

LEGISLATIVE ASSEMBLY.

Recd from Spraker 2/19/49

4328

VICTORIA.

Legislative Assembly.

STANDING
RULES AND ORDERS

RELATING TO

PUBLIC BUSINESS,

&c., &c.,

PREPARED AND ADOPTED

BY THE

LEGISLATIVE ASSEMBLY,

AND

APPROVED BY THE GOVERNOR.



By Authority :

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

1858.

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- IV. *Unavoidable absence of Mr. Speaker.*
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 12. *House adjourns during pleasure.*
 13. *A Bill read pro formâ.*
 14. *Mr. Speaker reports His Excellency's speech.*
 15. *Motion for an address in answer.*
 16. *Select Committee appointed to draw up the Address.*
 17. *Address reported and agreed to.*

18. *Address to be presented by the Assembly.*
19. *Governor's speech to be taken into consideration.*
20. *Governor's speech considered, and motion made that a supply be granted to Her Majesty.*

CHAPTER II.—SITTING AND ADJOURNMENT OF THE HOUSE.

- V. If a quorum of Members be not present half an hour after the time fixed for meeting, Mr. Speaker adjourns the House.
21. *House proceeds to business on its return from the Council.*
- VI. If a quorum be not present on the report of a division, Mr. Speaker adjourns the House.
- VII. Business under discussion and that not disposed of to take precedence next business day.
- VIII. House only adjourns by its own resolution, with exceptions.
- IX. Quorum of Committee of the whole House.
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- XXII. Clerk of Parliaments to correct typographical errors in Bills passed.

QUORUM OF LIBRARY COMMITTEE.

- XXIII. Joint Standing Order No. 9, repealed.

VICTORIA.

Legislative Assembly.

STANDING RULES AND ORDERS

RELATING TO

PUBLIC BUSINESS.

(APPROVED 28TH JULY, 1857.)

N.B.—The Rules printed in Roman type are the Standing Orders of the Assembly.—The Rules printed in Italics apply to the practice of the Assembly, and are inserted for information of Members.

CHAPTER I.

PROCEEDINGS ON OPENING OF PARLIAMENT.

1. *On the first day of the meeting of the new Parliament for the despatch of business pursuant to the Governor's proclamation, Members being assembled at the time and place appointed, the Clerk of the Assembly will read the proclamation.* Clerk reads proclamation.

Members await a message from the Commissioners.

2. *The Members will await a message from the Commissioners appointed by the Governor for opening the Parliament.*

House proceeds to Council Chamber.

3. *On receiving message from the Governor's Commissioners for opening the Parliament, the Members of the Assembly will proceed to the Council Chamber to hear the Commission read.*

Commissioner for swearing Members introduced.

4. *The Assembly being returned into their own House, a Commissioner appointed by the Governor for swearing Members will be introduced, and the Commission read by the Clerk.*

Writs, with returns endorsed thereon, read by the Clerk.

5. *The writs for general election having been previously delivered to the Clerk of Assembly, will, with the returns endorsed thereon, then be read by the Clerk.*

Members sworn.

6. *Members will then be sworn as prescribed by the "Constitution Act."*

A Member proposed as Speaker.

I. *At the opening of Parliament, after the Members present have been sworn, a Member, addressing himself to the Clerk, shall propose some Member, then present, to the House for*

their Speaker, and move that such Member “Do take the Chair of the House as Speaker.”

II. If only one Member be proposed and seconded as Speaker, he shall be called to the Chair of the House without question put.

When unopposed such Member called to the Chair.

7. *The Member on being called to the Chair in his place expresses his sense of the honor proposed to be conferred upon him, and submits himself to the House.*

He submits himself to the House.

III. If more than one Member be proposed as Speaker, the Clerk of the Assembly shall, in the order in which the Members shall have been proposed, put the question, “That Mr. — do take the Chair of this House as Speaker;” which shall be resolved in the affirmative or negative.

When election of Speaker is opposed.

8. *Having been conducted to the Chair, the Member elected returns his acknowledgments to the House for the honor conferred upon him, and thereupon sits down in the Chair; and then the mace, which before lay under the table, shall be laid upon the table.*

Mr. Speaker takes the Chair, and the mace is laid upon the table.

*New Members
introduced.*

9. *A Member returned after a general election shall be introduced to the table between two Members.*

*But not if
seated on peti-
tion.*

10. *Members seated on petition need not be introduced.*

*Unavoidable
absence of
Mr. Speaker.*

IV. Whenever the Assembly shall be informed by the Clerk at the table of the unavoidable absence of Mr. Speaker, the Chairman of Committees of the Assembly shall perform the duties and exercise the authority of Speaker in relation to all proceedings of the Assembly as deputy Speaker until the next meeting of the Assembly, and so on from day to day on the like information being given to the Assembly, until the Assembly shall otherwise order: Provided that if the Assembly shall adjourn for more than twenty-four hours the deputy Speaker shall continue to perform the duties and exercise the authority of Speaker for twenty-four hours only after such adjournment.

*Mr. Speaker
with the House
proceeds to the
Council
Chamber.*

11. *On the receipt of a message to attend the Governor in the Council Chamber, the Speaker with the House will proceed to the Council Chamber.*

12. *Mr. Speaker and the House, on returning from the Council Chamber, pass through the House, and the House may then adjourn during pleasure.* House adjourns during pleasure.

13. *Before the Governor's speech is reported to the House by Mr. Speaker, some Bill is read a first time* A Bill read pro formâ.

14. *Mr. Speaker will then report that the House had this day attended the Governor in the Council Chamber, and that His Excellency was pleased to make a speech to both Houses of Parliament, of which speech Mr. Speaker said he had, for greater accuracy, obtained a copy, which he will then read to the House.* Mr. Speaker reports His Excellency's speech.

15. *The Speech having been read, a motion for an address to His Excellency the Governor shall be made and seconded.* Motion for an address in answer.

16. *The resolution for presenting such address having been agreed to by the House, with or without amendments, a Select Committee shall be appointed to draw up an address to be presented to the Governor upon the said resolution,* Select Committee appointed to draw up the address.

and His Excellency's speech shall be referred to the said Committee.

Address reported and agreed to.

17. *On the address being reported by the said Committee, the House will resolve to agree to the same, with or without amendments.*

Address to be presented by the Assembly.

18. *The address in reply to the Governor's speech shall be ordered to be presented to the Governor, at Government House, by the Assembly.*

Governor's speech to be taken into consideration.

19. *The Governor's speech shall be ordered to be taken into consideration at the next sitting of the House.*

Governor's speech considered, and motion made that a supply be granted to Her Majesty.

20. *The House at its next sitting, according to order, shall proceed to take the said speech into consideration, and so much of the same as was addressed to the branch of the Legislative Assembly shall be again read by Mr. Speaker; and a motion being made that a supply be granted to Her Majesty, a resolution shall be agreed to, that the House will to-morrow, or on a future day, resolve itself into a Committee to consider the motion.*

CHAPTER II.

SITTING AND ADJOURNMENT OF THE HOUSE.

V. Mr. Speaker shall take the Chair as soon after the hour appointed for the meeting of the Assembly as there shall be a quorum of Members present ; but if at the expiration of half an hour after the hour appointed there be not a quorum, Mr. Speaker shall then take the Chair and adjourn the Assembly to the next sitting day.

If a quorum of Members be not present half an hour after the time fixed for meeting, Mr. Speaker adjourns the House.

21. *When the attendance of the House in the Council has been desired, the House on its return will proceed with business, although less than a quorum be present, until notice be taken thereof.*

House proceeds to business on its return from the Council.

VI. If it shall appear, on notice being taken, or on the report of a division of the House by the tellers that a quorum of Members be not present, Mr. Speaker shall adjourn the House without a question first put, till the next sitting day.

If a quorum be not present on the report of a division, Mr. Speaker adjourns the House.

Business under discussion and that not disposed of to take precedence next business day.

VII. The business under discussion, and any business not disposed of at the time of such adjournment, shall take precedence of all business fixed for the next day on which the House shall sit.

House only adjourns by its own resolution, with exceptions.

VIII. Except in the cases mentioned in Nos. V., VI., and X., when Mr. Speaker adjourns the House without putting a question; the House can only be adjourned by its own resolution.

Quorum of Committee of the whole House.

IX. The same number of Members shall be required to form a quorum in Committee of the whole Assembly as are required to form a quorum of the House.

When Chairman of Committees reports that a quorum of Members is not present.

X. If the Chairman of a Committee of the whole House shall report to the House that a quorum of Members be not present, Mr. Speaker shall count the House, and if a quorum be not present, he shall adjourn the House without a question first put, till the next sitting day.

Doors unlocked when House is counted.

XI. The doors of the House shall be unlocked whenever Mr. Speaker is engaged in counting

the House, and the bells shall be rung as in a division.

XII. The Serjeant-at-Arms attending the House shall from time to time take into his custody any stranger whom he may see, or who may be reported to him to be in any part of the House appropriated to the Members of this House, and also any stranger who, having been admitted into any other part of the House or gallery, shall misconduct himself, or shall not withdraw when strangers are directed to withdraw, while the House, or any Committee of the whole House is sitting ; and no person so taken into custody shall be discharged out of custody without the special order of the House.

Strangers to be taken into custody if in parts of the House appropriated to Members.

XIII. Unless by order of the House, no Member of this House shall presume to bring any stranger into any part of the House appropriated to the Members of this House, while the House, or a Committee of the whole House, is sitting.

No Member to bring a stranger into such parts of the House unless by order.

XIV. Every vote and proceeding of the House shall be noted by the clerks at the table, and the Votes and Proceedings of this House

Votes and Proceedings.

shall, being first perused by Mr. Speaker, be printed ; and the Government Printer and no other do presume to print the same, and the Votes and Proceedings so printed from day to day, and signed by Mr. Speaker, and counter-signed by the Clerk, shall be the journals of this House.

Journals.

CHAPTER III.

ATTENDANCE OF MEMBERS.

Every Member to attend the service of the House.

XV. Every Member shall attend the service of the House, unless leave of absence be given him by the House.

Leave of absence.

XVI. Leave of absence may be given by the House to any Member on account of his own illness, or of the illness or death of a near relation, or of urgent business, or for other sufficient cause to be stated to the House.

Notice to be given of motions for leave of absence.

XVII. Notice shall be given of a motion for giving leave of absence to any Member, stating the cause and period of absence.

XVIII. A Member shall be excused from service in the House, or on any Committee, so long as he has leave of absence. Members having leave of absence excused from service.

XIX. Any Member having leave of absence shall forfeit the same by attending the service of the House before the expiration of such leave. Leave of absence forfeited.

XX. When an order shall be made that this House be called, such Members as shall not attend the call, shall be sent for in custody of the Serjeant-at-Arms. Calls of the House.

XXI. No order for a call of the House shall, except upon pressing necessity, be made for any day earlier than seven days from the date of such order, inclusive of the day of such order. Call of the House not to be made earlier than seven days from date of order.

XXII. A copy of the order for a call of the House, signed by the Clerk, shall be forwarded by post, addressed to each Member of the Assembly. Order for call of the House to be forwarded by post.

XXIII. For the purpose of enabling this notice to be given, every Member shall at the commencement of each Session, or as soon as he shall have taken his seat, enter his name and Members to leave their address with Serjeant-at-Arms.

address in a book to be kept by the Serjeant-at-Arms.

Call of the House an Order of the Day.

XXIV. The order for calling over the House on a future day, shall be set down as an Order of the Day for the day so appointed.

Order in which names are called.

XXV. When the Order of the Day for calling over the House shall be read, unless the same be postponed or discharged, the names of the Members shall be called over by the Clerk in the order in which the several electoral districts stand in the schedule to the Constitution Act.

Members not present, but subsequently attending.

XXVI. The names of all Members who do not answer when called shall be taken down by the Clerk, and subsequently called over a second time, when those who answer, or afterwards attend in their places on the same day may be excused.

Members not attending during the day.

22. *Members not attending in their places on the same day are usually ordered to attend on a future day; when, unless they attend, or a reasonable excuse be offered for their absence, they will be dealt with for their default as the House may think fit.*

CHAPTER IV.

PLACES OF MEMBERS.

XXVII. A Member may be permitted to secure a place in the Assembly Chamber by leaving a book, hat, or glove, upon it, before motions are called on.

Members
places se-
cured.

XXVIII. Every Member is to be uncovered when he enters or leaves the House, or moves to any other part of the House during a debate, and shall make obeisance to the Chair in passing to or from his seat.

Entering and
leaving the
House.

23. *The front bench on the right hand of the Chair shall be reserved for Members holding office under the Crown, and the front bench on the left hand of the Chair is ordinarily occupied by Members who have held office under the Crown.*

Ministers and
ex-minister's
benches.

XXIX. No Member shall pass between the Chair and any Member who is speaking; nor between the Chair and the table, nor between

Members
leaving their
seats.

the Chair and the mace when the mace has been taken off the table by the Serjeant.

Entering the House.

XXX. Every Member of this House when he comes into the House shall take his place, and shall not stand in any of the passages or gangways.

Members not to read newspapers, &c.

XXXI. No Member shall read any newspaper, book, or letter, in his place, unless in addressing the Chair.

CHAPTER V.

ORDERS OF THE DAY, NOTICES, MOTIONS, AND QUESTIONS.

Notices of motion and Orders of the Day.

24. *The ordinary business of each day consists of notices of motion and Orders of the Day.*

Orders of the Day defined.

25. *An Order of the Day is a Bill or other matter which the House has ordered to be taken into consideration on a particular day.*

Notices of motions take precedence.

XXXII. Notices of motion shall, except on days appointed by the House for Government

business taking precedence, take precedence of Orders of the Day, unless the House shall otherwise direct.

XXXIII. After notices of motion shall have been disposed of, Mr. Speaker shall direct the Clerk at the table to read the Orders of the Day, without any question being put.

Clerk to read the Orders of the Day without any question being put.

XXXIV. The Orders of the Day shall be disposed of in the order in which they stand upon the paper; the right being reserved to Her Majesty's Ministers of placing Government orders at the head of the list, in the rotation in which they are to be taken on the days on which Government business have precedence.

Government orders to have precedence on certain days.

XXXV. All dropped motions and Orders of the Day shall, according as they shall relate to Government business, or general business, be set down in the notice-paper after the notices of motion and Orders of the Day respectively, for the next day on which the House shall sit.

Dropped motions and orders.

XXXVI. No notice of motion shall be received after the Assembly shall have proceeded

Notices of motions not received after House has

proceeded to the business of the day, as set down in the notice-paper.

Motions cannot be made except in pursuance of notice. XXXVII. No Member shall make any motion initiating a subject for discussion, but in pursuance of notice openly given at a previous sitting of the Assembly and duly entered on the notice-paper.

Every notice to be in writing, and delivered at the table. XXXVIII. Every Member in giving notice of a motion shall read it aloud and deliver at the table a copy of such notice fairly written, together with his name, and the day proposed for bringing on such a motion.

A Member not to give two notices consecutively. 26. *A Member may not give two notices of motions consecutively, unless no other Member has any notice to submit.*

Notice may be given for absent Members. 27. *A Member may give notice for any other Member not then present by putting the name of such Member on the notice of motion.*

Restriction upon giving notices. XXXIX. No notice may be given beyond the period which shall include the four sitting days next following on which Government business has not precedence, due allowance being made

for any intervening adjournment of the House, and the period being, in that case, so far extended as to include four days' notice falling during the sitting of the House.

XL. Every notice of motion shall be printed and circulated with the Votes. Notices printed.

XLI. Any notice containing unbecoming expressions may be expunged from the notice-paper, by order of the House. Notices may be expunged.

XLII. A Member desiring to change the day for bringing on a motion, may give notice of such motion for any day subsequent to that first named, but not earlier, subject to the same rules as other notices of motions. Notices postponed.

XLIII. After a notice of motion has been given, the terms thereof may be altered by the Member, on delivering at the table an amended notice, at the least one day prior to the day for proceeding with such motion. The terms may be altered.

XLIV. A Member may by leave, move for any unopposed return, without having given any previous notice. Motions for unopposed returns.

Precedence of motions.

XLV. Motions shall have precedence on each day, according to the order in which the notices for the same were given.

Questions of privilege.

XLVI. An urgent motion, directly concerning the privileges of the House, will take precedence of other motions, as well as Orders of the Day.

Votes of thanks.

28. *Precedence is ordinarily given by courtesy to a motion for a vote of thanks of the House.*

Questions proposed.

XLVII. When a motion has been made and seconded, a question thereupon shall be proposed to the House by Mr. Speaker.

Motions not seconded.

XLVIII. Any motion not seconded may not be further debated, and no entry thereof shall be made in the Votes.

Motions withdrawn.

XLIX. A Member who has made a motion, may withdraw the same by leave of the House, such leave being granted without any negative voice.

Questions superseded :—
1. By adjournment.

L. A question may be superseded, 1. By the adjournment of the House, either on the motion

of a Member, "That the House do now adjourn," or on notice being taken, and it appearing that a quorum of Members are not present; 2. By a motion, "That the Orders of the Day be now read;" 3. By the previous question, viz.: "That this question be now put," being proposed and negatived.

2. By reading the Orders of the Day.

3. By previous question.

LI. If the previous question be resolved in the affirmative, the original question shall be put forthwith, without any amendment or debate.

Previous question resolved in the affirmative.

LII. A question for reading the Orders of the Day, and also "The previous question," may be superseded by the adjournment of the House.

Previous question, &c., superseded by adjournment.

LIII. The debate upon a question may be interrupted, 1. By a matter of privilege suddenly arising; 2. By words of heat between Members; 3. By a question of order; 4. By a message from the Council; 5. By a motion for reading an Act of Parliament, an entry in the journal, or other public document, relevant to the question before the House.

Debates interrupted.

LIV. The House may order a complicated question to be divided.

Complicated questions may be divided.

Question put
and again
stated.

LV. So soon as the debate upon a question shall be concluded, Mr. Speaker shall put the question to the House, and if the same should not be heard, shall again state it to the House.

Question de-
termined by
majority of
voices.

LVI. A question being put, shall be resolved in the affirmative or negative, by the majority of voices "Aye" or "No."

Mr. Speaker
states whe-
ther "Ayes"
or "Noes"
have it."

LVII. Mr. Speaker shall state whether, in his opinion, the "Ayes" or the "Noes have it," and unless his opinion be acquiesced in by the minority, the question shall be determined by a division.

The same
question not
to be again
proposed.

LVIII. No question or amendment shall be proposed which is the same in substance as any question which, during the same Session has been resolved in the affirmative or negative.

A motion
withdrawn
may be made
again.

LIX. A motion which has been by leave of the House withdrawn, may be made again during the same Session.

Resolution or
vote re-
scinded.

LX. A resolution or other vote of the House may be read and rescinded.

LXI. An order of the House may be read and discharged. An order discharged.

CHAPTER VI.

AMENDMENTS.

LXII. A question having been proposed may be amended by leaving out certain words in order to insert or add other words, or by inserting or adding words. Different forms of amendment.

LXIII. An amendment proposed, but not seconded, will not be entertained by the House, nor entered in the Votes. Amendments to be seconded.

LXIV. When the proposed amendment is to leave out certain words, Mr. Speaker shall put a question, "That the words proposed to be left out stand part of the question." which shall be resolved by the House in the affirmative or negative, as the case may be. Amendment to leave out words.

LXV. When the proposed amendment is to leave out certain words, in order to insert or Amendment to leave out words and

insert or add
other words.

add other words, Mr. Speaker shall put a question, "That the words proposed to be left out stand part of the question," which, if resolved in the affirmative, will dispose of the amendment; but if in the negative, and there is no motion before the House for amending the proposed amendment, another question shall be put, "That the words of the amendment be inserted or added instead thereof," which shall be resolved in the affirmative or negative, as the case may be.

Amendment
to insert or
add words.

LXVI. When the proposed amendment is to insert or add certain words, Mr. Speaker shall put a question, "That such words be inserted or added," which shall be resolved in the affirmative or negative, as the case may be.

When latter
part of a ques-
tion has been
amended or
proposed to be
amended.

LXVII. No amendment shall be proposed in any part of a question after a later part has been amended, or has been proposed to be amended, unless the proposed amendment has been by leave of the House withdrawn.

No amend-
ment to be
made to
words already
agreed to.

LXVIII. No amendment shall be proposed to be made in any words which the House has resolved shall stand part of a question, or shall

be inserted in, or added to, a question, except the addition of other words thereto.

LXIX. A proposed amendment may be by leave of the House withdrawn. Proposed amendment withdrawn.

LXX. Amendments may be proposed to a proposed amendment, as if such proposed amendment were an original question. Amendments to proposed amendments.

LXXI. When amendments have been made, the main question as amended shall be put. Question as amended put.

LXXII. When amendments have been proposed, but not made, the question is put as originally proposed. When amendments proposed but not made.

CHAPTER VII.

DEBATE.

LXXIII. Every Member desiring to speak shall rise in his place uncovered, and address himself to Mr. Speaker. Members to address Mr. Speaker.

Indulgence to Members unable to stand.

29. *By the special indulgence of the House, a Member unable conveniently to stand, by reason of sickness or infirmity, will be permitted to speak sitting and uncovered.*

Speaking to order during a division.

LXXIV. Members can only speak to a point of order while the House is dividing, by permission of Mr. Speaker.

No Member to speak after question has been put.

LXXV. No Member may speak to any question after the same has been put by Mr. Speaker, and the voices have been given in the affirmative and negative thereon.

Mr. Speaker calls upon Members to speak.

LXXVI. When two or more Members rise to speak Mr. Speaker calls upon the Member who first rose in his place.

Motion that a Member "be now heard."

LXXVII. A motion may be made that any Member who has risen "be now heard," or "do now speak."

Members speak to the question.

LXXVIII. A Member may speak to any question before the House, or upon any amendment proposed thereto, or upon a question or amendment to be proposed by himself, or upon

a question of order arising out of the debate but not otherwise.

LXXIX. At the time of giving notices of motion, questions may be put to Ministers of the Crown relative to public affairs, and to other Members relating to any Bill, motion, or other public matter connected with the business of the House, in which such Members may be concerned.

Questions to Ministers or other Members.

LXXX. In putting any such question, no argument or opinion shall be offered, nor any facts stated, except so far as may be necessary to explain such question.

Such questions not to involve argument.

LXXXI. In answering any such question, a Member shall not debate the matter to which the same refers.

In answering a question the matter not to be debated.

LXXXII. By the indulgence of the House a Member may explain matters of a personal nature, although there be no question before the House; but such matters may not be debated.

Personal explanation.

LXXXIII. No Member may speak twice to a question before the House, except in explanation.

No Member to speak twice to a question.

nation or reply, or in Committee of the whole House.

Except to explain his words.

LXXXIV. A Member who has spoken to a question may again be heard, to explain himself in regard to some material part of his speech, but shall not introduce any new matter.

Or to reply in certain cases.

LXXXV. A reply shall be allowed to a Member who has made a substantive motion to the House, but not to any Member who has moved an Order of the Day, an amendment, or an instruction to a Committee.

Speaking "to order."

LXXXVI. Any Member may rise to speak "to order," or upon a matter of privilege suddenly arising.

Debates of same session not to be alluded to.

LXXXVII. No Member shall allude to any debate of the same Session, upon a question or Bill not being then under discussion, except by the indulgence of the House for personal explanations.

Reports of speeches of same Session not to be read.

LXXXVIII. No Member shall read from a printed newspaper or book the report of any speech made in Parliament during the same

Session, unless such report refer to the debate then proceeding.

LXXXIX. No Member shall read extracts from newspapers or other documents referring to debates in the House during the same Session. Extracts referring to debates not to be read.

XC. No Member shall reflect upon any vote of the House, except for the purpose of moving that such vote be rescinded. Reflections upon votes of the House.

XCI. No Member shall allude to any debate in the other House of Parliament, or to any measure pending therein. Allusion to debates in the other House.

XCII. No Member shall use offensive words against either House of Parliament, nor against any statute, unless for the purpose of moving for its repeal. Offensive words against either House.

XCIII. No Member shall refer to any other Member by name, except for the purpose of distinguishing him from other Members returned for the same electoral district. No Member may refer to any other Member by name.

XCIV. No Member shall use offensive or unbecoming words in reference to any Member of the House. Offensive words against a Member.

Words taken
down by di-
rection of Mr.
Speaker.

XCV. When any Member shall object to words used in debate, and shall desire them to be taken down, Mr. Speaker, if it be the pleasure of the House, will direct them to be taken down by the clerk accordingly.

Words taken
down in Com-
mittee.

XCVI. In a Committee of the whole House the Chairman, if it be the pleasure of the Committee, will direct words objected to, to be taken down, in order that the same may be reported to the House.

Words to be
objected to
when used.

XCVII. Every such objection shall be taken at the time when such words are used, and not after any other Member has spoken.

Members not
explaining or
retracting.

XCVIII. Any Member having used objectionable words, and not explaining or retracting the same, or offering apologies for the use thereof to the satisfaction of the House, will be censured, or otherwise dealt with as the House may think fit; and any Member called to order shall sit down unless permitted to explain.

House will
prevent quar-
rels.

XCIX. The House will interfere to prevent the prosecution of any quarrel between Members,

arising out of debates or proceedings of the House, or any Committee thereof.

C. No Member shall presume to make any noise or disturbance whilst any Member is orderly debating, or whilst any Bill, order, or other matter is being read or opened; and in case of such noise or disturbance, Mr. Speaker shall call upon the Member making such disturbance by name, and every such person will incur the displeasure and censure of the House.

No noise or interruption will be allowed during a debate.

CI. When, in consequence of highly disorderly conduct, Mr. Speaker shall call upon any Member by name, such Member shall withdraw as soon as he has been heard in explanation; and after such Member's withdrawal the Assembly shall at once take the case into consideration.

When Mr. Speaker calls upon any Member by name.

CII. The several rules for maintaining order in debate shall be observed in every Committee of the whole House.

Rules of debate in Committee.

CIII. Order shall be maintained in the House by Mr. Speaker, and in a Committee of the whole House by the Chairman of such Committee; but disorder in a Committee can only

Order maintained by Mr. Speaker and Chairman of Committees.

be censured by the House on receiving a report.

When Mr. Speaker rises, House to be silent.

CIV. Whenever Mr. Speaker rises during a debate, any Member then speaking, or offering to speak, shall sit down, and the House shall be silent, so that Mr. Speaker may be heard without interruption.

Member to withdraw while his conduct is under debate.

CV. Every Member against whom any charge has been made, having been heard in his place, shall withdraw while such charge shall be under debate.

When Members guilty of contempt.

CVI. Any Member or other person who shall wilfully disobey any lawful order of the Assembly, and any Member or other person who shall wilfully or vexatiously interrupt the orderly conduct of the business of the Assembly, shall be guilty of contempt.

Fees payable on arrest or commitment.

CVII. The following scale of fees shall be payable to the Serjeant-at-Arms on the arrest or commitment of any person by order of the Assembly, and no person shall, without the express direction of the Assembly, be discharged

out of custody until such fees be paid or the Session of Parliament concluded.

For arrest	£50
For commitment	£50
For each day's detention, including sustenance . . .	£5

CHAPTER VIII.

DIVISIONS.

CVIII. No Member shall be entitled to vote in any division, unless he be present in the House when the question is put with the doors locked, and the vote of any Member not so present will be disallowed.

No Member to vote unless present when the question put.

CIX. Every Member present in the House when the question is put, will be required to vote.

Every Member then present must vote.

CX. Previously to any division, strangers shall, if ordered, withdraw from the body of the House.

Previous to division, strangers to withdraw if ordered.

Clerk to ring bell and turn sandglass.

CXI. So soon as a division shall have been demanded, the clerk shall ring a bell and turn a two-minute sandglass, kept on the table for that purpose, and the doors shall not be closed until after the lapse of two minutes, as indicated by such sandglass.

Doors closed after the lapse of two minutes.

CXII. The doors shall be closed and locked as soon after the lapse of two minutes as Mr. Speaker, or the Chairman of a Committee of the whole House, shall think proper to direct, and no Member shall enter or leave the House until after the division.

Question put, and "ayes" and "noes" to take different sides of the House or go into the lobbies.

CXIII. When the doors have been locked, and all the Members in their places, Mr. Speaker, or the Chairman of a Committee, shall put the question, and after the voices have been given, shall declare whether, in his opinion, the "Ayes" or the "Noes, have it," which not being agreed to, he shall direct the "Ayes" into the right lobby, or right side of the House, and the "Noes" into the left lobby, or left side of the House, and shall appoint two tellers for each party.

If not two tellers no division allowed.

CXIV. In case there should not be two tellers for one of the parties, Mr. Speaker, or the

Chairman of Committees, shall forthwith declare the resolution of the House.

CXV. If Mr. Speaker shall direct the Mem- Members' names taken down.
bers to proceed to the lobbies, the name of every Member in returning from either lobby shall be taken down by the tellers.

CXVI. An entry of the lists of divisions in Division lists entered in the votes.
the Assembly shall be made by the Clerk in the Votes and Proceedings.

30. *The tellers shall report the numbers to Mr. Speaker, who shall declare them to the House.* Tellers report the numbers.

CXVII. In case of confusion, or error concerning the numbers reported, unless the same In case of confusion or error, House again divides.
can be otherwise corrected, the House will proceed to another division.

CXVIII. If the numbers have been inaccurately reported to the House, the House on being afterwards informed thereof, will order the Votes and Proceedings to be corrected. Mistakes corrected in Votes and Proceedings.

CXIX. In case of an equality of votes, Mr. Speaker shall give a casting voice, and any When votes equal, Mr. Speaker gives casting vote.

reasons stated by him shall be entered in the Votes and Proceedings.

Divisions in
Committee.

CXX. Divisions shall be demanded and taken in Committee of the whole House in the same manner as in the House itself.

No Member
to vote per-
sonally inte-
rested.

CXXI. No Member shall be entitled to vote upon any question in which he has a direct pecuniary interest, and the vote of any Member so interested shall be disallowed.

Nor in Com-
mittee.

CXXII. The rule of this House relating to the vote, upon any question in this House, of a Member having an interest in the matter upon which the vote is given shall apply likewise to any vote of a Member so interested in a Committee.

CHAPTER IX.

COMMITTEES OF THE WHOLE.

House re-
solves itself
into a Com-
mittee.

CXXIII. A Committee of the whole House will be appointed by resolution—"That this House will resolve itself into a Committee."

CXXIV. A Member shall be appointed Chair- Appointment
of Chairman.
man of Committees of the whole Assembly, and
when so appointed he shall continue to act as such
Chairman during the continuance of the Assem-
bly, unless the Assembly shall otherwise direct.

CXXV. The quorum in Committee of the Quorum in
Committee.
whole Assembly, shall consist of the same num-
ber of Members, exclusive of the Chairman, as
shall be requisite to form a quorum of the
Assembly.

CXXVI. When a Bill or other matter (except When Com-
mittee has re-
ported pro-
gress.
Supply or Ways and Means) has been partly
considered in Committee, and the Chairman has
been directed to report progress, and ask leave
to sit again, and the House has ordered that the
Committee shall sit again on a particular day,
Mr. Speaker, when the order for the Committee
has been read, shall forthwith leave the Chair
without putting any question, and the House
thereupon resolves itself into such Committee.

CXXVII. So soon as Mr. Speaker shall have The mace is
placed under
the table.
left the Chair, the mace shall be placed under the
table, and the Chairman shall take the Chair of
the Committee at the table.

In case of
difference,
House ap-
points Chair-
man.

CXXVIII. If any difference shall arise in Committee concerning the election of a Chairman, Mr. Speaker shall resume the Chair, and a Chairman shall be appointed by the House.

A Committee
to consider
only such
matters as
are referred.

CXXIX. A Committee shall consider such matters only as shall have been referred to them by the House.

Questions de-
cided by a
majority of
voices.

CXXX. Every question in Committee shall be decided by a majority of voices, and in case of any equality of voices, the Chairman shall give a casting voice.

A motion is
not seconded.

CXXXI. A motion made in Committee need not be seconded.

No previous
question al-
lowed.

CXXXII. No motion for the previous question can be made in Committee.

Greater or
lesser sum, or
longer or
shorter time.

CXXXIII. When there comes a question between the greater and lesser sum, or the longer or shorter time, the least sum and the longest time shall first be put to the question.

Members
may speak
more than
once.

CXXXIV. In Committee, Members may speak more than once to the same question.

CXXXV. The same order in debate shall otherwise be observed in Committee as in the House itself. Order in debate.

CXXXVI. If any sudden disorder shall arise in Committee, Mr. Speaker shall resume the Chair, without any question being put. Disorder arising.

CXXXVII. Mr. Speaker will also resume the Chair if a Message be brought to attend His Excellency or the Governor's Commissioners, in the Legislative Council. Mr. Speaker resumes the Chair.

CXXXVIII. If notice be taken, or appear upon a division in Committee, that a quorum of Members be not present, the Chairman shall leave the Chair and Mr. Speaker shall resume the Chair. When a quorum of Members not present.

CXXXIX. If a quorum of Members be present when the House is counted by Mr. Speaker, the House shall again resolve itself into the Committee of the whole House, without question put. House counted by Mr. Speaker.

CXL. When all matters referred to a Committee have been considered the Chairman shall be directed to report the same to the House. Report.

Report of progress.

CXLI. When all such matters have not been considered, the Chairman shall report progress and ask leave to sit again.

Motion to report progress.

CXLII. A motion may be made during the proceedings of a Committee that the Chairman do report progress and ask leave to sit again.

Motion that the Chairman do now leave the Chair.

31. *A motion that the Chairman do now leave the chair will, if carried, supersede the proceedings of a Committee.*

Report to be brought up without question.

CXLIII. Every report from a Committee of the whole House shall be brought up without any question being put.

Amendments made to public Bills.

CXLIV. Unless otherwise directed, amendments made by the Committee to public Bills shall be appointed to be considered on a future day.

Division lists.

CXLV. Lists of divisions in Committee of the whole Assembly shall be printed weekly.

Resolutions of Committee.

CXLVI. The resolutions reported from a Committee may be agreed to or disagreed to by the House, or agreed to with amendments, re-committed to the Committee, or the further consideration thereof postponed.

CHAPTER X.

SELECT COMMITTEES.

CXLVII. No Select Committee shall, without leave of the House, consist of less than five nor more than twelve Members ; such leave cannot be moved for without notice ; and in the case of Members proposed to be added or substituted after the first appointment of the Committee, the notice is to include the names of the Members proposed to be added, or substituted, but it shall not be compulsory on Mr. Speaker or the Chairman of Committees to serve on any Select Committee. The quorum of every Select Committee shall be fixed at the time of appointing such Committee.

Committees not to consist of less than five, nor more than twelve Members, without leave.

CXLVIII. Every Member intending to move for the appointment of a Select Committee shall endeavor to ascertain previously whether each Member proposed to be named by him on such Committee will give his attendance thereupon.

Willingness of Members to attend to be ascertained.

CXLIX. Every Member intending to move for the appointment of a Select Committee shall,

Notice of nomination to be given.

one day next before the nomination of such Committee, place on the notice-paper the names of the Members intended to be proposed by him to be Members of such Committee, but if the mover be desirous the Committee should be appointed by ballot, then the number only need be stated.

Except when appointed by ballot.

Manner of balloting for Committee.

CL. If upon any motion for a Select Committee any six Members shall require it, such Committee shall be formed in the following manner, viz. :—Each Member shall deliver at the Clerk's table a list of the Members whom he wishes to be appointed on such Committee, not exceeding the number proposed, inclusive of the mover ; and if any list contain a larger number of names it shall be rejected ; and Mr. Speaker shall appoint two Members to be scrutineers who, with the Clerk, shall ascertain the number of votes for each Member ; and the Members who shall be reported to have the greatest number of votes shall be declared by the Speaker to be the members of such Committee ; and in any case of doubt arising from two or more Members having an equality of votes, Mr. Speaker shall decide which shall serve on such Committee.

CLI. Lists shall be affixed in some conspicuous place in the lobby of the House, of Members serving on Select Committees. Lists of Members serving.

CLII. Every Select Committee, previous to the commencement of business, shall elect one of its members to be the Chairman. Election of Chairman.

CLIII. To every question asked of a witness under examination in the proceedings of any Select Committee, shall be prefixed in the minutes of the evidence, the name of the Member asking such question. Names of Members asking questions to be entered in the minutes.

CLIV. An entry shall be made in the proceedings of the names of the Members attending each Committee meeting, and of every motion or amendment proposed in the Committee, together with the name of the mover thereof; and if any division take place in the Committee, the clerk shall take down the names of the Members voting in any such division, distinguishing on which side of the question they respectively vote, and such lists shall be given in with the report to the Assembly. Names of Members present to be entered. Divisions to be entered.

CLV. If at any time during the sitting of a Select Committee of this House, the quorum of When quorum not present.

Members fixed by the House be not present, the clerk of the Committee shall call the attention of the Chairman to the fact, who shall thereupon suspend the proceedings of the Committee until a quorum be present, or adjourn the Committee to some future day.

Members discharged and added.

CLVI. Members may be discharged from attending a Select Committee, and other Members appointed, after previous notice given in the Votes.

Power to send for persons, papers, and records.

CLVII. Whenever it may be necessary the House may give a Committee power to send for persons, papers, and records.

Admission of witnesses to Committees.

CLVIII. When a Committee is examining witnesses, strangers may be admitted or excluded at pleasure ; but shall always be excluded when the Committee is deliberating.

When Members of the House may be present.

CLIX. Members of the House may be present when a Committee is examining witnesses ; but withdraw by courtesy, when the Committee is deliberating.

Secret Committee.

CLX. No strangers, or Members, not being of the Committee, shall be admitted at any time to a Secret Committee.

CLXI. The Chairman of a Select Committee can only vote when there is an equality of voices. Chairman can only vote when voices equal.

CLXII. A Select Committee may adjourn from time to time ; and by leave of the House, from place to place. Committee adjourns.

CLXIII. All Committees sitting at the time that Mr. Speaker is about to take the Chair shall be informed by the Serjeant-at-Arms that Mr. Speaker is about to take the Chair, and all proceedings after such notice are declared to be null and void. All proceedings void after notice that Mr. Speaker is to take Chair.

CLXIV. Except by leave of the House, no Select Committee may sit during the sittings of the House, or on any day on which the House itself is not appointed to sit. Not to sit during sitting or adjournment of the House without leave.

CLXV. The evidence taken by any Select Committee of this House, and documents presented to such Committee, and which have not been reported to this House, shall not be published by any Member of such Committee, nor by any other person. Evidence, &c., not to be published before reported.

CLXVI. By leave of the House a Committee may report its opinion or observations from Report from time to time.

time to time, or report the minutes of evidence only, or proceedings from time to time.

Chairman to
prepare re-
port.

CLXVII. It shall be the duty of the Chairman of every Select Committee to prepare the Report.

Proceedings
on considera-
tion of draft
report.

CLXVIII. The Chairman shall read to the Committee convened for the purpose of considering the report, the whole of his draft report, which shall be printed and circulated amongst the Members of the Committee; and at some subsequent meeting of the Committee the Chairman shall read the draft report paragraph by paragraph, putting the question to the Committee at the end of each paragraph, that it do stand part of the report. A Member objecting to any portion of the report shall propose his amendment at the time the paragraph he wishes to amend shall be under consideration.

Report
brought up.

CLXIX. The report of a Committee shall be brought up by the Chairman, and may be ordered to lie upon the table, or otherwise dealt with as the House may direct.

CHAPTER XI.

INSTRUCTIONS TO COMMITTEES AND WITNESSES.

32. *An instruction empowers a Committee of the whole House to consider matters not otherwise referred.* Effects of an instruction.

33. *It is an instruction to all Committees of the whole House to whom Bills may be committed, that they have power to make such amendments therein as they shall think fit, provided they be relevant to the subject matter of the Bill; but if any such amendments shall not be within the title of the Bill, they shall amend the title accordingly, and report the same specially to the House.* Committees on Bills to make amendments relevant to subject matter.

CLXX. Instructions may be moved ordering a Committee to make provision in a Bill; but not to empower a Committee to make such provision if they already have that power. What instructions may and may not be moved.

34. *An instruction should be moved after the Order of the Day for going into Committee has been read, and not as an amendment to the* When instruction to be moved.

question that Mr. Speaker do now leave the Chair.

Instruction to a Select Committee.

35. *An instruction to a Select Committee extends or restricts the order of reference.*

Witnesses summoned by orders of the House.

CLXXI. Witnesses shall be summoned in order to be examined at the Bar of the House, or before a Committee of the whole House, or a Select Committee, by orders of the House, signed by the Clerk.

Witnesses in custody.

CLXXII. Where a witness shall be in the custody of the keeper of any prison, such keeper may be ordered to bring the witness in safe custody, in order to his being examined, and from time to time as often as his attendance shall be thought necessary; and Mr. Speaker may be ordered to issue his warrant accordingly.

Summoned by Committees.

CLXXIII. A Committee having power to send for persons, papers, and records, may summon witnesses by its own orders, signed by the Chairman.

When witness does not attend a Committee.

CLXXIV. If any witness shall not attend, pursuant to the order of a Committee, his ab-

sence shall be reported, and the House will order him to attend the House; but such order may be discharged in case the witness shall have attended the Committee before the time appointed for his attending the House.

CLXXV. In any case, the neglect or refusal of a witness to attend in obedience to an order of the House, or of a Committee having power to summon witnesses, or in obedience to a warrant of Mr. Speaker, will be censured or otherwise punished, at the pleasure of the House.

Neglect or refusal to attend.

CLXXVI. When the attendance of a Member is desired, to be examined by the House or a Committee of the whole House, he is ordered to attend in his place.

Attendance of Members to be examined.

CLXXVII. If a Committee desire the attendance of a Member as a witness, the Chairman shall in writing request him to attend.

By a Committee.

36. *If any Member of the House refuse, upon being sent for to come, or to give evidence, or information as a witness to a Committee, the Committee ought to acquaint the House therewith, and not summon such Member to attend the Committee.*

If a Member refuse to attend.

*Committee to
acquaint
House of
charges
against Mem-
bers.*

37. *If any information come before any Committee that chargeth any Member of the House, the Committee ought only to direct that the House be acquainted with the matter of such information, without proceeding further thereupon.*

Message for
attendance of
Member or
officer of the
Legislative
Council.

CLXXVIII. When the attendance of a Member of the Legislative Council, or of an officer of that House is desired, to be examined by the House, or any Committee thereof (not being a Committee on a private Bill), a message shall be sent to the Council to request that the Council give leave to such Member or officer to attend, in order to his being examined accordingly upon the matters stated in such message.

Witnesses not
examined on
oath, except
in certain
cases.

CLXXIX. Witnesses cannot be examined upon oath by the House, or any Committee thereof, except in cases provided for by statute.

Tampering
with wit-
nesses.

CLXXX. If it shall appear that any person hath been tampering with any witness, in respect of his evidence given before this House, or any Committee thereof, or who directly or indirectly hath endeavored to deter or hinder any person from appearing or giving evidence, the same is a high crime and misdemeanor; and the House

will proceed with the utmost severity against such offender.

CLXXXI. All witnesses examined before this House or any Committee thereof, are entitled to the protection of the House in respect of anything that may be said by them in their evidence. Witnesses entitled to protection.

CLXXXII. No clerk or officer of this House, or Shorthand-Writer, employed to take minutes of evidence before this House, or any Committee thereof, may give evidence elsewhere in respect of any proceedings or examination had at the Bar or before any Committee of this House, without the special leave of the House. Evidence not to be given elsewhere of proceedings without leave.

38. *When a witness is examined by the House or a Committee of the whole House the Bar is kept down.* Witness at the bar.

CLXXXIII. When the witness appears before the House Mr. Speaker shall examine the witness, the mace being on the table; and no other Member shall put any question otherwise than through Mr. Speaker. Examined by Mr. Speaker.

Witness in
custody at the
bar.

CLXXXIV. When a witness is in custody at the Bar, the mace being on the Serjeant's shoulder, he shall be examined by Mr. Speaker alone, and no Member shall speak.

Witness with-
draws if ques-
tion objected
to.

CLXXXV. If any question be objected to, or other matter arise, the witness shall withdraw while the same is under discussion.

Member ex-
amined in his
place.

CLXXXVI. A Member of the House shall be examined in his place.

*Judges, how
examined.*

39. Judges are introduced by the Serjeant, and have chairs placed for them within the Bar.

*Witnesses ex-
amined in
Committee of
the whole
House.*

40. In Committee of the whole House any Member may put questions to the witness.

CHAPTER XII.

MESSAGES.

Message from
the Governor.

CLXXXVII. Whenever a message from the Governor shall be announced, the business before the Assembly shall be immediately sus-

pending, and the bearer of the message introduced to deliver the message to Mr. Speaker.

CLXXXVIII. Mr. Speaker shall immediately How dealt with. read the message to the Assembly, and, if necessary, a day shall be fixed for taking the same into consideration.

CLXXXIX. A message from the Governor How communicated. may be communicated to the House by a Minister of the Crown, being a Member.

CXC. A messenger from the Council, not Messenger from the Legislative Council, how received. being the Clerk-Assistant of that House, shall be introduced by the Serjeant with the mace, and conducted to the table, where he shall deliver the message or Bills.

CXCI. When the messenger shall have delivered his message he shall withdraw with the Delivers the message and withdraws. Serjeant, and the mace shall be put upon the table, when if any answer is to be returned he shall be again called in, and Mr. Speaker shall deliver such answer, or acquaint him that the House will send an answer by a messenger of its own.

Messages to
Legislative
Council com-
municated by
Clerk-Assis-
tant.

CXCII. Messages to the Council shall be in writing and shall be communicated by the Clerk-Assistant of the House, unless the House shall otherwise direct.

CHAPTER XIII.

ADDRESSES.

Addresses,
how pre-
sented.

CXCIII. Addresses to the Governor may be presented by the whole House, by Mr. Speaker, or by such Members as are of Her Majesty's Executive Council, or by such Members as the House may name for that purpose.

*By the whole
House.*

41. *When an address is ordered to be presented by the whole House, Mr. Speaker, with the House, shall proceed to Government House, and being admitted to the Governor's presence, Mr. Speaker shall read the address to the Governor, the Members who moved and seconded such address being on his left hand.*

*Addresses in
which the
Council shall
join the
Assembly.*

42. *All addresses to the Governor in which the Council shall join the Assembly shall be*

presented by Mr. Speaker, and such Members as may be named by the Assembly, together with those appointed by the Council.

43. *When a joint address shall be ordered to be presented to the Governor by both Houses, the President and Members of the Council, and Mr. Speaker, with this House, proceed to the Government House, and being admitted to the Governor's presence, the President of the Council (with Mr. Speaker on his left hand) shall read the address to the Governor.*

Joint addresses of Council and Assembly, how presented.

44. *The Governor's answer to any address presented by the whole House shall be reported by Mr. Speaker.*

Governor's answer to address presented by the whole House.

45. *The Governor's answer to any address presented otherwise than by the whole House shall be reported to the House by the person presenting the address.*

To address presented otherwise than by the whole House.

CXCIV. *The concurrence of one House in an address communicated by the other shall be signified by message.*

Concurrence of other House by message signified.

CHAPTER XIV.

PETITIONS.

Order of presenting petitions.

CXCV. No petition shall be presented during any debate, nor after the Assembly shall have proceeded to the notices of motion or Orders of the Day, unless petitions referring to the question before the Chair, which may be received immediately upon the reading of the Order of the Day or notice of motion.

Petitions to be in writing.

CXCVI. Every petition shall be fairly written ; and no printed or lithographed petition will be received.

To contain a prayer at the end.

CXCVII. Every petition must contain a prayer at the end thereof.

To be signed on the same skin or sheet.

CXCVIII. Every petition must be signed by at least one person on the skin or sheet on which the petition is written.

To be in English, or with a certified translation.

CXCIX. Every petition shall be written in the English language, or be accompanied by a

translation, certified by the Member who presents it to be true and correct.

CC. Every petition shall be signed by the parties whose names are appended thereto, by their names or marks, and by no one else, except in case of incapacity by sickness.

To be signed by the parties.

CCI. The signatures shall be written upon the petition itself, and not pasted upon, or otherwise transferred thereto.

Signatures not to be transferred.

CCII. Petitions of corporations aggregate are required to be made under their common seal.

Petitions of corporations.

CCIII. No letters, affidavits, or other documents may be attached to any petition.

No letters or affidavits to be attached.

CCIV. No reference shall be made in a petition to any debate in Parliament, nor to any intended motion.

Debates not to be referred to.

CCV. No application shall be made by a petition for any grant of public money, or for compounding any debts due to the Crown, or for the remission of duties payable by any person, unless it be recommended by the Crown.

No application for public money unless recommended by the Crown.

Petitions for
compounding
debts to the
Crown.

CCVI. This House will not receive any petition for compounding any sum of money owing to the Crown, upon any branch of the revenue, without a certificate from the proper officer or officers annexed to the said petition stating debt, what prosecutions have been made for the recovery of such debt, and setting forth how much the petitioner and his security are able to satisfy thereof.

Forgery of
signatures.

CCVII. It is highly unwarrantable, and a breach of the privilege of this House, for any person to set the name of any other person to any petition to be presented to this House.

Members to
peruse pe-
titions.

CCVIII. It shall be incumbent on every Member presenting a petition to acquaint himself with the contents thereof, and to ascertain that it does not contain language disrespectful to the Assembly.

Members to
affix their
names.

CCIX. Every Member presenting a petition to the Assembly shall affix his name at the beginning thereof.

Petitions to
be in accor-
dance with
the rules of
the House.

CCX. Every Member presenting a petition shall take care that the same is in conformity with the rules and orders of the House.

CCXI. Every petition shall be respectful, decorous, and temperate in its language. Petitions to be respectful.

CCXII. Petitions can only be presented to the House by a Member. Petitions presented by Members.

CCXIII. A Member cannot present a petition from himself. Petitions from Members.

CCXIV. Every Member offering to present a petition to the House, not being a petition for a private Bill, or relating to a private Bill before the House, shall confine himself to a statement of the parties from whom it comes, of the number of signatures attached to it, and of the material allegations contained in it, and to the reading of the prayer of such petition. Members confined to statement of certain facts.

CCXV. Every such petition not containing matter in breach of the privileges of this House, and which according to the rules or usual practice of this House can be received, shall be brought to the table by the direction of the Speaker, who shall not allow any debate, or any Member to speak upon, or in relation to such petition ; but it may be read by the Clerk at the table, if required. Not to be debated. But may be read by Clerk.

Petitions
complaining
of grievances.

CCXVI. In the case of such petition complaining of some present personal grievance, for which there may be an urgent necessity for providing an immediate remedy, the matter contained in such petition may be brought into discussion on the presentation thereof.

Petitions
against
taxes.

CCXVII. Subject to the above regulation, petitions against any resolution or Bill imposing a tax or duty for the current service of the year, can be received.

CHAPTER XV.

BILLS.

Bills ordered.

CCXVIII. Every Bill shall be ordered to be brought in upon motion made and question put, that leave be given to bring in such Bill, unless such Bill shall have been directed to be brought in by resolution of the House.

Members ap-
pointed to
bring in Bills.

CCXIX. Every Bill shall be ordered to be prepared and brought in by one or more Members named by the House.

CCXX. Members may be added to those Members added. originally ordered to prepare and bring in a Bill.

CCXXI. Instructions may be given to such Instructions. Members to make further provision in any such Bill before the same is brought in.

CCXXII. No Bill relating to religion, or the Bills relating to religion. alteration of the laws concerning religion, shall be brought into this House, until the proposition shall have been first considered in a Committee of the whole House, and agreed unto by the House.

CCXXIII. No Bill relating to trade, or the Bills relating to trade. alteration of the laws concerning trade, shall be brought into the House, until the proposition shall have been first considered in a Committee of the whole House, and agreed unto by the House.

CCXXIV. The House will not proceed upon Grants of money. any petition, motion, or Bill for granting any money or for releasing or compounding any sum of money owing to the Crown, except in a Committee of the whole House.

Bills ordered
to be with-
drawn.

CCXXV. Every Bill not prepared pursuant to the order of leave, or according to the rules and orders of the House, will be ordered to be withdrawn.

Bills pre-
sented by a
Member.

CCXXVI. A Bill shall be presented by a Member.

First reading.

CCXXVII. The first reading of every Bill shall be proposed immediately after the same has been presented.

First reading
and printing
without de-
bate.

CCXXVIII. When any Bill shall be presented by a Member, in pursuance of an order of this House, or shall be brought up from the Legislative Council, the questions, "That this Bill be now read a first time," and "that the Bill be printed," shall be decided without amendment or debate.

Bill ordered
to be read a
second time.

CCXXIX. A Bill having been read a first time shall, except by special leave of the Assembly, be ordered to be read a second time on a future day.

Second read-
ing.

CCXXX. On the order of the day being read for the second reading of a Bill, the question

shall be put, "That the Bill be now read a second time."

CCXXXI. Amendments may be moved to such question by leaving out "now" and inserting "three months," "six months," or any other time ; or the Bill may be negatived.

Amendments to question for second reading.

CCXXXII. No other amendment may be moved to such question, unless the same be strictly relevant to the Bill.

Amendments to be relevant.

CCXXXIII. A Bill having been read a second time, may be ordered to be committed to a Committee of the whole House ; or in certain cases to a Select Committee.

Bill committed.

CCXXXIV. On the Order of the Day being read for the Committee on a Bill, Mr. Speaker puts the question, "That I do now leave the chair," which being resolved in the affirmative, the House resolves itself into a Committee of the whole House on the Bill (See Ch. IX.) ; but where the Committee has reported progress, the Speaker leaves the Chair without putting any question.

Committee of the whole House on the Bill.

Amendments to the question for Mr. Speaker to leave the Chair.

CCXXXV. Amendments may be moved to the question for Mr. Speaker to leave the Chair, by leaving out all the words after the word "that," in order to add the words "this House will on this day three months (or six months), (or other time) resolve itself into the said Committee."

Instructions to Committee.

CCXXXVI. An instruction may be moved to the Committee on the Bill, but ought not to be moved by way of amendment.

Bills may be considered in Committee together.

CCXXXVII. Bills which may be fixed for consideration in Committee on the same day, whether in progress or otherwise, may be referred together to a Committee of the whole House, which may consider on the same day all the Bills so referred to it, without the Chairman leaving the chair on each separate Bill: Provided that, with respect to any Bill not in progress, if any Member shall raise an objection to its consideration such Bill shall be postponed.

Preamble postponed.

CCXXXVIII. The Chairman shall put a question "That the preamble be postponed," which being agreed to, every clause is considered by the Committee *seriatim* without the

questions for the first and second reading of the Bill being put.

CCXXXIX. Any amendment may be made Amendments to clauses, &c. to a clause, provided the same be relevant to the subject matter of the Bill, or pursuant to any instruction, and be otherwise in conformity with the rules and orders of the House ; but if any amendment shall not be within the title of the Bill, the Committee shall extend the title accordingly, and report the same specially to the House.

CCXL. A question shall be put that each Clause to stand part of the Bill. "clause stand part of the Bill," or "as amended stand part of the Bill."

CCXLI. In going through a Bill, no questions shall be put for the filling up of words already printed in *italics*, and commonly called "blanks," unless exception be taken thereto ; and if no alterations have been made in the words as printed in *italics*, the Bill is to be reported without amendments, unless other amendments have been made thereto. Proceedings upon blanks.

CCXLII. Any clause may be postponed, unless the same have already been considered and amended. Clauses postponed.

Preamble
agreed to.

CCXLIII. After every clause and schedule has been agreed to, and any clauses added which are within the title of the Bill, or pursuant to any instruction, the preamble is considered, and if necessary amended; and a question is put, "That this be the preamble of the Bill."

Proceedings
in Committee
not to be no-
ticed until re-
ported.

CCXLIV. No notice may be taken of any proceedings in Committee of the whole House, or a Select Committee on a Bill, until such proceedings or Bill shall have been reported.

Bill reported.

CCXLV. The Bill having been fully considered, the Chairman is directed to report the Bill, or report the Bill with the amendments to the House.

Bill as amen-
ded to be con-
sidered.

CCXLVI. At the close of the proceedings of a Committee of the whole House on a Bill, the Chairman shall report the Bill forthwith to the House, and when amendments have been made thereto, the same shall be received without debate, and a time appointed for taking the same into consideration.

Bill reported
without
amendments.

CCXLVII. A Bill being reported without amendment, shall be ordered to be read a third

time, at such time as may be appointed by the House.

CCXLVIII. On a clause being offered in Committee, or on the consideration of report, or third reading of a Bill, Mr. Speaker, or the Chairman, shall desire the Member to bring up the same, whereupon it is to be read a first time without question put; but no clause is to be offered on consideration of report or third reading without notice.

Clauses offered in Committee on consideration of report and third reading.

CCXLIX. A clause containing any rates, penalties, or other blank, offered after the Bill has been reported, shall after having been read a second time, be considered in Committee before it is made part of the Bill, and if any such clause be for increasing any burthen upon the people, the Bill shall be recommitted, and the clause proposed in Committee on the Bill.

A clause with rates, penalties, &c.

CCL. On consideration of the Bill as amended, the Bill may be ordered to be recommitted to a Committee of the whole House, or to a Select Committee.

Bills recommitted.

CCLI. Before any Bill shall be read a third time, the Chairman of Committees shall certify

Certificate of Chairman.

that it is in accordance with the Bill as agreed to by the Committee.

Order for
third reading
discharged.

CCLII. The order for the third reading of a Bill may be read and discharged, and the Bill ordered to be recommitted.

Third read-
ing.

CCLIII. The Order of the Day being read for the third reading of a Bill, a question is put, that the Bill be *now* read a third time, to which amendments may be moved, as on the second reading.

Clauses
added, and
amendments
made.

CCLIV. A Bill having been read a third time, clauses may be read three times (and also committed if containing rates, &c.) and added to the Bill, and other amendments made.

Bill passed,
and title
agreed to.

CCLV. After the third reading, and further proceedings thereon, a question is put, "That this Bill do now pass;" after which the title of the Bill shall be agreed to, or amended and agreed to.

Further pro-
ceeding on
third reading
adjourned.

CCLVI. The further proceeding on a third reading may be adjourned to a future day.

CCLVII. Bills of an urgent nature may be passed with unusual expedition through their several stages. Bills passed with unusual expedition.

CCLVIII. The precise duration of every temporary law shall be expressed in a distinct clause at the end of the Bill. Temporary laws.

CCLIX. When all the proceedings on a Bill have been concluded, the Bill shall be ordered to be carried to the Legislative Council and their concurrence desired; or when such Bill has been brought from the Legislative Council "to acquaint the Legislative Council that this House has agreed to the same without amendments," or "with amendments to which this House doth desire the concurrence of the Legislative Council." Bills sent to the Legislative Council.

CCLX. When a Bill shall be returned from the Legislative Council with amendments, such amendments are twice read and agreed to, or agreed to with amendments, or disagreed to, or the further consideration thereof put off for three or six months, or the Bill ordered to be laid aside. Bills returned from the Legislative Council.

Amendments
of Legislative
Council.

CCLXI. Amendments by the Council to public Bills shall be appointed to be considered on a future day, unless the House shall order them to be considered forthwith.

Amendments
proposed by
Governor.

CCLXII. Whenever the Governor shall transmit by message to the Assembly any amendment which he shall desire to be made in any Bill presented to him for Her Majesty's assent, the amendment shall be treated and considered in the same manner as amendments proposed by the Legislative Council.

When Govern-
or's amend-
ments are
agreed to to
be sent to
Legislative
Council.

CCLXIII. When the Assembly shall have agreed to any amendment proposed by the Governor, such amendment shall be forwarded to the Legislative Council for its concurrence.

Bills for alter-
ing certain
provisions of
the Constitu-
tion Act how
certified.

CCLXIV. Whenever any Bill for repealing, altering, or varying all or any of the provisions of the Constitution Act, and for substituting others in lieu thereof, shall have passed its second and third readings in the Assembly, with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly, the Clerk or other proper officer of the Assembly shall certify accordingly,

CHAPTER XVI.

ACCOUNTS, PAPERS, AND PRINTING.

CCLXV. Accounts and papers may be ordered to be laid before the House. Accounts, &c., ordered.

CCLXVI. When the Royal prerogative is concerned in any account or paper, an address shall be presented, praying that the same may be laid before the House. Addresses for papers.

CCLXVII. Other papers may be presented pursuant to statute, or by command of His Excellency the Governor. Papers presented pursuant to statute or by command.

CCLXVIII. At the commencement of each Session, a Select Committee shall be appointed to assist Mr. Speaker in all matters which relate to the printing to be executed by order of the House, and for the purpose of selecting and arranging for printing returns and papers, presented in pursuance of motions made by Members. Appointment of Printing Committee.

CCLXIX. When any account or paper shall be presented by a Member, he shall bring it up Papers presented by Members.

from the Bar, on being desired by Mr. Speaker, and deliver it to the Clerk of the House.

Papers deposited with the Clerk of the House.

CCLXX. Accounts and other papers which shall be required to be laid before this House by any Act of Parliament, or by any order of the House, may be deposited in the office of the Clerk of this House, and the same will be laid on the table, and a list of such accounts and papers read by the Clerk.

Accounts and papers ordered to lie on the table.

CCLXXI. Every account and paper not presented pursuant to any Act of the Legislature, shall be ordered to lie upon the table.

Ordered to be printed.

CCLXXII. Accounts and papers may be ordered to be printed whenever it is expedient.

CHAPTER XVII.

SUPPLY, AND WAYS AND MEANS.

Penalties, forfeitures, and fees.

CCLXXIII. With respect to any Bill brought to this House from the Legislative Council, or returned by the Legislative Council to this

House, with amendments, whereby any pecuniary penalty, forfeiture, or fee shall be authorized, imposed, appropriated, regulated, varied, or extinguished, this House will not insist on its privileges in the following cases :—

- (1.) When the object of such pecuniary penalty or forfeiture is to secure the execution of the Act, or the punishment or prevention of offences.
- (2.) Where such fees are imposed in respect of benefit taken or service rendered under the Act, and in order to the execution of the Act, and are not made payable into the Treasury, or in aid of the public revenue, and do not form the ground of public accounting by the parties receiving the same, either in respect of deficit or surplus.
- (3.) When such Bill shall be a private Bill for a local or personal Act.

CCLXXIV. On the House proceeding to take into consideration the Governor's speech according to order, so much of the same as was addressed to the Legislative Assembly shall be again read by Mr. Speaker, and a motion being made, " That a Supply be granted to Her

Governor's
speech con-
sidered.

Majesty," the House shall resolve that it will tomorrow, or on a future day, resolve itself into a Committee to consider that motion.

Committee on
motion for
supply.

CCLXXV. The Order of the Day being read for the House to resolve itself into a Committee to consider the motion, "That a Supply be granted to Her Majesty," His Excellency's speech to both Houses of Parliament shall be ordered to be referred to the Committee. Then the House shall resolve itself into the Committee, and, the Governor's speech being read, the Committee shall resolve that a supply be granted to Her Majesty, which resolution shall be ordered to be reported.

Report from
Committee.

CCLXXVI. Mr. Speaker shall resume the Chair, and the Chairman will report that the Committee had come to a resolution, and the report shall be ordered to be received on a future day.

Supply
granted.

CCLXXVII. The said resolution on being reported shall be read, and, being read a second time, the House resolves, "That this House doth agree with the Committee that a supply be granted to Her Majesty; and, "That this House

will, upon a future day, resolve itself into a Committee to consider the supply granted to Her Majesty;" which Committee is the Committee of Supply.

CCLXXVIII. The Order of the Day being read for the Committee of Supply, accounts and estimates are referred, and the House resolves itself into the Committee, and the Committee proceeds to consider the matters to them referred. Committee of Supply.

CCLXXIX. If any motion be made in the House for any public aid or charge upon the people, the consideration and debate thereof may not be presently entered upon, but shall be adjourned till such further day as the House shall think fit to appoint, and then it shall be referred to a Committee of the whole House before any resolution or vote of the House do pass thereon. Motion for any public aid or charge upon the people.

CCLXXX. Any report of resolutions from the Committees of Supply, and Ways and Means, shall be ordered to be received on a future day. Report from Committee of Supply, and Ways and Means.

CCLXXXI. The Chairman shall acquaint the House that he was directed to move, that Leave to sit again.

the Committee may have leave to sit again ; and the House will appoint a day accordingly.

Committee of Ways and Means appointed.

CCLXXXII. When the first resolutions of the Committee of Supply have been read a second time and agreed to, it is resolved, "That this House will on a future day resolve itself into a Committee to consider of Ways and Means for raising the supply granted to Her Majesty," which Committee is the Committee of Ways and Means.

Manner in which resolutions are dealt with.

CCLXXXIII. Resolutions of the Committees of Supply, and Ways and Means reported to the House are read a first and second time, and agreed to ; or may be amended, postponed, re-committed, or disagreed to.

Tax not to be increased on report.

CCLXXXIV. No amendment, whereby the charge upon the people will be increased, may be made to any such resolution, unless such charge so increased shall not exceed the charge already existing by virtue of any Act of Parliament.

Resort to be had in cases for which no provision is

CCLXXXV. That in all cases not herein provided for, resort shall be had to the Rules,

Forms, Usages and Practice of the Commons House of Parliament of Great Britain and Ireland, which shall be followed so far as the same may be applicable to this Assembly and not inconsistent with the foregoing Rules.

made by these rules to the practice of the House of Commons.

REPORTING EVIDENCE

TAKEN BEFORE

“THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.”

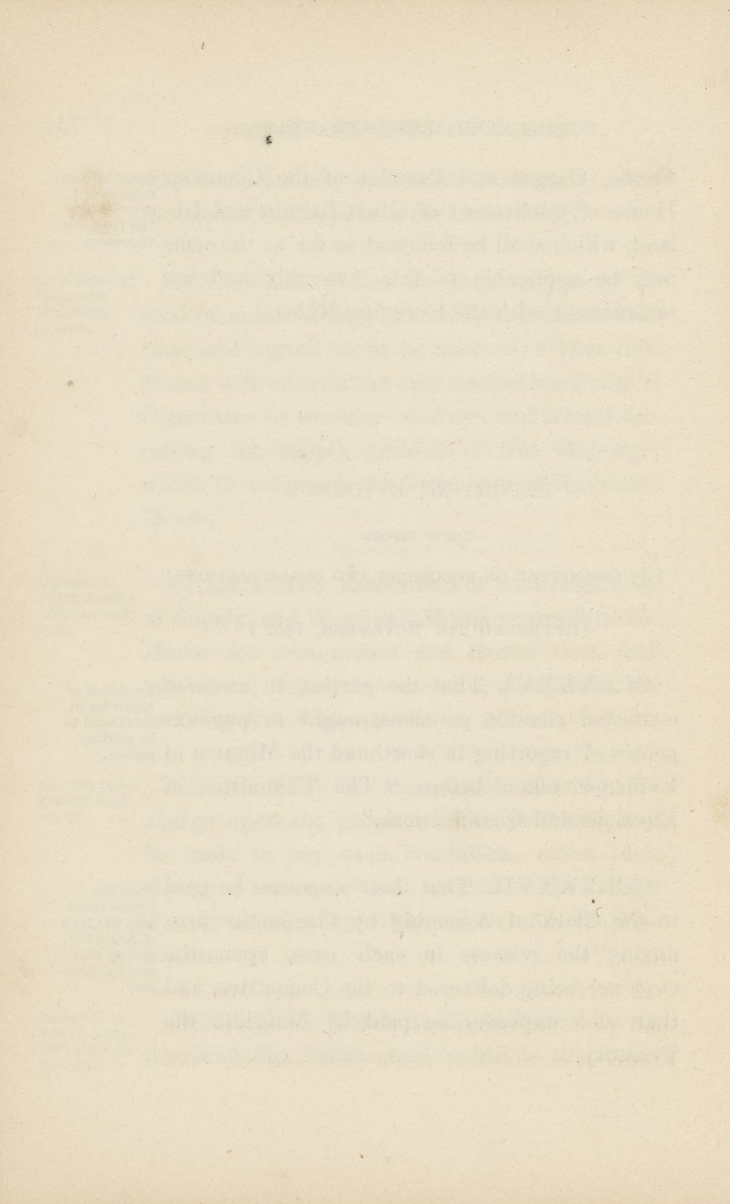
(APPROVED 9TH NOVEMBER, 1857.)

CCLXXXVI. That the parties, in cases of contested election petitions, ought to pay expenses of reporting in shorthand the Minutes of Evidence taken before “The Committee of Elections and Qualifications.”

Expenses of reporting in shorthand to be paid by parties.

CCLXXXVII. That these expenses be paid to the Clerk of Assembly by the parties producing the witness in each case, upon the evidence being delivered to the Committee, and that such expenses be paid by him into the Treasury.

Such expenses to be paid to Clerk of Assembly, and by him into the Treasury.



JOINT STANDING RULES AND ORDERS

OF THE

LEGISLATIVE COUNCIL AND LEGISLATIVE ASSEMBLY.

(APPROVED 3RD AUGUST, 1857.)

1.

MESSAGES.

I. All communications between the Council and Assembly shall be by message. Communications to be by message.

II. Messages from one House to the other shall be in writing, and shall be communicated by the Clerk-Assistant of each House respectively, unless the House transmitting the message shall otherwise direct. To be transmitted by Clerk-Assistant unless otherwise ordered.

III. Members carrying any message from either House of the Legislature to the other shall be announced at once, unless any Member shall be addressing the House, or unless the President or Speaker, as the case may be, shall Members carrying message how announced.

be ascertaining the sense of the House upon any question, in which case the bearer of the message shall not be announced until the Member shall have concluded his speech, or until the sense of the House shall have been declared by the President or Speaker, as the case may be ; and the bearer of the message shall be introduced by the Usher or Serjeant-at-Arms, and shall deliver the message to the President or Speaker.

Messages carried by Clerk-Assistant delivered to Usher or Serjeant-at-Arms.

IV. Messages carried by the Clerk-Assistant of either House shall be delivered to the Usher or Serjeant-at-Arms, as the case may be.

Consent desired to Bills, Votes, and Resolutions how communicated.

V. Bills, Votes, and Resolutions of either House of the Legislature, to which the consent of the other House shall be desired, shall be communicated to such other House by message ; and, in the first instance without any reason being assigned for the passing such Bill, Vote, or Resolution.

Same course when returned.

VI. Bills, Votes, and Resolutions of either House of the Legislature, to which the consent of the other House shall have been desired, shall if returned from such other House be sent by message ; and, in the first instance, without

any reason being assigned for passing, declining to assent to, or amending, as the case may be, such Bills, Votes, or Resolutions.

VII. When either House of the Legislature shall not agree to any amendment made by the other House in any Bill, Vote, or other Resolution with which its concurrence shall have been desired, or when either House shall insist upon any amendment previously proposed by such House, and any communication shall be desired, then the communication shall be by message, and the House transmitting such message shall at the same time transmit written reasons for not agreeing to the amendment proposed by the other House, or for insisting upon any amendment previously proposed by the House sending such message.

Amendments insisted upon and communications desired, reasons to be stated in message.

VIII. The number of Members of each House appointed to serve on any Joint Committee shall be equal, and the Chairman thereof shall have a vote, but not a casting vote.

Joint Committees.

IX. At the commencement of each Session there shall be appointed by each House a Committee of five Members respectively to constitute

Number of Members on Joint Committees: Library,

Refreshment
Rooms, and
Parliament
Buildings.

a Joint Committee to manage the Library ; another Committee of five Members of each House respectively to constitute a Joint Committee for the management of the Refreshment Rooms ; another Committee of five Members of each House respectively to constitute a Joint Committee for the management and superintendence of the Parliament Buildings ; and five Members shall form a quorum of each of the said Committees.

Proposal for
Joint Com-
mittees to
state object,
number, the
time and
place of meet-
ing.

X. Every proposal for a Joint Committee not provided for in these Rules shall be by message ; shall state the object of such Committee, the number of Members to serve thereon, not less than ten or more than fifteen ; and the number of Members to form a quorum thereof ; and the House whose concurrence shall be desired shall name the time and place of meeting.

2.

BILLS.

Bills to be
fair printed
as certified.

XI. Every Bill shall be printed fair immediately after it shall have been passed in the House in which it originated ; and the Clerk of the House in which the Bill shall have passed

shall certify the passing thereof on such fair print, together with day upon which the Bill did pass.

XII. If any amendment shall be made by the House to which the Bill shall be sent, such amendment shall be written on paper and attached to the Bill, and reference shall be made to the section and line of the Bill where the words are to be inserted or omitted, as the case may be, and such amendment shall be certified by the Clerk of the House in which it shall have passed.

Amendments to be written on paper, attached to the Bill and certified by Clerk.

XIII. When such Bill shall have passed both Houses of the Legislature, it shall be fair printed by the Government Printer, who shall furnish three fair prints thereof on vellum to the Clerk of the Parliaments.

When Bill passed, Government Printer to furnish three copies on vellum to Clerk of Parliaments.

XIV. Such three fair prints of each Bill shall be duly authenticated by the Clerk of the Parliaments.

Such Bills to be authenticated by him.

XV. The three fair prints of all Bills, except the Appropriation Bill, when passed, shall be presented to the Governor for Her Majesty's assent, by the Clerk of the Parliaments.

Clerk of Parliaments to present all Bills except the Appropriation Bill to the Governor.

Procedure on Bills returned by Governor with amendments.

XVI. In case of amendments to Bills, made upon a message from the Governor, pursuant to the XXXVI. clause of the Constitution Statute, after such Bills shall have passed the two Houses of Parliament, the Clerk of the Parliaments shall endorse the same on the original Bill and shall order three fair prints of the Bill on vellum as amended, and shall authenticate the same before they are presented for Her Majesty's assent.

Disposal of original Bills.

XVII. When the Governor shall have assented in the name of Her Majesty to any Bill, one of the fair prints thereof, on vellum, shall be deposited by the Clerk of the Parliaments with the Registrar of the Supreme Court, another shall be delivered to the Private Secretary of His Excellency the Governor, for transmission to Her Majesty's Principal Secretary of State for the Colonies, and the third shall be retained in the record office of the Parliament Houses.

Title of Bill to set forth general object.

XVIII. The title of every Bill shall succinctly set forth the general object thereof.

Numbering of Acts.

XIX. Every Act of the Legislature, commencing No. 1, from the 1st January, 1857, shall be numbered in regular arithmetical series, in

the order in which the same shall be assented to by the Governor.

XX. In case of unavoidable absence or illness of the Clerk of the Parliaments, the duties imposed upon him by these Rules shall be performed by the Clerk-Assistant of the Legislative Council.

Clerk-Assistant to perform duties in absence of Clerk of Parliaments.

ADDITIONAL JOINT
STANDING RULES AND ORDERS

OF THE

LEGISLATIVE COUNCIL AND LEGISLATIVE ASSEMBLY.

(APPROVED 9TH NOVEMBER, 1857.)

CORRECTION OF ERRORS IN BILLS.

XXI. Upon the discovery of any clerical errors in any Bills which shall have passed both Houses of Parliament, and before the same be presented to the Governor for the Royal Assent, the Clerk of the Parliaments shall report the same to the House in which the Bill originated, which House may deal with the same as with other amendments.

Clerical errors in Bills to be reported to House in which Bill originated by Clerk of Parliaments.

XXII. The Clerk of the Parliaments shall be empowered to correct literal typographical errors in Bills that have passed the two Houses of Parliament.

Clerk of Parliaments to correct typographical errors in Bills passed.

(APPROVED 19TH NOVEMBER, 1857.)

QUORUM OF LIBRARY COMMITTEE.

Joint Stand-
ing Order
No. 9, repeal-
ed.

XXIII. So much of the Joint Standing Order No. 9, as requires that five members shall be present to form a quorum of the Library Committee be repealed, and that three members thereof do henceforth form a quorum.

I N D E X.

N.B.—*The initials J.S.O. refer to the Joint Standing Orders of both Houses of Parliament.*

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