



**PARLIAMENT
REPUBLIC OF TRINIDAD AND TOBAGO
(ELEVENTH PARLIAMENT- 2015/2016 SESSION)**

**FIRST REPORT
OF THE
STANDING ORDERS COMMITTEE
OF THE SENATE**

Ordered to be printed

TOGETHER WITH THE MINUTES OF PROCEEDINGS

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THE COMMITTEE

MEMBERSHIP

1.1 In accordance with the provisions of Standing Order 80 of the Senate, on Tuesday October 20, 2015, the following persons were appointed to serve on the Senate Standing Orders Committee for the First Session (2015/2016) of the Eleventh Parliament:

- **Ms. Christine Kangaloo- Chairman**
- **Mr. Nigel De Freitas**
- **Mr. Clarence Rambharat**
- **Mr. Daniel Solomon**
- **Mr. H.R. Ian Roach**

TERMS OF REFERENCE

1.2 The duty of the Committee, as stated in Standing Order 80 (1), is:

“..considering amendments to the Standing Orders from time to time whether referred to it by the Senate or not, and making recommendations to the Senate thereon.”

SECRETARIAT SUPPORT

1.3 During this session Mrs. Nataki Atiba-Dilchan, Clerk of the Senate and Mr. Johnson Greenidge, Procedural Clerk Assistant, provided support to the Committee as Secretary and Assistant Secretary, respectively.

MEETINGS

1.4 The Committee, thus far, has held two (2) meetings for this session on:

- Tuesday February 02, 2016; and
- Friday March 11, 2016

1.5 The Minutes of the meetings are attached as ***Appendix 1***.

DELIBERATIONS

2.1 The Standing Orders of the Senate which were adopted on March 31, 2015, came into effect on June 16, 2015. This Eleventh Parliament provides the first opportunity for the new provisions of these Standing Orders to be put into operation.

2.2 It is from this perspective that the Standing Orders Committee met to discuss challenges, in relation to the interpretation and applicability of several of the new procedures, which had been observed during the first-half of this session.

REPORT

3.1 The Committee wishes to report that its deliberations were fruitful and that consensus was achieved with respect to proposed revisions to the existing Standing Orders.

3.2 The Committee, therefore, presents for the consideration and subsequent approval of the Senate, the recommended amendments to the Standing Orders as contained in the Table at *Appendix 2* of this Report.

Respectfully submitted,

Sgd.
Christine Kangaloo
Chairman

March 22, 2016

*Minutes
of
Proceedings*

STANDING ORDERS COMMITTEE OF THE SENATE
MINUTES OF THE 1st MEETING, 1st SESSION, ELEVENTH PARLIAMENT
HELD IN THE MEETING ROOM ON LEVEL 2, OFFICE OF THE PARLIAMENT, THE INTERNATIONAL
WATERFRONT CENTRE, WRIGHTSON ROAD, PORT OF SPAIN ON
TUESDAY FEBRUARY 02, 2016 AT 10:00 A.M.

PRESENT

Committee Members

Ms. Christine Kangaloo	-	Chairman
Mr. Nigel De Freitas	-	Member
Mr. Clarence Rambharat	-	Member
Mr. HR Ian Roach	-	Member

Secretariat

Mrs. Nataki Atiba-Dilchan	-	Secretary to the Committee
Mr. Johnson Greenidge	-	Asst. Secretary to the Committee
Mr. Julien Ogilvie	-	Procedural Clerk
Ms. Khisha Peterkin	-	Procedural Clerk Assistant

ABSENT/EXCUSED

Mr. Daniel Solomon	-	Member (meeting clash)
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Introduction

1.1 When a quorum of 3 members was present, the Chairman called the meeting to order at 10:03 a.m.

Terms of Reference

2.1 The Chair reminded Members of the Committee's duty under Standing Order 80(1) as follows:

"to consider amendments to the Standing Orders from time to time whether referred to it by the Senate or not, and making recommendations to the Senate thereon."

Review of Standing Orders

3.1 The Chair reminded Members that this was the First Session in which the Revised Standing Orders were being implemented. She initiated discussion on possible areas for amendments to be made to allow for practical and administrative considerations.

3.2 Given that the full Committee was not present, it was agreed that further consideration would be given to the suggestions at Appendix I, and a final determination would be made at a subsequent meeting.

Other Business

Next Meeting

4.1 The Committee agreed to meet again on Friday March 11, 2016 at 11:00 a.m.

Adjournment

5.1 The Chairman thanked Members for their attendance and participation.

5.2 The adjournment was taken at 10:34 a.m.

CHAIRMAN

SECRETARY

February 04, 2016

APPENDIX

Existing	Proposed amendment	Comments
<p>6. OATH</p> <p>At the first meeting of the Senate after a general election, and immediately following the election of the President and Vice-President, the Clerk shall administer the Oath or Affirmation of Allegiance, firstly to the President, then the Vice-President, and thereafter to the other Senators.</p>	<p>At the first meeting of the Senate after a general election, and immediately following the election of the President, the Clerk shall administer the Oath or Affirmation of Allegiance, to the President, then to the Vice-President upon his election, and thereafter to the other Senators.</p>	<p>To reflect what is actually done in practice</p>
<p>27. MANNER OF ASKING AND ANSWERING QUESTIONS WHICH REQUIRE NOTICE</p> <p>(8) After an oral answer to a Question has been given, no more than four (4) supplementary questions may be asked, by any Senator, for the purpose of elucidating the answer given orally, but the President may refuse any such question which in his opinion introduces matters not relative to the original Question, or which infringes any of the provisions of Standing Order 28 (Contents of Questions).</p> <p>(14) At the request of a Minister and with the approval of the Senate, without debate, the answer to a Question on the Order Paper may be deferred once only for a maximum period of fourteen (14) days. A Question so deferred is not to be taken into account for the purpose of Standing Order 27(5).</p> <p>15) If such a question remains unanswered at the expiration of fourteen (14) days, the Senator who asked the question may, at the conclusion of Question Time, ask that the President write to the Minister concerned, seeking reasons for the delay in answering.</p>	<p>27. MANNER OF ASKING AND ANSWERING QUESTIONS WHICH REQUIRE NOTICE</p> <p>(8) After an oral answer to a Question has been given, no more than four (4) supplementary questions may be asked, by any Senator, for the purpose of elucidating the answer given orally, but the President may refuse any such question which in his opinion introduces matters not relative to the original Question, or which infringes any of the provisions of Standing Order 28 (Contents of Questions).</p> <p>(14) At the request of a Minister and with the approval of the Senate, without debate, the answer to a Question on the Order Paper may be deferred once only for a maximum period of fourteen (14) days. A Question so deferred is not to be taken into account for the purpose of Standing Order 27(5).</p> <p>15) If such a question remains unanswered at the expiration of fourteen (14) days, the Senator who asked the question may, at the conclusion of Question Time, ask that the President write to the Minister concerned, seeking reasons for the delay in answering.</p>	<p>To cap the maximum at 4, as this could lead to too many questions being posed on one question. It is noted that the HOR allows for only 4 supplementary questions</p> <p>To reflect what is done in practice. The approval should not be required as the deferral is to be allowed.</p>

	(16) If a written question remains unanswered at the expiration of 14 days after the date due, the Senator who asked the question may, at the conclusion of Question Time, ask that the President write to the Minister concerned, seeking reasons for the delay in answering.	To insert a provision similar to what applies for oral deferrals.
42. TIME AND MANNER OF SPEAKING 42(5)- New	42. TIME AND MANNER OF SPEAKING (5) Before participating in consideration of any item of business in the Senate in which he has a financial interest, a Member should disclose the extent of that interest.	Was omitted from Standing Orders. Exists in HOR Orders
46. CONTENTS OF SPEECHES (1) Subject to these Standing Orders, debate upon any motion, Bill or amendment shall be relevant to such motion, Bill or amendment, and a Senator shall confine his observations to the subject under discussion. (2) Reference shall not be made to any matter which is sub judice as provided in Standing Order 47. (3) It shall be out of order to attempt to reconsider any specific question on which the Senate has come to a conclusion during the current session except upon a substantive motion for rescission. (4) It shall be out of order to use offensive and insulting language about Members of either Chamber, or the political parties to which they are affiliated. (5) Ministers shall be referred to by the title of their appointments and other Senators by name. (6) No Senator shall make an imputation of improper motives against any Member, an offensive reference to a Member's private affairs, a personal reflection against a	46. CONTENTS OF SPEECHES (1) Subject to these Standing Orders, debate upon any motion, Bill or amendment shall be relevant to such motion, Bill or amendment, and a Senator shall confine his observations to the subject under discussion. (2) Reference shall not be made to any matter which is sub judice as provided in Standing Order 47. (3) It shall be out of order to attempt to reconsider any specific question on which the Senate has come to a conclusion during the current session except upon a substantive motion for rescission. (4) It shall be out of order to use offensive and insulting language about Members of either Chamber, or the political parties to which they are affiliated. (5) Ministers shall be referred to by the title of their appointments and other Senators by name. (6) No Senator shall make an imputation of improper motives against any Member, an offensive reference to a Member's private affairs, a personal reflection against a	Provisions are hard to enforce given the nature of our debates.

<p>reflection against a Member or allegations of bribery or corruption.</p> <p>(7) The President's name shall not be used to influence the Senate.</p> <p>(8) The conduct of the President or any other person performing the function of President, Members of the Senate, the House of Representatives or Judges of the Supreme Court of Judicature or other persons performing judicial functions shall not be raised except upon a substantive motion moved for the purpose.</p>	<p>Member or allegations of bribery or corruption.</p> <p>(7) The President's name shall not be used to influence the Senate.</p> <p>(8) The conduct of the President or any other person performing the function of President, Members of the Senate, the House of Representatives or Judges of the Supreme Court of Judicature or other persons performing judicial functions shall not be raised except upon a substantive motion moved for the purpose.</p>	<p>The words which it is being proposed should be omitted, are repetitive.</p>
<p>78. STATUTORY INSTRUMENTS</p> <p>(1) A Statutory Instrument which is required to be laid in Parliament shall be submitted forthwith to the Clerk for laying on the Table simultaneous with its submission for publication.</p> <p>(2) For the purpose of section 75(9) of the Interpretation Act, Chapter 3:01 the prescribed period shall be 40 days from the date on which a statutory instrument is published.</p> <p>((3) Where notice of a motion to annul a statutory instrument is given, that motion shall be debated as soon as practicable and in any event before the expiration of the period prescribed in paragraph (2).</p>	<p>78. STATUTORY INSTRUMENTS</p> <p>(1) A Statutory Instrument which is required to be laid in Parliament shall be submitted forthwith to the Clerk for laying on the Table simultaneous with its submission for publication.</p> <p>(2) For the purpose of section 75(9) of the Interpretation Act, Chapter 3:01 the prescribed period shall be 40 days from the date on which a statutory instrument is published.</p> <p>(3) In reckoning the prescribed period of 40 days, no account is to be taken of any time during which Parliament is dissolved, prorogued or on recess.</p> <p>(4) Where notice of a motion to annul a statutory instrument is given, that motion shall be debated as soon as practicable and in any event before the expiration of the period prescribed in paragraph (2).</p>	<p>UK practice that was omitted.</p>
<p>105. ABSENCE OF MEMBERS</p> <p>(1) Any Member who is unable to attend a sitting of the Senate shall inform the Clerk as early as possible of his inability to attend and seek leave of absence.</p>	<p>105. ABSENCE OF MEMBERS</p> <p>(1) Any Member who is unable to attend a sitting of the Senate shall inform the Clerk as early as possible of his inability to attend and seek leave of the President to be absent from the sitting</p>	<p>Repetitive.</p>

<p>77. LAPSED BILLS AND THE PROCEDURE FOR CARRYING OVER</p> <p>(1) A Bill shall lapse if Parliament is prorogued or dissolved before the Bill has reached its final stage in Parliament.</p> <p>(2) A Private Bill is exempt from the provisions of paragraph (1) of this Standing Order during a period of prorogation.</p> <p>(3) The Senate may, notwithstanding paragraph (1) of this Standing Order, on motion moved without amendment or debate, agree to the resumption of proceedings on a Bill in the following session.</p>		<p>The administrative steps are being addressed by the Secretariat.</p>

STANDING ORDERS COMMITTEE OF THE SENATE

MINUTES OF THE 2nd MEETING, 1st SESSION, ELEVENTH PARLIAMENT
HELD IN THE MEETING ROOM ON LEVEL 2, OFFICE OF THE PARLIAMENT, THE INTERNATIONAL
WATERFRONT CENTRE, WRIGHTSON ROAD, PORT OF SPAIN ON
FRIDAY MARCH 11, 2016

PRESENT

Committee Members

Ms. Christine Kangaloo	-	Chairman
Mr. Nigel De Freitas	-	Member
Mr. Daniel Solomon	-	Member
Mr. H.R. Ian Roach	-	Member

Secretariat

Mrs. Nataki Atiba-Dilchan	-	Secretary to the Committee
Mr. Johnson Greenidge	-	Asst. Secretary to the Committee
Mrs. Jacqueline Philip-Stoute	-	Parliamentary Clerk II
Ms. Khisha Peterkin	-	Procedural Clerk Assistant
Mr. Indar Sieunarine	-	Procedural Clerk Assistant

ABSENT/EXCUSED

Mr. Clarence Rambharat	-	Member
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Call to Order

1.2 The meeting was called to order at 11:04 a.m.

1.3 The Chair indicated that an excuse for absence was received from Mr. Rambharat.

Confirmation of Minutes (First Meeting - February 02, 2016)

2.2 The Minutes were taken as read, and the Chair enquired whether there were any amendments.

2.3 There being no amendments, the Minutes were confirmed on a motion moved by Mr. Roach and seconded by Mr. De Freitas.

Matter arising from the Minutes

3.1 Mr. Solomon asked that it be noted that his absence from the last meeting was because of his attendance at another parliamentary committee meeting.

Discussion of amendments to the Standing Orders

4.1 A discussion ensued on the revisions that were considered at the previous meeting.

4.2 After a thorough ventilation of opinions, the Committee agreed to the proposed amendments at the Appendix to these Minutes.

Other Business

Report to Parliament

5.1 On the suggestion of the Chair, the Committee agreed that a draft report to the Senate, on the proposed changes to the Standing Orders, would be prepared and circulated via email for the concurrence of Members.

Next Meeting

5.2 The Committee agreed that it would meet again on a date to be fixed.

Adjournment

6.1 The Chairman thanked Members for their attendance and participation.

6.2 The adjournment was taken at 11:34 a.m.

CHAIRMAN

SECRETARY

March 11, 2016

APPENDIX

Existing	Proposed amendment	Comments
<p>6. OATH</p> <p>At the first meeting of the Senate after a general election, and immediately following the election of the President and Vice-President, the Clerk shall administer the Oath or Affirmation of Allegiance, firstly to the President, then the Vice-President, and thereafter to the other Senators.</p>	<p>At the first meeting of the Senate after a general election, and immediately following the election of the President, the Clerk shall administer the Oath or Affirmation of Allegiance, to the President, then to the Vice-President upon his election, and thereafter to the other Senators.</p>	<p>This reflects the steps actually done in practice</p>
<p>27. MANNER OF ASKING AND ANSWERING QUESTIONS WHICH REQUIRE NOTICE</p> <p>(14) At the request of a Minister and with the approval of the Senate, without debate, the answer to a Question on the Order Paper may be deferred once only for a maximum period of fourteen (14) days. A Question so deferred is not to be taken into account for the purpose of Standing Order 27(5).</p> <p>15) If such a question remains unanswered at the expiration of fourteen (14) days, the Senator who asked the question may, at the conclusion of Question Time, ask that the President</p>	<p>27. MANNER OF ASKING AND ANSWERING QUESTIONS WHICH REQUIRE NOTICE</p> <p>(14) At the request of a Minister and with the approval of the Senate, without debate, the answer to a Question on the Order Paper may be deferred once only for a maximum period of fourteen (14) days. A Question so deferred is not to be taken into account for the purpose of Standing Order 27(5).</p> <p>15) If such a question remains unanswered at the expiration of fourteen (14) days, the Senator who asked the question may, at the conclusion of Question Time, ask that the President write to the Minister</p>	<p>This reflects what is done in practice.</p> <p>The approval should not be required as the deferral is to be allowed.</p>

<p>write to the Minister concerned, seeking reasons for the delay in answering.</p>	<p>concerned, seeking reasons for the delay in answering.</p> <p>(16) If a written question remains unanswered at the expiration of 14 days after the date due, the Senator who asked the question may, at the conclusion of Question Time, ask that the President write to the Minister concerned, seeking reasons for the delay in answering.</p>	<p>This is to allow for the insertion of a provision similar to what applies for oral deferrals.</p>
<p>42. TIME AND MANNER OF SPEAKING</p> <p>42(5)- New</p>	<p>42. TIME AND MANNER OF SPEAKING</p> <p>(5) Before participating in consideration of any item of business in the Senate in which he has a financial interest, a Member should disclose the extent of that interest.</p>	<p>This provisions was omitted from Standing Orders. They appear in the HOR Orders.</p>
<p>46. CONTENTS OF SPEECHES</p> <p>(1) Subject to these Standing Orders, debate upon any motion, Bill or amendment shall be relevant to such motion, Bill or amendment, and a Senator shall confine his observations to the subject under discussion.</p>	<p>46. CONTENTS OF SPEECHES</p> <p>(1) Subject to these Standing Orders, debate upon any motion, Bill or amendment shall be relevant to such motion, Bill or amendment, and a Senator shall confine his observations to the subject under discussion.</p>	

<p>(2) Reference shall not be made to any matter which is sub judice as provided in Standing Order 47.</p> <p>(3) It shall be out of order to attempt to reconsider any specific question on which the Senate has come to a conclusion during the current session except upon a substantive motion for rescission.</p> <p>(4) It shall be out of order to use offensive and insulting language about Members of either Chamber, or the political parties to which they are affiliated.</p> <p>(5) Ministers shall be referred to by the title of their appointments and other Senators by name.</p> <p>(6) No Senator shall make an imputation of improper motives against any Member, an offensive reference to a Member's private affairs, a personal reflection against a Member or allegations of bribery or corruption.</p> <p>(7) The President's name shall not be used to influence the Senate.</p> <p>(8) The conduct of the President or any other person performing the function of President, Members of the Senate, the House of Representatives or Judges of</p>	<p>(2) Reference shall not be made to any matter which is sub judice as provided in Standing Order 47.</p> <p>(3) It shall be out of order to attempt to reconsider any specific question on which the Senate has come to a conclusion during the current session except upon a substantive motion for rescission.</p> <p>(4) It shall be out of order to use offensive and insulting language about Members of either Chamber, or the political parties to which they are affiliated.</p> <p>(5) Ministers shall be referred to by the title of their appointments and other Senators by name.</p> <p>(6) No Senator shall make an imputation of improper motives against any Member or an offensive reference to a Member's private affairs. a personal reflection against a Member or allegations of bribery or corruption.</p> <p>(7) The President's name shall not be used to influence the Senate.</p> <p>(8) The conduct of the President or any other person performing the function of President, Members of the Senate, the House of Representatives or Judges of the Supreme Court of Judicature or other</p>	<p>These provisions are hard to enforce given the nature of our debates.</p> <p>The words proposed for deletion are repetitive.</p>
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<p>the Supreme Court of Judicature or other persons performing judicial functions shall not be raised except upon a substantive motion moved for the purpose.</p>	<p>persons performing judicial functions shall not be raised except upon a substantive motion moved for the purpose.</p>	
<p>78. STATUTORY INSTRUMENTS</p> <p>(1) A Statutory Instrument which is required to be laid in Parliament shall be submitted forthwith to the Clerk for laying on the Table simultaneous with its submission for publication.</p> <p>(2) For the purpose of section 75(9) of the Interpretation Act, Chapter 3:01 the prescribed period shall be 40 days from the date on which a statutory instrument is published.</p> <p>((3) Where notice of a motion to annul a statutory instrument is given, that motion shall be debated as soon as practicable and in any event before the expiration of the period prescribed in paragraph (2).</p>	<p>78. STATUTORY INSTRUMENTS</p> <p>(1) A Statutory Instrument which is required to be laid in Parliament shall be submitted forthwith to the Clerk for laying on the Table simultaneous with its submission for publication.</p> <p>(2) For the purpose of section 75(9) of the Interpretation Act, Chapter 3:01 the prescribed period shall be 40 days from the date on which a statutory instrument is published.</p> <p>(3) In reckoning the prescribed period of 40 days, no account is to be taken of any time during which Parliament is dissolved, prorogued or on recess.</p> <p>(4) Where notice of a motion to annul a statutory instrument is given, that motion shall be debated as soon as practicable and in any event before the expiration of the period prescribed in paragraph (2).</p>	<p>This is a practice that was adopted from the UK which was omitted when the procedure became codified in these Standing Orders.</p>
<p>105. ABSENCE OF MEMBERS</p>	<p>105. ABSENCE OF MEMBERS</p>	

<p>(1)Any Member who is unable to attend a sitting of the Senate shall inform the Clerk as early as possible of his inability to attend and seek leave of absence.</p>	<p>(1)Any Member who is unable to attend a sitting of the Senate shall inform the Clerk as early as possible of his inability to attend and seek leave of the President to be absent from the sitting</p>	<p>This is repetitive.</p>

*Table
of
Proposed
Amendments*

Existing Standing Order	As Amended
<p>6. OATH</p> <p>At the first meeting of the Senate after a general election, and immediately following the election of the President and Vice-President, the Clerk shall administer the Oath or Affirmation of Allegiance, firstly to the President, then the Vice-President, and thereafter to the other Senators.</p>	<p>6. OATH-</p> <p>Reword as follows:</p> <p>At the first meeting of the Senate after a general election, and immediately following the election of the President, the Clerk shall administer the Oath or Affirmation of Allegiance, to the President, then to the Vice-President upon his election, and thereafter to the other Senators.</p>
<p>27. MANNER OF ASKING AND ANSWERING QUESTIONS WHICH REQUIRE NOTICE</p> <p>(14) At the request of a Minister and with the approval of the Senate, without debate, the answer to a Question on the Order Paper may be deferred once only for a maximum period of fourteen (14) days. A Question so deferred is not to be taken into account for the purpose of Standing Order 27(5).</p>	<p>27. MANNER OF ASKING AND ANSWERING QUESTIONS WHICH REQUIRE NOTICE</p> <p>(14) At the request of a Minister the answer to a Question on the Order Paper may be deferred once only for a maximum period of fourteen (14) days. A Question so deferred is not to be taken into account for the purpose of Standing Order 27(5).</p> <p>Insert New (16) as follows:</p>

	<p>(16) If a written question remains unanswered at the expiration of 14 days after the date due, the Senator who asked the question may, at the conclusion of Question Time, ask that the President write to the Minister concerned, seeking reasons for the delay in answering.</p>
<p>42. TIME AND MANNER OF SPEAKING</p>	<p>42. TIME AND MANNER OF SPEAKING</p> <p>Insert New (5) as follows:</p> <p>Before participating in consideration of any item of business in the Senate in which he has a financial interest, a Member should disclose the extent of that interest.</p> <p>Renumber sub paragraphs accordingly.</p>
<p>46. CONTENTS OF SPEECHES</p> <p>(4) It shall be out of order to use offensive and insulting language about Members of either Chamber, or the political parties to which they are affiliated.</p> <p>(6) No Senator shall make an imputation of improper motives against any Member, an offensive reference to a Member's private affairs, a personal reflection</p>	<p>46. CONTENTS OF SPEECHES</p> <p>(4) It shall be out of order to use offensive and insulting language about Members of either Chamber.</p> <p>(6) No Senator shall make an imputation of improper motives against any Member or an offensive reference to a Member's private affairs.</p>

<p>against a Member or allegations of bribery or corruption.</p>	
<p>78. STATUTORY INSTRUMENTS (3) Where notice of a motion to annul a statutory instrument is given, that motion shall be debated as soon as practicable and in any event before the expiration of the period prescribed in paragraph (2).</p>	<p>78. STATUTORY INSTRUMENTS Insert New (3) (3) In reckoning the prescribed period of 40 days, no account is to be taken of any time during which Parliament is dissolved, prorogued or on recess. (4) Where notice of a motion to annul a statutory instrument is given, that motion shall be debated as soon as practicable and in any event before the expiration of the period prescribed in paragraph (2).</p>
<p>105. ABSENCE OF MEMBERS (1)Any Member who is unable to attend a sitting of the Senate shall inform the Clerk as early as possible of his inability to attend and seek leave of absence.</p>	<p>105. ABSENCE OF MEMBERS (1)Any Member who is unable to attend a sitting of the Senate shall inform the Clerk as early as possible and seek leave of the President to be absent from the sitting.</p>