



THE PARLIAMENT
(JOINT SITTINGS)
RULES, 1973

SENATE OF PAKISTAN

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PREFACE

The Senate of Pakistan has published this Edition of the Parliament (Joint Sittings) Rules, 1973, for use of the members of the Senate. These rules were framed in pursuance of clause (1) of Articles 72 of the Constitution of the Islamic Republic of Pakistan to regulate the procedure with respect to joint sitting of, and communications between, the two Houses of Parliament.

IFTIKHAR ULLAH BABAR

Secretary,
Senate of Pakistan

Islamabad, the February, 2012

**THE PARLIAMENT (JOINTS SITTINGS)
RULES, 1973**

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THE PARLIAMENT (JOINT SITTINGS)

RULES, 1973

CHAPTER I

PRELIMINARY

1. (1) These rules may be called the Parliament (joint sittings) Rules, 1973. **Short Title and commencement.**

(2) They shall come into force at once.

2. (1) In these rules, unless the context otherwise requires,— **Definitions.**

(a) “Assembly” means the National Assembly;

(b) “Committee” mean a Committee constituted under these rules;

(c) “Constitution” means the Constitution of the Islamic Republic of Pakistan;

- (d) “Deputy Speaker” means' the Deputy Speaker of the Assembly;
- (e) “Government” means the Federal Government;
- (f) “member” means a member of the Assembly or the Senate;
- (g) “Member-in-charge” means, in the case of a Government Bill, any Minister acting on behalf of the Government and, in the case of a private member's Bill, the member who has introduced it or any other member authorized by him in writing to be in charge of the Bill in his absence;
- (h) “Minister” means the Prime Minister, a Federal Minister or a Minister of State;
- (i) “Motion” means a proposal made by a member relating to any matter which may be discussed by the joint sitting and includes an amendment;
- (j) “Orders of the Day” means the list of business to

be brought, before the joint sitting for consideration and decision on any day;

(k) “Resolution” means a motion for the purpose of discussing and expressing an opinion on a matter specified in the Constitution;

(l) “Secretary” means the Secretary to the Assembly and includes any person for the time being performing the duties of the Secretary;

(m) “Session” means the period commencing on the day of the first meeting of the joint sitting after having been, summoned and ending on the day the joint sittings is prorogued; and

(n) “Table” means the Table of the joint sitting; and includes the Library of the Assembly.

(2) Words and expressions used but not defined in these rules shall, unless the context otherwise requires, have the meanings assigned to them in the Constitution.

CHAPTER II

SUMMONING, PROROGATION, QUORUM, ETC.

Summoning and Prorogation of joint sitting.

3. (1) When a joint sitting is summoned by the President under clause (1) of Article 54, or clause (7) of Article 232, or by the Speaker under clause (3) of Article 41 read with paragraph II of the Second Schedule to the Constitution or under clause (5) of Article 47, the Secretary Shall cause a notification to be published in the official Gazette stating the date, time and place of the meeting and shall, as far as practicable, also cause to be issued to each member a notice intimating these particulars.

(2) Publication of the notification under sub-rule (1) and its announcement over the radio shall be deemed to be sufficient notice of the meeting to the members.

(3) When the joint sitting is prorogued, the Secretary shall cause a notification to that effect to be published in the official Gazette.

4. The Speaker shall determine when a joint sitting shall be adjourned *sine die* or to particular day , or to an hour of the same day:

Time of meeting and adjournment.

Provided that the Speaker may, if he thinks fit, call a joint sitting before the date or time to which it has been adjourned or at any time after the joint sitting has been adjourned *sine die*.

5. The quorum for a joint sitting shall be one-fourth of the total membership of the two Houses.

Quorum.

*5A. (1) When both the Houses assemble together for the purpose of the Address of the President under clause (3) of Article 56, the proceedings shall be conducted and controlled by the President in such manner as he may deem fit and, without prejudice to the generality of the foregoing provision, the President shall for that purpose have all the powers vested in the Speaker under these rules.

Both Houses assembled for the address of the President.

(2) The Address of the President shall, amongst other things, contain a statement of the causes of the two Houses being summoned.

*Ins.by S.R.O.255(1)/85, dated 18-3-85.

**Powers and
functions of
Speaker.**

***6.** (1) Except when the two Houses assemble together for the purpose of the Address of the President, the Speaker shall preside at every joint sitting and exercise and perform the powers and functions specified in these rules.

(2) In the absence of the Speaker, the Chairman shall preside at a joint sitting and if, at that time, the Chairman is also absent, the Deputy Speaker or, if he is also absent, the Deputy Chairman shall preside.

(3) The person presiding at a joint sitting shall have the same powers as the Speaker when presiding at a joint sitting and all references under these rules to the Speaker shall be deemed to include a reference to such person.

*Ins. By S.R.O.255(1)/85, dated 18-3-1985.

CHAPTER III

LEGISLATIVE BUSINESS

7. When a Bill has been referred to a joint sitting, the Secretary shall cause copies of the Bill together with amendments, if any, made by the House other than the House in which the Bill had originated, to be supplied to each member and shall, after giving at least one day's notice, set down the Bill in the Orders of the Day for a motion under rule 8.

Time for consideration of Bills.

8. On the day for which the Bill is set down under rule 7, or on any subsequent day to which the matter might be adjourned, the member-in-charge may make any of the following motions, namely:-

Motion to be made by member-in-charge.

- (a) that the Bill as passed by the House in which it originated be taken into consideration at once; or
- (b) that the Bill as passed by the House in which it originated be taken into

- consideration on a date to be fixed forthwith ; or
- (c) that the Bill as passed by the House in which it originated be referred to the Committee on Bills; or
 - (d) that the Bill as passed by the House in which it originated be circulated for the purpose of eliciting opinion thereon.

Amendments.

9. (1) Subject to sub-rule (2), if a motion that the Bill be taken into consideration is carried, the Speaker shall put the amendments, if any, to the joint sitting in such manner as he thinks most convenient for its consideration.

(2) If the House other than the House in which a Bill originated has made an amendment to the Bill, such amendment may be moved by any member and, except with the leave of the joint sitting, no other amendment shall be moved to the Bill unless it is consequential upon, or incidental or alternative to, such amendment.

(3) Nothing in sub-rule (2) shall apply to a Bill which is passed by one House and is rejected or is not

passed by the other House within ninety days of its receipt.

10. When a Bill is passed in joint sitting, with or without amendment, by the votes of the majority of the total membership of the two Houses, an authenticated copy thereof, signed by the Speaker, shall be transmitted, by the Secretary, to the President for assent under Article 75.

Passing and authentication of Bills.

11. A Bill pending in joint sitting shall lapse on the dissolution of Assembly.

Bills to lapse on dissolution of Assembly.

Explanation.— A Bill shall be deemed to be “pending in the joint sitting” if, after a request for a joint sitting in respect of the Bill has been made under clause (2) of Article 71, it has not been passed.

CHAPTER IV

RESOLUTIONS UNDER THE CONSTITUTION

Resolution for the removal of the President.

12. (1) The Speaker shall, as soon as possible, but not later than three days of the receipt, under clause (2) or clause (3) of Article 47, of a notice of a resolution for the removal of the President, hereafter in this rule referred to as the resolution, cause a copy of the notice to be transmitted to the President.

(2) The Speaker shall summon the two Houses to meet in a joint sitting not earlier than seven days and not later than fourteen days of the receipt of the notice by him.

(3) On the day for which a joint sitting is summoned, no business except the resolution shall be set down in the Orders of the Day.

(4) Any one of the members who have given notice of the resolution may move the resolution.

(5) When the resolution has been moved, any member may make a motion that the joint sitting may investigate, or cause to be investigated by any person or authority and within the time to be specified in the motion, the ground or the charge upon which the notice is founded.

(6) If any of the motions referred to in sub-rule (5) is carried, further consideration of the resolution shall be postponed until the joint sitting has completed the investigation or, as the case may be, the person or authority referred to in that sub-rule has reported the result of the investigation to the joint sitting or the period specified therefore has expired.

(7) The President shall have the right to appear and be represented during the investigation, if any, and before the joint sitting.

(8) If, after consideration of the result of the investigation, if any, a resolution is passed at the joint sitting by the votes of not less than two-thirds of the total membership of the two Houses declaring that the President is unfit to hold the office due to incapacity or is guilty of violating the Constitution or of gross misconduct, the President shall cease to hold office immediately on the passing of the resolution.

Resolution for issuing directions to the Council of Common Interests.

13. (1) Any Member may move a resolution for issuing directions to the Council of Common Interests under clause (4) of Article 154, after giving three days' notice of his intention to do so.

(2) If a resolution under sub-rule (1) is passed a copy of the resolution shall be forwarded to the Federal Government for transmission to the Council.

Resolution for approval or continuance in force of Proclamations and Orders issued under Articles 232 (1), 233 (2) and 235 (1).

14. (1) A proclamation of Emergency issued under clause (1) of Article 232, an Order made under clause (2) of Article 233 and a Proclamation issued under clause (1) of Article 235 shall be laid on the

Table under clause (7) of Article 232, clause (3) of Article 233 or clause (4) of Article 235, as the case may be.

(2) Any member may move a resolution for approval or continuance in force of a Proclamation or Order referred to in sub-rule (1), or for extension of the period for which a Proclamation is to remain in force, after giving three days' notice of his intention to do so.

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

(4) If a resolution for approval or continuance in force of a Proclamation or Order or for extension of the period for which a Proclamation is to remain in force, is passed, all other resolutions for approval or continuance in force of the Proclamation or Order, as the case may be, shall lapse.

Resolution in respect of Proclamation in case of failure of constitutional machinery in a Province.

15. (1) Any member may move a resolution for the issuance of a Proclamation under clause (1) of Article 234, after giving seven days' notice of his intention to do so.

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

(3) If a resolution for issuance of a Proclamation in respect of a Province is passed, all other resolutions for that purpose shall lapse.

(4) A Proclamation issued, under clause (1) of Article 234 shall be laid on the Table under clause (3) of that Article.

(5) Any member may move a resolution for the approval or extension of a Proclamation, under clause (3) Article 234, after giving seven days' notice of his intention to do so.

(6) Where more notices than one are given under sub-rule (5) in respect of their same Proclamation, the resolutions shall be taken up in the order in which their notices have been received.

(7) If a resolution for approval or extension of a Proclamation is passed, all other resolutions for approval or, as the case may be, extension of the Proclamation shall lapse.

(8) When by a Proclamation issued under Article 234 it has been declared that the powers of the Provincial Assembly shall be exercisable by or under the authority of Parliament, any member may after giving three days' notice of his intention to do so' move that—

(a) Power may be conferred on the President to make laws with respect to any matter within the legislative competence of the Provincial Assembly; or

(b) the joint sitting may sanction expenditure authorised by the President under paragraph (c) of clause (5) of Article 234.

(9) Where more notices than one are given under sub-rule (8), the resolutions shall be taken up in the order in which their notices have been received.

(10) If a resolution under clause (a) or clause (b) of sub-rule (8), is passed, all other resolutions under the same clause shall lapse.

**Resolutions
disapproving
an order
made under
Article 267 (1).**

16. (1) Any member may move a resolution under clause (2) of Article 267 for disapproving an Order made by the President under clause (1) of that Article, after giving fifteen days' notice of his intention to do so.

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

(3) If a resolution disapproving an Order is passed, all other resolutions relating to that Order shall lapse.

17. (1) Any member may move a resolution for declaring invalid any order made, proceeding taken or act done or purported to have been made, taken or done, under a proclamation, President's Order, Martial Law Regulation, Martial Law Order or other law referred to in clause (1) of Article 270, by giving fifteen days' notice of his intension to do so.

**Resolutions for
declaring invalid
certain orders
proceedings
and acts.**

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

(3) If a resolution in respect of any order, proceeding or act is passed, all other resolutions relating to that order, proceeding or act, as the case may be, shall lapse.

Amendment to resolutions.

18. No amendment shall be moved to any resolution under this Chapter except an amendment in respect of the period of which a Proclamation or Order is proposed to be continued in force or extended.

Time for speeches.

19. The Speaker shall allocate time for speeches on a resolution under this Chapter.

CHAPTER V

REFERENCE AGAINST DECISION OF COUNCIL OF COMMON INTERESTS

20. (1) If the Federal Government or a Provincial Government is dissatisfied with a decision of the Council of Common Interests, in this Chapter referred to as the Council, it may, by means of a communication in writing addressed to the Speaker and accompanied by a copy of such decision, refer the matter under clause (5) of Article 154 to Parliament in a joint sitting. **Mode of reference.**

(2) The Speaker shall immediately cause a copy of the communication circulated among the members and the Ministers along with the decision of the Council.

(3) If a joint sitting is in session, the Speaker shall fix a day for discussion of the matter; but if a joint sitting is not in session, he shall request the President,

through the Prime Minister, to summon a joint sitting for consideration of the matter.

(4) On the day fixed for the consideration of the matter or, as the case may be, the day for which a joint sitting is summoned, the Minister concerned shall move that the matter referred to in sub-rule (1) be taken into consideration.

(5) After considering the matter, the joint sitting shall decide the matter by resolution and communicate its decision to the Governments concerned and the Council.

CHAPTER VI

COMMITTEES

21. There shall be a Committee on Rules and Privileges, one or more Committees on Bills and a joint Committee.

Committees of joint sittings.

22. (1) Each Committee shall consist of not more than ten members of whom seven shall be from amongst the members of the Assembly and not less than three from amongst the members of the Senate.

Composition of Committees.

(2) The Minister for Law and Parliamentary Affairs shall be an *ex-officio* member of the Committee on Rules and Privileges and of every Committee on Bills.

(3) The Deputy Speaker and the Deputy Chairman shall be *ex-officio* members of a joint Committee.

(4) Members of the Committees, other than an *ex-officio* member shall be elected by the joint sitting.

(5) A member other than an *ex-officio* member, shall not ordinarily be a member of more than one committee.

Quorum.

23. Five members of a Committee of whom, not less than one shall be a member of the Senate, shall constitute the quorum for a meeting of the Committee.

Functions of Committees.

24. (1) The functions of the Committee on Rules and Privileges shall be-

(a) to consider matters of procedure and conduct of business in the joint sitting and to recommend such additions, variations, amendments or replacement in these rules as may be deemed necessary; and

(b) to examine any question of breach of privilege of the sitting as such which is referred to it by

the joint sitting and is not raised in the Senate or the Assembly, and determine with reference to the facts of each case whether a breach of privilege is involved and, if so, the nature of the breach and the circumstances leading to it and to make such recommendations to the joint sitting as it may deem fit.

(2) The function of a Committee on Bills shall be to examine the Bills referred to it by the joint sitting and make recommendations thereon.

(3) A joint Committee shall deal with-

- (a) matters in respect of posts, staff and services, including physical facilities, common to the Assembly and the Senate; and
- (b) all other matters relating to the joint sitting or of common interest to both Houses.

**Terms of
Committee.**

25. The term of a Committee shall be the same as the term of the Assembly.

**Filling of
casual
vacancies.**

26. Casual vacancies in a Committee, including vacancies caused by the retirement of the members of the Senate, shall be filled, as soon as possible after they occur, by election as provided in sub-rule(4) of rule 22.

**Secretary
to be
ex-officio
Secretary of
Committees.**

27. The Secretary shall be *ex-officio* Secretary of all Committees of the joint sitting.

CHAPTER VII

GENERAL PROVISIONS

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

**Orders of
speeches and
right of reply.**

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

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

(4) Sub-rule (3) shall not be deemed to give any right of reply to the mover of an amendment to a bill, resolution or motion, save with the permission of the Speaker.

**Decision of
joint sitting.**

29. Except as otherwise provided in these rules, a matter requiring decision of the joint sitting shall be decided by the votes of the majority of the members present and voting on question put by the Speaker in relation to the motion made by a member.

**Report of
proceedings.**

30. (1) The Secretary shall cause to be prepared a full report of the proceedings, of the joint sitting and shall, as soon as practicable, publish it in such form and manner as the, Speaker may, from time to time, direct.

(2) The Secretary may also cause to be prepared a Bulletin of the joint sitting containing-

- (a) a brief record of proceedings of the joint sitting at each of its meetings; and
- (b) information on any matter relating to or connected with the business of the joint sitting or a matter which in the opinion of the Speaker may be included therein.

31. The Secretary may authorise any officer of the Assembly Secretariat to perform such duties as he may direct. **Secretary may authorize any officer.**

32. Whenever any inconsistency or difficulty arises in the application of these rules, any member may, with the consent of the Speaker, move that any rule may be suspended. **Suspension of rules.**

33. In all matters not specifically provided for in these rules, at any joint sitting, the procedure of the Assembly shall apply with such modifications and variations as the Speaker may consider necessary or appropriate. **Procedure of the Assembly to apply to joint sitting in certain matters.**

**Residuary
power of the
Speaker.**

34. All matters in respect of which no provision or no sufficient provision exists in these rules shall be regulated in such manner as the Speaker may deem fit.

CHAPTER VIII

COMMUNICATIONS BETWEEN HOUSES

35. Communications between the two Houses shall be by messages. **Communications by messages.**

36. Every message from one House to the other shall be in writing and shall be signed by the Secretary of the House sending it and be conveyed to the Secretary of the other House. **Mode of sending messages.**

37. (1) If any such message is received by the Secretary of a House when it is in session, he shall report the message to the members of the House as soon as possible after its receipt. **Communication of messages to members.**

(2) If the House to which a message is sent is not in session, a copy of the message shall as soon as practicable be forwarded by the Secretary of the House to every member of the House.

Procedure to deal with the subject of messages.

38. The subject matter of a message shall be dealt with by the House to which the message is sent according to the rules regulating its procedure and conduct of business.

CHAPTER IX

PROCEDURE FOR AMENDMENT OF RULES

39. (1) Unless the Speaker otherwise directs, not **Amendment of rules.**
less than seven clear days notice of a motion for leave to add to, vary, amend or replace these rules shall be given and the notice shall be accompanied by the text of the provision which is proposed to be added or, as the case may be, by which these rules are proposed to be varied, amended or replaced.

(2) The motion shall be included in the Orders of the Day, if the joint sitting is in session, within three days of the expiration of the period of notice give under sub-rule (1), or, if it is not in session at the time of the expiration of the said period of seven **days**, within three days of the commencement of the next session of the joint sitting.

(3) When the motion is reached, the Speaker shall read out the proposed amendment to the joint sitting. If

objection is taken, the Speaker shall call such of the members as may be in favour of leave being granted to rise in their seats, and, if at least one-eighth of the total membership of the two Houses, does not so rise, he shall declare that the member has not the leave of the joint sitting, or, if no objection is taken or such membership so rises, the Speaker shall declare that the member has the leave of the joint sitting.

(4) When a member has the leave of the joint sitting under sub-rule (3), he may move that the proposed amendment be taken into consideration, to which any other member may move as an amendment that the proposed amendment may be referred to the Committee on Rules and Privileges. If the motion for consideration is carried, the proposed amendment shall be put to the joint sitting immediately for decision.

(5) If the amendment to refer the proposed amendment to the Committee is carried, the matter shall be referred to the Committee.

(6) When the report of the Committee is presented to the joint sitting, any member may, within two days of the presentation of the report, propose any amendment to the amendments recommended by the Committee.

(7) On a day to be fixed by the Speaker, the amendments proposed by the Committee together with amendments, if any, proposed thereto by the members shall be considered by the joint sitting and put for decision.

(8) The amendments approved by the joint sitting shall be published in the official Gazette and shall come into force immediately on such publication.

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