

## **ANNOUNCEMENT MADE BY MR SPEAKER AT THE SITTING OF 06.11.07**

### **NATIONAL ASSEMBLY - LUNCH ROOM – INCIDENT – 24.08.2007**

Hon. Members, in regard to the incident which occurred on Friday 24 August 2007 in the Lunch Room of the National Assembly after the House had been adjourned, I would like to make the following announcement.

I wish to state at the very outset that, like all hon. Members, I strongly and unreservedly condemn that incident.

There have been comments in certain quarters that I had remained passive in spite of the fact that the incident occurred in my presence. Let me point out that on noticing the incident, I immediately called the Police to have the two strangers withdrawn forthwith from the Lunch Room of the Assembly, which was done.

Hon. Members will recall that at the time of the incident, the House had already been adjourned and the only course of action open to me as Speaker was to order that the two strangers be withdrawn from within the precincts of the National Assembly as provided for under section 8(4) of the National Assembly (Privileges, Immunities and Powers) Act.

Such incident is tantamount to a contempt of the Assembly which is sanctioned by section 6 of the Act. Also, Section 7 of the Act, provides the framework for dealing with such matters. This is what Section 7 stipulates, I quote -

“No prosecution for an offence under this Act shall be instituted except by the Director of Public Prosecutions and in accordance with the procedure laid down in that behalf in the Standing Orders and Rules of the National Assembly”.

Indeed, Standing Order 74 of the Standing Orders and Rules of the National Assembly (1995) lays down the procedure to deal with offences provided for in the Act. Although hon. Members are fully alive to the provisions of Standing Order 74, I believe that it would be appropriate for me to quote the relevant parts of the said Standing Order for the benefit of the House, I quote -

“Contempt of the Assembly

74. Offences provided for in the National Assembly (Privileges, Immunities and Powers) Act shall be dealt with in the following manner -

(1) A Member who wishes to raise a privilege complaint shall give written notice of the matter to Mr Speaker on a sitting day as soon as reasonably practicable after the Member had notice of the alleged contempt or breach of privilege.

(2) In case Mr Speaker considers that the matter is of an urgent character (e.g that it raises a continuing contempt which needs rapid intervention or that the offender is entitled to know that he might be committing a contempt), he will inform the Member that he is prepared to rule on the same day.

(3) If Mr Speaker decides that there is no urgency, he will so inform the Member in writing and it will not be in order for the latter to raise the matter with Mr Speaker in the Assembly. Mr Speaker will indicate the day on which he will announce his decision, which will be within his discretion but as soon as reasonably practicable after the receipt of the complaint.”

And the most important subsection of Standing Order 74 is the following -

“(4) On the day appointed by Mr Speaker for his decision in case he considers that the circumstances reported to him amount to an offence under the National Assembly (Privileges, Immunities and Powers) Act, he will so inform the Assembly and the Member who raised the matter with him will immediately table a motion, no amendment, adjournment or debate being allowed, setting out briefly the nature of the complaint and seeking that the matter be referred to the Director of Public Prosecutions.”

As can be seen, that Standing Order is couched in such a manner that, however much I may have been willing to take the matter further, I could not do so *proprio motu*. Such power rests with the House and the House alone.

I would like to inform hon. Members that, as of today, I have received no notice of any privilege complaint in respect of the aforementioned incident. I am, however, given to understand that a complaint has been made to the Police by the hon. Minister, and an inquiry is proceeding.

Hon. Members, I take this opportunity to invite your attention to section 8(1) of the National Assembly (Privileges, Immunities & Powers) Act, which reads as follows –

“No stranger shall be entitled as of right, to enter or to remain within the precincts of the Assembly”.

Although, it is of the fundamental values of the legislature that the legislature should be accessible and open to the citizen, I would like to remind the House that such accessibility can only be subject to demonstrable public safety and security, including the safety and security of hon. Members in the discharge of their parliamentary duties.

In that spirit, after consultation, I have decided that security should be reinforced within the precincts of the National Assembly. Consequently, I have taken the following decisions -

- (a) Hon. Members wishing to invite a visitor to attend the proceedings of the House in the Distinguished Visitors' Gallery will, as a rule, be required to submit their request with the names of the distinguished visitor on the eve of the sitting of the Assembly at latest by noon. In accordance with the Rules of the National Assembly made on 28 June 1982, access to the Distinguished Visitors' Gallery will be, by an admission card, signed by the Serjeant-at-Arms and delivered to the visitor before gaining access to the Chamber. While submitting the name of the visitor, hon. Members are expected to ensure that the distinguished visitor strictly observes the decorum of the House.
- (b) Access to and exit from the Distinguished Visitors' Gallery will be in strict compliance with the directions of the Police.
- (c) No visitor will be allowed to remain in the corridor leading to the Chamber.
- (d) Access to the Public Gallery will remain unchanged.
- (e) At lunch time, access to the Lunch Room will be restricted to hon. Members and Officials of the National Assembly. Distinct places have been earmarked for Officials.
- (f) At tea breaks, officials of the National Assembly, senior officials on duty accompanying Ministers, as well as members of the press, will have access to the Lunch Room in distinct places set apart for that purpose.
- (g) Officials of the National Assembly will be issued with a pass to be worn conspicuously at all times when the Assembly is sitting.
- (h) Public Officers wishing to have access to the Public Officers Gallery, in connection with Parliamentary business regarding their Ministry, are required to give advance notice to the Serjeant-at-Arms. An access pass will also be issued to these officers, who will be required to wear same as provided for in the Rules made on 28 June 1982 under Standing Order 13 of the Standing Orders and Rules of the National Assembly.
- (i) Police Officers will exercise a strict control at the entrances leading to the Chamber throughout the sitting of the National Assembly.

Additionally, the Rules made by Mr Speaker on 28 June 1982 would be strictly enforced. Arrangements have been made for a copy of the Rules to be affixed in conspicuous places within the precincts of the National Assembly. I would like to appeal to hon. Members and all officials to ensure that these measures are fully complied with, with a view to upholding the decorum of the House.

I thank you for your attention.