

POST-ELECTION SEMINAR FOR PARLIAMENTARIANS  
**Parliament Of Jamaica**

**Module 4: Committees By: Hon Julian Fraser RA: House of Assembly of the Virgin Islands**

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# FUNDAMENTALS OF COMMITTEES

Presentation to Freshmen of the Parliament of Jamaica

By: Hon. Julian Fraser RA

# Procedures in Select Committees

- Unless the House otherwise directs, **the Standing Orders Committee and the Services Committee does not**, but every other Select Committee does, have power to send for persons, papers and records and has leave to report its opinion and observations, together with the minutes of evidence taken before it to the House.
- Except for an **order of the House or resolution of the Committee**, the Hearings of a Select Committee must be held in private.

## PROCEDURE IN SELECT COMMITTEES CONT.:

- The first meeting of a Select Committee must be held at such time and place as the **Chairman** -in the case of a Standing Select Committee-, or the **Speaker** -in the case of a Special Select Committee-, appoints.
- Subsequent meetings must be held at the time and place as the Committee determines:

# PUBLIC ACCOUNTS COMMITTEE

- (2) The Chairman of the Public Accounts Committee must be the Leader of the Opposition.
- (3) Three Members are to form a quorum for a Committee of five Members, and four Members are needed to form a quorum for a Committee of seven Members.
- (4) The Auditor General must be the Adviser to the Committee.
- (5) The functions of the Committee are:
  - (a) to consider the Accounts of the Government in conjunction with the Auditor General's Report;
  - (b) to consider any Special Report submitted by the Auditor under Section 20 of the Audit Act, 2003;

## PUBLIC ACCOUNTS COMMITTEE CONT....

- *(c)* to report to the House of Assembly in the case of any excess or unauthorized expenditure of funds, and the reasons for such expenditure;
- *(d)* to report to the House of Assembly in the case of any shortfall of Revenue, and the reasons for such shortfall;
- *(e)* to report to the House of Assembly any case of apparent extravagance or waste of public funds;
- *(f)* to propose any measures it considers necessary to ensure that public funds are properly brought to account and are economically spent.
- (6) Subject to the foregoing provisions, the rules and procedure for Select Committees shall apply to such Committee.

# THE STANDING ORDERS COMMITTEE

- (1) The Standing Orders Committee has the duty of considering from time to time and reporting on all such matters relating to the Standing Orders as are referred to it by the House of Assembly.
- (2) A Minister must be a Member and the Chairman of the Standing Orders Committee.
- (3) The Speaker of the House must be the Adviser to the Committee.

# THE SERVICES COMMITTEE

- (1) The Services Committee is responsible for considering and advising the Speaker on all matters, connected with the comfort and convenience of Members of the House, and from time-to-time reporting to the House its Minutes of Proceedings.
- (2) The Minister in charge of arranging the business of the House must be a Member and the Chairman of the Services Committee.



# THE COMMITTEE OF PRIVILEGES

- (1) There must be referred to the Committee of Privileges any matter which appears to affect the powers or privileges of the House and it is the duty of the Committee to consider any matter so referred and to report forthwith to the House.
- (2) The Speaker must be a Member and the Chairman of the Committee of Privileges.

# THE REGULATIONS COMMITTEE

- (1) The Regulations Committee has the duty of considering all regulations (*as defined by the Interpretation Law, that is in force*) as under the authority of any Law are to be laid before the House and to be subject to negative resolution within the meaning of the Interpretation Law, and to bring to the special attention of the House any regulation or draft:
  - (a) which involves the expenditure of public moneys or imposes or fixes fees for licenses or for services;

## REGULATIONS COMMITTEE CONT.

- (b) which can be challenged in the Courts on the ground that it is *ultra vires*, or is only temporarily so challengeable;
- (c) the making of which appears to constitute an unusual or unexpected use of the powers conferred by the Law under which it was made;
- (d) which purports to have retrospective effect although the Law under which it was made does not in terms give the **Cabinet** such a power;
- (e) the publication or the laying before the House of which appears to have been unduly delayed;

## REGULATIONS COMMITTEE CONT.

- *(f)* as respects which there has been unjustifiable delay in notifying the Speaker that the instrument had come into operation before it was laid before the House; or
- *(g)* the purport or form of which appears to require elucidation.
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- (2) The Regulations Committee cannot consider or report on the merits of any policy or any regulations.

# THE REGISTER OF INTERESTS COMMITTEE

- (1) The Register of Interests Committee has the duty of considering all matters relating to the Register of Interests as established under the Virgin Islands Constitution Order, 2007.
- (2) The Chairman of the Committee must be a Minister.

# SPECIAL SELECT COMMITTEES

- (1) A **Select Committee** other than a **Standing Select Committee** under Standing Order is:
  - (a) known as a **Special Select Committee**;
  - (b) appointed by order of the House which must specify the terms of reference of the Committee;
  - (c) to consist of such and so many Members as the House may nominate.
- (2) The quorum of a Special Select Committee must be such as is specified in the order of the House.

# STANDING FINANCE COMMITTEE

- (1) There must be a Committee of the whole House to be called the Standing Finance Committee. The principal order of reference of this Committee is to examine the Annual and Supplementary Estimates of the Territory after a Second Reading in detail and to examine how departments of Government carry out their responsibilities.
- The deliberations of the Committee must be in private.
- (2) Any Estimates upon presentation to the House and after debate (*debate is always adjourned until after Standing Finance*) upon the motion to refer the Estimates to the Standing Finance Committee must stand so referred.