



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

RULES OF PROCEDURES OF THE NITIJELA

Index

Section	Page
PART I – PRELIMINARY	7
§1. Interpretation.	7
§2. Matters not provided for, etc.	9
§3. Adaptation of Rules to meet constitutional requirements.	9
§4. Suspension of Rules.	9
§5. Amendment of Rules.	10
§6. Decisions of the Nitijela, etc.	10
PART II - OFFICERS OF THE NITIJELA.	10
DIVISION 1 - SPEAKER AND VICE-SPEAKER	10
§7. Election, etc., of the Speaker and Vice-Speaker.	10
§8. Functions of the Speaker.	11
§9. Functions of the Vice-Speaker.	12
§10. Temporary Speakers.	12
§11. Authentication of Nitijela documents.	12
DIVISION 2 - CLERK OF THE NITIJELA	13
§12. Appointment, etc., of the Clerk.	13
§13. Functions of the Clerk.	13
§14. Assistant Clerk.	14
DIVISION 3 - SERGEANT-AT-ARMS	14
§15. Appointment, etc., of the Sergeant-at-Arms.	14
§16. Functions of the Sergeant-at-Arms.	14
PART III - MEETINGS OF THE NITIJELA	15
§17. Sessions.	15

§18.	Place and time of meeting.....	16
§19.	Oath by members.....	16
§20.	Quorum.....	17
§21.	Attendance.....	17
PART IV - VOTING		17
§22.	Constitutional provisions as to voting.....	17
§23.	Methods of voting.....	18
§24.	Voice votes.....	18
§25.	Hand votes.....	18
§26.	Secret ballot.....	19
§27.	Calls of the roll.....	20
§28.	Change of vote, etc.....	20
§29.	Conflicts of interest.....	20
PART V - COMMITTEES		21
DIVISION 1-GENERAL		21
§30.	Types of Committees.....	21
§31.	Committees of the Whole.....	21
§32.	Standing Committees.....	21
§33.	Special Committees.....	22
§34.	Duties of Committees.....	22
§35.	Appointment of members.....	22
§36.	Ministers on Committees.....	23
§37.	Chairmen, Vice-Chairmen and Secretaries of Committees.....	23
§38.	Meetings.....	24
§39.	Procedures.....	24
§40.	Reports.....	24
§41.	Withdrawal of matters.....	25
§42.	Staff, etc.....	25
DIVISION 2 - STANDING COMMITTEES		25
§43.	Standing Committees.....	25
§44.	Committee on Appropriations.....	26
§45.	Committee on Ways and Means.....	26
§46.	Committee on Resources and Development.....	26
§47.	Committee on health, education and social affairs.....	27
§48.	Committee on judiciary and governmental relations.....	27
§49.	Committee on public accounts.....	28
§49A.	Committee on Foreign Affairs and Trade.....	29
§50.	Referrals to two or more Committees: Transfers between Committees, etc.....	29

PART VI - JOINT COMMITTEES AND JOINT CONFERENCES	29
§51. Membership of joint committees and joint conferences.	29
PART VII - BUSINESS GENERALLY	30
DIVISION 1 - ORDER OF BUSINESS	30
§52. General order of business.....	30
§53. Special Order of Business.....	31
§54. Cabinet Priority.	31
DIVISION 2 - MOTIONS GENERALLY	31
§55. Seconding of motions.....	31
§56. Disposal of Motions.	31
§57. Main and subsidiary motions.....	32
DIVISION 3 - PRIORITY BUSINESS	32
§58. Priority business.	32
§59. Points of privilege.	33
§60. Recess.	33
§61. Deferment of debate.....	34
§62. Re-consideration.....	34
§63. Budgets and appropriations.	34
DIVISION 4 - INCIDENTAL BUSINESS	35
§64. Incidental business.....	35
§65. Points of information.	35
§66. Points of order.....	35
§67. Withdrawal of motions.....	36
§68. Motions for division.....	37
§69. Motions for calls of the Nitijela or of a Committee.....	37
§70. The previous question.	38
PART VIII- BILLS AND RESOLUTIONS	38
DIVISION 1 - GENERAL	38
§71. Introduction.	38
§72. Control of Bills and resolutions.....	38
§73. Format and submission.	38
§74. Numbering.	39
§75. Distribution.	39
§76. Amendments.....	39
§77. Consideration of reports.....	39
§78. Notification of referrals, etc.	40
DIVISION 2 - "MONEY" BILLS AND AMENDMENTS	40

§79.	Application of Division 2.....	40
§80.	Dealing with “money” Bills.....	40
§81.	Dealing with “money” amendments.	40
§82.	Effect of recommendation or consent.	41
DIVISION 3 - BILLS		41
§83.	Form of bills.....	41
§84.	Readings.....	42
§85.	First reading.....	42
§86.	Second reading.....	42
§87.	Procedure “in Committee”.....	43
§88.	Re-committal.....	44
§89.	Third reading.....	44
§90.	Certification.....	44
§91.	Saving of constitutional and other provisions.....	45
DIVISION 4 - SPECIAL PROVISIONS RELATING TO RE-CONSIDERATION OF BILLS REQUESTED BY THE COUNCIL OF IROIJ		45
§92.	Advice of request by Council of Iroij.....	45
§93.	Re-consideration on request.....	46
§94.	Joint meetings.....	47
DIVISION 5 - RESOLUTIONS		47
§95.	Nature and passing of resolutions.....	47
§96.	Moving of resolutions.....	48
§97.	Consideration of resolutions.....	48
§98.	Certification of resolutions.....	48
PART IX - QUESTIONS		48
§99.	Asking of questions.....	48
§100.	Contents of questions.....	49
§101.	Limitation on questions.....	50
§102.	Supplementary questions.....	51
§103.	Answers.....	51
PART X - PAPERS, STATEMENTS AND REPORTS		51
§104.	Presentation of papers, etc.....	51
§105.	Debate on papers, etc.....	51
PART XI- DEBATE, DECORUM AND DISCIPLINE		52
§106.	Meetings to be public.....	52
§107.	Sitting in the Chamber.....	52
§108.	Entry onto the Floor.....	52
§109.	Recognition and speaking.....	52

§110.	Holding the Floor	53
§111.	Manner of referring to members.....	53
§112.	Closing debate and voting on the question.....	53
§113.	Rulings of the Chair.....	53
§114.	Dress.....	54
§115.	Interruptions.....	54
§116.	Disorderly conduct by members.....	54
§117.	Disciplining of members.....	54
§118.	Disturbances.....	55
PART XII - MISCELLANEOUS		55
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§119.	Certification as to attendance.....	55
§120.	Papers of the Nitijela.....	55
§121.	The journal of the day.....	55
§122.	The journal of the session.....	56
§123.	Official Seal of the Nitijela.....	56



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RULES OF PROCEDURES OF THE NITIJELA

PART I – PRELIMINARY

§1. Interpretation.

- (1) The Nitijela is said to adjourn at the end of a session (whether regular or special).
- (2) The Nitijela is said to recess when, during a session, it ceases to sit, until later in the day, until the next day or until later in the session, or at the call of the Speaker, or otherwise.
- (3) A resolution is a document of the nature set out in Section 95 (1) of these Rules.
- (4) A Bill, resolution, motion or other matter is said to be deferred when debate on it is interrupted, to be resumed later, whether on a fixed day, or at the call of the Speaker, or otherwise.
- (5) In these Rules, a reference to the Speaker includes a reference to the Vice-Speaker or other member for the time being presiding in the Nitijela or performing a function of the Speaker.
- (6) In these Rules, a reference to the Vice-Speaker includes, when the Vice-Speaker:
 - (a) is absent or incapacitated: or
 - (b) wishes to take an active part in a debate on a Bill, resolution, motion or other matter otherwise than in the performance of his functions as Vice-Speaker under the Constitution or these Rules, and thinks that it would be improper or undesirable for him to act as Vice-Speaker in relation to that matter; or

- (c) is acting as Speaker, in accordance with Subsection (5), a reference to a member appointed by him for the purpose, subject to appeal to the Nitijela, and in default a member appointed by the Nitijela for the purpose.
- (7) In these Rules, unless the contrary intention appears, “member” means a member of the Nitijela, including:
- (a) the President; and
 - (b) a Minister; and
 - (c) the Speaker; and
 - (d) the Vice-Speaker; and
 - (e) a Senator within the meaning of Nitijela Resolution No. 12 of 1979.
- (8) In these Rules, a reference to the Clerk includes a reference to an Assistant Clerk or other officer performing any function of the Clerk.
- (9) In these Rules, a reference to a sitting day is a reference to any day on which:
- (a) the Speaker opens the sitting in accordance with Section 8(2)(a) of these Rules; and
 - (b) the Clerk calls the roll in accordance with Section 18 (3) of these Rules, whether or not the Nitijela is immediately recessed.
- (9A) A sitting day begins when opened by the Speaker in accordance with section 8 (2) (a) of these Rules, and ends:
- (a) when the agenda for the day has been fully dealt with; or
 - (b) when the Nitijela recesses to the next sitting day;
- which ever occurs first.
- (9B) If, during the final year of each term of the Nitijela, the 50th sitting day falls on the 30th day of September, such sitting day shall automatically end at 12:00 midnight .
- (10) In these Rules, a reference to a meeting of the Nitijela is a reference to any period of sittings of the Nitijela during which it does not adjourn or recess:
- (a) to the call of the Speaker; or
 - (b) without fixing a day; or

- (c) for more than five days that would otherwise be sitting days, and is not dissolved.
- (11) In these Rules, a reference to a main motion or a subsidiary motion is a reference to a main motion or a subsidiary motion, as the case may be, as defined in Section 57 of these Rules.
- (12) In these Rules, a reference to priority business is a reference to priority business as set out in Section 58 of these Rules.
- (13) In these Rules, a reference to incidental business is a reference to incidental business as set out in Section 64 of these Rules. [Rules 9A and 9B inserted by motion in 2003.]

§2. Matters not provided for, etc.

The Speaker shall regulate, either generally or in a particular case, the conduct of the business of the Nitijela in all matters not provided for, or not adequately provided for, in these Rules.

§3. Adaptation of Rules to meet constitutional requirements.

If in the opinion of the Speaker the strict application of these Rules would, in a particular case, be inconsistent with the intent of the Constitution, the Speaker may vary their application in such manner as he thinks desirable to conform to that intent and in particular to ensure (as required by Article IV, Section 15(2) of the Constitution) that, in the conduct of the official business of the Nitijela, there is an opportunity for all points of view represented in the Nitijela to be fairly heard, and (as required by Article IV, Section 8(2) of the Constitution) that the official business of the Nitijela is conducted in accordance with the Constitution.

§4. Suspension of Rules.

- (1) A member may move for the suspension of any provision of these Rules.
- (2) The motion to suspend shall state:
 - (a) the specific purpose to be accomplished by the suspension; and
 - (b) the provision to be suspended, either specifically or, with the agreement of the Speaker that the effect of the motion is sufficiently clear, in general terms.

- (3) A motion to suspend:
 - (a) may be moved at any time; and
 - (b) shall be decided without debate.
- (4) The suspension of a provision of these Rules terminates when, in the opinion of the Speaker the purpose of the suspension has been accomplished.
- (5) A motion to suspend shall be carried by a simple majority vote of the members present and voting.

§5. Amendment of Rules.

- (1) These Rules may be amended by motion on not less than one day's notice, given in accordance with Subsection (2).
- (2) Notice for the purpose of Subsection (1) shall be given by:
 - (a) submitting a written copy of the motion to the Speaker; and
 - (b) reading it to the Nitijela.
- (3) The Clerk shall promptly duplicate the proposed amendment and distribute copies to the members.

§6. Decisions of the Nitijela, etc.

In accordance with Article IV, Section 15(3) of the Constitution, except where the Constitution otherwise provides, any question before the Nitijela ora Committee of the Nitijela shall be decided by a majority of the votes of the members present and voting.

PART II - OFFICERS OF THE NITIJELA.

DIVISION 1 - SPEAKER AND VICE-SPEAKER

§7. Election, etc., of the Speaker and Vice-Speaker.

- (1) The Speaker and the Vice-Speaker shall be elected, and shall vacate their offices, in accordance with Article IV, Section 7 of the Constitution.

- (2) Immediately after his appointment, the Speaker or the Vice-Speaker, as the case may be, shall take an oath in the following form (or make an affirmation to the same effect):

“I, _____, do solemnly swear that I will well and truly serve the Marshall Islands in the office of Speaker (or Vice-Speaker) of the Nitijela and will justly and faithfully carry out the duties of my office, in accordance with the Constitution and other laws of the Marshall Islands. So help me God.”
- (3) The oath or affirmation shall be taken before the Nitijela, and shall be administered by the Clerk.
- (4) Section 1(5) and (6) of these Rules do not apply in relation to this Section.

§8. Functions of the Speaker.

- (1) In accordance with Article IV, Section 8(1) and (2) of the Constitution, the Speaker:
 - (a) shall preside over any meeting of the Nitijela at which he is present; and
 - (b) is responsible for ensuring that the official business of the Nitijela is conducted in compliance with the Constitution and these Rules; and
 - (c) shall exercise his functions impartially.
- (2) In particular, the Speaker shall:
 - (a) open the sittings of the Nitijela at the appointed hour by taking the Chair and calling for a moment of silent prayer; and
 - (b) maintain order and decorum in debate; and
 - (c) announce the business before the Nitijela in the order prescribed by these Rules; and
 - (d) receive all communications from other branches of the Government and present them to the Nitijela, and direct the appropriate Committees of the Nitijela to consider the subjects of those communications; and
 - (e) receive and submit all matters properly brought before the Nitijela by members, call for votes upon those matters and announce the results; and

- (f) assign each member a seat on the floor of the Nitijela; and
- (g) authenticate by his signature and cause to be sealed with the official seal of the Nitijela official acts and papers of the Nitijela; and
- (h) make known rules of order when requested; and
- (i) designate a chaplain to open and close each regular session with prayer; and
- (j) in accordance with Article IV, Section 15(2) of the Constitution and with Section 3 of these Rules, ensure that, notwithstanding anything in these Rules, in the conduct of the official business of the Nitijela there is an opportunity for all points of view represented in the Nitijela to be fairly heard.

§9. Functions of the Vice-Speaker.

In accordance with Article IV, Section 8(3) of the Constitution, if:

- (a) the Speaker:
 - (i) is not present at a meeting of the Nitijela; or
 - (ii) is unable to perform any other function of his office; or
- (b) the office of Speaker is vacant, the Vice-Speaker shall preside over the meeting or perform that function, or perform all the functions, of the Speaker, and has such other functions as are prescribed by these Rules or any law.

§10. Temporary Speakers.

Temporary Speakers may be appointed in the circumstances set out in, and in accordance with, Article IV, Section 8(4) and (5) of the Constitution.

§11. Authentication of Nitijela documents.

In accordance with Article IV, Section 8(6) of the Constitution, every document (including a certificate) signed by the Speaker in the performance of his functions shall be countersigned by the Clerk, and in the case of an official act or paper of the Nitijela sealed with the official seal of the Nitijela, and where pursuant to that section any such document or certificate is signed by the Vice-Speaker or a member performing the functions of the Speaker it shall be so stated in the document or certificate.

DIVISION 2 - CLERK OF THE NITIJELA

§12. Appointment, etc., of the Clerk.

In accordance with Article IV, Section 14(1) of the Constitution, the Clerk shall be an officer of the Public Service.

§13. Functions of the Clerk.

- (1) In accordance with Article IV, Section 14(2) of the Constitution, the Clerk is responsible:
 - (a) for preparing the business and keeping a record of the proceedings of the Nitijela and publishing that record from time to time; and
 - (b) for arranging for the signing of documents and the giving of certificates by the Speaker whenever any such signature or certificate is required by the Constitution or a law, and for keeping a record of all such documents and certificates; and
 - (c) for arranging for the performance, with respect to the Speaker and the other members, of such secretarial and other functions as are required, and generally for the performance of such functions as are conferred on him by the Constitution or any other law, or by these Rules.
- (2) In particular, the Clerk shall:
 - (a) direct the activities of the staff of the Nitijela, and oversee the administration of the Nitijela's business; and
 - (b) have charge of all the Nitijela's records and be responsible for them, permitting no original documents to be withdrawn from his keeping unless ordered by the Speaker; and
 - (c) prepare and circulate to members each day a question-paper in accordance with Section 99 of these Rules; and
 - (d) complete the journal of the day in accordance with Section 121 of these Rules; and
 - (e) ready all Bills, resolutions and other matters; and
 - (f) forward promptly all communications and other matters to the proper parties; and

- (g) deliver to the Chairman of each Committee all Bills, resolutions, motions and other matters referred to his Committee and
- (h) report the status of all Bills weekly to the Nitijela; and
- (i) have custody of the official seal of the Nitijela and, at the direction of the Speaker under Section 8(2) (g) of these Rules, seal official acts and papers of the Nitijela; and
- (j) perform all other clerical duties appropriate to the position of the Clerk as the Nitijela or the Speaker directs.

§14. Assistant Clerk.

- (1) There may be an office of Assistant Clerk, who shall be an officer of the Public Service.
- (2) The Assistant Clerk shall:
 - (a) perform such of the functions of the Clerk as the Clerk, with the consent of the Speaker, delegates to him; and
 - (b) perform such other functions as the Clerk, with the consent of the Speaker, directs.
- (3) Except as provided in Article XIV, Section 2 of the Constitution, nothing in Subsection (2) applies to or in relation to any function of the Clerk under the Constitution.

DIVISION 3 - SERGEANT-AT-ARMS

§15. Appointment, etc., of the Sergeant-at-Arms.

There shall be a Sergeant-at-Arms, who shall be a member of the Public Service.

§16. Functions of the Sergeant-at-Arms.

- (1) The Sergeant-at-Arms shall:
 - (a) attend every meeting of the Nitijela unless excused by the Speaker; and
 - (b) maintain order among the spectators; and
 - (c) attend on meetings of Committees when requested to do so by the Clerk; and

- (d) serve any subpoena or other process directed by the Speaker; and
 - (e) be responsible for all property in the Nitijela chamber while the Nitijela is in session, and generally execute all requirements of his office.
- (2) The Sergeant-at-Arms shall not permit any person to be on the Floor of the Nitijela chamber while the Nitijela is sitting, except members, authorized servants of the Nitijela, and persons authorized to be there by the Nitijela or these Rules.

PART III - MEETINGS OF THE NITIJELA

§17. Sessions.

- (1) Regular and special sessions of the Nitijela shall be held in accordance with Article IV, Sections 10 and 11 of the Constitution.
- (2) In accordance with Article IV, Section 10(1) of the Constitution, a regular session shall commence on the first Monday in January in each year and shall, unless the Nitijela is earlier dissolved under Section 12 or 13 of that Article, terminate automatically:
 - (a) at the end of the 50th sitting day; or
 - (b) on a later date appointed by the President, except where, in accordance with Section 11 of that Article, the session is required to continue for the purpose of the appointment of a Cabinet or the disposal of a motion of no confidence in the Cabinet.
- (3) In accordance with Article IV, Section 10(5) of the Constitution, a special session shall, unless the Nitijela is earlier dissolved under Section 12 or 13 of that Article, terminate automatically on a date appointed by the President except:
 - (a) in the case of a special session called under Section 10(3) of that Article, which shall not be terminated before the expiration of 30 sitting days unless the Speaker has certified that the Nitijela has sooner disposed of the matter or matters of urgent public business which it was called to consider; or

- (b) where, in accordance with Section 11 of that Article, the session is required to continue for the purpose of the appointment of a Cabinet or the disposal of a motion of no confidence in the Cabinet.
- (4) The Speaker shall announce to the Nitijela the termination of a session.

§18. Place and time of meeting.

- (1) The Nitijela shall meet in the Nitijela chamber or in such other place as the Nitijela determines.
- (2) The Nitijela shall meet at 10 a.m. on each day other than a Saturday, Sunday or legal holiday during a session, or on such other days or at such other times as the Speaker, subject to Article IV, Sections 10 and 11 of the Constitution and to appeal to the Nitijela, determines.
- (3) After the Speaker opens a sitting in accordance with Section 8(2)(a) of these Rules, the Clerk shall call the roll.

§19. Oath by members.

- (1) No member shall take part in the proceedings of the Nitijela (other than proceedings necessary for the purposes of this Section) until he has taken an oath in the following form (or has made an affirmation to the same effect):

“Do you solemnly swear that you have been duly elected and properly hold office as a member of the Nitijela of the Marshallese people; that you accept the responsibilities and obligations of that office without reservation; that to the best of your ability you will discharge those responsibilities and obligations fairly and in a manner that will bring honor to this high body and to the people of the Marshall Islands; that you will not use your office for personal pecuniary gain or aggrandizement; and that you will loyally defend the Constitution and laws of the Marshall Islands and promote the welfare of the people of the Islands, so help you God”

To which the member shall answer, “I do”.

- (2) The oath or affirmation shall be administered, on the first day of the first session of the Nitijela after a general election, to members collectively by the Chief Justice of the Supreme Court or a Judge of

that Court or of the High Court nominated by him, and on any other occasion by the Clerk as necessary.

§20. Quorum.

- (1) As provided by Article IV, Section 15(8) of the Constitution, the quorum for a meeting of the Nitijela is one-half of the total membership of the Nitijela.
- (2) The Speaker shall recess the Nitijela, immediately after the roll-call under Section 18(3) of these Rules, until the next sitting day if there is no quorum present.
- (3) During a sitting of the Nitijela any member may call on the Speaker to determine whether a quorum is present. and the Speaker shall do so and announce his finding.
- (4) If in a case to which Subsection (3) applies no quorum is present, the Speaker shall immediately recess the Nitijela until the next sitting day, or until a later hour on the same day.
- (5) If the Speaker recesses the Nitijela under Subsection (4) until a later hour on the same day and a quorum is not present at that time, he shall immediately recess the Nitijela until the next sitting day.

§21. Attendance.

- (1) Subject to appeal to the Nitijela, a member must not be absent from the Nitijela unless excused by the Speaker, which excusing shall be announced by the Speaker to the Nitijela.
- (2) The name of a member who is not present at a call of the roll or quorum count shall be noted in the journal as being absent unless he has been excused, in which case his name shall be noted as being excused.

PART IV - VOTING

§22. Constitutional provisions as to voting.

In accordance with Article IV, Section 15(4) through (7) of the Constitution:

- (a) except as provided in Section 29 of these Rules, every member present when a question is put to the vote shall vote on it; and

- (b) no member may:
 - (i) vote more than once on any question; or
 - (ii) vote by proxy; and
- (c) no motion or proposal shall be adopted, and no candidate shall be elected, on an evenly divided vote, but at any appropriate later time any member may call for a new vote on the question.

§23. Methods of voting.

There shall be four methods of voting in the Nitijela:

- (a) by voice vote; and
- (b) by hand vote; and
- (c) by secret ballot; and
- (d) by call of the roll.

§24. Voice votes.

- (1) Voice votes shall be the normal method of voting.
- (2) When the Nitijela is ready to vote on a question, the Speaker shall:
 - (a) state the question; and
 - (b) request all those in favor of the motion to call "Yes" in a clear, loud voice; and
 - (c) then request all those against the motion to call "No" in a clear, loud voice, and shall then announce to the Nitijela the result of the vote.

§25. Hand votes.

- (1) If a member doubts the result of a voice vote as announced by the Speaker he may immediately request a hand vote.
- (2) In that case, the Speaker shall:
 - (a) again state the question; and
 - (b) request all those in favor of the motion to raise one hand, to be counted by the Clerk; and

- (c) then request all those against the motion to raise one hand, to be counted by the Clerk.
- (3) Subject to Section 29 of these Rules, if a member fails to vote:
 - (a) the Speaker shall instruct him individually to vote; and
 - (b) if he fails to comply, he shall be taken to vote in the affirmative.
- (4) The Clerk shall report the number in favor and the number against to the Speaker, who shall announce the result.

§26. Secret ballot.

- (1) The Speaker shall conduct a vote by secret ballot:
 - (a) in cases where a vote by secret ballot is required by the Constitution; or
 - (b) subject to section 89, in the case where the majority of the members present and voting call for a vote by secret ballot.
- (2) In a secret ballot the Speaker shall:
 - (a) distribute ballot papers to the Senators present; and
 - (b) state or re-state the question; and
 - (c) request all those in favor of the motion to write "Yes" on their ballot papers and all those against the motion to write "No".
- (3) The Clerk shall collect the ballot-papers from the members, and in so doing shall check that each member has recorded a vote.
- (4) Subject to Section 29 of these Rules, if a member fails to record a vote:
 - (a) the Speaker shall instruct him individually to vote;
 - (b) if he fails to comply, he shall be taken to vote in the affirmative and the Speaker shall instruct the Clerk to record his ballot paper accordingly.
- (5) The Clerk shall tally the ballot-papers and report the totals to the Speaker, who shall announce the result.
- (6) The ballot-papers shall be made available during the remainder of the day's sitting for inspection by any member.

§27. Calls of the roll.

- (1) Except where the Constitution requires the vote to be conducted by secret ballot, when three members request that a vote be conducted by a call of the roll, the Speaker shall conduct the vote by call of the roll, unless, subject to section 89, the Nitijela decides, by a simple majority of the members present and voting that the vote be conducted in another manner.
- (2) In conducting a vote by Call of the Roll, the Speaker shall:
 - (a) announce a call of the roll; and
 - (b) state or re-state the question; and
 - (c) request all those in favor of the motion to call "Yes" when their names are called, and all those against the motion call "No".
- (3) The Clerk shall call the roll and record in the journal the vote of each member.
- (4) Subject to Section 29 of these Rules, if a member present fails to call "Yes" or "No" when his name is called:
 - (a) his name shall be called again; and
 - (b) if he again fails to comply, the Speaker shall instruct him individually to call "Yes" or "No"; and
 - (c) if he still fails to comply, he shall be taken to vote in the affirmative.
- (5) The Clerk shall tally the votes and report the totals to the Speaker, who shall announce the result

§28. Change of vote, etc.

A member is not entitled, and shall not be allowed, to vote or to change his vote after the announcement of the result of the vote by the Speaker, or in the case of a secret ballot after the collection of the ballot-papers.

§29. Conflicts of interest.

- (1) A member shall not vote on any matter:
 - (a) in which he has a distinct, individual, pecuniary interest: or
 - (b) in which his individual conduct is involved.

- (2) When a member has a distinct, individual, pecuniary interest that he believes might disqualify him from voting on a matter, he shall state the interest to the Nitijela, which shall immediately decide the matter without debate.

PART V - COMMITTEES

DIVISION 1-GENERAL

§30. Types of Committees.

- (1) There shall be three types of Committees of the Nitijela:
 - (a) Committees of the Whole; and
 - (b) Standing Committees; and
 - (c) Special Committees.
- (2) Except as provided by law, all Committees are subject to the orders of the Nitijela.
- (3) Unless otherwise provided bylaw, Committees of the Nitijela shall consist only of members of the Nitijela.

§31. Committees of the Whole.

- (1) The Nitijela may resolve itself into a Committee of the Whole, consisting of all members:
 - (a) as required by these Rules or any law; or
 - (b) when it decides to consider a matter as a Committee.
- (2) A Committee of the Whole remains in being until it dissolves itself to report to the Nitijela, but in any event is dissolved when the Nitijela is dissolved.

§32. Standing Committees.

- (1) Standing Committees shall be as provided for by Division 2 of this Part and otherwise by law.
- (2) A Standing Committee is dissolved when the Nitijela is dissolved.

§33. Special Committees.

- (1) A Special Committee may be established, as required, by Act or resolution of the Nitijela, to consider and report to the Nitijela on any special or temporary matter referred to it in accordance with a resolution of the Nitijela or otherwise in accordance with law.
- (2) A Special Committee remains in existence, except as otherwise provided by resolution of the Nitijela or by law, until discharged by the Speaker, subject to appeal to the Nitijela, and in any event is dissolved when the Nitijela is dissolved.

§34. Duties of Committees.

- (1) Each Committee shall make diligent inquiry into all facts and circumstances connected with any Bill, resolution, motion or other matter referred to it by these Rules, the Nitijela or any law.
- (2) A Committee may:
 - (a) summon and examine witnesses; and
 - (b) call for papers; and
 - (c) search documents and records, and generally shall do all things necessary to discover for the Nitijela all the facts relevant to any matter referred to it.

§35. Appointment of members.

- (1) Members of Standing and Special Committees shall be appointed by the Speaker, subject to appeal to the Nitijela.
- (2) Before making appointments to Standing Committees the Speaker shall consult each member as to the Committees on which he prefers to serve.
- (3) The Speaker shall not serve on a Standing Committee.
- (4) A member may not serve on both the Standing Committee on appropriations and the Standing Committee on ways and means at the same time.
- (5) If in its opinion the work of a Committee is not being properly and expeditiously carried out, the Nitijela may cancel the appointments of

the members of the Committee and the Speaker shall, subject to any order of the Nitijela, make fresh appointments.

§36. Ministers on Committees.

- (1) The Speaker may, subject to appeal to the Nitijela, appoint more than one member of the Cabinet to be a member of a Committee.
- (2) A member of the Cabinet who is a member of the Committee may, by writing addressed to the Chairman of the Committee, nominate another member of the Cabinet or another member of the Nitijela to deputize for him as a member of the Committee when he is unable to attend a meeting of a Committee.
- (3) This Section does not apply to a Committee of the Whole.

§37. Chairmen, Vice-Chairmen and Secretaries of Committees.

- (1) The Speaker shall request the Vice-Speaker or, with the approval of the Nitijela, some other member to take the Chair in a Committee of the Whole.
- (2) The Speaker shall appoint a member of the Committee to be the Chairman of the Committee, and if in his opinion the work of the Committee is not being properly and expeditiously carried out he may cancel the appointment and make a fresh appointment.
- (3) A Vice-Chairman appointed by the Chairman of a Standing or Special Committee shall perform the functions of the Chairman during his absence or incapacity.
- (4) A Standing or Special Committee shall appoint a member of the Committee or some other person to be the Secretary of the Committee.
- (5) The Chairman of a Standing or Special Committee:
 - (a) shall call and preside at meetings of the Committee; and
 - (b) shall prepare and circulate the agenda and the minutes; and
 - (c) may invite witnesses to appear before the Committee; and
 - (d) may prepare draft reports for consideration by the Committee.
- (6) A Standing or Special Committee may give instructions to its Chairman as to the manner in which he is to perform his functions.

§38. Meetings.

- (1) Subject to Subsection (2), the quorum for a meeting of a Committee is one-half of the total membership of the Committee.
- (2) If at any time for which a public hearing before a Committee is called, a quorum in accordance with Subsection (1) is not present, the member or members of the Committee present are a quorum for the purpose of the hearing, but this Subsection does not apply to an executive meeting of the Committee.
- (3) Unless a majority of the total membership of the Committee decide otherwise, meetings of a Committee shall be open to the public.
- (4) Except with leave of the Nitijela, a Committee shall not meet while the Nitijela is actually the sitting.

§39. Procedures.

- (1) The provisions of Part IV of these Rules relating to voting in the Nitijela, with the necessary modifications, apply to voting in a Committee, references to the Speaker being read as references to the Chairman of the Committee and references to the Clerk being read, in the case of a Standing or Special Committee, as references to the Secretary of the Committee.
- (2) Subject to these Rules, a Committee shall determine its own procedures.

§40. Reports.

- (1) A Committee shall report to the Nitijela on all matters referred to it.
- (2) Subject to any order of the Nitijela, the Chairman of a Standing or Special Committee shall use his best endeavors to ensure that all matters referred to it are reported on before the end of each session, and shall advise the Speaker, in writing, of all matters not so dealt with, and the reasons.
- (3) Subject to any order of the Nitijela to the contrary, a Special Committee shall report within 10 sitting days of the Nitijela.
- (4) Standing and Select Committees shall furnish their reports, in writing, to the Clerk, who shall:

- (a) number them consecutively in the order in which they were received; and
 - (b) cause them to be reproduced; and
 - (c) furnish a copy to each member of the Nitijela.
- (5) A report shall state the Committee's findings of fact and conclusions, together with specific recommendations as to the manner in which the matter referred to the Committee should be disposed of.
 - (6) A report on a Bill shall state clearly any amendments proposed by the Committee, and shall have attached to it a copy of the Bill as proposed to be amended.
 - (7) A report (other than a report on the Bill itself) recommending the passage of a Bill shall state clearly the purpose and intent of the Bill.
 - (8) A report shall be taken to be adopted by a Committee when a majority of the members of the Committee have signed it as concurring in it, or by two or more Committees when a majority of the members of each Committee have so signed it.
 - (9) Members of a Committee who do not concur in a report may so indicate by signing it "I do not concur" or by submitting a separate minority report or separate minority reports.
 - (10) Subsections (5) through (9) do not apply to a Committee of the Whole.

§41. Withdrawal of matters.

Any matter referred to a Committee by or under these Rules may be withdrawn from the Committee by the Nitijela, on a majority vote of the members present and voting."

§42. Staff, etc.

The Clerk shall arrange for any necessary supporting staff and facilities to be available for each Standing or Special Committee.

DIVISION 2 - STANDING COMMITTEES

§43. Standing Committees.

- (1) The following Standing Committees are hereby established:

- (a) a Committee on appropriations; and
 - (b) a Committee on ways and means; and
 - (c) a Committee on resources and development; and
 - (d) a Committee on Health Education and Social Affairs; and
 - (e) a Committee on judiciary and Governmental relations; and
 - (f) a Committee on Public Accounts; and
 - (g) a Committee on Foreign Affairs and Trade
- (2) The Nitijela may, by Act or Resolution, make provision in respect of other Standing Committees. [Committee on Foreign Affairs and Trade established by Resolution No. 7, 1996.]

§44. Committee on Appropriations.

- (1) The Committee on appropriations shall consist of nine members.
- (2) The Committee shall consider and report on all Bills, Resolutions, motions, and other matters relating to public expenditure or to financial administration of the Marshall Islands and local government finance, including budget estimates and supplementary estimates that are referred to it by the Nitijela.

§45. Committee on Ways and Means.

- (1) The Committee on ways and means shall consist of nine members.
- (2) The Committee shall consider and report on all Bills, Resolutions, motions and other matters relating to the revenues of the government and of local governments, including matters relating to the administration of revenue laws, that are referred to it by the Nitijela. [Membership increased to nine by Resolution in 2000]

§46. Committee on Resources and Development.

- (1) The Committee on Resources and Development shall consist of nine members.
- (2) The Committee shall consider and report on all bills resolutions, motions, and other matters relating to the economy and resources of the Marshall Islands, including:
 - (a) economic planning and policies;

- (b) private and public investment;
 - (c) Development loans;
 - (d) private savings;
 - (e) indebtedness;
 - (f) commerce and trade;
 - (g) agriculture;
 - (h) fisheries;
 - (i) forestry;
 - (j) mineral resources;
 - (k) land management;
 - (l) industries;
 - (m) electric power;
 - (n) communications; and
 - (o) land, sea and air transportation;
- that are referred to it by the Nitijela.

§47. Committee on health, education and social affairs.

- (1) The Committee on health, education and social affairs shall consist of nine members.
- (2) The Committee shall consider and report on all Bills, resolutions, motions and other matters relating to the education, health, conditions of labor and well-being of the people of the Marshall Islands, that are referred to it by the Nitijela. [Membership increased to nine by Resolution in 2000]

§48. Committee on judiciary and governmental relations.

- (1) The Committee on judiciary and governmental relations shall consist of nine members.
- (2) The Committee shall consider and report on all Bills, resolutions, motions and other matters relating to:
 - (a) civil and criminal law; and
 - (b) judicial administration and organization; and
 - (c) land law; and

- (d) traditional rights; and
 - (e) suffrage and elections; and
 - (f) revision of statutes; and
 - (g) governmental organization; and
 - (h) the public service; and
 - (i) relations between the Government and local governments; and
 - (j) foreign relations, that are referred to it by the Nitijela.
- (3) Unless otherwise ordered by the Nitijela, the Committee shall also furnish the reports referred to in Article IV, Section 2(5) of the Constitution on the composition of the Nitijela and in Article IV, Section 19(2) of the Constitution on Bills prescribing certain compensation to which that Section applies. [Membership increased to nine by Resolution in 2000]

§49. Committee on public accounts.

- (1) The Committee on public accounts shall consist of nine members.
- (2) The Committee shall:
 - (a) consider the public funds and accounts of the Marshall Islands as referred to in Article VIII, Section 15(1) of the Constitution, in conjunction with the report of the Auditor-General on them; and
 - (b) in the case of any excess or unauthorized expenditure of funds, report to the Nitijela the reasons for that expenditure; and
 - (c) propose any measures that it thinks necessary to ensure that public moneys are properly and economically spent and duly accounted for; and
 - (d) where a report on the examination and audit of the accounts of any public corporation or other statutory authority constituted under the law of the Marshall Islands is required by law to be laid before the Nitijela, consider. report on and make recommendations to the Nitijela in respect of such accounts; and
 - (e) consider and report to the Nitijela on any related matter referred to it by the Nitijela. [Membership increased to nine, by Resolution in 2000]

§49A. Committee on Foreign Affairs and Trade.

- (1) The Committee on Foreign Affairs and Trade shall consist of nine members.
- (2) The Committee shall consider and report on all Bills, Resolutions, motions and other matters relating to the issue of foreign relations generally, treaties and conventions, foreign trade and matters associated therewith, that are referred to it by the Nitijela. [This Committee was established by Nitijela Resolution No.7, 1996.][Membership of the Committee was increased to nine by a Resolution in 2000]

§50. Referrals to two or more Committees: Transfers between Committees, etc.

- (1) Subject to any order of the Nitijela, the whole or part of a Bill, resolution, motion or other matter before the Nitijela may be referred to two or more Standing Committees for a joint report or separate reports, as the Committees find more convenient.
- (2) Subject to any order of the Nitijela, the Speaker may transfer the whole or part of a Bill, resolution, motion or other matter from one Standing Committee to another that is more appropriate to the subject matter.
- (3) Subject to any order of the Nitijela, a Bill, resolution, motion or other matter referred to a Standing Committee that relates also to the subject-matter of another Standing Committee may be referred by the first Committee to the other Committee for preliminary examination and report to it.

PART VI - JOINT COMMITTEES AND JOINT CONFERENCES**§51. Membership of joint committees and joint conferences.**

- (1) In this section:
“the appropriate Standing Committee” means the Standing Committee to which, in the opinion of the Speaker, a matter relating to the subject-matter of a joint committee or a joint conference would be referred under Division 2 of Part V of these Rules, or if in the opinion of the Speaker there are two or more such Standing Committees such one of them as the Speaker determines;

“**joint committee**” means a committee of the Council of Iroij and of the Nitijela, acting jointly;

“**joint conference**” means a joint conference between members of the Council of Iroij and members of the Nitijela.

- (2) When a joint committee or a joint conference for any purpose is required or permitted by or under the Constitution or any other law, or is decided on or agreed, the Nitijela members of the committee or conference shall, unless the Nitijela otherwise orders or a law otherwise provides, be the members of the appropriate Standing Committee or such members of the Nitijela as the Speaker appoints for the purpose.

PART VII - BUSINESS GENERALLY

DIVISION 1 - ORDER OF BUSINESS

§52. General order of business.

After prayer on each sitting day the order of business of the Nitijela shall be as follows:

- (a) Roll-call.
- (b) Approval of the journal of the day (if available).
- (c) Administration of oath to members (if required).
- (d) Election of a Speaker (if required).
- (e) Election of a Vice-Speaker (if required).
- (f) Motions of no-confidence.
- (g) Election of a President (if required)
- (h) Statements, papers and reports from the Cabinet, the President or Minister.
- (i) Notices of motion.
- (j) Questions.
- (k) Unfinished business on which the Nitijela was engaged at the time of its last recess or adjournment, and debates deferred to that sitting day.
- (l) Reports of Standing Committees.

- (m) Reports of Special Committees.
- (n) The Bill Calendar.
- (o) The Resolution Calendar.
- (p) Introduction of Bills.
- (q) Introduction of Resolutions.
- (r) Petitions, memorials and Communications generally;
- (s) Announcements.
- (t) Recess or Adjournment.

§53. Special Order of Business.

Subject to section 54 (2) of the Rules, the Nitijela may order that any particular item of business have priority over all or any business other than business of the first seven classes listed in section 52 of these Rules.

§54. Cabinet Priority.

- (1) In order to give Cabinet the opportunity to carry out its functions under Article V Section 1 (3) (b) of the Constitution to recommend legislative proposals to the Nitijela, unless the Nitijela, on a motion of a member of the Cabinet orders otherwise, Cabinet business has priority over all business other than business of the first seven classes listed in section 52 of these Rules, except that on Wednesday or Fridays other business has similar priority.
- (2) A motion to give any business priority over Cabinet business shall not be moved except by a member of the Cabinet.

DIVISION 2 - MOTIONS GENERALLY

§55. Seconding of motions.

No motion shall be considered by the Nitijela until it has been seconded.

§56. Disposal of Motions.

After a motion is stated by the Speaker or read by the Clerk it is in the possession of the Nitijela and shall be disposed of by it, unless it is withdrawn in accordance with these Rules.

§57. Main and subsidiary motions.

- (1) A main motion is a motion that brings a subject before the Nitijela for its consideration and action, and may be moved at the time provided for in the order of business.
- (2) A subsidiary motion is a motion that is necessary or desirable in order to dispose properly of a main motion.
- (3) When a main motion is under discussion, the following subsidiary motions related to it may, subject to these Rules, be entertained, in the following order of priority:
 - (a) to defer;
 - (b) to refer to a Committee, with or without instructions; and
 - (c) to amend.
- (4) A motion to defer shall be decided without debate.
- (5) When a subsidiary motion other than a motion to amend is defeated, the same subsidiary motion shall not be moved again in relation to the main motion until a motion to amend or some other substantive business has intervened.
- (6) If a motion to amend in a specific way is defeated, it shall not be moved again during the same day's sitting.
- (7) Only one motion to amend a motion is in order at the same time, and if a motion to amend a motion is defeated another amendment to the original motion is in order.

DIVISION 3 - PRIORITY BUSINESS**§58. Priority business.**

- (1) The following classes of business are priority business:
 - (a) a point of privilege;
 - (b) a motion to defer the debate on a matter;
 - (c) a motion to recess the Nitijela; and
 - (d) a motion or debate on the budget estimates or any supplementary estimates, or any motion or debate on the Appropriation Bill or a Supplementary Appropriation Bill.

- (2) An item of priority business may be introduced at any time when it is appropriate to the order of business.
- (3) Priority business takes precedence over, and shall be disposed of before, other business.

§59. Points of privilege.

- (1) A member may at the first reasonable opportunity raise a point of privilege concerning a matter that relates to him as a member, or to the privileges or welfare of the Nitijela.
- (2) When a member raises a point of privilege in the Nitijela, the Speaker shall interrupt the proceedings and ask the member to state his point, which is not debatable.
- (3) When a member raises a point of privilege in a Committee of the Whole, the member presiding shall immediately recess the Committee, and the member shall state his point in the Nitijela.
- (4) The Speaker shall either immediately or as soon as practicable, give his ruling on the point of privilege, or refer to it to a Committee for a report

§60. Recess.

- (1) Except when a recess is forbidden by Article IV, Section 11 of the Constitution to enable a Cabinet to be appointed or a motion of no confidence to be disposed of, a member of the Cabinet or the Vice-Speaker may move to recess the Nitijela for or to a specific time, or at the call of the Speaker.
- (2) In addition to his functions under Section 20 of these Rules, the Speaker may, whenever he thinks it proper to do so, recess the Nitijela for or to a specific time, or at the call of the Speaker, except when a recess is forbidden by Article IV, Section 11 of the Constitution to enable the Cabinet to be appointed or a motion of no confidence in the Cabinet to be disposed of.
- (3) A motion that the Nitijela recess (otherwise than until later on the same day) opens a debate during which members may speak on matters unrelated to the motion.

- (3A) Notwithstanding subsection (1), any member of the Nitijela may move a motion to recess the Nitijela until later in the same day, until the next day, or at the call of the Speaker [inserted by Resolution No. 50, 2009]

§61. Deferment of debate.

A member may at any time move to defer a debate, and such a motion takes precedence over all other motions and, unless it is a motion to defer to a specific time or without fixing a date, shall be decided without debate.

§62. Re-consideration.

- (1) This Section does not apply to motions for readings of Bills nor to any re-consideration of a Bill requested by the Council of Iroij under Article 111, Section 3 of the Constitution (which is dealt with in Division 4 of Part VIII of these Rules).
- (2) Subject to Subsection (1), any member may move at an appropriate time for re-consideration of a main motion that has been decided by the Nitijela.
- (3) A motion for re-consideration takes precedence over all other motions except a motion to recess and a motion of one of the first seven classes set out in Section 52 of these Rules.
- (4) A motion for re-consideration must be passed by the same majority as was required for the main motion to which it relates.
- (5) When a motion for re-consideration of a main motion has been decided by the Nitijela, no further motion for re-consideration of the main motion is in order.

§63. Budgets and appropriations.

Debates on the budget estimates or any supplementary estimates, and debates on the Appropriation Bill or a Supplementary Appropriation Bill, take precedence over all other business except:

- (a) business of the first seven classes referred to in Section 52 of these Rules; and
- (b) business of the first three classes referred to in Section 58(1) of these Rules.

DIVISION 4 - INCIDENTAL BUSINESS

§64. Incidental business.

- (1) The following classes of business are incidental business:
 - (a) a point of information;
 - (b) a point of order;
 - (c) the withdrawal of a motion;
 - (d) a motion for the division of a Bill, resolution, motion or other matter before the Nitijela;
 - (e) a motion for a call of the Nitijela or of a Committee; and
 - (f) a motion for the previous question.
- (2) Any member may introduce incidental business at any appropriate time.
- (3) Incidental business shall be decided without debate.

§65. Points of information.

- (1) A member may at any time raise a point of information relating to a matter before the Chair, including a point as to procedure.
- (2) When a member raises a point of information, the Speaker or member presiding shall ask him to state the point.
- (3) Unless he regards the point as improper and rules it out of order, the Speaker or member presiding shall either respond to the point himself or request another member to respond to it.

§66. Points of order.

- (1) A point of order is a point, whether the provisions of the Constitution, these Rules or any relevant law are being observed in the conduct of business.
- (2) A member may at any time raise a point of order relating to a matter before the Chair.
- (3) When a member raises a point of order, the Speaker or member presiding shall ask him to state the point.

- (4) The point shall be ruled on at once by the Speaker or member presiding, and if the ruling is objected to at once:
 - (a) if the point was raised in the Nitijela - the Nitijela shall decide; or
 - (b) if the point was raised in a Committee of the Whole - the member presiding shall recess the Committee and the member objecting shall state his objection again in the Nitijela; or
 - (c) if the point was raised in a Committee other than a Committee of the Whole - the objection may be stated again in the Nitijela on the first available opportunity for a ruling by the Speaker and, if necessary, a decision by the Nitijela.
- (5) When an objection to a ruling is being debated in the Nitijela, the Speaker or member presiding who gave the ruling objected to, the member objecting and (if he was a different person) the member who raised the point of order shall each be allowed to speak, but no other member may speak without leave of the Nitijela or of the Speaker, and no speech shall exceed five minutes in length except by leave of the Speaker.
- (6) Notwithstanding anything in this Section:
 - (a) if a ruling by a member other than the Speaker relates to a matter of the interpretation or application of the Constitution or of a law and is objected to. it shall be referred to the Speaker; and
 - (b) in any event, in accordance with Section 113(2) of these Rules, rulings by the Speaker on a matter of the interpretation or application of the Constitution or of a law are not subject to appeal to the Nitijela.

§67. Withdrawal of motions.

- (1) A member may withdraw his motion, but if it has been amended or has been referred to a Committee it may be withdrawn only with the leave of the Nitijela.
- (2) Subsection (1) does not apply to a motion that has been decided.

§68. Motions for division.

- (1) A member may move for the division of a Bill, resolution, motion or other matter before the Nitijela, if:
 - (a) there are two or more specific subjects within its general subject; and
 - (b) he desires each specific subject to be considered and voted on separately.
- (2) A motion for division shall state clearly the specific subjects to be considered and voted on separately.
- (3) A motion for division is not in order if it involves more than a simple clerical division requiring the insertion of formal words and other formal and grammatical changes, and if it does require more, the correct motion is that, the Bill, resolution, motion or other matter be withdrawn for redrafting.

§69. Motions for calls of the Nitijela or of a Committee.

- (1) A member may move for a call of the Nitijela or of a Committee at any time when he wishes all members to attend and remain on the Floor.
- (2) If the motion is carried, the Speaker or member presiding shall allow 10 minutes, or such additional time as he thinks proper, for members to attend, and afterwards while the motion remains in effect the name of any member who is not present at all times shall be entered in the journal of the day as being absent, unless he has leave of the Nitijela or the Speaker, or in the case of a Committee leave of the Committee or of the member presiding.
- (3) The motion remains in effect until the debate ends or is recessed or the Nitijela is recessed or adjourned, or in the case of a Committee until it is recessed or reports, and the Speaker or member presiding may remove the call, subject to appeal to the Nitijela or the Committee, as the case may be, when the purpose of the motion has been accomplished.

§70. The previous question.

- (1) Subject to Subsection (2), a member may at any appropriate time move the previous question.
- (2) The Speaker or the member presiding in a Committee shall not put the motion to a vote unless he is satisfied that, as required by Article IV, Section 15(2) of the Constitution, there has been an opportunity for all points of view represented in the Nitijela to be fairly heard.

PART VIII- BILLS AND RESOLUTIONS**DIVISION 1 - GENERAL****§71. Introduction.**

Bills and resolutions are introduced into the Nitijela by being submitted to the Clerk in accordance with Section 73 of these Rules.

§72. Control of Bills and resolutions.

Bills and resolutions introduced into the Nitijela are in the possession of the Nitijela and under its control.

§73. Format and submission.

- (1) Bills and resolutions shall be typewritten in double space in traditional legal size, leaving a standard left-hand margin and with the number of the line appearing on each line at the left margin.
- (2) Bills and resolutions for introduction shall be submitted to the Clerk either in an original and three copies or on a mimeograph stencil supplied by the Clerk.
- (3) Bills and resolutions may be submitted to the Clerk at the time fixed in the order of business or at any time during office hours when the Nitijela is not sitting.
- (4) The original or stencil shall be signed at the bottom of the last page by the member introducing the Bill or motion, and with his permission may also be signed by other members.

- (5) If a member wishes to indicate that he is introducing a Bill or resolution at specific request without necessarily supporting it, he may do so by adding the words "by request" after his signature.
- (6) The Speaker may allow exceptions to this Section.

§74. Numbering.

- (1) The Clerk shall number Bills and resolutions in consecutive numerical order by type of measure, in the order of their submission to him.
- (2) Immediately after the completion of the stage of proceedings in which a Bill or resolution is amended for the first time, the designation "N. D. 1" shall be added after the number to indicate "Nitijela Draft 1", and immediately after the completion of any other stage of proceedings, in which the Bill or resolution is subsequently amended the number in the designation shall be increased accordingly.

§75. Distribution.

The Clerk shall provide each member with a copy of each Bill or resolution and of any report of a Standing or Special Committee, and of any report required under the Constitution, on it.

§76. Amendments.

- (1) Subject to Section 81 of these Rules, amendments to Bills and resolutions may be offered from the floor of the Nitijela or of a Committee at an appropriate time, and shall, if practicable, be in writing and shall be read out by the Clerk or the Secretary of the Committee.
- (2) If a Bill or a resolution is amended in such a way that 10 or more lines are changed, the entire Bill or resolution, or the pages affected, as the Speaker directs, shall be reduplicated and redistributed by the Clerk to all members before its final disposal.

§77. Consideration of reports.

Reports on Bills and resolutions shall be acted on separately from the Bills or resolutions themselves, and adoption of a report does not of itself affect a

Bill or resolution except as provided by Sections 87(6) and 93(6)(a) of these Rules.

§78. Notification of referrals, etc.

When the Speaker refers a Bill or resolution to a Committee, or otherwise disposes of it, he shall report the matter to the Nitijela, and unless the referral or disposal is made in accordance with a law or a decision of the Nitijela his decision is subject to appeal to the Nitijela.

DIVISION 2 - "MONEY" BILLS AND AMENDMENTS

§79. Application of Division 2.

This Division applies to and in relation to Bills and amendments of a kind referred to in Article VIII, Section 2(2) of the Constitution, that is to say Bills, and amendments to Bills, introduced by members of the Nitijela other than members of the Cabinet that would, in the opinion of the Speaker:

- (a) dispose of or charge any of the public revenues of the Marshall Islands; or
- (b) revoke or alter (otherwise than by way of reduction) any disposition of or charge on those revenues; or
- (c) impose, alter or abolish any tax, rate, due, fee or fine.

§80. Dealing with "money" Bills.

- (1) In accordance with Article VIII, Section 2(2) of the Constitution, the Nitijela shall not proceed beyond the first reading of a Bill to which this Division applies except with the recommendation or consent of a member of the Cabinet.
- (2) The recommendation or consent shall be in writing, signed by the member of the Cabinet, and handed to the Speaker, and the Speaker shall announce the recommendation or consent to the Nitijela before the Bill is proceeded with.

§81. Dealing with "money" amendments.

- (1) In accordance with Article VIII, Section 2(2) of the Constitution, the Nitijela shall not deal with an amendment to which this Division

- applies except with the recommendation or consent of a member of the Cabinet.
- (2) The recommendation or consent shall be in writing, signed by the member of the Cabinet, and handed to the Speaker, and the Speaker shall announce the recommendation or consent to the Nitijela before the amendment is considered.
 - (3) This Section extends to an amendment contained in a report, and a report that contains an amendment to which this Division applies shall not be adopted by the Nitijela unless the provisions of this Section have been complied with.

§82. Effect of recommendation or consent.

A recommendation or consent referred to in Section 80 or 81 does not:

- (a) commit the Cabinet or any member of the Cabinet (including the member of the Cabinet recommending or consenting) to support the Bill or amendment; or
- (b) in the case of a Bill, apply to the Bill otherwise than in the form in which it passed first reading; or
- (c) in the case of an amendment, apply to the amendment otherwise than in the form in which it was moved, or, if the amendment was contained in a report, otherwise than in the form in which it was in the report.

DIVISION 3 - BILLS

§83. Form of bills.

Bills shall:

- (a) contain an enacting clause, reading “Be it Enacted by the Nitijela of the Marshall Islands”; and
- (b) deal with only one subject, which shall be set out in its title; and
- (c) in the case of an amending Bill, set out the law, or the section or subsection of the law, that it is to amend (either in the body of the Bill or in an attachment to it).

§84. Readings.

- (1) In accordance with Article IV, Section 15(10) of the Constitution, no Bill is passed by the Nitijela unless it has passed three readings.
- (2) Subject to any order of the Nitijela, each reading of a Bill shall be dealt with on a different day.
- (3) The motions for the first, second and third readings of a Bill shall be as follows:
 - (a) “that the Bill be read a first time”; and
 - (b) “that the Bill be read a second time”; and
 - (c) “that the Bill be read a third time and do pass and be an Act”, respectively.
- (4) No amendment shall be allowed to any such motion.
- (5) Readings shall be by title only, which the Clerk shall read out to the Nitijela.

§85. First reading.

- (1) The effect of the first reading of a Bill is, that the Nitijela accepts the Bill for consideration, and the first reading is not subject to debate.
- (2) If so ordered by the Nitijela, but subject to Section 80 of these Rules, the Speaker shall refer a Bill that passes first reading to a Standing Committee or to a Special Committee established for the purposes of the Bill, and otherwise shall order that it be placed on the Bill calendar for second reading.
- (3) If the Bill is referred to a Committee, the Committee shall recommend that the bill:
 - (a) be placed on the Bill calendar for second reading, with or without recommendations as to its disposal at that stage; or
 - (b) be committed to another Committee; or
 - (c) be filed, and may add its comments concerning the Bill)

§86. Second reading.

- (1) The effect of the second reading of a Bill is that the Nitijela approves the principle of the Bill but reserves the right to amend it in detail, if necessary, in a Committee of the Whole before its third reading.

- (2) Subject to any order of the Nitijela, the Speaker shall refer each Bill that passes second reading to one or more Standing Committees, or order that it be referred to a Committee of the Whole.
- (3) If the Bill is referred to a Standing Committee, the Committee shall recommend that the Bill:
 - (a) be not amended; or
 - (b) be amended in a manner specified by the Committee; or
 - (c) be committed to another Committee, with or without recommendations as to its amendment, and add its comments concerning the Bill.
- (4) Unless the Nitijela orders otherwise, on the making of the report (or, if there is more than one, of the last of them) the Bill and the report (or reports) stand referred to a Committee of the Whole.

§87. Procedure “in Committee”.

- (1) When a Bill that has passed second reading is being considered in a Committee of the Whole or other Committee, the principles of the Bill are not open to debate, and members may discuss only questions as to its amendment in detail.
- (2) The Bill shall be considered section by section and schedule by schedule (or if convenient by groups of sections and schedules), and subject to Section 81, and to Subsection (3), any member may move any amendment that he thinks proper.
- (3) All amendments to the Bill (including new provisions) must be relevant to the subject-matter of the Bill.
- (4) A Committee of the Whole may at any time recess, and shall do so before the end of each day’s sittings of the Nitijela.
- (5) When a Committee of the Whole has completed its consideration of a Bill, the Speaker shall resume the Chair in the Nitijela and the member presiding in the Committee shall report the Bill, orally, to the Nitijela “with amendments” or “without amendment”, and any member may move that the report be adopted.
- (6) If the report of a Bill “with amendments” is adopted, the Bill is, notwithstanding Section 77 of these Rules, but subject to Section 81 of these Rules, amended accordingly.

- (7) When the report of a Bill by a Committee of the Whole is adopted, the Speaker shall, unless the Nitijela orders otherwise, order that the Bill be placed on the Bill calendar for third reading.

§88. Re-committal.

- (1) At any time after the report of a Committee of the Whole is adopted and before a Bill passes the third reading, any member may move that it be re-committed to a Committee of the Whole for re-consideration of specified sections or schedules.
- (2) A motion for re-committal takes priority over the third reading motion and, if passed, supersedes any such motion that has not been finally disposed of.
- (3) On re-committal, the same procedures, with any necessary modifications, apply as on the original committal.

§89. Third reading.

- (1) The vote on the third reading shall be by call of the roll.
- (2) The effect of the third reading of a Bill is, that the Bill is passed by the Nitijela and is an Act.

§90. Certification.

- (1) When a Bill has been passed it shall, as soon as practicable but subject to compliance with Article III, Section 3 of the Constitution (which relates to consideration of Bills by the Council of Iroij), be certified by the Speaker and countersigned by the Clerk in accordance with Article IV, Section 21 of the Constitution, and sealed with the official seal of the Nitijela.
- (2) The certificate shall also include, in appropriate cases, the following certifications for the purposes of the Constitution:
 - (a) the certificate required by Article XII, Section 3 (which relates to certain amendments to the Constitution); and
 - (b) certificates of compliance with:
 - (i) Article III, Section 3 (which relates to re-consideration of Bills at the request of the Council of Iroij): and

- (ii) Article IV, Section 2(5) (which relates to Bills to change representation in the Nitijela); and
 - (iii) Article IV, Section 19(2) (which relates to Bills prescribing statutory compensation); and
 - (iv) Article IV, Section 20 (which relates to Bills prescribing the qualifications of judges); and
 - (v) Article X, Section 2(3) (which relates to Bills declaring customary law); and
 - (vi) Article XII, Section 4(5) (which relates to certain Bills to establish constitutional conventions).
- (3) In preparing a Bill for certification, the Clerk may, with the approval of the Speaker, correct any clerical, grammatical or other error, not affecting the substance of the Bill, appearing in it, and may make such changes to numbering and cross-references, and to other such matters, as arise out of amendments to the Bill or to any other law or document.

§91. Saving of constitutional and other provisions.

For the avoidance of doubt, it is hereby declared that nothing in this Division affects, or is intended to affect, any procedural requirements of:

- (a) the provisions of the Constitution listed in Section 90 of these Rules; or
- (b) Article VIII of the Constitution (which relates to finance, “money” Bills and appropriation Acts); or
- (c) Article XII of the Constitution (which relates to amendments of the Constitution), or any other requirements of the Constitution or of any other law.

DIVISION 4 - SPECIAL PROVISIONS RELATING TO RE-CONSIDERATION OF
BILLS REQUESTED BY THE COUNCIL OF IROIJ

§92. Advice of request by Council of Iroij.

When the Speaker receives, under Article III, Section 3(3) of the Constitution, a copy of a resolution by the Council of Iroij requesting re-consideration of a Bill:

- (a) the Clerk shall distribute to all members copies of the resolution, and of any comments by the Council; and
- (b) the Speaker shall defer certification under Article IV, Section 21(2) of the Constitution until the decision of the Nitijela is known; and
- (c) the Speaker shall at the first convenient opportunity formally advise the Nitijela accordingly, and request re-consideration of the Bill.

§93. Re-consideration on request.

- (1) At the first convenient opportunity after the Speaker has, under Section 92(c) of these Rules, advised the Nitijela of a resolution by the Council of Iroij, the Vice-Speaker shall move, that the resolution be noted.
- (2) At the conclusion of the debate the Speaker shall ask the Nitijela if any amendments are proposed, arising out of the resolution and any comments by the Council of Iroij.
- (3) If no member has amendments to propose, the Vice-Speaker shall move, that the Nitijela re-affirms its support for the Bill without amendment, and:
 - (a) if the motion is passed, the Bill shall be certified as provided in Section 90(I) and (2)(b)(i) of these Rules; and
 - (b) if the motion is defeated:
 - (i) the Nitijela shall be taken to have decided, in terms of Article III, Section 3(7) of the Constitution, not to proceed with the Bill; and
 - (ii) the Speaker shall not certify the Bill.
- (4) If amendments are proposed, the members shall, subject to Section 81 of these Rules, consider them in a Committee of the Whole and the Bill shall again be reported to the Nitijela, “with amendments” or “without amendments” in accordance with Section 87(5), (6) and (7) of these Rules.
- (5) If a report of the Bill “without amendment” is adopted, the Vice-Speaker shall move in accordance with Subsection (3), and the provisions of that subsection apply.

- (6) If a report of the Bill “with amendments” is adopted:
 - (a) the Bill is, notwithstanding Section 77 of these Rules, but subject to Section 81 of these Rules, amended accordingly; and
 - (b) the Vice-Speaker shall move, that the Bill as amended be passed.
- (7) If a motion in accordance with Subsection (6)(b):
 - (a) is passed - the Bill shall be certified as provided in Section 90(1) and (2)(b)(i) of these Rules; or
 - (b) is defeated - the Vice-Speaker shall move in accordance with Subsection (3), and the provisions of that Subsection apply.
- (8) The Clerk shall advise the Clerk of the Council of Iroij of the result of proceedings under this Section.

§94. Joint meetings.

At any stage of the proceedings after he has, under Section 92(c) of these Rules, advised the Nitijela of a resolution of the Council of Iroij and before the proceedings are finally disposed of, the Speaker may recess the Nitijela or take such other action as he thinks proper for the holding of a joint conference between members of the Council of Iroij and members of the Nitijela in accordance with Article III, Section 3(6) of the Constitution and Section 51 of these Rules, and shall report the result to the Nitijela at the first convenient opportunity.

DIVISION 5 - RESOLUTIONS

§95. Nature and passing of resolutions.

- (1) A resolution is a document expressed to be a resolution, formally expressing the decision of the People of the Marshall Islands through their Nitijela on some matter of public importance or interest.
- (2) A resolution is passed by the Nitijela on a motion “that the resolution do pass”, which motion shall not be amended.
- (3) Before putting the question, the Speaker may call for motions to amend the resolution, and if any such motion is carried the question becomes, that the resolution as amended do pass.

§96. Moving of resolutions.

A resolution may be moved by reference to its title, but the Clerk shall read it at length if the Speaker or five members so request.

§97. Consideration of resolutions.

- (1) Subject to any order of the Nitijela, the Speaker may refer each resolution to one or more Standing Committees, and otherwise shall order that it be placed on the resolution calendar.
- (2) If a resolution is referred to a Standing Committee, the Committee shall recommend that the resolution be:
 - (a) placed on the resolution calendar; or
 - (b) committed to another Committee; or
 - (c) filed, and may add its comments concerning the resolution.

§98. Certification of resolutions.

- (1) When a resolution has been passed it shall, as soon as practicable, be certified by the Speaker and countersigned and dated by the Clerk, and sealed with the official seal of the Nitijela.
- (2) In preparing a resolution for certification, the Clerk may, with the approval of the Speaker, correct any clerical, grammatical or other error, not affecting the substance of the resolution, appearing in it.

PART IX - QUESTIONS

§99. Asking of questions.

- (1) Subject to Section 100 of these Rules, any member of the Nitijela other than a member of the Cabinet may ask the Cabinet a question of fact:
 - (a) relating to a matter for which the Cabinet is responsible; or
 - (b) concerning any body established by or under any law.
- (2) Subject to Section 100 of these Rules, any member may ask the Speaker a question of fact concerning:
 - (a) the administration of the Nitijela; or
 - (b) any other matter for which the Speaker is responsible.

- (3) Subject to Section 100 of these Rules, any member may ask the Chairman of a Standing or Special Committee a question concerning progress with any matter that has been referred to the Committee, or as to when a report might be expected.
- (4) Subject to Section 102 of these Rules and to Subsection (5), a question shall be submitted to the Clerk, in writing, before the day in which it is to be asked, and the Clerk shall include it in the list of questions for that day unless the Speaker disallows it under Section 100 of these Rules.
- (5) Where in the opinion of the Speaker it would be impracticable or unreasonable to require a member to submit a question in writing in accordance with Subsection (4), he may give special permission for the member to ask the question orally from the Floor.
- (6) Questions may be submitted for oral answer in the Nitijela or for written answer.
- (7) Written answers shall be given through the Clerk and shall be included in the journal of the day on which they are received.
- (8) Written questions shall appear on the question-paper in the order in which they were received by the Clerk, but the Speaker may direct that a number of questions received from the same member at the same time be mixed with questions asked by other members, so as to prevent too much time being taken up by one member's questions when other members have submitted questions.
- (9) A member may withdraw a question either orally to the Nitijela or by written notice to the Clerk.
- (10) Unless it is withdrawn, or the Speaker or the Nitijela orders that it be struck off the question-paper, a written question that is not answered on the day on which it was to be asked shall remain on the question-paper until it is answered.

§100. Contents of questions.

- (1) A question shall not:
 - (a) contain a statement which the member asking the question is not prepared to justify as being correct; or
 - (b) contain argument or opinions: or

- (c) ask for the personal opinion of a member of the cabinet; or
 - (d) ask for a legal opinion; or
 - (e) refer to proceedings in a Committee before the Committee has made its report to the Nitijela, otherwise than by way of an inquiry as to progress with any matter that has been referred to the Committee, or as to when a report might be expected; or
 - (f) seek information about a matter that is of its nature confidential; or
 - (g) be likely to prejudice a case pending before a court; or
 - (h) reflect on the Council of Iroij or any of its members; or
 - (i) reflect on the Nitijela or any of its members; or
 - (j) reflect on the judiciary; or
 - (k) reflect on or tend or be intended to unduly influence any person or body, or any member of any body, declared by the Constitution to be independent; or
 - (l) relate to more than one subject; or
 - (m) be of excessive length or unnecessarily complicated; or
 - (n) if it has been fully answered, be asked again during the same meeting.
- (2) If the Speaker is of the opinion that a question is out of order. he may disallow or redraft the question.
 - (3) If the Speaker is of the opinion that any information sought by a question is conveniently available outside the Nitijela, he may disallow the question.

§101. Limitation on questions.

- (1) No member may ask more than three questions for oral answer on the one day.
- (2) The time allowed for questions shall not exceed one hour on any day.
- (3) The Nitijela may vary the rules contained in Subsections (1) and (2) in relation to any sitting day.

§102. Supplementary questions.

Members may be permitted by the Speaker to ask, immediately after a question has been answered orally, a reasonable number of supplementary questions to clarify matters arising from the answer but:

- (a) not for the purpose of introducing matter that is not related to the original question; and
- (b) not being such as would infringe Section 100.

§103. Answers.

- (1) An answer must be relevant to the question, and must not go unnecessarily beyond it.
- (2) Unless the member who was asked a question answers it on or before the fifth sitting day after it was asked, he or another member acting on his behalf shall, during or after question time on that day, advise the Nitijela why he has not been able to answer it.

PART X - PAPERS, STATEMENTS AND REPORTS**§104. Presentation of papers, etc.**

A member of the Cabinet may at the appropriate time set out in Section 52 of these Rules, or at any other time with the permission of the Speaker, present a paper, make a statement or present a report on behalf of the Cabinet or as required by the Nitijela or by law.

§105. Debate on papers, etc.

- (1) Any member may initiate discussion on a paper, statement or report referred to in Section 104 of these Rules by moving, that the Nitijela take note of the paper, statement or report.
- (2) Subsection (1) does not restrict the kinds of motions that may be moved in relation to a paper, statement or report.
- (3) If a motion other than the motion referred to in Subsection (1) is moved in relation to a paper, statement or report, the Speaker shall direct that the statement, paper or report be included in the journal of the session.

PART XI- DEBATE, DECORUM AND DISCIPLINE

§106. Meetings to be public.

Meetings of the Nitijela and of a Committee of the Whole shall be open to the public.

§107. Sitting in the Chamber.

Except with the permission of the Speaker, a member shall not sit at the place of the Speaker, another member or the Clerk while the Nitijela or a Committee of the Whole is actually sitting.

§108. Entry onto the Floor.

- (1) Subject to Subsection (3), no person who is not a member or an authorized servant of the Nitijela may enter on the Floor of the Nitijela while the Nitijela or a Committee of the Whole is sitting except by order of the Nitijela or of the Committee.
- (2) Subject to Subsection (3), no person who is not a member or an authorized servant of the Nitijela may address the Nitijela or a Committee of the Whole, except by order of the Nitijela or of the Committee.
- (3) The Speaker may admit members of the press and other representatives of public communications media wishing to report the proceedings of the Nitijela to the public, and may assign to such persons places and facilities that will not interfere with the operation of the Nitijela.

§109. Recognition and speaking.

- (1) When a member desires recognition, he shall address the Chair, "Mr. Speaker" or "Mr. Chairman", or as the case requires, and when recognized, he shall confine himself to the purpose for which he was recognized, and shall address the Chair at all times.
- (2) The Speaker, or the member presiding at a meeting of a Committee, shall not recognize a member for the purpose of speaking to a question for a second time until every other member wishing to speak to the question has had an opportunity to be heard.

- (3) No member shall be permitted to speak more than twice to the same question.
- (4) The taking of points of information or of order, and the answering of points of information, shall not be taken to be speaking to the question within the meaning of Subsections (2) and (3).
- (5) No member may speak for more than 15 minutes each time.

§110. Holding the Floor.

A member continues to hold the Floor until he ceases to speak to the question or otherwise yields the Floor, except that he may yield for the raising of a point of information or order by another member and still retain the Floor.

§111. Manner of referring to members.

A member shall refer to his fellow members as “Senator”, or “the Senator from”, but the Speaker, the Vice-Speaker, the Chairmen and Vice-Chairmen of the Committees, the President and Ministers may be referred to by their titles.

§112. Closing debate and voting on the question.

- (1) Subject to appeal to the Nitijela or to the Committee, the Speaker, or the member presiding at a meeting of a Committee, may close debate and call for a vote on the question before the Nitijela or the Committee at any time when he is satisfied that every member present and wishing to speak to the question has had a reasonable opportunity to speak.
- (2) If the previous question is moved and adopted in accordance with Section 70 of these Rules, the Speaker or the member presiding shall close the debate.

§113. Rulings of the Chair.

- (1) Except as otherwise provided in Section 66 of these Rules, the Speaker shall decide all questions of order.

- (2) The Speaker's rulings are subject to appeal to the Nitijela, except on a matter of the interpretation or application of the Constitution or of a law.

§114. Dress.

- (1) Members and other persons appearing on the Floor of the Nitijela or of a Committee shall be suitably dressed.
- (2) The Speaker may prescribe the required dress, subject to appeal to the Nitijela, and may make such exceptions as he thinks fit.

§115. Interruptions.

No member shall engage in private discourse when the Speaker or another member is speaking, or leave the chamber or walk about the Floor when the Speaker or the member presiding in a Committee is speaking, or walk between a member who is speaking and the Speaker or member presiding.

§116. Disorderly conduct by members.

- (1) If a member conducts himself in a disorderly manner while the Nitijela or a Committee is sitting, the Speaker or member presiding shall order him to keep his seat and preserve the peace.
- (2) If a member persists in disorderly conduct, the Speaker or member presiding shall order the Sergeant-at-Arms to remove him from the Chamber.
- (3) A member so removed shall not be permitted to take his place during the remainder of that day's sitting without the express permission of the Speaker, and his name shall be recorded in the journal of the day.

§117. Disciplining of members.

- (1) The Nitijela may discipline a member for contempt of the Nitijela within the meaning of Article IV, Section 15(12) of the Constitution, or for disorderly behavior or neglect of duty, by:
 - (a) censure: or
 - (b) suspension for not more than 10 sitting days.
- (2) Any disciplinary action under this Section shall be recorded in the journal of the day.

§118. Disturbances.

In case of disturbance or disorderly conduct, the Speaker may have the Nitijela cleared of all persons except members and the staff of the Nitijela, in order to abate the disturbance or disorderly conduct.

PART XII - MISCELLANEOUS**§119. Certification as to attendance.**

The Speaker and the Clerk shall certify the attendance of members when the Nitijela is in session, or on official business of the Nitijela, for the purpose of establishing entitlement to compensation, per diem and other allowances.

§120. Papers of the Nitijela.

- (1) At the end of each session the originals of all measures, petitions and other papers referred to Committees shall be delivered by the respective Chairmen to the Clerk, together with the originals of all recorded evidence taken by the Committees and documents and papers submitted to them, except, with the consent of the Speaker, for the purpose of continuing the work of a Committee.
- (2) The Clerk shall report to the Speaker any failure to comply with this Section that comes to his notice.

§121. The journal of the day.

- (1) The journal of the day shall comprise:
 - (a) concise, complete memoranda of all Bills, petitions, motions, resolutions, amendments, reports and other matters brought before the Nitijela or a Committee of the Whole and of their disposition, stating the nature of each matter and giving the name of the introducer; and
 - (b) the results of all votes in the Nitijela, including in the case of a roll-call vote (but not in any other case) the names of members voting "Yes" and the names of members voting "No"; and
 - (c) the statements of members appended to the journal under Subsection (2); and

- (d) notes by the Clerk of any question of order dealt with under Section 2 or 3 of these Rules; and
 - (e) such other matters as these Rules direct to be included in the journal of the day; and
 - (f) such other matters as the Nitijela, or subject to any order of the Nitijela the Speaker, directs.
- (2) Each member has the right to append to the journal of the day a short statement explaining his vote on any Bill, resolution, motion or other matter voted on by the Nitijela on that day, provided that the statement is submitted to the Clerk on that day.
- (3) The journal of each day shall be corrected and approved by the Nitijela from time to time, except that the Speaker shall correct and approve the journal or journals for the last day or days of a session if the Nitijela has not already corrected and approved it or them.
- (4) After the approval of the journal of the day the Clerk, with the permission of the Speaker, may make non-substantive corrections, such as corrections of spelling and grammar.

§122. The journal of the session.

- (1) The Nitijela shall cause to be published a journal of the session for each session.
- (2) The journal of the session shall comprise:
- (a) the journal of each day of the session, as corrected and approved under Section 121 of these Rules; and
 - (b) such other matters as these Rules direct to be included in the journal of the session; and
 - (c) such other matters as the Nitijela, or subject to any order of the Nitijela the Speaker, directs.

§123. Official Seal of the Nitijela.

- (1) The seal a description and a likeness of which appears in the Schedule is the official seal of the Nitijela.
- (2) The Clerk shall have custody of the seal and at the direction of the Speaker he shall seal with the seal:
- (a) official acts and papers of the Nitijela; and

- (b) certified copies of such acts and papers.
- (3) A certified copy sealed in accordance with Subsection (2)(b) has the same effect as the original.
- (4) The Speaker may direct the Clerk to affix a likeness of the seal to any property under the control of the Nitijela.