

**Essential effects of the
Constitutional Court's judgment in respect of Private Member's Bill**

1. The Constitutional Court ["ConCourt"] has declared certain NA Rules dealing with Private Members' Bills to be inconsistent with the Constitution.
2. Respondent requested that in case it found in favor of the Applicant, the ConCourt should made additional orders, viz. (1) a suspension of the order (2) an order making the ruling prospective only and (3) and an order for an interim arrangement. The Court granted the order requested by the Applicant, albeit rephrased, and did not grant any of the additional orders requested by the Respondent.
3. The order has severed the unconstitutional NA Rules leaving a system of NA Rules capable of immediate application, as set out in hereinafter. This new system is of force and in effect as per October 9, 2012.
4. The NA Rules as amended by the ConCourt's decision describe how a Bill should be introduced. The process is simple, clear and complete. No consequential amendment appears necessary either in the NA Rules or with respect to the Joint Rules.
5. All that is required is to train parliamentary staff to implement the new process and MPs to make use of it.
6. The ConCourt did not rule in respect of the introduction of Bills by committees, as the matter was not before it, but it is clear that its reasoning applies also in respect of Bills introduced by committees. Therefore, in due course, the NA Rules relating to the introduction of Bills by a committee will need to be amended to bring them in compliance with the judgment.
7. The ConCourt has held that MPs have a power to introduce Bills, which power cannot be interfered with. This is a number of implications.
 - a. Firstly, some of the NA Rules may be constitutionally required and could not be made more stringent and onerous for MPs than they are after the Constitutional Court made its amendments. Therefore, it is advisable not to amend the system carefully crafted by the ConCourt.
 - b. Secondly, it is the obligation of Parliament's administration to help and support MPs in performing this function. This may take time and relates to a process which is to grow over time. In countries like Canada, MPs are assisted by dedicated staff in drafting a Bill, which also creates an opportunity of interactions which can alert an MP of any constitutional, administrative or policy issues arising out of his intended Bill.
8. The programming committee will need to decide whether to give an MP time for a first reading introduction of a Bill, which in other countries may be limited to a few minutes with no debate and at the end of the day [the so-called graveyard time] in respect of Bills not likely to receive support. In this respect, it would be useful to develop the practice used in other parliaments where a Bill, even though introduced by a single MP, it is also "endorsed" by other MPS from the same party or other parties.

Legenda:

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CHAPTER 13 LEGISLATIVE PROCESS

Part 1: Introduction

229. Legislative powers of Assembly

- (1) The national legislative authority as vested by the Constitution in Parliament confers on the Assembly, in terms of section 44(1) of the Constitution, the power —
 - (a) to amend the Constitution;
 - (b) to pass legislation with regard to any matter, including a matter within a functional area listed in Schedule 4 of the Constitution, but excluding, subject to Subrule (2), a matter within a functional area listed in Schedule 5; and
 - (c) to assign any of its legislative powers, except the power to amend the Constitution, to any legislative body in another sphere of government.
- (2) The Assembly may in terms of section 44(2) of the Constitution pass legislation falling within a functional area listed in Schedule 5 of the Constitution, when it is necessary —
 - (a) to maintain national security;
 - (b) to maintain economic unity;
 - (c) to maintain essential national standards;
 - (d) to establish minimum standards required for the rendering of services; or
 - (e) to prevent unreasonable action taken by a province which is prejudicial to the interests of another province or to the country as a whole.
- (3) Any bill falling within the Assembly's legislative powers may in terms of section 73(1) of the Constitution be introduced in the Assembly.
- (4) In exercising its legislative powers, the Assembly in terms of section 55 of the Constitution may —
 - (a) consider, pass, amend or reject any legislation before the Assembly; and
 - (b) initiate or prepare legislation, except money bills.

230. Initiation of legislation by Assembly

- (1) The Assembly initiates legislation through its committees **[and members]** acting with the permission of the Assembly in terms of these Rules.
- (2) Any committee **[or member]** of the Assembly may in terms of section 73(2) of the Constitution introduce a bill in the Assembly that has been initiated in terms of Sub-rule (1).

231. Initiation of legislation by national executive

- (1) The national executive may prepare and initiate legislation in terms of section 85(2)(d) of the Constitution for introduction in the Assembly.
- (2) Such legislation may be introduced in the Assembly by a Cabinet member or a Deputy Minister in terms of section 73(2) of the Constitution, but only the Minister of Finance may introduce a money bill.

232. Application of this Chapter

- (1) The Rules set out in Parts 2, 3 and 12 of this Chapter apply to bills of all types to the extent that those Rules are not inconsistent with the Rules for specific types set out in Parts 4 to 11 of this Chapter.
- (2) This Chapter must be read with Chapter 4 of the Joint Rules.

Part 2: Steps prior to introduction Bills initiated by Cabinet members and Deputy Ministers

233. Submission of legislative proposals to Speaker

- (1) A Cabinet member or Deputy Minister intending to introduce a bill in the Assembly must comply with Joint Rule 159 before the bill is introduced.
- (2) The Speaker, at the request of a Cabinet member or Deputy Minister, may dispense with this Rule with regard to any particular bill.

Bills initiated by Assembly members in individual capacity

234. [Submission of legislative proposals to Speaker

- (1) An Assembly member intending to introduce a bill in the Assembly in an individual capacity (other than as a Cabinet member or Deputy Minister) must, for the purpose of obtaining the Assembly's permission in terms of Rule 230 (1), submit to the Speaker a memorandum which —
 - (a) sets out particulars of the proposed legislation;
 - (b)] explains the objects of the proposed legislation; and
 - (c) states whether the proposed legislation will have financial implications for the State and, if so, whether those implications may be a determining factor when the proposed legislation is considered.
- (2) The Speaker must table the member's \memorandum in the Assembly.

235. Referral of proposals to committee

- (1) The Speaker must refer the member's memorandum to the Committee on Private Members' Legislative Proposals and Special Petitions.
- (2) The Committee must consult the portfolio committee within whose portfolio the proposal falls.
- (3) If the Committee after such consultation is of the view that the member's proposal warrants further investigation, but that it may have financial implications for the State that may be significant enough to affect its desirability, the Committee must request the Speaker to refer the member's memorandum to the appropriate portfolio committee for a report on the financial implications of the proposal.
- (4) After considering the member's memorandum and the portfolio committee's report, if there is such a report, the Committee must recommend that permission either be —
 - (a) given to the member to proceed with the proposed legislation; or
 - (b) refused.
- (5) If the Committee recommends that the proposed legislation be proceeded with, it may —
 - (a) express itself on the desirability of the principle of the proposal;
 - (b) recommend that the Assembly approve the member's proposal in principle; or
 - (c) recommend that permission be given subject to conditions.

235A. Criteria for consideration of proposals

- (1) The Committee will confine its consideration of the legislative proposal to whether it
 - (a) goes against the spirit, purport and objectives of the Constitution;
 - (b) seeks to initiate legislation beyond the legislative competence of the Assembly;
 - (c) duplicates existing legislation or legislation awaiting consideration by the Assembly or the Council;
 - (d) pre-empts similar legislation soon to be introduced by the national executive;
 - (e) will result in a money bill; or
 - (f) is frivolous or vexatious.

236. Consideration of legislative proposal by Assembly

- (1) The Committee on Private Members' Legislative Proposals and Special Petitions must table in the Assembly the member's memorandum and the Committee's recommendation, including any views of a portfolio committee on the financial *or other* implications of the proposal.
- (2) The Speaker must place the Committee's report together with the member's proposal on the Order Paper for a decision.
- (3) The Assembly may —
 - (a) give permission that the proposal be proceeded with;
 - (b) refer the proposal back to the Committee or the portfolio committee

- concerned for a further report; or
- (c) refuse permission.
- (4) If the Assembly gives permission that the proposal be proceeded with, it may, if it so chooses —
 - (a) express itself on the desirability of the proposal; or
 - (b) subject its permission to conditions.]

237. Preparation of [draft] bill

- (1) [If the Assembly gives permission that the proposal be proceeded with,] the member concerned must —
 - (a) prepare a draft bill, and a memorandum setting out the objects of the bill, in a form and style that complies with any prescribed requirements;
 - (b) consult the JTM for advice on the classification of the bill; and
 - (c) comply with Rule 240 or, if it is a proposed constitutional amendment, with Rule 258.
- (2) The Secretary must reimburse a member for any reasonable expenses incurred by the member in giving effect to Subrule (1), provided that those expenses were approved by the Speaker before they were incurred.

[...]

All bills generally

241 Prior notice and publication of draft legislation

- (1) A bill may be introduced in the Assembly only if —
 - (a) a copy of the draft legislation has been submitted to the Speaker in terms of Rule 233, if it is a bill initiated by the national executive and that Rule is applicable;
 - (b) prior notice of its introduction has been given in the *Gazette*; and
 - (c) an explanatory summary of the bill, or the draft bill as it is to be introduced, has been published in the *Gazette*.
- (2) If the bill as it is to be introduced is published, the notice referred to in Subrule (1)(b) must contain an invitation to interested persons and institutions to submit written representations on the draft legislation to the Secretary within a specified period.
- (3) If the draft bill itself is published, a memorandum setting out the objects of the bill must also be published.
- (4) This Rule does not apply to —
 - (a) constitution amendment bills, which must be dealt with in terms of Rule 258; and
 - (b) money bills when the special procedure set out in Rule 287(2) is followed.
- (5) Subrule (1) (b) and (c) does not apply to a bill that has been certified by the member in charge of the bill, in consultation with the Speaker, as an urgent matter.

242. Notice withdrawing proposed legislation

- (1) If a Cabinet member, Deputy Minister, committee or member decides not to proceed with the introduction of a bill after Rule 241 has been complied with, the Cabinet member, Deputy Minister, committee or member must without delay inform the Secretary in writing of the decision.
- (2) The Secretary must publish a notice in the *Gazette* stating that the proposed legislation has been withdrawn.

Part 3: Introduction of bills and first and second readings Introduction and related matters

243. Introduction of bills in Assembly

- (1) A Cabinet member or Deputy Minister or an Assembly member or committee introduces a bill_z (other than a bill mentioned in Subrule (4)_z) by submitting to the Speaker —
 - (a) a copy of the bill or, if the bill as it is introduced was published in terms of Rule 241, a copy of the *Gazette* concerned;

- (b) the explanatory summary referred to in Rule 241(1)(c), if the bill itself was not published; and
- (c) a supporting memorandum which must —
 - (i) state whether the bill is introduced as a section 75 bill, a section 76(1) bill, a money bill or a mixed section 75/76 bill;
 - (ii) explain the objects of the bill;
 - (iii) give an account of the financial implications of the bill for the state;
 - (iv) contain a list of all persons and institutions that have been consulted in preparing the bill; and
 - (v) if the bill is introduced by a Cabinet member or a Deputy Minister, include a legal opinion by a State law adviser, or a law adviser of the State department concerned, on the classification of the bill and any other question in respect of which the JTM is required to make a finding in terms of Joint Rule 160.
- (1A) A bill introduced by a Cabinet member or Deputy Minister must be certified by the Chief State Law Adviser or a state law adviser designated by him/her as being -
 - (a) consistent with the Constitution; and
 - (b) properly drafted in the form and style which conforms to legislative practice.
- (1B) If a Bill is not certified as contemplated in subrule (1A), the Bill must be accompanied by a report or legal opinion by a state law adviser mentioned in subrule (1A) on why it has not been so certified.
- (2) A bill introduced by a Cabinet member or Deputy Minister must contain on its cover page a reference to that Cabinet member or Deputy Minister as the person introducing the bill.
- (3) A bill introduced by an Assembly [**member or**] committee with the Assembly's permission in terms of [**Rule 236(3)**] or 238(3) must —
 - (a) be accompanied by a statement to that effect; and
 - (b) contain on its cover page a reference to the name of [**the member or**] the committee as the member or committee introducing the bill.
- (4) This Rule does not apply to —
 - (a) constitution amendment bills, which must be introduced in accordance with Rule 260; and
 - (b) money bills when the special procedure set out in Rule 287(2) is followed.
- (5) Bills initiated by Assembly members or committees may be introduced only when the Assembly is in session.

244. Classification of bills

- (1) When a bill is introduced in the Assembly in terms of Rule 243 or 260, the Secretary must refer the bill to the JTM for classification of the bill in terms of Joint Rule 160.
- (2) The classification of the bill and all findings of the JTM must be —
 - (a) conveyed to the portfolio or other committee considering the bill; and (b) tabled in the Assembly.

245. Reintroduction of bills ruled out of order by JTM

A bill reintroduced in the Assembly in terms of Joint Rule 162 must follow the same procedure as if it were introduced for the first time, except that the steps prior to introduction as prescribed by the Assembly Rules do not apply if no substantive new provisions were added to the bill.

First and Second Reading procedures

246. When First and Second Reading procedures are applicable

- (1) All bills introduced in the Assembly have a First Reading and a Second Reading in the Assembly after their introduction, and all bills introduced in and as passed by the Council have a First Reading and a Second Reading in the Assembly after their referral to the Assembly.
- (2) The First and Second Reading procedures do not apply if a bill or a version of the bill is referred back to the Assembly from either the Council or the Mediation

Committee in terms of section 75 or 76 of the Constitution or a provision of the Joint Rules.

247. Procedure when Assembly in session

- (1) If the Assembly is in session when a bill is introduced in the Assembly or when a bill introduced in and as passed by the Council is referred for the first time to the Assembly —
 - (a) the person in charge of the bill must —
 - (i) submit to the Secretary a notice of First Reading of the bill; and
 - (ii) if that person wishes to give an introductory speech, request in the notice an opportunity for such a speech; and
 - (b) the Speaker must table in the Assembly the bill and the supporting memorandum and, if there is one, also the explanatory summary.
- (2)
 - (a) Once notice has been given in terms of Subrule (1)(a)(i), the bill must be placed on the Order Paper for First Reading.
 - (b) No amendment to a bill is allowed on the First Reading of the bill.
- (3)
 - (a) If the person in charge of a bill has requested an opportunity for an introductory speech; in terms of Subrule (1)(a)(ii) and the request has been granted —
 - (i) that person may, at the First Reading, in a speech not exceeding 15 minutes, explain the background to the bill and the reasons for and the objects of the provisions of the bill; and
 - (ii) one member of each party in the Assembly may make a statement on the bill on behalf of the party in a speech not exceeding three minutes.
 - (b) Once the speeches have been made the bill is regarded as having been read a first time.
- (4) If the person in charge of a bill has not requested an opportunity for an introductory speech in terms of Subrule (1)(a)(ii) or has made a request but the request has not been granted, the bill as tabled is regarded as having been read a first time.
- (5) When a bill has been read a first time the Speaker must refer the bill and its annexures —
 - (a) to the portfolio committee under which the subject of the bill falls;
 - (b) by resolution of the Assembly to any other Assembly committee; or
 - (c) to a joint committee, if this is required by a decision in terms of Joint Rule 166.
- (6) If the bill is referred to an Assembly committee, the committee must deal with the bill in accordance with Rule 249. If the bill is referred to a joint committee, the Joint Rules apply.
- (7) Subrule (5)(a) and (b) does not apply to a bill initiated and introduced by an Assembly committee. Instead, the bill must directly be placed on the Order Paper for Second Reading unless the bill is referred to a joint committee.

248. Procedure during recess

- (1) If the Assembly is in recess when a bill is introduced in the Assembly or when a bill introduced in and as passed by the Council is referred for the first time to the Assembly, the Speaker must refer the bill and its annexures —
 - (a) to the portfolio committee within whose portfolio the subject of the bill falls;
 - (b) with the concurrence of the person in charge of the bill, to any other Assembly committee; or
 - (c) to a joint committee, if this is required by a decision in terms of Joint Rule 166.
- (2) A bill referred to a committee in terms of Subrule (1) is regarded as having been read a first time.
- (3) The bill, together with its annexures, must be submitted to the members of the committee at least 14 days before the date appointed for a meeting of the committee, unless the Assembly or, if the bill is referred to a joint committee, both

Houses, are due to meet during that period.

- (4) If the bill is referred to an Assembly committee, the committee must deal with the bill in accordance with Rule 249. If the bill is referred to a joint committee, the Joint Rules apply.

249.Process in committee

- (1) If a bill has been published for public comment in terms of Rule 241 or 258, the Assembly committee to which the bill is referred must arrange its business in such a manner that interested persons and institutions have an opportunity to comment on the bill.
- (2) If a bill has not been published for public comment, and the committee to which the bill is referred considers public comment on the bill to be necessary, it may by way of invitations, press statements, advertisements or in any other manner, invite the public to comment on the bill.
- (3) The committee —
 - (a) must inquire into the subject of the bill and report on it to the Assembly;
 - (b) if it is a bill amending provisions of legislation, may seek the permission of the Assembly to inquire into amending other provisions of that legislation;
 - (c) may, or if ordered by the Speaker must, consult any other committee that has a direct interest in the substance of the bill;
 - (d) may consult the member in charge of the bill;
 - (e) may consult the JTM on whether any amendments to the bill proposed in the committee —
 - (i) may affect the classification of the bill; or
 - (ii) may render the bill constitutionally or procedurally out of order;
 - (f) may not propose an amendment that —
 - (i) affects the classification of the bill, except as provided in Subrule (4) and Joint Rule 163; or
 - (ii) renders the bill constitutionally or procedurally out of order within the meaning of Joint Rule 161;
 - (g) may recommend approval or rejection of the bill or present with its report an amended bill or a redraft of the bill;
 - (h) must report to the Assembly in accordance with Rule 251; and
 - (i) may report to the Assembly on a Bill introduced in the Assembly and classified as being subject to section 18(1) of the Traditional Leadership and Governance Framework Act, 2003, only after 30 days have passed since the referral to the National House of Traditional Leaders in terms of Rule 332.
- (4) The committee may propose an amendment that changes the classification of a section 75 or section 76 bill to a mixed 75/76 bill only if the JTM is of the view that the bill as amended is unlikely to lead to unmanageable procedural complications.

250.Referral to Assembly committee if joint committee fails to report

- (1) If a bill has been referred to a joint committee in terms of Rule 247(5)(c) or 248(1)(c) and that joint committee fails to present a report or fails to reach consensus on the bill, the Speaker must refer the bill and its annexures —
 - (a) to the portfolio committee within whose portfolio the subject of the bill falls; or
 - (b) by resolution of the Assembly, to any other Assembly committee.
- (2) The committee to which the bill is referred must deal with the bill in accordance with Rule 249.

251.Committee's report

- (1) The Assembly committee to which a bill is referred must table in the Assembly—
 - (a) its report;
 - (b) the bill that has been agreed on by it, or, if it has not agreed on a bill, the bill as referred to it; and

- (c) the supporting memorandum which was introduced with the bill or, if the memorandum has been amended by the committee, the amended memorandum.
- (2) The committee may report to the Assembly only after the JTM has classified the bill and has made its findings on the bill.
- (3) In its report the committee —
 - (a) must state the JTM’s classification of and findings on the bill;
 - (b) must state whether it recommends approval of the bill with or without amendments, a redraft of the bill, or rejection of the bill;
 - (c) must specify each amendment if an amended bill (other than a redraft of the bill) was agreed on by it, and each amendment that was considered and, for a reason other than its being out of order, was rejected by it;
 - (d) must specify each amendment rejected by the committee if a redrafted bill was agreed on by it;
 - (e) must, if it is not a unanimous report —
 - (i) specify in which respects there was not consensus; and
 - (ii) in addition to the majority report, express any views of a minority in the committee;
 - (f) may specify such details or information about its enquiry and any representations or evidence received or taken by it, as it may consider necessary for the purposes of the debate on the bill;
 - (g) may report on any matter arising from its deliberations on the bill but which is not necessarily related to the bill; and
 - (h) may recommend to the Assembly that any matter contained in the report be placed on the Order Paper for separate consideration either before or after the Assembly considers the bill.

252.Explanation of report

The chairperson or other member of the committee who tables the report in the Assembly on behalf of the committee, may, if the committee has so recommended in its report, address the Assembly in order to explain the report.

253.Second Reading

- (1) (a) If a bill has been referred to an Assembly or joint committee, the debate on the Second Reading of the bill may not commence before at least three working days have elapsed —
 - (i) since the committee’s report was tabled; or
 - (ii) if a committee member has addressed the Assembly in terms of Rule 252, since the address was delivered.
- (b) If a bill has not been referred to a committee, the debate on the Second Reading of the bill may not commence before at least three Assembly working days have elapsed since the bill was introduced.
- (2) (a) The debate on the Second Reading of a bill must be conducted on the subject of the bill.
- (b) The debate on the Second Reading of a bill that amends legislation must be conducted on the subject of the proposed amendments.
- (3) No motion may be moved during the debate.
- (4) The Assembly passes a bill if it approves the Second Reading of the bill in accordance with section 53(1)(a) and (c) of the Constitution, except that the Second Reading of —
 - (a) a constitution amendment bill must be approved in accordance with Rule 262 (2) or (3); and
 - (b) a bill determining the seat of Parliament must be approved in accordance with section 76(5) of the Constitution.
- (5) The Assembly rejects a bill if it rejects the Second Reading of the bill or, subject to Rule 296, fails to approve the Second Reading with the appropriate majority.

254. Amendments proposed by members before decision of Second Reading

- (1) (a) After a bill has been placed on the Order Paper for Second Reading but before the Assembly decides on the Second Reading, a member may place amendments to clauses of the bill on the Order Paper.
(b) A bill that has been rejected by the committee which considered it may not be amended under this Rule.
- (2) Amendments delivered to the Secretary after 12:00 on any working day may be placed on the Order Paper for the second sitting day thereafter and not earlier, unless the Speaker determines otherwise in a particular case.
- (3) (a) The following amendments are out of order and may not be proposed under this Rule:
 - (i) Amendments that affect the principle of the bill and in respect of which the Assembly has not given any instruction.
 - (ii) Amendments that change the classification of the bill, except as provided for in Joint Rule 163.
 - (iii) Amendments that would render the bill constitutionally or procedurally out of order within the meaning of Joint Rule 161.
 - (iv) Amendments that are out of order for any other reason.
(b) The Speaker's ruling on whether an amendment is out of order or in order, is final. If the JTM has made a finding on the substance of the amendment the Speaker is bound by the finding.
- (4) No amendment which has the same effect as an amendment previously rejected in the committee may be placed on the Order Paper, except when it is a bill of which a Cabinet member or Deputy Minister is in charge and that Cabinet member or Deputy Minister places such an amendment on the Order Paper.
- (5) If an amendment has been placed on the Order Paper and the debate on the Second Reading has been concluded, the Speaker may either —
 - (a) recommit the bill for reconsideration to the committee which considered the bill or, if it is a bill introduced by an Assembly committee, to that committee, together with the amendment; or
 - (b) put the amendment for decision by the Assembly and then the Second Reading of the bill as a whole, including any approved amendment.
- (6) An Assembly committee to which a bill is recommitted must deal with the bill in terms of Rule 255.
- (7) A bill may not be recommitted to a committee more than once in terms of this Rule.

255. Referral of amendments proposed in Assembly to Assembly committee

- (1) If a bill is recommitted in terms of Rule 254(5) to an Assembly committee, the committee —
 - (a) may consider only those clauses of the bill in respect of which amendments have been placed on the Order Paper and any consequential amendments that have to be effected;
 - (b) may consult the JTM on whether any of the amendments —
 - (i) affects the JTM's classification of the bill; or
 - (ii) renders the bill constitutionally or procedurally out of order within the meaning of Joint Rule 161;
 - (c) must mention in its report each amendment agreed on by the committee;
 - (d) must specify in the report each amendment placed on the Order Paper by the person in charge of the bill but rejected by the committee;
 - (e) may not agree on any amendment that -
 - (i) changes the classification of the bill, except as provided for in Subrule (3) or joint Rule 163; or
 - (ii) renders the bill constitutionally or procedurally out of order within the meaning of Joint Rule 161; and
 - (f) must table its report together with the bill in the Assembly.
- (2) Subrule (1) (d) applies only if the person in charge of the bill is a Cabinet member or a Deputy Minister.

- (3) The committee may agree on an amendment that changes the classification of a section 75 or section 76 bill to a mixed section 75/76 bill, but only if the JTM is of the view that the bill as amended is unlikely to lead to unmanageable procedural complications.

256. Referral to Assembly committee if joint committee fails to report

- (1) If a bill is recommitted to a joint committee in terms of Rule 254(5), and that joint committee fails to present a report or fails to reach consensus on any amendments, the Speaker must refer the bill and its annexures —
 - (a) to the portfolio committee within whose portfolio the subject of the bill falls; or
 - (b) by resolution of the Assembly, to any other Assembly committee.
- (2) The committee to which the bill is referred must deal with the bill in terms of Rule 249.

257. Consideration of Assembly or joint committee's report

- (1) The report of the Assembly or joint committee to which a bill has been recommitted or referred must be placed on the Order Paper for consideration of —
 - (a) the amendments agreed on by the committee; and
 - (b) any amendment specified in the report in terms of Rule 255(1)(d) or Joint Rule 170(1)(d) and which is moved in the Assembly, which motion may be moved without notice.
- (2) Before the Assembly decides on the Second Reading of the bill, the Speaker must put the amendment or amendments to the vote.