

**STANDING
RULES AND ORDERS
OF THE
LEGISLATIVE ASSEMBLY OF VICTORIA
RELATING TO
PUBLIC BUSINESS.**

1912.

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STANDING
RULES AND ORDERS
OF THE
LEGISLATIVE ASSEMBLY OF VICTORIA
RELATING TO
PUBLIC BUSINESS;
ALSO THE
JOINT STANDING ORDERS
OF THE
LEGISLATIVE COUNCIL
AND THE
LEGISLATIVE ASSEMBLY.



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VICTORIA.

Legislative Assembly.

STANDING RULES AND ORDERS

RELATING TO

PUBLIC BUSINESS.

The Orders printed in Roman type are the Standing Orders of the House.—The Rules showing the practice of the House are printed in Italics.

CHAPTER 1.

PROCEEDINGS ON OPENING OF PARLIAMENT.

(Adopted 31st July, 1857.)

1. *On the first day of the meeting of a 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.

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

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 indorsed thereon read by the Clerk.

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

Members sworn.

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

(APPROVED 28TH JULY, 1857.)

A Member proposed as Speaker.

1. *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."*

When unopposed such Member called to the Chair.

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

(Adopted 31st July, 1857.)

He submits himself to the House.

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

(APPROVED 28TH JULY, 1857.)

3. 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.

(Adopted 31st July, 1857.)

8. *Having been conducted to the Chair, the Member elected returns his acknowledgments to the House for the honour 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.

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

New Members introduced.

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

But not if seated on petition.

(APPROVED 28TH JULY, 1857.)

4. 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

Unavoidable absence of Mr. Speaker.

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.

(APPROVED 15TH SEPTEMBER, 1903.)

Continued
absence
of Mr.
Speaker.

4AA. If the House be informed by the Clerk of the likelihood of the continued absence of Mr. Speaker in consequence of illness or other unavoidable cause, or if the House have granted leave of absence to Mr. Speaker, the Chairman of Committees shall take the Chair as Deputy Speaker, and shall continue to do so from day to day without any further communication to the House, and shall perform the duties and exercise the authority of Speaker during such continued absence, and the House may appoint some other Member to act as Deputy Chairman of Committees during such continued absence of Mr. Speaker, and the Deputy Chairman of Committees so appointed shall take the Chair as Acting Speaker in case of the unavoidable absence of the Deputy Speaker or whenever requested so to do by the Deputy Speaker during a sitting of the House.

(APPROVED 24TH JUNE, 1889)

Deputy
Speaker and
temporary
Chairmen of
Committees.

4A. The Chairman of Committees shall take the Chair, as Deputy Speaker, whenever requested so to do by Mr. Speaker, without any formal communication to the House. And Mr. Speaker shall nominate at the commencement of every Session a panel of not less than three Members

who shall act as temporary Chairmen of Committees whenever requested so to do by the Chairman of Committees.

(Adopted 31st July, 1857.)

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.*

Mr. Speaker with the House proceeds 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 pro formâ.*

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.

(APPROVED 24TH JUNE, 1889.)

4B. That the stages of Committee and Report on the address to His Excellency the Governor to convey the thanks of the House for His Excellency's speech at the opening of the Session be discontinued.

Stages of Committee and Report discontinued.

(Adopted 31st July, 1857.)

Select Committee appointed to draw up the address.

*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, 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.*

NOTE.—Rules 19 and 20 should have been rescinded when Orders 274, 275, 276, 277, and 282 were repealed, 31st August, 1876.

* Rules 16 and 17 are virtually rescinded by Standing Order 4B.

CHAPTER 2.

SITTING AND ADJOURNMENT OF THE HOUSE.

(APPROVED 28TH JULY, 1857.)

5. 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.

(Adopted 31st July, 1857.)

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.

(APPROVED 28TH JULY, 1857.)

6. 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.

7. 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.

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

8. Except in the cases mentioned in Nos. 5, 6, and 10, when Mr. Speaker adjourns the House without putting a question, the House can only be adjourned by its own resolution.

House only adjourns by its own resolution, with exceptions.

* Sec. 21 of the Constitution Act fixes the quorum at twenty Members, exclusive of the Speaker.

(APPROVED 10TH JULY, 1882.)

Motions for
adjourn-
ment.

8A. No Member, unless he be a Minister of the Crown, shall be allowed, prior to eleven o'clock, to move "That the House do now adjourn," unless on his rising to make such motion he shall state the subject that he proposes to speak to, and the debate shall be strictly confined to the subject so stated.

(APPROVED 24TH JUNE, 1889.)

Motions for
adjourn-
ment of
House.

8B. No motion for the adjournment of the House shall be made except by a Minister of the Crown, or unless a Member rising in his place shall propose to move the adjournment for the purpose of discussing a definite matter of urgent public importance (which he shall then state and hand in in writing to Mr. Speaker) and unless twelve Members shall thereupon rise in their places, as indicating approval of the proposed discussion. The Member proposing the motion for adjournment shall not be allowed to address the House on such motion until Mr. Speaker shall have ascertained that twelve Members approve of the proposed motion.

Limitation
of discus-
sion.

In speaking to such motion the mover shall not exceed thirty minutes, and any other Member shall not exceed fifteen minutes, and the whole discussion on the subject shall not exceed two hours.

No second
motion same
day.

No second motion for the adjournment of the House shall be made on the same day, except by a Minister of the Crown.

(APPROVED 28TH JULY, 1857.)

9. 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.

Quorum of Committee of the whole House.

10. 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.

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

11. The doors of the House shall be unlocked whenever Mr. Speaker is engaged in counting the House, and the bell shall be rung as in a division.

Doors unlocked when House is counted.

12. 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.

(APPROVED 24TH JUNE, 1889.)

12A. If at any sitting of the House, or in Committee, any Member shall take notice that strangers are present, Mr. Speaker, or the Chairman (as the case may be), shall forthwith put the

Withdrawal of stranger

question "That strangers be ordered to withdraw," without permitting any debate or amendment: Provided that Mr. Speaker or the Chairman may, whenever he thinks fit, order the withdrawal of strangers from any part of the House.

(APPROVED 28TH JULY, 1857.)

No Member to bring a stranger into parts of the House appropriated to Members.

13. 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.

Votes and Proceedings.

14. Every vote and proceeding of the House shall be noted by the clerks at the Table, and the Votes and Proceedings of this House 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 countersigned by the Clerk, shall be the Journals of this House.

Journals.

CHAPTER 3.

ATTENDANCE OF MEMBERS.

Every Member to attend the service of the House.

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

Leave of absence.

16. 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.

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

Notice to be given of motions for leave of absence.

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

Member having leave of absence excused from service.

19. 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.

20. 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.

21. 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.

22. 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.

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

Members to leave their address with Serjeant-at-Arms.

24. 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.

Call of the House an Order of the Day.

(APPROVED 7TH MARCH, 1860.)

25. 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

Order in which names are called.

Members shall be called over by the Clerk in the alphabetical order of the several electoral districts they represent.

(APPROVED 28TH JULY, 1857.)

Members not present but subsequently attending.

26. 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.

(Adopted 31st July, 1857.)

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 4.

PLACES OF MEMBERS.

(APPROVED 28TH JULY, 1857.)

Members' places secured.

27. 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.

Entering and leaving the House.

28. 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.

(Adopted 31st July, 1857.)

Ministers and ex-Ministers' benches.

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.*

(APPROVED 28TH JULY, 1857.)

29. No Member shall pass between the Chair and any Member who is speaking; nor between the Chair and the Table, nor between the Chair and the Mace when the Mace has been taken off the Table by the Serjeant.

Members leaving their seats.

30. 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.

Entering the House.

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

Members not to read newspapers, &c.

CHAPTER 5.

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

(Adopted 31st July, 1857.)

24. *The ordinary business of each day consists of Notices of Motions and Orders of the Day.*

Notices of Motion and Orders of the Day.

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.*

Orders of the Day defined.

(APPROVED 28TH JULY, 1857.)

32. Notices of motions 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.

Notices of motion take precedence.

33. After notices of motions 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.

Ministers to
arrange
Government
orders.

34. 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 has precedence.

Dropped
motions and
orders.

35. 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.

Notices of
motions,
when
received.

36. No notice of motion shall be received after the Assembly shall have proceeded to the business of the day as set down in the notice-paper.

Motions
cannot be
made except
in pursuance
of notice.

37. 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.

38. 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.

(Adopted 31st July, 1857.)

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.*

(APPROVED 28TH JULY, 1857.)

39. 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. Restriction upon giving notices.

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

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

42. 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.

43. 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.

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

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

Questions of privilege. 46. An urgent motion, directly concerning the privileges of the House, will take precedence of other motions, as well as Orders of the Day.

(Adopted 31st July, 1857.)

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

(APPROVED 28TH JULY, 1857.)

Questions proposed. 47. When a motion has been made and seconded, a question thereupon shall be proposed to the House by Mr. Speaker.

Motions not seconded. 48. Any motion not seconded may not be further debated, and no entry thereof shall be made in the Votes.

Motions withdrawn. 49. 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. 50. 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.

Previous question resolved in the affirmative. 51. If the previous question be resolved in the affirmative, the original question shall be put forthwith, without any amendment or debate.

Previous question, &c., superseded by adjournment. 52. A question for reading the Orders of the Day, and also "The previous question," may be superseded by the adjournment of the House.

53. 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.
54. The House may order a complicated question to be divided. Complicated question may be divided.
55. 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 put and again stated.
56. A question being put, shall be resolved in the affirmative or negative, by the majority of voices "Aye" or "No." Question determined by majority of voices.
57. 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. Mr. Speaker states whether "Ayes" or "Noes" have it.
58. 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. The same question not to be again proposed.
59. A motion which has been by leave of the House withdrawn, may be made again during the same Session. A motion withdrawn may be made again.
60. A resolution or other vote of the House may be read and rescinded. Resolution or vote rescinded.
61. An order of the House may be read and discharged. An order discharged.

CHAPTER 6.

AMENDMENTS.

Different
forms of
amendment.

62. 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.

(APPROVED 24TH JUNE, 1889.)

Debate on
amendment.

62A. When any amendment is before the Chair, the debate shall be strictly confined to such amendment.

(APPROVED 28TH JULY, 1857.)

Amendments
to be
seconded.

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

Amendment
to leave out
words.

64. 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 and
insert or add
other words.

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

66. 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.

Amendment to insert or add words.

67. 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.

When later part of a question has been amended or proposed to be amended.

68. 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.

No amendment to be made to words already agreed to.

69. A proposed amendment may be, by leave of the House, withdrawn.

Proposed amendment withdrawn.

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

Amendments to proposed amendments.

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

Question as amended put.

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

When amendments proposed but not made.

CHAPTER 7.

DEBATE.

Members to address Mr. Speaker. 73. Every Member desiring to speak shall rise in his place uncovered, and address himself to Mr. Speaker.

(Adopted 31st July, 1857.)

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.*

(APPROVED 28TH JULY, 1857.)

Speaking to order during a division. 74. 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. 75. 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. 76. 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." 77. A motion may be made that any Member who has risen "be now heard," or "do now speak."

Members speak to the question. 78. 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.

(APPROVED 24TH JUNE, 1889.)

78A. No Member shall digress from the subject-matter of any question under discussion, and all imputations of improper motives and all personal reflections on Members shall be deemed disorderly. Digressions and imputations.

78B. After Mr. Speaker or the Chairman has called the attention of the House or of the Committee to the conduct of a Member who persists in irrelevance or tedious repetition, either of his own arguments or of the arguments used by other Members in debate, a motion may be made "That Mr. Speaker [or the Chairman] do direct the Member to discontinue his speech," which question shall be put forthwith without amendment or debate, and if the same be decided in the affirmative Mr. Speaker or the Chairman shall direct the Member accordingly. Irrelevance or tedious repetition.

(APPROVED 15TH SEPTEMBER, 1911.)

78c. (a) After any question has been proposed either in the House or in any Committee of the Whole, a motion may be made by any Member, rising in his place, and without notice, and whether any other Member is addressing the Chair or not, "That the question be now put," and unless it shall appear to the Speaker or Chairman that such motion is an abuse of the rules and forms of the House, an infringement of the rights of the minority, or is moved for the Closure of debate.

purpose of obstructing business, the motion "That the question be now put" shall be put forthwith and decided without amendment or debate, and no other motion shall be made or question of order raised until such motion has been disposed of.

(b) When the motion "That the question be now put" has been carried, and the question consequent thereon has been decided, any further motion may be at once made to bring to a decision any question already proposed from the Chair, and if a clause be then under consideration, a motion may be made, That the question, That certain words of the clause defined in the motion stand part of the clause, or That the clause or the clause as amended stand part of or be added to the Bill, be now put; and also during the consideration of the Estimates, Supplementary Estimates, Additional Estimates or Sums required under a Supply Bill in Committee of Supply or Ways and Means, the motion may be made, That the question, That the sum under consideration be granted to His Majesty, be now put. Such motions (the assent of the Speaker or Chairman as aforesaid not having been withheld) shall be put forthwith and decided without amendment or debate, and no other motion shall be made or question of order raised until such motion has been disposed of.

(APPROVED 9TH OCTOBER, 1916.)

78E. No Member shall speak for more than forty-five minutes in any debate in the House except in the debate on the Address-in-Reply, or on a direct motion of want of confidence, when a Member shall be at liberty to speak for one hour.

Time limit of
Speeches—
Debates in
the House ;

Provided that with the consent of a majority of the House on a motion to be moved and determined at once without amendment or debate, a Member may be allowed to continue his speech for a further period not exceeding thirty minutes.

Provided also that this Rule shall not apply to a Member moving the second reading of a Bill or a substantive and independent motion, or to the mover of a direct motion of want of confidence, or to the Leader of the Government, or to the Leader of the Opposition, or to any Member deputed by either of such Leaders respectively to speak first for the Government or Opposition on any of such motions ; but when the Leader of either side so deposes his right such Leader shall then be limited to the same extent as other Members.

In

In Committee of the House, except as hereinafter provided, no Member other than a Member in charge of a Bill or motion, or Minister in charge of an Estimate, shall speak more than twice on any one question, nor more than thirty minutes on the first occasion, and fifteen minutes on the second occasion.

This Rule shall not apply to a Minister delivering the Financial Statement, or to the Leader of the Opposition replying thereto, or to any Member deputed by the Leader of the Opposition to reply first thereto. All other Members debating the Financial Statement, including the Leader of the Opposition when he has deputed his right to speak first in reply, may speak for not more than one hour thereon. No Member shall speak more than once on the Financial Statement, except the Minister who delivered the same, who shall be allowed a reply, such reply not to exceed thirty minutes.

(c) If any such motion be negatived, no similar motion shall be received within half-an-hour of the declaration of the preceding decision.

78D. A motion, without notice, may be made, Member be not further heard. that a Member who is speaking, "Be not further heard," and if it shall appear to the Speaker or Chairman that such Member has already had full opportunity of stating his views on the question and is using his right to speak in such a manner as to be an abuse of the rules and forms of the House or for the purpose of obstructing business, and that such motion, if carried, would not be an infringement of the rights of the minority the motion That the Member who is speaking "Be not further heard" shall be put forthwith and decided without amendment or debate, and no other motion shall be made or question of order raised until such motion has been disposed of.

(APPROVED 28TH JULY, 1857.)

79. At the time of giving notices of motion, Questions to Ministers or other Members. 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.

(APPROVED 24TH JUNE, 1889.)

79A. That notices of questions be given by Notices of questions. Members in writing to the Clerk at the Table without reading them *vivâ voce* in the House ;

Question without notice. and no questions shall be included in the Notice Paper for Thursdays. Provided always that a Member, having first obtained the consent of Mr. Speaker, may be at liberty to ask a question without notice on any day the House may meet.

(APPROVED 28TH July, 1857.)

Such question not to involve argument. 80. 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.

In answering a question the matter not to be debated. 81. In answering any such question, a Member shall not debate the matter to which the same refers.

Personal explanation. 82. 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.

No Member to speak twice to a question. 83. No Member may speak twice to a question before the House, except in explanation or reply, or in Committee of the whole House.

Except to explain his words. 84. 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. 85. 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.

(APPROVED 10TH JULY, 1882.)

85A. A Member moving or seconding the adjournment of the debate on any question shall, whether the adjournment be carried or not, be entitled to speak again on the main question, provided he has not discussed that question in moving or seconding the motion for adjournment.

When mover or seconder of adjournment entitled to speak again.

(APPROVED 24TH JUNE, 1889.)

85B. When a motion is made for the adjournment of a debate or of the House during any debate, the debate thereupon shall be confined to the matter of such motion.

Debate on motion for adjournment.

When a motion is made that the Chairman of Committees do report progress or do leave the Chair, the question shall be put forthwith without debate, and no Member having moved any such motion shall be entitled to move any similar motion during the same debate.

Motion for Chairman report progress or leave the Chair.

(APPROVED 28TH JULY, 1857.)

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

Speaking "to order."

87. 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.

Debates of same Session not to be alluded to.

Reports of
speeches of
same Session
not to be
read.

88. 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.

Extracts referring to
not
to be read.

89. No Member shall read extracts from newspapers or other documents referring to debates in the House during the same Session.

Reflections upon votes
of the
House.

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

Allusion to debates in
the other
House.

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

Offensive words
against
either
House.

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

No Member may refer to
any other
Member by
name.

93. 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.

Offensive words
against a
Member.

94. No Member shall use offensive or unbecoming words in reference to any Member of the House.

Words taken down by
direction of
Mr. Speaker.

95. 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.

96. 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 taken
down in
Committee.

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

Words to be
objected to
when used.

98. 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.

Members not
explaining or
retracting.

99. 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.

House will
prevent
quarrels.

100. 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.

101. When, in consequence of highly disorderly conduct, Mr. Speaker shall call upon any Member by name, such Member shall withdraw as soon as

When Mr.
Speaker
calls upon
any Member
by name.

he has been heard in explanation ; and after such Member's withdrawal the Assembly shall at once take the case into consideration.

(APPROVED 24TH JUNE, 1889.)

Disorderly
conduct.

101A. Whenever any Member shall have been named by Mr. Speaker or by the Chairman of Committees immediately after the commission of the offence of disregarding the authority of the Chair or of abusing the Rules of the House by persistently and wilfully obstructing the business of the House or of disorderly conduct, or otherwise disregarding the authority of the Chair, then, if the offence has been committed by such Member in the House, Mr. Speaker shall forthwith put the question, on a motion being made, no amendment, adjournment, or debate being allowed, "That such Member be suspended from the service of the House"; and, if the offence has been committed in a Committee of the whole House, the Chairman shall, on a motion being made, put the same question in a similar way, and, if the motion be carried, shall forthwith suspend the proceedings of the Committee and report the circumstance to the House ; and Mr. Speaker shall thereupon put the same question, without amendment, adjournment, or debate, as if the offence had been committed in the House itself.

Member
suspended
to withdraw
from House.

If any Member be suspended under this Order, he shall withdraw immediately from the House during the remainder of that day's sitting ; and the Serjeant-at-Arms shall act on such orders as he may receive from the Chair, in pursuance

of this resolution. Nothing herein shall be taken to deprive the House of the power of proceeding against any Member according to ancient usages.

(APPROVED 28TH JULY, 1857.)

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

Rules of debate in Committee.

103. 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 be censured by the House on receiving a report.

Order maintained by Mr. Speaker and Chairman of Committees.

104. 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.

When Mr. Speaker rises, House to be silent.

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

Member to withdraw while his conduct is under debate

106. 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.

When Members guilty of contempt.

107. 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

Fees payable on arrest or commitment.

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 8.

DIVISIONS.

No Member to vote unless present when the question put.

108. 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.

Every Member then present must vote.

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

Previous to division, strangers to withdraw if ordered.

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

Clerk to ring bell and turn sandglass.

111. 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.

112. 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.

113. When the doors have been locked, and all the Members in their places, Mr. Speaker, or the Chairman of Committees, 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.

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

114. 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.

If not two tellers no division allowed.

115. If Mr. Speaker shall direct the Members to proceed to the lobbies, the name of every Member in returning from either lobby shall be taken down by the tellers.

Members' names taken down.

116. An entry of the lists of divisions in the Assembly shall be made by the Clerk in the Votes and Proceedings.

Division lists entered in the Votes.

(Adopted 31st July, 1857.)

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

Tellers report the numbers.

(APPROVED 28TH JULY, 1857.)

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

In case of confusion or error, House again divides.

Mistakes corrected in Votes and Proceedings.

118. 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.

When votes equal, Mr. Speaker gives casting voice.

119. In case of an equality of votes, Mr. Speaker shall give a casting voice, and any reasons stated by him shall be entered in the Votes and Proceedings.

Divisions in Committee.

120. 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 personally interested.

121. 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 Committee.

122. 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 9.

COMMITTEES OF THE WHOLE.

House resolves itself into a Committee.

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

Appointment of Chairman.

124. A Member shall be appointed Chairman of Committees of the whole Assembly, and when

so appointed he shall continue to act as such Chairman during the continuance of the Assembly, unless the Assembly shall otherwise direct.

125. The quorum in Committee of the whole Assembly shall consist of the same number of Members, exclusive of the Chairman, as shall be requisite to form a quorum of the Assembly.

Quorum in Committee.

126. When a Bill or other matter (except 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.

When Committee has reported progress.

127. So soon as Mr. Speaker shall have left the Chair, the Mace shall be placed under the Table, and the Chairman shall take the Chair of the Committee at the Table.

Mace placed under the Table.

128. 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.

In case of difference House appoints Chairman.

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

A Committee to consider only such matters as are referred.

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

Questions decided by a majority of voices.

A motion
is not
seconded.

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

No previous
question
allowed.

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

Greater or
lesser sum,
or longer or
shorter
time.

133. 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.

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

Order in
debate.

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

Disorder
arising.

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

Mr. Speaker
resumes the
Chair.

137. 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.

When a
quorum of
Members
not present.

138. 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.

House
counted by
Mr. Speaker.

139. 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.

Report.

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

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

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

(Adopted 31st July, 1857.)

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

(APPROVED 28TH JULY, 1857.)

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

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

145. Lists of divisions in Committee of the whole Assembly shall be printed weekly. Division lists.

146. The resolutions reported from a Committee may be agreed to or disagreed to by the House, or agreed to with amendments, recommitted to the Committee, or the further consideration thereof postponed. Resolutions of Committee.

CHAPTER 10.

SELECT COMMITTEES.

147. No Select Committee shall, without leave of the House, consist of less than five nor more than twelve Members ; such leave cannot be moved Committee not to consist of less than five.

nor more than twelve Members without leave.

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.

Willingness of Members to attend to be ascertained.

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

Notice of nomination to be given.

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

150. 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.

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

Lists of
Members
serving.

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

Election of
Chairman.

153. 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 ques-
tions to be
entered in
the minutes.

154. An entry shall be made on 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.

When quorum not present. 155. If at any time during the sitting of a Select Committee of this House the quorum of 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. 156. 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. 157. Whenever it may be necessary the House may give a Committee power to send for persons, papers, and records.

Admission of strangers to Committees. 158. 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. 159. Members of the House may be present when a Committee is examining witnesses; but withdraw by courtesy when the Committee is deliberating.

Secret Committee. 160. No strangers, or Members, not being of the Committee, shall be admitted at any time to a Secret Committee.

Chairman can only vote when voices equal. 161. The Chairman of a Select Committee can only vote when there is an equality of voices.

Committee adjourns. 162. A Select Committee may adjourn from time to time; and, by leave of the House, from place to place.

163. 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 the Chair.

164. 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.

165. 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.

166. By leave of the House a Committee may report its opinion or observations from time to time, or report the minutes of evidence only, or proceedings from time to time.

Report from time to time.

167. It shall be the duty of the Chairman of every Select Committee to prepare the report.

Chairman to prepare report.

168. 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

Proceedings on consideration of draft report.

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.

169. 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.

(APPROVED 29TH JANUARY, 1895.)

Committee of Public Accounts.

169A. At the commencement of every Session of Parliament the Legislative Assembly, according to the practice of Parliament with reference to the appointment of Select Committees, shall appoint a Select Committee of seven Members, to be called the Committee of Public Accounts, with power to send for persons, papers, and records.

Duties of the Committee

The duties of the Committee of Public Accounts shall be as follows:—

- (a) To examine the accounts of the receipts and expenditure of the colony, and to bring under the notice of the Legislative Assembly any items in those accounts, or any circumstance connected with them, to which it may consider the attention of the Legislative Assembly should be directed.
- (b) To report to the House any alteration which may appear to the Committee desirable to be introduced in the form of or method of keeping the Public Accounts, or in the mode of receipt, control, issue, or payment of the public money.

- (c) To inquire into and report upon any questions which may have arisen in connexion with the Public Accounts.
- (d) To inquire into and report to the Legislative Assembly upon the investment of and dealings with the funds of Commissioners of Savings Banks.
- (e) To deal with any special references that may be made to them by the Legislative Assembly.

Upon motion in the usual manner made by any Member of the Legislative Assembly any matter of public account or any question of finance may be referred to the Committee. The Committee as soon as conveniently practicable shall deal with the matter so referred to them, and report to the Legislative Assembly the result of their inquiries.

CHAPTER 11.

INSTRUCTIONS TO COMMITTEES AND WITNESSES.

(Adopted 31st July, 1857.)

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* Committees on Bills to make amendments relevant to subject-matter.

amendments shall not be within the title of the Bill, they shall amend the title accordingly, and report the same specially to the House.

(APPROVED 28TH JULY, 1857.)

What instructions may and may not be moved.

170. 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.

(Adopted 31st July, 1857.)

When instructions to 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 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.*

(APPROVED 28TH JULY, 1857.)

Witnesses summoned by orders of the House.

171. 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.

172. 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.

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

174. If any witness shall not attend, pursuant to the order of a Committee, his absence 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.

When witness does not attend a Committee.

175. 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.

176. 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.

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

By a Committee.

(Adopted 31st July, 1857.)

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.

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.*

Committee to acquaint House of charges against Members.

(APPROVED 28TH JULY, 1857.)

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

178. 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.

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

Tampering with witnesses.

180. 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 endeavoured 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.

Witnesses entitled to protection.

181. 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.

Evidence not to be given elsewhere of proceedings without leave.

182. 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.

(Adopted 31st July, 1857.)

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.

(APPROVED 28TH JULY, 1857.)

183. 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.

184. 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 in custody at the Bar.

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

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

(Adopted 31st July, 1857.)

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

40. *In Committee of the whole House any Member may put questions to the witness.* Witnesses examined in Committee of the whole House.

CHAPTER 12.

MESSAGES.

(APPROVED 28TH JULY, 1857.)

Message
from the
Governor.

187. Whenever a message from the Governor shall be announced, the business before the Assembly shall be immediately suspended, and the bearer of the message introduced to deliver the message to Mr. Speaker.

How dealt
with.

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

How com-
municated.

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

Messenger
from the
Legislative
Council, how
received.

190. A messenger from the Council, not 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.

Delivers the
message and
withdraws.

191. When the messenger shall have delivered his message he shall withdraw with the 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
communi-
cated by
Clerk-Assist-
ant.

192. 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.

* See Joint Standing Order 2.

CHAPTER 13.

ADDRESSES.

193. 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.

Addresses,
how pre-
sented.

(Adopted 31st July, 1857.)

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.*

By the whole
House.

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.*

Addresses in
which the
Council shall
join the
Assembly.

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 ad-
dresses of
Council and
Assembly,
how pre-
sented.

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

Governor's
answer to
address pre-
sented by the
whole House.

To address
presented
otherwise than
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.*

(APPROVED 28TH JULY, 1857.)

Concurrence
of other
House by
message
signified.

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

CHAPTER 14.

PETITIONS.

Order of
presenting
petitions.

195. 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.

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

To contain
a prayer at
the end.

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

To be signed
on the same
skin or
sheet.

198. 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.

199. 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.

200. 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.

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

Signatures not to be transferred.

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

Petitions of corporations.

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

No letters, affidavits to be attached.

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

Debates not to be referred to.

205. 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.

206. 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.

Petitions for compounding debts to the Crown.

207. 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.

Forgery of signatures.

Members to
peruse pe-
tition.

208. 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.

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

Petitions to
be in accord-
ance with
the rules of
the House.

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

Petitions to
be respect-
ful.

211. Every petition shall be respectful, decorous, and temperate in its language.

Petitions
presented
by Members.

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

Petitions
from Mem-
bers.

213. A Member cannot present a petition from himself.

(APPROVED 24TH JUNE, 1889.)

Members
confined to
statement of
certain
facts.

213A. Every Member presenting a petition, 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, of the material allegations contained in it, and to the reading of the prayer thereof, and the only questions which shall be entertained by the House on the presentation of any petition shall be "That the petition do lie on the Table," "That it be taken into consideration" [on a future day to be then named], which questions shall be decided without amendment or debate.

Questions
entertained
on presen-
tation.

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.

Petition complaining of personal grievance.

(APPROVED 28TH JULY, 1857.)

*214. 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.

*215. 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.

*216. 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 complaining of grievances.

* Standing Orders 214, 215, and 216, though not formally repealed, are virtually superseded by 213A.

Petitions
against
taxes.

217. 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 15.

BILLS.

Bills
ordered.

218. 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
appointed to
bring in
Bills.

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

Members
added.

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

Instruc-
tions.

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

222. }
223. } [Repealed 24th June, 1889.]

Grants of
money.

224. The House will not proceed upon 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.

225. 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 ordered to be withdrawn.

226. A Bill shall be presented by a Member.

Bills presented by a Member.

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

First reading.

228. 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.

First reading and printing without debate.

229. 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.

Bill ordered to be read a second time.

230. 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."

Second reading.

231. 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.

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

Amendments to be relevant.

Bill com-
mitted.

233. 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.

Committee
of the whole
House on
the Bill.

234. 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. 9) ; but where the Committee has reported progress, the Speaker leaves the Chair without putting any question.

(APPROVED 24TH JUNE, 1889.)

Questions to
be decided
without
amendment
or debate.

234A. On Mr. Speaker putting the questions "That this Bill be committed"—"That this Bill be now committed"—"That I do now leave the Chair," such questions shall be decided without amendment or debate.

(APPROVED 28TH JULY, 1857.)

Amend-
ments to the
question for
Mr. Speaker
to leave the
Chair.

*235. 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 Com-
mittee.

236. 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 Com-
mittee
together.

237. 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

*Virtually repealed by S.O. 234A.

the same day all the Bills so referred to it, with out 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.

(APPROVED 24TH JUNE, 1889.)

237A. In Committee on a Bill, the preamble do stand postponed until after the consideration of the clauses, without question put. Preamble postponed without question.

(APPROVED 28TH JULY, 1857.)

*238. 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. Preamble postponed

239. Any amendment may be made 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. Amendments to clauses, &c.

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

241. 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 Proceedings upon blanks.

* First part of S.O. 238 virtually repealed by 237A.

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.

Clauses postponed.

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

Preamble agreed to.

243. 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 noticed until reported.

244. 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.

245. 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 amended to be considered.

246. 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.

247. 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.

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

248. 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.

249. 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.

250. 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.

251. Before any Bill shall be read a third time, the Chairman of Committees shall certify that it is in accordance with the Bill as agreed to by the Committee.

Certificate of Chairman.

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

Order for third reading discharged.

253. 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.

Third reading.

254. 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.

Clauses added, and amendments made.

255. [Repealed 24th June, 1889.]

Further proceeding on third reading adjourned Bills passed with unusual expedition.

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

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

Temporary laws.

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

Bills sent to the Legislative Council.

259. 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."

(APPROVED 24TH JUNE, 1889.)

Transmitting or returning Bill.

259A. No amendment or debate shall be allowed on the question of transmitting or returning a Bill to the Legislative Council.

(APPROVED 28TH JULY, 1857.)

Bills returned from the Legislative Council.

260. 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.

261. 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 of Legislative Council.

262. 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.

Amendments proposed by Governor.

263. 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.

When Governor's amendments are agreed to, to be sent to Legislative Council.

264. 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.

Bills for altering certain provisions of the Constitution Act, how certified.

(APPROVED 24TH JUNE, 1889.)

264A. Clerical or typographical errors may be corrected in any part of a Bill by the Clerk of the House before it is transmitted to the Legislative Council, and the Clerk shall forthwith inform the House what errors he has corrected in any Bill.

Clerk may correct errors.

(APPROVED 17TH DECEMBER, 1885.)

Procedure
on decision
that a Bill
ought to
have been
introduced
as a private
Bill.

264B. Whenever Mr. Speaker shall decide that a Bill which has been introduced as a public Bill ought to have been introduced as a private Bill, such Bill shall be dealt with as a private Bill, unless the House expresses the opinion that it is a public Bill, or not dissenting from Mr. Speaker's decision, shall order that all the Private Bill Standing Orders be dispensed with, in accordance with *Standing Order No. 131 relating to private Bills.

(APPROVED 27TH FEBRUARY, 1896.)

Restoration
of lapsed
Bills.

264C. When a motion to bring in any public Bill is agreed to, if such Bill bears a certificate from the Clerk of the Legislative Assembly that it is identical with a Bill as last agreed to by the House, which passed its second reading in the previous Session of the same Parliament, but was not finally disposed of by both Houses when the Session closed, then a motion may be made that such Bill be advanced to the stage it had reached in the Legislative Assembly in the former Session or to any earlier stage.

Procedure.

If such motion be agreed to, the Bill shall thereupon be passed, without amendment or debate, through each of the stages authorized by the motion agreed to by the House, and thereafter shall be proceeded with and dealt with in the same manner as other Bills.

* Standing Order No. 131 relating to Private Bills repealed 12th September, 1911; no new Standing Order yet adopted.

CHAPTER 16.

ACCOUNTS, PAPERS, AND PRINTING.

(APPROVED 28TH JULY, 1857.)

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

266. 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.

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

268. 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.

269. When any account or paper shall be presented by a Member, he shall bring it up from the Bar, on being desired by Mr. Speaker, and deliver it to the Clerk of the House. Papers presented by Members

270. 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. Papers deposited with the Clerk of the House.

Accounts
and papers
ordered to
lie on the
Table.

271. 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.

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

CHAPTER 17.

SUPPLY, AND WAYS AND MEANS.

Penalties,
forfeitures,
and fees.

273. 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.

(APPROVED 9TH OCTOBER, 1916.)

273c. On the Order of the Day being read for the Committee of Supply or Committee of Ways and Means, Mr. Speaker shall put the question "That I do now leave the Chair," but where either of these Committees has reported progress, Mr. Speaker shall leave the Chair without putting any question, on the Order of the Day being read.

Mr. Speaker to leave Chair without putting question.

Except that while the Committees of Supply and Ways and Means are open, the first Order of the Day on every third Thursday shall be either Supply or Ways and Means, and that on that Order of the Day being read the question shall be proposed "That Mr. Speaker do now leave the Chair," to which question any Member shall be at liberty to address the House, or move any amendment thereon, provided that no Member shall speak for more than thirty minutes, and that the whole discussion on this question shall not exceed four hours.

Grievance Day - Every third Thursday Mr. Speaker to put question.

Limitation of discussion.

(APPROVED SEPTEMBER, 1876.)

273A. This House will, in future, appoint the Committees of Supply and Ways and Means at the commencement of every Session, so soon as an address has been agreed to in answer to His Excellency the Governor's speech.

Appoint-
ment of
Committees
of Supply
and Ways
and Means.

(APPROVED 24TH JUNE, 1889.)

273B. On the Order of the Day being read for the Committee of Supply or Committee of Ways and Means, Mr. Speaker shall put the question "That I do now leave the Chair," but where either of these Committees has reported progress, Mr. Speaker shall leave the Chair without putting any question, on the Order of the Day being read.

Mr. Speaker
to leave
Chair with-
out putting
question.

Repealed 9/10/16

Except that while the Committees of Supply and Ways and Means are open, the first Order of the Day on every third Thursday shall be either Supply or Ways and Means, and that on that Order of the Day being read the question shall be proposed "That Mr. Speaker do now leave the Chair," to which question any Member shall be at liberty to address the House, or move any amendment thereon.

Every third
Thursday
Mr. Speaker
to put ques-
tion.

- 274.)
- 275.)
- 276.)
- 277.)

[Repealed 31st August, 1876.]

(APPROVED 28TH JULY, 1857.)

278. 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.

Motion for any public aid or charge upon the people.

279. 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.

Report from Committee of Supply; and Ways and Means.

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

Leave to sit again

281. The Chairman shall acquaint the House that he was directed to move that the Committee may have leave to sit again; and the House will appoint a day accordingly.

282. [Repealed 31st August, 1876.]

Manner in which resolutions are dealt with.

283. 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, recommitted, or disagreed to.

Tax not to be increased on report.

284. 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.

(APPROVED 28TH JULY, 1857.)

HOUSE OF COMMONS RULES AND PRACTICES TO BE RESORTED TO WHERE STANDING ORDERS DO NOT APPLY.

Resort to be had in cases for which no provision is made by these Rules to the practice of the House of Commons.

285. 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.

(APPROVED 9TH NOVEMBER, 1857.)

REPORTING EVIDENCE TAKEN BEFORE, "THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS."

286. 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.

287. 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.

(APPROVED 19TH AUGUST, 1902.)

APPROPRIATION BILL.

287A. In framing the Annual Estimates of Expenditure the several divisions thereof shall be expressly stated therein, and when they have passed through the Committee of Supply, and the resolutions of such Committee have been reported to and adopted by the House, the several votes so reported and adopted shall be noted by the Clerk at the Table, and, notwithstanding anything contained in Standing Order No. 14, shall not be printed in detail in the Journals of

Estimates and Appropriation Bill.

this House, but shall be appended to the Appropriation Bill in the form of a Schedule thereto, printed under the same divisions, subdivisions, and items of subdivisions as have been employed in framing the said Estimates, in order that the Treasurer's annual statement of expenditure may correspond item for item with the Appropriation Act.

288. }
 289. } [Repealed 19th August, 1902.]

(APPROVED 13TH DECEMBER, 1877.)

THE PARLIAMENTARY COSTS ACT 1877.

Taxation of
costs.

290. The Taxing Officer appointed by the Honorable the Speaker of the Legislative Assembly, under the Act No. 576, may demand from the party or parties liable to pay fees, for the Taxation of Costs by such Taxing Officer, the amount hereunder set forth, viz.:—

For every One hundred pounds of the amount of such costs the sum of One pound, and so in proportion for any less amount than One hundred pounds.

JOINT STANDING ORDERS

OF THE

LEGISLATIVE COUNCIL AND LEGISLATIVE ASSEMBLY.

(APPROVED 2ND MARCH, 1893.)

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

2. Messages from one House to the other shall be in writing, or partly in writing and partly in print, and shall be communicated by an officer of the Legislative Council or of the Legislative Assembly, as the case may be, unless the House transmitting the message shall otherwise direct. To be transmitted by an officer of either House unless otherwise ordered.

3. Members carrying any message from either House 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 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 the Serjeant-at-Arms, and shall deliver the message to the President or Speaker. Members carrying message, how announced.

4. Messages carried by an officer of either House shall be delivered to the Serjeant-at-Arms or the Usher, as the case may be. Messages carried by officer, how delivered.

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

5. Bills, Votes, and Resolutions of either House, 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 of such Bills, Votes, or Resolutions.

Same course when returned.

6. Bills, Votes, and Resolutions of either House, 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.

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

7. When either House 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 reasons in writing, or partly in writing and partly in print, 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.

(APPROVED 30TH NOVEMBER, 1904.)

Responsible Minister sitting in House of which not

7A. Any responsible Minister of the Crown who, under the provisions of section 9 of *The Constitution Act* 1903, may sit in the House of

Parliament of which he is not a Member shall while doing so be subject to the Standing Orders of that House and to the law and practice of Parliament which is applicable to it.

a Member
subject to
Standing
Orders
of that
House.

8. 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 Com-
mittees.

9. At the commencement of each Session there shall be appointed by each House a Committee of five Members respectively to constitute 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 three Members shall form a quorum of each of the said Committees. No quorum of any Joint Committee shall consist exclusively of Members of the Legislative Council or of Members of the Legislative Assembly.

Number of
Members on
Joint Com-
mittees:
Library,
Refreshment
Rooms, and
Parliament
Buildings.

Quorum.

10. Every proposal for a Joint Committee not provided for in these Orders shall be by message, which message shall state the object of such Committee, and the number of Members to serve thereon, 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.

Proposal for
Joint Com-
mittees to
state object
and number.

Time and
place of
meeting.

Bills to be
fair printed
and cer-
tified.

11. 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 the day upon which the Bill did pass.

Amend-
ments to be
attached to
the Bill and
certified by
the Clerk.

12. If any amendment shall be made by the House to which the Bill shall be sent, a copy of such amendment shall be attached to the Bill, and reference shall be made to the clause 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.

When Bill
passed, three
copies on
vellum to be
printed and
authenti-
cated by the
Clerk of
Parliaments.

13. When a Bill shall have passed both Houses it shall be printed by the Government Printer, who shall furnish three copies thereof on vellum to the Clerk of the Parliaments, who shall duly authenticate such copies.

Clerk of Par-
liaments to
present all
Bills, except
the Appro-
priation Bill,
to the Go-
vernor.

14. The said three copies of all Bills, except the Appropriation Bill, shall be presented to the Governor for Her Majesty's assent by the Clerk of the Parliaments.

Procedure
on Bills
returned by
Governor
with amend-
ments.

15. In case of amendments to Bills made upon a message from the Governor, pursuant to section 36 of *The Constitution Act*, after such Bills shall have passed both Houses, the Clerk of the Parliaments shall indorse the same on the original Bill and shall order three copies of the Bill on vellum as amended, and shall authenticate the same before they are presented for Her Majesty's assent.

(APPROVED 15TH JUNE, 1915.)

*In substitution of Joint Standing Orders
Nos. 13, 15, and 16 repealed.*

13A. When a Bill shall have passed both Houses it shall be printed by the Government Printer, who shall furnish three copies thereof on special paper to the Clerk of the Parliaments, who shall duly authenticate such copies.

When Bill passed, three copies on special paper to be printed and authenticated by the Clerk of the Parliaments.

15A. In case of amendments to Bills made upon a message from the Governor, pursuant to section 36 of *The Constitution Act*, after such Bills shall have passed both Houses, the Clerk of the Parliaments shall indorse the same on the original Bill and shall order three copies of the Bill on special paper as amended, and shall authenticate the same before they are presented for His Majesty's assent.

Procedure on Bills returned by Governor with amendments.

16A. When the Governor shall have assented in the name of His Majesty to any Bill, one of the three copies printed on special paper 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 His Majesty's Principal Secretary of State for the Colonies, and the third shall be retained in the Record Office of the Parliament House.

Disposal of original Bills.

16. When the Governor shall have assented in the name of Her Majesty to any Bill, one of the three copies printed 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 House.

Disposal of original Bills.

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

Title of Bill to set forth general object.

18. 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.

Numbering of Acts assented to.

19. Any Act which shall, as a Bill, have been passed by both Houses of Parliament, but reserved by the Governor for the signification of Her Majesty's pleasure, and shall afterwards receive the Royal Assent, shall be numbered with the number next in arithmetical progression to the number already given to the last Act assented to by the Governor.

Numbering of Acts reserved but subsequently receiving Royal Assent.

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

Clerk of Parliaments to correct typographical errors.

21. Upon the discovery of any clerical error in any Bill which shall have passed both Houses, and before the same be presented to the Governor for

Clerk of Parliaments to report clerical errors.

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.

Clerk-Assis-
tant to
perform
duties in
absence of
Clerk of
Parliaments.

22. In case of unavoidable absence or illness of the Clerk of the Parliaments, his duties shall be performed by the Clerk-Assistant of the Legislative Council.

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