

VICTORIA.

Resolved—That the following be adopted as Standing Rules and Orders of the Legislative Council of Victoria :—

CHAPTER I.

PROCEEDINGS ON THE OPENING OF PARLIAMENT.

1. On the first day of the meeting of a new Parliament for the despatch of business, pursuant to Proclamation, and at the time and place appointed, the Clerk shall read the Proclamation. Proclamation read by Clerk at first meeting after a dissolution of the Legislative Assembly.
2. The Usher shall then introduce to the Council Chamber Commissioners from His Excellency the Governor appointed to open Parliament. Commissioners introduced.
3. At the desire of the Senior Commissioner the Usher shall request the presence of the Members of the Legislative Assembly to hear the Commission read. Assembly summoned.
4. The Members of the Legislative Assembly having presented themselves, the Clerk shall read the Commission. Commission read by Clerk.
5. The Senior Commissioner will then inform the Members of both Houses that His Excellency the Governor will at a future time declare the cause of his calling Parliament together, and will request the Members of the Legislative Assembly in the meantime to proceed to the election of their Speaker. Assembly requested to elect Speaker.
- 198 6. The Commissioners and the Members of the Legislative Assembly having withdrawn from the Council Chamber, the President shall take the Chair and read the Lord's Prayer. President takes Chair and reads Prayer.
7. New Members may then be introduced and sworn. New Members.
8. The Council will then adjourn. Adjournment of Council.
9. At the next meeting after the adjournment the President shall take the Chair and wait the approach of His Excellency the Governor. Second meeting.
10. On the day and at the hour appointed for the commencement and holding of any Session of Parliament not being the first meeting after a dissolution of the Legislative Assembly, the Clerk shall read the Proclamation convening Parliament. Proclamation read by Clerk at a second or subsequent session.
11. When His Excellency the Governor has arrived at the Chamber, the Usher shall announce his arrival and conduct him to the Chair, the President leaving the Chair and taking one to the right of His Excellency. Governor announced by Usher.
12. Upon the command of His Excellency the Governor the Usher shall desire the immediate attendance of the Legislative Assembly in the Council Chamber. Assembly summoned by Usher.



- ✓ 13. When the Members of the Legislative Assembly have come with their Speaker into the Council Chamber, His Excellency the Governor will proceed to declare the cause of his calling the Parliament together. Governor's Speech.
- ✓ 14. The President and the Speaker will then each receive a copy of His Excellency the Governor's Speech from his Private Secretary, and His Excellency will then withdraw from the Council Chamber. Copy of Speech.
- ✓ 15. The President shall then take the Chair and read the Lord's Prayer. Prayer.
- ✓ 16. Before His Excellency the Governor's Bill.   
 222 Speech is reported to the House, some   
 34 read a first time.
- ✓ 17. Notices of question and of motion may then be given, and papers laid upon the Table. Notices of Motion.
- ✓ 18. The President shall then report to the Council the Speech of His Excellency the Governor. Speech reported.
- ✓ 19. The Speech having been read by the President, a motion for the appointment of a Select Committee to prepare an Address in reply to the Speech will then be made, and His Excellency the Governor's Speech will be referred to the Committee. Select Committee to prepare Address in reply.
- ✓ 20. The Committee shall at once withdraw to prepare the Address. Committee to withdraw.
- ✓ 21. When the Chairman has brought up the Report, the same shall be read by the Clerk. Report read by Clerk.
- ✓ 22. On the Address being read, the Council will resolve to agree to the same with or without amendment. Address dealt with.
- ✓ 23. A motion will then be made that the Address be presented to His Excellency the Governor by the President and such Members as may desire to accompany him, or in such other manner as His Excellency may appoint. Motion for presenting Address.
- ✓ 24. The President shall report to the Council His Excellency the Governor's reply to their Address. Governor's reply reported.
- ✓ 25. In case the office of President of the Council become vacant during the prorogation of Parliament, and any new Member be elected during such prorogation, so soon as the Clerk has read the Proclamation convening Parliament, the Usher shall introduce a Commissioner appointed by His Excellency the Governor for swearing Members, and the Clerk shall read his Commission. When office of President becomes vacant during prorogation of Parliament, when new member may be sworn.
- ✓ 26. After such Commission has been read, the Clerk shall read, with the returns endorsed thereon, any Writs delivered to him that have been issued during the prorogation, either by the President while in office, or by His Excellency the Governor in pursuance of the Act No. 702. Writs when office of President vacant, how announced. ✓
- ✓ 27. Members returned pursuant to such writs will then be sworn as prescribed by the Constitution Act. Members sworn. ✓
- ✓ 28. The Commissioner will then retire from the Council Chamber. Commissioner retiree.



## CHAPTER II.

## ELECTION OF PRESIDENT.

- ✓ **6** 29. Whenever the office of President becomes vacant, a Member, addressing himself to the Clerk, shall propose to the Council for their President some Member then present, and move that such Member do take the Chair of the Council as President. Election of President.
- ✓ <sup>199</sup> **7** 30. If only one Member be proposed and seconded as President, he shall be called to the Chair of the Council without question put. When unopposed, such Member called to the Chair. ✓
- 8** 31. The Member on being called to the Chair expresses in his place his sense of the honor proposed to be conferred upon him, and submits himself to the Council. He submits himself to the Council. ✓
- 9** 32. Being again called to the Chair, he is taken out of his place by the Members who proposed and seconded him, and by them conducted to the Chair. And is conducted to the Chair. ✓
- ✓ <sup>200</sup> **10** 33. If more than one Member be proposed as President, a motion shall be made and seconded regarding each such Member, "That The Honorable do take the Chair of the Council as President;" and each Member so proposed addresses himself to the Council. When election of President is opposed.
- ✓ **11** 34. A question shall be then put by the Clerk that the Member first proposed "do take the Chair of the Council as President," which is resolved in the affirmative or negative, like other questions. Question—That the Member first proposed do take the Chair.
- ✓ **12** 35. If the question be resolved in the affirmative, the Member is conducted to the Chair; but if in the negative, a question shall be then put by the Clerk that the Member next proposed "do take the Chair of the Council as President," and if it be resolved in the affirmative, the Member is conducted to the Chair. Question—That the Member next proposed do take the Chair.
- ✓ <sup>201</sup> **13** 36. Having been conducted to the Chair, the Member elected returns his acknowledgments to the Council for the honor conferred upon him, and thereupon takes the Chair. The President takes the Chair.
- ✓ <sup>18 & 19 Vict. c. 55, s. 8.</sup> **14** 37. Before proceeding to any business, the President, with such Members of the Council as desire to accompany him, shall present himself to His Excellency the Governor as the choice of the Council. The President presents himself to Governor as choice of Council.
- ✓ **15** 38. The President shall report to the Council any reply that may be made by His Excellency the Governor. Governor's reply to be reported.

## CHAPTER III.

## PROCEEDINGS ON PROROGATION.

- ✓ <sup>270</sup> **16** 39. On the prorogation of Parliament by His Excellency the Governor in person, the Usher shall announce the arrival of His Excellency, and shall conduct him to the chair, the President leaving the chair and taking one to the right of the Governor. Governor's approach announced by Usher.
- ✓ **17** 40. By His Excellency the Governor's command the Usher shall desire the immediate attendance of the Legislative Assembly in the Council Chamber. Attendance of Legislative Assembly desired.
- ✓ <sup>270</sup> **18** 41. When the Members of the Legislative Assembly have come, with their Speaker, into the Council Chamber, the Clerk of the Parliaments having received the Supply and Appropriation Bills (if any) from the hands of the Assent to Bills.



Speaker, shall present them, together with other Bills passed by the two Houses of Legislature, to His Excellency the Governor for the signification of Her Majesty's pleasure thereon, and His Excellency's determination on each Bill respectively shall be read by the Clerk of the Parliaments.

42. His Excellency the Governor will then make a Speech, and prorogue the Parliament.

#### CHAPTER IV.

##### SITTING AND ADJOURNMENT OF THE HOUSE.

236 43. The President shall take the Chair as soon after the time appointed for the meeting of the Council as a quorum of Members is present, and shall read the Lord's Prayer; but if, at the expiration of half an hour after the time appointed, there is not a quorum, the President shall then take the Chair and adjourn the Council to the next sitting day, the bells having been previously rung as in a division.

If a quorum not present within a given time, Council adjourned.

60 44. If at any time after the commencement of the business of the day it appear, on notice being taken, or—on a division—that there is not a quorum of Members present, the President shall, after the bells have been rung as in a division, count the Members, and, if there be not a quorum present, shall, without question put, adjourn the Council to the next sitting day.

If want of a quorum be noticed, Council adjourned.

237 45. The doors of the Chamber shall be unlocked when the President is engaged in counting the Council.

Doors unlocked whilst President counting.

46. The Usher shall from time to time take into his custody any stranger (save as in the next order mentioned) whom he sees or who is reported to him to be in any part of the Council appropriated exclusively to the Members of the Council, and also any stranger who, having been admitted into any other part of the Chamber or gallery, misconducts himself or does not withdraw when strangers are directed to withdraw while the Council or any Committee of the whole Council is sitting; and no person so taken into custody shall be discharged out of custody without the Order of the Council.

Strangers.

72 47. No strangers shall, without leave of the Council, be admitted to the body of the Council Chamber within the Bar while the Council or a Committee of the whole Council is sitting.

Strangers not admitted within the Bar.

48. Members of the Legislative Assembly may be admitted without order to the benches to the right of the President, outside the Bar.

Members of the Legislative Assembly have seats outside the Bar.

49. Accommodation may be provided for the Speaker of the Legislative Assembly within the body of the Council Chamber.

Accommodation for the Speaker within the Council Chamber.

50. The President only shall have the privilege of admitting strangers to the body of the Council Chamber outside the Bar; but every Member shall have the privilege of admitting by Orders strangers to the Gallery of the Council Chamber.

President's orders and Members' orders for admission of strangers.

51. On the request of any six Members, or in his own discretion, the President shall at any time order all strangers to withdraw, and such strangers shall immediately withdraw accordingly.

Strangers to withdraw when ordered.



52. The Standing Orders Committee shall prescribe the arrangements for the opening and prorogation of Parliament, which arrangements the Usher shall carry into effect under the direction of the President.

Standing Orders Committee to prescribe arrangements for opening and prorogation of Parliament.

257  
73 53. Every vote and proceeding of the Council shall be noted by the Clerks at the Table, and the Minutes of the Proceedings of the Council shall be printed; the Government Printer shall print the same; and the Minutes of the Proceedings, so printed and signed by the Clerk of the Council, shall be the journals of the Council; but the Council may at any time by order restrain the publication of any of its proceedings.

Minutes of Proceedings.

54. No Member, unless he be a Minister of the Crown, or some Member deputed by him, shall be allowed to move, "That the Council do now adjourn," unless, on his rising to make such motion, six other members shall rise in their places and require the motion to be proposed. The names of such other Members shall be taken down by the Clerk, and entered on the Minutes of the Proceedings of the Council. The Member moving the adjournment shall state the subject that he proposes to speak to, and the debate shall be strictly confined to the subject so stated. And no Member having moved or seconded any such motion shall be entitled to move or second any similar motion during the same debate.

Motions for adjournment.

55. If the President be of opinion that a motion for the adjournment of a debate or of the Council during any debate, is an abuse of the rules of the Council, he may forthwith put the question thereupon from the Chair.

Debates on motion for adjournment.

## CHAPTER V.

### ATTENDANCE AND PLACES OF MEMBERS.

228 56. Every Member is bound to attend the service of the Council, unless leave of absence be given to him by the Council, and shall during such attendance remain uncovered.

Every Member to attend service of Council.

233 57. Leave of absence may be given by the Council to any Member for sufficient cause to be stated to the Council.

Leave of absence.

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

Notice of Motion to be given.

233 59. If any Member having leave of absence attend the service of the Council before the expiration of such leave, his leave shall thereupon expire.

Leave of absence how forfeited.

230 60. When an order is made that the Council be called, such call shall not 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 Council not to be made earlier than seven days from date of order.

230 61. A copy of the order for a call of the Council, signed by the Clerk, shall be forwarded by post, addressed to each Member of the Council.

Order for call of the Council to be forwarded.

62. For the purpose of enabling this notice to be given, the Usher shall keep a book and enter therein the name and address of every Member.

Usher to keep book of Members' addresses.



- ✓ **81** 63. The order for a call of the Council on a future day, shall be set down as an Order of the Day for the day so appointed. Call of the Council an Order of the Day.
- ✓ **82** 64. When the Order of the Day for a call of the Council is read, unless the same be postponed or discharged, the names of the Members shall be called over by the Clerk in alphabetical order. Order in which names are called.
- ✓ **83** 65. The names of all Members who do not answer when called shall be taken down by the Clerk, and subsequently called a second time, when those who answer, or afterwards attend in their places on the same day, may be excused. Members not present but subsequently attending.
- ✓ **84** 66. Members not attending in their places on the same day are held guilty of contempt and may be ordered to attend on a future day; when unless they attend, or an excuse to the satisfaction of the Council be offered for their absence, they may be dealt with for their default as the Council may think fit. Members not attending during the day.

## CHAPTER VI.

## NOTICES AND ORDERS OF THE DAY.

- ✓ **67.** The ordinary business of each day consists of the consideration of Notices of Question or of Motion and of Orders of the Day. Ordinary business of the Day. ✓
- ✓ **68.** An Order of the Day is a Bill or matter which the Council has ordered to be taken into consideration on a particular day. Orders of the Day defined.
- ✓ **69.** No Notice of Question or of Motion shall, without leave of the Council, be received after the Council has proceeded to the Orders of the Day. Notice of Motion, when to be given.
- ✓ **70.** 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 before the Council, in which such Members may be concerned. Questions to Ministers or other Members.
- ✓ **71.** 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.
- ✓ **72.** In answering any such question, the Minister or Member shall not debate the matter to which the same refers. In answering a question the matter not to be debated.
- ✓ **73.** Questions and Motions shall take precedence of Orders of the Day, except on days fixed for the consideration of Government business, and shall, unless postponed, be moved in the order in which they stand on the Notice-paper. Motions to precede Orders of Day.
- ✓ **74.** On the presentation of any document, a motion may be made, without notice, that it be printed, and a day appointed for its consideration. Printing of a document may be moved without notice.
- ✓ **75.** After Notices of Question and of Motion have been disposed of, the President 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.



<sup>284</sup> 76. All dropped motions and Orders of the Dropped motions and orders.  
**100** Day shall, according as they relate to Government business, or general business, be set down in the Notice-paper after the Notices of Question and of Motion and Orders of the Day respectively, for the next day on which the Council sits.

<sup>286</sup> 77. Every Member in giving Notice of a Every notice to be in writing, and delivered at the Table.  
**106** Question or Motion shall read it aloud and deliver at the Table a copy of such notice fairly written, signed by him, and stating the day proposed for asking such Question or bringing on such Motion.

<sup>286</sup> 78. A Member may not give for himself two A Member not to give two notices consecutively.  
 Notices of Question or of Motion consecutively, unless no other Member has any notice to submit.

<sup>287</sup> 79. A Member may give notice for any other Notice may be given for absent Members.  
**107** Member not then present by putting the name of such Member on the Notice of Question or of Motion.

<sup>274</sup> 80. No Notice may be given for a day beyond Restriction upon giving notices.  
**108** fourteen days from the day of giving the same.

<sup>286</sup> 81. Every Notice of Question or of Motion, Notices printed.  
**110** and Order of the Day shall be printed and circulated.

<sup>294</sup> 82. Any Notice or part of a Notice of Question Notices may be expunged.  
**111** or of Motion containing unbecoming expressions may be expunged from the Notice-paper, by order of the President.

<sup>287</sup> 83. A Member desiring to change the day for Notices postponed.  
**112** asking a Question or bringing on a Motion, may give notice of such Question or Motion for any day subsequent to that first named, but not earlier, subject to the same rules as other Notices of Question or of Motion.

<sup>286</sup> 84. After a Notice of Question or of Motion The terms may be altered.  
**113** has been given, the terms thereof may be altered by the Member, on delivering or causing to be delivered at the table an amended notice one day at the least prior to the day for asking such Question or making such Motion.

<sup>288</sup> 85. A motion directly concerning the privi- Questions of privilege.  
**116** leges of the Council shall take precedence of all other motions, as well as of Orders of the Day.

<sup>294</sup> 86. Precedence shall be given to a motion for Votes of thanks.  
**117** a vote of thanks of the Council.

<sup>118</sup> 87. A Question may be asked or a Motion Motion without notice.  
 may be made by leave of the Council without previous notice.

## CHAPTER VII.

### QUESTIONS PUT BY PRESIDENT.

<sup>298</sup> 88. When a motion has been made and Questions proposed.  
**119** seconded, the question thereupon shall be proposed to the Council by the President.

<sup>297</sup> 89. Any motion not seconded may not be fur- Motions not seconded.  
**120** ther debated, and no entry thereof shall be made in the Votes.

<sup>299</sup> 90. A Member who has made a motion may Motions withdrawn.  
**121** withdraw the same by leave of the Council.



- 300** 91. A question may be superseded: 1. By the  
**122** adjournment of the Council, either on the motion  
of a Member "That the Council do now adjourn,"  
or on notice being taken, and it appearing that  
a quorum of Members is not present; 2. By a  
motion, "That the Orders of the Day be now  
read;" 3. By a motion "That this question be  
now put," being proposed and negatived.
- 303** 92. If the motion "That this question be  
**123** now put" be resolved in the affirmative, the  
original question shall be put forthwith, without  
any amendment or debate.
- 304** 93. A question for reading the Orders of  
**124** the Day, and also the motion "That this question  
be now put," may be superseded by the adjourn-  
ment of the Council.
- 307** 94. The debate upon a question may be in-  
**125** terrupted, 1. By message from His Excellency  
the Governor; 2. By a matter of privilege  
suddenly arising; 3. By words of heat between  
Members; 4. By a question of order; 5. By  
a message from the Legislative Assembly;  
6. By a motion for reading an Act of Parlia-  
ment, an entry in the journal, or other public  
document, relevant to the question before the  
Council.
- 309** 95. The Council may order a complicated  
**126** question to be divided.
- 310** 96. So soon as the debate upon a question  
**312** is concluded, the President shall put the ques-  
**127** tion to the Council, and if the same be not heard,  
shall again state it to the Council.
- 311** 97. A question being put, shall be resolved  
**128** in the affirmative or negative, by the majority  
of voices "Aye" or "No."
- 311** 98. The President shall state whether, in  
**129** 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.
- 328** 99. No question shall be proposed in the  
**130** Council which is the same in substance as any  
question which, during the same Session, has  
been resolved in the affirmative or negative.
- 332** 100. A motion which has been by leave of  
**131** the Council withdrawn, may be made again  
during the same Session.
- 328** 101. A resolution or other vote of the Council  
**132** may be read and rescinded.
- 133** 102. An order of the Council may be read  
and discharged.

Questions su-  
perseded:—  
1. By ad-  
journment.  
2. By read-  
ing the Or-  
ders of the  
Day.  
3. By pre-  
vious ques-  
tion.

Previous  
question re-  
solved in the  
affirmative.

Previous  
question, &c.,  
superseded  
by adjourn-  
ment.

Debates in-  
terrupted.

Complicated  
questions  
may be di-  
vided.

Question put  
and again  
stated.

Question de-  
termined by  
majority of  
voices.

The Presi-  
dent states  
whether  
the "Ayes"  
or the  
"Noes"  
have it.

The same  
question not  
to be again  
proposed.

A motion  
withdrawn  
may be made  
again.

Resolution or  
vote re-  
scinded.

An order dis-  
charged.

## CHAPTER VIII.

### AMENDMENTS.

- 317** 103. A question having been proposed may  
**134** be amended—1. By leaving out certain words  
only; 2. By leaving out certain words in order  
to insert or add other words; or 3. By inserting  
or adding words.
- 135** 104. An amendment proposed, but not se-  
conded, will not be entertained by the Council,  
nor entered in the Minutes of Proceedings.

Different  
forms of  
amendment.

Amend-  
ments to be  
seconded.



<sup>317</sup> 105. When the proposed amendment is to Amendment to leave out words.  
**136** leave out certain words, the President shall put a question, "That the words proposed to be omitted stand part of the question," which shall be resolved by the Council in the affirmative or negative, as the case may be.

<sup>318</sup> 106. When the proposed amendment is to Amendment to leave out words and insert or add other words.  
**137** leave out certain words, in order to insert or add other words, the President shall put a question, "That the words proposed to be omitted stand part of the question," which, if resolved in the affirmative, will dispose of the amendment; but if resolved in the negative, and there is no motion before the Council for amending the proposed amendment, another question shall be put, "That the words (*of the amendment*) proposed to be inserted [or added] in the place of the words omitted be so inserted [or added]" which shall be resolved in the affirmative or negative, as the case may be.

<sup>319</sup> 107. When the proposed amendment is to Amendment to insert or add words.  
**138** insert or add certain words, the President 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.

<sup>320</sup> 108. No amendment shall be proposed in When later part of a question has been amended or proposed to be amended.  
**139** 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 Council withdrawn.

**140** 109. No amendment shall be proposed to be made to any words which the Council has resolved shall stand part of a question, except the addition of other words thereto. No amendment to be made to words already agreed to.

<sup>327</sup> 110. A proposed amendment may be by leave Proposed amendment withdrawn.  
**141** of the Council withdrawn.

<sup>324</sup> 111. When an amendment has been proposed Amendments to proposed amendments.  
**142** from the Chair, amendments may be moved thereto, as if such proposed amendment were an original question.

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

**144** 113. When amendments have been proposed, but not made, the question shall be put as originally proposed. When amendments proposed but not made.

## CHAPTER IX.

### DEBATE.

<sup>344</sup> 114. The President shall maintain order in Order maintained by the President.  
**176** the Council.

<sup>391</sup> 115. Whenever the President rises during a When the President rises Members to be silent.  
**177** debate, any Member then speaking, or offering to speak, shall sit down, and the Members shall be silent, so that the President may be heard without interruption.

<sup>341</sup> 116. By the special indulgence of the Council Indulgence to Members unable to stand.  
**146** a Member unable conveniently to stand, by reason of sickness or infirmity, may be permitted to speak sitting.

<sup>341</sup> 117. No Member may speak to any question No Member to speak after question has been put.  
**148** after the same has been put by the President and the voices have been given both in the affirmative and in the negative thereon.



<sup>343</sup> 118. When two or more Members rise to speak the President calls upon that Member first observed by him; but a motion may be made that any Member who has risen "be now heard," or "do now speak."

The President calls upon Member to speak Motion that a Member "be now heard."

<sup>358</sup> 119. By the indulgence of the Council a Member may explain matters of a personal nature, although there be no question before the Council; but such matters may not be debated.

Personal explanation.

156 120. No Member may speak twice to a question before the Council, except in explanation or reply.

No Member to speak twice to a question.

<sup>359</sup> 121. A Member who has spoken to a question before the Council 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.

<sup>360</sup> 122. A reply shall be allowed to a Member who has made a substantive motion to the Council, but not to any Member who has moved an Order of the Day, an amendment, or an instruction to a Committee.

Or to reply in certain cases.

<sup>363</sup> 123. Any Member may rise to speak "to order," or upon a matter of privilege suddenly arising.

Speaking "to order."

<sup>364</sup> 124. 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 Council for personal explanations.

Debates of same Session not to be alluded to.

<sup>364</sup> 125. No Member shall reflect upon any vote of the Council except for the purpose of moving that such vote be rescinded.

Reflections upon votes of the Council.

<sup>364</sup> 126. No Member shall allude to any debate in the other House of Parliament in the same Session.

Allusion to debates in the other House.

<sup>364</sup> 127. 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.

<sup>373</sup> 128. No Member shall use offensive or unbecoming words in reference to any other Member.

Offensive words against a Member.

129. No member shall digress from the subject-matter of the question under discussion, nor comment upon any expressions said to have been used in the Legislative Assembly in the same Session of Parliament and all imputations of improper motives, and all personal reflections on Members, shall be considered highly disorderly.

Debate how to be conducted.

130. Any Member may, either in the Council or in Committee of the whole Council, call attention to continued irrelevance or tedious repetition on the part of a Member addressing the Chair, and the President or the Chairman, as the case may be, may direct such Member to discontinue his speech. If such Member disobey such direction, he shall be considered guilty of contempt.

Irrelevance or repetition.

<sup>377</sup> 131. When any Member objects to words used in debate, and desires them to be taken down, the President, if it be the pleasure of the Council, shall direct the Clerk to take them down accordingly.

Words taken down by direction of the President.



378 132. Every such objection shall be taken  
 171 at the time when such words are used, and not  
 after any other Member has spoken. Words to be  
 objected to  
 when used.

172 133. Any Member having used objection-  
 able words, and not explaining or retracting the  
 same, or behaving offensively to the Council  
 or to any Member thereof, and not offering  
 apologies for the same, to the satisfaction of the  
 Council, shall be censured, or otherwise dealt  
 with as the Council may think fit; and any  
 Member called to order shall sit down, unless  
 permitted to explain. Members not  
 explaining or  
 retracting.

134. Whenever any Member makes use of  
 any expression personal and disorderly, or  
 capable of being applied offensively to any other  
 Member, the President shall, either of his own  
 motion or upon his attention being thereto  
 called, require the Member so offending to  
 withdraw the expression, and to make a satis-  
 factory apology to the Council. Personal or  
 disorderly  
 reflections.

135. A member called to order shall sit  
 down, unless permitted to explain. Member  
 called to  
 order must  
 sit down.

376 136. The Council will interfere to prevent  
 173 the prosecution of any quarrel between Members,  
 arising out of debates or proceedings of the  
 Council or any Committee thereof. Council will  
 prevent  
 quarrels.

387 137. No Member shall make any disturbance  
 174 during the business of the Council. If any  
 Member offend herein he shall be liable to be  
 declared in contempt of the Council. No noise or  
 interruption  
 will be allow-  
 ed during a  
 debate.

138. In case of such disturbance the President  
 may call upon the Member so offending by name,  
 and such Member shall thereupon be heard in  
 explanation. As soon as he has been so heard,  
 he shall withdraw; and thereupon the Council  
 shall take the case into consideration. Member  
 named by  
 President as  
 disorderly to  
 withdraw.

139. If any person disobey any order of the  
 Council, or interrupt the business of the Council,  
 he shall be declared guilty of contempt. When Mem-  
 bers and  
 others guilty  
 of contempt.

73 140. Every Member or other person declared  
 guilty of contempt shall be committed to the  
 custody of the Usher by warrant signed by the  
 President. Commitment  
 of Member  
 or other  
 person in  
 contempt.

141. The following scale of Fees shall be  
 payable to the Usher on the arrest or com-  
 mitment of any person, and no person shall,  
 without the express direction of the Council, be  
 discharged out of custody until such fees be  
 paid or the Session of Parliament concluded :—  
Scale of fees  
 payable on  
 arrest or  
 commitment.

For arrest	...	...	...	£50
For commitment	...	...	...	£50
For each day's detention, in- cluding sustenance	...	...	...	£5 5s.

CHAPTER X.

DIVISIONS.

396 142. No Member shall be entitled to vote in  
 179 any division, unless he be present in the Chamber  
 when the question is put with the doors locked,  
 and the vote of any Member not so present will  
 be disallowed. No Member  
 to vote un-  
 less present  
 when the  
 question put.



<sup>399</sup> 143. Every Member present in the Chamber when the question is put with the doors locked shall be required to vote. Every Member then present must vote.

<sup>399</sup> 144. So soon as a division has been demanded, the Clerk shall ring the 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. Clerk to ring bell and turn sandglass.

<sup>399</sup> 145. At the expiration of such two minutes the doors shall be closed and locked, and no Member shall enter or leave the Council until after the result of the division has been declared. Doors closed after the lapse of two minutes.

<sup>401</sup> 146. When the doors have been locked, and all the Members in their places, the President shall put the question, and after the voices have been given shall declare whether, in his opinion, the Ayes or the Noes have it; and if this opinion be disputed, he shall direct the Ayes to the right side of the Chamber, and the Noes to the left side of the Chamber, and shall appoint two Tellers for each party. Question put, and "Ayes" and "Noes" to take different sides of the Chamber.

192 147. An entry of the Division Lists shall be made by the Clerk in the Minutes of the Proceedings. Division lists to be recorded.

<sup>408</sup> 148. The Tellers shall report the numbers to the President, who shall declare them to the Council. Tellers report the numbers.

189 149. In case of confusion, or error concerning the numbers reported, unless the same can be otherwise corrected, the Council shall proceed to a second division. In case of confusion or error, Council again divides.

190 150. If the numbers have been inaccurately reported to the Council, the Council on being afterwards informed thereof, shall order the Minutes of Proceedings to be corrected. Mistakes corrected in Minutes of Proceedings.

<sup>410</sup> 151. When, in case of an equality of Votes, the President gives a casting vote, any reasons stated by him shall be entered in the Minutes of Proceedings. Reasons for casting vote when given to be recorded.

<sup>419</sup> 152. No Member shall be entitled to vote either in the Council or in any Committee upon any question in which he has a direct personal pecuniary interest, and the vote of any Member so interested shall be disallowed. No Member personally interested to vote.

CHAPTER XI.

COMMITTEES OF THE WHOLE COUNCIL.

<sup>427</sup> 153. A Committee of the whole Council shall be appointed by the following resolution—That this Council do now (or will on some future day) resolve itself into a Committee of the whole Council. Council resolves itself into a Committee.

154. The same number of Members shall be required to form a quorum in Committee of the whole Council as are required to form a quorum of the Council. Quorum of Committee of the whole.

155. The Council shall appoint a Chairman of Committees of the whole Council who shall continue to act as such Chairman so long as the Session shall continue. Chairman of Committees to be appointed.



156. If when the Council resolves itself into a Committee of the whole, the Chairman of Committees be absent, the Committee may, if no objection be taken, call some other member then present to take the Chair of the Committee; but if objection be taken, the President shall resume the Chair, and the Council shall proceed to elect a member then present to take the Chair. The member called or elected, as last aforesaid, shall exercise all the powers and perform all the duties of the Chairman of Committees during the sitting of the Council, at which he shall be so called or elected, if the Chairman of Committees be so long absent.

Absence of Chairman.



157. Order shall be maintained in a Committee of the whole Council by the Chairman of Committees, but disorder in a Committee can only be censured by the Council on receiving a report thereof.

Order in Committee to be maintained by Chairman.



W. 160

158. In a Committee of the whole Council, the Chairman, if it appear to him to be the pleasure of the Committee, shall direct the Clerk to take down any words used in debate to which objection has been made, in order that the same may be reported to the Council.

Words of heat in Committee.



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

171

Words to be objected to when used.



160. If the Chairman be of opinion that a motion—That the Chairman do report progress, or do leave the Chair, is an abuse of the rules of the Council, he may forthwith put the question thereupon from the Chair.

Debates on motion to report progress.



431 161. A Committee of the whole Council shall consider such matters only as shall have been referred to them by the Council.

202

A Committee to consider only such matters as are referred.



430 162. Every question in Committee of the whole Council shall be decided by a majority of voices.

203

Questions decided by a majority of voices.



163. Divisions shall be demanded and taken in Committee of the whole Council in the same manner as in the Council itself, and in case of an equality of votes, the Chairman shall give a casting vote.

193

Divisions in Committee.



433 164. A motion made in Committee of the whole Council need not be seconded.

204

A motion is not seconded.



165. In Committee of the whole Council no amendment shall be proposed in any part of a Clause of a Bill or 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 Committee withdrawn.



433 166. No motion "That this question be now put" shall be made in Committee of the whole Council.

205

No previous question allowed.



434 167. In Committee of the whole Council, Members may speak more than once to the same question.

207

Members may speak more than once.



208 168. The same order in debate shall otherwise be observed in Committee of the whole Council as in the Council itself.

Order in debate.



437 169. If any sudden disorder arise in Committee of the whole Council, the President may resume the Chair without any question being put.

209

Disorder arising.





170. Whenever in Committee of the whole Council any member makes use of objectionable words or behaves offensively to the Committee or to any Member thereof, the Chairman shall, either of his own motion, or upon his attention being thereto called, require the Member so offending to withdraw such words or to make satisfactory apology to the Committee. In the event of the offending Member refusing or neglecting to withdraw the objectionable words or to make a satisfactory apology, the Chairman shall report the fact to the Council. Personal or disorderly reflections in Committee.
- <sup>438</sup> 211 171. If notice be taken in Committee of the whole Council, that a quorum of Members be not present, the bells shall be rung as in a division, and if, at the expiration of two minutes, or on a division, it appear that a quorum of Members be not present, the Chairman shall leave the Chair, and the President shall resume the Chair. When a quorum of Members not present.
- <sup>439</sup> 212 172. If a quorum of Members be present when the Council is counted by the President, the Council shall again resolve itself into the Committee of the whole Council, without question put. Council counted by the President.
- <sup>442</sup> 213 173. When all matters referred to a Committee of the whole Council have been considered, the Chairman shall be directed to report the same to the Council. Report.
- <sup>440</sup> 214 174. When all such matters have not been considered, the Chairman shall be directed to report progress, and ask leave to sit again. Report of progress.
- <sup>440</sup> 215 175. A motion may be made during the proceedings of a Committee of the whole Council that the Chairman do report progress and ask leave to sit again. Motion to report progress.
- <sup>440</sup> 216 176. A resolution that the Chairman do now leave the Chair shall supersede the proceedings of a Committee. Motion that the Chairman do now leave the Chair.
- <sup>442</sup> 217 177. Every report from a Committee of the whole Council shall be brought up without any question being put. Report to be brought up without question.
- <sup>443</sup> 218 178. Every report from a Committee of the whole Council may be adopted or not adopted by the Council, or re-committed to the Committee, or the further consideration thereof postponed. Report of Committee.
179. Lists of divisions in Committee of the whole Council shall be printed weekly, and when the Chairman shall on an equality of votes in a division give a casting vote, any reason stated by him shall be entered on the printed Lists of Divisions. Division lists.

CHAPTER XII.

SELECT COMMITTEES.

- <sup>449</sup> 219 180. A Select Committee shall consist of not less than five, nor, without leave of the Council, of more than ten members. Number of Members requisite.
- <sup>27</sup> 181. It shall not be compulsory on the President to serve on any Select Committee. President not compelled to serve.
182. The quorum of every Select Committee shall be fixed at the time of appointing such Committee. Quorum of Committee.



<sup>449</sup>  
**221** 183. Every Member intending to move for the appointment of a Select Committee shall, one day at least preceding 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 that the Committee be appointed by ballot, then the number only need be stated.

Notice of nomination to be given.

Except when appointed by ballot.

184. If upon any motion for a Select Committee any six Members 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; if any list contain a larger number of names it shall be rejected; and the President shall appoint two members to be scrutineers, who, with the Clerk, shall ascertain the number of votes for each Member; the Members who shall be reported to have the greatest number of votes shall be declared by the President to be the Members of such Committee; in any case of doubt arising from two or more Members having an equality of votes, the President shall decide which shall serve on such Committee.

Manner of balloting for Committee.

<sup>461</sup> 185. Every Select Committee, previous to the commencement of business, shall elect one of its Members to be the Chairman, but if the Chairman be absent from any meeting, the Members present may appoint any one of their number to be Chairman for that sitting.

Election of Chairman.

<sup>449</sup>  
**223** 186. To every question asked of a witness under examination in the proceedings of any Select Committee shall be prefixed in the minutes of the evidence the name of the Member asking such question.

Names of Members asking questions to be entered in the minutes of evidence.

187. An entry shall be made in the Proceedings of the names of the Members attending each Select Committee meeting, and of every motion or amendment proposed in such Committee, together with the name of the mover thereof.

Names of Members present to be entered.

188. If any division take place in a Select 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 Council.

Divisions to be entered.

<sup>453</sup> 189. If there be not a quorum of Members present within half an hour after the time fixed for the meeting of any Select Committee, the Member or Members present may adjourn the meeting of the Committee to a future day.

If quorum of Members wanting, meeting adjourned.

<sup>454</sup>  
**226** 190. If at any time during the sitting of a Select Committee of the Council the quorum of Members fixed by the Council 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.

<sup>453</sup>  
**227** 191. Members may be discharged from attending a Select Committee, and other Members appointed or added, by resolution of the Council.

Members discharged and added.

<sup>454</sup>  
**229** 192. Whenever it thinks fit, the Council may give a Select Committee power to send for persons, papers, and records.

Power to send for persons, papers, and records.



- 456 193. When a Select 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. ✓
- 457 194. Members of the Council not being of the Committee, may be present when a Committee is examining witnesses; but shall withdraw when the Committee is deliberating. When Members of the Council may be present. ✓
- 460 195. No strangers, or Members, not being of the Committee, shall be admitted at any time to a Secret Committee. Secret Committee. ✓
196. In a Select Committee all questions shall be decided by a majority of voices. Questions how decided in Committee. ✓
- 461 197. The Chairman of a Select Committee can only vote when there is an equality of voices. Chairman can only vote when voices equal. ✓
- 462 198. A Select Committee may adjourn from time to time; and, by leave of the Council, from place to place. Committee adjourns. ✓
- 463 199. All Select Committees sitting at the time that the President is about to take the Chair shall be informed by the Usher that the President is about to take the Chair, and all proceedings after such notice shall be null and void, unless such Committees be otherwise empowered to sit. All proceedings void after notice that the President is to take Chair. ✓
- 235 200. Except by leave of the Council, no Select Committee may sit during the sittings of the Council, or on any day on which the Council itself is not appointed to sit. Not to sit during sitting of adjournment of the Council without leave. ✓
- 466 201. The evidence taken by any Select Committee, and documents which have been presented to such Committee, but have not been reported to the Council, shall not be published by any Member of such Committee, nor by any other person. Evidence, &c., not to be published before reported. ✓
- 466 202. By leave of the Council, a Select 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. ✓
- 467 203. It shall be the duty of the Chairman of every Select Committee to prepare the Report. Chairman to prepare report. ✓
- 467 204. The draft report so prepared shall, if necessary, be printed and circulated amongst the Members of the Committee; and shall be read paragraph by paragraph to the Select Committee convened for the purpose of considering it, and a question put 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. ✓
- 470 205. The Report of a Select Committee shall be brought up by the Chairman, and may be ordered to lie upon the Table, or otherwise dealt with, as the Council may direct. Report brought up. ✓

### CHAPTER XIII.

#### INSTRUCTIONS TO COMMITTEES.

- 446 206. An instruction empowers a Committee of the whole Council to consider matters not otherwise referred to them. Effect of an instruction. ✓



<sup>553</sup> 207. No Instructions may be moved to order <sup>What In-</sup>  
<sup>242</sup> a Committee to make provision in a Bill; nor <sup>structions</sup>  
 to empower a Committee to make provision, <sup>may not be</sup>  
 if they already have that power. <sup>moved.</sup> ✓

<sup>556</sup> 208. An instruction may be moved after <sup>When in-</sup>  
<sup>243</sup> the Council has ordered the Bill to be com- <sup>structions to</sup>  
 mitted, and not as an amendment to the question <sup>be moved.</sup> ✓  
 that the President do now leave the Chair.

<sup>446</sup> 209. An instruction to a Select Committee ex- <sup>Instruction</sup>  
<sup>244</sup> tends or restricts the order of reference. <sup>to a Select</sup>  
<sup>Committee.</sup> ✓

#### CHAPTER XIV.

##### WITNESSES.

<sup>454</sup> 210. Witnesses shall be summoned in order <sup>Witnesses</sup>  
<sup>473</sup> to be examined at the Bar of the Council, <sup>summoned</sup>  
<sup>245</sup> or before a Committee of the whole Council, or <sup>by orders of</sup>  
 a Select Committee, by orders of the Council, <sup>the House.</sup>  
 signed by the Clerk. ✓

<sup>473</sup> 211. Where a witness is in the custody of <sup>Witnesses</sup>  
<sup>246</sup> any person such person may be ordered to <sup>in custody.</sup>  
 bring the witness in safe custody, in order to his  
 being examined, and from time to time as often  
 as his attendance is required; and the President  
 may be ordered to issue his warrant accordingly. ✓

<sup>473</sup> 212. A Committee having power to send <sup>Summoned</sup>  
<sup>247</sup> for persons, papers, and records may summon <sup>by Com-</sup>  
 witnesses by its own order, signed by the <sup>mittees.</sup>  
 Clerk. ✓

<sup>473</sup> 213. If any witness do not attend, pursuant <sup>When wit-</sup>  
<sup>248</sup> to the order of a Committee, his absence shall <sup>ness does not</sup>  
 be reported, and the Council may order him <sup>attend a</sup>  
 to attend the Council; but such order may be dis- <sup>Committee.</sup>  
 charged in case the witness shall have attended  
 the Committee before the time appointed for his  
 attending the Council. ✓

<sup>472</sup> 214. The neglect or refusal of a witness to <sup>Neglect or</sup>  
<sup>250</sup> attend in obedience to an order of the Council, <sup>refusal to</sup>  
 or of a Committee having power to summon <sup>attend.</sup>  
 witnesses, or in obedience to a warrant of the  
 President, may be censured or otherwise  
 punished, at the pleasure of the Council. ✓

<sup>474</sup> 215. When the attendance of a Member is <sup>Attendance</sup>  
<sup>251</sup> desired, to be examined by the Council or a <sup>of Members</sup>  
 Committee of the whole Council, he is ordered to <sup>to be ex-</sup>  
 attend in his place. <sup>amined by</sup>  
<sup>Committee of the whole</sup>  
<sup>Council.</sup> ✓

<sup>474</sup> 216. If a Select Committee desire the attend- <sup>By a Select</sup>  
<sup>252</sup> ance of a Member as a witness, the Chairman <sup>Committee.</sup>  
 shall in writing request him to attend. ✓

<sup>474</sup> 217. If any Member of the Council refuse, upon <sup>If a Member</sup>  
<sup>253</sup> being sent for, to attend, or, when in attendance, <sup>refuse to</sup>  
 to give evidence as a witness to a Select Com- <sup>attend.</sup>  
 mittee, the Committee shall acquaint the Council  
 therewith. ✓

<sup>474</sup> 218. If any information that charges any <sup>Committee</sup>  
<sup>254</sup> Member of the Council come before any Com- <sup>to acquaint</sup>  
 mittee, the Committee shall direct that the <sup>Council of</sup>  
 Council be acquainted with the matter of such <sup>charges</sup>  
 information, without proceeding further there- <sup>against</sup>  
 upon. <sup>Members.</sup> ✓

<sup>475</sup> 219. When the attendance of a Member of <sup>Message for</sup>  
<sup>255</sup> the Legislative Assembly, or of an officer <sup>attendance</sup>  
 of that House, is desired for the purpose of <sup>of Member or</sup>  
 examination by the Council, or any Committee <sup>officer of the</sup>  
 thereof (not being a Committee on a private <sup>Legislative</sup>  
<sup>Assembly.</sup> ✓



Bill), a message shall be sent to the Assembly to request that the Assembly give leave to such member or officer to attend, in order to his being examined accordingly upon the matters stated in such message.

- 256 220. Witnesses cannot be examined upon oath by the Council, or any Committee thereof, except in cases provided for by Statute. Witnesses not examined on oath except in certain cases.
- 482 221. If it appear that any person has been tampering with any witness, in respect of his evidence to be given before the Council, or any Committee thereof, or directly or indirectly endeavouring to deter or hinder any person from appearing or giving evidence, or that any person has given false evidence in any case before the Council or any Committee thereof, every such person shall be guilty of contempt. Tampering with witnesses.
- 482 258 222. All witnesses examined before the Council or any Committee thereof shall be entitled to the protection of the Council in respect of anything that may be said by them in their evidence. False evidence.
- 483 260 223. No Clerk or Officer of the Council, or Shorthand-Writer employed to take minutes of evidence before the Council, or before any Committee thereof, may give evidence elsewhere in respect of any proceedings or examination had at the Bar or before any Committee of the Council, without the special leave of the Council. Witnesses entitled to protection.
- 484 262 224. When the witness appears before the Council, the President shall examine the witness; and no other Member shall put any question otherwise than through the President. Evidence of proceedings not elsewhere to be given without leave.
225. When a witness is in custody at the Bar, he shall be examined by the President alone. In Council, witnesses examined by the President.
- 485 265 226. If any question be objected to, or other matter arise, the witness shall withdraw from the Chamber while the same is under discussion. Witness in custody at the Bar.
- 485 266 227. A Member of the Council shall be examined in his place. Witness withdraws if question objected to.
- 263 228. In Committee of the whole Council any Member may put questions to the witness. Member examined in his place.
- Witnesses examined in Committee of the whole Council.

#### CHAPTER XV.

##### MESSAGES FROM AND ADDRESSES TO HIS EXCELLENCY THE GOVERNOR.

- 504 229. A Message, signed by His Excellency the Governor, may be brought to the Council by a Minister of the Crown, being a Member, who shall present it to the President. How communicated.
- 504 230. The President shall immediately read the Message to the Council, and, if necessary, a day shall be fixed for taking the same into consideration. Consideration of Message from the Governor.
- 506 231. A verbal Message from His Excellency the Governor may be communicated to the Council by a Minister of the Crown, being a Member. Verbal message may be communicated by Minister.



- 302 232. Addresses to His Excellency the Governor may be presented by the whole Council, by the President, or by such Members as the Council may name for that purpose. Addresses, how presented. ✓
233. When an Address is ordered to be presented by the whole Council, the President, with the Members, on being admitted to His Excellency the Governor's presence, shall read the Address to His Excellency; the Members who moved and seconded such Address being on his left hand. By the whole Council. ✓
234. When it is ordered that an Address in which the Assembly joins the Council be presented by the whole Council, such Address shall be presented by the President, and such Members as may be named by the Council, together with the Speaker and the Members appointed by the Assembly. Addresses in which the Assembly shall join the Council. ✓
235. His Excellency the Governor's answer to any Address presented by the whole Council shall be reported to the Council by the President. Governor's answer to Address presented by the whole Council. ✓
236. His Excellency the Governor's answer to any Address presented otherwise than by the President shall be reported to the Council by the Member or one of the Members presenting the same. To Address presented otherwise than by the whole Council. ✓
237. Unless it be otherwise ordered by the Council, all Addresses to His Excellency the Governor shall be forwarded by the Clerk of the Council. Unless otherwise ordered Addresses to the Governor forwarded by Clerk. ✓
- 305 238. The concurrence of the Council in an Address communicated by the Assembly shall be signified by Message. Concurrence with other House to be signified by Message. ✓

## CHAPTER XVI.

## PETITIONS.

239. No petition shall be presented after the Council has proceeded to the Orders of the Day. Time for presentation of petitions. ✓
- 614 240. Petitions can only be presented to the Council by a Member, and no Member can present a petition from himself. Petitions presented by Members. ✓
- 611 241. Every petition shall be respectful, decorous, and temperate in its language. Petitions to be respectful. ✓
- 616 242. Every member presenting a petition shall acquaint himself with the contents thereof, and ascertain that it does not contain language disrespectful to any branch of the Legislature, or violate any of the Standing Orders of the Council, and shall affix his name at the beginning of the petition. Contents of petitions. ✓
- 609 243. Every petition must contain a prayer at the end thereof. To contain a prayer at the end. ✓
- 610 244. Every petition must be signed by at least one person on the last page thereof. To be signed on the last page. ✓
- 610 245. Every petition shall be signed by the parties whose names are appended thereto, with their names or marks, and by no one else on their behalf, except in case of incapacity by sickness. To be signed by the parties. ✓
- 610 246. The signatures shall be written upon the petition itself or upon sheets attached thereto, but no individual or single signature shall be pasted upon, or otherwise transferred thereto. Signatures not to be transferred. ✓



- 610 247. Petitions of corporations shall be made under their common seal. Petitions of corporations. ✓
248. If any person forge the name of any other person to any petition to the Council or affix thereto any fictitious name, he shall be deemed guilty of contempt. Forgery of signatures. ✓
- 610 249. Every petition shall be in the English language, or be accompanied by a translation, certified by the Member who presents it. To be in English. ✓
- 610 250. No letters, affidavits, or other documents may be attached to any petition. No letters, &c., to be attached. ✓
- 318 251. No reference shall be made in a petition to any debate in Parliament. Debates not to be referred to. ✓
- 618 252. Every Member offering to present a petition to the Council, not being a petition for a private Bill, or relating to a private Bill before the Council, 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 facts in petition. ✓
- 335 253. Every such petition not containing matter in breach of the privileges of the Council, and which according to the rules or usual practice of the Council can be received, shall be handed to the Clerk at the table, and the President shall not allow any debate upon, or in relation to such petition; but it may be read by the Clerk if required. Not to be debated. But may be read by Clerk. ✓
- 618 254. 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. ✓
- 337 255. No petition the prayer of which is for a distinct grant of money shall be received by the Council. Petition for distinct grant of money cannot be received. ✓

## CHAPTER XVII.

## BILLS.

- 524 256. Every Bill shall be brought in upon motion made and question put, That leave be given to bring in such Bill. Bills ordered. ✓
- 340 257. A Bill shall be presented by the Member who has obtained leave to bring in the same, and immediately after its presentation its first reading shall be proposed. Bills presented by a Member. ✓
- 540 258. When any Bill is presented by a Member, or is brought up from the Legislative Assembly, 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. ✓
- 350 259. When a Bill has been read a first time, its second reading shall be made an Order of the Day for a future day. Bill ordered to be read a second time. ✓
- 541 260. 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. ✓
- 352 261. Amendments may be moved to such question by leaving out "now," and inserting any other time; or that the Bill be laid aside or be rejected. Amendments to question for second reading. ✓
- 546 353



547 262. No other amendment may be moved to  
 354 such question, unless the same be strictly relevant to the Bill. Amendments to be relevant. ✓

552 263. A Bill having been read a second time,  
 577 may be ordered to be committed to a Committee  
 355 of the whole Council, or to a Select Committee. Bill committed. ✓

552 264. On the Order of the Day being read for  
 356 the Committee on a Bill, the President shall put the question, "That I do now leave the Chair;" which being resolved in the affirmative, the Council resolves itself into a Committee of the whole Council on the Bill. Committee of the whole Council on the Bill. ✓

265. When the Committee has reported progress, the President shall leave the Chair on the Order of the Day being read without putting any question. After progress has been reported. ✓

552 266. An amendment may be moved to the  
 357 question, That the President do now leave the Chair, by leaving out all the words after the word "That" in order to add the words "this Council will, on (*some future day*), resolve itself into the said Committee." Amendments to the question for the President to leave the Chair. ✓

552 267. On the Order of the Day being read for  
 358 the committal of a Bill, an instruction may be moved to the Committee, but shall not be moved by way of amendment. Instructions to Committee. ✓

268. In Committee on a Bill the Preamble shall stand postponed until after the consideration of the rest of the Bill without question put. Preamble postponed. ✓

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

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

566 271. Any clause may be postponed, although  
 365 the same has already been amended. Clauses postponed. ✓

272. New clauses relevant to the subject-matter of the Bill, or pursuant to any instruction, shall be proposed after the clauses in the Bill have been considered, and before the schedules, if any, are proposed. When new Clauses to be proposed. ✓

568 273. After every clause and schedule has been  
 366 agreed to, the preamble shall be considered, and if necessary amended; and a question shall be put, "That the preamble, or the preamble as amended (as the case may be), stand part of the Bill." Preamble agreed to. ✓

569 274. No notice may be taken of any pro-  
 367 ceedings in Committee of the whole Council, or a Select Committee on a Bill, until such proceedings or Bill have been reported. Proceedings in Committee not to be noticed until reported. ✓

570 275. When the Bill has been fully con-  
 369 sidered, the Chairman shall be directed to report the Bill, with or without amendment, to the Council. Bill reported ✓

573 276. At the close of the proceedings of a  
 370 Committee of the whole Council on a Bill, the Chairman shall report the Bill forthwith to the Council, and a time shall be appointed for taking such Report into consideration. Bill as amended to be considered. ✓



575 277. After a Bill has been reported to the Council such Bill or any specified Clause or **374** Clauses thereof may be ordered to be recommitted to a Committee of the whole, either upon the same or upon any future day, or the Bill may be ordered to be committed to a Select Committee.

Bills re-committed.

277 278. Before any Bill is 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.

582 279. The order of the day for the third reading of a Bill may be read and discharged, and the Bill ordered to be recommitted, or any specified clause or clauses thereof, may be ordered to be recommitted to a Committee of the whole, or the Bill may be ordered to be committed to a Select Committee.

Order for third reading discharged.

**376** 280. The Order of the Day being read for the third reading of a Bill, the question shall be put, "That the Bill be now read a third time," to which amendments may be moved, as on the second reading.

Third reading.

582 281. After a Bill has been read a third time, verbal or consequential amendments, and none other, may be made.

Verbal or consequential amendments made.

**379** 282. The further proceedings on a third reading may be adjourned to a future day.

Further proceedings on third reading adjourned.

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

Bills passed and title agreed to.

277 **380** 284. By leave of the Council, Bills may be passed with unusual expedition through their several stages.

Bills passed with unusual expedition.

584 **382** 285. When a Bill has been originated in the Council and all the proceedings thereon have been concluded, the Bill shall be ordered to be transmitted to the Legislative Assembly and their concurrence desired.

Bills sent to the Legislative Assembly.

587 **383** 286. When a Bill is returned from the Legislative Assembly with any clause or portion of a clause struck out or with any other amendments, such amendments shall be read and agreed to, or agreed to with amendments, or disagreed to, or may be restored, with or without amendments, or the further consideration thereof put off to some future day, or the Bill ordered to be laid aside or rejected.

Bills returned from the Legislative Assembly.

**384** 287. Amendments by the Legislative Assembly to Bills originated in the Council shall be appointed to be considered on a future day, unless the Council order them to be considered forthwith.

Amendments of Legislative Assembly.

288. When a Bill has originated in the Legislative Assembly and has been agreed to by the Council with amendments, such Bill with the amendments attached thereto shall be returned to the Legislative Assembly and their concurrence desired in such amendments.

Bills returned to Legislative Assembly with amendments.

289. When a Bill which has originated in the Assembly has been agreed to by the Council without amendment, a Message shall be transmitted to the Legislative Assembly acquainting them therewith.

Bills agreed to without amendment.



18 & 19  
Vict.,  
c. 55, s.  
36. 290. Whenever His Excellency the Governor proposes any amendment in a Bill presented to him for Her Majesty's assent, which has originated in the Council, and the Message proposing such amendment is transmitted to the Council, the amendment shall be agreed to or not agreed to by the Council, but no amendment shall be proposed therein.

Amendments proposed by Governor.

291. When the Council have agreed to any amendment proposed as last aforesaid by His Excellency the Governor, such amendment shall be transmitted by Message to the Legislative Assembly for their concurrence.

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

292. Whenever the Legislative Assembly have agreed to any amendment proposed to be made by His Excellency the Governor in any Bill, and transmit the same to the Council, the amendment shall be agreed to or not agreed to by the Council, but no amendment shall be proposed therein.

Amendments of Governor agreed to by Assembly how dealt with by Council.

293. 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, has passed its second and third readings in the Council, with the concurrence of an absolute majority of the whole number of the Members of the Council, the Clerk, or other proper officer of the Council, shall certify the fact on the Bill accordingly.

Bills altering Constitution Act how certified.

*Approved*

CHAPTER XVIII.

ACCOUNTS, PAPERS, AND PRINTING.

294. The Council may order that accounts and papers be laid before it, and may, if it think fit, direct the same to be printed.

Accounts, &c., ordered.

623 295. When the Royal prerogative is concerned in any account or paper, an address shall be presented to His Excellency the Governor praying that the same may be laid before the Council.

Addresses for papers.

388 296. Other papers may be presented by command of His Excellency the Governor, or pursuant to Statute.

Papers presented pursuant to Statute or by command.

629 297. At the commencement of each Session, a Select Committee shall be appointed to consider and order upon all matters which relate to the printing to be executed by order of the Council, 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.

628 298. When any account or paper is presented by a Member, it shall be delivered to the Clerk of the Council.

Papers presented by Members.

299. Accounts and other papers which are required to be laid before the Council by any Act of Parliament, or by any order of the Council, may be deposited with the Clerk, and the same shall be laid on the table, and a list of such accounts and papers read by the Clerk.

Papers deposited with the Clerk of the Council.

300. 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.



## CHAPTER XIX.

## MISCELLANEOUS.

301. 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 Council or any Committee thereof and not inconsistent with the foregoing Rules.

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

302. The foregoing Rules and Orders, or any of them, may at any time be suspended or dispensed with by the Council, but (except by leave of the Council) no motion shall be made to dispense with any such Rule or Order without due notice thereof.

Standing Orders may be suspended on notice being given. ✓

303. In these Standing Orders, the expression "leave of the Council" shall mean the leave of the Council granted without any negative voice.

Interpretation of "Leave of the Council." ✓

*Adopted by the Legislative Council the eighth day of December one thousand eight hundred and eighty-seven.*

*John Barber*

*Clerk of the Legislative Council*

*Approved*

*Samuel Hoock*

*Governor*

*15 December 1887.*



