - c) all matters relating to the interpretation of changes in Rules of the House, in consultation with the House Legal Adviser ;
 - d) any questions relating to the membership of the House;
 - e) appeals relating to the grievance/discipline of staff of the House;
 - f) any complaints received from the members of the House;
 - g) any disputes which are referred to them for resolution;
 - h) any matters referred to them by the Speaker; and
 - i) any issues which require joint deliberation with the permanent committee of the House of Elders.
- 2) When meeting the Permanent Committee of the House of Elders, the members of the House Permanent Committee shall be joined by the Speaker and the two Deputies, and the Chairmen of the other House Standing Committees.

Article 29: Other Standing Committees

The House shall also have the following other standing committees, the membership and jurisdiction of which shall be as follows:

- a) **Economy, Finance and Commerce Committee** (7 Members) : All matters relating to economic development and trade and commerce; banking and currency, government-owned or controlled banks and financial institutions, non-government banks and financial institutions, insurance, securities and securities exchange; domestic

and foreign trade; natural and energy resources including land and sea, and their exploration, conservation, management and utilisation. All matters directly and principally relating to the national budget, incomes and expenditures of the central and local government, as well as independent public bodies or agencies and all matters directly and principally relating to the fiscal, monetary and financial affairs of the government and all other public bodies.

- b) **Social, Education, and Employment Committee** (7 Members): All matters relating to public health and hygiene, and health facilities and services; housing shelter, urban and rural planning and development; the family and the care of the young and the elderly and the disabled. All matters relating to pre-school, elementary secondary and higher education, as well as special and vocational education, the preservation and enrichment of Somaliland culture and sport, as well as all matters relating to labour and employment and job creation.
- c) **Environment, Livestock, Agriculture and Natural Resources Committee** (7 members): All matters relating to the care and protection of the environment; livestock and agricultural development; and the utilisation of natural resources.
- d) **Internal Affairs & Defence** (7 members): All matters relating to local government and communities; policing and public order; disaster relief and rescue. All matters relating to national defence and national security and the Armed Forces of the Somaliland.
- e) **Foreign Affairs & International Co-operation** (7 Members): All matters relating to the relations of the Somaliland with other countries, diplomatic and consular services, the United Nations and its agencies, and other international organizations and agencies. All matters relating to international treaties.
- f) **Constitution, Justice & Human Rights Committee** (7 members) All matters relating to the administration of justice, the Judiciary, the practice of law, prisons and reform. All matters relating to the protection and enhancement of human rights; the Constitution and enquiries into impeachment motions and the revision and/or codification of laws.

Article 30: Special or Ad Hoc Committees

- 1) The House may also appoint special or ad hoc committees on the basis of proportional representation of the majority and the minority, and shall determine their membership and general jurisdiction. Unless otherwise provided, the officers and members of these Committees shall be appointed in the same manner as those of the standing committees, as set out in these Rules, and they shall exercise the same powers as the standing committees, in the execution of the separate duties assigned to them.

- 2) The House shall appoint **two special committees** consisting of 5 members each who shall deal, for a period of two years, with the safeguarding of public property and with issues of religion and religious endowments.
- 3) The planned term of any special or ad hoc committee shall be set at its formation and any extension of that term shall be put by the Speaker to the House for approval.

Article 31: Joint Committees

- 1) The House may, with the agreement of the House of Elders, set up joint committees consisting of members of both House to consider any issues including undertaking enquiries or considering draft legislation.
- 2) The composition of the House of Representatives membership of any joint committee shall reflect the proportions of the majority and the minority in the House.
- 3) The composition, terms of reference, duration and mode of reporting back of the committee shall be agreed by the House on simple majority vote.

Article 32: Meetings of the Committees

- 1) Standing and special committees may adopt their own procedures by a majority vote of all their members, but these must not be inconsistent with the House Rules and should not expand or in any way alter the committee's jurisdiction.
- 2) The quorum of the meetings of the committees shall be half of the total members plus one. The Speaker and the Deputy Speakers, the Majority and Minority Leaders may, when necessary and they are willing and able to do so, be called upon to keep an important committee meeting quorate provided that no decisions can be reached in those meetings. The quorum of the sub-committees shall be set by each Committee when setting up a sub-committee, and the Committees may designate such sub-committees to undertake enquiries on behalf of the Committee.
- 3) No member of a committee shall participate in committee deliberations or vote on any matter regarding which he has direct or indirect business, financial or pecuniary interest.
- 4) The decisions of the committees shall, as far as possible, be reached by consensus, and any voting shall be carried by simple majority.
- 5) A Member who is the author of a bill or a resolution referred to a committee or, if there be several authors, the first author named in the bill or resolution, shall be considered as a member of such committee of referral for the purpose and for the duration of the consideration of bill or resolution, but shall have no vote in the committee.

- 6) All committees and subcommittees shall conduct their meetings, conferences or hearings at such time they may determine in the House building or, whenever necessary, in any government office or facility. They may, however, be held in any other place when authorised by the Speaker or when so authorised by the House.
- 7) Committee meetings will normally be open but may be closed when the matters under discussion relate to national security, conduct of members, or evidence and testimony which the Committee feels should be heard confidentially.
- 8) All Committees shall hold regular meetings at least twice a month when the House is in session. Other meetings may be called by the Chairman or the Deputy Chairman or by three members.
- 9) Committee meetings shall not be held, as far as possible and without the agreement of the Speaker, at the times when the House is meeting. The committees shall normally meet on Wednesdays and Thursdays of the week, but may also meet, if necessary and with the approval of the Speaker, on other days and during recesses.
- 10) The committees or sub-committees, through the Committee Secretariat, shall undertake measures to ensure that public notices and/or announcements regarding the conduct of any of its meetings or public hearings are issued at least one day before the meetings, conferences or hearings. All meetings and public hearings shall be open to the public subject to reasonable regulations in the interest of security, order, and the safety of persons in attendance.
- 11) Special meetings may be called by the chairperson or by one-third (1/3) of the members, with written notice together with the agenda of the meeting served on each Member.
- 12) Committees may set up working groups to ensure that matters considered and the corresponding committee reports are carefully crafted and express the ideas, sentiments and consensus of the Committee.
- 13) Committee reports or orders on any bill, resolution, enquiry or any other matter shall be considered in formal meetings. A committee report, once approved, must be signed by a majority of the members of the committee. Once a committee report is approved, the report and the corresponding measure it covers shall no longer be subject to any change, amendment or alteration, except to corrections of typographical errors.
- 14) If a matter is considered by two committees, a quorum must be present in each of the committees concerned, and majority of the members present in each committee, there being such quorum, is required to approve the committee report.
- 15) When a committee submits a report, a member thereof shall be presumed to have concurred with the report and shall be precluded from opposing the same during plenary debate at the House unless he has submitted beforehand his objections and/or dissenting vote with the General Secretary in writing, and the Speaker has agreed

that the member could not have been considered to have voted for or against the report.

HOUSE OVERSIGHT DUTIES

Article 33: Appearance by Ministers or Public Heads

- 1) In order to fulfil its duties under Article 53(6) and 53(7) of the Constitution, the House or its Committees may summon to appear before them Ministers or Deputy Ministers or Heads of the Organs of State as defined in Article 113 of the Constitution, or Heads of other Public Offices or agencies, or public officers of Director General or Director level, including accredited Foreign envoys, or Heads of the Police, the Corrections or the Armed Forces, or Heads of any public agencies, commissions or corporations, any governors, mayors or regional or district executive officers to be heard by on any matter pertaining to their department or work. The request which shall be signed by the Speaker shall state specifically some of the main questions to be answered and the date and hour for their appearance. Such appearances shall be scheduled at least three (3) working days from receipt of the requests.
- 2) When any of the officials listed in Clause (1) above wishes to appear before the House or any of its Committees on any matter pertaining to his department or work, he may notify the House through the Speaker, who may set the date and hour for his appearance.
- 3) The officials may produce some of the answers in writing, but the questions of the members shall not be limited to the written questions and may cover other related matters. The questions and answers shall be recorded in the House Minutes or in the Committee minutes, as appropriate.
- 4) The appearance of the official shall be conducted in a closed sitting when the security of the State or the public interest require and the Speakers so confirms.

Article 34: Formal request for information or documents

- 1) The House may pass on a simple majority a formal resolution requesting that the President, or directing that a Minister or any of the public officials listed in Article 33(1) of these Rules, furnishes information or documents relating to any issue other than a matter which is being considered by a court of law.
- 2) The House may refer the resolution to a Committee for consideration and reporting back prior to its adoption and, when it is passed, must always refer the resolution to a Committee for following up the resolution, studying the response and reporting back to the House on the quantity and quality of the information or documents.

- 3) If the President or a Minister considers any information or documents be secret or strictly confidential, The Speaker shall make suitable arrangements for the information and documents to be considered initially by him and his deputies or by a standing or special or joint committee, and then recommendations for any further action can be submitted to the House.
- 4) On receipt of the Committee report and recommendation, the House shall proceed to consider what further action, if any, to take in respect of the information and documents provided.

Article 35: Appearance by others

- 1) The House or any of its Committee may, during the conduct of their enquiries or investigations summon any persons who they consider can provide a testimony or an expert opinion about any issue under pertinent to their enquiries or investigations, or can provide relevant documents.
- 2) Such summons shall be signed by the Speaker or his deputies and shall ensure that the persons are given sufficient notice of the date of their appearance and brief details of information and documents sought they should provide.

Article 36: Refusal to appear or produce documents

- 1) Any person who is summoned by the authority of the House or its committees to appear before it and give testimony or produce documents in relation to any matter under enquiry or investigation by the House or its committees and who wilfully refuses to appear or refuses to answer pertinent questions or refuses to produce relevant documents which are in his possession shall referred to the Attorney General for criminal prosecution, after the Speaker so certifies.
- 2) Until a specific law setting out punishment for this offence is passed, the Attorney General shall consider prosecution under Article 96(4) and 96(5) of the Constitution in respect of ministers and deputy ministers (after the House has followed the procedure under Article 69 of these Rules); Article 255 of the Penal Code in respect of other public officials and Article 505 of the Penal code in respect of other persons.

Article 37: Written Questions & Answers

- 1) To fulfil their duties under Article 53(7) of the Constitution, members of the House may submit to the Speaker in triplicate written questions to be put to the public officials listed in Article 30(1) of these Rules who shall reply in writing to the General Secretary of the House within one calendar month of the date of the question being transmitted to them. Questions may be withdrawn

by the member at any time in writing and addressed to the General Secretary. Questions of an urgent nature or those relating to current issues shall be given priority.

- 2) Questions shall be based on facts and asked to obtain information or press for action in relation to the duties of the relevant Ministers or Officials. No question shall:
 - b) contain arguments;
 - c) suggest its own answer;
 - d) include offensive or “unparliamentary” language or expressions;
 - e) pertain to matters which are being dealt with by a court of law and are hence *sub judice*;
 - f) include names or statements other than what is strictly necessary to make the question intelligible;
 - g) relate to matters directly under the responsibility of another department head or official;
 - h) refer to a matter which is still being considered by a committee of the House;
 - i) repeat a question previously asked and answered
 - j) should not be excessively long or
 - k) require an answer which can only be provided through incurring considerable expenditure.
- 4) If the questions do not conform to the above standards, the General Secretary shall return them to the Member concerned and the latter may modify or restate the questions to make them conform to the standards or appeal the action of the General Secretary to the Speaker whose decision shall be final.
- 5) When an official is appearing in front of the House or its Committee, the Speaker may decide that some of the relevant written questions asked under this article may instead be put to the official at his appearance, in which case, the relevant official shall be informed at least a week before the date of appearance.
- 6) Ministers and all Heads of Departments and officials shall accord House written questions priority and shall ensure that the written replies are returned to the General Secretary within the time limit of calendar month from date of delivery of the question to their Head Office. Written answers should relate directly to the questions asked and should be concise and clear responsive and conform, as far as possible, to the standards set for questions set out in Clause (2) of this Article.
- 7) The General Secretary shall submit to the House every two months a progress report on the written questions and answers and highlight those Ministers and other public officials who have not replied within time or have given unclear or equivocal replies, and the Speaker shall recommend to the House what further action to take in each case. This may include, but is not limited to writing a letter asking for explanation, passing a resolution about the Minister or public officer’s lack of co-operation or summoning of the relevant

Minister or public officers to appear in front of the House or a Committee to answer the questions.

THE HOUSE SESSIONS AND SITTINGS

CONVENING THE HOUSE

Article 38 : Inaugural Meeting

- 1) The first meeting of the House after a general election shall be called in accordance with Article 44 of the Constitution.
- 2) The meeting shall be quorate on the attendance of two thirds of the total members of the House and shall be opened by the Chairman of Supreme Court.
- 3) As set out in Article 44(3) of the Constitution, Members shall take their oath of office collectively or individually before the Chairman of the Supreme Court at this first meeting of the House.
- 4) After the oath is administered by the Chairman of the Supreme Court, the oldest member of the House shall take the Chair and shall call the House members to order and proceed immediately without any delay to the election of the Speaker and two Deputy Speakers shall be designated as first and second Deputy Speakers in order of precedence. No other business, whatsoever, may be conducted by the temporary Chairman, nor any speech given by him and the nominations and voting shall be conducted promptly and without any interruptions.
- 5) Nominations for the three offices of Speaker and two Deputy Speakers shall be sought by the temporary Chairman of the meeting and recorded by the General Secretary. Nominations for the offices of Speaker and Deputy Speakers shall be made by the three political parties only and there will only be a maximum of three candidates for each office. It is incumbent upon each political party to select its nominees within in its party in an open and democratic manner before the inaugural meeting of the House.
- 6) For the election of the Speaker, the General Secretary shall call the name of each member from the roll and record on a tabulated form the vote of each Member which shall be cast without any speech or explanation by each member. The election offices of Deputy Speakers shall be carried out by show of hands. In all cases, the candidate with the largest number of votes (simple majority) shall be declared the winner.
- 7) On conclusion of the election, the elected Speaker shall assume his office and chair the remainder of the meeting.

Article 39: Sessions of the House

- 1) As set out in Article 46 of the Constitution, the House shall hold every year 3 (three) ordinary sessions which shall last 28 (twenty eight)

weeks in total. The sessions shall be separated by a period of no less than 4 (four) weeks and no more than 8 (eight) weeks.

- 2) The time table for the sessions for each calendar year shall be proposed by the Speaker, after consultation with the deputy speakers and discussions with the House party leaders, and shall be approved by House on a simple majority.
- 3) The President shall deliver the State of the Nation speech at the start of the first session of each year. The speech shall cover the political situation, the Government's programme, the economy, and the financial and security situations.
- 4) To mark the end of any session, the Speaker shall put to the House a motion ending the session. Such a motion may be approved on a simple majority. If the motion to end the session is defeated, the Speaker shall re-submit the motion again on a daily basis until it is passed or an extra-ordinary session is requested in line with the Clause 5 of this Article and passed on a simple majority.
- 5) An extra-ordinary session of the House of Representatives may be held:
 - a. on request of the President;
 - b. on convening by the Speaker of the House of Representatives; (*or*)
 - c. on request, in writing, of 1/3 (one third) of the members of the House.
- 6) A motion to end an extra-ordinary session may be proposed by the Speaker or by one third of the members of the House and may be approved on a simple majority vote.
- 7) On conclusion of the business which necessitated the convening of an extra-ordinary session, the Speaker shall put to the House a motion ending the session and allowing the House to return to its planned timetable of ordinary sessions. Such a motion may be approved on a simple majority.

Article 40: Commencement of Daily Sittings

- 1) Unless otherwise stated by the Speaker, the daily sittings of the House shall commence at xxx o'clock in the morning on Saturdays through to Tuesdays. Upon written notification to the General Secretary by the concerned Committee Chairman, Members who are attending an essential committee meeting while the House is sitting as authorised by the Speaker in accordance with Article 39 hereof, shall be deemed present at the sitting for the purposes of the attendance record.
- 2) If the Speaker and the Deputy Speakers are all absent at the scheduled start of a meeting of the House, and the General Secretary confirms that none of them will be available on that day as they have given a notice in line with Article 19(4) of these Rules, the meeting shall be considered adjourned until the following day. If the same problem arises again on the following day, the House shall convene at the

planned hour and the General Secretary, on confirming that the House is quorate, shall ask that the members choose a Chairman for the meeting. If any of the House officers (the Speaker or any of the Deputies) arrives during the meeting, there shall be a short immediate recess, after which the meeting shall be chaired by the officer.

- 3) In the unlikely situation that the Speaker and the Deputy Speakers are all absent at the start of a scheduled meeting of the House, and the General Secretary confirms that none of them will be available on that day and in addition no notice in line with Article 19(4) of these Rules has been given, the meeting shall convene and, if quorate, shall be conducted in line with the preceding clause (2) of this Article.

Article 41: Attendance

- 1) Every Member shall be present at all the sittings of the House unless prevented from doing so by sickness or other unavoidable circumstances duly reported to the House through the General Secretary. Members must sign the attendance register every day when the House is sitting. Any member who signs the register but fails to attend, without any excuse, the sitting of the House on that day shall be considered as being absent for the day.
- 2) Members who are planning to be absent from the sittings because of work, medical, travel or other commitments must obtain the prior written permission of the Speaker. The number of members who can be permitted planned absence from the House at any sitting should not, as far as possible, exceed 15.
- 3) relating to If the Government or the House of Elders require some members of the House for official business, a written request setting out the nature and duration of the tasks to be undertaken shall be submitted to the Speaker. Any necessary expenditure for such duties shall be met by the requesting body.
- 4) Any member who does not attend twenty (20) consecutive sittings without a valid excuse shall lose his membership of the House in accordance with Article 50 of the Constitution. In such a case, the loss of office shall be dealt with in accordance with Article 4 of these Rules.
- 5) Absence without excuse from less than 20 consecutive sittings shall be dealt with as follows:
 - b) All absence without excuse shall be noted in the Minutes. The second day absence shall lead to a notice from the Speaker which shall be affixed to the House notice board.
 - c) If the member does not return on the fifth day, he shall lose his salary during his absence, until the end of the session.
 - d) The Speaker shall inform the House at the end of each session the names of the Members who have been disciplined for non-attendance.

- 1) If a member was absent without an excuse for a total of 56 days in any one year period, he shall be considered as having failed to fulfil his duties in line with Article 50 of the Constitution and the matter shall be dealt with in accordance with Article 4 of these Rules.

Article 42: Daily Order and Schedule of Business

- 1) The daily Order of Business on which the Schedule (agenda) shall be based is as follows:
 - a. Opening Recital of the Quran.
 - b. Roll call.
 - c. Approval of the Minutes of the previous sitting.
 - d. First Reading and Referral to Committees of Bills and other Proposed Resolutions or Enquiries.
 - e. Unfinished Business from the last sitting: This is business being considered by the House at the time of its last adjournment. Its consideration shall be resumed until it is disposed of. The Unfinished Business at the end of a session shall be resumed at the commencement of the next session as if no recess has taken place. At the end of the term of a The House, all Unfinished Business is cancelled.
 - f. Business for the Day: These are bills, resolutions and other measures set in the Calendar for the Day. They shall be considered, as far as practicable, in the order in which they are listed in the Calendar and after the business mentioned in the preceding paragraph.
 - g. Any Business for a Certain Date/Day: Any business which is usually done on a specific day of the week or month or date.
 - h. Committee Reports.
 - i. Bills and Resolutions for Final (Second) Reading: Bills and Resolutions shall be submitted for a final vote after printed copies thereof in final form have been distributed to the Members at least three (3) days prior to the final vote thereon, except when the Speaker has confirmed them as being urgent or the Government has assigned them as being urgent under Article 77(3) of the Constitution.
 - j. Written Questions & Answers (tabled) and any reports
 - k. Unassigned Business.
 - l. Short suspension of the meeting for any prayer times during the day/evening.
 - m. Final Prayers (Ducada Khaatinka).
- 2) The Schedule (agenda) for every day shall be brought to the attention of the members at, the latest, the start of business of the day before. This does not preclude the consideration of any other urgent business or matters arising out of the discussions on the day.
- 3) Any member may propose in writing to the Speaker before the relevant meeting that the Schedule (agenda) be amended, in which

case the motion shall be put to the meeting and may be approved on a simple majority vote.

- 4) Members who wish to speak about the items on the Schedule (agenda) must inform the General Secretary before the start of the sitting.

Article 43: Call to Order

- 1) The Speaker shall open the sitting by calling the House to order. The start of every sitting shall be marked by a recital of the Quran.
- 2) The full names of Members present shall be called upon every roll call. When two or more Members have the same three names, their nick names or party affiliations shall also be called in addition to their full names.

Article 44: Quorum

- 1) As set out in Article 45(2) of the Constitution, a majority of all the Members of the House, with the exception of the seats that have been declared vacant and have not been filled yet, shall constitute a quorum. The House shall not transact business without a quorum.
- 2) A Member who questions the existence of a quorum shall not leave the Meeting Hall until the question is resolved or acted upon.
- 4) For the avoidance of doubt, abstentions from voting do not affect the quorum.

Article 45: House Sittings Open to the Public

- 1) The House sittings shall be open to the public, but may be closed on the request of the Speaker or of 11 members and approval by the House or when the House decides that the matters to be discussed relate to:
 - a) issues of national security, or
 - b) conflict between the members of the House or between the two Houses or between the House and the Government, or
 - c) matters concerning the conduct of members on which the Permanent g Committee has reported on and the Speaker is of the opinion that the House should discuss and reach a resolution thereof.
- 2) At the start of a closed sitting, the Speaker shall direct that the galleries and hallways to be cleared and the doors closed. Only the General Secretary, the Legal Adviser, the Chief Security Officer and other persons specifically authorised by the Speaker shall be admitted to the closed sitting. They shall preserve the secrecy of everything read or discussed in the sitting.
- 3) When, by request of the House, confidential documents or papers marked as such are transmitted to it by the President or a Minister or Head of a public body, which require consideration in a closed

sitting, their existence or contents shall not be revealed without leave of the House.

Article 46: Suspension and Adjournment of Sittings

- 1) At any time after the roll call is completed, a motion to adjourn shall be in order and, if approved by a majority of those present, all proceedings for the day shall be vacated.
- 2) The sittings of the House shall not be adjourned except by direction of the House, but the Speaker, in his discretion, may declare a suspension or a rise of a short interval at any time, and in particular, during prayer times.
- 3) The exact times of the opening, suspension and adjournment of a sitting shall be entered in the Minutes.

Article 47: Approval of the Minutes

The Minutes of the last sitting shall be submitted to the House for approval. Prior to approval, the Minutes shall be read in full unless copies thereof have been distributed to the Members. The Minutes for the last day of a regular or special session shall be approved at any sitting in the following session.

PRIVILEGE HALF HOUR

Article 48: Tuesday Privilege Half Hour

- 1) In every Tuesday sitting, as part of the agenda item “Any Business for a Certain Date/Day”, there shall be, without extension, a Privilege Half Hour in which any Member may speak on any matter of general interest, for no more than fifteen minutes, and no formal motions or proposals shall be made.
- 2) Members who desire to make use of this privilege must apply in writing to the General Secretary with brief details of the topic. At the beginning of each week, the Speaker shall draw up through lots the two (2) members who succeed in getting a slot for the following week and their names shall be added to the Schedule (agenda).
- 3) If in any specific Tuesday, emergency business has not allowed the holding of the Privilege Half Hour or there is a national holiday, then the Speaker shall assign a Privilege Half Hour on another day.

MOTIONS AND DEBATES

Article 49: Motions

- 1) All motions, other those that arise during a debate, which will be considered in line with Articles 51 and 52 of these Rules, shall be

submitted in writing to the General Secretary and shall be considered as an addition or amendment to the Schedule (Agenda) in line with Article 40(3) of these Rules. Such motions require the signatures of eleven (11) members.

- 2) Motions must not be in conflict with the Constitution and the Rules of the House and must not include “unparliamentary” or unacceptable language.
- 3) The Speaker shall state the motion or, if in writing, shall cause it to be read by the General Secretary before the House accepts to debate it. A motion may be withdrawn any time before its approval.
- 4) All motions shall be entered in the Minutes together with the names of the Members making.

Article 50: Precedence of Motions During A Debate

- 1) When a question is under debate or before the House, no motion shall be entertained except the following, which shall take precedence in the following order:
 - a) Motion to Adjourn the sitting.
 - b) Motion to Raise a Point of Order: A Point of Order is a privileged question that raises a violation of the rules in relation to the matter under discussion on the floor. A motion to read any part of the Rules is equivalent to a Point of Order and takes precedence over any motion other than to adjourn.
 - c) Motion to Raise a Question of Privilege: Questions of privilege are those affecting the duties, conduct, rights, privileges, dignity, integrity or reputation of the House or of its Members, individually or collectively. A Member shall seek the permission of the Speaker before raising such an issue
 - e) Motion to Postpone to a certain day or indefinitely: After a motion to postpone to any certain day or to postpone indefinitely is lost, such motion shall not again be allowed on the same day.
 - f) Motion to Amend.
- 2) The first four (4) motions shall be decided without debate, while the last one (1) motion may be decided after a debate subject to the five-minute rule.
- 3) No motion shall cover any more than one subject matter and no proposition on a subject matter different from that under consideration shall be allowed under the guise of amendment.
- 4) When any matter is under consideration, a motion to amend and a further motion to amend the amending motion shall be in order. When an amendment is rejected by the proponent of the original motion, the proponent of the amendment may appeal to the body. The proponent of the original motion and the proponent of the amendment may explain their positions, on appeal, subject to the five-minute rule. It shall also be in order to move for amendment by

substitution, but said motion shall not be voted upon until the text of the original matter is perfected. Any amendment may be withdrawn before a vote is had thereon.

- 5) Amendment(s) to the title of a bill or resolution shall be in order only after amendment(s) to the text have been completed. Amendment(s) to the title shall be decided without debate.

Article 51: Opening and Closing of Debates

- 1) The Member introducing a Committee report or proposing a resolution, with leave of the speaker, may open and close the debate.
- 2) Unless otherwise varied by the Speaker at the start of a debate, a motion to close the debate on any matter at the floor of the House shall be in order after three (3) speeches for and three (3) against, or after only two (2) speeches for and none against are entered.
- 3) When a matter under consideration has been sufficiently discussed by a Member who has the floor and there are several Members who have signified their intention to speak on the same matter but have not been able to do so, the Speaker may order, on his own motion or upon the motion of a Member, that the Member having the floor desist from speaking further so that other Members may not be deprived of their opportunity to speak.

DECORUM AND DISCIPLINE

Article 52: Rising to Speak

- 1) When a Member, whose name is not called by the Speaker, desires to speak, he shall rise and respectfully address the Chair "Mr. Speaker" (Mudane Gudoomiye). No member may speak at the floor unless called upon by the speaker.
- 2) The Chair may recognise a Member who rises to speak. When two or more Members rise at the same time, the Chair shall recognise the Member who spoke first, but, as far as practicable, members of the majority and minority shall be allowed to speak alternately on the floor.
- 3) No Member shall speak for more than the time set by the Speaker in any debate on any question or more than once on any question without leave of the House.
- 4) Members who put their name down in writing to the General Secretary that they wish to speak on a specific agenda item before the meeting may be called by Speaker in preference to other who rise, and as far as practicable, members of the majority and minority shall be called to speak alternately on the floor.

Article 53: Decorum and Conduct

- 1) The Member who has been given the floor by the Speaker shall confine himself to the question under debate, avoid personal attacks and refrain from indecorous words, acts or conduct. The Speaker, or as the House may direct, may declare statements, remarks or words “unparliamentary” (eray aan Golaha ku habooneyn), and order that these be stricken off the record. If a Member is called to order by another for words spoken in a debate, the latter shall indicate the words objected to. The General Secretary shall note and read aloud said words and the Speaker shall make a determination. If a member fails to refrain from making the “unparliamentary” language, he may be asked to leave the sitting and shall do so immediately.
- 2) If a member proceeds to speak without the Speaker’s approval or fails to follow the direction of the Speaker or interferes with the conduct of the meeting the Speaker may, after warning him about the consequences of his conduct, ask him to leave the sitting. Failure on the part of the member to leave the sitting promptly could lead to disciplinary action
- 3) If the Speaker considers the misconduct of a member to be more serious, he may refer the matter to the Permanent Committee for further action.
- 4) No Member shall stand or be near the General Secretary’s desk during roll call or counting of votes, pass between the Chair and another Member who has the floor; or use cellular phones or any other similar devices in the meeting hall. While the Speaker is addressing the House or putting a question, no Member shall walk out of or walk across the meeting hall.
- 5) Smoking, chewing qat, or consuming food inside the meeting hall is prohibited.
- 6) If disorder breaks at the sitting, the Speaker shall adjourn the meeting and, in exceptional cases, where the Speaker considers it necessary to summon the assistance of the security staff, he shall, after warning the members, do so after warning the members.

Article 54: Discipline for Misconduct

- 1) Misconduct includes non-compliance with Speaker’s or Committee Chairmen’s instructions at meetings, infringements of the Rules of the House or the Constitution, unparliamentary conduct, non-compliance with any ethical standards agreed upon by the House and allegations of criminal conduct.
- 2) The Speaker has the power to give a verbal or written warning to a member, or to order his expulsion from a meeting or in to suspend a member from sitting with or without pay for a maximum of 3 days.
- 3) The Permanent Committee of the House may on the referral of the Speaker or on its won motion punish discipline members for serious misconduct. The Committee shall give any member charged with serious misconduct an opportunity to explain his actions, and,

depending on the seriousness of the allegations, the member shall have a right to be accompanied by a legal representative or any else of his own choice at the Committee hearing.

- 4) The House may, on the recommendation of the Permanent Committee, decide on a simple majority vote of its members, to censure or reprimand a member who has committed serious misconduct or to suspend him with or without pay for a specified period not exceeding sixty (60) days.
- 5) In cases falling under Article 79 of the Constitution and involving allegations of serious criminal wrongdoing, the Permanent Committee shall recommend to the House whether the member's privilege be withdrawn and the House shall decide on a vote of two thirds of its total membership. If the House so decide, the member shall be suspended forthwith without pay and if he does not resign, the Permanent Committee, on conclusion of the criminal proceedings at the High Court of Justice, shall report the matter to the House for a final decision about the member under Article 50 of the House. Any vote on this decision shall be on the basis of a two third's majority of the House.

VOTING

Article 55: Voting Procedure

- 1) When the House decides to put a matter to a vote, the Speaker shall confirm that the House is quorate and shall rise and state in clear, precise and simple language the proposition that is being put to a vote. Every Member present at the meeting shall vote on the question put to the vote unless he excuses himself formally on account of personal or pecuniary interest in the matter. Any such declaration shall be recorded by the General Secretary.
- 2) Members may vote for or against a question or abstain. Except where otherwise stated in these Rules, voting may be conducted by secret ballot or by show of hand.
- 3) A secret ballot shall be held on issues relating to national security or on the written request of eleven (11) members or on the proposal of the Speaker endorsed by a simple majority vote of the House. When a secret ballot is being held, the Speaker and the General Secretary shall provide a ballot box and appropriate ballots which shall be distributed to the members present and voting. Records of the number of ballot papers issued, the names of the members present and voting and the names of the members who cast their vote shall be kept by the General Secretary. The ballot papers shall be counted by the Secretariat staff in the presence of 2 members from each party chosen by the majority and minority leaders of the House.
- 4) A vote by show of hands shall start with a count of all the members present, and followed by counts of those voting for the question,

those against the question and finally those who abstain. The counting shall be recorded by the General Secretary or his staff.

- 5) Voting shall not be interrupted, and members may not leave the meeting during the vote.
- 6) After the count of a vote by secret ballot or by show of hand is completed, the Speaker shall rise and announce the result. In case of a tie, the Speaker shall cast his vote.
- 7) If the Speaker believes that the counting of the vote was not done properly, he may order that the voting be repeated and that, if necessary the count be undertaken by one nominated teller from each side of the question being voted upon.
- 8) Unless otherwise stated in the Constitution or these Rules, questions put to vote shall be carried on the basis of a simple majority of those voting for or against the question.

SUSPENSION OF SPECIFIC RULES

Article 56: Procedure for Exceptional Suspension of the Rules

- 1) In exceptional circumstances, the Speaker may propose the suspension of a specific rule or rules to facilitate the urgent consideration of a specific item on the schedule (agenda) only. The Speaker shall explain clearly the reasons why the suspension of the rule or rules is necessary and any such suspension may be approved if supported by a vote of two-thirds (2/3) of the Members present at the sitting and shall be valid for that sitting only.
- 2) When a motion to suspend a rule is pending, only one (1) motion to adjourn may be entertained. If the latter is lost, no similar motion shall be entertained until the vote is taken on the motion to suspend the rules.
- 3) A motion to suspend a rule or rules for the passage of a bill or a resolution may be debated for a maximum period of one (1) hour, which shall be divided equally between those in favour and those against the motion.
- 4) If the House votes to suspend the rules, it shall, forthwith, proceed to consider the bill or resolution, which can only be approved by a two thirds (2/3) vote of the Members present.

DRAFT LEGISLATION

Article 57: Submission of Draft Legislation

- 1) In line with Article 74 of the Constitution, all bills (which include all draft law Or regulations) may forwarded to the General Secretary of the House of Representatives by the Council of Government (the President and his ministers) or by eleven (11) members of the House

of Representatives or, except for financial bills, by, at least, five thousand electors.

- 2) The General Secretary shall ensure that the bills are signed by their proposers and that the bill addresses predominantly only one (1) main subject matter that shall be expressed in the title and that it includes a brief explanatory note explaining the main purpose of the bill and its main provisions. If a bill includes more than one subject matter or the explanatory note is missing, the General Secretary shall, on consulting the Speaker, inform the proposers immediately so that they can make appropriate changes or amendments, or, if necessary, turn the bill into two or more separate bills.
- 3) The General Secretary shall assign a number to each bill and shall refer it to the Speaker, who, together with the shall then determine how the bill shall be dealt with and the appropriate committee, be it a standing committee or a special/ad hoc committee, that its should be referred to
- 4) Financial bills and any others bills considered by the President to be urgent shall be priority in line with Article 77(3) of the Constitution. Bills relating to security and maintenance of the peace shall also be accorded a priority.
- 5) Unless the Speaker decides otherwise and the House agrees, all bills shall go through:
 - e) a first introductory reading at the House in when the purposes and main provisions of the bill are explained, and the bill is then referred to an appropriate committee for scrutiny and advice;
 - f) consideration by the committee including consultations with any relevant interested organisations;
 - g) a report back to the House followed immediately by a second reading in which the bill shall be debated in length; and
 - h) a final vote on the bill.

Article 58: Urgent Bills

On a motion proposed by the Speaker, the House may declare urgent a bill and consider it in accordance with a fixed timetable. The timetable, prepared by the Speaker, shall fix the date when the bill must be reported by the committee concerned, the number of hours or days to be allotted to the consideration of the bill on Second Reading, and the date and hour the debate must be concluded and final vote taken.

Article 59: First Reading

- 1) When the House is in session, the Speaker shall ensure that all bills which have been assigned a number are submitted to the House for a First Reading. This shall involve the reading of the number, title and author of the bill and the short explanatory note. Unless the Speaker proposes a motion under Article 57 or a suspension of the Rules

under Article 55, all bills shall, on their First Reading be referred to an appropriate Committee.

- 2) Bills may only be referred to only one (1) committee. Whenever a bill covers subject matters that relate to the jurisdiction of more than one committee, it shall be referred to the committee within whose jurisdiction the subject matter directly and principally relates to.
- 3) If a bill entails appropriations of public funds or contains tax or revenue proposals, it shall also be referred to the Economy Finance and Commerce Committee, for comments, and the assigned committee for the bill shall add these comments to its report.
- 4) The Business and Rules committee may decide to refer to a joint committee of both Houses major consolidation bills which have been prepared by special committees or commissions set up to update Somaliland legislation.

Article 60: Committee Stage

- 1) A committee to which a bill is referred may, through its Chairman, request another committee, through its Chairman, for comments on a bill pending before it, and subject to the consent of the latter, await such comments within a period mutually agreed upon before preparing the committee report on the bill.
- 2) If a committee to which a bill is referred, makes a written request for a change of referral of such bill, the Speaker, and the Speaker shall decide on the issue within seven (7) days from receipt of the request, and shall inform the requesting committee and the House of its decision. The bill may then be transferred to another standing committee, but if a special or ad hoc committee has to deal with it, the matter has to be considered by the House.
- 3) If a Committee fails to report on its progress on the bill on a monthly basis and there are concerns from members about the consideration of the bill, members may sign a motion kept by the General Secretary that the Committee be discharged from the consideration of a bill referred to it, and if the signatures reach more than one third of the House, the motion shall be included in the schedule of the House and reported to the next meeting of the House.
- 4) If a motion to discharge is adopted by the House on a simple majority, a member may move a motion to proceed to the immediate consideration of such bill; and if such motion is approved, the bill shall be considered immediately for a second and final reading.
- 5) If a motion to discharge is lost, it shall not be in order to entertain any other motion to discharge the same committee or any other committee from the consideration of the same bill or any other bill with substantially the same subject matter for a period of one year.

Article 61: Committee Report

- 1) In considering the bill, the Committee shall, as it thinks appropriate, undertake any research or enquiries that it deems necessary and shall use any of its powers set out in Article 26 of these Rules.
- 2) A Committee shall submit to the Speaker (and through him the Speaker) within the first days (7) days of each month, a report on the status of bills referred to them.
- 3) A Committee may decide to approve a bill with or without amendments. If it has been referred similar bills, it may endorse a bill containing parts of some or all of the bills as well as additional amendments. After its consideration and enquiries, it may also consider alternative proposals.
- 4) When a Committee completes its report on a bill, it shall forward the bill and its report and recommendations, together with other supporting documents and information materials, to the Speaker who shall inform the House.

Article 62: Second Reading and Debate

- 1) The Committee's Report and amendments on the bill shall be put on the Schedule of the House for a second and final reading. The bill and amendments shall be circulated to the members at the latest 3 days before the date set for the second and final reading. Short bills may be read in full at the meeting and not circulated prior to the meeting.
- 2) The Chairman of the Committee (or his nominee from the Committee) shall introduce and explain the Committee's report. Members may then debate the bill and the Committee's amendments and then propose and debate any other amendments. Unless otherwise directed by the Speaker, member's speeches in these debates shall be confined to a maximum of 5 minutes each. The proposed amendments shall be voted upon article by article, with the Committee being voted upon first, and then the whole Bill shall be voted upon.
- 3) Any Bill rejected by the House can only be reintroduced at the House after a period of 45 days from the date of rejection.

Article 63: Bills Approved by the House

- 2) Unless a bill approved by the House is one which originated from the House of Elders or a financial bill, as defined by Article 54 of the Constitution, it shall be certified by the Speaker and the General Secretary shall forward it, in line with Article 78(1) and Article 77(1) of the Constitution, to the office of the Speaker of the House of Elders, for consideration by the House of Elders.
- 3) The General Secretary shall note the date when bills are forwarded to the Elders and, keeping track of all the bills passed on to the House

of Elders, shall inform the House of the progress of such bills at the House of Elders.

- 4) If the House of Elders proposes amendments, or rejects bill, it can refer the bill back to House of Representatives, but only once and within 30 days from the date of referral (Articles 61(2), 77(1), 77(2) and 78(1) of the Constitution). Bills rejected by the House of Elders on a point of principle and by a two thirds majority of the House have to be considered separately by the Representatives when the referred back.
- 5) On receipt of the returned bill and the written reasons, the Speaker shall decide whether these should be referred back to the appropriate committee for further deliberation and, if so, shall ask the committee to report back within a tight time limit. Any bill rejected by the Elders on a point of principle and/or by a two thirds majority shall be referred to the appropriate committee for detailed consideration.
- 6) The bill shall then be put to the House for further consideration. If the House accepts all the amendments proposed by the Elders, the Bill shall then forwarded to the President for his signature.
- 7) If, however, the House rejects the amendment/s, it is open to the House to vote on a resolution to return the bill to the House of Elders, and if that is passed on a simple majority, the bill shall be sent back to the Elders at the beginning of its next session. A bill previously rejected by the Elders on a point of principle and by a two thirds majority of that House can only be sent back to the Elders if the Representatives votes to do so by a two thirds vote of its members. Anything less than that vote means that the bill will lapse (Article 78(5) of the Constitution).
- 8) At their next session, if the House of Elders does not approve of the returned bill or fail to respond to the House of Representatives, the latter shall pass to the President for his signature. However, if the Elders respond to the Representatives and the response relates to the tight time table of One month set under Article 78(1)(b) of the Constitution, then it is open to the House of Representatives to wait for a reasonable period set by the House Business and Rules Committee. If the response is another rejection of the bill, no second formal referral of a bill is allowed by the Constitution and the House shall decide finally whether there is any need for any further delay after the month and if the decision is that there is not, then the House can resolve that the bill be forwarded to the President.

Article 64: Bills Forwarded by the House of Elders

- 1) The House may also receive for its considerations non-financial bills passed by the House of Elders and must consider them in line with Article 77(1), 77(2) and 78(2) of the Constitution. These bills are

primarily those relating to religion, traditions and security may only be introduced at the House of Elders by members of the House of Elders or more (Article 61(1) and 61(6)).

- 2) The General Secretary and the Speaker shall deal with such bill in the same manner as set out in Article 55 (2), 55 (3) and 55 (5) of these Rules.
- 3) If, after the second reading, the House votes to approve the bill, then the Speaker shall certify the bill and pass it on to the President for his signature, and also inform the Chairman of the House of Elders of the decision of the House.
- 4) If, however, the bill is rejected by the House, the Speaker shall inform the Chairman of the House of Elders of the decision of the House and the bill shall lapse in accordance Article 78(2) (b) of the Constitution.
- 5) If the House decides to amend the bill, it may refer it back to the House of Elders with the details of the amendments (Article 77(2) of the Constitution).
- 6) If the Elders accept the amendments, then the bill shall be passed on to the President for his signature. As the amendments are not a rejection of the whole bill, then it may be open to the Elders to respond (not refer back) to the amendments, in which case, a rejection of the response by the Representatives will mark the end of the bill, and only a total acceptance of the response by the Representatives will stop the bill from lapsing, as under Article 77(2) each House can refer back a bill to the other once only. This practical option may be considered where there is a major difference of opinion on the amendments between the two Houses.

Article 65: President's signature

- 1) All bills passed by both Houses or financial bills passed by the House of Representatives shall be printed and the General Secretary and his staff shall ensure that it contains all the provisions and amendments approved by both Houses.
- 2) All the bills shall then be passed forwarded to the President for his signature. The General Secretary shall record the dates of transmission of bills to the President and, through regular liaison with the President's office, the dates when action is taken by the President about the bill; and shall keep the Speaker informed of the progress of all the bills waiting for presidential signature.
- 3) If the President accepts a bill passed by both Houses (or a financial bill passed by the House of Representatives), he shall sign it and issue it in the Official Minutes within 21 days of the date the bill was forwarded to his office (Articles 75, 77(5) and 78(3) of the Constitution).
- 4) The President may propose amendments to a bill within 21 days, in which case he shall inform the speaker of the House of

Representatives his reasons within the 21 day period (Article 78(3) of the Constitution).

- 5) If the President fails to sign a bill forwarded to him by the House of Representatives within the 21 day period or fails to refer it back to House of Representatives, then the bill shall henceforth become law (Article 77(6) of the Constitution), and the House shall issue a resolution confirming that the law shall come into force on the date of the resolution or on such other date agreed upon by the House considers.
- 6) On receipt of the amendments proposed by the President under Clause (3), the Speaker shall decide whether these should be referred back to the appropriate committee for further deliberation and, if so, shall ask the committee to report back within a tight time limit.
- 7) The bill and the amendments shall then be put to the House for further consideration. If the House accepts all the amendments proposed by the President, the amended Bill shall then be returned to the President for his signature.
- 8) If the House is not satisfied with the amendments and reasons given by the President, the House will need to pass the bill again on a vote of a two thirds majority of its members, or more, for the bill to be returned without amendments to the President must sign it (Article 78(4). If there is no such majority, the bill shall lapse.
- 9) Any bill approved by both Houses of Parliament on a two thirds majority or more shall not be referred back to the House of Representatives by the President who shall thereby sign it.
- 10) If the President considers that the bill passed by two thirds majority or more of both Houses contains an Article or Articles of the Constitution, he shall inform the Speaker (and the Chairman of the Elders) and ask the Attorney General to refer it to the Constitutional Court for a decision. In such a case, the Speaker, in consultation with the House Legal Advisor shall consider how best the views of the House about the bill can be transmitted to both the Attorney General and the Supreme Court, and shall, if approved by the House engage counsel to act for the House.

FINANCIAL BILLS & THE BUDGET

Article 66: Financial Bills and the Budget

- 1) As set out in Article 54 of the Constitution, legislation relating to the following financial matters shall be dealt with exclusively by the House of Representatives:
 - a) The imposition of taxes, duties and other schemes for raising revenue.
 - b) The establishment of a Somaliland Income Fund or other Funds which are earmarked for specific issues. The management,

collection and disbursement of these Funds shall be determined by law.

- c) The printing of currency, and the issue of bonds, other certificates and securities.
- d) The regulation of the economic and the financial systems.
- 2) All financial bills, other than the Resolution on the budget, shall be dealt with in the same way as other bills, but they shall be given a higher priority than the other business of the House.
- 3) The President or the Finance Minister shall forward to the House each year the proposed budget for the following financial year by no later than _____ of every year.
- 4) After the first reading at the House, the budget shall be referred to the Economy Finance and Commerce Committee which shall make such enquiries and research (including hearings or consultations with experts or any other relevant groups) into the proposals as it deems necessary.
- 5) The Committee shall give particular attention to:
 - a) the basic recommendations and budgetary policies of the President in the presentation of the Budget; and
 - b) the fiscal, financial, and economic assumptions used as bases in arriving at total estimated expenditures and receipts.
- 5) In its hearings, the Committee shall receive testimony from the Minister of Finance and his senior staff and any such other economic and financial advisers and other persons as the committee may desire. The Committee shall report to the House with its full comments and the proposed resolution for the House to consider.
- 6) The House shall consider the matter at its second reading and vote on the budget and the Resolution in line with Article 55 of the Constitution.
- 7) The House shall then forward the budget and its resolution to the President.
- 8) The Committee shall:
 - a) receive regularly from the Minister of Finance periodic revenue and expenditure estimates, and shall study on a continuing basis the yearly budget and report to the House from time to time its recommendations for any modifications that the President may request;
 - b) review on a continuing basis the conduct by the Ministry of Finance Office of its functions and duties;
 - c) hold hearings and receive testimony from members, House of Elders members, ministers and heads of public agencies , the central bank, the general public, and national organisations as it considers desirable in developing resolutions on the budget for each fiscal year;
 - d) make all reports required of it by any financial laws;
 - e) study on a continuing basis proposals designed to improve and facilitate the budget process, and report to the House from time

- to time the results of such studies, together with its recommendations; and
- f) request and evaluate continuing studies of tax expenditures, devise methods of coordinating tax expenditures, policies, and programs with direct budget outlays, and report the results of such studies to the House on a recurring basis.
 - 9) The Committee shall receive the Annual Accounts and the Auditor General report on the Accounts within six months of the end of the financial year (Article 55(6) of the Constitution) and shall hold any necessary enquiries or hearings and consider any representations from the Minister of Finance and from the Auditor General. The Committee shall report to the House with its recommendations on the Annual audited accounts.
 - 10) The budgets and the annual accounts of any public agencies or publicly owned companies (as defined in Article 55(5) of the Constitution) which, under their laws, must submit their budget and accounts to the House shall be dealt with in accordance with this Article.
 - 11) Until new laws are promulgated, the House expects full compliance with all the old laws and rules relating to financial regulation, such as the Financial Rules & Regulations of the State, Accounting Procedures of the State, Store Regulations and Procurement Procedures and any other relevant legislation.

RESOLUTIONS

Article 67: Procedure for Resolutions

Resolutions shall be subject to the same procedure as bills regarding introduction, reference to the appropriate committee, and consideration, and, in the same way as bills, the Speaker may propose that a resolution be dealt with urgently under Article 55 or Article 57.

IMPEACHMENT RESOLUTIONS

Article 68: Motion to Impeach the President/Vice-President

- 1) A proposal to impeach the President or the Vice-President under Article 96 of the Constitution for high treason or contravention of the Constitution may be made by a motion signed by at least one third of the members of the House and submitted in writing, with details of the charges (Articles of Impeachment), to the Speaker.
- 2) The Speaker shall submit the motion to the House within 3 working days of receipt of the motion. The House may either decide on a simple majority to refer the motion to the Constitution, Justice and Human Rights Committee for further investigation and enquiries into the allegations or it may proceed to endorse one or more of the

Articles of Impeachment in the motion on a qualified absolute majority vote (half of the membership of the House plus one).

- 3) If the House decides to refer the motion to the Committee, the Committee shall undertake whatever enquiries it deems necessary into the charges mentioned in the motion and shall report its findings on the articles of Impeachment to the House on a re-determined date set by the House which shall be no more than within 10 days from the date of the referral. The House shall then consider the impeachment motion and the report of the Committee and may endorse one or all the Article of Impeachment in the motion on a qualified absolute majority vote (half of the membership of the House plus one).
- 4) After endorsing one or all of the Articles in an impeachment motion, the House shall, in line with Article 96(2) of the Constitution, appoint a Special Committee of ten members of the House who shall prosecute the charges in front of the House of Elders and an independent counsel who can assist the Committee.

Article 69: Motion to impeach a Minister/Deputy Minister

- 1) A proposal that a Minister or a Deputy Minister be impeached under Article 96 of the Constitution for high treason or contravention of the Constitution may be made by a motion signed by at least twelve members of the House and submitted in writing to the Speaker. The Speaker shall refer the motion to the Constitution Justice and Human Rights Committee which shall undertake such enquiries it deems necessary into the charges mentioned in the motion and shall report its findings to the House on a re-determined date set by the House, which shall be no more than within 20 days from the date of the referral. The House shall then consider the impeachment motion and the report of the Committee and if it does endorse one or all of the charges in the motion on a simple majority, the Speaker shall forward the resolution and all the supporting reports to the Attorney General for further action under Article 96(4) of the Constitution.
- 2) The two members who are elected by the House to serve at the High Court of Justice shall not be involved in the deliberations of the House relating to the impeachable allegations against Ministers and Deputy Ministers, which are set out in the preceding Clause (5) of this Article. They shall, in the same way, not be involved in the House deliberations relating to the prosecution of alleged crimes committed by members, which are covered by Article 79 of the Constitution.

PRESIDENTIAL APPOINTMENTS

Article 70: Confirmation of Appointments

- 1) Under Article 53(1), 94(2), 105(1) and 114(1) of the Constitution, the following presidential appointments are subject to confirmation by the House:
 - a) All Ministers & Deputy Ministers.
 - b) The Chairman of the Supreme Court (to be considered at a joint meeting).
 - c) The Attorney General.
 - d) The Governor of the Central Bank.
 - e) The Chairman and members of the Civil Service Agency.
 - f) The Auditor General

Various Laws (such as the Election Law) state that members of Commissions or committees may be appointed by the President subject to confirmation by the House of Representatives.

- 2) As Article 95 of the Constitution provides transitional arrangements for departing Ministers or Deputy Ministers, the House expects that nominees will not take up office until the House confirms their appointments. Similar considerations apply to the nomination of the Chairman of the Supreme Court, which cannot be confirmed until the two Houses first approve the dismissal of the incumbent Chairman (Article 105(3) of the Constitution).
- 3) As for other nominees set out in Article 114 of the Constitution, the House would prefer that nominees should not take over office before their confirmation by the House, but if the President uses Article 114(3), the House would expect an explanation and strict compliance with the three month time limit deadline between appointment and confirmation.
- 4) On receipt of a nomination of a presidential appointment, of any kind, for confirmation by the House, the Speaker shall forward promptly the nomination and all the relevant papers to the Committee of the House that has oversight of the work or Ministry of the nominee and shall request that the Committee completes its enquires and reports back to the House within a set time limit. Each nomination must include details of the appointee's qualifications, experience, health and reasons why he is considered to be suitable for the post.
- 5) The Committee shall undertake whatever enquires in feels appropriate into the suitability of the nominee for the post. This may include holding hearings attended by the nominee and listening to any submissions made by members of the civil society and experts.
- 6) The Committee shall report its recommendation to the House, and the House shall consider each nominee separately and vote whether or not to confirm the appointment. As set out in Article 94(2) of the Constitution, the voting on appointments of ministers and deputy ministers shall be by show of hand and on the basis of a simple majority. All other appointments shall also be voted upon in the same way.

- 7) In the case of the appointment of the Chairman of the Supreme Court, the Committee shall work with the corresponding Committee in the House of Elders and shall report its recommendation to the House members in writing before the joint meeting of both Houses where the vote shall be conducted on the basis of a simple majority.
- 8) Unless otherwise ordered by the House, the General Secretary shall furnish to the press, and to the public upon request, the names of nominees confirmed or rejected on the day on which a final vote had been taken on the nomination, and the President shall be informed accordingly.
- 9) When a nomination is rejected by the House, the same nominee cannot be re-submitted for consideration by the House again for the same position during the same session. The decisions of the House are final and no motion on the part of a member of the House to reconsider the vote on any nomination may be laid.
- 10) Nominations neither confirmed nor rejected during the session at which they are made shall be acted upon at following session unless the President withdraws the nomination.

Article 71: Presidential Messages and Memorandums from Ministers or other Heads

- 1) Any written Messages from the President of the Somaliland shall be read in full before the House and those in which any recommendations are made shall, if necessary, be referred to the relevant Committees.
- 2) The Speaker shall decide which communications from Ministers or Heads of public bodies or individuals shall be reported to the House or referred to the relevant Committees.

AGREEMENTS & TREATIES

Article 72: Governmental Agreements (*Heshiisyada dawliqa ah*)

- 1) Under Article 53 of the Constitution the House has exclusive jurisdiction to ratify governmental agreements or treaties including those relating to political, economic or security issues and those which involve new financial burdens which have not been covered in the budget or may require new legislation.
- 2) For the avoidance of doubt, the House shall set out in a resolution examples of the all the agreements or treaties which must be submitted to it for ratification.
- 2) When such an agreement or treaty is passed on to the House by the President, it shall have a first reading at the House and no motion in respect to it shall be in order, except to refer it to a Committee, to print it in confidence for the use of the House, and/or to consider the treaty in closed meetings. Any aspects of the agreement/treaty

touching on the budget shall be referred to the Economy Finance and Commerce Committee.

- 2) The appropriate Committee to which the agreement/treaty is referred shall undertake whatever enquiries or hearings it considers necessary, and shall report back to the House with its comments and recommendations. A resolution about the ratification or otherwise of the agreement/treaty shall then be voted upon by the House on the basis of a simple majority.
- 3) If no final decision is reached about an agreement/treaty during a session, the House shall resume its consideration in the following session, but all proceedings on agreements/treaties shall terminate if the term of the House comes to an end. The President may then re-submit the agreement/treaty to the new House.
- 4) Requests for ratification of regional or treaties international shall be dealt with jointly by both Houses under Article 72 of these Rules.

JOINT MEETINGS WITH THE ELDERS

Article 73: Joint meetings

- 1) Under Article 38(6) of the Constitution, the two Houses of Parliament shall hold joint meetings when they are considering the following issues:
 - a) the receipt of the Report of the President on the opening of the two Houses;
 - b) the debates on the Republic of Somaliland joining international or cross regional organisations (or umbrella groups), or the ratification of agreements/treaties which are regional or international in character;
 - c) the Resolution on and declaration of a state of war when the Republic of Somaliland is faced with war;
 - d) the debates on natural disasters;
 - e) the debates relating to emergency laws;
 - f) the confirmation of the appointment of the Chairman of the Supreme Court; (*and*)
 - g) any other matters considered by the two Houses as meriting joint sittings.
- 2) The two Houses may hold joint meetings:
 - a) when they wish to discuss political issues that face the nation;
 - a) on request of the Government;
 - b) on the proposal of either House subject to a vote on a simple majority of that House and agreement of the other House;
 - c) when the two Houses want to put joint questions to the Government or are seeking situation reports or evidence from the Government; or
 - d) when there is a need to settle some any differences of opinion arising between the two Houses on a specific matter.

- 3) Agendas for the joint meetings shall be concluded through discussions between the Speaker of the House of Representatives and the Chairman of the Elders and shall be submitted to each House for approval.
- 4) Joint meetings of two Houses shall be presided upon by the Chairman of the House of Elders or in his absence by the Speaker of the House of Representatives. In the absence of both, the next in line for presiding joint meeting is the first Deputy Chairman of the House of Elders and, in his absence, as well, it will be the first Deputy of the House of Representatives and so on through the other two deputies of two Houses.
- 5) The two Houses shall agree on Rules governing the conduct of joint meetings. Unless the Constitution states otherwise, the decisions and resolutions of the joint meetings shall be carried on a simple majority vote of those present.

ASSISTING THE PUBLIC

Article 74: Members Representing Individuals

- 1) In responding to requests for assistance from individuals, a Member of the House has the right to assist petitioners before the Government or its departments, or independent public agencies and other public offices
- 2) At the request of a petitioner, a Member of the House may communicate with a Minister or independent government official or agency on any matter to
 - (a) request information or a status report;
 - (b) urge prompt consideration;
 - (c) arrange for interviews or appointments;
 - (d) express judgments;
 - (e) call for reconsideration of an administrative response which the Member believes is not reasonable and may not have been taken in line with the law, regulations or considerations of public policy ; or
 - (f) make other legitimate representations on behalf of the individual.
- 3) The decision to provide assistance to individuals may not be made on the basis of contributions or services, or promises of contributions or services, to the Member's political campaigns or to other organisations in which the Member has a political, personal, or financial interest.
- 4) Any Member can assist an individual under this Article regardless of the regional residence of the individual.
- 5) Nothing in this rule shall be construed to limit the authority of Members, to perform legislative, including committee, responsibilities.
- 6) The Permanent Committee, on the proposal of the Speaker, may issue advice and guidance to Members in relation to their work in

assisting the public under this Article or their role in connection with petitions under the following Article 74 of the Rules.

Article 75: Petitions

- 1) Any Member of the House may forward to the General Secretary of the House a petition on specific issues signed by members of the public who wish to bring an issue to the attention of the House. The member is not expected to endorse the petition but is simply facilitating its submission to the House.
- 2) The General Secretary will only accept any petition which meet the following conditions:
 - a) It must be in writing, legible, concise (no more than ten lines) and written in courteous language.
 - b) It must relate to an issue that the House may be able to comment on or pass a resolution or a law about it.
 - c) It must broadly who the petition is from (a residents of village, a group etc) .
 - d) It must say briefly what the petitioners are concerned about.
 - e) It must state what the petitioners expect the House to do.
 - f) It must have the full names (three names), place of residence and signature (or mark) of each petitioner.
 - g) Every signature must be on a page which contains at the top the petition.
- 3) A standard blank petition form shall be available at the Secretariat of the House.
- 4) The General Secretary shall acknowledge receipt of the petition and shall make a short summary of the contents of each petition, the number of signatures and action requested, which shall be considered by the Speaker. Petitions relating to on-going legislation or matters under consideration by a Committee may be referred to that Committee.
- 5) If the Speaker decides to refer a petition to the House for discussion, the Member who forwarded it shall introduce it and the debate shall be confined to ten minutes unless the Speaker rules otherwise.

DISSOLUTION PROPOSALS

Article 76: Procedures for dissolution

- 1) As set out in Article 56(7) of the Constitution, no proposal to dissolve the House can be made during its first term of office or during the last year of the President's term of office.
- 2) Any proposal to dissolve the House in line with Article 56(2) of the Constitution and during periods which are outside those mentioned in Clause 1 of this Article, must be supported by no less than one third of the members of the House and must submitted in writing to

the Speaker. The Speaker shall refer the proposal to the House Business & Speaker who shall verify the veracity and the reasons for the motion, and shall report their findings to a specially convened meeting of the House, which must be held within 14 days of the submission of the written motion to the Speaker. The motion will lapse if, at the beginning of this meeting, less than one third of the House supports it. If however, the motion is still supported by a third or more of the total members of the House, the motion shall be put to a vote and shall pass if it approved by a two thirds of the total members of the House.

- 3) If the House passes the motion, the Speaker shall send certified copies of the Resolution to the Supreme Court and to the President. The Court shall then issue a ruling in line with Article 56(1) of the Constitution and the House shall be dissolved on a date set out in a Presidential Decree which shall also state the date of the election of the new House, as stipulated in Article 56(5) of the Constitution. If the election cannot be held, the term of the House shall continue until such time the election can take place (Article 56(6) of the Constitution).
- 4) The House shall, as far as possible, continue to conduct its business until the date of the dissolution set out in the Presidential Decree.
- 5) If the President proposes formally to the Supreme Court to conduct a national referendum under Article 56(4) of the Constitution to dissolve the House, the Speaker shall call a meeting of the House to discuss the President's proposal and reasons for dissolution. If the House agrees with the proposal and follows the steps set out in Clauses 2 and 3 of this Article, then there will be no need for a referendum. If, however, the House rejects the proposal on a simple majority vote, it shall empower the permanent committee of the House to oppose the proposal and to campaign for its rejection at the referendum. If the national referendum does not approve of the proposed dissolution on a simple majority, the term of the House shall continue.

PROPOSALS TO AMEND THE FLAG, EMBLEM OR NATIONAL ANTHEM

Article 77: Proposals to Change the Flag

- 1) On receipt of a proposal to change the Flag, the emblem or the national anthem made by no less than 11 members of the House, the Speaker shall refer the matter to the Permanent Committee of the House, which shall consult widely with all sections of the public, the Government, local authorities and the House of Elders Permanent Committee about the change, and if necessary, hold competitions for the best designs. On conclusions of the consultation, the Committee shall make a short list and shall report their conclusions and

recommendations to the House. The report shall contain descriptions of the proposed new flag, emblem or anthem.

- 2) The proposals of the Committee shall be debated by the House and decisions made on the basis of an absolute majority of the House (half of the total members plus one).
- 3) If the proposals are approved by the House, the relevant changes shall be inserted in place of the current wording in Clauses (1) and (2) of Article 6 of the Constitution.

PROPOSALS TO AMEND THE CONSTITUTION

Article 78: Amending the Constitution

- 1) As set out in Article 127 of the Constitution, no proposal to amend the Constitution shall be made if it includes a provision which is in conflict with the principles of Islamic Sharia; the unity/integrity of the country; democratic principles and the multi-party system and fundamental rights and freedoms.
- 2) On receipt of a reasoned and signed proposal to amend the Constitution made by no less than a third of the House, the Speaker shall refer the matter to the Constitution, Laws and Justice Committee who shall consult widely on the proposal and shall then submit its report and recommendation to the House.
- 3) The House shall consider the proposal as well as the report and recommendations of the Committee and shall resolve on a vote of the majority of its total membership whether or not the proposed amendments are necessary.
- 4) If the House resolves that the amendments are not necessary, then the proposals shall not be re-introduced during the following 12 months.
- 5) If, however, the House resolves that the amendments are necessary, then the Speaker shall inform the House of Elders, and the amendments shall be considered again by both Houses of Parliament within two months of the resolution of the House. The amendments shall pass, if both Houses approve them, separately, on a vote of two thirds majority of their respective total members - Articles 126(3) and 126(4) of the Constitution.
- 6) The same proposals shall not be re-introduced at the House again during the following 12 months if either of the two Houses fails to approve the amendment with the necessary two third majority.

CODE OF CONDUCT

Article 79: Code of Conduct

The House is committed to achieving the highest standards of public service and shall, on the recommendation of the Speaker and the

Permanent Committee, adopt a Code of conduct, which shall become an annexe to these Rules. Allegations relating to non-compliance with the Code shall be dealt with by the Permanent Committee in line with Article 53 of these Rules. The Permanent Committee shall keep the Code of Conduct under regular review and shall make any proposals for changes to the House.

PAPERS, MINUTES AND RECORDS

Article 80: Delivery of Papers to Archives

- 4) All papers and records relating to the completed business of the House shall be delivered to, kept by and preserved in the Archives and/or Library of the House. All pending matters and proceedings shall terminate upon the expiration of the term of the House and the records pertaining thereto filed in the Archives within two months of the end of the term of the House.
- 5) Minutes of the meetings of the House and its committees, resolutions and laws passed shall, as far as possible, be bound and kept in a format (both hard and electronic) in which they can be retrieved.
- 6) The minutes and other records of the House shall, as far as possible, be open to the public.
- 7) The financial records of the House shall be available for audit by the Auditor General in line with the relevant laws.

MEETING HALL, SEATS AND ROOMS

Article 81: Use of the Meeting Hall

The meeting hall of the House shall be used only for sittings, group or party caucuses and meetings of the Members, except when the House or the Speaker directs otherwise.

Article 82: Assignment of Seats and Rooms

- 1) Seats in the meeting hall shall be assigned in accordance with the instructions of the Speaker.
- 2) The Chief Security Officer shall not permit persons other than Members and authorised House staff to enter or stay within the space designated in the meeting hall for Members and House staff needed therein while the House is in session. Fifteen (15) minutes before a meeting, the security staff shall clear the space of all other persons who should not be there under the instructions of the Speaker and the General Secretary and it shall be so kept until the adjournment of the meeting.
- 2) Subject to availability, rooms may be assigned by the Speaker to the Deputy Speakers, the Majority Leader, the Minority Leader, and the

any other remaining House Political Party Leader(s) in the House building or in any other offices used by the House. Any other rooms available shall be assigned strictly by lot to the Members. The General Secretary shall schedule the date and designate the place for the drawing of lots for room assignments and shall ensure that all Members are given due notice at least seven (7) days before the scheduled date.

PRECEDENTS

Article 83: Rulings as Precedents

Rulings by the Speaker on questions raised by Members and decisions of the Permanent Committee and the House on disciplinary matters may form part of the parliamentary practice of the House, but such practices shall be supplementary to these Rules and can only be used to fill any deficiencies in the Rules.

AMENDMENTS

Article 84: Amendments

Any provisions of these Rules, with the exception of those which are also embodied in the Constitution, may be amended by a majority vote of all the Members of the House after the proposed amendments have been considered and reported on by the Permanent Committee.

IMPLEMENTATION

Article 85: Implementation

These Rules shall come into force on the date of their adoption by the House and shall continue to be in force until they are amended or superseded by new Rules issued under 46(3) of the Constitution.

Adopted: _____

Speaker: _____

General Secretary: _____

ANNEXE 1: CODE OF CONDUCT

(Appendix 1: Code of Conduct (based on the UK Parliament's Code))

1. Purpose of the Code

The purpose of the Code of Conduct is to assist Members in the discharge of their obligations to the House, their constituents and the public at large.

2. Public duty

1. By virtue of the oath, taken by all Members when they are elected to the House, Members have a duty to be faithful and bear true allegiance to the the Republic of Somaliland.
2. Members have a duty to uphold the law and to act on all occasions in accordance with the public trust placed in them.
3. Members have a general duty to act in the interests of the nation as a whole; and a special duty to their constituents.

3. Personal conduct

1. Members shall observe the general principles of conduct identified by the Committee on Standards in Public Life (The Nolan Principles) as applying to holders of public office:-

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example."

2. Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.

3. Members shall, at all times, conduct themselves in a manner which will tend to maintain and strengthen the public's trust and confidence in the integrity of the House and never undertake any action which would bring the House of Commons, or its Members generally, into disrepute.
4. The acceptance by a Member of a bribe to influence his or her conduct as a Member, including any fee, compensation or reward in connection with the promotion of, or opposition to, any Bill, Motion, or other matter submitted, or intended to be submitted to the House, or to any Committee of the House, is contrary to the Rules of the House.
5. Members shall fulfil conscientiously the requirements of the House in respect of the registration of interests in the Register of Members' Interests and shall always draw attention to any relevant interest in any proceeding of the House or its Committees, or in any communications with Ministers, Government Departments or Executive Agencies. (*This will involve the setting up of Rules for registering members' interests*)
6. In any activities with, or on behalf of, an organisation with which a Member has a financial relationship, including activities which may not be a matter of public record such as informal meetings and functions, he or she must always bear in mind the need to be open and frank with Ministers, Members and officials.
7. No Member shall act as a paid advocate in any proceeding of the House.
8. No improper use shall be made of any payment or allowance made to Members for public purposes and the administrative rules which apply to such payments and allowances must be strictly observed.
9. Members must bear in mind that information which they receive in confidence in the course of their parliamentary duties should be used only in connection with those duties, and that such information must never be used for the purpose of financial gain.

ANNEXE 2: CODE OF CONDUCT

This brief Code is based on an Australian example, which are similar to the UK Nolan Principles

Ethical Principles for Members of the House

The following principles are intended to provide a framework of reference for Members in the discharge of their responsibilities. They outline the minimum standards of behaviour which the people have a right to expect of their elected representatives. It is by adherence to such principles that Members of Parliament can maintain and strengthen the public's trust and confidence in the integrity of the Parliamentary institution and uphold the dignity of public office.

The Principles

1. *Loyalty to the Nation and Regard for its Laws*

Members and must be loyal to Somaliland and its people. They must uphold the Constitution and laws of Somaliland and ensure that their conduct does not breach or evade those laws.

2. *Diligence and Economy*

Members must exercise due diligence, and in performing their official duties to the best of their ability, apply public resources economically and only for the purposes for which they are intended.

3. ***Respect for the Dignity and Privacy of Others***

Members must have due regard for the rights and obligations of all the people of Somaliland. They must respect the privacy of others and avoid unjustifiable or illegal discrimination. They must safeguard information obtained in confidence in the course of their duties and exercise responsibly their rights and privileges as Members and Senators.

4. ***Integrity***

Members must at all times act honestly, strive to maintain the public trust placed in them, and advance the common good of the people of Somaliland.

5. ***Primacy of the Public Interest***

Members must base their conduct on a consideration of the public interest, avoid conflict between personal interest and the requirements of public duty, and resolve any conflict, real or apparent, quickly and in favour of the public interest.

6. ***Proper Exercise of Influence***

Members must exercise the influence gained from their public office only to advance the public interest. They must not obtain improperly any property or benefit, whether for themselves or another, or affect improperly any process undertaken by officials or members of the public.

7. ***Personal Conduct***

Members must ensure that their personal conduct is consistent with the dignity and integrity of the Parliament.