



LEGISLATIVE ASSEMBLY
CLERK
OF THE
LEGISLATIVE
ASSEMBLY

VICTORIA

STANDING
RULES AND ORDERS

OF THE

LEGISLATIVE ASSEMBLY OF VICTORIA

RELATING TO

PUBLIC BUSINESS.



By Authority:

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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 endorsed thereon read by the Clerk.

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

Members sworn.

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

(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 honor 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 honor conferred upon him, and thereupon sits down in the Chair; and then the Mace, which before lay under the Table, shall be laid upon the Table.*

Mr. Speaker takes the Chair, and the Mace is laid upon the Table.

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,

Unavoidable absence of Mr. Speaker.

and so on from day to day on the like information being given to the Assembly, until the Assembly shall otherwise order: Provided that if the Assembly shall adjourn for more than twenty-four hours the deputy Speaker shall continue to perform the duties and exercise the authority of Speaker for twenty-four hours only after such adjournment.

(Adopted 31st July, 1857.)

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

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

*House ad-
journs during
pleasure.*

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

*A Bill read
pro formâ.*

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

*Mr. Speaker
reports His
Excellency's
speech.*

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.*

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

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

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

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.* Address to be presented by the Assembly.

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

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

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

CHAPTER 2.

SITTING AND ADJOURNMENT OF THE HOUSE.

(APPROVED 28TH JULY, 1857.)

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

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.

(Adopted 31st July, 1857.)

House proceeds to business on its return from the Council.

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.*

(APPROVED 28TH JULY, 1857.)

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

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.

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

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.

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

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.

(APPROVED 10TH JULY, 1882.)

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.

Motions for adjournment.

(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.

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

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.

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

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.

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

Every Member to attend the service of the House.

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.

Leave of absence.

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.

Members 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.

Call of the House not to be made earlier than seven days from date of order.

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.

Order for call of the House to be forwarded by post.

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.

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

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.

Call of the House an Order of the Day.

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.

(APPROVED 7TH MARCH, 1860.)

Order in which names are called.

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 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.)

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.* Members not attending during the day.

CHAPTER 4.

PLACES OF MEMBERS.

(APPROVED 28TH JULY, 1857.)

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. Members places secured.

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. Entering and leaving the House.

(Adopted 31st July, 1857.)

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

(APPROVED 28TH JULY, 1857.)

Members
leaving their
seats.

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.

Entering the
House.

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.

Members not
to read news-
papers, &c.

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

CHAPTER 5.

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

(Adopted 31st July, 1857.)

*Notices of
Motion and
Orders of the
the Day.*

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

*Orders of the
Day defined.*

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

(APPROVED 28TH JULY, 1857.)

Notices of
motions take
precedence.

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.

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.

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 have precedence.

Ministers to arrange Government 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.

Dropped motions and orders.

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.

Notices of motions, when received.

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.

Motions cannot be made except in pursuance of notice.

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.)

Restriction upon giving notices.

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.

Notices printed.

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

Notices may be expunged.

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

Notices postponed.

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.

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.

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

(Adopted 31st July, 1857.)

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

(APPROVED 28TH JULY, 1857.)

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

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

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 su-
perseded:—
1. By ad-
journment.

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

2. By read-
ing the Orders
of the Day.

a quorum of Members are not present ; 2. By a motion, "That the Orders of the Day be now

3. By pre-
vious ques-
tion.

read ;" 3. By the previous question, viz. : "That this question be now put," being proposed and negatived.

Previous
question re-
solved 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 adjourn-
ment.

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

Debates in-
terrupted.

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.

Complicated
question
may be di-
vided.

54. The House may order a complicated question to 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.

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 ques-
tion 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 amend-
ment 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.

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

Questions to Ministers or other Members.

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.

Such question not to involve argument.

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

In answering a question the matter not to be debated.

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.

Personal explanation.

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

No Member to speak twice to a question.

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.

Except to explain his words.

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.)

When mover
or seconder
of adjourn-
ment
entitled to
speak again.

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.

(APPROVED 28TH JULY, 1857.)

Speaking "to
order."

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

Debates of
same Session
not to be
alluded to.

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.

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 re-
ferring to de-
bates 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.

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

Reflections upon votes of the House.

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

Allusion to debates in the other House.

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.

Offensive words against either House.

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.

No Member may refer to any other Member by name.

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

Offensive words against a Member.

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.

Words taken down by direction of Mr. Speaker

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.

Words to be
objected to
when used.

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

Members not
explaining or
retracting.

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.

House will
prevent
quarrels.

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.

No noise or
interruption
will be allow-
ed during a
debate.

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.

When Mr.
Speaker calls
upon any
Member by
name.

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

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.

✕

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.

Doors closed after the lapse of two minutes.

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 Committee, 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.)

*Tellers report
the numbers.*

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

(APPROVED 28TH JULY, 1857.)

*In case of
confusion or
error, House
again di-
vides.*

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.

*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 per-
sonally inte-
rested.*

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 Com-
mittee.*

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.

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

House resolves itself into a Committee.

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.

Appointment of Chairman.

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.

Mace placed under the Table. 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.

In case of difference House appoints Chairman. 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.

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

Questions decided by a majority of voices. 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.

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.

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

Order in
debate.

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

Disorder
arising.

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.

Mr. Speaker
resumes the
Chair.

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.

When a quo-
rum of Mem-
bers not pre-
sent.

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.

House,
counted by
Mr. Speaker.

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

Report.

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 pro-
gress.

(Adopted 31st July, 1857.)

*Motion that
the Chairman
do now leave
the Chair.*

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

(APPROVED 28TH JULY, 1857.)

Report to be
brought up
without
question.

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

Amendments
made to
public Bills.

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

Division
lists.

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

Resolutions
of Com-
mittee.

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.

CHAPTER 10.

SELECT COMMITTEES.

Committees
not to consist
of less than
five, nor
more than
twelve Mem-
bers without
leave.

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 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.

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.

Willingness of Members to attend to be ascertained.

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.

Notice of nomination to be given.

Except when appointed by ballot.

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

Manner of balloting for Committee

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.

Lists of
Members
serving.

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

Election of
Chairman.

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

Names of
Members
asking ques-
tions to be
entered in
the minutes.

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
present to be
entered.
Divisions to
be entered.

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.

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.

When quorum not present.

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

Members discharged and added.

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

Power to send for persons, papers, and records.

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.

Admission of strangers to Committees.

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

When Members of the House may be present.

Secret Com-
mittee.

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.

All proceed-
ings void
after notice
that Mr.
Speaker is to
take the
Chair.

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.

Not to sit
during sit-
ting or ad-
jourment of
the House
without
leave.

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.

Evidence,
&c., not to be
published be-
fore reported.

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.

Report from
time to time.

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.

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 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. Proceedings on consideration of draft report.

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. Report brought up.

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.

Committees on Bills to make amendments relevant to subject matter.

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

(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.

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

Summoned
by Commit-
tees.

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 wit-
ness 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 ex-
amined.

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

By a Com-
mittee.

(Adopted 31st July, 1857.)

*If a Member
refuse to
attend.*

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.*

*Committee to
acquaint
House of
charges
against
Members.*

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.*

(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 wit-
nesses.*

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 Com-

mittee thereof, or who directly or indirectly hath endeavored to deter or hinder any person from appearing or giving evidence, the same is a high crime and misdemeanor; and the House will proceed with the utmost severity against such offender.

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.

Witnesses
entitled to
protection.

182. No clerk or officer of this House, or short-hand-writer employed to take minutes of evidence before this House, or any Committee thereof, may give evidence elsewhere in respect of any proceedings or examination had at the Bar or before any Committee of this House, without the special leave of the House.

Evidence not
to be given
elsewhere of
proceedings
without
leave.

(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.

Witness
in custody at
the Bar.

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
withdraws if
question ob-
jected to.

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

Member
examined in
his place.

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

(Adopted 31st July, 1857.)

Judges, how
examined.

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

Witnesses ex-
amined in
Committee of
the whole
House.

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

CHAPTER 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.

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

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. Messenger from the Legislative Council, how received.

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. Delivers the message and withdraws.

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. Messages to Legislative Council communicated by Clerk-Assistant.

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 presented.

* See Joint Standing Order 26.

(Adopted 31st July, 1857.)

By the whole House.

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

Addresses in which the Council shall join the Assembly.

42. All addresses to the Governor in which the Council shall join the Assembly shall be presented by Mr. Speaker, and such Members as may be named by the Assembly, together with those appointed by the Council.

Joint addresses of Council and Assembly, how presented.

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.

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

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

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.)

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

CHAPTER 14.

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. Order of presenting petitions.

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

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

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

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. To be in English, or with a certified translation.

To be signed
by the parties.

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.

Signatures
not to be
transferred.

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

Petitions of
corporations.

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

No letters,
affidavits to
be attached.

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

Debates not
to be referred
to.

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

No appli-
cation for
public money
unless re-
commended
by the
Crown.

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.

Petitions for
compounding
debts to 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.

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.

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 peruse petitions.

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

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 in accordance with the rules of the House.

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

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

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

Members
confined to
statement of
certain facts.

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.

Not to be de-
bated. But
may be read
by Clerk.

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.

Petitions
complaining
of grievances

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
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.

218. Every Bill shall be ordered to be brought Bills ordered.
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 reso-
lution of the House.

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

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

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

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

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

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.

Bills ordered
to be with-
drawn.

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 pre-
sented by a
Member.

226. A Bill shall be presented by a Member.

First read-
ing.

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

First reading
and printing
without de-
bate.

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.

Bill ordered
to be read a
second time.

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.

Second read-
ing.

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."

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.

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.

Bill committed.

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.

Committee of the whole House on the Bill.

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."

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

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

Instructions to Committee.

Bills may be considered in Committee 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 the same day all the Bills so referred to it, without the Chairman leaving the Chair on each separate Bill: Provided that, with respect to any Bill not in progress, if any Member shall raise an objection to its consideration such Bill shall be postponed.

Preamble postponed.

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.

Amendments to clauses, &c.

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.

Clause to stand part of the Bill.

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

Proceedings upon blanks.

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 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.

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

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.” Preamble agreed to.

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. Proceedings in Committee not to be noticed until 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 reported.

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 as amended to be considered.

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.

A clause with rates, penalties, &c. 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.

Bills recommitted. 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.

Certificate of Chairman. 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.

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 read-
ing.

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

Bill passed,
and title
agreed to.

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

Further pro-
ceeding on
third reading
adjourned.

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

Bills passed
with unusual
expedition.

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

Temporary
laws.

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

Bills sent to
the Legisla-
tive Council.

Bills

concurrence desired ; or when such Bill has been brought from the Legislative Council “to acquaint the Legislative Council that this House has agreed to the same without amendments,” or “with amendments to which this House doth desire the concurrence of the Legislative Council.”

Bills 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.

Amendments of Legislative Council.

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 proposed by Governor.

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.

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

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.

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 17TH DECEMBER, 1885.)

264A. 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.

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

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.

Addresses for
papers.

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.

Papers presented pursuant to statute or by command.

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

Appointment of Printing Committee.

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.

Papers presented by Members.

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 deposited with the Clerk of the House.

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.

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

Accounts and papers ordered to lie on the Table.

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

Ordered to be printed.

CHAPTER 17.

SUPPLY, AND WAYS AND MEANS.

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 :—

Penalties, forfeitures, and fees.

- (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 SEPTEMBER, 1876.)

Appoint-
ment of
Committees
of Supply
and Ways
and Means

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.

274. }
275. } [Repealed 31st August, 1876.]
276. }
277. }

(APPROVED 28TH JULY, 1857.)

Committee
of Supply.

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.

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.

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

Report from Committee of Supply; and Ways and Means.

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.

Leave to sit again.

282. [Repealed 31st August, 1876.]

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.

Manner in which resolutions are dealt with.

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.

Tax not to be increased on report.

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

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

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."

Expenses of reporting in shorthand to be paid by parties.

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."

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

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.

(APPROVED 4TH NOVEMBER, 1858.)

APPROPRIATION BILL.

Divisions of Estimates to be expressly stated therein.

288. In framing the Annual Estimates of Expenditure, the several divisions thereof shall be expressly stated therein, and when they shall

have passed through the Committee of Supply, and the resolutions of such Committee shall have been reported to and adopted by the House, the several votes so reported and adopted shall be printed in the same manner and under the same divisions, subdivisions, and items of subdivision, that shall have been employed in framing the said Estimates.

289. In order that the Treasurer's yearly statement of Expenditure may correspond, item for item, with the *Appropriation Act*, the several votes so printed shall be appended to such Act, in the form of a schedule, in lieu of the details hitherto inserted in the body of such Act.

Appropriation Bill to correspond with Estimates.

(APPROVED 13TH DECEMBER, 1877.)

THE PARLIAMENTARY COSTS ACT, 1877.

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. :—

Taxation of Costs.

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 RULES AND ORDERS

OF THE
LEGISLATIVE COUNCIL AND LEGISLATIVE ASSEMBLY.

(APPROVED 3RD AUGUST, 1857.)

1.

MESSAGES.

Communica-
tions to be by
message.

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

To be trans-
mitted by
Clerk-Assist-
ant unless
otherwise
ordered.

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

Members
carrying
message how
announced.

3. Members carrying any message from either House of the Legislature to the other shall be announced at once, unless any Member shall be addressing the House, or unless the President or Speaker, as the case may be, shall be ascertaining the sense of the House upon any question, in which case the bearer of the message shall not

* See Joint Standing Order 26.

be announced until the Member shall have concluded his speech, or until the sense of the House shall have been declared by the President or Speaker, as the case may be; and the bearer of the message shall be introduced by the Usher or Serjeant-at-Arms, and shall deliver the message to the President or Speaker.

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

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

5. Bills, votes, and resolutions of either House of the Legislature, to which the consent of the other House shall be desired, shall be communicated to such other House by message; and, in the first instance, without any reason being assigned for the passing of such Bill, vote, or resolution.

Consent desired to Bills, votes, and resolutions how communicated.

6. Bills, votes, and resolutions of either House of the Legislature, to which the consent of the other House shall have been desired, shall if returned from such other House be sent by message; and, in the first instance, without any reason being assigned for passing, declining to assent to, or amending, as the case may be, such Bills, votes, or resolutions.

Same course when returned.

7. When either House of the Legislature shall not agree to any amendment made by the other House in any Bill, vote, or other resolution

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

with which its concurrence shall have been desired, or when either House shall insist upon any amendment previously proposed by such House, and any communication shall be desired, then the communication shall be by message, and the House transmitting such message shall at the same time transmit written * reasons for not agreeing to the amendment proposed by the other House, or for insisting upon any amendment previously proposed by the House sending such message.

Joint Committees.

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.

Number of Members on Joint Committees :
Library, Refreshment Rooms, and Parliament Buildings.

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 five † Members shall form a quorum of each of the said Committees.

* See Joint Standing Order 26.

† See Joint Standing Orders 23 and 24.

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

Proposal for Joint Committees to state object, number, the time and place of meeting.

2

BILLS.

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 day upon which the Bill did pass.

Bills to be fair printed and certified.

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

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

* See Joint Standing Order 26.

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

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

Such Bills to be authenticated by him.

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

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

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

Procedure on Bills returned by Governor with amendments.

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

Disposal of original Bills.

17. When the Governor shall have assented in the name of Her Majesty to any Bill, one of the fair prints thereof, on vellum, shall be deposited by the Clerk of the Parliaments with the Registrar of the Supreme Court, another shall be

delivered to the Private Secretary of His Excellency the Governor, for transmission to Her Majesty's Principal Secretary of State for the Colonies, and the third shall be retained in the record office of the Parliament Houses.

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

Title of Bill to set forth general object.

19. 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.

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

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

(APPROVED 9TH NOVEMBER, 1857.)

CORRECTION OF ERRORS IN BILLS.

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

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

Clerk of Parliaments to correct typographical errors in Bills passed.

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

(APPROVED 19TH NOVEMBER, 1857.)

Quorum of Library Committee.

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

(APPROVED 9TH FEBRUARY, 1858.)

Quorum of Refreshment Rooms Committee.

24. That so much of the Joint Standing Order No. 9 as requires that five Members shall be present to form a quorum of the Refreshment Rooms Committee be repealed, and that three Members thereof do henceforth form a quorum.

(APPROVED 4TH JUNE, 1858.)

Numbering of Reserved Acts.

25. 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.

(APPROVED 24TH OCTOBER, 1882.)

26. In any Joint Standing Rules and Orders of the Legislative Council and Legislative Assembly, the words "in writing" or "written" shall be deemed to mean and include "either written or printed, or partly written and partly printed."

Interpre-
tation of
words "in
writing" or
"written."

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