



**PARLIAMENT**  
**REPUBLIC OF TRINIDAD AND TOBAGO**

**FOURTH SESSION OF THE TENTH PARLIAMENT (2013/2014)**

**FIRST REPORT  
OF  
THE STANDING ORDERS COMMITTEE  
OF THE  
HOUSE OF REPRESENTATIVES**

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## THE COMMITTEE

### Membership of the Committee – Fourth Session (2013/2014)

The Committee is comprised of the following seven (7) Members of the House of Representatives:

Mr. Wade Mark	Chairman
Dr. Roodal Moonilal	Member
Mr. Colm Imbert	Member
Mr. Jairam Seemungal	Member
Dr. Delmon Baker	Member
Mr. Collin Partap	Member
Ms. Marlene Mc Donald	Member

### Terms of Reference

2. The Committee was established on Wednesday September 18, 2013 with the following terms of reference in accordance with Standing Order 73 (1) of the House of Representatives:

*“The Standing Orders Committee shall have the duty of considering from time to time and reporting on all such matters, relating to the Standing Orders as may be referred to it by the House.”*

### Committee Secretariat Support

3. During the session Mrs. Jacqui Sampson-Meiguel, Clerk of the House, served as Secretary of the Committee except when on official leave, during which time Mrs. Nataki Atiba-Dilchan, Clerk of the Senate, served the Committee as its Acting Secretary. Ms. Keiba Jacob served as Assistant Secretary to the Committee.

4. Additional Procedural and Legal support was provided by Mr. Ralph Deonarine, Procedural Clerk, Ms. Candice Skerrette, Procedural Clerk Assistant, Ms. Chantal La Roche, Legal Officer and Ms. Susan-Leigh Christopher, Legal Officer.

### **Meetings**

5. Since its appointment, the Committee held one (1) *in camera* meeting on Monday December 9, 2013.

## **INTRODUCTION**

6. The Standing Orders are written rules of procedure which provide for the conduct of proceedings in the House of Representatives including a detailed description of the legislative process, the role of the Speaker in the maintenance of order, rules of debate, and the rules governing the appointment of and work of Committees along with other matters affecting the operation of the House. The continuing or “standing” nature of the rules means that they do not lapse at the end of a Session or Parliament. Rather, they remain in effect until the House itself decides to suspend, change or repeal them.

7. The Standing Orders Committee of the House of Representatives is responsible for considering from time to time and reporting on all matters relating to the Standing Orders. The Committee undertook a comprehensive review of the Standing Orders to provide for the regulation of certain procedures, introduce new provisions consistent with current practices, introduce new procedures as may be required by statute law and facilitate the codification of well-established practices of the House.

## HISTORICAL CONTEXT

8. Trinidad and Tobago became an independent nation in 1962 by virtue of the Trinidad and Tobago (Constitution) Order in Council, 1961. Article 8 made provision for the commissioning of the first Standing Orders by the Governor and provided that:

*“the Governor shall make and cause to be laid before the Senate and the House of Representatives respectively when they first meet such Standing Orders with respect to the matters mentioned in article 26 of the Constitution as appear to him expedient to enable the Senate and the House of Representatives to commence the transaction of their business in an orderly manner, but any such Order may be amended or revoked by the chamber to which they relate.”*

9. Article 26 granted each chamber of the Legislature the power to make Standing Orders to regulate its own proceedings by providing as follows:

*“subject to the provisions of this Constitution, each Chamber of the Legislature may make, amend and revoke Standing Orders for the regulation and orderly conduct of its own proceedings and the dispatch of business, and the passing, intituling and numbering of Bills and the presentation of the same to the Governor for assent.”*

10. When Trinidad and Tobago became a Republic in 1976, the Constitution of Trinidad and Tobago Act Chap. 1:01 provided for the saving of the Standing Orders of the Senate and of the House of Representatives in force under the Trinidad and Tobago (Constitution) Order in Council 1961. Section 20 provides:

*“the Standing Orders of the Senate and of the House of Representatives of the last Parliament under the former Constitution as in force immediately before the appointed day shall, except as may be otherwise provided in pursuance of section 51(6) of the Constitution, be the Standing Orders of the Senate and of the House of Representatives established by the Constitution, but shall be read and construed with such modifications, adaptations, qualifications and exceptions as may be necessary to bring them into conformity with this Act.”*

11. Since 1961, the Standing Orders have been amended once only. In September 2000 upon the introduction of the Departmental Joint Select Committees established under Section 66A of the Constitution of the Republic of Trinidad and Tobago, the Standing Orders were amended to provide for new procedures to operationalize these Departmental Joint Select Committees. However, over time practice has overtaken several Standing Orders and consequently, a comprehensive review was long overdue.

### **STANDING ORDERS REFERRED**

12. It is therefore not surprising that at a sitting of the House of Representatives held on Tuesday September 17, 2013, the House agreed to the following resolution:

*“Be it resolved that the Standing Orders of the House of Representatives be referred to the Standing Orders Committee for consideration and report within the current session”.*

### **DELIBERATIONS**

13. As a starting point the Committee took note of the extensive work undertaken by the Standing Orders Committee in the Fifth Session (2006-2007) of the Eighth Parliament. The Committee spent considerable time reviewing the Report of that Committee which was laid in the House of Representatives on September 12, 2007. Members were of the view that the effort of that earlier Committee was commendable and that it was unfortunate that its work came to an abrupt end by the prorogation of the Eighth Parliament in 2007.

14. With the aid of the researchers attached to the Committee’s Secretariat, Members of the Committee engaged in a detailed study of the Standing Orders from cover to cover and identified Standing Orders that required amendment. In their consideration of the Standing Orders Members made reference to the following:

- (a) The Constitution of the Republic of Trinidad and Tobago;
- (b) Standing Orders of the House of Representatives, New Zealand;
- (c) Standing Orders of the House of Representatives, Australia;
- (d) Parliamentary Practice and Procedure, Erskine May, 24<sup>th</sup> Edition;
- (e) Standing Orders of the House of Representatives, Jamaica;
- (f) Standing Orders of the National Assembly, Republic of Kenya;
- (g) Standing Orders of the House of Commons, Canada, along with its rules of procedures; and
- (h) Standing Orders of Lok Sabha, India.

15. There was agreement that the Standing Orders needed a comprehensive revision in order to:

- (a) modernize the Standing Orders;
- (b) provide for the regulation of certain procedures;
- (c) introduce new provisions consistent with current practices;
- (d) introduce new procedures as may be required by statute law; and
- (e) facilitate the codification of well-established practices of this House.

16. The Committee now presents its first Report. The report includes as Appendix II a comparative table, which for ease of reference provides at a glance the changes made to each Standing Order. Appendix III is the proposed comprehensive Revised Standing Orders.

### **MAIN AREAS OF REVISION**

17. As Appendix III reveals, amendments are proposed to several Standing Orders in most cases to reflect current practices. For example, the Members identified *Election of a Speaker*, *Time Limit of Speeches* and *the Committee System* for detailed consideration and review.

18. The Committee felt that the procedure for the Election of a Speaker should provide for various scenarios that may arise during the election of a Speaker and ultimately avoid a repeat of the 2002 deadlock. In circumstances where there are more than two nominations,

the Committee proposes that, should an equality of votes result upon the conclusion of a ballot, the Clerk should determine by lot which candidate is to be eliminated.

19. The Committee also recognized that there was a need to modernize Question Time which is a major tool in Parliament's oversight function. Specifically, the Committee noted that there was a provision for Urgent Questions in the existing Standing Orders that has been utilized but once since 1961, particularly because the relevant rules are unclear. Therefore, it will be observed that the Committee proposes a clear procedure for Urgent Questions in the proposed new Standing Order 27. Also noteworthy is the proposal for the introduction of Prime Minister's Question Time modeled after other Commonwealth Parliaments such as Jamaica and the United Kingdom.

20. The Committee was of the belief that in order for the House of Representatives to be more effective given the current demands on its limited time, a comprehensive revision of the Time Limit of Speeches is required. There was general agreement that the time allotted to each Member during debate when measured against the House's workload today, means that the number of members who can properly participate in proceedings of the House is severely restricted. However, the Committee was mindful that a reduction in the length of speeches may be interpreted as infringing on Members' right to represent the concerns of their constituents. Accordingly, the Committee sought to balance the reduction in speaking time with the strengthening of the Committee system, holding the view that although Members would have less time to make their contributions during debates, they would be given more opportunities to voice their concerns in Committee meetings.

## CONCLUSION

21. In presenting this Report the Committee recommends the proposed Revised Standing Orders for consideration and adoption by the House of Representatives. Committee Members recognize that some of the proposals will introduce major changes in the way the House conducts business and may not be immediately implementable. However, the Committee is confident that this is an essential first stage of the process to bring the operations of the House of Representatives in line with current demands and expectations of our modern society. Members fully appreciate that much is expected today of elected representatives of the people in every democratic country and are of the view that the proposed Revised Standing Orders can, if accepted, assist the House to better meet the expectations of the people.

The Committee acknowledges its gratitude to all those who assisted in the completion of its work.

Respectfully Submitted,

Mr. Wade Mark  
Chairman

**December 13, 2013**



## **APPENDICES**

# Appendix I

**MINUTES OF THE FIRST MEETING OF THE STANDING ORDERS  
COMMITTEE OF THE HOUSE OF REPRESENTATIVES  
FOURTH SESSION OF THE TENTH PARLIAMENT  
HELD ON MONDAY DECEMBER 9, 2013**

**Present were:**

Mr. Wade Mark	-	Chairman
Mr. Jairam Seemungal	-	Member
Dr. Roodal Moonilal	-	Member
Mr. Colm Imbert	-	Member
Mrs. Jacqui Sampson Meiguel	-	Secretary
Ms. Keiba Jacob	-	Assistant Secretary
Mr. Ralph Deonarine	-	Procedural Clerk
Ms. Candice Skerrette	-	Procedural Clerk Assistant
Ms. Chantal La Roche	-	Legal Officer
Ms. Susan- Leigh Christopher	-	Legal Officer

**Excused were:**

Mr. Collin Partap	-	Member
Ms. Marlene Mc Donald	-	Member
Dr. Delmon Baker	-	Member

## **INTRODUCTION**

- 1.1 The Chairman called the meeting to order at 4:00 p.m. and thanked Members for attending.
- 1.2 The Chairman indicated that Dr. Delmon Baker, Mr. Collin Partap and Ms. Marlene Mc Donald were unable to attend and have been excused from the meeting.

## **CONSIDERATION OF PROPOSED REVISED STANDING ORDERS**

- 2.1 The Chairman indicated that in addition to the first working document circulated to Members on September 12, 2013 a second working draft had been circulated on December 4, 2013 which incorporated comments received from Members.
- 2.2 The Chairman referred Members to the Second Working Draft of the Proposed Revised Standing Orders as well as the accompanying Comparative Table and thanked them for the time that they had invested over the preceding weeks in studying the document and submitting comments.
- 2.3 The Committee discussed in detail the following areas of the Standing Orders:
  - (a) Election of a Speaker;
  - (b) Meeting Days and Hours of Sittings;
  - (c) Length of Speeches;
  - (d) Questions, with specific focus on Prime Minister's Questions;
  - (e) Procedure for laying Statutory Instruments;
  - (f) Legislation; and
  - (g) Committees.
- 2.3 The Committee agreed to the following amendments to the Second Working draft of the Proposed Revised Standing Orders:
  - (a) In Standing Order 9(2), delete the words "in his judgment is best able to command" and replace with the word "commands";
  - (b) In Standing Order 12(1), delete the words "10:30 a.m." and replace with "1:30 p.m.";

- (c) In Standing Order 16(3), delete the words “thirty” and replace with the words “forty (40)”;
- (d) Delete Standing Order 26(1), and replace with “(1) During the second sitting of the House each month there shall be Prime Minister’s Question Time at the time designated in the Order of Business.”
- (e) In Standing Order 81(5), delete the words “three (3)” and replace with the words “four (4)”.
- (f) In Standing Order 83(1), delete the words “seven (7)” and replace with the words “five (5)”
- (g) In Standing Order 98(3), include provisions for the establishment of another standing Joint select Committee on Human Rights, Diversity the Environment and Sustainable Development.

2.4 Members of the Committee agreed to submit a Report to Parliament on the Proposed Revised Standing Orders by Friday December 13, 2013 subject to the amendments listed above.

### **ADJOURNMENT**

3.1 The meeting was adjourned to a date to be fixed.

We certify that the above minutes are true and correct.

**Wade Mark**

**Chairman**

**J. Sampson Meiguel**

**Secretary**

**December 12, 2013**

## **Appendix II**

**Comparative Table of the  
Existing Standing Orders and Revised Standing Orders**

<b>Existing Standing Orders</b>	<b>Revised Standing Orders</b>
<b>Title</b> 1. These Standing Orders may be cited as the House of Representatives Standing Orders, 1961.	<b>Preliminary Provisions</b>  <b>1. Purpose</b>  These Standing Orders contain rules for the conduct of the proceedings of the House and for the exercise of the powers possessed by the House. They are not intended to diminish or restrict the rights, privileges and immunities of the House and its Committees collectively or of its Members individually. <sup>1</sup>
<b>Existing Standing Orders 91 and 92</b>	<b>2. Interpretation and Application of Standing Orders</b>  (1) The Speaker (or other Member presiding) is responsible for ruling whenever any question arises as to the interpretation or application of a Standing Order and for deciding cases not otherwise provided for.  (2) In any matter not provided for in these Standing Orders, resort shall be had to the usage and practice of the House of Commons of the United Kingdom which shall be followed as far as they may be applicable to this House, and not

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<sup>1</sup> New Standing Order

Existing Standing Orders	Revised Standing Orders
	<p data-bbox="1108 280 1900 345">inconsistent with these Standing Orders or with the practice of this House.</p> <p data-bbox="1060 391 1900 634">(3) In cases of doubt the Standing Orders of this House shall be interpreted in the light of the relevant usage and practice of the House of Commons of the United Kingdom, but no restrictions which the House of Commons has introduced by Standing Order shall be deemed to extend to this House or its Members until the House has provided by Standing Order for such restriction.</p> <p data-bbox="1060 680 1900 777">(4) The Speaker shall have power to regulate the conduct of business in all matters not provided for in these Standing Orders.</p> <p data-bbox="1060 823 1900 920">(5) The decision in all cases for which these Standing Orders do not provide, shall lie within the discretion of the Speaker, and shall not be open to challenge.</p> <p data-bbox="1060 966 1900 1031">(6) The Speaker may issue Practice Notes on the procedure and practice to be followed under any Standing Order.<sup>2</sup></p>
<p data-bbox="470 1081 753 1105" style="text-align: center;"><b>New Standing Order</b></p>	<p data-bbox="1108 1081 1325 1105" style="text-align: center;"><b>3. Definitions<sup>3</sup></b></p> <p data-bbox="1060 1151 1866 1175">In these Standing Orders, if not inconsistent with the context –</p>

<sup>2</sup> New Standing Order, includes existing Standing Orders 91 and 92. Paragraph (4) makes it clear that the power to regulate the conduct of business not provided for by Standing Orders rests with the Speaker

<sup>3</sup> New Standing Order



Existing Standing Orders	Revised Standing Orders
	<p><b>Chair</b> means the Speaker or other person presiding;</p> <p><b>Chairman</b> means the Chairman of a Committee of the whole House or of a Select Committee;</p> <p><b>Circulate</b> means to distribute via electronic means as far as possible;</p> <p><b>Clerk</b> means the Clerk of the House or, if the office is vacant or the Clerk is absent from duty, the person appointed to act as Clerk of the House; and includes any person authorised by the Clerk to perform any of the functions or exercise any of the powers of the Clerk under these Standing Orders;</p> <p><b>Clerk of the Committee</b> means the Clerk of the House or a person authorised by the Clerk to be a Clerk of a Committee;</p> <p><b>Coalition</b> means the joining together of two or more groups or parties, usually to form a government or opposition<sup>4</sup>;</p> <p><b>Constitution</b> means the Constitution of the Republic of Trinidad and Tobago;</p> <p><b>Court</b> means a court of record in Trinidad and Tobago and includes a Judicial Committee;<sup>5</sup></p>

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<sup>4</sup> Adopted from the Australian Parliament

<sup>5</sup> A “court of record” is defined by the Black’s Law Dictionary, 8<sup>th</sup> ed., as a court that is required to keep a record of its proceedings. The court’s records are presumed accurate and cannot be collaterally impeached; a court that may fine and imprison people for contempt.

Existing Standing Orders	Revised Standing Orders
	<p><b>Dissolution</b> means the formal end of the life of a Parliament in accordance with Sections 68 (1) and (2) of the Constitution;</p> <p><b>Financial Interest</b> means a pecuniary benefit or other material benefit which a Member receives which might reasonably be thought by others to influence his actions, speeches or votes in Parliament or actions taken in his capacity as a Member of Parliament<sup>6</sup>;</p> <p><b>House</b> means the House of Representatives;</p> <p><b>Leader of the House</b> means the Minister who is primarily responsible to the Prime Minister for the arrangement of Government business in the House;</p> <p><b>Leader of the Opposition</b> means the Member appointed by the President pursuant to Section 83 of the Constitution;</p> <p><b>Leave of the House or Leave of the Committee</b> means permission to do something that is granted without a dissentient voice;</p> <p><b>Make</b> when used in these Standing Orders in reference to written law means enact or gazette<sup>7</sup>;</p> <p><b>Member</b> means a Member of the House of Representatives or of</p>

<sup>6</sup> Best practice would require Members to register their financial and other interests as is done in the Canadian House of Commons and National Assembly for Wales

<sup>7</sup> Definition in accordance with the Interpretation Act Chapter 3:01

Existing Standing Orders	Revised Standing Orders
	<p>a Committee;</p> <p><b>Minister</b> means a person appointed by the President under Section 79 of the Constitution and assigned responsibility for any business of the Government of Trinidad and Tobago including the administration of any department of Government;</p> <p><b>Order Paper</b> means a document showing the business before the House in the sequence in which orders of business are called.</p> <p><b>Paper</b> means a document, including a report, laid on the Table of the House, usually in accordance with a statutory provision;</p> <p><b>Party</b> means a formally constituted political group that contests elections recognized for parliamentary purposes in accordance with these Standing Orders;</p> <p><b>Petition</b> means a formal written request from one or more persons addressed to the House in respect of some particular cause;</p> <p><b>Person</b> includes an organization;</p> <p><b>Precincts of Parliament</b> means the lands and buildings occupied for parliamentary purposes and any footpath or walkway immediately bordering such lands and buildings;</p> <p><b>President</b> means His Excellency the President of the Republic of Trinidad and Tobago;</p>

Existing Standing Orders	Revised Standing Orders
	<p><b>Private Member</b> refers to a Member of the House who is not a Minister or Parliamentary Secretary;</p> <p><b>Privilege</b> means the special rights and immunities belonging to the House, its Committees and its Members in accordance with Section 55 of the Constitution and as may be prescribed by Parliament from time to time;</p> <p><b>Prorogation</b> means the formal ending of a session of Parliament by Presidential proclamation;</p> <p><b>Recess</b> means the period between sessions of a Parliament or any period during which the House stands adjourned to a future day exceeding three (3) weeks;</p> <p><b>Session</b> means the period of sittings commencing when the House first meets after a prorogation or dissolution and terminating when the Parliament is prorogued or is dissolved without having been prorogued<sup>8</sup>;</p> <p><b>Statutory Instrument</b> means any proclamation, rule (including Rule of Court), regulation, order, bye-law, resolution of either House of Parliament, notification, appointment made under a written law; but does not include (a) a conveyance, agreement or bond, an appointment of a person, a personal or private</p>

<sup>8</sup> Adopted from the Standing Orders of Kenya

Existing Standing Orders	Revised Standing Orders
	<p>notice, or other instrument of a like nature, or (b) an order made or warrant issued by a Court<sup>9</sup>;</p> <p><b>Sub judice</b> for the purposes of Standing Order 49 refers to a matter that is before the Court and awaiting adjudication;</p> <p><b>Substantive Motion</b> means a self-contained proposal, drafted in a form capable of expressing an opinion or decision of the House;</p> <p><b>Table of the House</b> is the table situated between the government and opposition benches and in front of the Presiding Officer's chair;</p> <p><b>Visitor</b> means a person other than a Member or employee of the Office of the Parliament who is required to work directly with the House;</p> <p><b>Whip</b> is a Member of a party in the House who is responsible for organising members of his party to take part in debates and votes;</p> <p><b>Witness</b> means a person who attends before the House or a Committee to give evidence and may include a Member of Parliament;</p> <p><b>Writing</b> includes any communication which is hand written or printed, and is hand delivered or transmitted by fax, post, or</p>

<sup>9</sup> Definition in accordance with the Interpretation Act Chapter 3:01

Existing Standing Orders	Revised Standing Orders
	any electronic means or in any other manner approved by the Clerk.
<p><b>3. Election of Speaker</b></p> <p>(1) At the first meeting of the House immediately after a general election and before the House proceeds to the despatch of any other business, or whenever it is necessary for the House to elect a Speaker by reason of a vacancy in the office occurring otherwise, the Clerk shall call upon the House to elect a Speaker.</p> <p>(2) A Member, having first ascertained that the Member, or other person to be proposed is willing to serve if elected, may, rising in his place and addressing the Clerk, propose any other Member (not being a Minister or a Parliamentary Secretary), or any other person who is not a Member of either chamber of the Legislature, to the House as Speaker of the House; and if that proposal be seconded, the Clerk, if no other such Member or person be proposed for the office, shall declare the Member or the person so proposed and seconded to be Speaker of the House.</p> <p>(3) If another such Member or person, willing to serve if elected, be proposed and seconded, the Clerk shall propose the question that the Member who was first proposed should be the Speaker. If that proposal be agreed to, the Member or other person so chosen shall be Speaker, but if the proposal be negatived, the Clerk shall propose a like question in respect of any other such Member or person, who has been proposed and seconded, until the question is carried in favour of one of the</p>	<p style="text-align: center;">Chapter I General Provisions</p> <p><b>4. Election of a Speaker</b></p> <p>(1) At the first sitting of the House immediately after a general election, before the House proceeds to attend to any other business, the Clerk shall call upon the House to elect a Speaker.</p> <p>(2) The election of Speaker shall be conducted in the following manner:</p> <ul style="list-style-type: none"> <li>(a) For the purpose of the election of a Speaker, the Clerk shall preside and call for nominations;</li> <li>(b) The Speaker may be elected either from among the Members of the House who are not Ministers or Parliamentary Secretaries or, subject to Section 50(3) of the Constitution, from among persons who are not Members of either House;</li> <li>(c) No debate shall be allowed upon the proposals for filling the office of Speaker.</li> </ul> <p><i><u>Member or other person nominated as Speaker</u></i></p>

Existing Standing Orders	Revised Standing Orders
<p>Members, or other persons, so proposed.</p> <p>(4) No debate shall be allowed upon proposals for filling the office of Speaker, but any member may call for a division after the decision on the proposal has been announced.</p>	<p>(3) Any Member may rise in his place and propose that such other Member or person (hereinafter referred to as "candidates"), duly qualified in accordance with paragraph 2(b) of this Standing Order and having consented, "<i>take the Chair of this House as Speaker</i>". The motion shall be seconded.</p> <p>(4) The proposer may make a brief address, not to exceed two minutes, on the candidate's nomination.</p> <p><i><u>If unopposed, elected</u></i></p> <p>(5) The Clerk shall then ask "<i>Is there any further nomination?</i>" and if there is no further nomination, the Clerk shall without question put, declare the candidate so nominated and seconded to have been elected as Speaker.</p> <p><i><u>When there are two nominations</u></i></p> <p>(6) If two (2) candidates are nominated for election as Speaker, the Clerk shall propose the question that the candidate who was first proposed should be the Speaker. If that proposal is approved by a majority of the Members of the House, the Clerk shall declare that candidate to have been elected as Speaker. If the proposal is negatived, the Clerk shall propose a like question in respect of the other candidate. In the event of a tie, the Clerk shall proceed in accordance with paragraph (10) of</p>

Existing Standing Orders	Revised Standing Orders
	<p>this Standing Order.</p> <p><u>When there are more than two nominations</u></p> <p>(7) If more than two (2) candidates are nominated for election as Speaker, a ballot shall be conducted by the Clerk.</p> <p>(8) Upon the conclusion of the ballot, if a candidate receives the votes of a majority of the Members of the House, the Clerk shall declare that candidate to have been elected as Speaker.</p> <p>(9) Otherwise, the candidate with the fewest number of votes shall be eliminated and the ballot held again for the remaining candidates until one candidate receives the vote of a majority of Members of the House.</p> <p>(10) If after the holding of a ballot referred to in paragraph (9) of this Standing Order the votes remain equal, the Clerk must determine by lot which candidate is to be eliminated.</p> <p><u>Speaker takes the Chair</u></p> <p>(11) Once elected, the Speaker shall be escorted to the dais and take the Chair. The Mace shall then be laid upon the Table.</p>



Existing Standing Orders	Revised Standing Orders
	(12) Whenever the office of Speaker becomes vacant, before the House proceeds to attend to any other business, the Clerk shall call upon the House to elect a Speaker and the procedure contained in the preceding paragraphs shall apply. <sup>10</sup>
<p><b>3. Election of a Deputy Speaker</b></p> <p>(1) At the first meeting of the House of Representatives immediately after a general election and before the House proceeds to the despatch of any other business except the election of Speaker, so soon as the Speaker has been elected the House shall proceed to the election of one of its Members, not being a Minister or a Parliamentary Secretary, to be Deputy Speaker of the House.</p> <p>(2) If the office of Deputy Speaker falls vacant at any time before the next dissolution of the legislature, the House shall, as soon as convenient, elect another Member to that office.</p> <p>(3) The election of the Deputy Speaker shall be conducted in a similar manner to the election of the Speaker, save that the Speaker shall preside.</p>	<p><b>5. Election of a Deputy Speaker</b></p> <p>(1) At the first meeting of the House after a general election and immediately after the election of a Speaker (or whenever there is a vacancy in the office of the Deputy Speaker), the House shall proceed to elect a Member to be Deputy Speaker. Such a Member shall not be a Minister or Parliamentary Secretary.</p> <p>(2) The election of the Deputy Speaker shall be conducted in a similar manner to the election of the Speaker, except that the Speaker shall preside.<sup>11</sup></p>
<p><b>2. Oath of Allegiance</b></p> <p>(1) When the House of Representatives first meets after a general</p>	<p><b>6. Oath</b></p> <p>(1) At the first meeting of the House after a general election</p>

<sup>10</sup> New Standing Order

<sup>11</sup> A modified version of existing SO 4.

Existing Standing Orders	Revised Standing Orders
<p>election, the Clerk of the House immediately following the election of a Speaker and Deputy Speaker, shall administer the oath or affirmation of allegiance, first to the Speaker and Deputy Speaker and then to the other Members of the House.</p> <p>(2) At any other time, except in a case to which Article 27(3) of the Constitution of Trinidad and Tobago applies, the oath or affirmation shall be administered to the Member by the Clerk of the House immediately after Prayers.</p>	<p>and immediately following the election of the Speaker and Deputy Speaker, the Clerk shall administer the oath or affirmation of allegiance firstly to the Speaker, then to Deputy Speaker and then to each of the other Members of the House.<sup>12</sup></p> <p>(2) At any other time, the oath or affirmation shall be administered to the Member by the Clerk immediately after Prayers.</p> <p>(3) The oath or affirmation shall be in the form set out in the First Schedule to the Constitution.</p> <p>(4) A Member who refuses to make or subscribe the oath or affirmation before the House shall not be entitled to take his seat in the House nor to be remunerated.<sup>13</sup></p>
<p><b>5. Presiding in House and Committee</b></p> <p>(1) The Speaker, or in his absence the Deputy Speaker, shall preside at sittings of the House, and, except as provided in</p>	<p><b>7. Presiding in the House and in Committee</b></p> <p>(1) The Speaker or in his absence the Deputy Speaker, shall preside at sittings of the House and shall act as Chairman of</p>

<sup>12</sup> This provision is consistent with the requirements of the Constitution. The Committee was desirous of amending this Standing Order so that the Oath is given priority over any other business, in order to ensure that nothing precludes Members from taking the Oath. However, to do this the Constitution must first be amended since according to sub-sections 50 (1) and (4), the election of Speaker and Deputy Speaker must be the first items of business when the House first meets after a general election. It is felt that the proposed Standing Order 4 which amends the procedure for the election of a Speaker should avoid any repeat of the 2002 case when the House failed to elect a Speaker. In those circumstances, paragraph (4) of new SO 6 is included in the event that a Member **refuses** to take and subscribe the Oath.

<sup>13</sup> Consistent with practice of other Parliaments including the House of Commons Canada and UK; in the House of Commons UK Members who refuse to take the oath are subject to a penalty of £500

Existing Standing Orders	Revised Standing Orders
<p>paragraph (4) of Standing Order No. 64 (Finance Committee), shall act as Chairman of Committees of the whole House.</p> <p>(2) When the Speaker and the Deputy Speaker are both absent, the Clerk shall call upon the House to elect, from amongst the Members present who are not Ministers or Parliamentary Secretaries, one to preside over that sitting of the House, and the election shall take place forthwith in the manner provided by these Standing Orders for the election of the Speaker.</p> <p>(3) The Speaker or in his absence the Deputy Speaker may at any time ask any Member present, not being a Minister or a Parliamentary Secretary, to take the chair temporarily without formal communication to the House or to the Committee.</p> <p>(4) Save as may be otherwise provided in these Standing Orders, the Deputy Speaker or other Member presiding shall have all the authority and power of the Speaker when presiding or otherwise performing the function of the Speaker.</p> <p>(5) Whenever the unavoidable absence of the Speaker from any day's sitting is announced by the Clerk at the Table, the Deputy Speaker shall take the Chair and shall be invested with all the powers of the Speaker until the Speaker resumes.</p>	<p>Committees of the whole House and Standing Finance Committee<sup>15</sup>.</p> <p>(2) During any period where the Speaker is absent on account of illness, or is for any other reason unable to perform the functions of his office, those functions shall be assumed and performed by the Deputy Speaker until such time as the Speaker resumes his office.<sup>16</sup></p> <p>(3) When the Speaker is unavoidably absent from any day's sitting, an announcement of the Speaker's absence shall be made by the Clerk at the Table of the House. The Deputy Speaker shall then take the Chair and shall be vested with all the powers of the Speaker until the next sitting of the House<sup>17</sup>.</p> <p>(4) When the Speaker and Deputy Speaker are both absent, the Clerk shall call upon the House to elect a Member to preside over that sitting of the House. Such Member must not be a Minister or Parliamentary Secretary and the election shall be conducted in a similar manner to the election of the Speaker described in Standing Order 4(Election of a Speaker).</p> <p>(5) Except as may be otherwise provided in these Standing Orders, the Deputy Speaker or other Member presiding shall have all the authority and power of the Speaker when presiding</p>

<sup>15</sup>Consistent with the practice in other Commonwealth Parliaments such as the Jamaican Parliament

<sup>16</sup> Existing SO 93

<sup>17</sup>Existing SO 5 with minor amendment.

Existing SO 6 (Duties of the Clerk) has been deleted and the duties of the Clerk of the House are set out in various parts of the standing orders. The duties of the Clerk are also to be found in numerous statutes. It is no longer feasible to include a specific standing order to this effect.

Existing Standing Orders	Revised Standing Orders
<p>(6) The Speaker in the House and the Chairman in Committee shall have power to regulate the conduct of business in all matters not provided for in these Standing Orders.</p>	<p>or otherwise performing the functions of the Speaker.</p> <p>(6) The Speaker may, without any formal communication to the House or the committee, request the Deputy Speaker to take the Chair.</p> <p>(7) The Speaker, or in his absence the Deputy Speaker, may at any time ask any Member present, not being a Minister or a Parliamentary Secretary, to take the Chair temporarily without any formal communication to the House or to the Committee.</p>
<p><b>7. Language</b></p> <p>(1) The proceedings and debates of the House shall be in the English language.</p> <p>(2) Every petition shall be in the English language.</p>	<p><b>8. Language</b></p> <p>(1) The proceedings and debates of the House shall be in the English language.</p> <p>(2) Every Petition, Paper and written communication referred to in these Standing Orders shall also be in the English language<sup>18</sup>.</p>
<p><b>New Standing Order</b></p>	<p><b>9. Parties</b></p> <p>(1)The Speaker shall recognize a party for parliamentary purposes, if such party:</p> <p style="padding-left: 40px;">(a) is registered as a party by the Elections and Boundaries Commission; and</p>

<sup>18</sup> Existing SO 7 with minor amendment.

Existing Standing Orders	Revised Standing Orders
	<p>(b) has at least one Member elected to the House of Representatives.</p> <p>(2) For the purpose of Section 49A (5) of the Constitution the Speaker shall recognize as Leader of a party in the House of Representatives the person who commands the support of the greatest number of Members of such party in the House.<sup>19</sup></p> <p>(3) In the exercise of his discretion the Speaker shall also make provision for the identification and recognition of the Leader in the House of Representatives of every party having at least three (3) Members in the House and for otherwise giving effect to this Standing Order<sup>20</sup>.</p>
<p><b>8. Quorum</b></p> <p>(1) Under Article 31 (2) of the Constitution of Trinidad and Tobago, a quorum of the House, and of a Committee of the whole House, shall consist of ten Members (excluding the person presiding).</p> <p>(2) If any Member draws the attention of the Speaker in the House, or of the Chairman in Committee of the whole House,</p>	<p><b>10. Quorum</b></p> <p>(1) The quorum of the House and of a Committee of the whole House shall be twelve (12) Members, excluding the person presiding, in accordance with Section 60(1) of the Constitution.</p> <p>(2) If any Member draws the attention of the Speaker in the House or of the Chairman in Committee of the whole House to the fact that a quorum is not present, the Speaker or Chairman,</p>

<sup>19</sup> Section 49A(5) of the Constitution states that Standing Orders shall make provision for the identification and recognition of the Leader of the House of every party. This new SO is proposed in fulfilment of this constitutional requirement.

<sup>20</sup> Adopted from the Standing Orders of the National Assembly for Wales

Existing Standing Orders	Revised Standing Orders
<p>to the fact that a quorum is not present, the Speaker or Chairman, as the case may be, shall direct Members to be summoned.</p> <p>(3) When the order to summon Members has been given in the House, the Speaker shall, after the expiration of ten minutes, count the House. If a quorum is not then present, he shall adjourn the House without question put.</p> <p>(4) When the order to summon Members has been given in Committee of the whole House, the Chairman shall, after the expiration of ten minutes, count the Committee. If he ascertains that a quorum is not present he shall leave the Chair, the House shall resume and the Speaker shall count the House. If a quorum is then present, the House shall again resolve itself into Committee; but if a quorum is not present, the Speaker shall adjourn the House without question put.</p> <p>(5) If, from the number of Members taking part in a division, including those Members who declined to vote, it appears that a quorum is not present, the division shall be invalid, and the business then under consideration shall stand over until the next sitting or until such time as a quorum is obtained which ever first occurs.</p> <p>(6) The Members to be summoned by the Clerk under this Standing Order shall be those Members who are not in the Chamber of the House but are within the precinct thereof.</p>	<p>as the case may be, shall direct that Members be summoned.</p> <p>(3) When the order to summon Members has been given in the House, the Speaker shall, after the expiration of ten minutes, count the House. If a quorum is not then present, he shall adjourn the House without question put.</p> <p>(4) When the order to summon Members has been given in Committee of the whole House, the Chairman shall, after the expiration of ten (10) minutes, count the Committee. If he ascertains that a quorum is not present, the House shall resume and the Speaker shall count the House. If a quorum is then present, the House shall resolve itself into Committee; but if a quorum is not present, the Speaker shall adjourn the House without question put.</p> <p>(5) If, from the number of Members taking part in a division, including those Members who declined to vote, it appears that a quorum is not present, the division shall be invalid, and the business then under consideration shall stand over until the next sitting or until such time as a quorum is obtained which ever first occurs.</p> <p>(6) The Members to be summoned by the Clerk under this Standing Order shall be those Members who are within the precincts of the Parliament.<sup>21</sup></p>

<sup>21</sup> Existing SO 8 amended to be consistent with the Constitution

Existing Standing Orders	Revised Standing Orders
<p><b>9. Days of Meetings</b></p> <p>(1) Subject to paragraph (2) of this Standing Order, the House shall meet on Fridays, and every adjournment of the House shall be to the next Friday unless the House, upon a motion moved by a Minister or a Parliamentary Secretary, otherwise decides. Notice of such a motion shall not be required, and the question on the motion shall be put without amendment or debate.</p> <p>(2) If at any time when the House stands adjourned pursuant to its own order the Speaker is satisfied that there is urgent necessity for the House to meet upon a day earlier than the day to which the House stands adjourned, he may, subject to the provisions of paragraph (3) of this Standing Order, direct the Clerk to summon a meeting of the House for such time on such day, whether Friday or otherwise, as the Speaker may determine.</p> <p>(3) Every direction under paragraph (2) of this Standing Order shall be in writing and shall be signed by the Speaker and shall bear the date upon which it is given to the Clerk and shall specify the business to be transacted at the meeting to which it relates.</p> <p>(4) Forthwith upon receipt of any direction under paragraph (3) of this Standing Order, the Clerk shall inform every Member of the House, personally if practicable, of the day and hour</p>	<p style="text-align: center;">Chapter II Sittings of the House</p> <p><b>11. Meeting Days</b></p> <p>Subject to these Standing Orders, the House shall meet on Fridays and every adjournment of the House shall be to the next Friday unless the House on a motion moved by a Minister, without notice, decides to adjourn to another day. No debate shall ensue on such a motion. <sup>22</sup></p>

<sup>22</sup> Existing SO 9 amended. A provision for extraordinary sittings now forms part of a separate SO 13

Existing Standing Orders	Revised Standing Orders
<p>appointed by the Speaker for the holding of the Special Meeting of the House and of the business to be transacted at such meeting.</p> <p>(5) Except by leave of the House, no business other than the business specified in the direction under paragraph (2) of this Standing Order shall be transacted at any Special meeting of the House under the said paragraph.</p>	
<p><b>10. Hours of Sitting</b></p> <p>(1) Except as provided in these Standing Orders, every sitting of the House shall begin at 1:30 o'clock in the afternoon and, unless the House upon motion moved by a Minister or a Parliamentary Secretary otherwise decides, shall end not later than 8 o'clock on the same day. Notice of such a motion shall not be required, and the question upon such a motion shall be put without amendment or debate.</p> <p>(2) At 4.30 p.m. the Speaker shall suspend the sitting and order it to be resumed at 5.00 p.m. (3) The Speaker may, at any time, suspend the sitting for a stated period.</p> <p>(4) Before 8:00 p.m. the House shall not adjourn except in pursuance of a resolution moved by a Minister. Notice of the motion shall not be required, and the question upon the motion shall be put without amendment or debate.</p>	<p><b>12. Hours of Sitting</b></p> <p>(1) Except as otherwise provided by these Standing Orders, every sitting of the House shall begin at 1.30 p.m. and unless previously adjourned, shall end at 8:00 p.m. on the same day.</p> <p>(2) The Speaker may at any time suspend the sitting for a stated period but unless the House otherwise resolves, the Speaker shall at 4.30 p.m. suspend the sitting for thirty (30) minutes.</p> <p>(3) The House may at any time by motion moved by a Minister and carried without amendment or debate, suspend or vary the provisions of paragraphs (1) and (2) of this Standing Order.<sup>23</sup></p>

<sup>23</sup> Existing SO 10 amended



Existing Standing Orders	Revised Standing Orders
<p>(5) If the Speaker is of opinion that the proceedings on which the House is engaged could be concluded by a short extension of the sitting, he may permit the sitting to be continued to 8.15 p.m.</p> <p>(6) The Speaker shall at 7:50 p.m. interrupt the business under discussion and its resumption shall be appointed for such day as the Minister in charge of arranging the business of the House shall direct, and if the House is in Committee at that time the Chairman shall leave the Chair forthwith, report to the House shall be made, and the committee shall be directed to sit again on such day as the said Minister shall direct. Any other business, if unopposed, shall then be disposed of, and at its conclusion or at the time appointed for the termination of the sitting, notwithstanding that there may be business then under discussion, the Speaker shall adjourn the House without question put.</p> <p>(7) If any business, when called during the time of unopposed business, is opposed, it shall be appointed for such a day as the Minister in charge of arranging the business of the House shall direct. Any business which, when called during the time of unopposed business, is objected to by a Member shall be treated as opposed business.</p> <p>(8) On the interruption of business the Closure may be moved and if it is moved, or if proceedings under Standing Order 39 (Closure of Debate) are then in progress, the Speaker or the Chairman shall not leave the Chair until the Questions consequent thereon and on any further motion as provided for</p>	

Existing Standing Orders	Revised Standing Orders
<p>in Standing Order No. 39 (Closure of Debate) have been decided, even though the Divisions on such questions carry on beyond 8 o'clock, but in that event immediately such questions have been decided or, if in Committee, as soon as the Chairman's report has been received, the Speaker shall proceed as provided for in the next succeeding paragraph.</p> <p>(9) Business which has not been disposed of or postponed by 8 o'clock shall stand over till the next sitting, and at that hour, or upon the earlier conclusion of all business appointed at a sitting, the Speaker shall call upon a Minister to move "That the House do now adjourn" and upon that question being agreed to, the House shall adjourn. If that question has not been agreed to at 8 o'clock, the Speaker shall at that hour adjourn the House without question put.</p> <p>(10) A Minister may, without notice, at the time appointed in Standing Order No. 13 (Order of Business), move that the proceedings on any specified business be exempted at that day's sitting from the provisions of paragraph (6) of this Order and any such motion shall be decided without amendment or debate. Any business so exempted shall not be interrupted at 7.50 o'clock and may be entered upon at any hour though opposed. Upon the conclusion of all business so exempted, the Speaker shall call upon a Minister, to move "That this House do now adjourn", and, if it is then after 8 p.m., the Speaker shall adjourn the House without question put.</p> <p>(11) A Minister may, without notice, move that the House continue to sit until the conclusion of the business on the</p>	

<b>Existing Standing Orders</b>	<b>Revised Standing Orders</b>
<p>Order Paper or of any matter specified thereon. The question upon such a motion shall be put without amendment or debate.</p> <p>(12) The House may from time to time alter, by resolution, the hours provided in this Standing Order for beginning and ending a sitting.</p>	
<p><b>New Standing Order taken from existing Standing Order 9(2)</b></p>	<p><b>13. Extraordinary Sitting</b></p> <p>(1) If at any time when the House stands adjourned pursuant to its own order the Speaker is satisfied that there is urgent necessity for the House to meet upon a day earlier than the day to which the House stands adjourned, he may, subject to the provisions of paragraph (2) of this Standing Order, direct the Clerk to summon a meeting of the House for such time on such day, whether Friday or otherwise, as the Speaker may determine.</p> <p>(2) Every direction under paragraph (1) of this Standing Order shall be in writing and shall be signed by the Speaker and shall bear the date upon which it is given to the Clerk and shall specify the business to be transacted at the meeting to which it relates.</p> <p>(3) Immediately upon receipt of any direction under paragraph (2) of this Standing Order, the Clerk shall inform every Member of the House, personally, if practicable, of the day and hour appointed by the Speaker for the holding of the extraordinary Sitting of the House and of the business to be transacted at such sitting.</p>

Existing Standing Orders	Revised Standing Orders
	<p>(4) Except by leave of the House, no business other than the business specified in the direction under paragraph (2) of this Standing Order shall be transacted at any extraordinary sitting of the House. At the conclusion of the business, unless the House has otherwise decided, the House shall stand adjourned without question being put to the day to which it had originally been adjourned at its last sitting.<sup>24</sup></p>
<p><b>New Standing Order</b></p>	<p><b>14. Fixed Recess</b></p> <p>Notwithstanding Standing Order 11(Meeting Days), unless there are urgent or extraordinary reasons for so doing, no sitting of the House of Representatives shall be held from the first week in the month of July to the first week in the month of September in any year.<sup>25</sup></p>
<p><b>11. Adjournment of the House</b></p> <p>(1) A Minister may move "That this House do now adjourn" at any time after the conclusion of questions at any sitting, but any other Member may only move such a Motion under Standing Order -No. 12 (Adjournment-Definite Matter of Urgent Public importance).</p>	<p><b>15. Adjournment of the House</b></p> <p>(1) A Minister may move "That this House do now adjourn" at any time after the conclusion of Questions to Ministers at any sitting. However on Private Member's day, except with the agreement of the whips representing each of the parties in Opposition to the Government, the House shall not be adjourned earlier</p>

<sup>24</sup> Existing SO 9, modified

<sup>25</sup> New SO. This new provision is consistent with practice here and in other jurisdictions. It seeks to ensure that, unless an emergency arises, the House is guaranteed at least a eight (8) week break in each year.

Existing Standing Orders	Revised Standing Orders
<p>(2) Upon any Motion "That this House do now adjourn" moved under paragraph (9) or paragraph (10) of Standing Order No. 10 (Hours of Sittings), any matter for which the Cabinet is responsible may be raised by any member who has obtained the right to raise a matter on the Motion for the adjournment of the House that day and the Minister responsible for the matter raised shall reply. Thereafter, if time permits, any other member who has obtained the right may similarly raise another matter subject to the same conditions. Any such debate shall cease at 8 p.m. or, with the leave of the Speaker, at 8.15 p.m.</p> <p>(3) Any Member who wishes to raise a matter under the provisions of paragraph (2) of this Standing Order at a particular sitting shall give notice of the matter in writing to the Speaker not less than three days before the sitting concerned. Subject to the giving of such notice, the right to raise a matter shall be allotted for each sitting through such arrangements as the Speaker may make.</p>	<p>than 6:00p.m.</p> <p>(2) At 7.50 p.m. the Speaker shall interrupt the business under consideration which shall stand deferred to the next sitting day, unless the Member in charge of the business under consideration names a different sitting day to which that business should be deferred. If the House is in Committee at that time the Chairman shall immediately leave the Chair and report to the House. The Committee shall be directed to sit again on a day to be determined by the Leader of the House. Then at the time appointed for the termination of the sitting in Standing Order 12(1), the Speaker shall adjourn the House without question put.</p> <p>(3) If the Speaker is of the opinion that the proceedings on which the House is engaged could be concluded by a short extension of the sitting, he may permit the sitting to be continued to 8:15 p.m.</p> <p>(4) If, at the time of interruption, a question is being put to the House or a vote is in progress, the interruption of business shall be deferred until the question is determined.</p> <p>(5) At any time prior to the time of interruption (7:50 p.m.) a Minister may without notice move that the House continue to sit until the conclusion of the business on the Order Paper or of any matter specified thereon. The question upon such a motion shall be put without</p>

Existing Standing Orders	Revised Standing Orders
	amendment or debate. <sup>26</sup>
<p><b>New Standing Order adapted from existing Standing Order 11</b></p>	<p><b>16. Matters on the Adjournment</b></p> <p>(1) Upon any motion “<i>That this House do now adjourn</i>”, debates may take place in which matters for which the Cabinet is responsible may be raised by a Private Member.</p> <p>(2) A Private Member wishing to obtain the right to raise a matter on the motion for the adjournment shall give not less than three (3) days written notice to the Speaker specifying the matter which he proposes to raise.</p> <p>(3) All matters raised during this period shall not, in the aggregate, exceed forty (40) minutes, after which the motion on the adjournment shall expire.<sup>27</sup></p>
<p><b>12. Adjournment-Definite Matter of Urgent Public Importance</b></p>	<p><b>17. Adjournment-Definite Matter of Urgent Public Importance</b></p>

<sup>26</sup> Existing SO 10, modified.

<sup>27</sup> Existing SO 11 amended. This proposal provides for the regulation of this procedure consistent with the original intention and with the general practice. It seeks to make it clear that the motion for the adjournment of the House has a life span of thirty (30) minutes maximum, and that during that time period a number of matters for which the Cabinet is responsible can be raised and responded to. This proposal makes it clear that such matters can be raised at any time that the motion on the adjournment is moved, even after the hour of interruption.

Existing Standing Orders	Revised Standing Orders
<p>(1) Any Member, other than a Minister or a Parliamentary Secretary may at the time appointed under Standing Order No. 13 (Order of Business.) rise in his place and ask leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance.</p> <p>(2) A member who wishes to ask leave to move the adjournment of the House shall, before the commencement of the sitting, hand to the Speaker a written notification of the matter which he wishes to discuss, The Speaker shall refuse to allow the claim unless he is satisfied that the matter is definite, urgent and of public importance and may properly be raised on a motion for the adjournment of the House.</p> <p>(3) If the Speaker is so satisfied, and either-</p> <p style="padding-left: 40px;">(a) leave of the House is given; or</p> <p style="padding-left: 40px;">(b) If it is not given, at least nine Members by rising indicate that they support the request,-- the motion shall stand over until 6.00 o'clock on the same day, and at that hour any proceeding</p> <p>On which the House is engaged shall be postponed until the motion for the adjournment is disposed of or until 7.00 o'clock, whichever is the earlier. At 7.00 o'clock the motion for the adjournment, if not previously disposed of, shall lapse and the proceedings which have been postponed shall be resumed and dealt with in accordance with the next paragraph of this Standing Order.</p> <p>(4) At 7.00 o'clock or upon their earlier conclusion of the debate on the motion for the adjournment, the business which was</p>	<p>(1) At the time appointed under Standing Order 19 (Order of Business), a Member may rise in his place and ask leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance.</p> <p>(2) No more than two (2) Members shall be permitted by the Speaker at any one sitting to seek leave to move the adjournment of the House under this Standing Order.</p> <p>(3) A Member who wishes to seek leave to move the adjournment of the House under this Standing Order shall give written notice to the Speaker at least ninety (90) minutes before the commencement of the sitting. The Speaker shall refuse to allow the request unless he is satisfied that the matter is:</p> <p style="padding-left: 40px;">(a) definite;</p> <p style="padding-left: 40px;">(b) urgent; and</p> <p style="padding-left: 40px;">(c) of public importance.</p> <p>(4) If the Speaker is so satisfied and either:</p>

Existing Standing Orders	Revised Standing Orders
<p>postponed at 6.00 p.m. shall be resumed and any proceedings thereon, and upon any business standing on the Order Paper for that day's sitting, shall be exempted from the provisions of paragraph (1) of Standing Order No. 10 (Hours of Sittings) for a period of time equal to the duration of the proceedings upon the adjournment motion under this Standing Order, and that period shall be added to the hours of 7.50 o'clock, 8.00 o'clock and 8.15 o'clock wherever they occur in Standing Order No. 10 (Hours of Sittings).</p> <p>(5) Not more than one motion for the adjournment of the House under this Standing order may be allowed at any one sitting.</p>	<p>(a) leave of the House is given; or</p> <p>(b) if leave is not given, at least eleven (11) Members rise in their places to support the request<sup>28</sup>,</p> <p>(5) the motion shall stand over until 6.00 p.m. on the same</p> <p>(4) If the Speaker is so satisfied and either:</p> <p>(a) leave of the House is given; or</p> <p>(b) if leave is not given, at least eleven (11) Members rise in their places to support the request<sup>29</sup>,</p> <p>the motion shall stand over until 6.00 p.m. on the same day, and at that time any proceedings on which the House is engaged shall be postponed until the motion for the adjournment is disposed of or until 7.00 p.m., whichever is the earlier. At 7.00 p.m. the motion for the adjournment, if not previously disposed of, shall lapse and the proceedings which have been postponed shall be resumed.</p>

<sup>28</sup> Existing SO 12, amended to reflect the constitutional requirement for a quorum and to provide for the better regulation of this procedure.

<sup>29</sup> Existing SO 12, amended to reflect the constitutional requirement for a quorum and to provide for the better regulation of this procedure.



Existing Standing Orders	Revised Standing Orders
	<p>(5) No more than two (2) motions for the adjournment of the House under this Standing Order may be allowed at any one sitting.</p>
	<p><b>18. Broadcasting and the Opportunity to Respond</b></p> <p>(1) The proceedings of the House shall ordinarily be broadcast, gavel to gavel, on television, radio and the Internet and in accordance with the rules and standards adopted by the House as set out in Appendix II to these Standing Orders, as may be amended by order of the House from time to time.</p> <p>(2) A person, not being a Member, who has been referred to in the House by name, or in such a way as to be readily identifiable, may make a submission to the Speaker in writing:</p> <ul style="list-style-type: none"> <li>(a) claiming that as a result of the reference, to have been adversely affected in reputation or claiming injury to occupation, trade or office;</li> <li>(b) submitting a response to the reference; and</li> <li>(c) requesting that the response be incorporated in the</li> </ul>

Existing Standing Orders	Revised Standing Orders
	<p data-bbox="1230 279 1514 313">parliamentary record.</p> <p data-bbox="1062 380 1898 521">(3) A submission must be made within two (2) weeks of the reference having been made and must be succinct and strictly relevant to the reference that was made. It must not contain anything offensive in character.</p> <p data-bbox="1062 561 1898 667">(4) The Speaker shall consider whether in all the circumstances of the case the response should be incorporated in the parliamentary record.</p> <p data-bbox="1062 708 1549 742">(5) In that consideration, the Speaker:</p> <ul style="list-style-type: none"> <li data-bbox="1157 782 1898 920">(a) shall take account of the extent to which the reference is capable of adversely affecting, or damaging the reputation of the person making the submission;</li> <li data-bbox="1157 927 1524 961">(b) must be satisfied that - <ul style="list-style-type: none"> <li data-bbox="1251 1024 1738 1058">(i) the subject matter is not trivial; or</li> <li data-bbox="1251 1125 1898 1192">(ii) the submission is not frivolous, vexatious or offensive in character.</li> </ul> </li> </ul> <p data-bbox="1062 1260 1898 1326">(6) The Speaker shall not consider or judge the truth of the reference made in the House or of the response to it.</p>

Existing Standing Orders	Revised Standing Orders
	<p>(7) If the Speaker decides that the response should not be incorporated in the parliamentary record, the Speaker shall direct the Clerk to so inform the person concerned and that no further action will be taken.</p> <p>(8) If the Speaker decides that the response should be incorporated in the parliamentary record, he shall order that the submission, as may be amended by him, be read by the Clerk at the next subsequent sitting after his determination.<sup>30</sup></p>
<p><b>13. Order of Business</b></p> <p>Unless the House otherwise directs, the business of each sitting day shall be transacted in the following order:</p> <ul style="list-style-type: none"> <li>(a) Prayers.</li> <li>(b) Oath of Allegiance of a new Member.</li> <li>(c) Announcements by the Speaker.</li> <li>(d) Bills brought from the Senate.</li> <li>(e) Petitions.</li> <li>(f) Papers.</li> <li>(g) Presentation of Reports from Select Committees.</li> <li>(h) Questions to Ministers.</li> <li>(i) Requests for leave to move the adjournment of the House on definite matters of urgent public importance.</li> <li>(j) Statements by Ministers</li> </ul>	<p style="text-align: center;">Chapter III Business of the House</p> <p><b>19. Order of Business</b></p> <p>Unless the House otherwise directs, the business of each sitting day shall be transacted in the following order –</p> <ul style="list-style-type: none"> <li>(a) Prayers</li> <li>(b) Oath or Affirmation</li> <li>(c) Announcements by the Speaker</li> </ul>

<sup>30</sup> New SO pursuant to an earlier resolution of the House which adopted a report from a JSC on Broadcasting of Debates.

Existing Standing Orders	Revised Standing Orders
<p>(k) Personal explanations.  (l) Introduction of Bills.  (m) Motions relating to the Business or Sitzings of the House and moved by a Minister or Parliamentary Secretary.  (n) Public Business.</p>	<p>(d) Bills brought from the Senate  (e) Petitions  (f) Papers  (g) Reports from Committees  (h) Prime Minister's Questions  (i) Urgent Questions  (j) Questions on Notice  (k) Requests for Leave to Move the Adjournment of the House on Definite Matters of Urgent Public Importance  (l) Statements by Ministers  (m) Personal Explanations</p>

Existing Standing Orders	Revised Standing Orders
	<p>(n) Introduction of Bills</p> <p>(o) Motions Relating to the Business or Sitings of the House and Moved by a Minister</p> <p>(p) Public Business</p> <p>(q) Government Business</p> <p><b>(r)</b> Committee Business</p> <p>(s) Private Members' Business<sup>31</sup></p>
<p><b>New Standing Order</b></p>	<p><b>20. Order Paper</b></p> <p>(1) The Clerk shall prepare an Order Paper for each sitting of the House.</p> <p>(2) The Order Paper shall be circulated as early as possible before each sitting.<sup>32</sup></p>

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<sup>31</sup> Existing SO 13, amended

<sup>32</sup> New Standing Order

Existing Standing Orders	Revised Standing Orders
<p><b>14. Petitions</b></p> <p>(1) Every Petition intended to be presented to the House must conclude with a prayer setting forth the general object of the Petition.</p> <p>(2) A Petition shall not be presented to the House unless it shall have been endorsed by the Clerk as being in accordance with the rules in regard to Petitions.</p> <p>(3) The Member presenting a Petition may state concisely the purport of the Petition.</p> <p>(4) All Petitions shall be ordered to lie upon the Table without question put unless a Member when presenting a Petition move for it to be read or printed, or referred to a Select Committee. Any such motion shall be decided forthwith without amendment or debate. The provisions of this paragraph shall not apply to a Petition from the promoters of a Private Bill under Standing Order 84 (Private Bills).</p> <p>(5) The House will not receive any Petition-</p> <p style="padding-left: 20px;">(a) which is not addressed to the House or which is not properly and respectfully worded; or</p> <p style="padding-left: 20px;">(b) which has not at least one signature on the sheet on which the prayer of the Petition appears and which has not at least the prayer at the head of each subsequent sheet of signatures; or</p> <p style="padding-left: 20px;">(c) which, in the opinion of the Speaker, requests that provision be made for imposing or increasing any charge</p>	<p><b>21. Petitions</b></p> <p>(1) A petition shall be endorsed by the Clerk as being in accordance with the rules in regard to Petitions prior to its presentation to the House.</p> <p>(2) Every Petition must conclude with a prayer setting forth the general objects of the Petition.</p> <p>(3) The House will not receive any Petition:</p> <p style="padding-left: 40px;">(a) which is not addressed to the House and which is not properly and respectfully worded;</p> <p style="padding-left: 40px;">(b) which has not at least one signature on the sheet on which the prayer of the Petition appears;</p> <p style="padding-left: 40px;">(c) which, in the opinion of the Speaker, refers to a matter not within the cognizance of the Executive or the Parliament; and</p> <p style="padding-left: 40px;">(d) which, in the opinion of the Speaker, requests that provision be made for imposing or increasing any charge on the revenues or other funds of the State or for altering any such charge otherwise than by reducing it or for compounding or remitting any</p>

Existing Standing Orders	Revised Standing Orders
<p>on the revenues or other funds of this Territory or for altering any such charge otherwise than by reducing it or for compounding or remitting any debt due to this Territory, unless on the recommendation of the Cabinet signified by a Minister.</p>	<p>debt due to the State, unless on the recommendation of the Cabinet signified by a Minister.</p> <p><i>Announcement of Petitions and Responses</i></p> <p>(4) The Clerk shall announce petitions lodged for presentation and the announcement shall state in each case:</p> <ul style="list-style-type: none"> <li>(a) The Member who lodged it;</li> <li>(b) The identity and number of petitioners; and</li> <li>(c) The subject matter of the petition.</li> </ul> <p>(5) All petitions shall be ordered to lie upon the Table without question put. Immediately after the announcement, any Member may move for a petition to be read and any such motion shall be put without amendment or debate.<sup>33</sup></p>

<sup>33</sup> According to this provision, the presenter of a petition, except one under SO 76, should move that the petition be read. This means that a petition should not be read automatically. This provision is not new and it is proposed that this practice be followed.

Existing Standing Orders	Revised Standing Orders
	<p data-bbox="1060 280 1293 310"><u>Action on Petitions</u></p> <p data-bbox="1060 378 1900 662">(6) After a petition is presented to the House, the Clerk shall within two (2) days, refer a copy of the petition to the Minister responsible for the administration of the matter raised in the petition. The Minister shall, within thirty (30) days of the date of the letter from the Clerk, lodge a written response with the Clerk. Such response shall be ordered to lie upon the Table without question put and shall be circulated at the next sitting of the House.</p> <p data-bbox="1060 732 1900 873">(7) If a petition remains without a response at the expiration of the period of thirty (30) days, the matter of the failure of the Minister to respond shall be deemed referred to the appropriate Joint Select Committee under Standing Order 97.</p> <p data-bbox="1060 943 1900 1045">(8) The provisions of paragraphs (6) and (7) of this Standing Order shall not apply to a Petition from the promoters of a Private Bill under Standing Order 60 (Private Members' Bills).<sup>34</sup></p>
<p data-bbox="201 1154 348 1183"><b>15. Papers</b></p> <p data-bbox="201 1224 1037 1253">(1) Every Paper shall be presented by a Minister or a</p>	<p data-bbox="1108 1154 1255 1183"><b>22. Papers</b></p> <p data-bbox="1060 1224 1900 1253">(1) A paper shall ordinarily be presented by a Minister and its</p>

<sup>34</sup> Existing SO14 has been amended by the inclusion of the proposed paragraphs (6) and (7) which propose a procedure for the disposing of petitions and ensuring Ministerial Accountability.



Existing Standing Orders	Revised Standing Orders
<p>Parliamentary Secretary and its presentation shall be recorded in the Minutes of Proceedings.</p> <p>(2) A Minister, or Parliamentary Secretary, presenting a Paper may make a short explanatory statement of its contents.</p> <p>(3) All Papers presented to the House shall be ordered to lie upon the Table without question put and any motion for the printing thereof as a House Paper shall be determined without amendment or debate.</p> <p>(4) All Instruments made under the authority of any law, if required to be laid before the House, shall be laid on the Table of the House as soon as may be after being made.</p>	<p>presentation shall be recorded in the Minutes of Proceedings.</p> <p>(2) A Minister presenting a paper may make a short explanatory statement of its contents but no debate shall then take place upon any such statement.</p> <p>(3) All papers presented to the House shall be ordered to lie upon the Table of the House without question put and any motion for the printing thereof shall be determined without amendment or debate.</p> <p>(4) The Speaker shall cause to be presented all papers required in law to be laid from bodies and authorities that do not fall within the purview of a Minister's responsibility.</p> <p>(5) Any address to the House by His Excellency, the President, shall be ordered to lie upon the Table and be ordered to be published as a House Paper, without question put.</p> <p>(6) Within twenty-one (21) days of the return to Trinidad and Tobago of an officially recognized parliamentary delegation composed in any part of Members of the House, the head of the delegation, or a Member acting on his behalf, shall present a report to the House on the activities of the delegation.</p> <p>(7) Any statutory instrument made under the authority of any</p>

Existing Standing Orders	Revised Standing Orders
	<p>law and required to be laid before the House, shall be submitted to Parliament no later than two (2) days after the date upon which it was enacted or gazetted and laid on the Table no later than seven (7) days thereafter.<sup>35</sup></p> <p>(8) A report from the Ombudsman shall be presented by the Speaker/ Deputy Speaker and shall be considered by the House on motion.</p>
<p><b>20. Personal Explanations</b></p> <p>With the leave of the Speaker and by the indulgence of the House, a Member may make a personal explanation of not more than ten minutes duration at the time appointed under Standing Order No. 13 (Order of Business) although there is no question before the House; but no controversial matter may be brought forward nor may debate arise upon the explanation.</p>	<p><b>23. Personal Explanations</b></p> <p>(1) With the leave of the Speaker, a Member may make a personal explanation at the time appointed under Standing Order 19 (Order of Business) although there is no question before the House. No controversial matter may be brought forward nor may any debate arise upon the explanation.</p> <p>(2) The time limit for a personal explanation shall not exceed ten (10) minutes.<sup>36</sup></p>
	<p><b>24. Statements by Ministers</b></p> <p>(1) A Minister may make a statement in the House with the approval of Cabinet on government policy,</p>

<sup>35</sup> Existing SO 15, amended. New: paragraphs (4) to (7).

<sup>36</sup> Existing SO 20, amended.

Existing Standing Orders	Revised Standing Orders
	<p>legislative proposals he intends to submit to Parliament, or the course he intends to adopt in the transaction and arrangement of public business.</p> <p>(2) A Minister who intends to make a ministerial statement shall, before the commencement of the sitting, inform the Speaker of his intention to make a ministerial statement and the subject of the statement and provide the Speaker with a copy of the statement.</p> <p>(3) The time limit for a statement by a Minister shall not exceed ten (10) minutes.</p> <p>(4) The Speaker may permit one (1) question for the purpose of elucidation, to be asked by one Member from each of the parties in Opposition to the Government and the Minister, if he can then answer, shall reply. Such question shall not exceed fifteen (15) seconds in length, must be asked without argument or</p>

Existing Standing Orders	Revised Standing Orders
	<p>opinion, and shall not address more than one matter of general government policy.</p> <p>(5) Any reply in accordance with paragraph (4) of this Standing Order shall be limited to two (2) minutes.<sup>37</sup></p> <p>(6) A statement made by a Minister shall be circulated to all Members.</p>
<p><b>16. Nature of Questions</b></p> <p>Questions may be put to a Minister relating to any matter, subject or Department in respect of which the Minister is charged with responsibility.</p>	<p>Chapter IV Questions</p> <p><b>25. Questions</b></p> <p>(1) Questions may be asked of a Minister relating to any subject or department under the Minister's administrative responsibility. The right to ask a question shall be subject to the rules set out in this chapter, and the Speaker shall be the sole judge on the interpretation of these rules<sup>38</sup>.</p>

<sup>37</sup> New SO. The time limit proposed is consistent with traditional practice.

<sup>38</sup> Adopted from the Singapore and Australian Standing Orders

Existing Standing Orders	Revised Standing Orders
	(2) The right to ask a question shall be subject to the rules set out in this chapter, as to the interpretation of which the Speaker shall be the sole judge. <sup>39</sup>
<b>New Standing Order</b>	<p><b>26. Prime Minister's Questions<sup>40</sup></b></p> <p>(1) During the second sitting of the House each month there shall be Prime Minister's Question Time at the time designated in the Order of Business..</p> <p>(2) During the Prime Minister's question time, questions may be put to the Prime Minister relating to current matters of national importance or on the general performance of the Government and Government agencies.</p> <p>(3) The Prime Minister's question time shall not exceed thirty (30) minutes.</p> <p>(4) A question to the Prime Minister shall not exceed fifteen (15) seconds in length, must be asked without argument or opinion, and shall not address more than one matter of general</p>

<sup>39</sup> SOs 16 to 19 have been replaced by the proposed SOs 25 to 31, with amendments as noted.

<sup>40</sup>New Standing Order Prime Minister's Question Time is an opportunity for Members from all parties to question the PM on any subject.

Existing Standing Orders	Revised Standing Orders
	government policy.
	<p data-bbox="1108 418 1396 451"><b>27. Urgent Questions</b></p> <p data-bbox="1060 488 1900 626">(1) There shall be a fifteen (15) minute period for urgent questions at the appropriate stage in the Order of Business at each sitting of the House which shall be subject to the following rules:</p> <ul style="list-style-type: none"> <li data-bbox="1157 699 1900 873">(a) any member desiring to ask a question on the ground of urgency in the public interest shall submit to the Clerk a copy of the proposed question marked “urgent question” at least one (1) hour prior to the commencement of the sitting;</li> <li data-bbox="1157 943 1900 1117">(b) The Speaker shall approve the question if the proposed question relates to a matter that is urgent and has arisen suddenly and he considers it to be one which requires immediate response in the public interest;</li> <li data-bbox="1157 1187 1900 1289">(c) The Speaker shall call upon the member to ask the question at the appropriate stage in the Order of Business;</li> </ul>

Existing Standing Orders	Revised Standing Orders
	<p>(d) An urgent question shall not exceed fifteen (15) seconds in length and must be asked without argument or opinion;</p> <p>(e) Answers must not exceed two (2) minutes in length and must be relevant to the question asked;</p> <p>(f) The Speaker may permit the Member asking an urgent question to ask no more than two (2) supplementary questions; and</p> <p>(g) A Minister may decline to answer a question if, in his opinion, the publication of the answer would be contrary to the public interest.<sup>41</sup></p> <p>(2) The Speaker shall instruct the Clerk to immediately inform the relevant Minister personally, if practicable, as well as by other means of communication, of the urgent question as approved.</p>
<p><b>17. Notice of Questions</b></p> <p>(1) A question shall not be asked without notice, unless it</p>	<p><b>28. Questions for which Notice is Required</b></p> <p>(1) Notice of a question may be handed by a Member to the Clerk when the House is sitting, or may be sent, by hand, fax</p>

<sup>41</sup> Existing SO 17(1) amended. This new proposal seeks to establish a procedure for the regulation of this standing order which, as currently exists, provides for the asking of questions, without notice.

Existing Standing Orders	Revised Standing Orders
<p>is of an urgent character or relates to the business of the day, and unless the Member has obtained the leave of the Speaker to ask it.</p> <p>(2) Notice of a question may be handed by a Member to the Clerk when the House is sitting, or may be sent to or left at the office of the Clerk at any time during the hours prescribed for the purpose. Every such notice must be signed by the Member giving it.</p> <p>(3) A Member who desires an oral answer to a question shall mark his notice with an asterisk and such a question shall be put down for a day to be named by the Member being a day not earlier than twenty-one clear days after notice of the Question was given. A Question not so marked may be put down for the next sitting day of the House and the answer when received shall be circulated with the Minutes of Proceedings.</p>	<p>or email, or left at the Clerk's office. Wherever possible, every such notice must be signed by the Member giving it.</p> <p>(2) A question for which notice has been given must state whether an oral or written answer is required.</p> <p>(3) A Minister may decline to answer a question if, in his opinion the publication of the answer would be contrary to the public interest.</p> <p><u>Oral Answer</u></p> <p>(4) A question for oral answer:</p> <ul style="list-style-type: none"> <li>(a) shall not be placed on the Order Paper earlier than twenty-one (21) days after it has been approved by the Speaker;</li> <li>(b) shall not be of excessive length; and</li> <li>(c) shall not require an answer which will involve extensive details.</li> </ul> <p>(5) A Member is entitled to a maximum of three (3) questions</p>



Existing Standing Orders	Revised Standing Orders
	<p>for oral answer on the Order Paper at any one time.</p> <p>(6) If in the opinion of the Speaker a question for oral answer is of such a nature as to require a lengthy reply, he may direct that such question be converted to a question for written answer.</p> <p><u>Written Answer</u></p> <p>(7) A question for written answer shall be submitted to the Clerk and shall qualify for answer not less than twenty-eight (28) days after it has been approved by the Speaker.<sup>42</sup></p>
<p><b>19. Manner of Asking and Answering Questions</b></p> <p>(1) At the time appointed for the oral asking and answering of questions under Standing Order No. 13 (Order of Business), the Speaker shall call in turn upon each Member in whose name a question stands upon the Order Paper, in the order in which the questions are printed, or in any such other order as the Speaker may on any particular occasion determine. Each Member so called shall rise in his place and ask the question by reference to its number on the Order Paper, and the Minister questioned shall give his reply.</p>	<p><b>29. Manner of Asking Questions and Answering Questions which require notice.</b></p> <p>(1) A Member shall not publish his question prior to such question being approved by the Speaker.</p> <p>(2) Answers to questions which Ministers propose to give in the House shall not be released for publication until the answers have been given on the floor of the House or laid on the Table.</p>

<sup>42</sup> Existing SO 17(2) and 17(3). This proposal seeks to establish a procedure for the regulation of this SO.

Existing Standing Orders	Revised Standing Orders
<p>(2) After the answer to a question has been given, supplementary questions may, at the discretion of the Speaker, be put for the purpose of elucidating the answer given orally, but the Speaker may refuse any such question which in his opinion introduces matters not relative to the original question, or which infringes any of the provisions of Standing Order No. 18 (Contents of Questions), and may in that case direct that such questions be not reported in the Official Report.</p> <p>(3) When all the questions for which an oral answer is required have been called, the Speaker, if time permits, shall call again any question which has not been asked by reason of the absence of the Member in whose name it stands; in which case another Member may, if deputed by the absent Member, on his behalf either ask the question or request its postponement. The Speaker shall also call again any question which has not been answered by reason of the absence of the Member to whom it is addressed.</p> <p>(4) A Minister may decline to answer a question, if the publication of the answer would in his opinion be contrary to the public interest.</p> <p>(5) Not more than three questions requiring an oral answer shall appear in the Order Paper in the name of the same Member for the same day, and any question in excess of this number shall not be called by the Speaker but shall be answered as provided in paragraph (7) of this Order, save that no postponement shall be allowed.</p>	<p><u>Oral answer</u></p> <p>(3)The time allotted for answering oral questions on notice shall not exceed forty (40) minutes.</p> <p>(4)The Speaker shall call in turn upon each Member in whose name a question stands upon the Order Paper, in the order in which the questions are printed. The Member so called shall then rise in his place and ask the question as it appears on the Order Paper.</p> <p>(5)The Minister questioned shall rise in his place and give his reply, which shall be strictly relevant thereto and shall not exceed five (5) minutes.</p> <p>(6)After an oral answer to a question has been given, no more than four (4) supplementary questions may be asked for the purpose of elucidating the answer given orally, but the Speaker may refuse any such question which in his opinion introduces matters not relative to the original question, or which infringes any of the provisions of Standing Order 30 (Contents of Questions).</p> <p>(7)A supplementary question shall be held to be out of order by</p>

Existing Standing Orders	Revised Standing Orders
<p>(6) No question shall be asked after 2.15 o'clock in the afternoon, except any question which the Speaker has allowed to be asked without notice under paragraph (1) of Standing Order No. 17 (Notice of Questions).</p> <p>(7) Questions which have not received an oral answer by 2.15 o'clock in the afternoon shall be answered in writing by the Minister to whom the question was addressed, and copies of the answer shall be sent immediately after that hour to the Clerk of the House, who shall send a copy to the Member in whose name the question stood upon the Order Paper and cause the answer to be circulated with the Minutes of Proceedings, unless at any time before 2.15 o'clock in the afternoon a Member having a question on the Order Paper but whose name has not yet been called by the Speaker signifies to the Clerk at the Table his desire to postpone the question to a later sitting or to withdraw it.</p>	<p>the Speaker if, in his opinion:</p> <ul style="list-style-type: none"> <li>(a) It does not arise from the main question or its answer;</li> <li>(b) It gives information rather than seeking information;</li> <li>(c) It involves more than one separate issue;</li> <li>(d) It seeks confirmation or denial of an opinion; or</li> <li>(e) It infringes any of the rules regarding questions.</li> </ul> <p>(8) In the absence of a Member in whose name a question stands, a question can be asked by any other member duly authorized to ask the question on behalf of the absent member.</p> <p>(9) In the absence of the Minister to whom it is addressed, a question may be answered by any other Minister duly authorized to give the answer on behalf of the absent Minister.</p> <p>(10) Questions on the Order Paper for oral answer which remain outstanding at the expiration of forty (40) minutes shall be</p>

Existing Standing Orders	Revised Standing Orders
	<p>answered in writing by the Minister to whom the question was addressed, who shall immediately pass copies of his answer to the Clerk for circulation to Members at that sitting and for inclusion in the Minutes of Proceedings. However, at any time before the expiration of question time a Member having an unanswered question on the Order Paper may signify to the Clerk at the Table his desire to postpone the question to a later sitting.</p> <p><i><u>Written Answer</u></i></p> <p>(11) In the case of a question on the Order Paper for written reply, the Minister questioned shall immediately submit a written and electronic copy of the answer to the Clerk who shall send the answer to Members electronically before the end of that sitting and shall cause the question and the reply to be recorded in the Official Report.</p> <p><i><u>Deferral of Questions</u></i></p> <p>(12) At the request of a Minister and with the approval of the House, without debate, the answer to a question on the Order Paper may be deferred once only for a maximum period of fourteen (14) days. A question so deferred is not to be taken into account for the purpose of Standing Order 28(5).</p>

Existing Standing Orders	Revised Standing Orders
	<p>(13) If such a question remains unanswered at the expiration of fourteen (14) days, the Member who asked the question may, at the conclusion of question time, ask that the Speaker write to the Minister concerned, seeking reasons for the delay in answering.</p> <p><i>Withdrawal of Questions</i></p> <p>(14) A question may be withdrawn only at the request of the Member in whose name the Question stands on the Order Paper.</p> <p>(15) A question withdrawn from the Order Paper may be asked again provided that notice as required by these Standing Orders is given.<sup>43</sup></p>
<p><b>18. Contents of Questions</b></p> <p>(1) The right to ask a question shall be subject to the following general rules, as to the interpretation of which the Speaker shall be the sole judge:</p> <p>(a) The proper object of a question is to obtain information on a question of fact within the official cognisance of the Minister to whom it is addressed, or to ask for official action.</p>	<p><b>30. Contents of Questions</b></p> <p>(1) Every question shall conform to the following rules. A question shall not: -</p> <p>(a) contain more than one issue and shall be concise;</p> <p>(b) contain preambles, opinions, statements of facts or names of persons unless they are necessary to render the question intelligible, extracts from newspapers or books, or quotations; or</p> <p>(c) contain arguments, allegations, inference,</p>

<sup>43</sup> Existing SO 19 revised

	Existing Standing Orders	Revised Standing Orders
<p>a</p> <p>(b) A question shall not include the names of persons, or any statements of fact, unless they be necessary to render the question intelligible.</p> <p>(c) If a question contains a statement of fact, the Member asking it shall make himself, responsible for the accuracy of the statement, and no question shall be based upon a newspaper report or upon an unofficial publication.</p> <p>(d) No Member shall address the House upon any question, and a question shall not be made the pretext for debate.</p> <p>(e) Not more than one subject shall be referred to in any one question, and a question shall not be of excessive length.</p> <p>(f) A question shall not contain arguments, inferences, opinions, imputations, epithets, ironical expressions or hypothetical cases.</p> <p>(g) A question shall not be asked-</p> <p>(i) which raises an issue already decided in the House, or which has been answered fully during the current Session, or to which an answer has been refused;</p> <p>(ii) seeking information about matters which are their nature secret;</p> <p>(iii) regarding proceedings in a Committee which have not been placed before the House by a report from the Committee;</p> <p>(iv) which deals with matters referred to a Commission of Enquiry or within the jurisdiction of the Chairman of a Select Committee;</p> <p>in</p>	<p>imputation, epithets, ironical expressions, or hypothetical matter;</p> <p>(d) be repetitive, ask for an expression of opinion or seek legal interpretation or opinion;</p> <p>(e) refer to proceedings before a Committee of the House which have not been reported to the House or to matters which have been referred to a Commission of Enquiry;</p> <p>(f) refer to any matter which in the opinion of the Speaker is <i>sub judice</i> under Standing Order 49;</p> <p>(g) be asked for the purpose of obtaining an expression of opinion, the solution of an abstract legal question or the answer to a hypothetical proposition;</p> <p>(h) reflect on the character or conduct of any person except in his official or public capacity;</p> <p>(i) reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion under Standing Order 48(8);</p> <p>(j) refer discourteously to, or seek information about, the internal affairs of any country within the Commonwealth or of a friendly foreign State;</p> <p>(k) seek information set forth in accessible official publications or ordinary works of reference; or</p> <p>(l) raise an issue already decided in the House or which has been fully answered during the same session or for which an answer has been refused.</p> <p>(2) If the Speaker is of the opinion that any question of which a Member has given notice to the Clerk, is an abuse of the right of</p>	

Existing Standing Orders	Revised Standing Orders
<p>a</p> <p>(v) as to the character or conduct of any person except in his official or public capacity;</p> <p>(vi) about any matter then pending before any Court of Justice, or which reflects on the decision of a Court of Justice;</p> <p>(vii) reflecting on the character or conduct of my person whose conduct can only be challenged on substantive motion tinder Standing order 36 (Contents of Speeches);</p> <p>(viii) asking whether statements in the Press, or of private individuals, or unofficial bodies are accurate;</p> <p>(ix) the answer to which can be found by reference to available official publications;</p> <p>(x) referring discourteously to, or seeking information about, the internal affairs of any Territory within the Commonwealth or of a friendly Foreign Country;</p> <p>(xi) dealing with the action of a Minister for which he is not responsible to the Legislature;</p> <p>(xii) seeking for purposes of argument, information on matters of past history; or</p> <p>(xiii) raising questions of policy too large to be dealt with in the limits of an answer to a question.</p> <p>(h) A question shall not solicit the expression of an opinion, or the solution of an abstract legal question, or of a hypothetical proposition.</p>	<p>questioning or infringes any of the provisions of this or any other Standing Order, he may direct –</p> <p>(a) that it be printed or asked with such alterations as he may direct; or</p> <p>(b) that the Member concerned be informed that the question is inadmissible.<sup>44</sup></p>

<sup>44</sup> Existing SO 18(1), amended.

Existing Standing Orders	Revised Standing Orders
<p>(2) If the Speaker is of the opinion that any question of which a Member has given notice to the Clerk infringes the provisions of any Standing Order or is in any way an abuse of the right of questioning he may direct-</p> <p>(a) that the Member concerned be informed that the Question is out of order; or</p> <p>(b) that the question be entered in the Order Book with such alterations as he may direct.</p>	
	<p><b>31. Notice Paper-Questions</b></p> <p>Once a question on notice has been approved by the Speaker, the Clerk shall immediately prepare and circulate to Members a Notice Paper setting out particulars of the question.<sup>45</sup></p>
<p><b>27. Privilege Motions</b></p> <p>(1) A motion directly concerning the privileges of the House shall take precedence of all other public business, (2) Any member desiring to raise a matter under this Standing Order shall first obtain leave of the Speaker who shall determine whether the Member is entitled to raise, the matter as a question of privilege.</p> <p>(3) If permission is given by the Speaker under paragraph (2) of this Order, the Member so permitted may raise it any time after question time and move that the matter be referred to the Committee of Privileges.</p>	<p><b>32. Privilege Matters</b></p> <p>(1) A matter directly concerning the privileges of the House shall take precedence over all other business.</p> <p>(2) Any Member desiring to raise a matter under this Standing Order shall first obtain leave of the Speaker who will determine whether the Member is entitled to raise the matter as a question of privilege.</p> <p>(3) If permission is given by the Speaker under paragraph (2) of this Standing Order, the Member so permitted may raise it</p>

<sup>45</sup> New Standing Order



Existing Standing Orders	Revised Standing Orders
<p>(4) No debate shall ensue on a Motion under this Order but if the Speaker decides that a prima facie case has been made out he shall so state and refer the matter to the Committee of Privileges.</p> <p>(5) If during a sitting of the House a matter suddenly arises which appears to involve the privileges of the House and which calls for the immediate intervention of the House, the proceedings may be interrupted, save during the course of a division, by a motion based on such matter.</p> <p>(6) No member moving a Motion under this Standing Order may speak for more than fifteen minutes.</p>	<p>any time after Questions and request that the matter be referred to the Committee of Privileges.</p> <p>(4) No debate shall ensue on a matter raised under this Standing Order but if the Speaker decides that a <i>prima facie</i> case has been made out he shall so state and refer the matter to the Committee of Privileges.</p> <p>(5) If during a sitting of the House a matter suddenly arises which appears to involve the Privileges of the House and which calls for the immediate intervention of the House, the proceedings may be interrupted, except during the progress of a division, by a motion based on such matter.</p> <p>(6) No Member moving a matter under this Standing Order may speak for more than five (5) minutes.<sup>46</sup></p>
<p><b>21. Arrangement of Public Business</b></p> <p>(1) Public Business shall consist of Motions and public Bills.</p> <p>(2) Subject to the provisions of those Standing Orders, Government Business shall have precedence on every day except the fourth Friday in each month when Private Member's Business shall have precedence.</p>	<p>Chapter V Public Business</p> <p><b>33. Arrangement of Public Business</b></p> <p>(1) Public Business shall consist</p>

<sup>46</sup> Existing SO 27, amended. New: time limit in paragraph (6)

Existing Standing Orders	Revised Standing Orders
<p>(3) Government Business shall consist of Motions proposed to be made and Bills sponsored by Ministers or Parliamentary Secretaries, and shall be set down in such order as the Government think fit.</p> <p>(4) Private Members' business shall be set down on the Order Paper for a particular day in the order in which it was entered in the Order Book for that day, and business so entered shall take precedence over any business postponed from the previous day.</p>	<p>of Motions and Bills.</p> <p>(2) Government Business shall consist of Motions proposed to be made and Bills sponsored by Ministers or Parliamentary Secretaries and shall be set down in such order as the Government think fit.</p> <p>(3) Private Business shall consist of Motions and Bills proposed by Private Members and Private Bills. Private Business shall be set down on the Order Paper in the order in which they qualify.</p> <p>(4) Committee Business consists of motions for the consideration of Committee reports in accordance with Standing Order 108 (Reports from Select Committees)). Such motions shall be placed on the Order Paper on the day following the day on which it was filed with the Clerk.</p> <p>(5) The fourth Friday of each month shall be Private Members'</p>

Existing Standing Orders	Revised Standing Orders
	<p>Day. Government Business shall have precedence on every day except Private Members' Day<sup>47</sup>.</p>
<p><b>22. Questions for Debate</b></p> <p>Subject to the Constitution of Trinidad and Tobago and to these Standing Orders, any Member may propose, by way of motion, any matter for debate in the House.</p>	<p><b>34. Issues for Debate</b></p> <p>(1) Subject to the provisions of the Constitution and these Standing Orders, any Member may introduce any Bill or propose any motion for debate in the House and the same shall be disposed of in accordance with these Standing Orders.</p> <p>(2) Except on the recommendation or with the consent of the Cabinet the House shall not -</p> <p>(a) proceed upon any Bill (including any amendment to a Bill) which, in the opinion of the Chair, makes provision for any of the following purposes-</p> <ul style="list-style-type: none"> <li>(i) for imposing or increasing any tax;</li> <li>(ii) for imposing any charge upon the Consolidated Fund or any other public fund of Trinidad and Tobago or for altering any such charge otherwise than by reducing it;</li> <li>(iii) for the payment, issue or withdrawal from the Consolidated Fund or any other public fund of Trinidad and Tobago of any moneys not charged thereon or any increase in the amount</li> </ul>

<sup>47</sup> Standing Order 21 amended.

Existing Standing Orders	Revised Standing Orders
	<p>of such a payment, issue or withdrawal; or            (iv) for compounding or remitting any debt due to Trinidad and Tobago; or            (b) proceed upon any motion (including any amendment to a motion) the effect of which, in the opinion of the person presiding, would be to make provision for any of the purposes aforesaid.</p> <p>(3) When a question for debate has been proposed, debated and decided, it shall not be competent for any Member to raise a question substantially identical thereto in the same session except upon a substantive motion for rescission.<sup>48</sup></p>
<p><b>23. Notice of Motions or Amendments</b></p> <p>(1) Where under any Standing Order notice of motion or of an amendment is required, such notice shall be given in writing, signed by the Member and addressed to the Clerk of the House. Such notice shall be handed to the Clerk, or sent to, or left at, the Clerk's Office during the hours prescribed for the purpose.</p> <p>(2) If the Speaker is of opinion that any notice of motion which has been received by the Clerk infringes the provisions of any Standing Order or is in any other way out of order, he may direct-</p>	<p><b>35. Notice of Motions or Amendments</b></p> <p>(1) Where under these Standing Orders notice is required such notice shall be given in writing, signed by the Member and addressed to the Clerk. Such notice shall be handed to the Clerk when the House is sitting or sent by hand, fax or email to, or left at the Clerk's office at any time during the hours prescribed for the purpose.</p> <p>(2) If the Speaker is of opinion that any notice of motion which has been received by the Clerk infringes the provisions of any Standing Order or is in any other way out of order, he may</p>

<sup>48</sup> Existing SO 22, amended.

Existing Standing Orders	Revised Standing Orders
<p>(a) that the Member concerned be informed that the notice of motion is out of order, or  (b) that the notice of motion be entered in the Order Book with such alteration as he may direct.</p> <p>(3) Not more than three notices of motion in the name of the same Member may be entered on the Order Paper of any Sitting. The provisions of this paragraph shall not apply to a Member who is a Minister or a Parliamentary Secretary.</p> <p>(4) Copies of motions and amendments sent to the Clerk shall be circulated by him to Members, whether or nor they be matters of which notice is required, and, in the case of amendments to Bills, shall be arranged, so far as may be, in the order in which they will be proposed.</p> <p>(5) No debate shall take place on the giving of notice of any matter.</p>	<p>direct -</p> <p>(a) that the Member concerned be informed that the notice of motion is out of order; or  (b) that the motion be approved with such alterations as he may direct.</p> <p>(3) Not more than three (3) motions in the name of the same Member may be entered on the Order Paper of any sitting. The provision of this paragraph shall not apply to a Minister.<sup>49</sup></p>
<p><b>24. Period of Notice</b></p> <p>(1) Except with the consent of the Speaker notice of a Government motion shall not be placed upon the Order Paper of any sitting earlier than the day following the day on which the notice was given to the Clerk of the House.</p> <p>(2) Except as provided in paragraph (9) of Standing Order No. 83</p>	<p><b>36. Period of Notice</b></p> <p>(1) The following periods of notice shall be required for debate on Motions:</p> <p>(a) Government Motion - one (1) days' notice;  (b) Private Motion - twelve (12) days' notice</p>

<sup>49</sup>Existing SO 23 (1) - (3).

<b>Existing Standing Orders</b>	<b>Revised Standing Orders</b>
<p>(Reports from Select Committees), a notice of a Private Member's motion shall not be entered in the Order Book, or placed upon the Order Paper, for a day earlier than twelve clear days from the day on which the notice was given to the Clerk.</p>	<p>(c) Committee Business – one (1) days' notice.</p> <p>(3) Except as provided in of Standing Order 75 (Private Bills), a Private Member's motion shall not be placed upon the Order Paper for a day earlier than twelve (12) clear days from the day on which the notice was given to the Clerk.<sup>50</sup></p>
<p><b>23. Notice of Motions or Amendments</b></p> <p>(4) Copies of motions and amendments sent to the Clerk shall be circulated by him to Members, whether or nor they be matters of which. notice is required, and, in the case of amendments to Bills, shall be arranged, so far as may be, in the order in which they will be proposed.</p>	<p><b>37. Notice Paper- Motions</b></p> <p>(1) Once a Motion has been approved by the Speaker, the Clerk shall immediately prepare and circulate to Members, a Notice Paper setting out particulars of the Motion.<sup>51</sup></p> <p>(2) A notice of amendment sent to the Clerk shall be circulated by him to Members.<sup>52</sup></p>
<p><b>25. Exemption from Notice</b></p> <p>Unless the Standing Orders otherwise provide, notice shall be given of any motion which it is proposed to make, with the exception of the following:</p> <ul style="list-style-type: none"> <li>(a) a motion for the amendment of any motion;</li> <li>(b) a motion for the adjournment of the House or of a debate;</li> <li>(c) a motion for the election of a temporary presiding officer under paragraph (2) of Standing Order No. 5</li> </ul>	<p><b>38. Exemption from Notice</b></p> <p>(1) Unless the Standing Orders otherwise provide, notice shall be given of any motion which it is proposed to make, with the exception of the following-</p> <ul style="list-style-type: none"> <li>(a) a motion for the amendment of any motion.</li> <li>(b) a motion for the adjournment of the House or a debate;</li> <li>(c) a motion for the election of a temporary presiding officer under Standing Order 7 (Presiding in the House and in Committee);</li> </ul>

<sup>50</sup> Existing SO 24.

<sup>51</sup> New provision

<sup>52</sup> Existing SO 23(4) with amendment

Existing Standing Orders	Revised Standing Orders
<p>a</p> <p>(Presiding in the House and in Committee);</p> <p>(d) a motion for the suspension of Standing Orders put with the leave of the Speaker;</p> <p>(e) a motion for the withdrawal of strangers;</p> <p>(f) a motion that the House resolve itself into Committee;</p> <p>(g) a motion made in Committee of the whole House, other than the Finance Committee;</p> <p>(h) a motion for the suspension of a Member;</p> <p>(i) a motion that a petition be read, printed or referred to Select Committee;</p> <p>(j) a motion for the printing of a paper under paragraph (3) of Standing Order No. 15 (Papers);</p> <p>(k) a motion relating to a matter of privilege;</p> <p>(l) a motion arising out of any item of business made immediately after that item is disposed of and before the next item is entered upon;</p> <p>(m) a motion to recommit a Bill under paragraph (1) of Standing Order No. 56 (Recommittal of Bills reported from Committee of the whole House);</p> <p>(n) a motion in respect of which notice has been dispensed with under Standing Order No. 26 (Dispensing with Notice);</p> <p>(o) a motion for the withdrawal of a Bill under Standing Order No. 61 (Withdrawal of Bills);</p> <p>(p) a motion that the Report of a Select Committee be referred to a Committee of the whole House, or a motion that such Report be printed as a House Paper.</p>	<p>(d) a motion for the suspension of Standing Orders put with the leave of the Speaker;</p> <p>(e) a motion for the withdrawal of strangers;</p> <p>(f) a motion that the House resolve itself into Committee;</p> <p>(g) a motion made in the Committee of the whole House, other than the Finance Committee;</p> <p>(h) a motion for the suspension of a Member;</p> <p>(i) a motion that a Petition be read, printed or referred to a Select Committee;</p> <p>(j) a motion for the printing of a Paper under paragraph (3) of Standing Order 22 (Papers);</p> <p>(k) a motion relating to a matter of privilege;</p> <p>(l) a motion arising out of any item of business made immediately after that item is disposed of and before the next item is entered upon;</p> <p>(m) a motion to commit a Bill to a Select Committee under Standing Order 64 or 68;</p> <p>(n) a motion to recommit a Bill reported from Committee of the Whole House under Standing Order 72 (Procedure on Bills Reported from Select Committees Appointed under Standing Order 68);</p> <p>(o) a motion for withdrawal of a Bill under Standing Order 77 (Withdrawal of Bills);</p> <p>(p) a motion in respect of which notice has been dispensed with under Standing Order 39 (Dispensing with notice);</p>

Existing Standing Orders	Revised Standing Orders
	(q) a motion "That the question be now put" under paragraph (1) of Standing Order 52 (Closure of debate). <sup>53</sup>
<p><b>26. Dispensing with Notice</b></p> <p>Notice shall not be dispensed with in the case of a motion or in respect of any proceedings for which notice is required, except with the consent of the Speaker and the assent of the majority of the Members present at the time.</p>	<p><b>39. Dispensing with Notice</b></p> <p>Notice shall not be dispensed with in the case of a motion or in respect of any proceedings for which notice is required, except with the consent of the Speaker and with the leave of the House.<sup>54</sup></p>
	<p><b>40. Admissibility of Motions</b></p> <p>(1) A motion must clearly indicate the issue to be raised for debate and include only such material as may be necessary to identify the facts or matter to which the motion relates. The Speaker shall be the sole judge of the admissibility of a motion, which shall satisfy the following conditions. A motion shall:</p> <ul style="list-style-type: none"> <li>(a) raise substantially one definite issue;</li> <li>(b) not contain ironical, offensive expressions or words that would not be permitted in debate;</li> <li>(c) not contain the names of persons unless they are strictly necessary to render the motion intelligible;</li> <li>(d) not raise for debate matters of conduct of persons except in their public capacity;</li> <li>(e) not revive discussion of a matter which has been discussed in the same session;</li> </ul>

<sup>53</sup> Existing SO 25, modified.

<sup>54</sup> Existing SO 26



Existing Standing Orders	Revised Standing Orders
	<p>(f) not raise for discussion of a matter which already qualifies to be discussed;</p> <p>(g) not relate to matters which have been referred to a Committee of the House for consideration and report;</p> <p>(h) not exceed two hundred and fifty (250) words in length.</p>
	<p><b>41. Motions - General Rules</b></p> <p><i>Motions not moved</i></p> <p>(1) Motions on the Order Paper which have not been moved by the time the House adjourns will be set down on the Order Paper for the next sitting day.</p> <p>(2) If a Member does not move a motion which stands in his name when he is called on, it shall be removed from the Order Paper unless deferred by Leave of the House or moved by some other Member, duly authorized by that Member, provided that Government Business may be moved by any other Minister.</p> <p><i>Withdrawal of motion</i></p> <p>(3) A motion not yet moved may be withdrawn at the request of the Member in whose name the motion stands on the Order Paper by written notification to the Clerk.</p> <p>(4) If an amendment has been proposed to a motion, the original motion cannot be withdrawn until the amendment has been disposed of.</p>

Existing Standing Orders	Revised Standing Orders
	<p data-bbox="1060 315 1323 345"><u>Seconding of Motions</u></p> <p data-bbox="1060 350 1900 456">(5) The question upon a motion shall not be proposed by the Speaker unless such motion has been seconded, however Government business shall not require seconding.</p> <p data-bbox="1060 496 1732 527">(6) In committee a seconder shall not be required.</p> <p data-bbox="1060 568 1564 599"><u>Restrictions for the withdrawal of motions</u></p> <p data-bbox="1060 604 1900 667">(7) A motion moved is in the possession of the House and cannot thereafter be withdrawn without leave of the House.</p> <p data-bbox="1060 708 1465 738"><u>Motions withdrawn, again moved</u></p> <p data-bbox="1060 743 1900 812">(8) A motion that has been withdrawn by leave may be moved again in the same session.</p> <p data-bbox="1060 852 1371 883"><u>Speaker proposes question</u></p> <p data-bbox="1060 888 1900 989">(9) After a motion has been moved and where necessary seconded, the Speaker will propose the motion for debate in the House.</p> <p data-bbox="1060 1029 1493 1060"><u>Separation of a complicated question</u></p> <p data-bbox="1060 1065 1900 1133">(9) The Speaker may order that a complicated question be divided.</p> <p data-bbox="1060 1174 1224 1205"><u>Question put</u></p> <p data-bbox="1060 1209 1900 1278">(11) The Speaker will put the question after the reply by the mover at the end of the debate.</p> <p data-bbox="1060 1318 1188 1349"><u>Rescission</u></p>

Existing Standing Orders	Revised Standing Orders
	<p>(12) A motion to rescind the decision of a question which has been previously resolved during the same session (either in the affirmative or in the negative) shall not be moved sooner than six (6) months after the date on which the House reached its decision.</p>
	<p><b>42. Amendments</b></p> <p>(1) If a Member wishes to vary the terms of a motion standing in his name, he may do so by giving an amended notice of motion, provided that such amendment does not, in the opinion of the Speaker, materially alter any principle embodied in the original motion or the scope thereof. Such amended notice of motion shall run from the time at which the original notice of motion was given.</p> <p>(2) After a question has been proposed by the Speaker, but before it has been put, it may be amended, unless otherwise provided for in these Standing Orders.</p> <p><u>Forms of Amendment</u></p> <p>(3) Any Member may propose that a Motion be amended by -</p> <ul style="list-style-type: none"> <li>(a) deleting words;</li> <li>(b) deleting words in order to substitute other words; or</li> <li>(c) inserting or adding words;</li> </ul> <p>but an amendment may not be a direct negative.</p> <p>(4) An amendment which is of the same effect as one previously disposed of shall not be accepted.</p>

Existing Standing Orders	Revised Standing Orders
	<p>(5) An amendment must be relevant to the question that it proposes to amend.</p> <p>(6) An amendment which is not common sense or which is frivolous shall not be accepted.</p> <p>(7) An amendment may not contain reflections on a Member.</p> <p>(8) An Amendment shall not raise any question which, by these Standing Orders, can only be raised by a substantive motion after notice.</p> <p><u>Amendments to be written and signed</u></p> <p>(9) An amendment must be in writing, signed by the mover and given to the Clerk.</p> <p><u>No notice of an amendment is necessary</u></p> <p>(10) A motion by way of amendment to a question already proposed from the Chair may be moved without notice.</p> <p><u>Seconding of amendments</u></p> <p>(11) The question upon an amendment to a motion shall not be proposed by the Speaker unless such amendment has been seconded, however government business shall not require seconding.</p> <p><u>Amendments proposed from the Chair</u></p> <p>(12) After an amendment has been moved and where necessary seconded, the Speaker shall propose the amendment to the House. The debate will include original</p>

Existing Standing Orders	Revised Standing Orders
	<p>question and the question on the amendment.</p> <p><u>Amendments put and agreed to (Question, as amended, put)</u></p> <p>(13) When amendments have been agreed to, the original question, as amended, will be put to the House.</p> <p><u>Amendments proposed but not agreed to</u></p> <p>(14) When amendments have not been agreed to, the original question will be put to the House.</p> <p><u>Order of moving Amendments</u></p> <p>(15) Each amendment shall be disposed of before another amendment to the same question may be moved. The Speaker shall call upon the movers in the order in which their amendments relate to the text of the original question, or in the case of doubt in such order as the Speaker shall decide.</p> <p><u>Amendment to Amendment</u></p> <p>(16) An amendment may be moved to a proposed amendment. Such further amendment shall be seconded at</p>

Existing Standing Orders	Revised Standing Orders
	<p>any time after the question upon the original amendment has been proposed but before it has been put.</p> <p><i>Withdrawal of Amendment</i></p> <p>(17) After the Speaker has proposed the question on an amendment, the amendment cannot be withdrawn without leave.</p>
<p><b>New Standing Order</b></p>	<p><b>43. Motions on National Policy Issues</b></p> <p>(1) Every Private Member's motion approved by the House which requires action on national policy issues shall be submitted by the Clerk to the Cabinet for consideration within one (1) week of the date of approval by the House.</p> <p>(2) A report on the Cabinet's decision in response to the submission made pursuant to paragraph (1) shall be tabled by the Leader of the House not later than thirty (30) days from the date of its submission to the Cabinet.</p>
<p><b>33. Time and Manner of Speaking</b></p> <p>(1) A Member desiring to speak shall rise in his place and if called upon shall address his observations to the Speaker or Chairman. No Member shall speak unless called by the Speaker or Chairman.</p> <p>(2) If two or more Members rise at the same time, the</p>	<p>Chapter VI Rules of Debate</p> <p><b>44. Time and Manner of Speaking</b></p> <p>(1) No Member shall speak unless called upon by the Speaker in the House or Chairman in Committee.</p> <p>(2) A Member desiring to speak shall rise in his usual place</p>

Existing Standing Orders	Revised Standing Orders
<p>Speaker or Chairman shall call upon the Member who first catches his eye.</p> <p>(3) Subject to paragraph (5) of this Standing Order, no Member shall speak more than once on an, question except-</p> <ul style="list-style-type: none"> <li>(a) when the House is in Committee; or</li> <li>(b) in explanation as prescribed in paragraph (4) of this Standing Order: or</li> <li>(c) to a point of order, as provided in Standing Order 35 (interruptions);</li> <li>(d) in the case of the mover of a substantive motion or the Member in charge of a Bill in reply:</li> </ul> <p>Provided that any Member may, without prejudice to his right to speak at a later period of the debate, second a motion or amendment by rising in his place and stating merely that it is his intention to second the motion or amendment.</p> <p>(4) A Member who has spoken on a question may again be heard to offer explanations of some material part of his speech which he alleges has been misquoted or misrepresented, but he shall not introduce new matter.</p> <p>(5) A Member who has spoken may speak again when a new question has been proposed by the Speaker or Chairman, such as a proposed amendment or a Motion for the adjournment of the debate.</p>	<p>and if called upon shall address his observations to the Speaker. While speaking, a Member must not turn his back to the Chair.</p> <p>(3) If two or more Members rise at the same time, the Speaker or Chairman shall call upon the Member who first catches his eyes.</p> <p>(4) A Member may use an appropriate visual aid to illustrate the point being made during his speech, provided that the aid does not inconvenience other Members or obstruct the proceedings of the House. Such an aid may be displayed only with the prior permission of the Speaker.</p> <p>(5) Before participating in consideration of any item of business in the House in which he has a financial interest, a Member should disclose the extent of that interest.<sup>55</sup></p> <p>(6) No Member shall speak more than once on any question except-</p> <ul style="list-style-type: none"> <li>(a) when the House is in Committee;</li> <li>(b) in explanation as prescribed in paragraph (8) of this Standing Order; or</li> <li>(c) in the case of a mover of a substantive motion or the Member in charge of a Bill, in reply.</li> </ul> <p>(7) A Member may, without prejudice to his right to speak at a later period of the debate, second a motion or amendment by rising in his place and stating that it is his intention to second</p>

<sup>55</sup> New provision

Existing Standing Orders	Revised Standing Orders
<p>(6) Except with the leave of the Speaker, a Member shall not read his speech; but he may read extracts from written or printed papers or books in support of his argument, and may refresh his memory by reference to notes.</p> <p>(7) No Member may speak on any question after it has been put to the vote by the Speaker or Chairman.</p>	<p>the motion or amendment.</p> <p>(8) A Member who has spoken on a question may again be heard to offer explanation of some material part of his speech which he claims has been misrepresented, but he shall not introduce new matter. Such a Member must first be recognized by the Speaker and the explanation shall not exceed two (2) minutes.</p> <p>(9) A Member who has spoken may speak again when a new question has been proposed by the Speaker or Chairman, such as a proposed amendment.</p> <p>(10) A Member shall not read his speech except with the leave of the Speaker but he may read extracts from books or papers in support of his argument, and may refresh his memory by reference to written notes. For this purpose he may use a computer or other electronic device, provided that such device does not, in the opinion of the Chair, disturb the proceedings of the House.</p> <p>(11) No Member may speak on any question after it has been put to the vote by the Speaker or Chairman.<sup>56</sup></p>
<p><b>41. Time Limit of Speeches</b></p> <p>(1) The Mover of an original motion shall be limited in the duration of his speech in presenting his motion to seventy-five</p>	<p><b>45. Length of Speeches and Debates</b></p> <p>(1) The time limits for speeches are set out in Appendix I.  (2) The ruling of the Chair as to the time taken by any</p>

<sup>56</sup> Existing SO 33 amended in paragraph 7. A new paragraph 9 is added.



Existing Standing Orders	Revised Standing Orders
<p>minutes.</p> <p>(2) Subject to the preceding paragraph of this Standing Order, a Member shall not be entitled to address tile House or a Committee of the whole House for more than 45 minutes on any subject:</p> <p>Provided that the House or the Committee may by motion made and carried without amendment or debate, extend once only the time limited by this Standing Order for such period not exceeding thirty minutes as may be agreed to by the House.</p> <p>Provided also that no time limit shall be imposed on the Minister of Finance in presenting his Budget Speech.</p> <p>(3) The ruling of the Speaker, or the Chairman, as the case may be, as to the time taken by any member, shall be final.</p>	<p>Member shall be final.<sup>57</sup></p> <p>(3) Notwithstanding paragraph (1) above, the House may limit the length of a debate on any matter, provided that there is agreement between the Leader of the House and the whips of the opposition parties in the House.</p> <p>(4) In any debate in which a time limit is imposed on the entire debate by agreement between the Leader of the House and the Whips of the opposition parties in the House, the Speaker shall ensure that the time is equally apporioned among the parties represented in the House<sup>58</sup> provided that no Member is unfairly disenfranchised.</p>
<p><b>34. Right of Reply</b></p> <p>(1) The mover of a motion may reply after all the other Members present have had an opportunity of addressing the House and before the question is put, and after such reply no other Member may speak, except as provided in paragraph (2) of this Order.</p> <p>(2) A Minister or a Parliamentary Secretary may conclude a.</p>	<p><b>46. Right of Reply</b></p> <p>(1) The mover of a motion may reply after all the other Members present have had an opportunity of addressing the House and before the question is put, and after such reply no other Member may speak, except as provided in paragraph (2) of this Standing Order.</p> <p>(2) A Minister may conclude a debate on any motion that is</p>

<sup>57</sup> New Standing Order and Appendix I

<sup>58</sup> Existing SO 41, amended. Speaking time reduced. Provisions added to encourage the use of time limits for debates.

Existing Standing Orders	Revised Standing Orders
<p>debate on any motion which is critical of the Government, or reflects adversely on or is calculated to bring discredit upon the Government or an Officer thereof.</p>	<p>critical of the Government or reflects adversely on or is calculated to bring discredit upon the Government or a Government Officer.<sup>59</sup></p>
<p><b>35. Interruptions</b></p> <p>A Member shall not interrupt another Member except-</p> <p>(a) by rising to a point of order, whereupon the Member speaking shall resume his seat and the Member interrupting shall simply direct attention to the point which he desires to bring to notice and submit it to the Speaker or Chairman for decision; or</p> <p>(b) to elucidate some matter raised by that Member in the course of his speech, provided that the Member speaking is willing to give way and resumes his seat and that the Member wishing to interrupt is called by the Chair.</p>	<p><b>47. Interruptions</b></p> <p>(1) Subject to these Standing Orders, no Member shall interrupt another Member except-</p> <p>(a) by rising on a point of order. The Member speaking shall temporarily resume his seat and the Member interrupting shall simply direct attention to the breach of the order which he desires to bring to notice and submit it to the Speaker or Chairman for decision; or</p> <p>(b) to elucidate some matter raised by the Member speaking in the course of his speech. However, the Member speaking must be willing to give way and temporarily resume his seat.</p> <p>(2) A point of order should strictly relate to specific breaches of the standing orders. A point of order takes precedence over other business until ruled on by the Speaker.</p> <p>(3) A Member raising a point of order must put the point succinctly and shall be heard in silence.<sup>60</sup></p>

<sup>59</sup> Existing SO 34

<sup>60</sup> Existing SO 35, amended. Rules for raising a Point of Order clarified.

Existing Standing Orders	Revised Standing Orders
<p data-bbox="233 318 579 347"><b>36. Contents of Speeches</b></p> <p data-bbox="191 391 1037 565">(1) Subject to the provisions of Standing Order No. 12 (Adjournment-Definite Matter of Urgent Public Importance), debate upon any motion, Bill or amendment shall be relevant to such motion, Bill or amendment. and a Member shall confine his observations to the subject under discussion.</p> <p data-bbox="191 609 1037 711">(2) Reference shall not be made to any matter on which a judicial decision is pending, in such a way as might, in the opinion of the Chair, prejudice the interests of parties thereto.</p> <p data-bbox="191 755 1037 1036">(3) It shall be out of order to attempt to revive in any debate a matter or reconsider any specific question (other than a matter or question relating to a Bill returned with any amendment by the other Chamber) upon which the House has come to a conclusion during the current Session, except upon a substantive motion for rescission which motion shall not be brought sooner than six months after the date on which the House reached its decision.</p> <p data-bbox="191 1079 1037 1146">(4) It shall be out of order to use offensive or insulting language about Members of either Chamber of the Legislature.</p> <p data-bbox="191 1190 1037 1256">(5) No Member shall impute improper motives to any other Member of either Chamber.</p> <p data-bbox="191 1300 930 1330">(6) No Member shall refer to any other Member by name.</p>	<p data-bbox="1106 318 1432 347"><b>48. Contents of Speeches</b></p> <p data-bbox="1058 391 1904 532">(1) Subject to these Standing Orders, debate upon any motion, Bill or amendment shall be relevant to such motion, Bill or amendment, and a Member shall confine his observations to the subject under discussion.</p> <p data-bbox="1058 576 1904 643">(2) Reference shall not be made to any matter which is <i>sub judice</i> as provided in Standing Order 49.</p> <p data-bbox="1058 686 1904 826">(3) It shall be out of order to attempt to reconsider any specific question on which the House has come to a conclusion during the current session except upon a substantive motion for rescission.</p> <p data-bbox="1058 870 1904 972">(4) It shall be out of order to use offensive and insulting language about Members of either House or to threaten a Member.</p> <p data-bbox="1058 1016 1904 1083">(5) A Member shall be referred to in the House by reference to his constituency or to his official portfolio.</p> <p data-bbox="1058 1127 1904 1193">(6) No Member shall impute improper motive to any Member of either House.</p> <p data-bbox="1058 1237 1904 1304">(7) The President's name shall not be used to influence the House.</p> <p data-bbox="1058 1347 1904 1377">(8) The conduct of the President or any other person</p>

Existing Standing Orders	Revised Standing Orders
<p>(7) Members shall be referred to by the names of the electoral areas for which they have been elected.</p> <p>(8) Her Majesty's name or the Governor General's name or the Governor's name shall not be used to influence the House.</p> <p>(9) The conduct of Her Majesty and Members of the Royal Family shall not be called in question.</p> <p>(10) The conduct of the Governor, Members of the Senate or the House of Representatives, or of judges or other persons engaged in the administration of justice shall not be raised except upon a substantive motion moved for the purpose; and in any amendment, question to a Minister, or debate on a motion dealing with any other subject any reference to the conduct of any such person as aforesaid shall be out of order.</p>	<p>performing the function of President, Members of the Senate, the House or Judges of the Supreme Court of Judicature or other persons performing judicial functions shall not be raised except upon a substantive motion moved for the purpose.<sup>61</sup></p>
<p><b>New Standing Order</b></p>	<p><b>49. Matter Sub Judice</b></p> <p>(1) Subject always to the discretion of the Speaker and to the right of the House to legislate on any matter, a Member shall not raise or pursue any matter which relates to active proceedings until the matter is ended by judgment or discontinuance, unless the Speaker is satisfied that:</p> <p>(a) the matter is clearly related to a matter of general public</p>

<sup>61</sup> Existing SO 36, amended and updated

Existing Standing Orders	Revised Standing Orders
	<p>importance or a ministerial decision is in question;</p> <p>(b) the matter does not relate to a case that is awaiting or under adjudication, particularly those matters before a jury; and</p> <p>(c) the Member does not in his comments create a real and substantial danger of prejudice to the fair determination of a matter.</p> <p>(2) By alleging that a matter is sub judice a Member shall be confirming to the House that paragraph (1) is applicable and shall accept responsibility for so advising the House.<sup>62</sup></p>
<p><b>37. Scope of Debate</b></p> <p>(1) When an amendment proposes to leave out words and to add or insert other words in their place, debate upon the question "That the words proposed to be left out, be left out of the question" may relate, to both the words proposed to be left out and those proposed to be added or inserted.</p> <p>(2) On an amendment proposing only 'to leave out words or to add or insert words, debate shall be confined to the omission, addition or insertion of such words respectively.</p>	<p><b>50. Scope of Debate</b></p> <p><u>Motions debated together</u></p> <p>(1)With the leave of the House, motions may be debated together where -</p> <p style="padding-left: 40px;">(a) the content of two or more motions interrelate;; or</p>

<sup>62</sup> New SO which expands and clarifies existing SO 36(2)

Existing Standing Orders	Revised Standing Orders
<p>(3) Where during the course of a debate a motion is made (a) for the adjournment of the debate or of the House, or (b) in Committee that the Chairman do report progress or do leave the Chair, unless it appears to the Chair that that Motion is an abuse of the rules of the House or an infringement of the rights of the minority, the question on the motion for the adjournment as aforesaid shall be put forthwith without amendment or debate; and a Member who has moved or seconded such a motion shall not be entitled to move or second any similar motion during the same debate: but this paragraph shall not be construed as restricting the customary right of the Minister in charge of arranging the business of the House to move the adjournment of the House on the conclusion of the business of the day.</p>	<p>(b) a number of motions relate to a single subject of debate.</p> <p>(2) If the House agrees to proceed in accordance with paragraph (1), the first motion shall be moved and the joint debate shall then take place. Upon the conclusion of the debate, the questions shall be put on the first motion. The second and subsequent motions shall thereafter be moved in consecutive order, and the questions on them shall be put from the Chair individually and without further debate.<sup>63</sup></p> <p><i>Adjournment of the debate</i></p> <p>(3) During the course of a debate a motion may be made for the adjournment of the debate or of the House and unless it appears to the Chair that the Motion is an abuse of the rules of the House or an infringement of the rights of the minority, the question shall be put by the Chair without amendment or debate.</p> <p>(4) A Member who has moved or seconded such a motion shall not be entitled to move or second any similar motion during the same debate.</p> <p>(5) This shall not be construed as restricting the customary right of the Leader of the House or any other Minister to move the adjournment of the House on the conclusion of the business of the day.<sup>64</sup></p>

<sup>63</sup> New provision consistent with practice

<sup>64</sup> Existing SO 37

Existing Standing Orders	Revised Standing Orders
<p><b>38. Anticipation</b></p> <p>(1) It shall be out of order to anticipate a Bill by discussion upon a motion dealing with the subject matter of that Bill.</p> <p>(2) It shall be out of order to anticipate a Bill or a notice of motion by discussion upon an amendment, or a motion for the adjournment of the House.</p> <p>(3) In determining whether discussion is out of order on the grounds of anticipation, regard shall be had by the Chair to the probability of the matter anticipated being brought before the House within a reasonable time.</p>	<p><b>51. Anticipation</b></p> <p>(1) It shall be out of order to anticipate a Bill by discussion upon a motion dealing with the subject matter of that Bill.</p> <p>(2) It shall be out of order to anticipate a Bill or a notice of motion by discussion upon an amendment, or a motion for the adjournment of the House.</p> <p>(3) In determining whether discussion is out of order on the grounds of anticipation, regard shall be had by the Chair to the probability of the matter anticipated being brought before the House within a reasonable time.<sup>65</sup></p>
<p><b>39. Closure of Debate</b></p> <p>(1) After a question has been proposed any Member may at any time during the course of debate rise in his place and claim to move "That the question be now put" and unless it appears to the Chair that that motion is an abuse of the rules of the House or an infringement of the rights of the minority, the question "That the question be now put" shall be put forthwith. No debate on that motion shall be allowed, and if the motion is carried, the debate then before the House shall cease and the question before the</p>	<p><b>52. Closure of Debate</b></p> <p>(1) After a question has been proposed any Member may at any time during the course of debate rise in his place and move "That the question be now put" and unless it appears to the Chair that that motion is an abuse of the rules of the House or an infringement of the rights of the minority, the question "That the question be now put" shall be immediately put.</p> <p>(2) No debate on that motion shall be allowed and if the</p>

<sup>65</sup> Existing SO 38

Existing Standing Orders	Revised Standing Orders
<p>House shall be put forthwith.</p> <p>(2) When the motion "That the question be now put" has been carried, and the question consequent thereon has been decided, any Member may claim that any other question already proposed from the Chair be now put and if the assent of the Chair is given, every such question shall be put forthwith and decided without amendment or debate.</p> <p>(3) A motion under this Standing Order shall not be decided in the affirmative if it appears on a division that less than ten Members voted in the majority in support of the motion.</p>	<p>motion is carried, the debate before the House shall cease and the question before the House shall be then put.</p> <p>(3) A motion under this Standing Order shall not be decided in the affirmative if it appears on a division that less than twelve (12) Members voted in the majority in support of the motion.<sup>66</sup></p>
<p><b>40. Rules for Members not Speaking</b></p> <p>A Member present in the House during a debate-</p> <ul style="list-style-type: none"> <li>(a) shall enter or leave the House with decorum;</li> <li>(b) shall maintain silence while another Member is speaking, and shall not interrupt, except in accordance, with these Standing Orders; and</li> <li>(c) shall otherwise conduct himself in a fit and proper manner.</li> </ul>	<p><b>53. Rules for Members not Speaking</b></p> <p>(1) A Member present in the House during the debate -</p> <ul style="list-style-type: none"> <li>(a) shall enter or leave the House with decorum;</li> <li>(b) shall bow to the Speaker on entering or leaving the Chamber;</li> <li>(c) shall not leave the House when the Speaker is addressing the House;</li> <li>(d) shall not pass between the Speaker and any Member who is speaking;</li> <li>(e) shall maintain silence while another Member is speaking and shall not interrupt, except in accordance with these Standing Orders;</li> <li>(f) shall not engage excessively in cross talk or</li> </ul>

<sup>66</sup> Existing SO 39



Existing Standing Orders	Revised Standing Orders
	<p>converse noisily with another Member or otherwise disturb the proceedings;</p> <p>(g) shall avoid running commentaries when another Member is speaking;</p> <p>(h) shall not sit with his back towards the Chair;</p> <p>(i) shall not read books, newspapers, letters or other documents unless they relate to the business before the House;</p> <p>(j) shall not use any electronic device in such a manner that in the opinion of the Speaker disturbs the proceedings of the House;</p> <p>(k) shall avoid talking or laughing in the lobby loud enough to be heard in the chamber;</p> <p>(l) shall otherwise conduct himself in a fit and proper manner.</p> <p>(m) shall wear business attire.</p> <p>(4) The Speaker shall draw the attention of the House to any Member who, despite warning, persists in breaching any provision of this Standing Order and may thereafter take action in accordance with Standing Order 55 (Order in the House and in Committee).<sup>67</sup></p>
<p><b>42. Responsibility for Order in the House and in Committee</b></p> <p>(1) The Speaker in the House and the Chairman in Committee</p>	<p>Chapter VII Rules of Order</p>

<sup>67</sup> Existing SO 40, amended and expanded

Existing Standing Orders	Revised Standing Orders
<p>shall be responsible for the observance of the rules of order in the House and Committees respectively, and their decision upon any point of order shall not be open to appeal and shall not be reviewed by the House except upon a substantive motion made after notice.</p> <p>(2) When the Speaker, or Chairman, rises during a Debate any Member then speaking or wishing to appeal shall immediately resume his seat, and the House, or the Committee, shall be silent.</p>	<p><b>54. Responsibility for Order in the House and in Committee</b></p> <p>(1) The Speaker in the House and the Chairman in Committee shall be responsible for the observance of the rules of order in the House and Committee respectively and their decision upon any point of order shall not be open to appeal and shall not be reviewed by the House except upon a substantive motion made after notice.</p> <p>(2) When the Speaker or Chairman rises, any Member then speaking or wishing to speak shall immediately resume his seat and the House, or the Committee, shall be silent.<sup>68</sup></p>
<p><b>43. Order in the House and in Committee</b></p> <p>(1) The Speaker or the Chairman, after having called the attention of the House, or of the Committee, to the conduct of a Member who persists in irrelevance, or tedious repetition either of his own arguments or of the arguments used by other Members in debate, may direct him to discontinue his speech and to resume his seat.</p> <p>(2) Any member may, after the Speaker or Chairman, as the case may be, has under paragraph (1) of this Standing Order once called the attention of the House or Committee to the conduct of a member who persists in irrelevance or tedious</p>	<p><b>55. Order in House and Committee</b></p> <p>(1) The Speaker or the Chairman after having called the attention of the House or of the Committee to the conduct of a Member who:</p> <p>(f) has used objectionable, abusive, insulting or offensive word or language or unparliamentary expressions and on being called to order has refused to withdraw such words or language or expressions and has not offered an apology for the use thereof;</p>

<sup>68</sup> Existing SO 42

Existing Standing Orders	Revised Standing Orders
<p>repetition of his own arguments or of the arguments used by other members in debate, move that the Member be no longer heard and such Motion shall be put forthwith without amendment or debate.</p> <p>(3) The Speaker or the Chairman shall order any Member to withdraw immediately from the House during the remainder of the day's sitting and may direct such steps to be taken, as are required, to enforce such order-</p> <p>(a) where the conduct of such Member is grossly disorderly; or</p> <p>(b) where such Member has used objectionable, abusive, insulting or offensive words or language or unparliamentary expressions, and, on being called to order, has refused to withdraw such words or language or expressions and has not offered an apology for the use thereof to the satisfaction of the House.</p> <p>(4) If an order under paragraph (2) of this Standing Order be not complied with at once, or if, on any occasion, the Speaker or the Chairman considers that his powers under that paragraph are inadequate he may name such Member in pursuance of paragraph (4) or paragraph of this Standing Order.</p> <p>(5) If a Member shows disregard for the authority of the Chair, or abuses the rule, of the House by persistently and willfully obstructing the business of the House or otherwise, the Speaker shall direct the attention of the House thereto, mentioning by name the Member concerned, the Speaker shall</p>	<p>(g) persists in irrelevant or tedious repetition either of his own arguments, or of the arguments used by other Members in debate; or engages in excessive cross talk or converses noisily with another Member or otherwise disturb the proceedings;</p> <p>and after having first warned the Member, may direct that Member to discontinue his speech and to resume his seat, or direct that the Member withdraw from the Chamber for a specified period of time as the case may require.</p> <p>(2) Any Member, may, after the Speaker or Chairman has under paragraph (1) of this Standing Order once called the attention of the House or Committee to the said conduct of a Member in a debate, move that the Member be no longer heard and such motion, shall be put without amendment or debate.</p> <p>(3) A Member referred to in paragraphs (1) and (2) of this Standing Order, shall immediately take his seat, or withdraw from the Chamber as the case requires.</p>

Existing Standing Orders	Revised Standing Orders
<p>then call upon a Minister to move "That Mr. .... be suspended from the service of the House", and the Speaker shall forthwith put the question, no seconder being required and no amendment, adjournment or debate being allowed.</p> <p>(6) If the offence has been committed in a Committee of the whole House, the, Chairman shall forthwith suspend the proceedings of the Committee and, as soon as the House has resumed, shall report the circumstances to the House, whereupon the procedure provided for in the preceding paragraph shall be followed.</p> <p>(7) If a Member is suspended under any provisions of this Standing Order, his suspension shall continue until it is terminated by resolution of the House.</p> <p>(8) Not more than one Member shall be named at the same time, unless several Members present together have jointly disregarded the authority of the Chair.</p> <p>(9) A member who is ordered to withdraw under the provisions of paragraph (2) of this Standing Order, or who is suspended under the provisions of paragraphs (4) to (6), of this Order, shall forthwith leave the House and its precincts. A Member who is suspended shall not be entitled to attend any sitting of the House, or enter the House or its precincts, until the termination of his suspension.</p> <p>(10) If any Member, who is ordered to withdraw or who is suspended under this Standing Order, refuses at any time to obey the direction of the Speaker to withdraw from the House</p>	<p><u>Gross disorder</u></p> <p>(4) Conduct shall be deemed to be grossly disorderly, if during proceedings, the Member concerned-</p> <ul style="list-style-type: none"> <li>(a) creates actual disorder;</li> <li>(b) uses or threatens violence against a Member or other person;</li> <li>(c) acts in a manner that displays flagrant disobedience to rulings of the Chair; or</li> <li>(d) acts in any other way to the serious detriment of the dignity or orderly procedure of the House.</li> </ul> <p>(5) The Speaker may order any Member whose conduct is grossly disorderly to withdraw immediately from the House during the remainder of that day's sitting.</p> <p>(6) The Speaker may direct such steps to be taken as are required to enforce any order made by him pursuant to paragraph (4) of this Standing Order.</p>

Existing Standing Orders	Revised Standing Orders
<p>and its precincts, the Speaker shall call the attention of the House to the fact that recourse to force is necessary in order to compel obedience to his direction, and the Member named by him as having so refused to obey his direction shall thereupon, without further question put be suspended from the service of the House during the remainder of the Session.</p> <p>(11) If resort to force is necessary, the Speaker may suspend the sitting during the removal of the Member and invoke the assistance of any police officer in ejecting the offending member and such officer shall, for the purposes of this Order, be deemed to be an Officer of the House,</p> <p>(12) In the case of grave disorder arising in the House, the Speaker may, if he thinks it necessary to do so, adjourn the House without question put, or suspend the sitting for a time to be named by him.</p> <p>(13) Any remuneration or allowance to which a Member is entitled as a Member of the House of Representatives shall cease in respect of the period of his suspension.</p> <p>(14) Nothing in this Order shall be taken to deprive the House of the power of proceeding against any Member according to any resolution of the House.</p>	<p><u><i>Suspension from the Service of the House</i></u></p> <p>(7) If on any occasion the Speaker considers that his powers under the previous provision of this Standing Order are inadequate, the Speaker may name such Member under this Standing Order, by mentioning the name of the Member concerned. In such circumstances, the procedure prescribed in the next succeeding paragraphs shall be followed:</p> <p>(a) The Speaker shall mention the Member by name.</p> <p>(b) Immediately following the naming a Member shall move a motion that “Mr. _____” be suspended from the service of the House.</p> <p>(c) The Speaker shall put the question “<i>that Mr. _____ be suspended from the service of the House</i>”.</p> <p>(d) This question must be resolved without amendment, adjournment or debate.</p> <p>(e) If the offence has been committed in Committee of the whole House, the Chairman shall immediately suspend the proceedings of the Committee resume the House and report the circumstances and the procedure provided for</p>

Existing Standing Orders	Revised Standing Orders
	<p data-bbox="1157 282 1900 342">in the preceding sub-paragraphs of this Standing Order shall be followed.</p> <p data-bbox="1110 415 1900 516">(f) The Member so named must immediately leave the Chamber and its precincts and shall stand suspended from the service of the House.</p> <p data-bbox="1062 589 1346 618"><i><u>Duration of Suspension</u></i></p> <p data-bbox="1062 626 1900 686">(8) If a Member is suspended pursuant to Paragraph 7 of this Standing Order:</p> <ul style="list-style-type: none"> <li data-bbox="1157 699 1900 760">(a) for a first time in a session, the suspension will be for seven (7) days;</li> <li data-bbox="1157 773 1900 833">(b) for a second time in a session, the suspension will be for thirty (30) days;</li> <li data-bbox="1157 846 1900 1013">(c) on any subsequent occasion within the same session, for a period to last until the House orders that the Member's suspension shall terminate or, in default of such order, for the remainder of the session.<sup>69</sup></li> </ul> <p data-bbox="1062 1062 1900 1162">(9) Any personal remuneration or allowance to which a Member is entitled as a Member of the House of Representatives shall cease in respect of the period of his suspension.</p> <p data-bbox="1062 1232 1900 1292">(10) Not more than one Member shall be named at the same time, unless several Members present together have jointly</p>

<sup>69</sup> The first (or subsequent) occasion has been interpreted to mean the first (or subsequent) occasion in the same session.

Existing Standing Orders	Revised Standing Orders
	<p>committed the offence.</p> <p>(11) If any Member who has been directed to withdraw or who has been suspended under this Standing Order, refuses at any time to obey the direction of the Speaker to withdraw from the House and its precincts, the Speaker shall call the attention of the House to the fact that recourse to force is necessary in order to compel obedience to his direction, and the Member named by him as having so refused to obey his direction shall, without further question put, be immediately suspended from the service of the House during the remainder of the session.</p> <p>(12) If resort to force is necessary, the Speaker may suspend the sitting during the removal of the Member. The Speaker may request the assistance of any police officer in ejecting the offending Member.</p> <p>(13) A Member who is directed to withdraw or who is suspended under this Standing Order shall not be entitled to attend the sitting from which he was directed to withdraw or in a case of suspension to attend any sitting or committee or enter the precincts of the House until the termination of his suspension.</p> <p>(14) In the case of grave disorder arising in the House, the Speaker may, if he thinks it necessary to do so, suspend the sitting for a specified period or adjourn the House without question put.</p> <p>(15) A Member suspended under this Standing Order shall not</p>

Existing Standing Orders	Revised Standing Orders
	<p>enter the Chamber, vote or serve on a Committee or lodge questions or notices of motion, during the period of his suspension.</p> <p>(16) Nothing in this Standing Order shall be taken to deprive the House of the power of proceeding against any Member according to any resolution of the House.<sup>70</sup></p>
<p><b>44. Decision of Questions</b></p> <p>(1) Save as otherwise provided in Article 29 of the Constitution of Trinidad and Tobago or in these Standing Orders all questions proposed for decision in the House or in any Committee shall be determined by a majority of the votes of those present and voting.</p> <p>(2) Where the Speaker is not an Elected Member of the House, he shall have neither an original vote nor a casting vote, and if upon any question before the House the votes are equally divided the motion shall be declared lost.</p> <p>(3) The Speaker, if an Elected Member of the House, or any other Member presiding in the absence of the Speaker, shall not have an original vote, but if upon any question before the House the</p>	<p style="text-align: center;">Chapter VIII Voting</p> <p><b>56. Decisions of Questions</b></p> <p>(1) Except as otherwise provided in the Constitution or in these Standing Orders all questions proposed for decision in the House or in Committee shall be determined by a majority of the votes of the Members thereof present and voting.</p> <p>(2) The Speaker or any other Member presiding shall not vote unless on any question the votes are equally divided, in which case, he shall have and exercise a casting vote and any reason stated shall be entered in the Minutes of Proceedings.<sup>71</sup></p>

<sup>70</sup> Existing SO 43, amended.

<sup>71</sup> Existing SO 44, amended. Old para (2) deleted to accord with the Constitution. In the event of a tie, the Speaker will offer the casting vote – the only occasion in which the Speaker actually participates in a decision. In voting, the Speaker remains conscious of the paramount obligation of impartiality and so usually votes to maintain the status quo; i.e., he or she votes in a manner that will keep the issue open for the House’s further consideration. This may appear contradictory at times, for at second reading of a bill the Speaker would usually vote in favour of the motion to keep debate alive, while at third reading the Speaker would normally vote against the bill to maintain the status quo.



Existing Standing Orders	Revised Standing Orders
votes are equally divided, such a person shall have and exercise a casting vote.	
<p><b>45. Collection of Votes</b></p> <p>(1) At the conclusion of a debate upon any question the Speaker or Chairman shall put that question for the decision of the House, and shall collect the voices of the Ayes and of the Noes, after which no further debate may take place upon that question.</p> <p>(2) The result shall be declared by the Speaker or Chairman, stating "I think the Ayes have it" Or "I think the Noes have it" as the case may be, but any Member may challenge the opinion of the Chair by claiming a division.</p>	<p><b>57. Collection of Voices</b></p> <p>(1) At the conclusion of a debate upon any question the Speaker or Chairman shall put that question for the decision of the House, and shall collect the voices of the <i>Ayes</i> and of the <i>Noes</i>, after which no further debate may take place upon that question.</p> <p>(2) The result shall be declared by the Speaker or Chairman stating "<i>I think the Ayes have it</i>" or "<i>I think the Noes have it</i>" as the case may be; but any Member may challenge the opinion of the Chair by calling a division.<sup>72</sup></p>
<p><b>46. Divisions</b></p> <p>(1) In a division the Clerk shall call each Member's name separately and such Member shall indicate how he desires to vote. The Clerk shall thereupon record the vote accordingly.</p> <p>(2) Subject to paragraphs (2) and (3) of Standing Order No. 44 (Decision of Questions), every Member present, unless he expressly says that he declines to vote, shall record his vote either for the Ayes or the Noes.</p> <p>(3) The Clerk shall announce the number of Members who have voted for, and of those who voted against, the proposal, and the</p>	<p><b>58. Division</b></p> <p>(1) If a division is called for, it shall be taken by the Clerk calling each Member's name individually and recording the each vote accordingly.</p> <p>(2) The Clerk shall then announce the number of those who have voted for, those who voted against the proposal and those who declined to vote and the Speaker or Chairman shall declare the result of the division.</p> <p>(3) The Clerk shall enter in the Minutes of Proceedings the record of each Member's vote.</p>

<sup>72</sup> Existing SO 45.

Existing Standing Orders	Revised Standing Orders
<p>number of Members who declined to vote. Subject to the provisions of paragraph (4) of this Standing Order, the Speaker or other Member presiding, or the Chairman in Committee of the whole Council, shall then declare the result of the division.</p> <p>(4) The Clerk shall enter on the Minutes of proceedings the record of each Member's vote, and shall add a statement of the number and the names of all the Members present who declined to vote. Where the votes are equally divided and the Speaker or other Member presiding has a casting vote, the Clerk shall record in the Minutes the manner in which the Speaker or other Member presiding exercised his casting vote.</p> <p>(5) If a Member states that he voted in error, or that his vote has been counted wrongly, he may claim to have his vote altered provided that such claim is made as soon as the Clerk has announced the numbers and before the Chair has declared the result of the division. Upon such claim being made the Speaker, or Chairman, at his sole discretion, shall either direct the Clerk to alter that Member's vote or direct that a fresh division be held.</p>	<p>(4) If a Member states that he voted in error or that his vote has been counted wrongly, he may request to have his vote altered provided that such request is made as soon as the Clerk has announced the numbers and before the Chair has declared the result of the division. Upon such request being made the Speaker or Chairman, at his sole discretion shall either direct the Clerk to alter that Member's vote or direct a fresh division be held.<sup>73</sup></p>
<p><b>47 (4). Introduction and First Reading of Bills</b></p> <p>Except upon the recommendation of the Cabinet, to be signified by a Minister and recorded in the Minutes of Proceedings, the House shall not receive any Government Bill, and shall not proceed upon any motion for leave to</p>	<p style="text-align: center;">Chapter IX Legislation<sup>74</sup></p> <p><b>59. Restrictions with respect to Money Bills</b></p> <p>(1) Except on the recommendation or with the consent of the</p>

<sup>73</sup> Existing SO 46

<sup>74</sup> Existing SOs 47 to 62 and 83 (which deal with legislation) are amended and updated by proposed SOs 59 to 78, as explained.

Existing Standing Orders	Revised Standing Orders
<p>introduce a Bill which, in the opinion of the Speaker, would make provision for imposing or increasing any tax, for imposing or increasing any charge on the revenues or other funds or the Territory or for altering any such charge otherwise than by reducing it, or for compounding or remitting any debt due to the Territory.</p>	<p>Cabinet<sup>75</sup>, the House shall not proceed upon any Bill (including any amendment to a Bill) which, in the opinion of the Chair, makes provision for any of the following purposes –</p> <ul style="list-style-type: none"> <li>(a) for imposing or increasing any tax;</li> <li>(b) for imposing any charge upon the Consolidated Fund or any other public fund of Trinidad and Tobago or for altering any such charge otherwise than by reducing it;</li> <li>(c) for the payment, issue or withdrawal from the Consolidated Fund or any other public fund of Trinidad and Tobago of any moneys not charged thereon or any increase in the amount of such a payment, issue or withdrawal, or</li> <li>(d) for compounding or remitting any debt due to Trinidad and Tobago.<sup>76</sup></li> </ul>
<p><b>47 (1). Introduction and First Reading of Bills</b></p> <p>Subject to the provisions of paragraph (4) of this Standing Order any Member of the House may move for leave to introduce a Bill of which he has given notice.</p>	<p><b>60. Private Members’ Bills</b></p> <p>(1) Subject to the provisions of these Standing Orders<sup>77</sup>, a Private Member, desiring to introduce a Bill, shall give written notice to the Clerk of his intention to do so and shall together with the notice submit three copies of the Bill to the Clerk, along with an explanatory statement of objects and reasons which shall not contain arguments.</p>

<sup>75</sup> Deleted “signified by a Minister”

<sup>76</sup> Existing SO 47(4)

<sup>77</sup> Deleted “any Member, other than a Minister”

Existing Standing Orders	Revised Standing Orders
	<p>(2) Copies of the Notice and the Bill together with the explanatory statement of objects and reasons shall be circulated to Members by the Clerk within two (2) days of its receipt.<sup>78</sup></p>
<p><b>New Standing Order</b></p>	<p><b>61. Introduction and First Reading of Private Members' Bills</b></p> <p>(1) A motion for leave to introduce a Private Member's Bill shall be set down under Private Members' Business on the Order Paper not earlier than seven (7) clear days from the date on which written notice was given to the Clerk.</p> <p>(2) A motion for leave to introduce a Private Member's Bill shall be heard on the first sitting day after the expiration of the period of notice required under paragraph (1).</p> <p>(3) The Speaker shall permit the Private Member moving for leave to make an explanatory statement which shall not exceed five (5) minutes.</p> <p>(4) The Speaker shall permit any Member opposing the Bill to address the House for a period not exceeding two (2) minutes in duration.</p> <p>(5) On a motion for leave under this Standing Order any debate thereon shall be limited to a maximum of fifteen (15) minutes in duration.</p>

<sup>78</sup> New provision to set out the established procedure for the introduction of a Private Member's Bill, which is currently governed by SO 47(1)

Existing Standing Orders	Revised Standing Orders
	(6) If leave is granted, the Clerk shall then read aloud the title of the Bill, which shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be published. <sup>79</sup>
<p><b>47. Introduction and First Reading of Bills</b></p> <p>(2) Subject to the provisions of paragraph (4) of this Standing Order, a Bill may be presented to the House on behalf of the Government after notice without an order of the House for its introduction.</p> <p>(3) A notice of the presentation of a Bill on behalf of the Government may be entered on the Order Paper for the day following the day on which it was received by the Clerk of the House.</p> <p>(5) A Bill, whether presented in pursuance of an order of the House after leave given or without such order, shall be handed to the Clerk by the Member who gave notice of the Bill. The Clerk shall read aloud the title of the Bill which, without question put, shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be printed and published in the Gazette.</p> <p>(6) Copies of the Bill, as printed and published in the Gazette,</p>	<p><b>62. Introduction and First Reading of Government Bills</b></p> <p>(1) A notice of the presentation of a Bill on behalf of the Government may be entered on the Order Paper for the sitting day on which the Bill is to be presented.</p> <p>(2) Leave shall not be required for the introduction of a Government Bill. The Clerk shall read aloud the title of the Bill which, without question put, shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be published.<sup>80</sup></p>

<sup>79</sup> New provision, consistent with the proposed SO 60 above.

<sup>80</sup> Contained in existing SO 47, with appropriate amendment consistent with current practice

Existing Standing Orders	Revised Standing Orders
shall be made available to every Member.	
<p data-bbox="218 391 789 418"><b>47. Introduction and First Reading of Bills</b></p> <p data-bbox="186 500 1037 743">(7) When a Bill has been brought from the Senate and in the case of a Private Bill a Member of the House has signified to the Clerk of the House his willingness to take charge of the Bill, that Bill shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be printed, and shall be put down for second reading on a day to be named by the Member in charge of the Bill.</p>	<p data-bbox="1108 391 1539 418"><b>63. First Reading of Senate Bills</b></p> <p data-bbox="1060 461 1900 597">When a Bill has been brought from the Senate, the Clerk shall read aloud the title of the Bill which, without question put, shall be recorded in the Minutes of Proceedings as having been read a first time.<sup>81</sup></p>
<p data-bbox="310 792 936 820"><b>48. Appointment of Days for Stages of Bills</b></p> <p data-bbox="186 862 1037 1036">(1) Subject to the Provisions of this Standing Order, the Member in charge of the Bill may, at the conclusion of the Proceedings on any stage of the Bill, either name a day to be appointed for the next stage of the Bill or move that the next stage be taken forthwith.</p> <p data-bbox="186 1044 1037 1180">(2) An interval of not less than five days must elapse between the first and second reading of a Bill, unless the House, on motion made and question put, agree to proceed with the Bill at an earlier date or forthwith.</p> <p data-bbox="186 1188 1037 1255">(3) Subject to paragraph 2 of this Order, no Bill shall be read a second time until it has been printed and circulated to Members.</p>	<p data-bbox="1108 792 1686 820"><b>64. Appointment of days for Stages of Bills</b></p> <p data-bbox="1060 862 1900 928">(1) After a Bill has been introduced and read a first time, the Member in charge may either:</p> <ul style="list-style-type: none"> <li data-bbox="1157 937 1900 1036">(a) name a day to be appointed for the next stage of the Bill not being less than four (4) clear days after the date of its first reading; or</li> <li data-bbox="1157 1044 1900 1143">(b) move that the second reading of the Bill be taken at an earlier date or forthwith, such motion shall be put without amendment or debate; or</li> <li data-bbox="1157 1151 1900 1250">(c) move that the Bill be referred to a Committee for consideration and report., such motion shall be put without amendment or debate.</li> </ul>

<sup>81</sup> Existing SO 47(7)

Existing Standing Orders	Revised Standing Orders
	(2) No Bill shall be read a second time unless it has been printed and published in the Gazette and circulated to Members other than in circumstances provided for in paragraph 1(b) above. <sup>82</sup>
<p><b>49. Printing and Circulation of Bills</b></p> <p>(1) The Clerk of the House shall be responsible for the printing of Bills from the draft handed in by the Member in charge of the Bill.</p> <p>(2) As soon as possible after the printing of a Bill the Clerk shall circulate a copy to every Member. The Bill may be accompanied by a short explanatory statement of its objects.</p> <p>(3) The Clerk shall as soon as possible cause every Bill to be published in the Gazette.</p>	<p><b>65. Printing and Circulation of Bills</b></p> <p>(1) The Clerk shall be responsible for the printing of Bills from the draft handed to him by the Member in charge of the Bill.</p> <p>(2) Before any Bill is printed, the Clerk shall satisfy himself that-</p> <ul style="list-style-type: none"> <li>(a) the Bill is divided into successive clauses numbered consecutively;</li> <li>(b) the Bill has in the margin a short summary of each clause; and</li> <li>(c) the provisions of the Bill do not go beyond its title.</li> </ul> <p>(3) As soon as possible after the printing of a Bill the Clerk shall circulate a copy to every Member.<sup>83</sup></p>
<p><b>New Standing Order</b></p>	<p><b>66. Procedure in Select Committee Upon First Reading</b></p> <p>(1) Any Select Committee, to which a Bill is committed under Standing Order 64 (1)(c), shall be empowered to discuss the general merits and policies of the Bill.</p> <p>(2) The Select Committee shall be subject to Standing Order</p>

<sup>82</sup> Existing SO 48, amended. New: para. 1(b)

<sup>83</sup> Existing SO 49, amended. New: para (2)

Existing Standing Orders	Revised Standing Orders
	<p>112(General Procedure in Select Committee) and Standing Order 56 (Decision of Questions), as far as may be applicable.</p> <p>(3) When the Bill has been reported from the Select Committee, the House may proceed to consider the Bill as reported upon a motion moved by the Chairman of the Committee (or any other person deputed) <i>“That the report of the Select Committee on the _____ Bill be adopted.”</i></p> <p>(4) The Member in charge of the Bill may then move that the Second Reading of Bill, as adopted by the House, on report, be taken on such day as the Member may appoint or forthwith; such motion shall be put without amendment or debate.<sup>84</sup></p>
<p><b>50. Second Reading of Bills</b></p> <p>(1) On the second reading of a Bill a debate may arise covering the general merits and principles of the Bill.</p> <p>(2) To the question "That the Bill be now read a second time" an amendment may be proposed, without notice, to leave out the word "now" and add at the end of the question "upon this day six months", or an amendment may be moved to leave out all the words after the word "that" in order to add words stating the object and motive on which the opposition to the Bill is based, but such words must be strictly relevant to the</p>	<p><b>67. Second Reading of Bills</b></p> <p>On the second reading of a Bill a debate may arise covering the general merits and principles of the Bill subject to Standing Order 66(4).</p>

<sup>84</sup> New SO for the consideration of Bills before second reading.



Existing Standing Orders	Revised Standing Orders
<p>general merits and principles of the Bill and may not deal with its details.</p>	
<p><b>51. Committal of Bill</b></p> <p>(1) When a Bill has been read a second time it shall stand committed to a Committee of the whole House, unless the House, on motion made, commits it to a Select Committee. Such motion shall not require notice and must be made immediately after the Bill has been read a second time, and the question thereon shall be put without amendment or debate and may, though opposed, be decided after 7.50 p.m. The said motion may be proposed by any Member.</p> <p>(1) When a Bill has been committed to a Select Committee, no further proceedings shall be taken thereon until the Select Committee has presented its report to the House.</p> <p>(3) When a Bill has been committed to a Committee of the whole House the Speaker shall leave the Chair without question put.</p>	<p><b>68. Committal of Bills After Second Reading</b></p> <p>(1) When a Bill has been read a second time it shall be committed to a Select Committee unless the House on motion made and question put commits it to the Committee of the Whole. Such motion shall not require notice and must be made immediately after the Bill has been read a second time and may be moved by any Member. The question thereon shall be put without amendment or debate.</p> <p>(2) When a Bill has been committed to a Select Committee, no further proceedings shall be taken thereon until the Select Committee has presented its report to the House, provided that if the report is delayed for more than twenty one (21) days the Chairman of the Committee (or in his absence any person authorized by the Committee) must report progress to the House at the next sitting of the House immediately after the expiration of that period and after each period of twenty-one (21) days thereafter until the final report is presented.</p> <p>(3) A Bill, while under consideration in Committee of the Whole House, may, on motion made in the House, be withdrawn from that Committee and be referred to a Select Committee, and the reference to a</p>

Existing Standing Orders	Revised Standing Orders
	Select Committee may be in respect of the Bill as a whole, or to specified clauses. <sup>85</sup>
<p><b>52. Functions of Committees on Bills</b></p> <p>(1) Any Committee to which a Bill is committed shall not discuss the general merits and principles of the Bill but only its details.</p> <p>(2) Any such Committee shall have power to make such amendments therein as they shall think fit, provided that the amendments, including new clauses and new schedules, are relevant to the subject matter of the Bill; but if any such amendments are not within the title of the Bill, they shall amend the title accordingly, and shall report the same specially to the House.</p>	<p><b>69.Procedure in Committee on Bills After Second Reading</b></p> <p>(1) Any Committee to which a Bill is committed after second reading shall not discuss the general merits and principles of the Bill but only its details.</p> <p>(2) Any such Committee shall have power to make such amendments to the Bill as it thinks fit, provided that the amendments, including new clauses and new schedules, are relevant to the subject matter of the Bill; but if any such amendments are not within the title of the Bill, it shall amend the title accordingly, and shall report the same to the House.</p> <p>(3) Before reporting to the House the Committee shall go through the Bill as provided in Standing Order 70 (Procedure in Committee of the Whole House on a Bill).</p> <p>(4) The Select Committee shall be subject to Standing Order 112 (General Procedure in Select Committee) and Standing Order 56 (Decision of Questions), as far as may be applicable<sup>86</sup></p>
<b>Procedure in Committee of the Whole House on A Bill</b>	<b>70.Procedure in Committee of the Whole House on a Bill</b>

<sup>85</sup> Existing SO 51, amended.

<sup>86</sup> Existing SO 52 and 54.

Existing Standing Orders	Revised Standing Orders
<p>53. (1) The Chairman in Committee of the whole House shall call the number of each clause in succession. If no amendment is proposed thereto, or when all proposed amendments have been disposed of, he shall propose the question "That the clause (or the clause as amended) stand part of the Bill" and, when all Members who wish to speak thereon have spoken, he shall put that question to the Committee for its decision.</p> <p>(2) Any proposed amendments of which notice has not been given shall be handed to the Chairman in writing.</p> <p>(3) The following provisions shall apply to amendments relating to Bills:</p> <p>(a) An amendment must be relevant to the subject matter of the Bill, and to the subject matter of the clause to which it relates.</p> <p>(b) An amendment must not be inconsistent with any clause already agreed to or with any previous decision of the Committee.</p> <p>(c) An amendment must not be such as to make the clause which it proposes to amend, unintelligible or ungrammatical.</p> <p>(d) If an amendment refers to, or is not intelligible without, a subsequent amendment or schedule, notice of the subsequent amendment or schedule must be given before or when the first amendment is moved so as to make the series of amendments intelligible as a whole.</p> <p>(e) In order to save time and repetition of arguments, the Chairman may allow a single discussion to cover a series of interdependent amendments.</p>	<p>(1) The Clerk in Committee of the whole House shall call the number of each clause in succession:</p> <p>(a) The Chairman shall propose the question "<i>that the clause stand part of the Bill</i>";</p> <p>(b) A discussion shall ensue, during which amendments may be moved. Amendments must be in writing and handed to the Clerk for circulation.</p> <p>(c) At the conclusion of the discussion, if amendments have been proposed, the Chairman shall put the question "<i>that the clause be amended as circulated</i>" and if that question is approved, the Chairman shall put the question that "<i>the clause, as amended, now stand part of the Bill</i>".</p> <p>(d) If no amendments were proposed, the Chairman shall put the question that "<i>the clause now stand part of the Bill</i>".</p> <p>(2) A group of clauses appearing in succession can be called by the Clerk together if no amendments are proposed thereto.</p> <p>(3) The following provisions shall apply to amendments relating to Bills-</p> <p>(a) An amendment must be relevant to the subject matter of the Bill, and to the subject matter of the clause to which it relates.</p> <p>(b) An amendment must not be inconsistent with any clause already agreed to or with any previous decision of the Committee.</p> <p>(c) An amendment must not be such as to make the clause</p>

Existing Standing Orders	Revised Standing Orders
<p>(f) The Chairman may refuse to allow an amendment, which is, in his opinion, frivolous or meaningless, to be moved.</p> <p>(g) Except upon the recommendation of the Cabinet, to be signified by a Minister and recorded in the Minutes of Proceedings, the Committee shall not proceed upon any amendment which, in the opinion of the Chairman, would have effect in any of the ways described in paragraph (4) of Standing Order No. 47 (Introduction and First Reading of Bills).</p> <p>(h) The Chairman may at any time during the discussion of a proposed amendment withdraw it from the consideration of the Committee if, in his opinion, the discussion has shown that the amendment violates the provisions of this Standing Order.</p> <p>(4) The Provisions of paragraphs (4) and (5) of Standing Order No. 32 (Amendments to Motions) shall apply to the discussion of amendments to Bills, with the substitution, where appropriate, of the word "Clause" for the word "motion" or the word "question", and of the word "Chairman" for the word "Speaker" and the word "Committee" for the word "House" throughout.</p> <p>(5) A Clause may be postponed, unless a decision has already been taken upon an amendment thereto. Postponed clauses shall be considered after the remaining clauses of the Bill have been considered and before new clauses are brought up.</p> <p>(6) Any proposed new clause shall be considered</p>	<p>which it proposes to amend unintelligible or ungrammatical.</p> <p>(d) If an amendment refers to, or is not intelligent without a subsequent amendment or schedule, notice of the subsequent amendment or schedule must be given before or when the first amendment is moved so as to make the series of amendments intelligible as a whole;</p> <p>(e) The Chairman may refuse to allow an amendment, which is, in his opinion, frivolous or meaningless, to be moved.</p> <p>(4) In order to save time and repetition of arguments, the Chairman may allow a single discussion to cover a series of inter-dependent amendments.</p> <p>(5) Senate amendments proposed to Bills which are subject to Sections 13 and 54 of the Constitution, shall be rejected by the House, as being out of order, if such amendments in the opinion of the Speaker appear to be inconsistent with the principles agreed upon at Second Reading and passed by the House on Third Reading.</p> <p>(6) Except on the recommendation or with the consent of the Cabinet, the Committee shall not proceed upon any amendment which, in the opinion of the Chairman, would make provision for any of the purposes described in Standing Order 59 (Restrictions with respect to money Bills).</p> <p>(7) The Chairman may at any time during the discussion of a</p>

Existing Standing Orders	Revised Standing Orders
<p>after the clauses of the Bill have been disposed of and before consideration of any schedule to the Bill: Provided that a new clause proposed in substitution for a clause which has been disagreed to may be considered immediately after such disagreement.</p> <p>(7) On the title of any new clause being read by the Clerk, the clause shall be deemed to have been read a first time. The question shall then be proposed "That the clause be read a second time"; if this is agreed to, amendments may then be proposed to the new clause. The final question to be proposed shall be "that the clause (or the clause as amended) be added to the Bill."</p> <p>(8) Schedules shall be disposed of in the same way as clauses, and any proposed new schedule shall be considered after the schedules to the Bill have been disposed of, and shall be treated in the same manner as a new clause.</p> <p>(9) When every clause and schedule and proposed new clause or schedule has been dealt with, the preamble, if there is one, shall be considered and the question put "That the preamble to the Bill be approved". No amendment to the preamble shall be considered which is not made necessary by a previous amendment to the Bill.</p> <p>(10) If any amendment to the title of the Bill is made necessary by an amendment to the Bill, it shall be made at the conclusion of the proceedings detailed above, but no question shall be put that the title (as amended) stand part of the Bill; nor shall any question be put upon the enacting formula.</p> <p>(11) At the conclusion of the proceedings in Committee on a Bill, the Chairman shall put the question "That the Bill (or</p>	<p>proposed amendment withdraw it from the consideration of the Committee if, in his opinion, the discussion shall have shown that the amendment violates the provisions of this Standing Order.</p> <p>(8) A clause may be postponed, unless a decision has already been taken upon the amendment thereto. Postponed clauses shall be considered after the remaining clauses of the Bill have been considered and before new clauses are brought up.</p> <p>(9) Any proposed new clause shall be considered after the clauses of the Bill have been disposed of and before consideration of any schedule to the Bill, except that a new clause proposed in substitution for a clause which has been disagreed to may be considered immediately after such disagreement.</p> <p>(10) On the title of any clause being read by the Clerk, the clause shall be deemed to have been read a first time. The question shall then be proposed "<i>That the clause be read a second time</i>"; if this is agreed to, amendments may then be proposed to the new clause. The final question to be proposed shall be "that the clause (or the clause as amended) be added to the Bill."</p> <p>(11) Schedules shall be disposed of in the same way as clauses and any proposed new schedule shall be considered after the schedules to the Bill have been disposed of and shall be treated in the same manner as a new clause.</p> <p>(12) When every clause or schedule or proposed new clause or schedule has been dealt with, the preamble, if there is one, shall</p>

Existing Standing Orders	Revised Standing Orders
<p>the Bill as amended) be reported to the, House" which question shall be decided without amendment or debate.</p> <p>(12) If any Member, before the conclusion of proceedings on a Bill, moves to report progress and such motion is carried, or if the proceedings in a Committee of the whole House have not been finished at the moment of interruption, the Chairman shall leave the Chair of the Committee and the Member in charge of the Bill shall report progress to the House and ask leave to sit again, and name a day for the resumption of the proceedings.</p> <p>(13) A Committee having met to consider a Bill shall proceed with its consideration, except that during the proceedings on a Bill the Member in charge of the Bill may, subject to the discretion of the Chairman, move a motion "That the Committee do not proceed further with the Bill". If the motion is carried, the Committee shall then report the Bill to the House as so far amended or without amendment as the case may be, and make a special report explaining its proceedings on the Bill, and the special report and the Bill shall be ordered to lie upon the Table without question put.</p>	<p>be considered and the question put "<i>That the preamble to the Bill be approved</i>". No amendment to the preamble shall be considered which is not made necessary by a previous amendment to the Bill.</p> <p>(13) If an amendment to the title of the Bill is made necessary by an amendment to the Bill, it shall be made at the conclusion of the proceedings detailed above, but no question shall be put that the title (as amended) stand part of the Bill, nor shall any question be put upon the enacting formula.</p> <p>(14) At the conclusion of the proceedings in Committee on a Bill, the Chairman shall put the question "<i>that the Bill (or the Bill as amended) be reported to the House</i>" which question shall be decided without amendment or debate.</p> <p>(15) If any Member, before the conclusion of proceedings on a Bill, moves to report progress and such motion is carried, the House shall resume and the Member in charge of the Bill shall report progress to the House and ask leave to sit again, and name a day for the resumption of the proceedings.</p> <p>(16) The Committee having met to consider a Bill shall proceed with its consideration, except that during the proceedings on a Bill the Member in charge of the Bill may, subject to the discretion of the Chairman, move a motion "<i>That the Committee do not proceed further with the Bill</i>". If the motion is carried the Member in charge of the Bill shall then report the Bill to the House as so far amended or without amendments, as the case</p>

Existing Standing Orders	Revised Standing Orders
	may be, explaining the proceedings of the Committee on the Bill. <sup>87</sup>
<p data-bbox="233 354 991 418"><b>56. Recommittal of Bill reported from Committee of the Whole House</b></p> <p data-bbox="186 461 1037 889">(1) If any Member desires to delete or amend any provision contained in a Bill as reported from a Committee of the whole House or to introduce any new provision therein, he may, at any time before a Member rises to move the third reading of the Bill, move that the Bill be recommitted either wholly or in respect only of some particular part or parts of the Bill or some proposed new clause or new schedule. No notice of such motion shall be required, the question shall be put without amendment or debate and, if the motion is agreed to, the Bill shall stand so recommitted. The House may then, upon motion made, resolve itself into Committee to consider the business so recommitted either forthwith or upon a later day.</p> <p data-bbox="186 894 1037 998">(2) When the whole Bill has been recommitted, the Committee shall go through the Bill as provided in Standing Order No. 53 (Procedure in Committee of the whole House on a Bill).</p> <p data-bbox="186 1003 1037 1143">(3) When the Bill has been recommitted in respect only of some particular part or parts or of some proposed new clause or new schedule, the Committee shall consider only the matter so recommitted and any amendment which may be moved thereto.</p> <p data-bbox="186 1148 1037 1286">(4) At the conclusion of the proceedings in Committee on a Bill recommitted under the provisions of this Standing order, the Chairman shall put the question "That the Bill (or the Bill as amended on recommitment) be reported to the House" which</p>	<p data-bbox="1058 354 1824 418"><b>71. Procedure on Reporting from Committee of the Whole House</b></p> <p data-bbox="1058 496 1911 711">(1) At the conclusion of Committee of the Whole, the Member in charge of the Bill shall report to the House. The Member shall inform the House that the Bill was "<i>approved with (or without) amendments</i>" and move that "<i>the House agree with the Committee's report</i>" whereupon, the Speaker shall forthwith put the question.</p> <p data-bbox="1058 748 1911 888">(2) If the question on the report is agreed to by the House, the Member in charge of the Bill may either name a future day for the Third Reading of the Bill or move that it be forthwith read a Third time and passed.</p> <p data-bbox="1058 925 1850 963"><u><i>Recommittal of Bills Reported from Committee of the Whole House</i></u></p> <p data-bbox="1058 1000 1911 1286">(3) The question on any Motion moved under paragraph (1) of this Standing Order shall be put forthwith, no amendment, adjournment or debate being allowed, unless any Member desires to delete or amend any provision contained in a Bill, or to introduce any new provision therein, in which case he may propose any amendment to add, at the end of the Motion, the words "<i>subject to the re-commitment of the Bill (in respect of some specified part or of some proposed new clause or new</i></p>

<sup>87</sup> Existing SO 53

Existing Standing Orders	Revised Standing Orders
<p>question shall be decided without amendment or debate. So soon as the Bill has been reported, the Member in charge of the Bill may either name a future day for the third reading of the Bill or move that it be read a third time forthwith.</p>	<p><i>schedule) to a Committee of the whole House”, and if that Motion is agreed to with such an amendment, the Bill shall stand so re-committed.</i></p> <p>(4) The House shall either forthwith or upon a day named by the Member in charge of the Bill resolve itself into Committee to consider the matters so re-committed.<sup>88</sup></p> <p>(5) When the whole Bill has been recommitted, the Committee shall go through the Bill as provided in Standing Order 70 (Procedure in Committee of the Whole House).</p> <p>(6) When the Bill has been recommitted in respect only of some particular part or parts or of some proposed new clause or new schedule, the Committee shall consider only the matter so recommitted and any amendment which may be moved thereto.</p> <p>(7) At the conclusion of the proceedings in Committee on a Bill recommitted under the provisions of this Standing Order, the Chairman shall put the question “<i>That the Bill (or the Bill as amended) on recommitment be reported to the House</i>” which question shall be decided without amendment or debate. As soon as the Bill has been reported, the Member in charge of the Bill may either name a future day for the Third Reading of the Bill or move that it be forthwith read a Third time and passed.<sup>89</sup></p>
<p><b>57. Procedure on Bills reported from Select Committee</b></p>	<p><b>72. Procedure on Bills Reported from Select Committees Appointed Under Standing Order 68</b></p>

<sup>88</sup>SO 72(1,2,3) adopted from the standing Orders of Kenya

<sup>89</sup> Existing SO 56



Existing Standing Orders	Revised Standing Orders
<p>(1) When a Bill has been reported from a Select Committee, the House may proceed to consider the Bill as reported from the Select Committee upon a motion "That the report of the Select Committee on the .... Bill be adopted", moved under paragraph (8) of Standing Order No. 82 (Reports from Select Committees).</p> <p>(2) If that motion is agreed to without amendment, the House may proceed to the third reading of the Bill as reported from the Select Committee.</p> <p>(3) Upon a motion to approve the report of the Select Committee on a Bill, any Member may propose an amendment to add, at the end of the motion, the words "subject to the recommittal of the Bill (either wholly or in respect only of some particular part or parts of the Bill or of some proposed new clause or new schedule) to a Committee of the whole House", and if that motion is agreed to with such an amendment, the Bill shall stand so recommitted and the House may then resolve itself into a Committee to consider the business so recommitted.</p> <p>(4) A Committee of the whole House upon a Bill recommitted under the provisions of this Standing Order shall proceed in accordance with paragraph (2) or paragraph (3) of Standing Order No. 56 (Recommittal of Bills reported from Committee of the whole House), and the conclusion of its proceedings and the remaining proceedings on the Bill shall be subject to paragraph (4) of that Order.</p>	<p>(1) When a Bill has been reported from a Select Committee appointed under Standing Order 68, the House may proceed to consider the Bill as reported from the Select Committee upon a motion "That the House adopt the Report of the Select Committee on the ..... " moved under paragraph (7) of Standing Order 114 (Reports from Select Committees).</p> <p>(2) If that motion is agreed to without amendment, the Speaker shall put the question that "<i>the Bill be now read a Third time and passed</i>"; such question to be decided without amendment or debate.</p> <p>(3) Upon a motion to approve the report of the Select Committee on a Bill, any Member may propose an amendment to add at the end of the motion, the words "<i>Subject to the recommittal of the Bill (either wholly or in respect of some particular part or parts of the Bill or some proposed new clause or new schedule) to a Committee of the whole House</i>" and if that motion is agreed to with such an amendment, the Bill shall stand so recommitted. The House may then, upon motion made, resolve itself into a Committee to consider the business so recommitted.</p> <p>(4) A Committee of the whole House upon a Bill recommitted under the provisions of this Standing Order shall proceed in accordance with paragraph (3) or paragraph (4) of Standing Order 71 on Recommittal of Bills reported from a Committee of the Whole House, and the conclusion of its proceedings and the remaining proceedings on the Bill shall be subject to paragraph</p>

Existing Standing Orders	Revised Standing Orders
	(7) of that Standing Order. <sup>90</sup>
<p><b>58. Third Reading</b></p> <p>(1) On the third reading of a Bill no amendments may be proposed to the question "that the Bill be now read a third time and passed" and the question shall be put without debate.</p> <p>(2) Corrections of errors or oversights may be made by the Speaker before the question for the third reading of the Bill is put from the Chair.</p> <p>(3) When a Bill which originated in the House has been read the third time, a printed copy of it, signed by the Clerk of the House and endorsed by the Speaker, shall be sent to the Senate, together with a message informing the Senate that the Bill has been passed by the House and desiring the concurrence of the Senate.</p> <p>(4) When a Bill which originated in the Senate has been read a third time and passed by the House without amendment, the Clerk of the House of Representatives shall retain the Bill and a message shall be sent to the Senate "That the House of Representatives has agreed to the ..... Bill without amendment" and that a printed copy shall be submitted to the Governor for his Assent.</p> <p>(5) When a Bill which originated in the Senate has been read a third time and passed by the House with amendment or amendments, the Clerk of the House shall cause the said amendment or amendments made to the Bill by the House to be entered in the original copy of the Bill received from the Senate which copy, signed by the clerk and endorsed by the Speaker,</p>	<p><b>73. Third Reading of Bills (Final Stage)</b></p> <p>(1) The Third Reading shall be the final stage of a Bill. On the Third Reading of a Bill no amendments may be proposed to the question "<i>That the Bill be now read a third time and passed</i>".</p> <p><u>Communication between the Houses</u></p> <p>(2) When a Bill which originated in the House has been read a Third and final time, a printed copy of it, signed by the Clerk and endorsed by the Speaker, shall be sent to the Senate, together with a message informing the Senate that the Bill has been passed by the House and desiring the concurrence of the Senate.</p> <p>(3) When a Bill which originated in the Senate has been read a Third and final time and passed by the House without amendment, the Clerk shall retain the Bill and a message shall be sent to the Senate "<i>That the House of Representatives has agreed to the..... Bill without amendment</i>" and a printed copy shall be submitted to the President for his Assent.</p> <p>(4) When a Bill which originated in the Senate has been read a Third and final time and passed by the House with amendment, the Clerk shall cause this list of amendments made in the House together with the amended version of the Bill, signed by the Clerk and endorsed by the Speaker, to be returned to the Senate,</p>

<sup>90</sup> Existing SO 57.

Existing Standing Orders	Revised Standing Orders
<p>shall then be returned to the Senate, with a message desiring the concurrence of the Senate in the amendment or amendments made by the House of Representatives.</p> <p>(6) When the Senate has agreed to any amendments inserted by the House in a Bill to which paragraph (5) of this Standing Order relates, or has returned to the House a Bill to which paragraph (3) of this Standing Order relates, with an intimation That the Bill has been read a third time and passed without amendment, a printed copy shall be submitted to the Governor for his Assent.</p>	<p>with a message desiring the concurrence of the Senate in the amendment made by the House of Representatives.</p> <p>(5) When the Senate has agreed to any amendments inserted by the House in a Bill to which paragraph (4) of this Standing Order relates, or has returned to the House a Bill to which paragraph (2) of this Standing Order relates with an intimation -‘That the Bill has been read a Third and final time and passed without amendment’, a printed copy shall be submitted to the President for his Assent.</p> <p>(6) Where amendments are made in the Bill, any errors in the renumbering or re-lettering of the clauses and any consequential amendments and any other clerical errors may be rectified by the Clerk.<sup>91</sup></p>
<p><b>59. Procedure on Senate Amendments</b></p> <p>(1) When a Bill is returned from the Senate with amendments, the consideration of such amendments may, with the consent of the Speaker, be entered upon forthwith, or may be put down for such future day as the Member in charge of the Bill shall appoint.</p> <p>(2) Upon a motion being made "That the Senate amendments to the Bill be now considered", an amendment may be proposed to that question, to leave out the word "now", and add at the end of the question "upon this clay six months" or some other date.</p> <p>(3) When the House proceeds to the consideration of</p>	<p><b>74.Procedure on Senate Amendments</b></p> <p>(1) When a Bill is returned from the Senate with amendments, the consideration of such amendments may, with the consent of the Speaker, be immediately entered upon, or may be put down for such future day as the Member in charge of the Bill shall appoint.</p> <p>(2) Upon a motion being made "<i>That the Senate amendments to the Bill be now considered</i>" an amendment may be proposed that:</p> <ul style="list-style-type: none"> <li>(a) the word "now" be deleted from the question; and</li> <li>(b) consideration of such amendments be deferred to a later date.</li> </ul>

<sup>91</sup> Existing SO 58, amended

Existing Standing Orders	Revised Standing Orders
<p>Senate amendments, each amendment shall be read by the Clerk and may be agreed to, or agreed to with amendment, or disagreed to. Upon any such amendment being disagreed to, an amendment may be made to the Bill in lieu thereof, but no amendment may be, proposed to a Senate amendment save an amendment strictly relevant thereto, nor may an amendment be moved to the Bill, unless the amendment be relevant to or consequent upon either the acceptance or rejection of a Senate amendment.</p> <p>(4) When the House has concluded the consideration of the Senate amendments--</p> <p>(a) if such amendments have been agreed to, a message shall be sent to the Senate informing them "That the House of Representatives has agreed to the amendments to the ..... Bill", and a printed copy of the Bill as amended shall be submitted to the Governor for his Assent;</p> <p>(b) if such amendments have been amended, a printed copy of the Bill as amended, endorsed by the Speaker, shall be returned to the Senate together with a message informing the Senate that the House has passed the Bill with amendments to which they desire the concurrence of the Senate;</p> <p>(c) if such amendments have been disagreed to, a message shall be sent informing the Senate "That the House of Representatives has disagreed to the Senate amendments to the Bill".</p>	<p>(3) When the House proceeds to the consideration of Senate amendments, each amendment shall be read by the Clerk and may be agreed to. Upon any such amendment being disagreed to, an amendment may be proposed to a Senate amendment but not to the Bill, unless the proposed amendment is relevant to or consequent upon either the acceptance or rejection of a Senate amendment.</p> <p>(4) Senate amendments proposed to Bills which are subject to Sections 13 and 54 of the Constitution, shall be rejected by the House, as being out of order, if such amendments, in the opinion of the Speaker appear to be inconsistent with the principles agreed upon at Second Reading and passed by the House on Third Reading.</p> <p>(5) When the House has concluded the consideration of the Senate amendments--</p> <p>(a) If such amendments have been agreed to, a message shall be sent to the Senate informing them "That the House of Representatives has agreed to the amendments to the .....</p> <p>(b) If such amendments have been amended, a message shall be sent informing the Senate that the House has amended the Senate amendments to which they desire the concurrence of the Senate;</p> <p>(c) If such amendments have been disagreed to, a message shall be sent informing the Senate "That the House of Representatives has disagreed to</p>

Existing Standing Orders	Revised Standing Orders
<p>(5) When the House has disagreed to a Senate amendment, if the Senate returns the Bill with a message that it insists upon the amendment the House may either-</p> <ul style="list-style-type: none"> <li>(a) agree to the said amendment, in which case the provisions of paragraph (4) (a) of this Standing Order shall apply; or</li> <li>(b) amend such amendments in which case the provisions of paragraph (4) (b) of this Standing Order shall apply; or</li> <li>(c) postpone the consideration of the Senate amendment for six months or any other period decided by the House;</li> <li>(d) order the withdrawal of the Bill; or</li> <li>(e) subject to the provisions of articles 32, 33, 34 and 35 of the Constitution of Trinidad and Tobago (which is annexed to the Trinidad and Tobago (Constitution) Order in Council, 1961) present the Bill as passed by the House of Representatives to the Governor for his Assent notwithstanding the disagreement of the Senate.</li> </ul>	<p><i>the Senate Amendments to the Bill for the following reasons.....<sup>92</sup>".</i></p> <p>(6) When the House has disagreed to a Senate amendment, if the Senate returns the Bill with a message that it insists upon the amendment, the House may either -</p> <ul style="list-style-type: none"> <li>(a) Agree to the said amendment, in which case the provisions of paragraph (5)(a) of this Standing Order shall apply;</li> <li>(b) Amend such amendments in which case the provisions of paragraph (5)(b) of this Standing Order shall apply; or</li> <li>(c) Postpone the consideration of the Senate amendment for six (6) months or any other period decided by the House;</li> <li>(d) Order the withdrawal of the Bill; or</li> <li>(e) Subject to the provisions of Sections 64(1) and 65(1) of the Constitution present the Bill as passed by the House of Representatives to the President for his Assent notwithstanding the disagreement of the Senate.<sup>93</sup></li> </ul>
<p><b>83. Private Bills</b></p> <p>(1) Every Bill, not being a Government measure, intended to affect or benefit some particular person, association or corporate body (in this Standing Order called a "Private Bill") shall contain a clause saving the rights of Her Majesty the Queen,</p>	<p><b>75.Private Bills</b></p> <p>(1) Every Bill (not being a Public Bill) intended to affect or benefit some particular person, association or corporate body, herein called a "Private Bill" shall be introduced into the House under the provisions of this Standing Order.</p>

<sup>92</sup> Consistent with practice in the UK and with recent practice re: the procedure for the Finance Bill 2012.

<sup>93</sup> Existing SO 59.

Existing Standing Orders	Revised Standing Orders
<p>Her Heirs and Successors, all bodies politic and corporate, and all others except such as are mentioned in the Bill and those claiming by, from, or under, them, and may be introduced into the House under the provisions of this Standing Order.</p> <p>(2) Any Bill, not being a Government measure, which in the opinion of the Speaker appears to affect directly private rights or property may be introduced into the House as a Private Bill under the provisions of this Standing Order.</p> <p>(3) A Private Bill shall be introduced by a Member, only--</p> <p>(a) on petition front the promoters stating the objects of and reasons for the Bill, and</p> <p>(b) after notice of the Bill has been given-</p> <p>(i) by not less than three successive publications of the Bill in the <i>Gazette</i>, and</p> <p>(ii) by three successive publications in a newspaper circulating in the Territory of a notice containing a statement of the objects of and the reasons for the Bill.</p> <p>(4) The petition shall be presented by being lodged with the Clerk, and shall be read at the first ordinary sitting of the House after it is so lodged, and thereupon the Speaker shall put the question that the promoters be allowed to proceed.</p> <p>(5) Subject to Paragraph (6) of this Standing Order, when leave to proceed has been granted, the promoters shall, within the next ensuing three months after such leave has been granted, lodge with the Clerk of the House-</p> <p>(a) two copies of the Bill;</p> <p>(b) a certificate under the hand of the Accountant General certifying that the sum of two</p>	<p>(2) Any Bill (not being a Government Bill) which in the opinion of the Speaker, appears to affect directly private rights or property, shall be introduced into the House as a Private Bill under the provision of this Standing Order.</p> <p>(3) A private Bill shall be introduced by a Member only: -</p> <p>(a) on petition from the promoters stating the objects of and reasons for the Bill, and</p> <p>(b) after notice of the Bill has been given by not less than three successive publications of the Bill at the expense of the promoters in the <i>Gazette</i> and three notices have been inserted in a newspaper containing a statement of the objects of and reasons for the Bill.</p> <p>(4) The petition shall be presented by being lodged with the Clerk, and shall be read at the first ordinary sitting of the House after it is lodged. Immediately after it is read, the Speaker shall put the question that the promoters be allowed to proceed.</p> <p>(5) (a) When leave to proceed has been granted, a copy of the Bill shall, if not previously lodged, be lodged with the Clerk within two (2) months next after such leave has been granted.</p> <p>(b) Upon lodging the Bill, the promoters shall pay to the Comptroller of Accounts the cost, as ascertained by the Clerk, of publication in the <i>Gazette</i> and in a newspaper together with the prescribed stamp duty except in such cases where the House has remitted the stamp duty.</p> <p>(c) The Clerk shall cause the Bill lodged with him to be printed as early as possible, and at the first ordinary sitting of the House following the publication of notices of the Bill in accordance with paragraph (3)(b)</p>

Existing Standing Orders	Revised Standing Orders
<p>hundred and fifty dollars (or such less sum as the Accountant General may in writing approve), to meet the expenses of printing, has been deposited with the Accountant General;</p> <p>(c) a bond duly executed by two sufficient persons obliging them to pay on demand to the Clerk any excess over the deposited sum, required for such expenses.</p> <p>(6) The Clerk shall cause the Bill lodged with him to be printed as early its possible, and, at the first ordinary sitting of the House after the printing is completed, the Speaker, if he is satisfied that the notices required by paragraph (3) of this Standing Order have been given, shall put the question that the Bill be read a first time, upon which no discussion shall be allowed. After the Bill is read a first time, it shall stand upon the order Paper for the second reading at the next ordinary sitting of the House, and the promoters may propose any amendments which they think fit, but the Speaker, if he considers such amendments beyond the scope of the Bill, shall report his opinion to the House.</p> <p>(7) Upon the day ordered for second reading, the Speaker shall, unless the House otherwise orders, put the question that the Bill be read a second time.</p> <p>(8) After a Bill has been read a second time, it shall stand referred to a Special Select Committee to be chose by the Speaker. The Speaker shall appoint the Chairman of the Committee.</p> <p>(9) (a) Every Special Select Committee on such a Bill shall require proof of the facts and other allegations set forth in the Bill as showing that it is expedient that the Bill should be</p>	<p>of this Standing Order, the Speaker, if he is satisfied that the said notices have been published, shall put the question that the Bill be read a first time, upon which no discussion shall be allowed. After the Bill is read the first time, it shall stand upon the Order Paper for second reading at the next ordinary sitting of the House.</p> <p>(6) Upon the day ordered for the second reading, the Speaker shall, unless the House otherwise orders, propose the question that the bill be read a second time.</p> <p>(7) When the Bill has been read a second time it shall stand committed to a Committee of the whole House, unless the House on motion made commits it to a Select Committee. Such motion shall not require notice and must be made immediately after the Bill has been read a second time, and the question thereon shall be put without amendment or debate.</p> <p>(8) Every Select Committee on such a Bill shall require proof of the facts and other allegations set forth in the Bill as showing that it is expedient that the Bill should be passed, and may take such oral or other evidence as it may think requisite. Thereafter, if the Select Committee finds that the said facts and allegations are not proved, it shall report to the House accordingly and no further proceedings shall be taken with reference to the Bill, unless the House makes a special order to the contrary.</p> <p>(9) If the Select Committee finds that the said facts and allegations had been proved, the Committee shall consider the several clauses of the Bill and may strike out clauses, add new clauses, and make any other amendments which it shall deem necessary, and in respect of such new clauses and other amendments, shall describe their purport in a special report to</p>

Existing Standing Orders	Revised Standing Orders
<p>passed, and may take such oral or other evidence as it may think requisite; and thereafter, if the Select Committee finds that the said facts and allegations are not proved, it shall report to the House accordingly, and thereupon no further proceedings shall be taken with reference to the Bill unless the House makes a special order to the contrary.</p> <p>(b) If the Special Select Committee finds that the said facts and allegations have been proved, the Committee shall consider the several clauses of the Bill and may strike out clauses, add new clauses, and make any other amendments which it shall deem necessary, and in respect of such new clauses and other amendments shall describe their purport in a Special Report to the House. No new clauses or amendments shall be allowed in such a Bill which are foreign to the objects of and reasons for the Bill or which are beyond its scope.</p> <p>(10) No person, other than a Member of the House, shall be heard in opposition to any Private Bill, unless he has previously lodged a petition with the Clerk showing the nature of his objections to the Bill, and stating whether his objections extend to the whole or some part of the preamble (if any), or to the clauses of the said Bill, and praying that he may be heard by himself or his Counsel against the Bill.</p> <p>(11) Subject to the provisions of this Standing Order, all petitions against a Bill, where such petitions contain a prayer that the petitioners be heard by themselves or Counsel, shall stand referred to the Special Select Committee, and the Committee shall hear all such opposers who appear to have a locus standi.</p> <p>(12) When it is intended to examine any witnesses before</p>	<p>the House. No new clauses or amendments shall be allowed in such a Bill which are foreign to the objects of and reasons for the Bill or which are beyond its scope</p> <p>(10) No person other than a Member shall be heard in opposition to any Private Bill, unless he has previously lodged a petition with the Clerk showing the nature of his objections to the Bill, and stating whether his objections extend to the whole or some part of the preamble if any, or to the clauses of the Bill, and praying that he may be heard by himself or his counsel against the Bill.</p> <p>(11) Subject to the provisions of this Standing Order, all petitions against a Bill, containing a prayer that the petitioners be heard by themselves or counsel shall stand referred to the Select Committee and the Committee shall hear all such opposers who appear to have a <i>locus standi</i>.</p> <p>(12) When it is intended that witnesses be examined the petitioner or Member requiring such witnesses shall deliver to the Clerk at least two (2) days before the day appointed for their examination, a list containing names, residence and occupation of such witnesses.</p> <p>(13) The evidence of every witness shall be taken down and read over to the witness who may then desire any correction to be made; and in case no such correction shall be made, the evidence shall stand as taken down and not be altered afterwards.</p> <p>(14) The Select Committee shall examine the Bill and make such amendments thereto as it thinks proper, and shall report to the House that it has examined the Bill and (if the fact be so) made amendments thereto and shall make to the House such recommendations, if any, as it thinks fit.</p>



Existing Standing Orders	Revised Standing Orders
<p>the Special Select Committee, the provisions of paragraph (11) and (12) of Standing Order 81 (Procedure in Select Committees) shall apply.</p> <p>(13) The Special Select Committee shall examine the Bill and make such amendments thereto as it thinks proper, and shall report to the House that it has examined the Bill, and (if the fact be so) made amendments thereto, and shall make to the House such recommendations, if any, as it thinks fit.</p> <p>(14) After the report of the Special Select Committee has been presented to and adopted by the House in accordance with Standing Order (57) the Speaker shall put the question, without amendment or debate, that the Bill be read a third time.</p> <p>(15) As soon as practicable after any Private Bill is passed, rejected, dropped or abandoned, the Clerk of the House shall make out an account showing, according to the scale prescribed or approved by the Governor in Council, the expenses of printing, and shall transmit the same, signed by him, to the Accountant General who thereupon shall, if the amount of the account is less than two hundred and fifty dollars, transfer such amount from the deposited sum of two hundred and fifty dollars to the general revenue of this Territory, and pay the balance to the depositors, their executors or administrators.</p> <p>(16) If the account for the expenses of printing exceeds two hundred and fifty dollars, the Accountant General shall transfer the whole of the deposited sum to the credit of the general revenue of this Territory, and the Attorney General shall, in the event of the promoters failing to pay the Accountant General the balance after being requested so to do, take</p>	<p>(15) After the report of the Committee has been presented to and adopted by the House, the Speaker shall put the question without amendment or debate, that the Bill be read a third time.<sup>94</sup></p>

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<sup>94</sup> Existing SO 83, amended

Existing Standing Orders	Revised Standing Orders
<p>proceedings to enforce payment of such balance.</p> <p><b>60. Custody of Bills and Assent thereto</b></p> <p>(1) The Clerk of the House shall have custody of-</p> <p>(a) every Bill passed by the House and agreed to by the Senate;</p> <p>(b) every Bill passed by the Senate and agreed to by the House;</p> <p>and shall, as soon as possible, present every such Bill to the Governor for his Assent.</p> <p>(2) The Clerk, when directed by the Speaker, shall Present to the Governor for his Assent any Bill passed by the House but not agreed to by the Senate, if under Article 33 or 34 of the Constitution of Trinidad and Tobago the Bill can be presented to the Governor for his Assent notwithstanding that the Senate has not consented to the Bill.</p>	<p><b>76.Custody of Bills and Assent Thereto</b></p> <p>(1) Every Bill passed by the House and the Senate shall remain in the custody of the Clerk who shall, at the earliest opportunity, submit the Bill to the President for his Assent.</p> <p>(2) In accordance with Section 64(1) or 65 of the Constitution<sup>95</sup> the Clerk shall present to the President for his Assent any Bill passed by the House but not agreed to by the Senate.</p>
<p><b>61. Withdrawal of Bills</b></p> <p>A Bill may be withdrawn by leave of the House or, as the case may be, of the Committee either-</p> <p>(a) before the commencement of Public Business; or</p> <p>(b) when any stage of the Bill is reached in the Order of Business, if before the Question is fully put, the mover so requests and there is no dissentient voice.</p>	<p><b>77.Withdrawal of Bills</b></p> <p>The Member in charge of a Bill may by leave of the House withdraw the Bill at any stage.<sup>96</sup></p>
<p><b>62. Bills Containing Substantially the same Provisions</b></p>	<p><b>78.Bills Containing Substantially the Same Provisions</b></p>

<sup>95</sup> Existing SO 60, updated.

<sup>96</sup> Existing SO 61, updated.

Existing Standing Orders	Revised Standing Orders
<p>Once the second reading of any Bill has been agreed to or negatived, no question shall be proposed during the same Session for the second reading of any other Bill containing substantially the same provisions.</p>	<p>Once the second reading of any Bill has been agreed to or negatived, no question shall be proposed during the same session for the second reading of any other Bill containing substantially the same provisions.<sup>97</sup></p>
	<p><b>79.Lapsed Bills and the Procedure for Carrying Over</b></p> <p>(1) A Bill shall lapse if Parliament is prorogued or dissolved before the Bill has reached its final stage in Parliament.</p> <p>(2) A Private Bill is exempt from the provisions of paragraph (1) of this Standing Order during a period of prorogation.</p> <p>(3) The House may, notwithstanding paragraph (1) of this Standing Order, on motion moved without amendment or debate, agree to the resumption of proceedings on a Bill in the following session.</p>
<p><b>New Standing Order</b></p>	<p><b>80.Statutory Instruments</b></p> <p>(1) A Statutory Instrument which is required to be laid in Parliament shall be submitted forthwith to the Clerk for laying</p>

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<sup>97</sup> Existing 62

Existing Standing Orders	Revised Standing Orders
	<p>on the Table simultaneous with its submission for publication.</p> <p>(2) For the purpose of section 75(9) of the Interpretation Act, Chapter 3:01 the prescribed period<sup>98</sup> shall be 40 days from the date on which a statutory instrument is published.</p> <p>(3) Where notice of a motion to annul a statutory instrument is given, that motion shall be debated as soon as practicable and in any event before the expiration of the period prescribed in paragraph (2) of this Standing Order.</p>
<p><b>63. Presentation and Second Reading of Appropriation Bill</b></p> <p>(1) Any Bill containing the estimated financial requirements for expenditure on all the services of the Government of this Territory for the current or succeeding financial year shall be known as an Appropriation Bill.</p> <p>(2) Estimates containing the details of the said financial requirements shall be presented at the same time as any such Bill.</p> <p>(3) Immediately after the presentation of an Appropriation Bill, the Minister presenting the same shall, notwithstanding the provisions of Standing Order No. 48 (Appointment of days for stages of Bills), be entitled to move the</p>	<p style="text-align: center;">Chapter IX Financial Procedures<sup>99</sup></p> <p><b>81.Presentation and Second Reading of Appropriation Bill</b></p> <p>(1) Any Bill containing the estimated financial requirements for expenditure on all the services of the Government of Trinidad and Tobago for the current or succeeding financial year shall be known as an Appropriation Bill.</p> <p>(2) Estimates containing the details of the said financial requirements shall be presented at the same time as any such Bill and shall immediately stand referred to the Standing Finance Committee.</p> <p>(3) Immediately after the presentation of an Appropriation Bill, the Minister responsible for Finance shall be entitled to move the</p>

<sup>98</sup> which relates to subsidiary legislation subject to negative resolution

<sup>99</sup> Existing SOs 63 to 70 have been amended by the proposed SOs 81 to 88, as indicated.

Existing Standing Orders	Revised Standing Orders
<p>second reading of the Appropriation Bill. A seconder shall not be required.</p> <p>(4) The motion for such second reading shall be the occasion for the Minister of Finance to make his annual financial statement or budget speech. After the Minister has made his Budget Speech, no other Member shall speak then on the motion and the Minister of Finance shall name the day upon which the debate on the second reading shall be resumed; such day shall not be less than two clear days after the Budget Speech.</p> <p>(5) After the motion for the second reading of the Appropriation Bill has been resumed under paragraph (4) of this Standing Order, the debate upon such motion shall continue on the day of the resumption and on three further days to be allotted for the debate on the second reading of the Bill.</p> <p>(6) The debate, when resumed under paragraph (5) of this Standing Order, shall be confined to the financial and economic state of the Territory and the general principles of Government policy and administration as indicated by the Appropriation Bill and the Estimates. At 7.50 p.m. on the last of the allotted days, unless the debate is concluded earlier, the Speaker shall put any question necessary' to bring the proceedings on the second reading to a conclusion.</p> <p>(7) For the purposes of this Standing Order and Standing Order No. 65 (Allotment of Time in Finance Committee) an allotted day shall be any day on which the consideration of the Appropriation Bill, whether by the House or in Finance Committee, stands as the first Public Business for that day, and on such a day the debate on the Appropriation Bill shall not be interrupted at 7.50 p-m. subject to paragraph (6) above.</p>	<p>second reading of the Appropriation Bill.</p> <p>(4) The motion for such second reading shall be the occasion for the Minister responsible for Finance to make his annual Budget Speech. After the Minister has made his Budget Speech, no other Member shall speak on the motion at that time and the Minister shall name the day upon which the debate on the Second Reading shall be resumed; such day shall not be less than three (3) clear days after the Budget Speech.</p> <p>(5) After the motion for the second reading of the Appropriation Bill has been resumed under paragraph (4) of this Standing Order, the debate upon such motion shall continue on the day of the resumption and on four (4) further days to be allotted for the debate on the Second Reading of the Bill.</p> <p>(6) The debate, when resumed under paragraph (5) of this Standing Order, shall be confined to the financial and economic state of Trinidad and Tobago and the general principles of Government policy and administration as indicated by the Appropriation Bill and the Estimates. At 7.50 p.m. on the last of the allotted days, unless the debate is concluded earlier, the Speaker shall put any question necessary to bring the proceedings on the Second Reading to a conclusion</p> <p>(7) For the purposes of this Standing Order and Standing Order 83 (Allotment of Time in Finance Committee) an allotted day shall be any day on which the consideration of the Appropriation Bill, whether by the House or in Finance Committee, stands as the first Public Business for that day, and on such a day the debate on the Appropriation Bill shall not be interrupted at 7.50 p.m. subject to paragraph (6) above.</p>

Existing Standing Orders	Revised Standing Orders
<p>(8) When the Appropriation Bill is read a second time, a Minister may move that the House resolve itself into Committee to consider the Bin and the Estimates, and, thereupon and without question put, the House shall go into Committee, or may name a date for consideration of the Bill and the Estimates in Committee.</p>	<p>(8) When the Appropriation Bill is read a second time, a Minister may move that the Bill be referred to the Standing Finance Committee for the consideration of the Bill together with the Estimates. The House shall then resolve itself into the Standing Finance Committee to consider the Bill and the Estimates.<sup>100</sup></p>
<p><b>64. Finance Committee</b></p> <p>(1) There shall be a Committee of the whole House, to be called the Finance Committee. The deliberations of Finance Committee shall not take place in public.</p> <p>(2) The Finance Committee shall consider and on all proposals for the expenditure from public revenue or other funds which are not included in the Annual Estimates, including proposals for supplementary and unforeseen expenditure.</p> <p>(3) The Finance Committee shall sit at such timer, as may be determined by the Chairman but, except in cases of emergency when shorter notice may be given, not less than 48 hours notice of each meeting shall be given to the members.</p> <p>(4) The Estimates shall, upon presentation to the House, stand referred to Finance Committee. The Appropriation Bill, upon being read a second time, shall stand committed to that Committee. By resolution the House may, in its discretion, also refer to the said Committee any other matter or matters relating to expenditure.</p>	<p><b>82.Standing Finance Committee-Annual Appropriation</b></p> <p>(1) There shall be a Committee of the whole House, to be called the Standing Finance Committee which shall be chaired by the Speaker. It shall be the duty of the Committee to consider the Estimates and the Appropriation Bill. The deliberations of the Standing Finance Committee shall take place in public.</p> <p>(2) The Standing Finance Committee shall sit at such times as may be determined by the Chairman but, except in cases of emergency when shorter notice may be given, three (3) clear days notice of each meeting shall be given to the Members.</p> <p>(3) The Estimates shall, upon presentation to the House, stand referred to Standing Finance Committee. The Appropriation Bill, upon being read a second time, shall stand committed to that Committee. By resolution the House may, in its discretion, also refer to the said Committee any other matter or matters</p>

<sup>100</sup> Amendment to existing SO 63.

Existing Standing Orders	Revised Standing Orders
<p>(5) Minutes of the proceedings of the Committee to be kept by the Clerk shall record any division taken in Finance Committee and the names of all Members voting for and against a question, or declining to vote.</p> <p>(6) The Chairman of the Finance Committee shall be the Minister responsible for finance and in his absence such other Minister as the Premier may nominate shall act as Chairman,</p> <p>(7) When the House is sitting, Finance Committee may meet as a Committee of the whole House when the House resolves itself into Finance Committee. Finance Committee, when summoned by the Chairman thereof, may meet at any time when the House is not sitting, and shall, as far as possible, have the same powers and duties as the Finance Committee has when it functions in pursuance of the House resolving itself into Finance Committee.</p>	<p>relating to expenditure.</p> <p>(4) The Clerk of the Committee shall record the proceedings of the Standing Finance Committee<sup>101</sup> and record any division taken.</p> <p>(5) When the House is sitting, the Standing Finance Committee may meet as a Committee of the whole House when the House resolves itself into Standing Finance Committee. The Committee, when summoned by the Chairman thereof, may meet at any time when the House is not sitting, and shall, as far as possible, have the same powers and duties as the Committee has when it functions in pursuance of the House resolving itself into Standing Finance Committee.<sup>102</sup></p>
<p><b>65. Allotment of Time In Finance Committee</b></p> <p>(1) There shall be allotted a maximum of seven days for discussion of the Appropriation Bill in Finance Committee. Provided that, if the question on the second reading of the Bill was agreed to on a day earlier than the last day allotted for the debate on second reading, the day or days thus saved may be added to the days allotted under this paragraph.</p> <p>(2) Upon any day allotted under paragraph (1) of this Standing Order, no dilatory motion shall be moved, except by a Minister, upon any proceedings upon the Appropriation Bill;</p>	<p><b>83. Allotment of Time in Standing Finance Committee</b></p> <p>(1) A maximum of five (5) days shall be allotted for the examination of the Estimates in Standing Finance Committee together with the Appropriation Bill.</p> <p>(2) The procedure in the Standing Finance Committee shall be as follows:</p> <ul style="list-style-type: none"> <li>(a) The Estimates shall be considered first;</li> <li>(b) The Committee shall be empowered to send for relevant Accounting Officers and technocrats to</li> </ul>

<sup>101</sup> Consistent with best practice and established parliamentary benchmarks, this should be an appointed Clerk-at-the-Table of the House (a person in service of the legislative branch)

<sup>102</sup> Amendment to existing SO 64.

<b>Existing Standing Orders</b>	<b>Revised Standing Orders</b>
<p>and such proceedings shall not be interrupted or postponed under any Standing Order.</p> <p>(3) The Speaker may name the hour upon any day allotted under paragraph (1) of this Standing Order at which proceedings upon any Head of Expenditure in the Schedules to the Appropriation Bill, or any Schedule of, or on the clauses of the Bill, shall be concluded. In the case of any Head or Schedule or of the clauses the hour so named is reached before the business concerned is disposed of, the Chairman shall put forthwith any question necessary to dispose of that business: Provided that, if in the case of any Head or Schedule the proceedings thereon are concluded before the hour named, the next business may be entered upon forthwith.</p>	<p>provide information to the Committee.</p> <p>(3) The Leader of the Opposition shall have the right to determine the order in which the heads of expenditure shall be considered and shall notify the Speaker and the Government in writing on the day named by the Minister for resumption of the debate on the Appropriation Bill for the approval of the Estimates of expenditure provided that in the event of failure of the Opposition to exercise the right conferred under this paragraph the Government shall have the right to determine such order.</p> <p>(4) Upon any day allotted under paragraph (1) of this Standing Order, no dilatory motion shall be moved except by a Minister upon any proceedings on the Estimates, and such proceedings shall not be interrupted or postponed under any Standing Order.<sup>103</sup></p>
<p><b>67. Amendments to Heads of Estimates in Finance Committee</b></p> <p>(1) No amendment shall be moved in Finance Committee under this Standing Order until one clear day after that on which notice of the amendment was given to the Clerk of the House.</p>	<p><b>84. Procedure on Examination of Estimates in Standing Finance Committee</b></p> <p>(1) The Standing Finance Committee shall consider the Estimates of Expenditure in relation to the Heads of Expenditure in the order submitted by the Leader of the</p>

<sup>103</sup> Existing SO 65, amended.



Existing Standing Orders	Revised Standing Orders
<p>(2) An amendment to any Head of Expenditure to increase the sum allotted thereto whether in respect of any item or sub-head or of the Head itself may only be moved by a Minister who shall signify to the Committee the recommendation of the Cabinet to the increase in accordance with paragraph (3) (g) of Standing Order No. 53 (Procedure in Committee of the whole House on a Bill). Every such amendment shall take the form of a motion "That Head ..... be increased by \$..... (in respect of sub-head ..... item ..... ) (sub-head .....)"</p> <p>(3) An amendment to increase a Head whether in respect of any item or sub-head or of the Head itself shall take precedence over an amendment to reduce the Head in the same respect, and, if it is carried, no amendment to reduce the Head in that respect shall be called.</p> <p>(4) An amendment to any Head of Expenditure to reduce the sum allotted thereto in respect of an item therein may be moved by any Member, and shall take the form of a motion "That Head ..... be reduced by \$ ..... in respect of (or by leaving out) subhead ..... item ....."</p> <p>(5) An amendment to reduce a Head in respect of any sub-head or by leaving out a sub-head shall only be in order if the sub-head is not itemised.</p> <p>(6) An amendment to reduce a Head without reference to a sub-head therein shall only be in order if the Head is not divided into sub-heads.</p> <p>(7) An amendment to leave out a Head shall not be in order, and shall not be placed on the Order Paper.</p>	<p>Opposition in accordance with Standing Order 83 (Allotment of Time in Standing Finance Committee).</p> <p>(2) In its consideration of each Head identified the Standing Finance Committee may seek clarification from the relevant Accounting Officers and technocrats.</p> <p>(3) No amendment to the Estimates shall be moved in Standing Finance Committee under this Standing Order until one (1) clear day after the day on which notice of the amendment was given to the Clerk</p> <p>(4) An amendment to any Head of Expenditure to increase the sum allotted thereto whether in respect of any item or sub-head or of the Head itself may only be moved by a Minister who shall signify to the Committee the recommendation of the Cabinet to the increase in accordance with paragraph (5) of Standing Order 70 (Procedure in Committee of the whole House on a Bill). Every such amendment shall take the form of a motion "That Head..... be increased by \$..... (in respect of sub-head..... item ..... ) (sub-head .....)"</p> <p>(5) An amendment to increase a Head whether in respect of any item or sub-head or of the Head itself shall take precedence over an amendment to reduce the Head in the same respect, and, if it is carried, no amendment to reduce the Head in that respect shall be called.</p> <p>(6) An amendment to any Head of Expenditure to reduce the sum allotted thereto in respect of an item therein may be moved</p>

Existing Standing Orders	Revised Standing Orders
<p>(8) In the case of each Head, amendments in respect of items or sub-heads under that Head shall be placed upon the Order Paper, and considered in the order in which the items or sub-heads to which they refer, stand under the Head in the Estimates.</p> <p>(9) When notice has been given of two or more amendments to reduce the same item, subhead, or Head they shall be placed upon the Order Paper, and considered in the order of the magnitude of the reductions proposed, the amendment proposing the largest reduction being placed first in each case.</p> <p>(10) Debate on every amendment shall be confined to the item, sub-head or Head to which the amendment refers, and after an amendment to an item or sub-head has been disposed of, no amendment or debate on a previous item or sub-head of that Head shall be permitted.</p> <p>(11) When all amendments standing on the Order Paper in respect of any particular Head of Expenditure have been disposed of, the Chairman shall again propose the question "That the sum of \$..... for Head stand part of the Schedule", or shall propose the amended question "That the (increased) (reduced) sum of \$ ..... for Head ..... stand part of the Schedule", as the case may require. There shall be no debate on any such question.</p>	<p>by any Member, and shall take the form of a motion "<i>That Head ..... be reduced by \$..... in respect of (or by leaving out) subhead ..... item.....</i>"</p> <p>(7) It shall be out of order to make an amendment which:</p> <ul style="list-style-type: none"> <li>(a) reduces a Head in respect of any sub-head;</li> <li>(b) reduces a Head without reference to a sub-head therein;</li> <li>(c) excludes a Head or sub-head;</li> </ul> <p>unless specific reference is made to the relevant sub-item, item or sub-head as the case may be.</p> <p>(8) When notice has been given of two or more amendments to reduce the same item, subhead, or Head they shall be considered in the order of the magnitude of the reductions proposed, the amendment proposing the largest reduction being placed first in each case.</p> <p>(9) Debate on every amendment shall be confined to the item, subhead or Head to which the amendment refers, and after an amendment to an item or sub-head has been disposed of, no amendment or debate on a previous item or sub-head of that Head shall be permitted.</p>

Existing Standing Orders	Revised Standing Orders
	(10) When all amendments in respect of any particular Head of Expenditure have been disposed of, the Chairman shall put the question " <i>That Head... be (increased)(reduced) by the sum of \$.....</i> " There shall be no debate on any such question. <sup>104</sup>
<p><b>66. Procedure in Finance Committee</b></p> <p>(1) On the consideration of the Appropriation Bill in Finance Committee the clause of the Bill shall stand postponed until after consideration of the Schedule or Schedules.</p> <p>(2) On consideration of the Schedules each Head of Expenditure shall be considered with the appropriate Estimate, and any reference in these Standing Orders to a sub-head or an item means a sub-head or an item in the Estimates for the Head then under discussion.</p> <p>(3) On the consideration of a Schedule, the Chairman shall call the title of each Head of Expenditure in turn, and shall propose the question "<i>That the sum of \$..... for Head..... stand part of the Schedule</i>", and unless an amendment is proposed under the provisions of the next succeeding Standing Order, a debate may take place on that question.</p> <p>(4) When all the Heads in a Schedule have been disposed of, the Chairman shall put forthwith, without amendment or debate, the question "<i>That the Schedule (as amended) stand part of the Bill.</i>"</p> <p>(5) When every Schedule has been disposed of, the</p>	<p><b>85.Procedure for Consideration of the Appropriation Bill</b></p> <p>(1) On the consideration of the Appropriation Bill in Finance Committee the clauses of the Bill shall stand postponed until after consideration of the Schedule.</p> <p>(2) On consideration of the Schedule each Head of Expenditure shall be considered with the appropriate Estimate, and any reference in these Standing Orders to a sub-head or an item means a sub-head or an item in the Estimates for the Head then under discussion.</p> <p>(3) On the consideration of the Schedule, the Chairman shall call the title of each Head of Expenditure in turn, and shall propose the question "<i>That the sum of \$..... for Head..... stand part of the Schedule</i>", and unless an amendment is proposed under the provisions of the next succeeding Standing Order, a debate may take place on that question.</p> <p>(4) No amendment may be moved to any clause except any amendment consequential on an alteration in the total sum appropriated by the Schedule. Any such consequential amendment shall be moved by a Minister only, and may be</p>

<sup>104</sup> Existing SO 67.

Existing Standing Orders	Revised Standing Orders
<p>Chairman shall call successively each clause of the Bill and shall forthwith propose the question "That the clause stand part of the Bill" and, unless a consequential amendment is moved, that question shall be disposed of without amendment or debate.</p> <p>(6) No amendment may be moved to any Clause except any amendment consequential on an alteration in the total sum appropriated by any Schedule. Any such consequential amendment shall be moved by a Minister only, and may be moved without notice, and the question thereon shall be put forthwith without amendment or debate. When the question on the last of any such amendments to a clause has been decided, the Chairman shall forthwith put the question "That the clause as amended stand part of the Bill" and that question shall then be decided without amendment or debate.</p> <p>(7) When the question upon every clause of the Bill has been decided, the Chairman shall put the question to the Committee that the Bill (as amended) be reported to the House, which question shall be decided without amendment or debate. Upon such question being agreed to, the Chairman shall leave the Chair and the House shall resume, and the Member in charge of the Bill shall report it to the House.</p>	<p>moved without notice, and the question thereon shall be immediately put without amendment or debate. When the question on the last of any such amendments to a clause has been decided, the Chairman shall at that time put the question "<i>That the clause as amended stand part of the Bill</i>" and that question shall then be decided without amendment or debate.</p> <p>(5) When the question upon every clause of the Bill has been decided, the Chairman shall put the question to the Committee that the Bill (as amended) be reported to the House, which question shall be decided without amendment or debate. Upon such question being agreed to, the Chairman shall leave the Chair and the House shall resume, and the Member in charge of the Bill shall report it to the House.<sup>105</sup></p>
<p><b>68. Third Reading of Appropriation Bill</b></p> <p>So soon as the Appropriation Bill has been reported to the House a motion for the third reading shall be made by a Minister. Such motion shall not require to be seconded, and shall be decided without amendment or debate.</p>	<p><b>86.Third Reading of Appropriation Bill</b></p> <p>So soon as the Appropriation Bill has been reported to the House a motion for the third reading shall be made by a Minister. Such motion shall not require to be seconded, and shall be decided without amendment or debate.<sup>106</sup></p>

<sup>105</sup> Existing SO 66.

<sup>106</sup> Existing SO 68.

Existing Standing Orders	Revised Standing Orders
<p><b>70. Supplementary Appropriation Bills</b></p> <p>(1) If from time to time, whether in the course of a particular financial year or after its close, a supplementary Appropriation Bill is presented appropriating only proposals which have been approved by the Finance Committee and agreed to by the House under Standing Order No. 69 (Supplementary Financial Provisions), then the debate on the second reading of the said Bill shall be strictly confined to the matter for which additional expenditures is required: and, when the question thereon has been agreed to, the Bill shall not be committed and the question "That the Bill be now read a third time" shall be put forthwith without amendment or debate.</p> <p>(2) The proceedings on any such Bill shall not be interrupted under the provisions of Standing Order No. 10 (Hours of Sitting) and may be entered upon after 7.50 p.m. although opposed.</p>	<p><b>87. Supplementary Appropriation Bill</b></p> <p>(1) The Standing Finance Committee shall consider and report on all proposals for the expenditure from public revenue or other funds which are not included in the Annual Estimates, including proposals for supplementary and unforeseen expenditure.</p> <p>(2) If from time to time, whether in the course of a particular financial year or after its close, a Supplementary Appropriation Bill is presented appropriating only proposals which have been approved by the Standing Finance Committee and agreed to by the House then the debate on the second reading of the said Bill shall be strictly confined to the matter for which additional expenditures is required. When the question has been agreed to, the Bill shall not be committed and the question "<i>That the Bill be now read a third time</i>" shall be immediately put without amendment or debate.</p> <p>(3) The proceedings on any such Bill shall not be interrupted under the provisions of Standing Order 12 (Hours of Sitting) and may be entered upon after 7.50 p.m. although opposed.<sup>107</sup></p>
<p><b>69. Report of Finance Committee</b></p> <p>(1) The report of the Finance Committee shall be presented to the House by the Minister of Finance, who shall move that the report be adopted, and debate thereon may take place forthwith or on a day to be named by him.</p> <p>(2) On the debate on the motion "That the Report of the Finance Committee be adopted", Members may raise points as to specific details of Heads of Expenditure in the report but may not</p>	<p><b>88. Report of the Standing Finance Committee</b></p> <p>(1) A report of the Standing Finance Committee shall be presented to the House by the Minister of Finance, who shall move that the report be adopted and the debate may then take place or may be deferred to a day to be named by him.</p> <p>(2) On the debate on the motion "<i>That the Report of the Standing Finance Committee be adopted</i>", Members may raise points as to</p>

<sup>107</sup> Existing SO 70.

Existing Standing Orders	Revised Standing Orders
raise any matters of general principle.	specific details of Heads of Expenditure in the report but may not raise any matters of general principle. <sup>108</sup>
<p><b>71. Sessional Select Committees</b></p> <p>(1) There shall be the following Sessional Select Committees--</p> <ul style="list-style-type: none"> <li>(a) the Public Accounts Committee;</li> <li>(b) the Standing Orders Committee;</li> <li>(c) the House Committee;</li> <li>(d) the Committee of Privileges;</li> <li>(e) the Regulations Committee.</li> </ul> <p>(2) Members of the House appointed to the Sessional Select Committees shall be chosen by the Speaker as soon as may be after the beginning of each Session.</p>	<p style="text-align: center;">Chapter XI Committees<sup>109</sup></p> <p><b>89. Sessional Select Committees</b></p> <p>(1) There shall be the following Sessional Select Committees--</p> <ul style="list-style-type: none"> <li>(a) the Standing Orders Committee;</li> <li>(b) the House Committee;</li> <li>(c) the Committee of Privileges;</li> <li>(d) the Statutory Instruments Committee; and</li> <li>(e) the Business Committee.</li> </ul> <p>(2) Members of the House appointed to Sessional Select Committees shall be chosen by the Speaker as soon as possible</p>

<sup>108</sup> Existing SO 69.

<sup>109</sup> Existing SOs 71 to 82 have been amended by the proposed SOs 89 to 105, as indicated.

Existing Standing Orders	Revised Standing Orders
	<p>after the beginning of each Session.<sup>110</sup></p> <p>(3) Sessional Select Committees shall meet in private.</p>
<p><b>73. Standing Orders Committee</b></p> <p>(1) The Standing Orders Committee shall have the duty of considering from time to time and reporting on all such matters, relating to the Standing Orders as may be referred to it by the House.</p> <p>(2) The Speaker shall be a Member and the Chairman of the Standing Orders Committee.</p> <p>(3) The Standing Orders Committee shall consist of seven Members inclusive of the Chairman.</p>	<p><b>90. Standing Orders Committee</b></p> <p>(1) The Standing Orders Committee shall have the duty of considering from time to time and reporting on all such matters relating to the Standing Orders as may be referred to it by the House.</p> <p>(2) The Speaker shall be a member and the Chairman of the Standing Orders Committee.</p> <p>(3) The Standing Orders Committee shall consist of six (6) Members inclusive of the Chairman.<sup>111</sup></p>
<p><b>74. House Committee</b></p> <p>(1) The House Committee shall have the duty of considering and advising the Speaker on all matters connected with the comfort and convenience of Members of the House, and from time to time reporting to the House its Minutes of Proceedings.</p>	<p><b>91. House Committee</b></p> <p>(1) The House Committee shall have the duty of considering and advising the Speaker on matters connected with the comfort and convenience of Members of the House, and from time to</p>

<sup>110</sup> Existing SO 71, amended. PAC removed from Sessional Select, see proposed SO 99.

<sup>111</sup> Existing SO 73

Existing Standing Orders	Revised Standing Orders
<p>(2) The Minister in charge of arranging the business of the House shall be a Member, and the Chairman of the House Committee.</p> <p>(3) The House Committee shall consist of six members inclusive of the Chairman.</p>	<p>time reporting to the House its Minutes of Proceedings.</p> <p>(2) The Leader of the House shall be a Member and the Chairman of the House Committee.</p> <p>(3) The House Committee shall consist of six (6) members inclusive of the Chairman.<sup>112</sup></p>
<p><b>75. Committee of Privileges</b></p> <p>(1) There shall be referred to the Committee of Privileges any matter which appears to affect the powers or privileges of the House, and it shall be the duty of the Committee to consider any matter so referred and to report thereon to the House.</p> <p>(2) The Speaker shall be a Member, and the Chairman, of the Committee of Privileges.</p> <p>(3) The Committee of Privileges shall consist of not less than six, and not more than ten, Members inclusive of the Chairman.</p>	<p><b>92. Committee of Privileges</b></p> <p>(1) The Committee of Privileges shall have the duty of considering and reporting on any matter referred to it by the Speaker or the House, in accordance with Standing Order 32(Privilege Matters) and Standing Order 55(Order in the House). It shall be the duty of the Committee to consider any matter so referred and to report thereon to the House.</p> <p>(2) The Speaker shall be a member and the Chairman of the Committee of Privileges.</p>

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<sup>112</sup> Existing SO 74



Existing Standing Orders	Revised Standing Orders
	(3) The Committee of Privileges shall consist of six (6) Members inclusive of the Chairman. <sup>113</sup>
New Standing Order	<p><b>93.Statutory Instruments Committee</b></p> <p>(1) The Statutory Instruments Committee shall consider Statutory Instruments that are subject to the negative resolution. It shall have the duty, <i>inter alia</i>, of bringing to the attention of the House any such instrument-</p> <ul style="list-style-type: none"> <li>(a) which involves the expenditure of public moneys or which imposes or fixes fees for licences or for services;</li> <li>(b) which cannot be challenged in the Courts on the ground that it is <i>ultra vires</i>, or is only temporarily so challengeable;</li> <li>(c) the making of which appears to constitute an unusual or unexpected use of the powers conferred by the law under which it was made;</li> <li>(d) which purports to have retroactive or</li> </ul>

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<sup>113</sup> Existing SO 75

Existing Standing Orders	Revised Standing Orders
	<p data-bbox="1251 282 1814 383">retrospective effect although the law under which it was made does not in terms give the maker of the instrument such a power;</p> <p data-bbox="1205 451 1814 552">(e) the publication or the laying before the House of which, appears to have been unduly delayed;</p> <p data-bbox="1205 620 1814 799">(f) in respect of which there has been unjustifiable delay in notifying the Speaker that the instrument had come into operation before it was laid before the House<sup>114</sup>; or</p> <p data-bbox="1205 867 1814 935">(g) the purport or form of which appears to require elucidation.</p> <p data-bbox="1062 1003 1814 1104">(2) The Statutory Instruments Committee shall not consider or report on the merits or policy of any such instrument.</p> <p data-bbox="1062 1172 1814 1205">(3) The Speaker shall be a member and the Chairman of</p>

<sup>114</sup> In the United Kingdom, pursuant to the Statutory Instruments Act, 1946, notifications must be sent forthwith to the Lord Speaker and the Speaker of the House of Commons drawing attention to the fact that the instrument is yet to be laid before Parliament and giving reasons why the instrument was not laid before it came into operation. There continue to be cases of instruments being enacted and not laid in the House, as required in law.

Existing Standing Orders	Revised Standing Orders
	<p>the Statutory Instruments Committee.</p> <p>(4) The Statutory Instruments Committee shall consist of six (6) Members inclusive of the Chairman.</p> <p>(5) Reports of the Statutory Instruments Committee shall be presented to the House pursuant to Standing Order 110 (General Powers of Select Committees).<sup>115</sup></p>
<p><b>New Standing Order</b></p>	<p><b>94. Business Committee</b></p> <p>(1) The Business Committee shall consider such matters as may arise from time to time in connection with the business of the House, including the composition of Members to serve on Committees.</p> <p>(2) The Speaker shall be a member and the Chairman of the Business Committee.</p> <p>(3) The Business Committee shall consist of six members inclusive of the Chairman.</p>
<p><b>77. Special Select Committees</b></p>	<p><b>95. Special Select Committees</b></p>

<sup>115</sup> Existing SO 76, amended

Existing Standing Orders	Revised Standing Orders
<p>(1) A Select Committee other than a Sessional Select Committee shall be known as a Special Select Committee. It shall be appointed by order of the House which shall specify the terms of reference of the Committee and shall consist of such Members as may be directed by order of the House and, in the absence of such direction shall consist of such Members as may be chosen by the Speaker.</p> <p>(2) The quorum of a Special Select Committee shall be such as shall be Specified in the order of the House or, in the absence of such Order, by the Speaker.</p>	<p>(1) The House may, from time to time, appoint Special Select Committees.</p> <p>(2) A Special Select Committee shall be appointed by Order of the House which shall specify the terms of reference of the Committee and shall consist of such Members as may be directed by Order of the House and, in the absence of such direction shall consist of such Members as may be chosen by the Speaker.</p>
<p><b>78. Constitution and Chairman of Select Committees</b></p> <p>(1) Every Select Committee shall be so constituted as to ensure, so far as is possible, that the balance of parties in the House is reflected in the Committee.</p> <p>(2) Where a Member of a Select Committee dies or for any other reason his seat becomes vacant, then, subject to the preceding paragraph, the Speaker shall appoint another Member in his place.</p> <p>(3) Except as is otherwise provided by these Standing Orders or by special direction of the House, a Select Committee may elect a Chairman from among its Members.</p>	<p><b>96. Composition and Chairman of Select Committees</b></p> <p>(1) Every Select Committee shall be so constituted as to ensure, so far as is possible, that the balance of parties in the House is reflected in the Committee.</p> <p>(2) In computing the balance of the parties -</p> <p style="padding-left: 40px;">(a) Parties which are in a coalition will be treated as</p>

Existing Standing Orders	Revised Standing Orders
	<p>one group; and</p> <p>(b) Opposition parties with fewer than three (3) Members and Independent Members will altogether be treated as one group<sup>116</sup>.</p> <p>(3) Where a Member of a Select Committee dies or for any other reason his seat becomes vacant, then, subject to the preceding paragraph, the Speaker shall appoint another Member in his place.</p> <p>(4) Except as otherwise provided by these Standing Orders or by special direction of the House, a Select Committee may elect a Chairman from among its Members.<sup>117</sup></p> <p>(5) Before participating in the consideration of any item of business before a Committee in which he has a financial interest, a Member should disclose the extent of that interest.<sup>118</sup></p>
<p><b>79. Joint Select Committees</b></p> <p>(1) The House may for the purposes of any Select Committee appoint not more than six Members to sit with Members of the</p>	<p><b>97. Joint Select Committees</b></p> <p>(1) A Select Committee of the House of no more than six (6) Members may be appointed to sit with a Select Committee of</p>

<sup>116</sup> Adapted from the principles used in the New Zealand House of Representatives which has a history of coalition governments

<sup>117</sup> Existing SO 78.

<sup>118</sup> Adapted from the principles used in the UK House of Commons as explained in the Erskine May Parliamentary Practice, 24<sup>th</sup> ed at pg 80

Existing Standing Orders	Revised Standing Orders
<p>Senate as a joint Select Committee.</p> <p>(2) The quorum of a Joint Select Committee shall be such as the Committee may decide.</p> <p>(3) A Joint Select Committee shall elect its own Chairman.</p> <p>(4) A Joint Select Committee may be appointed at the request of either House with the approval of the other House.</p> <p>79A. (1) There shall be a Joint Select Committee on External Affairs to be known as the Joint Parliamentary Committee on External Affairs. The Committee shall be a Standing Committee appointed for the duration of the life of the Parliament.</p> <p>(2) The House shall, for the purposes of this Committee, appoint not more than six members to sit with members of the Senate, but any member may be discharged from serving as a member of the Committee and be replaced.</p> <p>(3) The balance of the parties in the House shall be reflected in the appointment of the House members of the Committee.</p> <p>(4) The Committee shall consider such matters pertaining to External Affairs as may be referred to it by the Minister responsible for External Affairs, and shall submit its reports to the Minister who may in his discretion, lay or cause such reports to be laid in the House of Representatives.</p> <p>(5) The Committee shall have power-</p> <p>(a) to send for persons, papers and records;</p>	<p>the Senate of equal number, to form a Joint Select Committee.</p> <p>(2) A quorum of a Joint Select Committee shall be such fixed number of Members as specified by Order of the Houses or, in the absence of such Order, as the Committee may decide; such quorum may only require that each House be represented.<sup>119</sup></p> <p>(3) Subject to these Standing Orders, a Joint Select Committee shall elect its own Chairman.</p> <p>(4) A Joint Select Committee may be appointed at the request of either House with the approval of the other House.<sup>120</sup></p>

<sup>119</sup> Amended to ensure that a quorum is numerical with no further qualification to avoid inadvertently giving a veto power to any group

<sup>120</sup> Existing SO 79; SO 79A has been deleted.

Existing Standing Orders	Revised Standing Orders
<p>(b) to appoint sub-committees from among its members and to delegate any of its authority to such sub-committee; and (c) to make its own rules.</p>	
<p><b>79B. Joint Select Committees Relating to Government Ministries, Municipal Corporations and other Bodies</b></p> <p>(1) Subject to paragraph (3), the House of Representatives shall appoint Members to sit with Members of the Senate as Joint Select Committees to inquire into and report to it in respect of -</p> <ul style="list-style-type: none"> <li>(a) Government Ministries;</li> <li>(b) Municipal Corporations;</li> <li>(c) Statutory Authorities;</li> <li>(d) Service Commissions; and</li> <li>(e) enterprises owned or controlled by or on behalf of the State or which receive funding from the State of more than two-thirds of their total income in any one year.</li> </ul> <p>(2) A Joint Select Committee referred to in sub-paragraph (1), shall be empowered to study and report on all matters relating to the mandate, management and operations of the Ministry or body which is assigned to it by the House. In general, the Committee shall be severally empowered to review and report on -</p> <ul style="list-style-type: none"> <li>(a) the statute law relating to the ministry/body assigned to it;</li> <li>(b) the program and policy objectives of</li> </ul>	<p><b>98. Joint Standing Committees</b></p> <p>(1) Pursuant to the Constitution there shall be the following Joint Select Committees:</p> <ul style="list-style-type: none"> <li>(a) the Public Accounts Committee;</li> <li>(b) the Public Accounts (Enterprises) Committee; and</li> <li>(c) Departmental Committees appointed pursuant to Section 66A of the Constitution.</li> </ul> <p>(2) As far as possible Cabinet Ministers should not be Members of the Committees established under paragraph (1). Where the circumstances require a Cabinet Minister to be appointed to such Committees any such appointment should be so made as to avoid occurrences of conflict of interest.<sup>121</sup></p> <p>(3) In addition, the following Joint Select Committees are hereby established:</p> <ul style="list-style-type: none"> <li>(a) the Public Administration and Appropriations Committee;</li> <li>(b) the Committee on National Security;</li> <li>(c) the Committee on Energy Affairs;</li> <li>(d) the Committee on Foreign Affairs;</li> <li>(e) The Committee on Human Rights, Diversity, the Environment and Sustainable Development;</li> <li>(f) the Parliamentary Broadcasting Committee; and</li> </ul>

<sup>121</sup>This will ensure that a Minister is not appointed to a Committee that oversees his Ministry.

Existing Standing Orders	Revised Standing Orders
<p>the ministry/body and its effectiveness in the implementation of same;</p> <p>(c) other matters relating to the management, organisation of the ministry/body, as the Committee deems fit.</p> <p>(3) The House of Representatives shall appoint not more than six Members to any Joint Select Committee appointed for the purpose of this Standing Order.</p>	<p>(g) the Committee on Government Assurances.</p> <p>(4) A Joint Select Committee established under this Standing Order shall be Standing Committees appointed for the duration of the life of a Parliament.</p> <p>(5) Standing Committees shall meet in public, except:-</p> <p>(a) when deliberating upon evidence received; and</p> <p>(b) when deliberating on its report to the House; or</p> <p>(c) if otherwise resolved by Order of the Committee.</p>
<p><b>72. Public Accounts Committee</b></p> <p>(1) The Public Accounts Committee shall have the duty of examining, considering and reporting on-</p> <p>(a) the accounts showing the appropriation of the sums granted by the Legislature to meet the public expenditure of this Territory;</p> <p>(b) such other accounts as may be referred to the Committee by the House or under any law; and</p> <p>(c) the report of the Auditor General on any Such accounts.</p> <p>(2) The Public Accounts Committee shall consist of not less than six, and not more than ten, members inclusive of the member who is Chairman thereof.</p>	<p><b>99.The Public Accounts Committee</b></p> <p>(1) The Public Accounts Committee shall have the duty of considering and reporting to the House on:</p> <p>(a) appropriation accounts of moneys expended out of sums granted by Parliament to meet the public expenditure;</p> <p>(b) such other accounts as may be referred to the Committee by the House or as are authorized or required to be considered by the Committee under any Law; and</p> <p>(c) the report of the Auditor General on any such accounts.</p> <p>(2) In the performance of its duties under paragraph (1) of this Standing Order the Public Accounts Committee shall consider whether policy is carried out efficiently,</p>



Existing Standing Orders	Revised Standing Orders
	effectively and economically and whether expenditure conforms to the authority which governs it.
New Standing Order	<p><b>100.The Public Accounts (Enterprises) Committee</b></p> <p>(1) The Public Accounts (Enterprises) Committee shall have the duty of considering and reporting to the House on:</p> <p style="padding-left: 40px;">(a) the audited accounts, balance sheets and other financial statements of all enterprises that are owned or controlled by or on behalf of the State; and</p> <p style="padding-left: 40px;">(b) the Auditor General's report on any such accounts, balance sheets and other financial statements.</p> <p>(2) In the performance of its duties under paragraph (1) of this Standing Order the Public Accounts (Enterprises) Committee shall consider whether policy is carried out efficiently, effectively and economically and whether expenditure conforms to the authority which governs it.</p>
New Standing Order	<p><b>101. The Departmental Joint Select Committees</b></p> <p>(1) A Departmental Joint Select Committee appointed pursuant to Section 66A of the Constitution shall be empowered to investigate, enquire into and report on the administration, the manner of the exercise of the powers, methods of functioning and any criteria adopted by the Ministry of body which is assigned to it by the House in the exercise of its powers and functions. In general, the Committee shall be severally empowered to review and report on:</p>

Existing Standing Orders	Revised Standing Orders
	<p>(a) the statute law relating to the Ministry/body assigned to it;</p> <p>(b) the program and policy objectives of the Ministry/body and its effectiveness in the implementation of same; and</p> <p>(c) other matters relating to the management, organisation of the Ministry/body, as the Committee deems fit.</p>
<p><b>New Standing Order</b></p>	<p><b>102. The Public Administration and Appropriation Committee</b></p> <p>(1) The Public Administration and Appropriation Committee shall have the duty of considering and reporting to the House on:</p> <p>(2) the budgetary expenditure of Government agencies to ensure that expenditure is embarked upon in accordance with parliamentary approval;</p> <p>(3) the budgetary expenditure of Government agencies as it occurs and keeps Parliament informed of how the budget allocation is being implemented; and</p> <p>(4) the administration of Government agencies to determine hindrances to their efficiency and to make recommendations to the Government for improvement of public administration.</p>

Existing Standing Orders	Revised Standing Orders
<p align="center"><b>New Standing Order</b></p>	<p><b>103.The Committee on National Security</b>  (1) The Committee on National Security shall have the duty of considering, from time to time, and reporting whenever necessary, on all matters related to the national security policy of Trinidad and Tobago. In particular, the Committee shall be authorized to examine:</p> <p align="center">(a) the security, safety and protection of citizens;</p> <p align="center">(b) the working relationships between the various agencies involved in intelligence gathering, and how they collect, coordinate, analyse and disseminate information and how these functions might be enhanced; and</p> <p align="center">(c) the mechanisms to review the performance and activities of the various agencies involved in National Security and critical infrastructure.</p>
<p align="center"><b>New Standing Order</b></p>	<p><b>104.The Committee on Energy Affairs</b>  The Committee on Energy Affairs shall have the duty of considering, from time to time, and reporting whenever necessary, on all matters related to the expenditure, administration and policy in relation to Energy Affairs.</p>
<p align="center"><b>New Standing Order</b></p>	<p><b>105.The Committee on Foreign Affairs</b>  The Committee on Foreign Affairs shall have the duty of considering, from time to time, and reporting whenever necessary, on all matters relating to Foreign Affairs as may be</p>

Existing Standing Orders	Revised Standing Orders
	referred to it by either House of the Parliament.
<p data-bbox="520 383 800 410" style="text-align: center;"><b>New Standing Order</b></p>	<p data-bbox="1062 383 1898 444"><b>106. The Committee on Human Rights, Diversity, the Environment and Sustainable Development</b></p> <p data-bbox="1062 516 1898 651">The Committee on Human Rights, Diversity, the Environment and Sustainable Development shall have the duty of considering, from time to time, and reporting whenever necessary, on all matters related to:</p> <p data-bbox="1062 722 1898 824">(a) the compatibility of Acts of Parliament with human rights, and any matters relating to human rights in Trinidad and Tobago (but excluding consideration of individual cases);</p> <p data-bbox="1062 896 1808 998">(b) the creation of an inclusive and more equitable society through greater social justice and sustainable human development within Trinidad &amp; Tobago; and</p> <p data-bbox="1062 1037 1898 1140">(c) the environment, climate change, energy efficiency, sustainability, and planning the use, sustainable development and protection of land and other resources.</p>
<p data-bbox="520 1216 800 1243" style="text-align: center;"><b>New Standing Order</b></p>	<p data-bbox="1062 1216 1654 1243"><b>107. The Parliament Broadcasting Committee</b></p> <p data-bbox="1062 1287 1898 1349">(1) The Parliamentary Broadcasting Committee shall have the duty of considering, from time to time, and reporting whenever</p>

Existing Standing Orders	Revised Standing Orders
	<p>necessary, on all matters related to the live broadcasting and televising of parliamentary proceedings.</p> <p>(2) The Chairman and Vice Chairman of the Parliamentary Broadcasting Committee shall be the Speaker and President of the Senate, respectively.<sup>122</sup></p>
<p><b>New Standing Order</b></p>	<p><b>108. Committee on Government Assurances</b></p> <p>(1) The Committee on Government Assurances shall scrutinize the assurances, promises and undertakings given by Ministers from time to time on the floor of the House and report on:</p> <p>(a) the extent to which such assurances, promises and undertakings have been implemented; and</p> <p>(b) when such assurances, promises and undertakings have been implemented and whether such implementation has taken place within the minimum time necessary for the purpose.</p> <p>(2) The Speaker of the House of Representatives shall be a Member of the Committee.</p>
<p><b>New Standing Order</b></p>	<p><b>109. Chairman of Joint Standing Committees</b></p> <p>(1) In accordance with section 119 of the Constitution, the Chairman of the Public Accounts Committee shall be a Member of the Opposition in the House.</p> <p>(2) Where the Members of the Opposition in the House are unwilling to act as Chairman of the Public Accounts Committee a Member of the Opposition in the Senate shall be appointed</p>

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<sup>122</sup> New Standing Order

Existing Standing Orders	Revised Standing Orders
	<p>Chairman, and where the Members of the Opposition in the Senate are unwilling to act an Independent Senator shall be appointed Chairman.</p> <p>(3) In accordance with section 119 of the Constitution, the Chairman of the Public Accounts (Enterprises) Committee shall be a Member of the Opposition in the Senate.</p> <p>(4) Where the Members of the Opposition in the Senate are unwilling to act as Chairman of the Public Accounts (Enterprises) Committee a Member of the Opposition in the House shall be appointed Chairman, and where the Members of the Opposition in the Senate are unwilling to act an Independent Senator shall be appointed Chairman.</p> <p>(5) The Chairman of the Departmental Joint Select Committees appointed pursuant to Section 66A of the Constitution shall be an Independent Senator.</p> <p>(6) The Chairman of the Public Administration and Appropriations Committee shall be the Speaker.</p> <p>(7) The Chairman and Vice Chairman of the Parliamentary Broadcasting Committee shall be the Speaker and President of the Senate, respectively.</p> <p>(8)The Chairman and Vice Chairman of the Committee on Government Assurances shall be the President of the Senate and Speaker, respectively.</p>
<p><b>79B. Joint Select Committees Relating to Government Ministries, Municipal Corporations and other Bodies</b></p> <p>(4) A Joint Select Committee may, by resolution,</p>	<p><b>110.Special Procedures of Joint Standing Committees</b></p> <p>(1) This Standing Order shall apply to all Joint Standing</p>

Existing Standing Orders	Revised Standing Orders
<p>authorize its Chairman or Vice Chairman to continue meetings in order to receive evidence if it appears that a quorum can no longer be sustained, except that a quorum shall be required whenever a vote, resolution or other decision is taken.</p> <p>(5) Within ten days following the appointment of Members to serve on Joint Select Committees, the Speaker of the House shall summon a Meeting of each Committee and the first business to be transacted thereat shall be the election of a Chairman and a Vice Chairman and the determination of a quorum. If at such meeting a Chairman is not elected, the Speaker shall appoint a Member of the Committee to be the Chairman.</p> <p>(6) Every Joint Select Committee established under this Standing Order shall have the power to appoint Sub-Committees and to delegate to any such Sub-Committee all or any of its powers except the power to report directly to the House of Representatives.</p> <p>(8) The specialist advisers referred to in paragraph (7)(e), with the approval of the Committee or Sub-Committee, may question persons appearing before such Committee or Sub-Committee.</p> <p>(9) Except the House directs otherwise, every member of a Joint Select Committee appointed under this Standing Order shall continue to be a member of that Committee for the duration of the life of the Parliament.</p> <p>(10) Standing Orders 78; 79; 79A(3); 80, except paragraph (2); 81 and 82 shall apply to every Joint Select</p>	<p>Committees with the exception of the Parliamentary Broadcasting Committee.</p> <p>(2) Within ten (10) days following the appointment of Members to serve on a Joint Standing Committee, the Speaker of the House shall summon a Meeting of each Committee and the first business to be transacted shall be the election of a Chairman and a Vice Chairman and the determination of a quorum. If at such meeting a Chairman is not elected, the Speaker shall appoint a Member of the Committee to be the Chairman.</p> <p>(3) The quorum of a Joint Standing Committee shall be in accordance with Standing Order 112(General Procedures in Select Committees).<sup>123</sup></p> <p>(4) Every Standing Committee shall have the power to appoint Sub-Committees and to delegate to any such Sub-Committee all or any of its powers except the power to report directly to the Houses.</p> <p>(5) Standing Orders 96 (Composition and Chairman of Select Committees), 97 (Joint Select Committees), 112 (General Procedures in Select Committees) (except paragraph (2)), 113 (Premature Publication) and 114 (Reports from Select Committees) shall apply to every Standing Committee.</p>

<sup>123</sup> Amended to ensure that a quorum is numerical with no further qualification to avoid inadvertently giving a veto power to any group

Existing Standing Orders	Revised Standing Orders
<p>Committee or a Sub-Committee appointed under this Standing Order.</p> <p>(11) The provisions of this Standing Order are in addition to and without prejudice to any other powers of the House with respect to Joint Select Committees.</p> <p>(12) Meetings of each Joint Select Committee appointed under this Standing Order and of any Sub-Committee appointed under paragraph (6) of this Standing Order shall be held in public, unless the Committee or both Houses otherwise resolve.</p> <p>(13) The Minister responsible for the ministry/body under review shall, not later than ninety days after a report from a Joint Select Committee, relating to the ministry/body, has been laid upon the Table, present a paper to the House responding to any recommendations/comments contained in the report which are addressed to it. All such papers presented by the ministry/body shall be ordered to be laid upon the Table without question put, and any motion for the printing thereof as a House Paper shall be determined without amendment or debate.</p> <p>(14) If the period of ninety days referred to in this Standing Order expires on a day when Parliament is in recess or the House is adjourned, the Minister referred to in paragraph (13) shall present to the House, the paper responding to the recommendations/comments, no later than the third sitting day following that recess or adjournment.</p>	<p>Standing Order 112 shall, as far the same may be applicable, apply to a sub-committee appointed under this Standing Order.</p> <p>(6) The Minister responsible for the Ministry or body under review shall, not later than sixty (60) days after a report from a Standing Committee relating to the ministry or body has been laid upon the Table, present a paper to the House responding to any recommendations or comments contained in the report which are addressed to it. All such papers presented by the ministry or body shall be ordered to be laid upon the Table without question put, and any motion for the printing thereof as a House Paper shall be determined without amendment or debate.</p> <p>(7) If the period of sixty (60) days referred to in this Standing Order expires on a day when Parliament is in recess or the House is adjourned, the Minister referred to in paragraph (6) shall present to the House, the paper responding to the recommendations/comments, no later than the third sitting day following that recess or adjournment.<sup>124</sup></p> <p>(8) If a Minister is unable to provide a response referred to in paragraph (7), the Minister shall write to the Speaker of the House providing the reason the response could not be provided.</p>

<sup>124</sup> Existing SO 79B amended to define these JSCs as Departmental JSCs



Existing Standing Orders	Revised Standing Orders
<p data-bbox="247 354 982 418"><b>79B. Joint Select Committees Relating to Government Ministries, Municipal Corporations and other Bodies</b></p> <p data-bbox="186 461 1037 565">(7) In addition to powers granted by these Standing Orders, each Joint Select Committee shall also have the following powers, namely -</p> <ul style="list-style-type: none"> <li data-bbox="380 571 982 602">(a) to send for persons, papers and records;</li> <li data-bbox="380 607 1037 672">(b) to sit notwithstanding any adjournment of the House of Representatives;</li> <li data-bbox="380 677 863 708">(c) to adjourn from place to place;</li> <li data-bbox="380 712 816 743">(d) to report from time to time;</li> <li data-bbox="380 748 1037 922">(e) to appoint specialist advisers either to supply information which is not otherwise readily available, or to elucidate matters of complexity within the Committee's or the Sub-Committee's order of reference;</li> <li data-bbox="380 927 1037 992">(f) to communicate with any Committee of Parliament on matters of common interest;</li> <li data-bbox="186 997 1037 1105">(g) to meet concurrently with any other Committee for the purpose of deliberating, taking evidence or considering draft reports</li> </ul>	<p data-bbox="1060 354 1619 384"><b>111.General Powers of Select Committees</b></p> <p data-bbox="1060 427 1900 531">(1)In addition to powers granted by these Standing Orders, Select Committees shall also have the following powers, namely:</p> <ul style="list-style-type: none"> <li data-bbox="1157 597 1738 628">(a) To send for persons, papers and records;</li> <li data-bbox="1157 699 1900 764">(b) To sit notwithstanding any adjournment of the House;</li> <li data-bbox="1157 836 1619 867">(c) To adjourn from place to place;</li> <li data-bbox="1157 938 1577 969">(d) To report from time to time;</li> <li data-bbox="1157 1040 1900 1170">(e) To appoint specialist advisers either to supply information which is not otherwise readily available, or to elucidate matters of complexity within the Committee's order of reference;</li> <li data-bbox="1157 1242 1900 1307">(f) To communicate with any other Committee on matters of common interest;</li> </ul>

Existing Standing Orders	Revised Standing Orders
	To meet concurrently with any other Committee for the purpose of deliberating, taking evidence or considering draft reports
<p><b>80. Procedure in Select Committees</b></p> <p>(1) Except as otherwise provided in Standing Orders Nos. 72 to 77 inclusive (Sessional Select Committees), this Standing Order shall apply to all Select Committees.</p> <p>(2) If the Chairman is unable to be present at any meeting, the Committee shall elect another Chairman whose tenure of office shall be for the day of his election.</p> <p>(3) Unless the House otherwise directs, the Standing Orders Committee and the House Committee shall not have, but every other Select Committee shall have, power to send for persons, papers and records.</p> <p>(4) A Select Committee shall not have power to delegate any of its functions to its Chairman or any other member.</p> <p>(5) Unless the House otherwise directs, three Members shall be the quorum. In ascertaining whether there is a quorum present, the Member in the Chair shall not be excluded.</p> <p>(6) The deliberations of a Select Committee shall be confined to the matter referred to it by the House and any extension or limitation thereof made by the House, and, in the case of a Select Committee on a Bill, to the Bill committed to it and relative amendments.</p> <p>(7) Where, by resolution of the House or under these Standing Orders, the Speaker or a Minister is Chairman of a Select Committee, the Speaker or the Minister shall appoint the</p>	<p><b>112. General Procedures in Select Committees</b></p> <p>(1) Except as otherwise provided in these Standing Orders, this Standing Order shall apply to all Select Committees.</p> <p><u>Time of Committee Meetings</u></p> <p>(2) Select Committee meetings may be held on:</p> <ul style="list-style-type: none"> <li>(a) Mondays between 8:00 a.m. and 4:00 p.m.;</li> <li>(b) Tuesdays between 8:00 a.m. and 1:00 p.m.;</li> <li>(c) Wednesdays between 8:00 a.m. and 4:00 p.m.;</li> <li>(d) Thursdays between 8:00 a.m. and 4:00 p.m., and</li> <li>(e) Fridays between 8:00 a.m. and 1:00 p.m.</li> </ul> <p>(3) A Committee may meet on weekends subject to the approval of the Speaker of the House.</p> <p><u>General</u></p> <p>(4) If the Chairman is unable to be present at any meeting, a Committee shall elect another Chairman whose tenure of office shall be for the day of his election, except that in the case of a Joint Standing Committee, the Vice Chairman shall preside.</p> <p>(5) Unless the House or these Standing Orders otherwise</p>

Existing Standing Orders	Revised Standing Orders
<p>time and place for the holding of the first meeting of the Committee. In all other cases, the first meeting of a Select Committee shall be summoned by the Speaker and the first business to be transacted thereat shall be the Election of a Chairman of the Committee: if at such meeting a Chairman is not elected, the Speaker shall appoint a Member of the Committee to be the Chairman.</p> <p>(8) Subsequent meetings shall be held at such time and place as the Select Committee may determine; provided that, if the Committee fail to do so, the Chairman shall, in consultation with the Clerk of the House, appoint such time and place.</p> <p>(9) Subject to any order of the House or resolution of the Committee, the sittings of a Select Committee shall be held in private.</p> <p>(10) Except by leave of the House no Select Committee may sit while the House is sitting, but a Select Committee may sit any time when the House is adjourned or the sitting of the House is suspended.</p> <p>(11) When it is intended to examine any witnesses, the Member requiring such witnesses shall deliver to the Clerk of the Committee the name, residence and occupation of any witnesses he desires to examine and the Committee shall decide if and when to summon the witnesses.</p> <p>(12) If the Committee desires to summon any witnesses, the Chairman shall supply the name, residence and occupation of every such witness to the Clerk of the House at least seven days before his evidence is required. The Clerk shall then, subject to the directions of the Speaker, summon every such witness on behalf of the House.</p>	<p>directs, a quorum shall be three (3) Members. In ascertaining whether there is a quorum present, the Member in the Chair shall not be excluded.</p> <p>(6) The deliberations of a Select Committee shall be confined to the matter referred to it by the House and any extension or limitation thereof made by the House and, in the case of a Select Committee on a Bill, to the Bill committed to it and relative amendments.</p> <p>(7) Where, by resolution of the House or under these Standing Orders, a Chairman is appointed, such Chairman shall appoint the time and place for the holding of the first meeting of the Committee. In all other cases, the first meeting of a Select Committee shall be summoned by the Speaker and the first order of business shall be the Election of a Chairman of the Committee. If at such meeting a Chairman is not elected, the Speaker shall appoint a Member of the Committee to be the Chairman.</p> <p>(8) Subsequent meetings shall be held at such time and place as the Select Committee may determine, except that, if the Committee fails to do so, the Chairman or Vice-Chairman shall, in consultation with the Clerk, appoint such time and place.</p>

Existing Standing Orders	Revised Standing Orders
<p>(13) The evidence of every witness shall be taken down verbatim and sent in proof to the witness. The witness shall be at liberty, within fourteen days from that on which the Clerk sent out the proof, to suggest corrections due to inaccurate reporting, and the evidence shall be printed with such of the corrections as may be approved by the Chairman.</p> <p>(14) The committee may at its discretion refuse to hear any irrelevant evidence or any recalcitrant witness.</p>	<p><u>Seeking Evidence</u></p> <p>(9) When it is intended to examine any witness or request papers and records, the Member requiring such evidence shall deliver to the Clerk of the Committee the name and contact details of the witness he desires to examine or the details of the papers required, as the case may be, and the Committee shall decide if and when to request the attendance of the witness or to call for the papers.</p> <p>(10) Pursuant to paragraph (7), the Clerk of the Committee, shall request any person to attend and give evidence before the Committee or request that papers and records that are relevant to its proceedings be produced.</p> <p><u>The Exercise of Powers to Send for Persons, Papers and Records</u></p> <p>(11) A Select Committee may require, by Order, that a summons be issued to any person:</p> <p style="padding-left: 40px;">(a) to attend before that Committee to be examined and give evidence; and</p> <p style="padding-left: 40px;">(b) to produce papers and records in that person's</p>

Existing Standing Orders	Revised Standing Orders
	<p data-bbox="1205 282 1843 313">possession, custody or control to that Committee.</p> <p data-bbox="1060 380 1898 448">(12) Every summons issued under paragraph (9) of this Standing Order:</p> <p data-bbox="1213 516 1898 618">(a) must state the time and place at which it is to be complied with by the person to whom it is addressed; and</p> <p data-bbox="1213 686 1898 829">(b) shall be signed by the Clerk on behalf of the House and served by the Marshal of the Parliament under the Speaker's direction at least seven days before his evidence is required.</p> <p data-bbox="1060 898 1461 928"><u>Member of Parliament as Witness</u></p> <p data-bbox="1060 997 1898 1140">(13) If resolved by a Committee, the Chairman may write to a Member of Parliament requesting the Member to attend and give evidence before the Committee or request that papers and records that are relevant to its proceedings be produced.</p> <p data-bbox="1060 1179 1898 1247">(14) If the Member refuses to attend the Committee will not take any further action, except to report the matter to the House.</p>

Existing Standing Orders	Revised Standing Orders
	<p data-bbox="1060 284 1325 310"><u>Advisors to Witnesses</u></p> <p data-bbox="1060 381 1900 521">(15) A witness may be accompanied by an Advisor who may be an Attorney-at-Law of the witness's choice and may consult with such Advisor in the course of a meeting at which the witness appears.</p> <p data-bbox="1060 592 1171 618"><u>Evidence</u></p> <p data-bbox="1060 690 1900 933">(16) The evidence of every witness shall be taken down verbatim and sent in proof to the witness. The witness shall be at liberty, within fourteen (14) days from that on which the Clerk of the Committee sent out the proof, to suggest corrections due to inaccurate reporting, and the evidence shall be printed with such of the corrections as may be approved by the Chairman.</p> <p data-bbox="1060 1006 1900 1071">(17) A Committee may, at its discretion, refuse to hear any irrelevant evidence or any recalcitrant witness.</p> <p data-bbox="1060 1144 1900 1242">(18) A Committee shall exercise its discretion in determining whether it shall treat any evidence tendered before it as secret or confidential.</p> <p data-bbox="1060 1315 1900 1380">(19) General rules governing the conduct of proceedings before Committees are set out in Appendix III to these Standing</p>

Existing Standing Orders	Revised Standing Orders
	Orders. <sup>125</sup>
<p><b>81. Premature Publication of Evidence</b></p> <p>The proceedings of and the evidence taken before, any Select Committee, and any documents presented to, and decisions of, such a Committee shall not be published by any Member thereof or by any other person before the Committee has presented its Report to the House.</p>	<p><b>113.Premature Publication of Evidence</b></p> <p>(1) The proceedings of and the evidence taken at a meeting of a Select Committee or sub-committee, and any documents presented to, and decisions of, such a Committee shall not be published by any Member thereof or by any other person before the Committee has presented its report to the House.</p> <p>(2)This Standing Order does not apply to evidence, whether oral and written, taken before a public meeting of a Committee held in accordance with these Standing Orders, any Order of the House or resolution of that Committee</p>
<p><b>Reports from Select Committees</b></p> <p>82. (1) Every Select Committee shall, before the end of the Session in which it was appointed, make a report to the House upon the matter referred to it; but where a Select Committee finds itself unable to conclude its investigation before the end of the Session, it may so report to the House.</p> <p>(2) A report of a Select Committee may contain the opinions and observations of the Committee, and may be accompanied by the Minutes of evidence taken before the Committee.</p> <p>(3) A Select Committee may make a special report relating to its powers, functions and proceedings on any matters</p>	<p><b>114.Reports from Select Committees</b></p> <p>(1) Every Committee, with the exception of the Standing Committees shall, before the end of the Session in which it was appointed, make a report to the House upon the matter referred to it; but where a Committee finds itself unable to conclude its investigation before the end of the Session, it may so report to the House.</p> <p>(2) A report of a Committee may contain the opinions and observations of the Committee, and may be accompanied by the</p>

<sup>125</sup> Existing SO 81, amended. New paragraph (2)

Existing Standing Orders	Revised Standing Orders
<p>that it thinks fit to bring to the notice of the House.</p> <p>(4) (a) The Chairman of a Select Committee shall prepare a draft report and submit it for the consideration of the Committee; but alternative drafts may be submitted for consideration by any other Members at the request of the Chairman.</p> <p>(b) The report finally to be adopted shall be such as is agreed to, with amendments (if any) by all the Members of the Select Committee or, failing unanimous agreement, then such as is agreed to by a majority of the Members.</p> <p>(c) Any Member dissenting from the report of a majority of the Committee may put in a concise written statement of his reasons for such dissent, and such statement shall be appended to the report; or, if he so desires he may submit a minority report.</p> <p>(5) The report of a Select Committee shall be presented to the House by the Chairman or other Member deputed by the Committee, including any minority report and shall be ordered to be laid on the Table, and be printed, without question put.</p> <p>(6) The minutes of proceedings of a Select Committee shall record--</p> <p>(a) the names of the Members present each day of the sitting of the Committee;</p> <p>(b) the names of the witnesses examined;</p> <p>(c) in the event of a division taking place, the question proposed, the names of the</p>	<p>Minutes of evidence taken before the Committee.</p> <p>(3) A Committee may make a special report relating to its powers, functions and proceedings on any matter that it thinks fit to bring to the notice of the House.</p> <p>(4) The Secretary to the Committee shall prepare a Draft Report for the Chairman's consideration. The Draft Report thereafter shall be submitted for the consideration of the Committee. However, alternative drafts may be submitted for consideration by any other Member at the request of the Chairman.</p> <p>(5) The report finally to be adopted shall be such as is agreed to, with amendments (if any) by all the Members of the Select Committee or, failing unanimous agreement, then such as is agreed to by a majority of the Members.</p> <p>(6) Any Member dissenting from the report of a majority of the Committee may put in a concise written statement of his reasons for such dissent or if he so desires he may submit a minority report and such statement or minority report shall be appended to the report.</p> <p>(7) The report of a Committee shall be presented to the House by the Chairman or other Member deputed by the Committee, including any minority report and shall be ordered to be laid on</p>



Existing Standing Orders	Revised Standing Orders
<p>proposer and the respective votes thereon of the Members present and the names of the Members (if any) who declined to vote;</p> <p>The minutes of the proceedings of a Select Committee shall accompany the report of the Committee, and shall be dealt with as the House may direct.</p> <p>(7) The Report of a Select Committee may be taken into consideration by the House on a motion "That the Report of the Select Committee on . . . be adopted". Such a motion may be submitted to the Clerk of the House to be kept as a part of the records of the House.</p>	<p>the Table, and be printed, without question put.</p> <p>(8) The Minutes of the Proceedings of a Committee shall accompany the report of the Committee and shall be dealt with as the House may direct.</p> <p>(9) The minutes of proceedings of a Committee shall record:</p> <p>(a) the names of the Members present each day of the sitting of the Committee;</p> <p>(b) the names of the witnesses examined; and</p> <p>(c) in the event of a division taking place, the question proposed, the names of the proposer and the respective votes thereon of the Members present and the names of the Members (if any) who declined to vote.</p> <p>(10) The Report of a Committee may be taken into consideration by the House on a motion "<i>That the Report of the Committee on . . . be adopted</i>". Such a motion may be submitted to the Clerk to be kept as a part of the records of the House.<sup>126</sup></p>

<sup>126</sup> Existing SO 82.

Existing Standing Orders	Revised Standing Orders
<p style="text-align: center;"><b>Absence of Members</b></p> <p>84. (1) Any Member who is prevented from attending a meeting of the House shall acquaint the Clerk as early as possible of his inability to attend.</p> <p>(2) If, without the leave of the Speaker obtained in writing before the end of the last of the sittings referred to in this paragraph, any Member is absent from the House for more than six consecutive sittings occurring during the same Session, and within a period of not longer than three calendar months, such Member shall vacate his seat in the House under paragraph (2) (b) of Article 23 of the Constitution of Trinidad and Tobago.</p>	<p style="text-align: center;">Chapter XII Miscellaneous</p> <p><b>115.Absence of Members</b></p> <p>(1) Any Member who is unable to attend a sitting of the House shall inform the Clerk as early as possible of his inability to attend and seek leave of absence.</p> <p>(2) If any Member is absent from the House for more than six consecutive Sittings occurring during the same Session without the leave of the Speaker, such Member shall vacate his seat in the House under Section 49(2) of the Constitution of Trinidad and Tobago.<sup>127</sup></p>
<p style="text-align: center;"><b>New Standing Order</b></p>	<p><b>116.Absence of Members from Committees</b></p> <p>(1) If a Member fails to attend four (4) consecutive meetings of a committee of which he is a member, without the permission of the Chairman of the Committee, such absenteeism shall be referred to the Business Committee by the Chairman.</p> <p>(2) The provisions of paragraph (1) of this Standing Order do not preclude the Chairman of a Committee from referring general absenteeism.</p>
<p style="text-align: center;"><b>85. Employment of Members in Professional Capacity</b></p> <p>No Member of the House shall appear before the House or</p>	<p style="text-align: center;"><b>117.Employment of Members in a Professional Capacity</b></p> <p>No Member of the House shall appear before the House or any</p>

<sup>127</sup> Existing SO 84

Existing Standing Orders	Revised Standing Orders
any Committee thereof as Counsel or Solicitor for any party or in any capacity for which he is to receive a fee or reward.	Committee thereof as Counsel or in any other professional capacity for any party or in any capacity for which he is to receive a fee or reward. <sup>128</sup>
<p><b>86. Report of Debates</b></p> <p>(1) An Official Report of the proceedings, and of all speeches made in the House shall be prepared under the supervision of the Clerk, acting under such instructions as the Speaker from time to time may give.</p> <p>(2) The report shall be published in such form as the Speaker may direct, and a copy thereof shall be sent to each Member as soon as practicable.</p>	<p><b>118. Report of Debates</b></p> <p>(1) An Official Report of the proceedings and of all speeches made in the House shall be prepared under the supervision of the Clerk, acting under such instructions as the Speaker may from time to time give.</p> <p>(2) The report shall be published in such form as the Speaker may direct, and a copy thereof shall be sent to each Member as soon as practicable.<sup>129</sup></p>
<p><b>87. Strangers</b></p> <p>(1) Strangers may be present in the Chamber of the House in the places set apart for them, under such rules as the Speaker may make from time to time for that purpose.</p> <p>(2) If, at any sitting of the House, any Member shall move that strangers withdraw, the Speaker shall forthwith put the question "That strangers do withdraw" without permitting any debate or amendment.</p> <p>(3) The Speaker may, whenever he thinks fit, order the withdrawal of strangers from any part of the Chamber and its precincts, and may order the doors of the Chamber to be closed.</p> <p>(4) Strangers must preserve silence, and must conduct themselves in a fit and proper manner during a sitting.</p>	<p><b>119. Strangers</b></p> <p>(1) Strangers may be present in the House Chamber in the places set apart for them, under such rules as the Speaker may make from time to time for that purpose.</p> <p>(2) If, at any sitting of the House, any Member shall move that strangers withdraw, the Speaker shall immediately put the question "That strangers do withdraw" without permitting any debate or amendment.</p> <p>(3) The Speaker may, whenever he thinks fit, order the withdrawal of strangers from any part of the Chamber and its precincts, and may order the doors of the Chamber to be closed.</p> <p>(4) Strangers must withdraw from the Chamber and its precincts when called upon by the Speaker to do so.</p> <p>(5) Strangers must preserve silence, and must conduct</p>

<sup>128</sup> Existing SO 85

<sup>129</sup> Existing SO 86

Existing Standing Orders	Revised Standing Orders
(5) Strangers must withdraw from the Chamber and its precincts when called upon by the Speaker to do so.	themselves in a fit and proper manner during a sitting. (6) The admission of strangers to those portions of the Chamber and dining rooms reserved for the exclusive use of Members shall be regulated in accordance with the Orders made by the Speaker.
<p><b>88. Press</b></p> <p>(1) The Speaker may grant a general permission to the representative of any journal or newspaper or other medium of public information to attend the sittings of the House under such rules as he may make from time to time for that purpose.</p> <p>(2) If such rules are contravened such permission may be revoked.</p>	<p><b>120.Media</b></p> <p>(1) The Speaker may grant a general permission to the representative of any journal or newspaper or other medium of public information to attend the sittings of the House under such rules as he may make from time to time for that purpose.</p> <p>(2) If such rules are contravened such permission may be revoked.<sup>130</sup></p>
<p><b>89. Amendment of Standing Orders</b></p> <p>(1) Unless the Speaker shall otherwise direct, not less than twelve days' notice of a motion to amend the Standing Orders shall be given, and the notice shall be accompanied by a draft of the proposed amendments.</p> <p>(2) The motion shall be set down for the earliest convenient sitting after the expiration of the notice.</p> <p>(3) When the motion is reached, the mover shall move the motion, and after it has, if necessary, been seconded, the motion shall be referred forthwith, without any question being</p>	<p><b>121.Amendment of Standing Orders</b></p> <p>(1) Unless the Speaker shall otherwise direct, not fewer than twelve (12) days' notice of a motion to amend the Standing Orders shall be given, and the notice shall be accompanied by a draft of the proposed amendments.</p> <p>(2) The motion shall be set down for the earliest convenient sitting after the expiration of the notice.</p> <p>(3) When the motion is reached, the mover shall move the motion, and after it has been seconded, if necessary, the</p>

<sup>130</sup> Existing SO 88, amended. The word 'press' replaced by 'media'.

Existing Standing Orders	Revised Standing Orders
<p>put thereon, to the Standing Orders Committee, and no further proceedings shall be taken on any such motion until the Committee has reported thereon.</p>	<p>motion shall be deemed referred, without any question being put thereon, to the Standing Orders Committee. No further proceedings shall be taken on any such motion until the Committee has reported.</p> <p>(4) This Standing Order shall not be construed so as to deprive the House of the power of referring, by resolution, the Standing Orders or any part thereof to the Standing Orders Committee for consideration and report.<sup>131</sup></p> <p>(5)</p>
<p><b>90. Suspension of Standing Orders</b></p> <p>(1) Any one or more of these Standing Orders may, after notice or with the leave of the Speaker, be suspended on a motion made by a Member at any sitting.</p> <p>(2) A motion under this Standing Order shall be decided without amendment or debate.</p>	<p><b>122.Suspension of Standing Orders</b></p> <p>(1)Any one or more of these Standing Orders may be suspended, after notice of at least one (1) day or with the leave of the Speaker, on a motion made by a Member at any Sitting.</p> <p>(2) A motion under this Standing Order shall be decided without amendment or debate.<sup>132</sup></p>
<p><b>92. General Authority of the Speaker</b></p> <p>(1) The Speaker shall have power to regulate the conduct of business in all matters not provided for in these Standing Orders.</p> <p>(2) The decision in all cases for which these Standing Orders do not provide, shall lie within the discretion of the Speaker, and shall not be open to challenge.</p> <p>(3) The Speaker shall be responsible for the management and general administration of the Chamber.</p>	<p><b>123.General Authority of the Speaker</b></p> <p>(1) The Speaker shall be responsible for the general direction and control of the precincts of the Parliament.<sup>133</sup></p>

<sup>131</sup>Existing SO 89, amended. New para (4)

<sup>132</sup>Existing SO 90.

<sup>133</sup>Existing SO 92, updated.

Existing Standing Orders	Revised Standing Orders
<p><b>93. Absence of the Speaker</b></p> <p>During any period where the Speaker is absent (on account of illness, or is for any other reason unable to perform the functions of his office, those functions shall be assumed and performed by the Deputy Speaker until such time as the Speaker resumes his office.</p>	<p><b>Now contained in new Standing Order 7</b></p>
<p><b>6. Duties of the Clerk</b></p> <p>(1) The Clerk of the House shall keep the Minutes of Proceedings of the House and of Committees of the whole House, and shall circulate copies thereof to Members as early as practicable and, if possible, on the day following each sitting of the House or Committee of the whole House.</p> <p>(2) Minutes shall record the names of Members attending and all decisions of the House whether made formally or informally, and shall be signed by the Speaker.</p>	<p><b>124.Minutes of Proceedings</b></p> <p>The Clerk shall keep and sign the Minutes of the Proceedings of each sitting of the House which shall be circulated to Members prior to the commencement of the next Sitting or as soon as possible <sup>134</sup>thereafter.</p> <p>(2) The Minutes shall record the names of Members attending and all decisions of the House whether made formally or informally.<sup>135</sup></p>
<p><b>6. Duties of the Clerk</b></p> <p>(9) Where a proclamation of the Governor under Article 40 of the Constitution of Trinidad and Tobago is published in the Gazette, the Clerk shall send to each Member of the House a copy of the proclamation.</p>	<p><b>125.Proclamation of the President</b></p> <p>Where a Proclamation of His Excellency, the President made under Section 67(1) of the Constitution is published, the Clerk shall send a copy to each Member of the House as soon as possible after it is made and in advance of the time appointed for the commencement of every session.<sup>136</sup></p>

<sup>134</sup> Ideally, Minutes should be circulated before the next Sitting, but in instances when the next Sitting will be held on consecutive days, the Minutes will be circulated as soon as possible thereafter

<sup>135</sup> Existing SO 6(1) and (2), amended.

<sup>136</sup> Existing SO 6(9) amended

Existing Standing Orders	Revised Standing Orders
<p data-bbox="176 354 1047 386"><b>94. Agreement between both sides of the House</b></p> <p data-bbox="176 427 1047 711">Where agreement has been reached by leave of the Speaker between the Leader of the House and the Leader of the Opposition with regard to the transaction of any of the business of the House for any sitting or period, such agreement shall be announced in the House by the Speaker and the Speaker shall, the provisions of these Standing Orders notwithstanding, conduct such business in accordance with the terms of the said agreement.</p>	<p data-bbox="1050 354 1917 386"><b>126. Agreement Between Both Sides of the House</b></p> <p data-bbox="1050 427 1917 711">Where agreement has been reached by leave of the Speaker between the Leader of the House and the Whips of the opposition parties in the House with regard to the transaction of any of the business of the House for any sitting or period, such agreement shall be announced in the House by the Speaker and the Speaker shall, the provisions of these Standing Orders notwithstanding, conduct such business in accordance with the terms of the said agreement.<sup>137</sup></p>
<p data-bbox="281 755 569 787"><b>New Standing Order</b></p>	<p data-bbox="1050 755 1415 787"><b>127. Method of Circulation</b></p> <p data-bbox="1050 824 1917 963">Whenever in these Orders any Bill or other document is required to be circulated to Members the same shall be circulated electronically or by placing a copy thereof on each Member's desk.</p>

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<sup>137</sup> Existing SO 94 amended to provide for the possibility of more than one party in opposition.

## **APPENDIX I- Time Limit on Speeches**

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A Member may speak for the periods as specified below-

### Motions

Mover	40 minutes
Any other Member	30 minutes
Mover in reply	30 minutes

Other than the mover, if the Member speaking so requests during or immediately upon the expiry of a speech, the time for the speech may be extended by the House for a further 10 minutes.

### Ministerial Statement

Minister	10 minutes
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### Personal Explanation

Member	10 minutes
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Explanatory Statement – Papers

Minister 3 minutes

Definite Matters of Urgent Public Importance

Presenter 20 Minutes  
First Minister 20 Minutes  
Other Member/Minister 5 minutes  
Maximum time for discussion 60 minutes in total

**BILLS**

Private Bills

Introduction and First Reading

Mover	5 minutes
Member opposing	2 minutes
Debate	15 minutes in total

Appropriation Bill

Second reading –

Mover	unspecified
Opposition's response	unspecified <sup>138</sup>
Any other Member	45 minutes
Mover in reply	45 minutes

Other than the mover and the Opposition's response, if the Member speaking so requests during or immediately upon the expiry of a speech, the time for the speech may be extended by the House for a further 10 minutes.

Other Bills

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<sup>138</sup> To be limited to the time taken by the mover, provided that the mover does not speak for less than 75 minutes.

Second reading

Mover	40 minutes
First three (3) Members (each bench)	50 minutes
Any other Member	30 minutes
Mover in reply	30 minutes

Other than the mover, if the Member speaking so requests during or immediately upon the expiry of a speech, the time for the speech can be extended by the House for a further 10 minutes.

In Committee

All Members – unlimited periods not exceeding 5 minutes each

## APPENDIX II - General Rules for the Broadcasting of House Proceedings

- (1) The House authorizes the broadcasting, including re-broadcasting, of its gavel to gavel proceedings by the Parliament Channel.
- (2) The House authorizes the broadcasting of excerpts of its proceedings by radio and television stations, in accordance with the following conditions.

### Conditions governing the broadcasting of excerpts of proceedings by radio and television stations

- (3) The following rules apply in relation to broadcasting of excerpts of proceedings:
  - (a) Broadcasts of excerpts shall be used only for the purposes of fair and accurate reports of proceedings, and shall not be used for:
    - a. Political party advertising or election campaigns;
    - b. Satire and ridicule;
    - c. The purpose of maliciously attacking someone's reputation or character; or
    - d. Commercial sponsorship or commercial advertising.
  - (b) Reports of proceedings shall be such as to provide a balanced presentation of differing views.
  - (c) Excerpts of proceedings which are subsequently withdrawn may be broadcast only if the withdrawal is also reported.

- (d) The instructions of the Speaker in respect of the broadcasting of excerpts, which are not inconsistent with these conditions, shall be observed.

Radio and television broadcasting of Committee proceedings

(4) The following rules apply in relation to radio and television broadcasting, including rebroadcasting, of the proceedings of a committee:

- (a) Recording and broadcasting of proceedings of a Committee may occur only in accordance with an order of the House or with the authorization of the Committee by a deliberate decision of the committee.
- (b) A Committee may authorize the broadcasting of only its public proceedings.
- (c) A Committee may determine conditions, not inconsistent with these rules, for the recording and broadcasting of its proceedings, may order that any part of its proceedings not be recorded or broadcast, and may give instructions for the observance of conditions so determined and Orders so made. A Committee shall report to the House any willful breach of such conditions, orders or instructions.
- (d) Broadcasting of committee proceedings shall be for the purpose only of making fair and accurate reports of those proceedings, and, in particular:
  - i. Shall not be the subject of commercial sponsorship or be used for commercial advertising;
  - ii. Ridicule and satire; and
  - iii. Shall not be used for election advertising.
- (e) Recording and broadcasting of proceedings of a Committee shall not be such as to interfere with the conduct of those proceedings.
- (f) Where a Committee intends to permit the broadcasting of its proceedings, a witness who is to appear in those proceedings shall be given reasonable opportunity, before appearing in the proceedings, to object to the broadcasting of the proceedings and to state the ground of the objection. The Committee shall consider any such objection, having regard to the proper protection of the witness and the public interest in the proceedings, and if the Committee decides to permit broadcasting of

the proceedings notwithstanding the witness's objection, the witness shall be so informed before appearing in the proceedings.

- (5) The Parliamentary Broadcasting Committee shall determine the penalties which shall be incurred for noncompliance with the guidelines listed above.

### **APPENDIX III - General Rules for the Conduct of proceedings of Committees**

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#### Notice of meeting

1. A written notice informing Members of the Committee of a meeting of the Committee must be circulated by the Clerk of the Committee no later than the day before the meeting. The notice must contain a summary of the items of business proposed to be dealt with at the meeting.
2. The requirement for a written notice to be circulated may be waived if all Members of the committee agree.

#### Secretary

3. It shall be the responsibility of the Clerk of the House to provide every Select Committee with a Clerk and, if so required by the Committee, with a Reporter.

#### Giving notice of business

4. Members of a Committee may give notice of business or motions to be considered by the Committee either orally at a meeting of the Committee or in writing to the Clerk of the Committee.

5. Notices given at a meeting and notices given to the Clerk of the Committee before 2:00 p.m. on the day before a meeting shall be placed on the agenda for the next meeting of the Committee.
6. Nothing in these rules affects the Chairman's power to rule on whether a proposed notice is in order.

Question previously decided

7. A motion or an amendment that is the same in substance as a motion or amendment that was agreed to or defeated in a Select Committee may be proposed again in that Committee in the same session only by leave or if notice has been given.

Names of Members present

8. The names of the Members of a Select Committee present at a meeting shall be recorded in the Committee's minutes.

Members may be present

9. Subject to this Standing Order, any Member of the House (not being a Member of the Committee) may attend any meeting of a Select Committee but cannot participate in the proceedings except by leave of the Committee.
10. The Minister or Member in charge of a Bill may take part in the proceedings of the Committee even though not a Member of the Committee but may not vote on any question put to the Committee.

11. Except by leave of the Committee, only Members of the Privileges Committee may attend any meeting of that Committee while the Committee is deliberating.

#### Advisors

12. Committee so empowered by Standing Orders, may seek the assistance of persons as advisors to the Committee during its consideration of a matter.

13. Advisors may remain present during relevant proceedings that are not open to the public, unless excluded by the Committee.

#### Attendance by Visitors

14. A Select Committee may invite any person to be present during relevant proceedings that are not open to the public to assist it in its consideration of any matter.

#### Voting

15. A Member may require that the respective votes or abstentions of each Member present on a question put to a Select Committee be recorded in the Committee's minutes.

#### Disorder

16. The Chairman may order any visitor to withdraw from a meeting if that person's conduct is disorderly.

17. The Chairman may order any Member (not being a Member of the Committee) to withdraw from a meeting if that Member's conduct is disorderly.



18. A Select Committee may resolve to exclude a Member of the Committee from its meeting if that Member's conduct is highly disorderly. The Member may be excluded for up to the remainder of the meeting held on that day.

#### GENERAL PROVISIONS FOR EVIDENCE

##### Written submissions

19. A witness shall be given the opportunity to make a submission in writing before appearing to give oral evidence.

##### Return of evidence

20. A Select Committee may return, or expunge from any transcript of proceedings, any evidence or statement that it considers to be irrelevant to its proceedings, offensive or possibly defamatory.

##### Private evidence

21. Some or all of the evidence to be given to a Select Committee may, by leave, be heard or received in private.

22. The Committee may require all visitors or any visitor to withdraw from a meeting while evidence is being heard in private.

23. Evidence heard or received in private shall be confidential to the Committee until it reports to the House.

##### Secret evidence

24. A Select Committee may, by leave, declare evidence to be secret evidence where –

- a) information that it wishes to obtain can be obtained only if it can assure a witness, or other person in possession of that information, that evidence given to it will remain confidential, or
- b) it is satisfied that it is necessary to do so to protect the reputation of any person.

25. All visitors must withdraw from a meeting while secret evidence is being heard.

26. Secret evidence may not be disclosed to any other person by the Committee or by any Member of the Committee or by any other person, unless the House expressly authorises such disclosure. Following the Committee's report to the House, secret evidence is delivered into the custody of the Clerk.

Application for evidence to be private or secret

27. Before providing written evidence to a Select Committee, a person may apply for that evidence to be received in private or in secret. A witness must give reasons for any such application. Where practicable, witnesses shall be informed before providing written evidence that such an application may be made.

28. Before giving evidence in private, a witness must be informed that the evidence will become available when the Committee reports to the House or, if it may seriously damage the reputation of any person, will be made available to that person.

29. Before giving evidence in secret, a witness must be informed that secret evidence may be disclosed and that the House has the power to order the disclosure of such evidence.

### HEARING OF EVIDENCE

#### Public attendance at hearings

30. The proceedings of any Select Committee during the hearing of evidence on a bill or other matter, which is the subject of consideration by the Committee, other than private or secret evidence may be open to the public, by order of the House or resolution of the Committee.

#### Matters of concern before giving evidence

31. A person who is to appear before a Committee may raise any matters of concern relating to that evidence with the Clerk of the Committee before appearing before the Committee. Any such matters will be brought to the attention of the Committee.

#### Conduct of examination

32. The examination of witnesses shall be conducted by the Chairman, with the approval of the Committee, directs.
33. The Chairman, and every Member through the Chairman, may put questions to a witness.

#### Relevance of questions

34. The Chairman will take care to ensure that all questions put to a witness are relevant to the Committee's proceedings and that the information sought by those questions is necessary for the purpose of those proceedings.

35. A witness may object to a question on the ground that it is not relevant. The Chairman will then determine whether it is relevant to the Committee's proceedings.

Objections to answer

36. Where a witness objects on any ground to answering a relevant question put to the witness, the witness will be invited to state the ground upon which objection to answering the question is taken.

Committee consideration of objections

37. Where a witness objects to answering a question on any ground, the Select Committee, unless it decides immediately that the question should not be pressed, will then consider in private whether it will insist upon an answer to the question, having regard to the importance to the proceedings of the information sought by the question.
38. If the Committee decides that it requires an answer to the question, the witness will be informed of that decision, and shall be required to answer the question.
39. The Committee may decide that the public interest would best be served by hearing the answer in private or secret.
40. Where a witness declines to answer a question to which the Committee has required an answer, the Committee may report this fact to the House.

Witnesses' expenses

41. No expenses may be paid to any witness or proposed witness except with the permission of the Speaker.

42. No Select Committee, Chairman, Member or other person may give any undertaking, promise or assurance to any person that any expenses of a witness or proposed witness will be paid out of public money without first obtaining the authority of the Speaker.

#### Transcripts of evidence

43. All oral evidence given before a Committee must be transcribed.

44. Reasonable opportunity will be afforded to witnesses to make corrections of errors of transcription in any transcript of their evidence.

### **NATURAL JUSTICE**

#### Disqualification for apparent bias

45. A Member who has (whether in the House or outside the House) made an allegation of crime or expressed a concluded view on any conduct or activity of a criminal nature, identifying by name or otherwise a person as being responsible for or associated with that crime, conduct or activity (referred to as apparent bias), may not participate –

- a) in any Select Committee inquiry into that person's responsibility for or association with that crime, conduct or activity, or
- b) in any other proceedings in a Select Committee that may seriously damage the reputation of that person.

#### Complaints of apparent bias

46. A complaint of apparent bias on the part of a Member of a Select Committee may be made by any Member (whether or not a Member of the Committee) or by any person appearing or about to appear before the Committee whose reputation may be seriously damaged by proceedings of the Committee.
47. A complaint of apparent bias must be made, in writing, to the Chairman.
48. The Chairman, after considering any information or comment from the Member against whom the complaint is made, shall decide whether the Member is disqualified by reason of apparent bias.
49. Any Member of a Committee who is dissatisfied with the Chairman's decision on a complaint of apparent bias may refer the matter to the Speaker for decision. The Speaker's decision shall be final.

#### Evidence containing allegations

50. At any stage during a Select Committee's proceedings, the Committee may consider hearing in private evidence that contains an allegation that may seriously damage the reputation of a person.
51. The Committee may also invite that person to be present during the hearing of such evidence.
52. A person who is to appear before a Committee shall be informed of or given a copy of any evidence (other than secret evidence) or material in the Committee's possession that contains an allegation that may seriously damage the reputation of that person.

#### Access to information by person whose reputation may be seriously damaged

53. Any person whose reputation may be seriously damaged by proceedings of a Select Committee may request from the Clerk of the Committee a copy of all material, evidence (except secret evidence), records or other information that the Committee possesses concerning that person.
54. The Committee shall consider any such request and may, if it considers it to be necessary to prevent serious damage to that person's reputation, furnish such material.
55. The Committee may furnish such material in a form different from that requested if to provide it in the form requested would impose undue difficulty, expense or delay.

Irrelevant or unjustified allegations

56. When a witness gives evidence that contains an allegation that may seriously damage the reputation of a person and the Select Committee is not satisfied that that evidence is relevant to its proceedings or is satisfied that the evidence creates a risk of harm to that person, which risk exceeds the benefit of the evidence, the Committee will give consideration –
  - a) to returning any written evidence and requesting that it be resubmitted without the offending material:
  - b) to expunging that evidence from any transcript of evidence:
  - c) to seeking an order of the House preventing the disclosure of that evidence.

Responding where allegation may seriously damage reputation

57. Any person against whom an allegation has been made that may seriously damage the reputation of that person –

- a) will be given a reasonable opportunity to respond to the allegation by written submission and appearance before the Committee, and
- b) may ask that further witnesses give evidence to the Committee in that person's interest.

58. A response made or further evidence given under this Standing Order shall be received or heard –

- a) in private, if the allegation was made in private evidence or in advice:
- b) in secret, if the allegation was made in secret evidence.

## **INFORMATION ON PROCEEDINGS**

### Confidentiality of proceedings

59. The proceedings of a Select Committee or a subcommittee other than during the hearing of evidence are not open to the public and remain strictly confidential to the Committee until it reports to the House.

60. Paragraph (60) does not prevent –

- a) the disclosure, by the Committee or by a Member of the Committee, of proceedings to a Member of Parliament or to the Clerk or another officer of the House in the course of their duties:



b) the disclosure of proceedings in accordance with Standing Orders.

61. A Committee making an interim report or a special report to the House may resolve that some or all proceedings relating to the report remain confidential to the Committee until it reports finally to the House.

#### Confidentiality of reports

62. A report or a draft of the report of a Select Committee or a subcommittee is strictly confidential to the Committee until it reports to the House.

63. Paragraph (63) does not prevent—

a) the disclosure, by the Committee or by a Member of the Committee, of a report or a draft report to a Member of Parliament or to the Clerk or another officer of the House in the course of their duties:

b) the disclosure of a report or a draft report in accordance with Standing Orders.

#### Reports to be signed

64. When a Select Committee has adopted a report, the report shall be signed by the Chairman on behalf of the Committee, or by some other Member of the Committee authorized to do so by the Committee and shall be presented to the House.





## **Appendix III**



**PROPOSED REVISED STANDING  
ORDERS OF  
THE HOUSE OF REPRESENTATIVES**

**Proposed by the Standing Orders Committee  
(2013/2014) Session**

**Containing references to the existing Standing Orders**

**(Made under Section 56(1) of the Constitution)**

**HOUSE OF REPRESENTATIVES  
TRINIDAD AND TOBAGO**

**STANDING ORDERS**

(as amended by the House of Representatives on 2013))

**CONTENTS**

<u><b>CONTENTS</b></u> .....	2
<u>Preliminary Provisions</u> .....	7
<u><b>1. PURPOSE</b></u> .....	7
<u><b>2. INTERPRETATION AND APPLICATION OF STANDING ORDERS</b></u> .....	7
<u><b>3. DEFINITIONS</b></u> .....	8
<u>CHAPTER I</u> .....	11
<u>General Provisions</u> .....	11
<u><b>4. ELECTION OF A SPEAKER</b></u> .....	11
<u><b>5. ELECTION OF A DEPUTY SPEAKER</b></u> .....	13
<u><b>6. OATH</b></u> .....	13
<u><b>7. PRESIDING IN THE HOUSE AND IN COMMITTEE</b></u> .....	14
<u><b>8. LANGUAGE</b></u> .....	15
<u><b>9. PARTIES</b></u> .....	15
<u><b>10. QUORUM</b></u> .....	16
<u>CHAPTER II</u> .....	17
<u>Sittings of the House</u> .....	17
<u><b>11. MEETING DAYS</b></u> .....	17
<u><b>12. HOURS OF SITTING</b></u> .....	17
<u><b>13. EXTRAORDINARY SITTING</b></u> .....	17
<u><b>14. FIXED RECESS</b></u> .....	18
<u><b>15. ADJOURNMENT OF THE HOUSE</b></u> .....	18
<u><b>16. MATTERS ON THE ADJOURNMENT</b></u> .....	19
<u><b>17. ADJOURNMENT-DEFINITE MATTER OF URGENT PUBLIC IMPORTANCE</b></u> .....	20
<u><b>18. BROADCASTING AND THE OPPORTUNITY TO RESPOND</b></u> .....	21

<u>CHAPTER III</u> .....	23
<u>Business of the House</u> .....	23
<b><u>19. ORDER OF BUSINESS</u></b> .....	23
<b><u>20. ORDER PAPER</u></b> .....	24
<b><u>21. PETITIONS</u></b> .....	24
<b><u>22. PAPERS</u></b> .....	26
<b><u>23. PERSONAL EXPLANATIONS</u></b> .....	27
<b><u>24. STATEMENTS BY MINISTERS</u></b> .....	27
<u>CHAPTER IV</u> .....	28
<u>Questions</u> .....	28
<b><u>25. QUESTIONS</u></b> .....	28
<b><u>26. PRIME MINISTER’S QUESTIONS</u></b> .....	29
<b><u>27. URGENT QUESTIONS</u></b> .....	29
<b><u>28. QUESTIONS FOR WHICH NOTICE IS REQUIRED</u></b> .....	30
<b><u>29. MANNER OF ASKING AND ANSWERING QUESTIONS WHICH REQUIRE NOTICE</u></b> .....	31
<b><u>30. CONTENTS OF QUESTIONS</u></b> .....	34
<b><u>31. NOTICE PAPER-QUESTIONS</u></b> .....	35
<b><u>32. PRIVILEGE MATTERS</u></b> .....	36
<u>CHAPTER V</u> .....	36
<u>Public Business</u> .....	36
<b><u>33. ARRANGEMENT OF PUBLIC BUSINESS</u></b> .....	36
<b><u>34. ISSUES FOR DEBATE</u></b> .....	37
<b><u>35. NOTICE OF MOTIONS OR AMENDMENTS</u></b> .....	38
<b><u>36. PERIOD OF NOTICE</u></b> .....	39
<b><u>37. NOTICE PAPER-MOTIONS</u></b> .....	39
<b><u>38. EXEMPTION FROM NOTICE</u></b> .....	40
<b><u>39. DISPENSING WITH NOTICE</u></b> .....	41
<b><u>40. ADMISSIBILITY OF MOTIONS</u></b> .....	41
<b><u>41. MOTIONS – GENERAL RULES</u></b> .....	42
<b><u>42. AMENDMENTS</u></b> .....	44
<b><u>43. MOTIONS ON NATIONAL POLICY ISSUES</u></b> .....	46
<u>CHAPTER VI</u> .....	47
<u>Rules of Debate</u> .....	47
<b><u>44. TIME AND MANNER OF SPEAKING</u></b> .....	47
<b><u>45. LENGTH OF SPEECHES AND DEBATES</u></b> .....	48



<a href="#"><u>46. RIGHT OF REPLY</u></a>	49
<a href="#"><u>47. INTERRUPTIONS</u></a>	49
<a href="#"><u>48. CONTENTS OF SPEECHES</u></a>	50
<a href="#"><u>49. MATTERS SUB JUDICE</u></a>	51
<a href="#"><u>50. SCOPE OF DEBATE</u></a>	51
<a href="#"><u>51. ANTICIPATION</u></a>	52
<a href="#"><u>52. CLOSURE OF DEBATE</u></a>	53
<a href="#"><u>53. RULES FOR MEMBERS NOT SPEAKING</u></a>	53
<i>CHAPTER VII</i>	54
<i>Rules of Order</i>	54
<a href="#"><u>54. RESPONSIBILITY FOR ORDER IN THE HOUSE AND IN COMMITTEE</u></a>	55
<a href="#"><u>55. ORDER IN THE HOUSE AND IN COMMITTEE</u></a>	55
<i>CHAPTER VIII</i>	59
<i>Voting</i>	59
<a href="#"><u>56. DECISIONS OF QUESTIONS</u></a>	59
<a href="#"><u>57. COLLECTION OF VOICES</u></a>	60
<a href="#"><u>58. DIVISION</u></a>	60
<i>CHAPTER IX</i>	61
<i>Legislation</i>	61
<a href="#"><u>59. RESTRICTIONS WITH RESPECT TO MONEY BILLS</u></a>	61
<a href="#"><u>60. PRIVATE MEMBERS' BILLS</u></a>	61
<a href="#"><u>61. INTRODUCTION AND FIRST READING OF PRIVATE MEMBERS' BILLS</u></a>	62
<a href="#"><u>62. INTRODUCTION AND FIRST READING OF GOVERNMENT BILLS</u></a>	62
<a href="#"><u>63. FIRST READING OF SENATE BILLS</u></a>	63
<a href="#"><u>64. APPOINTMENT OF DAYS FOR STAGES OF BILLS</u></a>	63
<a href="#"><u>65. PRINTING AND CIRCULATION OF BILLS</u></a>	64
<a href="#"><u>66. PROCEDURE IN SELECT COMMITTEE UPON FIRST READING</u></a>	64
<a href="#"><u>67. SECOND READING OF BILLS</u></a>	65
<a href="#"><u>68. COMMITTAL OF BILLS AFTER SECOND READING</u></a>	65
<a href="#"><u>69. PROCEDURE IN COMMITTEE ON BILLS AFTER SECOND READING</u></a>	65
<a href="#"><u>70. PROCEDURE IN COMMITTEE OF THE WHOLE HOUSE ON A BILL</u></a>	66
<a href="#"><u>71. PROCEDURE ON REPORTING FROM COMMITTEE OF THE WHOLE HOUSE</u></a>	69
<a href="#"><u>72. PROCEDURE ON BILLS REPORTED FROM SELECT COMMITTEES APPOINTED UNDER STANDING ORDER 68</u></a>	70
<a href="#"><u>73. THIRD READING OF BILLS (FINAL STAGE)</u></a>	71

<a href="#"><u>74. PROCEDURE ON SENATE AMENDMENTS</u></a> .....	72
<a href="#"><u>75. PRIVATE BILLS</u></a> .....	74
<a href="#"><u>76. CUSTODY OF BILLS AND ASSENT</u></a> .....	77
<a href="#"><u>77. WITHDRAWAL OF BILLS</u></a> .....	77
<a href="#"><u>78. BILLS CONTAINING SUBSTANTIALLY THE SAME PROVISIONS</u></a> .....	77
<a href="#"><u>79. LAPSED BILLS AND THE PROCEDURE FOR CARRYING OVER</u></a> .....	77
<a href="#"><u>80. STATUTORY INSTRUMENTS</u></a> .....	78
<a href="#"><u>CHAPTER IX</u></a> .....	78
<a href="#"><u>Financial Procedures</u></a> .....	78
<a href="#"><u>81. PRESENTATION AND SECOND READING OF APPROPRIATION BILL</u></a> .....	78
<a href="#"><u>82. STANDING FINANCE COMMITTEE-ANNUAL APPROPRIATION</u></a> .....	79
<a href="#"><u>83. ALLOTMENT OF TIME IN STANDING FINANCE COMMITTEE</u></a> .....	80
<a href="#"><u>84. PROCEDURE ON EXAMINATION OF ESTIMATES IN STANDING FINANCE COMMITTEE</u></a> .....	81
<a href="#"><u>85. PROCEDURE FOR CONSIDERATION OF THE APPROPRIATION BILL</u></a> .....	83
<a href="#"><u>86. THIRD READING OF APPROPRIATION BILL</u></a> .....	84
<a href="#"><u>87. SUPPLEMENTARY APPROPRIATION BILL</u></a> .....	84
<a href="#"><u>88. REPORT OF THE STANDING FINANCE COMMITTEE</u></a> .....	84
<a href="#"><u>CHAPTER XI</u></a> .....	85
<a href="#"><u>Committees</u></a> .....	85
<a href="#"><u>89. SESSIONAL SELECT COMMITTEES</u></a> .....	85
<a href="#"><u>90. STANDING ORDERS COMMITTEE</u></a> .....	85
<a href="#"><u>91. HOUSE COMMITTEE</u></a> .....	86
<a href="#"><u>92. COMMITTEE OF PRIVILEGES</u></a> .....	86
<a href="#"><u>93. STATUTORY INSTRUMENTS COMMITTEE</u></a> .....	87
<a href="#"><u>94. BUSINESS COMMITTEE</u></a> .....	88
<a href="#"><u>95. SPECIAL SELECT COMMITTEES</u></a> .....	88
<a href="#"><u>96. COMPOSITION AND CHAIRMAN OF SELECT COMMITTEES</u></a> .....	88
<a href="#"><u>97. JOINT SELECT COMMITTEES</u></a> .....	89
<a href="#"><u>98. JOINT STANDING COMMITTEES</u></a> .....	90
<a href="#"><u>99. THE PUBLIC ACCOUNTS COMMITTEE</u></a> .....	91
<a href="#"><u>100. THE PUBLIC ACCOUNTS (ENTERPRISES) COMMITTEE</u></a> .....	92
<a href="#"><u>101. THE DEPARTMENTAL JOINT SELECT COMMITTEES</u></a> .....	92
<a href="#"><u>102. THE COMMITTEE ON PUBLIC ADMINISTRATION AND APPROPRIATION</u></a> .....	93
<a href="#"><u>103. THE COMMITTEE ON NATIONAL SECURITY</u></a> .....	93

<a href="#"><u>104. THE COMMITTEE ON ENERGY AFFAIRS</u></a> .....	94
<a href="#"><u>105. THE COMMITTEE ON FOREIGN AFFAIRS</u></a> .....	94
<a href="#"><u>106. THE COMMITTEE ON HUMAN RIGHTS, DIVERSITY, THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT</u></a> .....	94
<a href="#"><u>107. THE PARLIAMENTARY BROADCASTING COMMITTEE</u></a> .....	94
<a href="#"><u>108. COMMITTEE ON GOVERNMENT ASSURANCES</u></a> .....	95
<a href="#"><u>109. CHAIRMAN OF JOINT STANDING COMMITTEES</u></a> .....	95
<a href="#"><u>110. SPECIAL PROCEDURES OF JOINT STANDING COMMITTEES</u></a> .....	96
<a href="#"><u>111. GENERAL POWERS OF SELECT COMMITTEES</u></a> .....	97
<a href="#"><u>112. GENERAL PROCEDURES IN SELECT COMMITTEES</u></a> .....	98
<a href="#"><u>113. PREMATURE PUBLICATION OF EVIDENCE</u></a> .....	101
<a href="#"><u>114. REPORTS FROM SELECT COMMITTEES</u></a> .....	101
<a href="#"><u>CHAPTER XII</u></a> .....	103
<a href="#"><u>Miscellaneous</u></a> .....	103
<a href="#"><u>115. ABSENCE OF MEMBERS</u></a> .....	103
<a href="#"><u>116. ABSENCE OF MEMBERS FROM COMMITTEES</u></a> .....	103
<a href="#"><u>117. EMPLOYMENT OF MEMBERS IN PROFESSIONAL CAPACITY</u></a> .....	104
<a href="#"><u>118. REPORT OF DEBATES</u></a> .....	104
<a href="#"><u>119. STRANGERS</u></a> .....	104
<a href="#"><u>120. MEDIA</u></a> .....	105
<a href="#"><u>121. AMENDMENT OF STANDING ORDERS</u></a> .....	105
<a href="#"><u>122. SUSPENSION OF STANDING ORDERS</u></a> .....	106
<a href="#"><u>123. GENERAL AUTHORITY OF THE SPEAKER</u></a> .....	106
<a href="#"><u>124. MINUTES OF PROCEEDINGS</u></a> .....	106
<a href="#"><u>125. PROCLAMATION OF THE PRESIDENT</u></a> .....	106
<a href="#"><u>126. AGREEMENT BETWEEN BOTH SIDES OF THE HOUSE</u></a> .....	107
<a href="#"><u>127. METHOD OF CIRCULATION</u></a> .....	107
<a href="#"><u>APPENDIX I- Time Limit on Speeches</u></a> .....	108
<a href="#"><u>APPENDIX II - General Rules for the Broadcasting of House Proceedings</u></a> .....	110
<a href="#"><u>APPENDIX III - General Rules for the Conduct of proceedings of Committees</u></a> .....	112

# *Preliminary Provisions*

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## **1. PURPOSE**

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These Standing Orders contain rules for the conduct of the proceedings of the House and for the exercise of the powers possessed by the House. They are not intended to diminish or restrict the rights, privileges and immunities of the House and its Committees collectively or of its Members individually.<sup>1</sup>

## **2. INTERPRETATION AND APPLICATION OF STANDING ORDERS**

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(1) The Speaker (or other Member presiding) is responsible for ruling whenever any question arises as to the interpretation or application of a Standing Order and for deciding cases not otherwise provided for.

(2) In any matter not provided for in these Standing Orders, resort shall be had to the usage and practice of the House of Commons of the United Kingdom which shall be followed as far as they may be applicable to this House, and not inconsistent with these Standing Orders or with the practice of this House.

(3) In cases of doubt the Standing Orders of this House shall be interpreted in the light of the relevant usage and practice of the House of Commons of the United Kingdom, but no restrictions which the House of Commons has introduced by Standing Order shall be deemed to extend to this House or its Members until the House has provided by Standing Order for such restriction.

(4) The Speaker shall have power to regulate the conduct of business in all matters not provided for in these Standing Orders.

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<sup>1</sup> New SO

(5) The decision in all cases for which these Standing Orders do not provide, shall lie within the discretion of the Speaker, and shall not be open to challenge.

(6) The Speaker may issue Practice Notes on the procedure and practice to be followed under any Standing Order.<sup>2</sup>

### 3. DEFINITIONS<sup>3</sup>

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In these Standing Orders, if not inconsistent with the context –

**Chair** means the Speaker or other person presiding;

**Chairman** means the Chairman of a Committee of the whole House or of a Select Committee;

**Circulate** means to distribute via electronic means as far as possible;

**Clerk** means the Clerk of the House or, if the office is vacant or the Clerk is absent from duty, the person appointed to act as Clerk of the House; and includes any person authorised by the Clerk to perform any of the functions or exercise any of the powers of the Clerk under these Standing Orders;

**Clerk of the Committee** means the Clerk of the House or a person authorised by the Clerk to be a Clerk of a Committee;

**Coalition** means the joining together of two or more groups or parties, usually to form a government or opposition<sup>4</sup>;

**Constitution** means the Constitution of the Republic of Trinidad and Tobago;

**Court** means a court of record in Trinidad and Tobago and includes a Judicial Committee;<sup>5</sup>

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<sup>2</sup> New Standing Order, includes existing Standing Orders 91 and 92. Paragraph (4) makes it clear that the power to regulate the conduct of business not provided for by Standing Orders rests with the Speaker

<sup>3</sup> New Standing Order

<sup>4</sup> Adopted from the Australian Parliament

<sup>5</sup> A “court of record” is defined by the Black’s Law Dictionary, 8<sup>th</sup> ed., as a court that is required to keep a record of its proceedings. The court’s records are presumed accurate and cannot be collaterally impeached; a court that may fine and imprison people for contempt.

**Dissolution** means the formal end of the life of a Parliament in accordance with Sections 68 (1) and (2) of the Constitution;

**Financial Interest** means a pecuniary benefit or other material benefit which a Member receives which might reasonably be thought by others to influence his actions, speeches or votes in Parliament or actions taken in his capacity as a Member of Parliament;

**House** means the House of Representatives;

**Leader of the House** means the Minister who is primarily responsible to the Prime Minister for the arrangement of government business in the House;

**Leader of the Opposition** means the Member appointed by the President pursuant to Section 83 of the Constitution;

**Leave of the House or Leave of the Committee** means permission to do something that is granted without a dissentient voice;

**Make** when used in these Standing Orders in reference to written law means enact or gazette<sup>6</sup>;

**Member** means a Member of the House of Representatives or of a Committee;

**Minister** means a person appointed by the President under Section 79 of the Constitution and assigned responsibility for any business of the Government of Trinidad and Tobago including the administration of any department of Government;

**Order Paper** means a document showing the business before the House in the sequence in which orders of business are called;

**Paper** means a document, including a report, laid on the Table of the House, usually in accordance with a statutory provision;

**Party** means a formally constituted political group that contests elections recognized for parliamentary purposes in accordance with these Standing Orders;

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<sup>6</sup> Definition in accordance with the Interpretation Act Chapter 3:01

**Petition** means a formal written request from one or more persons addressed to the House in respect of some particular cause;

**Person** includes an organization;

**Precincts of Parliament** means the lands and buildings occupied for parliamentary purposes and any footpath or walkway immediately bordering such lands and buildings;

**President** means His Excellency the President of the Republic of Trinidad and Tobago;

**Private Member** refers to a Member of the House who is not a Minister or Parliamentary Secretary;

**Privilege** means the special rights and immunities belonging to the House, its Committees and its Members in accordance with Section 55 of the Constitution and as may be prescribed by Parliament from time to time;

**Prorogation** means the formal ending of a session of Parliament by Presidential proclamation;

**Recess** means the period between sessions of a Parliament or any period during which the House stands adjourned to a future day exceeding three (3) weeks;

**Session** means the period of sittings commencing when the House first meets after a prorogation or dissolution and terminating when the Parliament is prorogued or is dissolved without having been prorogued<sup>7</sup>;

**Statutory Instrument** means any proclamation, rule (including Rule of Court), regulation, order, bye-law, resolution of either House of Parliament, notification, appointment made under a written law; but does not include (a) a conveyance, agreement or bond, an appointment of a person, a personal or private notice, or other instrument of a like nature, or (b) an order made or warrant issued by a Court<sup>8</sup>;

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<sup>7</sup> Adopted from the Standing Orders of Kenya

<sup>8</sup> Definition in accordance with the Interpretation Act Chapter 3:01

**Sub judice** for the purposes of Standing Order 49 refers to a matter that is before the Court and awaiting adjudication;

**Substantive Motion** means a self-contained proposal, drafted in a form capable of expressing an opinion or decision of the House;

**Table of the House** is the table situated between the government and opposition benches and in front of the Presiding Officer's chair;

**Visitor** means a person other than a Member or employee of the Office of the Parliament who is required to work directly with the House;

**Whip** is a Member of a party in the House who is responsible for organising members of his party to take part in debates and votes;

**Witness** means a person who attends before the House or a Committee to give evidence and may include a Member of Parliament;

**Writing** includes any communication which is hand written or printed, and is hand delivered or transmitted by fax, post, or any electronic means or in any other manner approved by the Clerk.

## CHAPTER I

# *General Provisions*

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### 4. ELECTION OF A SPEAKER<sup>9</sup>

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(1) At the first sitting of the House immediately after a general election, before the House proceeds to attend to any other business, the Clerk shall call upon the House to elect a Speaker.

(2) The election of Speaker shall be conducted in the following manner:

(a) For the purpose of the election of a Speaker, the Clerk shall preside and call for nominations;

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<sup>9</sup> New SO



(b) The Speaker may be elected either from among the Members of the House who are not Ministers or Parliamentary Secretaries or, subject to Section 50(3) of the Constitution, from among persons who are not Members of either House;

(c) No debate shall be allowed upon the proposals for filling the office of Speaker.

*Member or other person nominated as Speaker*

(3) Any Member may rise in his place and propose that such other Member or person (hereinafter referred to as “candidates”), duly qualified in accordance with paragraph 2(b) of this Standing Order and having consented, “*take the Chair of this House as Speaker*”. The motion shall be seconded.

(4) The proposer may make a brief address, not to exceed two minutes, on the candidate’s nomination.

*If unopposed, elected*

(5) The Clerk shall then ask “*Is there any further nomination?*” and if there is no further nomination, the Clerk shall without question put, declare the candidate so nominated and seconded to have been elected as Speaker.

*When there are two nominations*

(6) If two (2) candidates are nominated for election as Speaker, the Clerk shall propose the question that the candidate who was first proposed should be the Speaker. If that proposal is approved by a majority of the Members of the House, the Clerk shall declare that candidate to have been elected as Speaker. If the proposal is negatived, the Clerk shall propose a like question in respect of the other candidate. In the event of a tie, the Clerk shall proceed in accordance with paragraph (10) of this Standing Order.

*When there are more than two nominations*

(7) If more than two (2) candidates are nominated for election as Speaker, a ballot shall be conducted by the Clerk.

(8) Upon the conclusion of the ballot, if a candidate receives the votes of a majority of the Members of the House, the Clerk shall declare that candidate to have been elected as Speaker.

(9) Otherwise, the candidate with the fewest number of votes shall be eliminated and the ballot held again for the remaining candidates until one candidate receives the vote of a majority of Members of the House.

(10) If after the holding of a ballot referred to in paragraph (9) of this Standing Order the votes remain equal, the Clerk must determine by lot which candidate is to be eliminated.

#### Speaker takes the Chair

(11) Once elected, the Speaker shall be escorted to the dais and take the Chair. The Mace shall then be laid upon the Table.

(12) Whenever the office of Speaker becomes vacant, before the House proceeds to attend to any other business, the Clerk shall call upon the House to elect a Speaker and the procedure contained in the preceding paragraphs shall apply.

### **5. ELECTION OF A DEPUTY SPEAKER**

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(1) At the first meeting of the House after a general election and immediately after the election of a Speaker (or whenever there is a vacancy in the office of the Deputy Speaker), the House shall proceed to elect a Member to be Deputy Speaker. Such a Member shall not be a Minister or Parliamentary Secretary.

(2) The election of the Deputy Speaker shall be conducted in a similar manner to the election of the Speaker, except that the Speaker shall preside.<sup>10</sup>

### **6. OATH**

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<sup>10</sup> A modified version of existing SO 4

(1) At the first meeting of the House after a general election and immediately following the election of the Speaker and Deputy Speaker, the Clerk shall administer the oath or affirmation of allegiance firstly to the Speaker, then to Deputy Speaker and then to each of the other Members of the House.<sup>11</sup>

(2) At any other time, the oath or affirmation shall be administered to the Member by the Clerk immediately after Prayers.

(3) The oath or affirmation shall be in the form set out in the First Schedule to the Constitution.

(4) A Member who refuses to make or subscribe the oath or affirmation before the House shall not be entitled to take his seat in the House nor to be remunerated.<sup>12</sup>

## **7. PRESIDING IN THE HOUSE AND IN COMMITTEE**

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(1) The Speaker or in his absence the Deputy Speaker, shall preside at sittings of the House and shall act as Chairman of Committees of the whole House and Standing Finance Committee<sup>13</sup>.

(2) During any period where the Speaker is absent on account of illness, or is for any other reason unable to perform the functions of his office, those functions shall be assumed and performed by the Deputy Speaker until such time as the Speaker resumes his office.<sup>14</sup>

(3) When the Speaker is unavoidably absent from any day's sitting, an announcement of the Speaker's absence shall be made by the Clerk at the Table of the House. The Deputy Speaker shall then take the Chair and shall be vested with all the powers of the Speaker until the next sitting of the House<sup>15</sup>.

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<sup>11</sup> This provision is consistent with the requirements of the Constitution. The Committee was desirous of amending this Standing Order so that the Oath is given priority over any other business, in order to ensure that nothing precludes Members from taking the Oath. However, to do this the Constitution must first be amended since according to sub-sections 50 (1) and (4), the election of Speaker and Deputy Speaker must be the first items of business when the House first meets after a general election. It is felt that the proposed SO 4 which amends the procedure for the election of a Speaker should avoid any repeat of the 2002 case when the House failed to elect a Speaker. In those circumstances, paragraph (4) of new SO 6 is included in the event that a Member **refuses** to take and subscribe the Oath.

<sup>12</sup> Consistent with practice of other Parliaments including the House of Commons Canada and UK; in the House of Commons UK Members who refuse to take the oath are subject to a penalty of £500

<sup>13</sup> Consistent with the practice in other Commonwealth Parliaments such as the Jamaican Parliament

<sup>14</sup> Existing SO 93

<sup>15</sup> Existing SO 5 with minor amendment.

(4) When the Speaker and Deputy Speaker are both absent, the Clerk shall call upon the House to elect a Member to preside over that sitting of the House. Such Member must not be a Minister or Parliamentary Secretary and the election shall be conducted in a similar manner to the election of the Speaker described in Standing Order 4 (Election of a Speaker).

(5) Except as may be otherwise provided in these Standing Orders, the Deputy Speaker or other Member presiding shall have all the authority and power of the Speaker when presiding or otherwise performing the functions of the Speaker.

(6) The Speaker may, without any formal communication to the House or the committee, request the Deputy Speaker to take the Chair.

(7) The Speaker, or in his absence the Deputy Speaker, may at any time ask any Member present, not being a Minister or a Parliamentary Secretary, to take the Chair temporarily without any formal communication to the House or to the Committee.

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## 8. LANGUAGE

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(1) The proceedings and debates of the House shall be in the English language.

(2) Every Petition, Paper and written communication referred to in these Standing Orders shall also be in the English language<sup>16</sup>.

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## 9. PARTIES

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(1) The Speaker shall recognize a party for parliamentary purposes, if such party:

(a) is registered as a party by the Elections and Boundaries Commission; and

(b) has at least one Member elected to the House of Representatives.

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Existing SO 6 (Duties of the Clerk) has been deleted and the duties of the Clerk of the House are set out in various parts of the standing orders. The duties of the Clerk are also to be found in numerous statutes. It is no longer feasible to include a specific standing order to this effect.

<sup>16</sup> Existing SO 7 with minor amendment.

(2) For the purpose of Section 49A (5) of the Constitution the Speaker shall recognize as Leader of a party in the House of Representatives the person who commands the support of the greatest number of Members of such party in the House.<sup>17</sup>

## **10. QUORUM**

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(1) The quorum of the House and of a Committee of the whole House shall be twelve (12) Members, excluding the person presiding, in accordance with Section 60(1) of the Constitution.

(2) If any Member draws the attention of the Speaker in the House or of the Chairman in Committee of the whole House to the fact that a quorum is not present, the Speaker or Chairman, as the case may be, shall direct that Members be summoned.

(3) When the order to summon Members has been given in the House, the Speaker shall, after the expiration of ten (10) minutes, count the House. If a quorum is not then present, he shall adjourn the House without question put.

(4) When the order to summon Members has been given in Committee of the whole House, the Chairman shall, after the expiration of ten (10) minutes, count the Committee. If he ascertains that a quorum is not present, the House shall resume and the Speaker shall count the House. If a quorum is then present, the House shall resolve itself into Committee; but if a quorum is not present, the Speaker shall adjourn the House without question put.

(5) If, from the number of Members taking part in a division, including those Members who declined to vote, it appears that a quorum is not present, the division shall be invalid, and the business then under consideration shall stand over until the next sitting or until such time as a quorum is obtained which ever first occurs.

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<sup>17</sup> Section 49A(5) of the Constitution states that Standing Orders shall make provision for the identification and recognition of the Leader of the House of every party. This new SO is proposed in fulfilment of this constitutional requirement.

(6) The Members to be summoned by the Clerk under this Standing Order shall be those Members who are within the Precincts of the Parliament.<sup>18</sup>

## CHAPTER II

# *Sittings of the House*

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### 11. MEETING DAYS

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Subject to these Standing Orders, the House shall meet on Fridays and every adjournment of the House shall be to the next Friday unless the House on a motion moved by a Minister, without notice, decides to adjourn to another day. No debate shall ensue on such a motion.<sup>19</sup>

### 12. HOURS OF SITTING

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- (1) Except as otherwise provided by these Standing Orders, every sitting of the House shall begin at 1.30 p.m. and unless previously adjourned, shall end at 8:00 p.m. on the same day.
- (2) The Speaker may at any time suspend the sitting for a stated period but unless the House otherwise resolves, the Speaker shall at 4.30 p.m. suspend the sitting for thirty (30) minutes.
- (3) The House may at any time by motion moved by a Minister and carried without amendment or debate, suspend or vary the provisions of paragraphs (1) and (2) of this Standing Order.<sup>20</sup>

### 13. EXTRAORDINARY SITTING

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<sup>18</sup> Existing SO 8 amended to be consistent with the Constitution

<sup>19</sup> Existing SO 9 amended. A provision for extraordinary sittings now forms part of a separate SO 13

<sup>20</sup> Existing SO 10 amended

(1) If at any time when the House stands adjourned pursuant to its own order the Speaker is satisfied that there is urgent necessity for the House to meet upon a day earlier than the day to which the House stands adjourned, he may, subject to the provisions of paragraph (2) of this Standing Order, direct the Clerk to summon a meeting of the House for such time and on such day, whether Friday or otherwise, as the Speaker may determine.

(2) Every direction under paragraph (1) of this Standing Order shall be in writing and shall be signed by the Speaker and shall bear the date upon which it is given to the Clerk and shall specify the business to be transacted at the meeting to which it relates.

(3) Immediately upon receipt of any direction under paragraph (2) of this Standing Order, the Clerk shall inform every Member of the House, personally, if practicable, of the day and hour appointed by the Speaker for the holding of the extraordinary Sitting of the House and of the business to be transacted at such sitting.

(4) Except by leave of the House, no business other than the business specified in the direction under paragraph (2) of this Standing Order shall be transacted at any extraordinary sitting of the House. At the conclusion of the business, unless the House has otherwise decided, the House shall stand adjourned without question being put to the day to which it had originally been adjourned at its last sitting.<sup>21</sup>

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#### **14. FIXED RECESS**

Notwithstanding Standing Order 11(Meeting Days), unless there are urgent or extraordinary reasons for so doing, no sitting of the House of Representatives shall be held from the first week in the month of July to the first week in the month of September in any year.<sup>22</sup>

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#### **15. ADJOURNMENT OF THE HOUSE**

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<sup>21</sup> Existing SO 9, modified

<sup>22</sup> New SO. This new provision is consistent with practice here and in other jurisdictions. It seeks to ensure that, unless an emergency arises, the House is guaranteed at least a eight (8) week break in each year.

(1) A Minister may move “*That this House do now adjourn*” at any time after the conclusion of Questions to Ministers at any sitting. However on Private Member’s day, except with the agreement of the Whips representing each of the parties in Opposition to the Government, the House shall not be adjourned earlier than 6:00 p.m.

(2) At 7:50 p.m. the Speaker shall interrupt the business under consideration which shall stand deferred to the next sitting day, unless the Member in charge of the business under consideration names a different sitting day to which that business should be deferred. If the House is in Committee at that time the Chairman shall immediately leave the Chair and report to the House. The Committee shall be directed to sit again on a day to be determined by the Leader of the House. Then at the time appointed for the termination of the sitting in Standing Order 12 (Hours of Sitting), the Speaker shall adjourn the House without question put.

(3) If the Speaker is of the opinion that the proceedings on which the House is engaged could be concluded by a short extension of the sitting, he may permit the sitting to be continued to 8:15 p.m.

(4) If at the time of interruption a question is being put to the House or a vote is in progress, the interruption of business shall be deferred until the question is determined.

(5) At any time prior to the time of interruption (7:50 p.m.) a Minister may without notice move that the House continue to sit until the conclusion of the business on the Order Paper or of any matter specified thereon. The question upon such a motion shall be put without amendment or debate.<sup>23</sup>

## **16. MATTERS ON THE ADJOURNMENT**

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(1) Upon any motion “*That this House do now adjourn*”, debates may take place in which matters for which the Cabinet is responsible may be raised by a Private Member.

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<sup>23</sup> Existing SO 10, modified.



(2) A Private Member wishing to obtain the right to raise a matter on the motion for the adjournment shall give not less than three (3) days written notice to the Speaker specifying the matter which he proposes to raise.

(3) All matters raised during this period shall not, in the aggregate, exceed forty (40) minutes, after which the motion on the adjournment shall expire.<sup>24</sup>

#### **17. ADJOURNMENT-DEFINITE MATTER OF URGENT PUBLIC IMPORTANCE**

(1) At the time appointed under Standing Order 19 (Order of Business), a Member may rise in his place and ask leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance.

(2) No more than two (2) Members shall be permitted by the Speaker at any one sitting to seek leave to move the adjournment of the House under this Standing Order.

(3) A Member who wishes to seek leave to move the adjournment of the House under this Standing Order shall give written notice to the Speaker at least ninety (90) minutes before the commencement of the sitting. The Speaker shall refuse to allow the request unless he is satisfied that the matter is:

(a) definite;

(b) urgent; and

(c) of public importance.

(4) If the Speaker is so satisfied and either:

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<sup>24</sup> Existing SO 11 amended. This proposal provides for the regulation of this procedure consistent with the original intention and with the general practice. It seeks to make it clear that the motion for the adjournment of the House has a life span of thirty (30) minutes maximum, and that during that time period a number of matters for which the Cabinet is responsible can be raised and responded to. This proposal makes it clear that such matters can be raised at any time that the motion on the adjournment is moved, even after the hour of interruption.

(a) leave of the House is given; or

(b) if leave is not given, at least eleven (11) Members rise in their places to support the request<sup>25</sup>,

the motion shall stand over until 6.00 p.m. on the same day, and at that time any proceedings on which the House is engaged shall be postponed until the motion for the adjournment is disposed of or until 7.00 p.m., whichever is the earlier. At 7.00 p.m. the motion for the adjournment, if not previously disposed of, shall lapse and the proceedings which have been postponed shall be resumed.

(5) No more than two (2) motions for the adjournment of the House under this Standing Order may be allowed at any one sitting.

#### **18. BROADCASTING AND THE OPPORTUNITY TO RESPOND**

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(1) The proceedings of the House shall ordinarily be broadcast, gavel to gavel, on television, radio and the Internet and in accordance with the rules and standards adopted by the House as set out in Appendix II to these Standing Orders, as may be amended by order of the House from time to time.

(2) A person, not being a Member, who has been referred to in the House by name, or in such a way as to be readily identifiable, may make a submission to the Speaker in writing:

(a) claiming that as a result of the reference, to have been adversely affected in reputation or claiming injury to occupation, trade or office;

(b) submitting a response to the reference; and

(c) requesting that the response be incorporated in the parliamentary record.

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<sup>25</sup> Existing SO 12, amended to reflect the constitutional requirement for a quorum and to provide for the better regulation of this procedure.

- (3) A submission must be made within two (2) weeks of the reference having been made and must be succinct and strictly relevant to the reference that was made. It must not contain anything offensive in character.
- (4) The Speaker shall consider whether in all the circumstances of the case the response should be incorporated in the parliamentary record.
- (5) In that consideration, the Speaker:
  - (a) shall take account of the extent to which the reference is capable of adversely affecting, or damaging the reputation of the person making the submission;
  - (b) must be satisfied that -
    - (iii) the subject matter is not trivial; or
    - (iv) the submission is not frivolous, vexatious or offensive in character.
- (6) The Speaker shall not consider or judge the truth of the reference made in the House or of the response to it.
- (7) If the Speaker decides that the response should not be incorporated in the parliamentary record, the Speaker shall direct the Clerk to so inform the person concerned and that no further action will be taken.
- (8) If the Speaker decides that the response should be incorporated in the parliamentary record, he shall order that the submission, as may be amended by him, be read by the Clerk at the next subsequent sitting after his determination.<sup>26</sup>

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<sup>26</sup> New SO pursuant to an earlier resolution of the House which adopted a report from a JSC on Broadcasting of Debates.

# *Business of the House*

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## **19. ORDER OF BUSINESS**

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Unless the House otherwise directs, the business of each sitting day shall be transacted in the following order –

- (a) Prayers
- (b) Oath or Affirmation
- (c) Announcements by the Speaker
- (d) Bills brought from the Senate
- (e) Petitions
- (f) Papers
- (g) Reports from Committees
- (h) Prime Minister's Questions
- (i) Urgent Questions
- (j) Questions on Notice
- (k) Requests for Leave to Move the Adjournment of the House on Definite Matters of Urgent Public Importance

(l) Statements by Ministers

(m) Personal Explanations

(n) Introduction of Bills

(o) Motions Relating to the Business or Sittings of the House and Moved by a Minister

(p) Public Business

(q) Government Business

**(r)** Committee Business

(s) Private Members' Business<sup>27</sup>

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## 20. ORDER PAPER

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(1) The Clerk shall prepare an Order Paper for each sitting of the House.

(2) The Order Paper shall be circulated as early as possible before each sitting.

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## 21. PETITIONS

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(1) A Petition shall be endorsed by the Clerk as being in accordance with the rules in regard to Petitions prior to its presentation to the House.

(2) Every Petition must conclude with a prayer setting forth the general objects of the Petition.

(3) The House will not receive any Petition:

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<sup>27</sup> Existing SO 13, amended

- (a) which is not addressed to the House and which is not properly and respectfully worded;
- (b) which has not at least one (1) signature on the sheet on which the prayer of the Petition appears;
- (c) which, in the opinion of the Speaker, refers to a matter not within the cognizance of the Executive or the Parliament; and
- (d) which, in the opinion of the Speaker, requests that provision be made for imposing or increasing any charge on the revenues or other funds of the State or for altering any such charge otherwise than by reducing it or for compounding or remitting any debt due to the State, unless on the recommendation of the Cabinet signified by a Minister.

#### Announcement of Petitions and Responses

(4) The Clerk shall announce Petitions lodged for presentation and the announcement shall state in each case:

- (a) The Member who lodged it;
- (b) The identity and number of petitioners; and
- (c) The subject matter of the Petition.

(5) All Petitions shall be ordered to lie upon the Table without question put. Immediately after the announcement, any Member may move for a Petition to be read and any such motion shall be put without amendment or debate.<sup>28</sup>

#### Action on Petitions

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<sup>28</sup> According to this provision, the presenter of a petition, except one under SO 76, should move that the petition be read. This means that a petition should not be read automatically. This provision is not new and it is proposed that this practice be followed.

(6) After a Petition is presented to the House, the Clerk shall within two (2) days, refer a copy of the Petition to the Minister responsible for the administration of the matter raised in the Petition. The Minister shall, within thirty (30) days of the date of the letter from the Clerk, lodge a written response with the Clerk. Such response shall be ordered to lie upon the Table without question put and shall be circulated at the next sitting of the House.

(7) If a Petition remains without a response at the expiration of the period of thirty (30) days, the matter of the failure of the Minister to respond shall be deemed referred to the appropriate Joint Select Committee under Standing Order 97.

(8) The provisions of paragraphs (6) and (7) of this Standing Order shall not apply to a Petition from the promoters of a Private Bill under Standing Order 60 (Private Members' Bills).<sup>29</sup>

## **22. PAPERS**

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(1) A paper shall ordinarily be presented by a Minister and its presentation shall be recorded in the Minutes of Proceedings.

(2) A Minister presenting a paper may make a short explanatory statement of its contents but no debate shall then take place upon any such statement.

(3) All papers presented to the House shall be ordered to lie upon the Table of the House without question put and any motion for the printing thereof shall be determined without amendment or debate.

(4) The Speaker shall cause to be presented all papers required in law to be laid from bodies and authorities that do not fall within the purview of a Minister's responsibility.

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<sup>29</sup> Existing SO14 has been amended by the inclusion of the proposed paragraphs (6) and (7) which propose a procedure for the disposing of petitions and ensuring Ministerial Accountability.

(5) Any address to the House by His Excellency, the President, shall be ordered to lie upon the Table and be ordered to be published as a House Paper, without question put.

(6) Within twenty-one (21) days of the return to Trinidad and Tobago of an officially recognized parliamentary delegation composed in any part of Members of the House, the head of the delegation, or a Member acting on his behalf, shall present a report to the House on the activities of the delegation.

(7) Any statutory instrument made under the authority of any law and required to be laid before the House, shall be submitted to Parliament no later than two (2) days after the date upon which it was enacted or gazetted and laid on the Table no later than seven (7) days thereafter.<sup>30</sup>

(8) A report from the Ombudsman shall be presented by the Speaker/ Deputy Speaker and shall be considered by the House on motion.

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### **23. PERSONAL EXPLANATIONS**

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(1) With the leave of the Speaker, a Member may make a personal explanation at the time appointed under Standing Order 19 (Order of Business) although there is no question before the House. No controversial matter may be brought forward nor may any debate arise upon the explanation.

(2) The time limit for a personal explanation shall not exceed ten (10) minutes.<sup>31</sup>

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### **24. STATEMENTS BY MINISTERS**

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(1) A Minister may make a statement in the House with the approval of Cabinet on government policy, legislative proposals he intends to submit to Parliament, or the course he intends to adopt in the transaction and arrangement of public business.

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<sup>30</sup> Existing SO 15, amended. New: paragraphs (4) to (7).

<sup>31</sup> Existing SO 20, amended.



(2) A Minister who intends to make a ministerial statement shall, before the commencement of the sitting, inform the Speaker of his intention to make a ministerial statement and the subject of the statement and provide the Speaker with a copy of the statement.

(3) The time limit for a statement by a Minister shall not exceed ten (10) minutes.

(4) The Speaker may permit one (1) question for the purpose of elucidation, to be asked by one Member from each of the parties in Opposition to the Government and the Minister, if he can then answer, shall reply. Such question shall not exceed fifteen (15) seconds in length, must be asked without argument or opinion, and shall not address more than one matter of general government policy.

(5) Any reply in accordance with paragraph (4) of this Standing Order shall be limited to two (2) minutes.<sup>32</sup>

(6) A statement made by a Minister shall be circulated to all Members.

#### CHAPTER IV

## Questions

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### 25. QUESTIONS

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Questions may be asked of a Minister relating to any subject or department under the Minister's administrative responsibility. The right to ask a question shall be subject to the rules set out in this chapter, and the Speaker shall be the sole judge on the interpretation of these rules.<sup>33</sup>

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<sup>32</sup> New SO. The time limit proposed is consistent with traditional practice.

<sup>33</sup> SOs 16 to 19 have been replaced by the proposed SOs 25 to 31, with amendments as noted.

## **26. PRIME MINISTER'S QUESTIONS<sup>34</sup>**

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(1) During the second sitting of the House each month there shall be Prime Minister's Question Time at the time designated in the Order of Business.

(2) During Prime Minister's question time, questions may be put to the Prime Minister relating to current matters of national importance or on the general performance of the Government and Government agencies.

(3) The Prime Minister's question time shall not exceed thirty (30) minutes.

(4) A question to the Prime Minister shall not exceed fifteen (15) seconds in length, must be asked without argument or opinion, and shall not address more than one matter of general government policy.

## **27. URGENT QUESTIONS**

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(1) There shall be a fifteen (15) minute period for urgent questions at the appropriate stage in the Order of Business at each sitting of the House which shall be subject to the following rules:

- (a) any Member desiring to ask a question on the ground of urgency in the public interest shall submit to the Clerk a copy of the proposed question marked "urgent question" at least one (1) hour prior to the commencement of the sitting;
- (b) The Speaker shall approve the question if the proposed question relates to a matter that is urgent and has arisen suddenly and he considers it to be one which requires immediate response in the public interest;
- (c) The Speaker shall call upon the Member to ask the question at the appropriate stage in the Order of Business;

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<sup>34</sup>New SO Prime Minister's Question Time is an opportunity for Members from all parties to question the PM on any subject.

- (d) An urgent question shall not exceed fifteen (15) seconds in length and must be asked without argument or opinion;
- (e) Answers must not exceed two (2) minutes in length and must be relevant to the question asked;
- (f) The Speaker may permit the Member asking an urgent question to ask no more than two (2) supplementary questions; and
- (g) A Minister may decline to answer a question if, in his opinion, the publication of the answer would be contrary to the public interest.<sup>35</sup>

(2) The Speaker shall instruct the Clerk to immediately inform the relevant Minister personally, if practicable, as well as by other means of communication, of the urgent question as approved.

## **28. QUESTIONS FOR WHICH NOTICE IS REQUIRED**

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(1) Notice of a question may be handed by a Member to the Clerk when the House is sitting, or may be sent, by hand, fax or email, or left at the Clerk's office. Wherever possible, every such notice must be signed by the Member giving it.

(2) A question for which notice has been given must state whether an oral or written answer is required.

(3) A Minister may decline to answer a question if, in his opinion the publication of the answer would be contrary to the public interest.

### Oral Answer

(4) A question for oral answer:

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<sup>35</sup> Existing SO 17(1) amended. This new proposal seeks to establish a procedure for the regulation of this standing order which, as currently exists, provides for the asking of questions, without notice.

(a) shall not be placed on the Order Paper earlier than twenty-one (21) days after it has been approved by the Speaker;

(b) shall not be of excessive length; and

(c) shall not require an answer which will involve extensive details.

(5) A Member is entitled to a maximum of three (3) questions for oral answer on the Order Paper at any one time.

(6) If in the opinion of the Speaker a question for oral answer is of such a nature as to require a lengthy reply, he may direct that such question be converted to a question for written answer.

#### Written Answer

(7) A question for written answer shall be submitted to the Clerk and shall qualify for answer not less than twenty-eight (28) days after it has been approved by the Speaker.<sup>36</sup>

### **29. MANNER OF ASKING AND ANSWERING QUESTIONS WHICH REQUIRE NOTICE**

(1) A Member shall not publish his question prior to such question being approved by the Speaker.

(2) Answers to questions which Ministers propose to give in the House shall not be released for publication until the answers have been given on the floor of the House or laid on the Table.

#### Oral answer

(3) The time allotted for answering oral questions on notice shall not exceed forty (40) minutes.

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<sup>36</sup> Existing SO 17(2) and 17(3). This proposal seeks to establish a procedure for the regulation of this SO.

(4) The Speaker shall call in turn upon each Member in whose name a question stands upon the Order Paper, in the order in which the questions are printed. The Member so called shall then rise in his place and ask the question as it appears on the Order Paper.

(5) The Minister questioned shall rise in his place and give his reply, which shall be strictly relevant thereto and shall not exceed five (5) minutes.

(6) After an oral answer to a question has been given, no more than four (4) supplementary questions may be asked for the purpose of elucidating the answer given orally, but the Speaker may refuse any such question which in his opinion introduces matters not relative to the original question, or which infringes any of the provisions of Standing Order 30 (Contents of Questions).

(7) A supplementary question shall be held to be out of order by the Speaker if, in his opinion:

(a) It does not arise from the main question or its answer;

(b) It gives information rather than seeking information;

(c) It involves more than one (1) separate issue;

(d) It seeks confirmation or denial of an opinion; or

(e) It infringes any of the rules regarding questions.

(8) In the absence of a Member in whose name a question stands, a question can be asked by any other Member duly authorized to ask the question on behalf of the absent member.

(9) In the absence of the Minister to whom it is addressed, a question may be answered by any other Minister duly authorized to give the answer on behalf of the absent Minister.

(10) Questions on the Order Paper for oral answer which remain outstanding at the expiration of forty (40) minutes shall be answered in writing by the Minister to whom the question was addressed, who shall immediately pass copies of his answer to the Clerk for circulation to Members at that sitting and for inclusion in the Minutes of Proceedings. However, at any time before the expiration of question time a Member having an unanswered question on the Order Paper may signify to the Clerk at the Table his desire to postpone the question to a later sitting.

#### Written Answer

(11) In the case of a question on the Order Paper for written reply, the Minister questioned shall immediately submit a written and electronic copy of the answer to the Clerk who shall send the answer to Members electronically before the end of that sitting and shall cause the question and the reply to be recorded in the Official Report.

#### Deferral of Questions

(12) At the request of a Minister and with the approval of the House, without debate, the answer to a question on the Order Paper may be deferred once only for a maximum period of fourteen (14) days. A question so deferred is not to be taken into account for the purpose of Standing Order 28(5).

(13) If such a question remains unanswered at the expiration of fourteen (14) days, the Member who asked the question may, at the conclusion of question time, ask that the Speaker write to the Minister concerned, seeking reasons for the delay in answering.

#### Withdrawal of Questions

(14) A question may be withdrawn only at the request of the Member in whose name the Question stands on the Order Paper.

(15) A question withdrawn from the Order Paper may be asked again provided that notice as required by these Standing Orders is given.<sup>37</sup>

### 30. CONTENTS OF QUESTIONS

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(1) Every question shall conform to the following rules. A question shall not:

- (a) contain more than one issue and shall be concise;
- (b) contain preambles, opinions, statements of facts or names of persons unless they are necessary to render the question intelligible, extracts from newspapers or books, or quotations; or
- (c) contain arguments, allegations, inference, imputation, epithets, ironical expressions, or hypothetical matter;
- (d) be repetitive, ask for an expression of opinion or seek legal interpretation or opinion;
- (e) refer to proceedings before a Committee of the House which have not been reported to the House or to matters which have been referred to a Commission of Enquiry;
- (f) refer to any matter which in the opinion of the Speaker is *sub judice* under Standing Order 49;
- (g) be asked for the purpose of obtaining an expression of opinion, the solution of an abstract legal question or the answer to a hypothetical proposition;

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<sup>37</sup> Existing SO 19 revised

- (h) reflect on the character or conduct of any person except in his official or public capacity;
- (i) reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion under Standing Order 48(8);
- (j) refer discourteously to, or seek information about, the internal affairs of any country within the Commonwealth or of a friendly foreign State;
- (k) seek information set forth in accessible official publications or ordinary works of reference; or
- (l) raise an issue already decided in the House or which has been fully answered during the same session or for which an answer has been refused.

(2) If the Speaker is of the opinion that any question of which a Member has given notice to the Clerk, is an abuse of the right of questioning or infringes any of the provisions of this or any other Standing Order, he may direct:

- (a) that it be printed or asked with such alterations as he may direct; or
- (b) that the Member concerned be informed that the question is inadmissible.<sup>38</sup>

### **31. NOTICE PAPER-QUESTIONS**

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Once a question on notice has been approved by the Speaker, the Clerk shall immediately prepare and circulate to Members a Notice Paper setting out particulars of the question.<sup>39</sup>

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<sup>38</sup> Existing SO 18(1), amended.

<sup>39</sup> New SO



## 32. PRIVILEGE MATTERS

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(1) A matter directly concerning the privileges of the House shall take precedence over all other business.

(2) Any Member desiring to raise a matter under this Standing Order shall first obtain leave of the Speaker who will determine whether the Member is entitled to raise the matter as a question of privilege.

(3) If permission is given by the Speaker under paragraph (2) of this Standing Order, the Member so permitted may raise it any time after Questions and request that the matter be referred to the Committee of Privileges.

(4) No debate shall ensue on a matter raised under this Standing Order but if the Speaker decides that a *prima facie* case has been made out he shall so state and refer the matter to the Committee of Privileges.

(5) If during a sitting of the House a matter suddenly arises which appears to involve the Privileges of the House and which calls for the immediate intervention of the House, the proceedings may be interrupted, except during the progress of a division, by a motion based on such matter.

(6) No Member moving a matter under this Standing Order may speak for more than five (5) minutes.<sup>40</sup>

## CHAPTER V

# *Public Business*

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## 33. ARRANGEMENT OF PUBLIC BUSINESS

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(1) Public Business shall consist of Motions and Bills.

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<sup>40</sup> Existing SO 27, amended. New: time limit in paragraph (6)

(2) Government Business shall consist of Motions proposed to be made and Bills sponsored by Ministers or Parliamentary Secretaries and shall be set down in such order as the Government think fit.

(3) Private Business shall consist of Motions and Bills proposed by Private Members and Private Bills. Private Business shall be set down on the Order Paper in the order in which they qualify.

(4) Committee Business consists of motions for the consideration of Committee reports in accordance with Standing Order 114 (Reports from Select Committees). Such motions shall be placed on the Order Paper on the day following the day on which it was filed with the Clerk.

(5) The fourth Friday of each month shall be Private Members' Day. Government Business shall have precedence on every day except Private Members' Day<sup>41</sup>.

#### **34. ISSUES FOR DEBATE**

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(1) Subject to the provisions of the Constitution and these Standing Orders, any Member may introduce any Bill or propose any motion for debate in the House and the same shall be disposed of in accordance with these Standing Orders.

(2) Except on the recommendation or with the consent of the Cabinet the House shall not:

(a) proceed upon any Bill (including any amendment to a Bill) which, in the opinion of the Chair, makes provision for any of the following purposes-

(i) for imposing or increasing any tax;

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<sup>41</sup> SO 21 amended.

- (ii) for imposing any charge upon the Consolidated Fund or any other public fund of Trinidad and Tobago or for altering any such charge otherwise than by reducing it;
- (iii) for the payment, issue or withdrawal from the Consolidated Fund or any other public fund of Trinidad and Tobago of any moneys not charged thereon or any increase in the amount of such a payment, issue or withdrawal; or
- (iv) for compounding or remitting any debt due to Trinidad and Tobago.

(b) proceed upon any motion (including any amendment to a motion) the effect of which, in the opinion of the person presiding, would be to make provision for any of the purposes aforesaid.

(3) When a question for debate has been proposed, debated and decided, it shall not be competent for any Member to raise a question substantially identical thereto in the same session except upon a substantive motion for rescission.<sup>42</sup>

### **35. NOTICE OF MOTIONS OR AMENDMENTS**

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(1) Where under these Standing Orders notice is required such notice shall be given in writing, signed by the Member and addressed to the Clerk. Such notice shall be handed to the Clerk when the House is sitting or sent by hand, fax or email to, or left at the Clerk's office at any time during the hours prescribed for the purpose.

(2) If the Speaker is of opinion that any notice of motion which has been received by the Clerk infringes the provisions of any Standing Order or is in any other way out of order, he may direct –

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<sup>42</sup> Existing SO 22, amended.

- (a) that the Member concerned be informed that the notice of motion is out of order; or
- (b) that the motion be approved with such alterations as he may direct.

(3) Not more than three (3) motions in the name of the same Member may be entered on the Order Paper of any sitting. The provision of this paragraph shall not apply to a Minister.<sup>43</sup>

### **36. PERIOD OF NOTICE**

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(1) The following periods of notice shall be required for debate on Motions:

- (a) Government Motion – one (1) days' notice;
- (b) Private Motion – twelve (12) days' notice;
- (c) Committee Business – one (1) days' notice.

(2) Except as provided in Standing Order 75 (Private Bills), a Private Member's motion shall not be placed upon the Order Paper for a day earlier than twelve (12) clear days from the day on which the notice was given to the Clerk.<sup>44</sup>

### **37. NOTICE PAPER-MOTIONS**

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(1) Once a Motion has been approved by the Speaker, the Clerk shall immediately prepare and circulate to Members, a Notice Paper setting out particulars of the Motion.<sup>45</sup>

(2) A notice of amendment sent to the Clerk shall be circulated by him to Members.<sup>46</sup>

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<sup>43</sup>Existing SO 23 (1) – (3).

<sup>44</sup>Existing SO 24.

<sup>45</sup>New provision

### 38. EXEMPTION FROM NOTICE

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(1) Unless these Standing Orders otherwise provide, notice shall be given of any motion which it is proposed to make, with the exception of the following-

- (a) a motion for the amendment of any motion.
- (b) a motion for the adjournment of the House or a debate;
- (c) a motion for the election of a temporary presiding officer under Standing Order 7 (Presiding in the House and in Committee);
- (d) a motion for the suspension of Standing Orders put with the leave of the Speaker;
- (e) a motion for the withdrawal of strangers;
- (f) a motion that the House resolve itself into Committee;
- (g) a motion made in the Committee of the whole House, other than the Finance Committee;
- (h) a motion for the suspension of a Member;
- (i) a motion that a Petition be read, printed or referred to a Select Committee;
- (j) a motion for the printing of a Paper under paragraph (3) of Standing Order 22 (Papers);
- (k) a motion relating to a matter of privilege;

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<sup>46</sup> Existing SO 23(4) with amendment

- (l) a motion arising out of any item of business made immediately after that item is disposed of and before the next item is entered upon;
- (m) a motion to commit a Bill to a Select Committee under Standing Order 64 or 68;
- (n) a motion to recommit a Bill reported from Committee of the Whole House under Standing Order 72 (Procedure on Bills Reported from Select Committees Appointed under Standing Order 68);
- (o) a motion for withdrawal of a Bill under Standing Order 77 (Withdrawal of Bills);
- (p) a motion in respect of which notice has been dispensed with under Standing Order 39 (Dispensing with notice);
- (q) a motion “That the question be now put” under paragraph (1) of Standing Order 52 (Closure of debate).<sup>47</sup>

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### **39. DISPENSING WITH NOTICE**

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Notice shall not be dispensed with in the case of a motion or in respect of any proceedings for which notice is required, except with the consent of the Speaker and with the leave of the House.<sup>48</sup>

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### **40. ADMISSIBILITY OF MOTIONS<sup>49</sup>**

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(1) A motion must clearly indicate the issue to be raised for debate and include only such material as may be necessary to identify the facts or matter to which the motion relates. The Speaker shall be the sole judge of the admissibility of a motion, which shall satisfy the following conditions. A motion shall:

- (a) raise substantially one definite issue;

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<sup>47</sup> Existing SO 25, modified.

<sup>48</sup> Existing SO 26

<sup>49</sup> New SO

- (b) not contain ironical, offensive expressions or words that would not be permitted in debate;
- (c) not contain the names of persons unless they are strictly necessary to render the motion intelligible;
- (d) not raise for debate matters of conduct of persons except in their public capacity;
- (e) not revive discussion of a matter which has been discussed in the same session;
- (f) not raise for discussion of a matter which already qualifies to be discussed;
- (g) not relate to matters which have been referred to a Committee of the House for consideration and report;
- (h) not exceed two hundred and fifty (250) words in length.

#### **41. MOTIONS – GENERAL RULES**

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##### *Motions not moved*

- (1) Motions on the Order Paper which have not been moved by the time the House adjourns will be set down on the Order Paper for the next sitting day.
- (2) If a Member does not move a motion which stands in his name when he is called on, it shall be removed from the Order Paper unless deferred by Leave of the House or moved by some other Member, duly authorized by that Member, provided that Government Business may be moved by any other Minister.

##### *Withdrawal of motion*

(3) A motion not yet moved may be withdrawn at the request of the Member in whose name the motion stands on the Order Paper by written notification to the Clerk.

(4) If an amendment has been proposed to a motion, the original motion cannot be withdrawn until the amendment has been disposed of.

#### Seconding of Motions

(5) The question upon a motion shall not be proposed by the Speaker unless such motion has been seconded, however Government business shall not require seconding.

(6) In committee a seconder shall not be required.

#### Restrictions for the withdrawal of motions

(7) A motion moved is in the possession of the House and cannot thereafter be withdrawn without leave of the House.

#### Motions withdrawn, again moved

(8) A motion that has been withdrawn by leave may be moved again in the same session.

#### Speaker proposes question

(9) After a motion has been moved and where necessary seconded, the Speaker will propose the motion for debate in the House.

#### Separation of a complicated question

(10) The Speaker may order that a complicated question be divided.



### Question put

(11) The Speaker will put the question after the reply by the mover at the end of the debate.

### Rescission

(12) A motion to rescind the decision of a question which has been previously resolved during the same session (either in the affirmative or in the negative) shall not be moved sooner than six (6) months after the date on which the House reached its decision.

## **42. AMENDMENTS**

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(1) If a Member wishes to vary the terms of a motion standing in his name, he may do so by giving an amended notice of motion, provided that such amendment does not, in the opinion of the Speaker, materially alter any principle embodied in the original motion or the scope thereof. Such amended notice of motion shall run from the time at which the original notice of motion was given.

(2) After a question has been proposed by the Speaker, but before it has been put, it may be amended, unless otherwise provided for in these Standing Orders.

### Forms of Amendment

(3) Any Member may propose that a Motion be amended by -

(a) deleting words;

(b) deleting words in order to substitute other words; or

(c) inserting or adding words;

but an amendment may not be a direct negative.

(4) An amendment which is of the same effect as one previously disposed of shall not be accepted.

(5) An amendment must be relevant to the question that it proposes to amend.

(6) An amendment which is not commonsense or which is frivolous shall not be accepted.

(7) An amendment may not contain reflections on a Member.

(8) An amendment shall not raise any question which, by these Standing Orders, can only be raised by a substantive motion after notice.

*Amendments to be written and signed*

(9) An amendment must be in writing, signed by the mover and given to the Clerk.

*No notice of an amendment is necessary*

(10) A motion by way of amendment to a question already proposed from the Chair may be moved without notice.

*Seconding of amendments*

(11) The question upon an amendment to a motion shall not be proposed by the Speaker unless such amendment has been seconded, however government business shall not require seconding.

*Amendments proposed from the Chair*

(12) After an amendment has been moved and where necessary seconded, the Speaker shall propose the amendment to the House. The debate will include original question and the question on the amendment.

Amendments put and agreed to (Question, as amended, put)

(13) When amendments have been agreed to, the original question, as amended, will be put to the House.

Amendments proposed but not agreed to

(14) When amendments have not been agreed to, the original question will be put to the House.

Order of moving Amendments

(15) Each amendment shall be disposed of before another amendment to the same question may be moved. The Speaker shall call upon the movers in the order in which their amendments relate to the text of the original question, or in the case of doubt in such order as the Speaker shall decide.

Amendment to Amendment

(16) An amendment may be moved to a proposed amendment. Such further amendment shall be seconded at any time after the question upon the original amendment has been proposed but before it has been put.

Withdrawal of Amendment

(17) After the Speaker has proposed the question on an amendment, the amendment cannot be withdrawn without leave.

**43. MOTIONS ON NATIONAL POLICY ISSUES**

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(1) Every Private Member's motion approved by the House which requires action on national policy issues shall be submitted by the Clerk to the Cabinet for consideration within one (1) week of the date of approval by the House.

(2) A report on the Cabinet's decision in response to the submission made pursuant to paragraph (1) shall be tabled by the Leader of the House not later than thirty (30) days from the date of its submission to the Cabinet<sup>50</sup>.

## CHAPTER VI

# *Rules of Debate*

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### 44. TIME AND MANNER OF SPEAKING

---

(1) No Member shall speak unless called upon by the Speaker in the House or Chairman in Committee.

(2) A Member desiring to speak shall rise in his usual place and if called upon shall address his observations to the Speaker. While speaking, a Member must not turn his back to the Chair.

(3) If two or more Members rise at the same time, the Speaker or Chairman shall call upon the Member who first catches his eyes.

(4) A Member may use an appropriate visual aid to illustrate the point being made during his speech, provided that the aid does not inconvenience other Members or obstruct the proceedings of the House. Such an aid may be displayed only with the prior permission of the Speaker.

(5) Before participating in consideration of any item of business in the House in which he has a financial interest, a Member should disclose the extent of that interest.<sup>51</sup>

(6) No Member shall speak more than once on any question except:

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<sup>50</sup> New SO

<sup>51</sup> New SO

- (a) when the House is in Committee;
- (b) in explanation as prescribed in paragraph (8) of this Standing Order; or
- (c) in the case of a mover of a substantive motion or the Member in charge of a Bill, in reply.

(7) A Member may, without prejudice to his right to speak at a later period of the debate, second a motion or amendment by rising in his place and stating that it is his intention to second the motion or amendment.

(8) A Member who has spoken on a question may again be heard to offer explanation of some material part of his speech which he claims has been misrepresented, but he shall not introduce new matter. Such a Member must first be recognized by the Speaker and the explanation shall not exceed two (2) minutes.

(9) A Member who has spoken may speak again when a new question has been proposed by the Speaker or Chairman, such as a proposed amendment.

(10) A Member shall not read his speech except with the leave of the Speaker but he may read extracts from books or papers in support of his argument, and may refresh his memory by reference to written notes. For this purpose he may use a computer or other electronic device, provided that such device does not, in the opinion of the Chair, disturb the proceedings of the House.

(11) No Member may speak on any question after it has been put to the vote by the Speaker or Chairman.<sup>52</sup>

#### **45. LENGTH OF SPEECHES AND DEBATES**

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- (1) The time limits for speeches are set out in Appendix I.

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<sup>52</sup> Existing SO 33 amended in paragraph 7. A new paragraph 9 is added.

(2) The ruling of the Chair as to the time taken by any Member shall be final.<sup>53</sup>

(3) Notwithstanding paragraph (1) of this Standing Order, the House may limit the length of a debate on any matter, provided that there is agreement between the Leader of the House and the Whips of the opposition Parties in the House.

(4) In any debate in which a time limit is imposed on the entire debate by agreement between the Leader of the House and the Whips of the opposition parties in the House, the Speaker shall ensure that the time is equally apportioned among the parties represented in the House<sup>54</sup> provided that no Member is unfairly disenfranchised.

#### **46. RIGHT OF REPLY**

---

(1) The mover of a motion may reply after all the other Members present have had an opportunity of addressing the House and before the question is put, and after such reply no other Member may speak, except as provided in paragraph (2) of this Standing Order.

(2) A Minister may conclude a debate on any motion that is critical of the Government or reflects adversely on or is calculated to bring discredit upon the Government or a Government officer.<sup>55</sup>

#### **47. INTERRUPTIONS**

---

(1) Subject to these Standing Orders, no Member shall interrupt another Member except-

(a) by rising on a point of order. The Member speaking shall temporarily resume his seat and the Member interrupting shall simply direct attention to the breach of the order which he desires to bring to notice and submit it to the Speaker or Chairman for decision; or

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<sup>53</sup> New SO and Appendix I

<sup>54</sup> Existing SO 41, amended. Speaking time reduced. Provisions added to encourage the use of time limits for debates.

<sup>55</sup> Existing SO 34

(b) to elucidate some matter raised by the Member speaking in the course of his speech. However, the Member speaking must be willing to give way and temporarily resume his seat.

(2) A point of order should strictly relate to specific breaches of the standing orders. A point of order takes precedence over other business until ruled on by the Speaker.

(3) A Member raising a point of order must put the point succinctly and shall be heard in silence.<sup>56</sup>

#### 48. CONTENTS OF SPEECHES

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(1) Subject to these Standing Orders, debate upon any motion, Bill or amendment shall be relevant to such motion, Bill or amendment, and a Member shall confine his observations to the subject under discussion.

(2) Reference shall not be made to any matter which is *sub judice* as provided in Standing Order 49.

(3) It shall be out of order to attempt to reconsider any specific question on which the House has come to a conclusion during the current session except upon a substantive motion for rescission.

(4) It shall be out of order to use offensive and insulting language about Members of either House or to threaten a Member.

(5) A Member shall be referred to in the House by reference to his constituency or to his official portfolio.

(6) No Member shall impute improper motive to any Member of either House.

(7) The President's name shall not be used to influence the House.

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<sup>56</sup> Existing SO 35, amended. Rules for raising a Point of Order clarified.

(8) The conduct of the President or any other person performing the function of President, Members of the Senate, the House or Judges of the Supreme Court of Judicature or other persons performing judicial functions shall not be raised except upon a substantive motion moved for the purpose.<sup>57</sup>

#### 49. MATTERS SUB JUDICE

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(1) Subject always to the discretion of the Speaker and to the right of the House to legislate on any matter, a Member shall not raise or pursue any matter which relates to active proceedings until the matter is ended by judgment or discontinuance, unless the Speaker is satisfied that:

(a) the matter is clearly related to a matter of general public importance or a ministerial decision is in question;

(b) the matter does not relate to a case that is awaiting or under adjudication, particularly those matters before a jury; and

(c) the Member does not in his comments create a real and substantial danger of prejudice to the fair determination of a matter.

(2) By alleging that a matter is sub judice a Member shall be confirming to the House that paragraph (1) is applicable and shall accept responsibility for so advising the House.<sup>58</sup>

#### 50. SCOPE OF DEBATE

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##### Motions debated together

(1) With the leave of the House, motions may be debated together where –

(a) the content of two or more motions interrelate; or

(b) a number of motions relate to a single subject of debate.

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<sup>57</sup> Existing SO 36, amended and updated

<sup>58</sup> New SO which expands and clarifies existing SO 36(2)



(2) If the House agrees to proceed in accordance with paragraph (1), the first motion shall be moved and the joint debate shall then take place. Upon the conclusion of the debate, the questions shall be put on the first motion. The second and subsequent motions shall thereafter be moved in consecutive order, and the questions on them shall be put from the Chair individually and without further debate.<sup>59</sup>

### Adjournment of the debate

(3) During the course of a debate a motion may be made for the adjournment of the debate or of the House and unless it appears to the Chair that the motion is an abuse of the rules of the House or an infringement of the rights of the minority, the question shall be put by the Chair without amendment or debate.

(4) A Member who has moved or seconded such a motion shall not be entitled to move or second any similar motion during the same debate.

(5) This shall not be construed as restricting the customary right of the Leader of the House or any other Minister to move the adjournment of the House on the conclusion of the business of the day.<sup>60</sup>

## **51. ANTICIPATION**

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(1) It shall be out of order to anticipate a Bill by discussion upon a motion dealing with the subject matter of that Bill.

(2) It shall be out of order to anticipate a Bill or a notice of motion by discussion upon an amendment, or a motion for the adjournment of the House.

(3) In determining whether discussion is out of order on the grounds of anticipation, regard shall be had by the Chair to the probability of the matter anticipated being brought before the House within a reasonable time.<sup>61</sup>

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<sup>59</sup> New provision consistent with practice

<sup>60</sup> Existing SO 37

<sup>61</sup> Existing SO 38

## 52. CLOSURE OF DEBATE

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(1) After a question has been proposed any Member may at any time during the course of debate rise in his place and move *“That the question be now put”* and unless it appears to the Chair that that motion is an abuse of the rules of the House or an infringement of the rights of the minority, the question *“That the question be now put”* shall be immediately put.

(2) No debate on that motion shall be allowed and if the motion is carried, the debate before the House shall cease and the question before the House shall be then put.

(3) A motion under this Standing Order shall not be decided in the affirmative if it appears on a division that less than twelve (12) Members voted in the majority in support of the motion.<sup>62</sup>

## 53. RULES FOR MEMBERS NOT SPEAKING

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(1) A Member present in the House during the debate –

- (a) shall enter or leave the House with decorum;
- (b) shall bow to the Speaker on entering or leaving the Chamber;
- (c) shall not leave the House when the Speaker is addressing the House;
- (d) shall not pass between the Speaker and any Member who is speaking;
- (e) shall maintain silence while another Member is speaking and shall not interrupt, except in accordance with these Standing Orders;

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<sup>62</sup> Existing SO 39

- (f) shall not engage excessively in cross talk or converse noisily with another Member or otherwise disturb the proceedings;
- (g) shall avoid running commentaries when another Member is speaking;
- (h) shall not sit with his back towards the Chair;
- (i) shall not read books, newspapers, letters or other documents unless they relate to the business before the House;
- (j) shall not use any electronic device in such a manner that in the opinion of the Speaker disturbs the proceedings of the House;
- (k) shall avoid talking or laughing in the lobby loud enough to be heard in the chamber;
- (l) shall otherwise conduct himself in a fit and proper manner; and
- (m) shall wear business attire.

(2) The Speaker shall draw the attention of the House to any Member who, despite warning, persists in breaching any provision of this Standing Order and may thereafter take action in accordance with Standing Order 55 (Order in the House and in Committee).<sup>63</sup>

## CHAPTER VII

# *Rules of Order*

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<sup>63</sup> Existing SO 40, amended and expanded

#### **54. RESPONSIBILITY FOR ORDER IN THE HOUSE AND IN COMMITTEE**

---

(1) The Speaker in the House and the Chairman in Committee shall be responsible for the observance of the rules of order in the House and Committee respectively and their decision upon any point of order shall not be open to appeal and shall not be reviewed by the House except upon a substantive motion made after notice.

(2) When the Speaker or Chairman rises, any Member then speaking or wishing to speak shall immediately resume his seat and the House, or the Committee, shall be silent.<sup>64</sup>

#### **55. ORDER IN THE HOUSE AND IN COMMITTEE**

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(1) The Speaker or the Chairman after having called the attention of the House or of the Committee to the conduct of a Member who:

- (a) has used objectionable, abusive, insulting or offensive word or language or unparliamentary expressions and on being called to order has refused to withdraw such words or language or expressions and has not offered an apology for the use thereof;
- (b) persists in irrelevant or tedious repetition either of his own arguments, or of the arguments used by other Members in debate; or engages in excessive cross talk or converses noisily with another Member or otherwise disturb the proceedings;

and after having first warned the Member, may direct that Member to discontinue his speech and to resume his seat, or direct that the Member withdraw from the Chamber for a specified period of time as the case may require.

(2) Any Member, may, after the Speaker or Chairman has under paragraph (1) of this Standing Order once called the attention of the House or Committee to

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<sup>64</sup> Existing SO 42

the said conduct of a Member in a debate, move that the Member be no longer heard and such motion, shall be put without amendment or debate.

(3) A Member referred to in paragraphs (1) and (2) of this Standing Order, shall immediately take his seat, or withdraw from the Chamber as the case requires.

Gross disorder

(4) Conduct shall be deemed to be grossly disorderly, if during proceedings, the Member concerned-

(a) creates actual disorder;

(b) uses or threatens violence against a Member or other person;

(c) acts in a manner that displays flagrant disobedience to rulings of the Chair; or

(d) acts in any other way to the serious detriment of the dignity or orderly procedure of the House.

(5) The Speaker may order any Member whose conduct is grossly disorderly to withdraw immediately from the House during the remainder of that day's sitting.

(6) The Speaker may direct such steps to be taken as are required to enforce an order made by him pursuant to paragraph (5) of this Standing Order.

Suspension from the Service of the House

(7) If on any occasion the Speaker considers that his powers under the previous provision of this Standing Order are inadequate, the Speaker may name such

Member under this Standing Order, by mentioning the name of the Member concerned. In such circumstances, the procedure prescribed in the next succeeding paragraphs shall be followed:

- (a) The Speaker shall mention the Member by name.
- (b) Immediately following the naming a Member shall move a motion that “Mr. \_\_\_\_\_” be suspended from the service of the House.
- (c) The Speaker shall put the question “*that Mr. \_\_\_\_\_ be suspended from the service of the House*”.
- (d) This question must be resolved without amendment, adjournment or debate.
- (e) If the offence has been committed in Committee of the whole House, the Chairman shall immediately suspend the proceedings of the Committee resume the House and report the circumstances and the procedure provided for in the preceding sub-paragraphs of this Standing Order shall be followed.
- (f) The Member so named must immediately leave the Chamber and its precincts and shall stand suspended from the service of the House.

*Duration of Suspension*

- (8) If a Member is suspended pursuant to paragraph 7 of this Standing Order:
  - (a) for a first time in a session, the suspension will be for seven (7) days;
  - (b) for a second time in a session, the suspension will be for thirty (30) days;

(c) on any subsequent occasion within the same session, for a period to last until the House orders that the Member's suspension shall terminate or, in default of such order, for the remainder of the session.<sup>65</sup>

(9) Any personal remuneration or allowance to which a Member is entitled as a Member of the House of Representatives shall cease in respect of the period of his suspension.

(10) Not more than one (1) Member shall be named at the same time, unless several Members present together have jointly committed the offence.

(11) If any Member who has been directed to withdraw or who has been suspended under this Standing Order, refuses at any time to obey the direction of the Speaker to withdraw from the House and the Precincts of the Parliament, the Speaker shall call the attention of the House to the fact that recourse to force is necessary in order to compel obedience to his direction, and the Member named by him as having so refused to obey his direction shall, without further question put, be immediately suspended from the service of the House during the remainder of the session.

(12) If resort to force is necessary, the Speaker may suspend the sitting during the removal of the Member. The Speaker may request the assistance of any police officer in ejecting the offending Member.

(13) A Member who is directed to withdraw or who is suspended under this Standing Order shall not be entitled to attend the sitting from which he was directed to withdraw or in a case of suspension to attend any sitting or Committee or enter the precincts of the House until the termination of his suspension.

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<sup>65</sup> The first (or subsequent) occasion has been interpreted to mean the first (or subsequent) occasion in the same session.

(14) In the case of grave disorder arising in the House, the Speaker may, if he thinks it necessary to do so, suspend the sitting for a specified period or adjourn the House without question put.

(15) A Member suspended under this Standing Order shall not enter the Chamber, vote or serve on a Committee or lodge questions or notices of motion, during the period of his suspension.

(16) Nothing in this Standing Order shall be taken to deprive the House of the power of proceeding against any Member according to any resolution of the House.<sup>66</sup>

## CHAPTER VIII

# Voting

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### 56. DECISIONS OF QUESTIONS

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(1) Except as otherwise provided in the Constitution or in these Standing Orders all questions proposed for decision in the House or in Committee shall be determined by a majority of the votes of the Members thereof present and voting.

(2) The Speaker or any other Member presiding shall not vote unless on any question the votes are equally divided, in which case, he shall have and exercise a casting vote and any reason stated shall be entered in the Minutes of Proceedings.<sup>67</sup>

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<sup>66</sup> Existing SO 43, amended.

<sup>67</sup> Existing SO 44, amended. Paragraph (2) deleted to accord with the Constitution. In the event of a tie, the Speaker will offer the casting vote – the only occasion in which the Speaker actually participates in a decision. In voting, the Speaker remains conscious of the paramount obligation of impartiality and so usually votes to maintain the status quo; i.e., he or she votes in a manner that will keep the issue open for the House's further consideration. This may appear contradictory at times, since at second reading of a



## 57. COLLECTION OF VOICES

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(1) At the conclusion of a debate upon any question the Speaker or Chairman shall put that question for the decision of the House, and shall collect the voices of the *Ayes* and of the *Noes*, after which no further debate may take place upon that question.

(2) The result shall be declared by the Speaker or Chairman stating "*I think the Ayes have it*" or "*I think the Noes have it*" as the case may be; but any Member may challenge the opinion of the Chair by calling a division.<sup>68</sup>

## 58. DIVISION

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(1) If a division is called for, it shall be taken by the Clerk calling each Member's name individually and recording the each vote accordingly.

(2) The Clerk shall then announce the number of those who have voted for, those who voted against the proposal and those who declined to vote and the Speaker or Chairman shall declare the result of the division.

(3) The Clerk shall enter in the Minutes of Proceedings the record of each Member's vote.

(4) If a Member states that he voted in error or that his vote has been counted wrongly, he may request to have his vote altered provided that such request is made as soon as the Clerk has announced the numbers and before the Chair has declared the result of the division. Upon such request being made the Speaker or Chairman, at his sole discretion shall either direct the Clerk to alter that Member's vote or direct a fresh division be held.<sup>69</sup>

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bill the Speaker would usually vote in favour of the motion to keep debate alive, while at third reading the Speaker would normally vote against the bill to maintain the status quo.

<sup>68</sup> Existing SO 45.

<sup>69</sup> Existing SO 46

# Legislation<sup>70</sup>

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## 59. RESTRICTIONS WITH RESPECT TO MONEY BILLS

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(1) Except on the recommendation or with the consent of the Cabinet<sup>71</sup>, the House shall not proceed upon any Bill (including any amendment to a Bill) which, in the opinion of the Chair, makes provision for any of the following purposes –

- (a) for imposing or increasing any tax;
- (b) for imposing any charge upon the Consolidated Fund or any other public fund of Trinidad and Tobago or for altering any such charge otherwise than by reducing it;
- (c) for the payment, issue or withdrawal from the Consolidated Fund or any other public fund of Trinidad and Tobago of any moneys not charged thereon or any increase in the amount of such a payment, issue or withdrawal, or
- (d) for compounding or remitting any debt due to Trinidad and Tobago.<sup>72</sup>

## 60. PRIVATE MEMBERS' BILLS

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(1) Subject to the provisions of these Standing Orders<sup>73</sup>, a Private Member desiring to introduce a Bill, shall give written notice to the Clerk of his intention to do so and shall together with the notice submit three (3) copies of the Bill to

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<sup>70</sup> Existing SOs 47 to 62 and 83 (which deal with legislation) are amended and updated by proposed SOs 59 to 78, as explained.

<sup>71</sup> Deleted “signified by a Minister”

<sup>72</sup> Existing SO 47(4)

<sup>73</sup> Deleted “any Member, other than a Minister”

the Clerk, along with an explanatory statement of objects and reasons which shall not contain arguments.

(2) Copies of the Notice and the Bill together with the explanatory statement of objects and reasons shall be circulated to Members by the Clerk within two (2) days of its receipt.<sup>74</sup>

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## **61. INTRODUCTION AND FIRST READING OF PRIVATE MEMBERS' BILLS**

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(1) A motion for leave to introduce a Private Member's Bill shall be set down under Private Members' Business on the Order Paper not earlier than seven (7) clear days from the date on which written notice was given to the Clerk.

(2) A motion for leave to introduce a Private Member's Bill shall be heard on the first sitting day after the expiration of the period of notice required under paragraph (1).

(3) The Speaker shall permit the Private Member moving for leave to make an explanatory statement which shall not exceed five (5) minutes.

(4) The Speaker shall permit any Member opposing the Bill to address the House for a period not exceeding two (2) minutes in duration.

(5) On a motion for leave under this Standing Order any debate thereon shall be limited to a maximum of fifteen (15) minutes in duration.

(6) If leave is granted, the Clerk shall then read aloud the title of the Bill, which shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be published.<sup>75</sup>

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## **62. INTRODUCTION AND FIRST READING OF GOVERNMENT BILLS**

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<sup>74</sup> New provision to set out the established procedure for the introduction of a Private Member's Bill, which is currently governed by SO 47(1)

<sup>75</sup> New provision, consistent with the proposed SO 60 above.

(1) A notice of the presentation of a Bill on behalf of the Government may be entered on the Order Paper for the sitting day on which the Bill is to be presented.

(2) Leave shall not be required for the introduction of a Government Bill. The Clerk shall read aloud the title of the Bill which, without question put, shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be published.<sup>76</sup>

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### **63. FIRST READING OF SENATE BILLS**

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When a Bill has been brought from the Senate, the Clerk shall read aloud the title of the Bill which, without question put, shall be recorded in the Minutes of Proceedings as having been read a first time.<sup>77</sup>

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### **64. APPOINTMENT OF DAYS FOR STAGES OF BILLS**

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(1) After a Bill has been introduced and read a first time, the Member in charge may either:

- (a) name a day to be appointed for the next stage of the Bill not being less than four (4) clear days after the date of its first reading; or
- (b) move that the second reading of the Bill be taken at an earlier date or forthwith, such motion shall be put without amendment or debate; or
- (c) move that the Bill be referred to a Committee for consideration and report, such motion shall be put without amendment or debate.

(2) No Bill shall be read a second time unless it has been printed and published in the Gazette and circulated to Members other than in circumstances provided for in paragraph 1(b) above.<sup>78</sup>

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<sup>76</sup> Contained in existing SO 47, with appropriate amendment consistent with current practice

<sup>77</sup> Existing SO 47(7)

## **65. PRINTING AND CIRCULATION OF BILLS**

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- (1) The Clerk shall be responsible for the printing of Bills from the draft handed to him by the Member in charge of the Bill.
  
- (2) Before any Bill is printed, the Clerk shall satisfy himself that-
  - (a) the Bill is divided into successive clauses numbered consecutively;
  
  - (b) the Bill has in the margin a short summary of each clause; and
  
  - (c) the provisions of the Bill do not go beyond its title.
  
- (3) As soon as possible after the printing of a Bill the Clerk shall circulate a copy to every Member.<sup>79</sup>

## **66. PROCEDURE IN SELECT COMMITTEE UPON FIRST READING**

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- (1) Any Select Committee, to which a Bill is committed under Standing Order 64 (1)(c), shall be empowered to discuss the general merits and policies of the Bill.
  
- (2) The Select Committee shall be subject to Standing Order 112 (General Procedure in Select Committee) and Standing Order 56 (Decision of Questions), as far as may be applicable.
  
- (3) When the Bill has been reported from the Select Committee, the House may proceed to consider the Bill as reported upon a motion moved by the Chairman of the Committee (or any other person deputed) *“That the report of the Select Committee on the \_\_\_\_\_ Bill be adopted.”*
  
- (4) The Member in charge of the Bill may then move that the Second Reading of Bill, as adopted by the House, on report, be taken on such day as the Member

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<sup>78</sup> Existing SO 48, amended. New: paragraph 1(b)

<sup>79</sup> Existing SO 49, amended. New paragraph(2)

may appoint or forthwith; such motion shall be put without amendment or debate.<sup>80</sup>

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### **67. SECOND READING OF BILLS**

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On the second reading of a Bill a debate may arise covering the general merits and principles of the Bill<sup>81</sup> subject to Standing Order 66(4).

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### **68. COMMITMENT OF BILLS AFTER SECOND READING**

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(1) When a Bill has been read a second time it shall be committed to a Select Committee unless the House on motion made and question put commits it to the Committee of the Whole. Such motion shall not require notice and must be made immediately after the Bill has been read a second time and may be moved by any Member. The question thereon shall be put without amendment or debate.

(2) When a Bill has been committed to a Select Committee, no further proceedings shall be taken thereon until the Select Committee has presented its report to the House, provided that if the report is delayed for more than twenty one (21) days the Chairman of the Committee (or in his absence any person authorized by the Committee) must report progress to the House at the next sitting of the House immediately after the expiration of that period and after each period of twenty-one (21) days thereafter until the final report is presented.

(3) A Bill, while under consideration in Committee of the Whole House, may, on motion made in the House, be withdrawn from that Committee and be referred to a Select Committee, and the reference to a Select Committee may be in respect of the Bill as a whole, or to specified clauses.<sup>82</sup>

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### **69. PROCEDURE IN COMMITTEE ON BILLS AFTER SECOND READING**

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(1) Any Committee to which a Bill is committed after second reading shall not discuss the general merits and principles of the Bill but only its details.

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<sup>80</sup> New SO for the consideration of Bills before second reading.

<sup>81</sup> Existing SO 50, amended.

<sup>82</sup> Existing SO 51, amended.

(2) Any such Committee shall have power to make such amendments to the Bill as it thinks fit, provided that the amendments, including new clauses and new schedules, are relevant to the subject matter of the Bill; but if any such amendments are not within the title of the Bill, it shall amend the title accordingly, and shall report the same to the House.

(3) Before reporting to the House the Committee shall go through the Bill as provided in Standing Order 70 (Procedure in Committee of the Whole House on a Bill).

(4) The Select Committee shall be subject to Standing Order 112 (General Procedure in Select Committee) and Standing Order 56 (Decision of Questions), as far as may be applicable.<sup>83</sup>

#### **70. PROCEDURE IN COMMITTEE OF THE WHOLE HOUSE ON A BILL**

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(1) The Clerk in Committee of the whole House shall call the number of each clause in succession:

(a) The Chairman shall propose the question *“that the clause stand part of the Bill”*;

(b) A discussion shall ensue, during which amendments may be moved. Amendments must be in writing and handed to the Clerk for circulation.

(c) At the conclusion of the discussion, if amendments have been proposed, the Chairman shall put the question *“that the clause be amended as circulated”* and if that question is approved, the Chairman shall put the question that *“the clause, as amended, now stand part of the Bill”*.

(d) If no amendments were proposed, the Chairman shall put the question that *“the clause now stand part of the Bill”*.

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<sup>83</sup> Existing SO 52 and 54.

(2) A group of clauses appearing in succession can be called by the Clerk together if no amendments are proposed thereto.

(3) The following provisions shall apply to amendments relating to Bills-

(a) An amendment must be relevant to the subject matter of the Bill, and to the subject matter of the clause to which it relates.

(b) An amendment must not be inconsistent with any clause already agreed to or with any previous decision of the Committee.

(c) An amendment must not be such as to make the clause which it proposes to amend unintelligible or ungrammatical.

(d) If an amendment refers to, or is not intelligent without a subsequent amendment or schedule, notice of the subsequent amendment or schedule must be given before or when the first amendment is moved so as to make the series of amendments intelligible as a whole;

(e) The Chairman may refuse to allow an amendment, which is, in his opinion, frivolous or meaningless, to be moved.

(4) In order to save time and repetition of arguments, the Chairman may allow a single discussion to cover a series of inter-dependent amendments.

(5) Except on the recommendation or with the consent of the Cabinet, the Committee shall not proceed upon any amendment which, in the opinion of the Chairman, would make provision for any of the purposes described in Standing Order 59 (Restrictions with respect to money Bills).

(6) The Chairman may at any time during the discussion of a proposed amendment withdraw it from the consideration of the Committee if, in his opinion, the discussion shall have shown that the amendment violates the provisions of this Standing Order.



(7) A clause may be postponed, unless a decision has already been taken upon the amendment thereto. Postponed clauses shall be considered after the remaining clauses of the Bill have been considered and before new clauses are brought up.

(8) Any proposed new clause shall be considered after the clauses of the Bill have been disposed of and before consideration of any schedule to the Bill, except that a new clause proposed in substitution for a clause which has been disagreed to may be considered immediately after such disagreement.

(9) On the title of any clause being read by the Clerk, the clause shall be deemed to have been read a first time. The question shall then be proposed "*That the clause be read a second time*"; if this is agreed to, amendments may then be proposed to the new clause. The final question to be proposed shall be "that the clause (or the clause as amended) be added to the Bill."

(10) Schedules shall be disposed of in the same way as clauses and any proposed new schedule shall be considered after the schedules to the Bill have been disposed of and shall be treated in the same manner as a new clause.

(11) When every clause or schedule or proposed new clause or schedule has been dealt with, the preamble, if there is one, shall be considered and the question put "*That the preamble to the Bill be approved*". No amendment to the preamble shall be considered which is not made necessary by a previous amendment to the Bill.

(12) If an amendment to the title of the Bill is made necessary by an amendment to the Bill, it shall be made at the conclusion of the proceedings detailed above, but no question shall be put that the title (as amended) stand part of the Bill, nor shall any question be put upon the enacting formula.

(13) At the conclusion of the proceedings in Committee on a Bill, the Chairman shall put the question "*that the Bill (or the Bill as amended) be reported to the House*" which question shall be decided without amendment or debate.

(14) If any Member, before the conclusion of proceedings on a Bill, moves to report progress and such motion is carried, the House shall resume and the

Member in charge of the Bill shall report progress to the House and ask leave to sit again, and name a day for the resumption of the proceedings.

(15) The Committee having met to consider a Bill shall proceed with its consideration, except that during the proceedings on a Bill the Member in charge of the Bill may, subject to the discretion of the Chairman, move a motion *“That the Committee do not proceed further with the Bill”*. If the motion is carried the Member in charge of the Bill shall then report the Bill to the House as so far amended or without amendments, as the case may be, explaining the proceedings of the Committee on the Bill.<sup>84</sup>

## **71. PROCEDURE ON REPORTING FROM COMMITTEE OF THE WHOLE HOUSE**

(1) At the conclusion of Committee of the Whole, the Member in charge of the Bill shall report to the House. The Member shall inform the House that the Bill was *“approved with (or without) amendments”* and move that *“the House agree with the Committee’s report”* whereupon, the Speaker shall forthwith put the question.

(2) If the question on the report is agreed to by the House, the Member in charge of the Bill may either name a future day for the Third Reading of the Bill or move that it be forthwith read a Third time and passed.

### **Recommittal of Bills Reported from Committee of the Whole House**

(3) The question on any Motion moved under paragraph (1) of this Standing Order shall be put forthwith, no amendment, adjournment or debate being allowed, unless any Member desires to delete or amend any provision contained in a Bill, or to introduce any new provision therein, in which case he may propose any amendment to add, at the end of the Motion, the words *“subject to the re-committal of the Bill (in respect of some specified part or of some proposed new clause or new schedule) to a Committee of the whole House”*, and if that Motion is agreed to with such an amendment, the Bill shall stand so re-committed.

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<sup>84</sup> Existing SO 53

(4) The House shall either forthwith or upon a day named by the Member in charge of the Bill resolve itself into Committee to consider the matters so re-committed.<sup>85</sup>

(5) When the whole Bill has been recommitted, the Committee shall go through the Bill as provided in Standing Order 70 (Procedure in Committee of the Whole House).

(6) When the Bill has been recommitted in respect only of some particular part or parts or of some proposed new clause or new schedule, the Committee shall consider only the matter so recommitted and any amendment which may be moved thereto.

(7) At the conclusion of the proceedings in Committee on a Bill recommitted under the provisions of this Standing Order, the Chairman shall put the question *“That the Bill (or the Bill as amended) on recommittal be reported to the House”* which question shall be decided without amendment or debate. As soon as the Bill has been reported, the Member in charge of the Bill may either name a future day for the Third Reading of the Bill or move that it be forthwith read a Third time and passed.<sup>86</sup>

## **72. PROCEDURE ON BILLS REPORTED FROM SELECT COMMITTEES APPOINTED UNDER STANDING ORDER 68**

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(1) When a Bill has been reported from a Select Committee appointed under Standing Order 68, the House may proceed to consider the Bill as reported from the Select Committee upon a motion *“That the House adopt the Report of the Select Committee on the ..... ”* moved under paragraph (7) of Standing Order 114 (Reports from Select Committees).

(2) If that motion is agreed to without amendment, the Speaker shall put the question that *“the Bill be now read a Third time and passed”*; such question to be decided without amendment or debate.

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<sup>85</sup>SO 72(1,2,3) adopted from the standing Orders of Kenya

<sup>86</sup> Existing SO 56

(3) Upon a motion to approve the report of the Select Committee on a Bill, any Member may propose an amendment to add at the end of the motion, the words *“Subject to the recommittal of the Bill (either wholly or in respect of some particular part or parts of the Bill or some proposed new clause or new schedule) to a Committee of the whole House”* and if that motion is agreed to with such an amendment, the Bill shall stand so recommitted. The House may then, upon motion made, resolve itself into a Committee to consider the business so recommitted.

(4) A Committee of the whole House upon a Bill recommitted under the provisions of this Standing Order shall proceed in accordance with paragraph (3) or paragraph (4) of Standing Order 71 on Recommittal of Bills reported from a Committee of the Whole House, and the conclusion of its proceedings and the remaining proceedings on the Bill shall be subject to paragraph (7) of that Standing Order.<sup>87</sup>

### **73. THIRD READING OF BILLS (FINAL STAGE)**

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(1) The Third Reading shall be the final stage of a Bill. On the Third Reading of a Bill no amendments may be proposed to the question *“That the Bill be now read a Third time and passed”*.

#### *Communication between the Houses*

(2) When a Bill which originated in the House has been read a Third and final time, a printed copy of it, signed by the Clerk and endorsed by the Speaker, shall be sent to the Senate, together with a message informing the Senate that the Bill has been passed by the House and desiring the concurrence of the Senate.

(3) When a Bill which originated in the Senate has been read a Third and final time and passed by the House without amendment, the Clerk shall retain the Bill and a message shall be sent to the Senate *“That the House of Representatives has agreed to the..... Bill without amendment”* and a printed copy shall be submitted to the President for his Assent.

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<sup>87</sup> Existing SO 57.

(4) When a Bill which originated in the Senate has been read a Third and final time and passed by the House with amendment, the Clerk shall cause this list of amendments made in the House together with the amended version of the Bill, signed by the Clerk and endorsed by the Speaker, to be returned to the Senate, with a message desiring the concurrence of the Senate in the amendment made by the House of Representatives.

(5) When the Senate has agreed to any amendments inserted by the House in a Bill to which paragraph (4) of this Standing Order relates, or has returned to the House a Bill to which paragraph (2) of this Standing Order relates with an intimation –*‘That the Bill has been read a Third and final time and passed without amendment’*, a printed copy shall be submitted to the President for his Assent.

(6) Where amendments are made in the Bill, any errors in the renumbering or re-lettering of the clauses and any consequential amendments and any other clerical errors may be rectified by the Clerk.<sup>88</sup>

#### **74. PROCEDURE ON SENATE AMENDMENTS**

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(1) When a Bill is returned from the Senate with amendments, the consideration of such amendments may, with the consent of the Speaker, be immediately entered upon, or may be put down for such future day as the Member in charge of the Bill shall appoint.

(2) Upon a motion being made *“That the Senate amendments to the Bill be now considered”* an amendment may be proposed that:

(a) the word “now” be deleted from the question; and

(b) consideration of such amendments be deferred to a later date.

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<sup>88</sup> Existing SO 58, amended

(3) When the House proceeds to the consideration of Senate amendments, each amendment shall be read by the Clerk and may be agreed to. Upon any such amendment being disagreed to, an amendment may be proposed to a Senate amendment but not to the Bill, unless the proposed amendment is relevant to or consequent upon either the acceptance or rejection of a Senate amendment.

(4) Senate amendments proposed to Bills which are subject to Sections 13 and 54 of the Constitution, shall be rejected by the House, as being out of order, if such amendments, in the opinion of the Speaker appear to be inconsistent with the principles agreed upon at Second Reading and passed by the House on Third Reading.

(5) When the House has concluded the consideration of the Senate amendments—

(a) If such amendments have been agreed to, a message shall be sent to the Senate informing them *“That the House of Representatives has agreed to the amendments to the .....”*

(b) If such amendments have been amended, a message shall be sent informing the Senate that the House has amended the Senate amendments to which they desire the concurrence of the Senate;

(c) If such amendments have been disagreed to, a message shall be sent informing the Senate *“That the House of Representatives has disagreed to the Senate Amendments to the Bill for the following reasons.....<sup>89</sup>”*.

(6) When the House has disagreed to a Senate amendment, if the Senate returns the Bill with a message that it insists upon the amendment, the House may either –

(a) Agree to the said amendment, in which case the provisions of paragraph (5)(a) of this Standing Order shall apply;

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<sup>89</sup> Consistent with practice in the UK and with recent practice re: the procedure for the Finance Bill 2012.

- (b) Amend such amendments in which case the provisions of paragraph (5)(b) of this Standing Order shall apply; or
- (c) Postpone the consideration of the Senate amendment for six (6) months or any other period decided by the House;
- (d) Order the withdrawal of the Bill; or
- (e) Subject to the provisions of Sections 64(1) and 65(1) of the Constitution present the Bill as passed by the House of Representatives to the President for his Assent notwithstanding the disagreement of the Senate.<sup>90</sup>

#### **75. PRIVATE BILLS**

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(1) Every Bill (not being a Public Bill) intended to affect or benefit some particular person, association or corporate body, herein called a "Private Bill" shall be introduced into the House under the provisions of this Standing Order.

(2) Any Bill (not being a Government Bill) which in the opinion of the Speaker, appears to affect directly private rights or property, shall be introduced into the House as a Private Bill under the provision of this Standing Order.

(3) A private Bill shall be introduced by a Member only: -

- (a) on petition from the promoters stating the objects of and reasons for the Bill, and

- (b) after notice of the Bill has been given by not less than three (3) successive publications of the Bill at the expense of the promoters in the *Gazette* and three notices have been inserted in a newspaper containing a statement of the objects of and reasons for the Bill.

(4) The petition shall be presented by being lodged with the Clerk, and shall be read at the first ordinary sitting of the House after it is lodged. Immediately

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<sup>90</sup> Existing SO 59.

after it is read, the Speaker shall put the question that the promoters be allowed to proceed.

(5) (a) When leave to proceed has been granted, a copy of the Bill shall, if not previously lodged, be lodged with the Clerk within two (2) months next after such leave has been granted.

(b) Upon lodging the Bill, the promoters shall pay to the Comptroller of Accounts the cost, as ascertained by the Clerk, of publication in the *Gazette* and in a newspaper together with the prescribed stamp duty except in such cases where the House has remitted the stamp duty.

(c) The Clerk shall cause the Bill lodged with him to be printed as early as possible, and at the first ordinary sitting of the House following the publication of notices of the Bill in accordance with paragraph (3)(b) of this Standing Order, the Speaker, if he is satisfied that the said notices have been published, shall put the question that the Bill be read a first time, upon which no discussion shall be allowed. After the Bill is read the first time, it shall stand upon the Order Paper for second reading at the next ordinary sitting of the House.

(6) Upon the day ordered for the second reading, the Speaker shall, unless the House otherwise orders, propose the question that the bill be read a second time.

(7) When the Bill has been read a second time it shall stand committed to a Committee of the whole House, unless the House on motion made commits it to a Select Committee. Such motion shall not require notice and must be made immediately after the Bill has been read a second time, and the question thereon shall be put without amendment or debate.

(8) Every Select Committee on such a Bill shall require proof of the facts and other allegations set forth in the Bill as showing that it is expedient that the Bill should be passed, and may take such oral or other evidence as it may think requisite. Thereafter, if the Select Committee finds that the said facts and allegations are not proved, it shall report to the House accordingly and no



further proceedings shall be taken with reference to the Bill, unless the House makes a special order to the contrary.

(9) If the Select Committee finds that the said facts and allegations had been proved, the Committee shall consider the several clauses of the Bill and may strike out clauses, add new clauses, and make any other amendments which it shall deem necessary, and in respect of such new clauses and other amendments, shall describe their purport in a special report to the House. No new clauses or amendments shall be allowed in such a Bill which are foreign to the objects of and reasons for the Bill or which are beyond its scope

(10) No person other than a Member shall be heard in opposition to any Private Bill, unless he has previously lodged a petition with the Clerk showing the nature of his objections to the Bill, and stating whether his objections extend to the whole or some part of the preamble if any, or to the clauses of the Bill, and praying that he may be heard by himself or his counsel against the Bill.

(11) Subject to the provisions of this Standing Order, all petitions against a Bill, containing a prayer that the petitioners be heard by themselves or counsel shall stand referred to the Select Committee and the Committee shall hear all such opposers who appear to have a *locus standi*.

(12) When it is intended that witnesses be examined the petitioner or Member requiring such witnesses shall deliver to the Clerk at least two (2) days before the day appointed for their examination, a list containing names, residence and occupation of such witnesses.

(13) The evidence of every witness shall be taken down and read over to the witness who may then desire any correction to be made; and in case no such correction shall be made, the evidence shall stand as taken down and not be altered afterwards.

(14) The Select Committee shall examine the Bill and make such amendments thereto as it thinks proper, and shall report to the House that it has examined the Bill and (if the fact be so) made amendments thereto and shall make to the House such recommendations, if any, as it thinks fit.

(15) After the report of the Committee has been presented to and adopted by the House, the Speaker shall put the question without amendment or debate, that the Bill be read a third time.<sup>91</sup>

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#### **76. CUSTODY OF BILLS AND ASSENT**

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(1) Every Bill passed by the House and the Senate shall remain in the custody of the Clerk who shall, at the earliest opportunity, submit the Bill to the President for his Assent.

(2) In accordance with Section 64(1) or 65 of the Constitution<sup>92</sup> the Clerk shall present to the President for his Assent any Bill passed by the House but not agreed to by the Senate.

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#### **77. WITHDRAWAL OF BILLS**

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The Member in charge of a Bill may by leave of the House withdraw the Bill at any stage.<sup>93</sup>

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#### **78. BILLS CONTAINING SUBSTANTIALLY THE SAME PROVISIONS**

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Once the second reading of any Bill has been agreed to or negatived, no question shall be proposed during the same session for the second reading of any other Bill containing substantially the same provisions.<sup>94</sup>

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#### **79. LAPSED BILLS AND THE PROCEDURE FOR CARRYING OVER**

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(1) A Bill shall lapse if Parliament is prorogued or dissolved before the Bill has reached its final stage in Parliament.

(2) A Private Bill is exempt from the provisions of paragraph (1) of this Standing Order during a period of prorogation.

(3) The House may, notwithstanding paragraph (1) of this Standing Order, on motion moved without amendment or debate, agree to the resumption of proceedings on a Bill in the following session.

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<sup>91</sup> Existing SO 83, amended

<sup>92</sup> Existing SO 60, updated.

<sup>93</sup> Existing SO 61, updated.

<sup>94</sup> Existing SO 62

## **80. STATUTORY INSTRUMENTS**

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(1) A Statutory Instrument which is required to be laid in Parliament shall be submitted forthwith to the Clerk for laying on the Table simultaneous with its submission for publication.

(2) For the purpose of section 75(9) of the Interpretation Act, Chapter 3:01 the prescribed period<sup>95</sup> shall be 40 days from the date on which a statutory instrument is published.

(3) Where notice of a motion to annul a statutory instrument is given, that motion shall be debated as soon as practicable and in any event before the expiration of the period prescribed in paragraph (2) of this Standing Order.

## *CHAPTER IX*

# *Financial Procedures*<sup>96</sup>

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## **81. PRESENTATION AND SECOND READING OF APPROPRIATION BILL**

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(1) Any Bill containing the estimated financial requirements for expenditure on all the services of the Government of Trinidad and Tobago for the current or succeeding financial year shall be known as an Appropriation Bill.

(2) Estimates containing the details of the financial requirements shall be presented at the same time as any such Bill and shall immediately stand referred to the Standing Finance Committee.

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<sup>95</sup> which relates to subsidiary legislation subject to negative resolution

<sup>96</sup> Existing SOs 63 to 70 have been amended by the proposed SOs 81 to 88, as indicated.

(3) Immediately after the presentation of an Appropriation Bill, the Minister responsible for Finance shall be entitled to move the second reading of the Appropriation Bill.

(4) The motion for such second reading shall be the occasion for the Minister responsible for Finance to make his annual Budget Speech. After the Minister has made his Budget Speech, no other Member shall speak on the motion at that time and the Minister shall name the day upon which the debate on the Second Reading shall be resumed; such day shall not be less than three (3) clear days after the Budget Speech.

(5) After the motion for the second reading of the Appropriation Bill has been resumed under paragraph (4) of this Standing Order, the debate upon such motion shall continue on the day of the resumption and on four (4) further days to be allotted for the debate on the Second Reading of the Bill.

(6) The debate, when resumed under paragraph (5) of this Standing Order, shall be confined to the financial and economic state of Trinidad and Tobago and the general principles of Government policy and administration as indicated by the Appropriation Bill and the Estimates. At 7.50 p.m. on the last of the allotted days, unless the debate is concluded earlier, the Speaker shall put any question necessary to bring the proceedings on the Second Reading to a conclusion

(7) For the purposes of this Standing Order and Standing Order 83 (Allotment of Time in Finance Committee) an allotted day shall be any day on which the consideration of the Appropriation Bill, whether by the House or in Standing Finance Committee, stands as the first Public Business for that day, and on such a day the debate on the Appropriation Bill shall not be interrupted at 7.50 p.m. subject to paragraph (6) above.

(8) When the Appropriation Bill is read a second time, a Minister may move that the Bill be referred to the Standing Finance Committee for the consideration of the Bill together with the Estimates. The House shall then resolve itself into the Standing Finance Committee to consider the Bill and the Estimates.<sup>97</sup>

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## **82. STANDING FINANCE COMMITTEE-ANNUAL APPROPRIATION**

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<sup>97</sup> Amendment to existing SO 63

(1) There shall be a Committee of the whole House, to be called the Standing Finance Committee which shall be chaired by the Speaker. It shall be the duty of the Committee to consider the Estimates and the Appropriation Bill. The deliberations of the Standing Finance Committee shall take place in public.

(2) The Standing Finance Committee shall sit at such times as may be determined by the Chairman but, except in cases of emergency when shorter notice may be given, three (3) clear days notice of each meeting shall be given to the Members.

(3) The Estimates shall, upon presentation to the House, stand referred to the Standing Finance Committee. The Appropriation Bill, upon being read a second time, shall stand committed to that Committee. By resolution the House may, in its discretion, also refer to the Committee any other matter or matters relating to expenditure.

(4) The Clerk of the Committee shall record the proceedings of the Standing Finance Committee<sup>98</sup> and record any division taken.

(5) When the House is sitting, the Standing Finance Committee may meet as a Committee of the whole House when the House resolves itself into Standing Finance Committee. The Committee, when summoned by the Chairman, may meet at any time when the House is not sitting, and shall, as far as possible, have the same powers and duties as the Committee has when it functions in pursuance of the House resolving itself into Standing Finance Committee.<sup>99</sup>

### **83. ALLOTMENT OF TIME IN STANDING FINANCE COMMITTEE**

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(1) A maximum of five (5) days shall be allotted for the examination of the Estimates in Standing Finance Committee together with the Appropriation Bill.

(2) The procedure in Standing Finance Committee shall be as follows:

(a) the Estimates shall be considered first;

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<sup>98</sup> Consistent with best practice and established parliamentary benchmarks, this should be an appointed Clerk-at-the-Table of the House (a person in service of the legislative branch)

<sup>99</sup> Amendment to existing SO 64

(b) the Committee shall be empowered to send for relevant Accounting Officers and technocrats to provide information to the Committee.

(3) The Leader of the Opposition shall have the right to determine the order in which the heads of expenditure shall be considered and shall notify the Speaker and the Government in writing on the day named by the Minister for resumption of the debate on the Appropriation Bill for the approval of the Estimates of expenditure provided that in the event of failure of the Opposition to exercise the right conferred under this paragraph the Government shall have the right to determine such order.

(4) Upon any day allotted under paragraph (1) of this Standing Order, no dilatory motion shall be moved except by a Minister upon any proceedings on the Estimates, and such proceedings shall not be interrupted or postponed under any Standing Order.<sup>100</sup>

#### **84. PROCEDURE ON EXAMINATION OF ESTIMATES IN STANDING FINANCE COMMITTEE**

(1) The Standing Finance Committee shall consider the Estimates of Expenditure in relation to the Heads of Expenditure in the order submitted by the Leader of the Opposition in accordance with Standing Order 83 (Allotment of Time in Standing Finance Committee).

(2) In its consideration of each Head identified the Standing Finance Committee may seek clarification from the relevant Accounting Officers and technocrats.

(3) No amendment to the Estimates shall be moved in Standing Finance Committee under this Standing Order until one (1) clear day after the day on which notice of the amendment was given to the Clerk.

(4) An amendment to any Head of Expenditure to increase the sum allotted thereto whether in respect of any item or sub-head or of the Head itself may only be moved by a Minister who shall signify to the Committee the recommendation of the Cabinet to the increase in accordance with paragraph (5) of Standing Order 70 (Procedure in Committee of the whole House on a Bill).

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<sup>100</sup> Existing SO 65, amended.

Every such amendment shall take the form of a motion "*That Head..... be increased by \$..... (in respect of sub-head..... item ..... ) (sub-head .....)*"

(5) An amendment to increase a Head whether in respect of any item or sub-head or of the Head itself shall take precedence over an amendment to reduce the Head in the same respect, and, if it is carried, no amendment to reduce the Head in that respect shall be called.

(6) An amendment to any Head of Expenditure to reduce the sum allotted thereto in respect of an item therein may be moved by any Member, and shall take the form of a motion "*That Head ..... be reduced by \$..... in respect of (or by leaving out) subhead ..... item.....*"

(7) It shall be out of order to make an amendment which:

(c) reduces a Head in respect of any sub-head;

(d) reduces a Head without reference to a sub-head therein;

(e) excludes a Head or sub-head;

unless specific reference is made to the relevant sub-item, item or sub-head as the case may be.

(8) When notice has been given of two or more amendments to reduce the same item, subhead, or Head they shall be considered in the order of the magnitude of the reductions proposed, the amendment proposing the largest reduction being placed first in each case.

(9) Debate on every amendment shall be confined to the item, subhead or Head to which the amendment refers, and after an amendment to an item or sub-head has been disposed of, no amendment or debate on a previous item or sub-head of that Head shall be permitted.

(10) When all amendments in respect of any particular Head of Expenditure have been disposed of, the Chairman shall put the question "*That Head... be (increased)(reduced) by the sum of \$.....*" There shall be no debate on any such question.<sup>101</sup>

#### **85. PROCEDURE FOR CONSIDERATION OF THE APPROPRIATION BILL**

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(1) On the consideration of the Appropriation Bill in Finance Committee the clauses of the Bill shall stand postponed until after consideration of the Schedule.

(2) On consideration of the Schedule each Head of Expenditure shall be considered with the appropriate Estimate, and any reference in these Standing Orders to a sub-head or an item means a sub-head or an item in the Estimates for the Head then under discussion.

(3) On the consideration of the Schedule, the Chairman shall call the title of each Head of Expenditure in turn, and shall propose the question "*That the sum of \$..... for Head..... stand part of the Schedule*", and unless an amendment is proposed under the provisions of the next succeeding Standing Order, a debate may take place on that question.

(4) No amendment may be moved to any clause except any amendment consequential on an alteration in the total sum appropriated by the Schedule. Any such consequential amendment shall be moved by a Minister only, and may be moved without notice, and the question thereon shall be immediately put without amendment or debate. When the question on the last of any such amendments to a clause has been decided, the Chairman shall at that time put the question "*That the clause as amended stand part of the Bill*" and that question shall then be decided without amendment or debate.

(5) When the question upon every clause of the Bill has been decided, the Chairman shall put the question to the Committee that the Bill (as amended) be reported to the House, which question shall be decided without amendment or debate. Upon such question being agreed to, the Chairman shall leave the Chair

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<sup>101</sup> Existing SO 67.



and the House shall resume, and the Member in charge of the Bill shall report it to the House.<sup>102</sup>

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### 86. THIRD READING OF APPROPRIATION BILL

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So soon as the Appropriation Bill has been reported to the House a motion for the third reading shall be made by a Minister. Such motion shall not require to be seconded, and shall be decided without amendment or debate.<sup>103</sup>

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### 87. SUPPLEMENTARY APPROPRIATION BILL

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(1) The Standing Finance Committee shall consider and report on all proposals for the expenditure from public revenue or other funds which are not included in the Annual Estimates, including proposals for supplementary and unforeseen expenditure.

(2) If from time to time, whether in the course of a particular financial year or after its close, a Supplementary Appropriation Bill is presented appropriating only proposals which have been approved by the Standing Finance Committee and agreed to by the House then the debate on the second reading of the said Bill shall be strictly confined to the matter for which additional expenditures is required. When the question has been agreed to, the Bill shall not be committed and the question "*That the Bill be now read a third time*" shall be immediately put without amendment or debate.

(3) The proceedings on any such Bill shall not be interrupted under the provisions of Standing Order 12 (Hours of Sitting) and may be entered upon after 7.50 p.m. although opposed.<sup>104</sup>

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### 88. REPORT OF THE STANDING FINANCE COMMITTEE

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(1) A report of the Standing Finance Committee shall be presented to the House by the Minister of Finance, who shall move that the report be adopted and the debate may then take place or may be deferred to a day to be named by him.

(2) On the debate on the motion "*That the Report of the Standing Finance Committee be adopted*", Members may raise points as to specific details of

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<sup>102</sup> Existing SO 66.

<sup>103</sup> Existing SO 68.

<sup>104</sup> Existing SO 70.

Heads of Expenditure in the report but may not raise any matters of general principle.<sup>105</sup>

## CHAPTER XI

# Committees<sup>106</sup>

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### 89. SESSIONAL SELECT COMMITTEES

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(1) There shall be the following Sessional Select Committees—

- (a) the Standing Orders Committee;
- (b) the House Committee;
- (c) the Committee of Privileges;
- (d) the Statutory Instruments Committee; and
- (e) the Business Committee.

(2) Members of the House appointed to Sessional Select Committees shall be chosen by the Speaker as soon as possible after the beginning of each Session.<sup>107</sup>

(3) Sessional Select Committees shall meet in private.

### 90. STANDING ORDERS COMMITTEE

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<sup>105</sup> Existing SO 69.

<sup>106</sup> Existing SOs 71 to 82 have been amended by the proposed SOs 89 to 110, as indicated.

<sup>107</sup> Existing SO 71, amended. PAC removed from Sessional Select, see proposed SO 99.

(1) The Standing Orders Committee shall have the duty of considering from time to time and reporting on all such matters relating to the Standing Orders as may be referred to it by the House.

(2) The Speaker shall be a member and the Chairman of the Standing Orders Committee.

(3) The Standing Orders Committee shall consist of six (6) Members inclusive of the Chairman.<sup>108</sup>

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### **91. HOUSE COMMITTEE**

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(1) The House Committee shall have the duty of considering and advising the Speaker on matters connected with the comfort and convenience of Members of the House, and from time to time reporting to the House its Minutes of Proceedings.

(2) The Leader of the House shall be a member and the Chairman of the House Committee.

(3) The House Committee shall consist of six (6) Members inclusive of the Chairman.<sup>109</sup>

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### **92. COMMITTEE OF PRIVILEGES**

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(1) The Committee of Privileges shall have the duty of considering and reporting on any matter referred to it by the Speaker or the House, in accordance with Standing Order 32(Privilege Matters) and Standing Order 55(Order in the House). It shall be the duty of the Committee to consider any matter so referred and to report thereon to the House.

(2) The Speaker shall be a member and the Chairman of the Committee of Privileges.

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<sup>108</sup> Existing SO 73

<sup>109</sup> Existing SO 74

(3) The Committee of Privileges shall consist of six (6) Members inclusive of the Chairman.<sup>110</sup>

### 93. STATUTORY INSTRUMENTS COMMITTEE

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(1) The Statutory Instruments Committee shall consider Statutory Instruments that are subject to the negative resolution. It shall have the duty, *inter alia*, of bringing to the attention of the House any such instrument—

- (a) which involves the expenditure of public moneys or which imposes or fixes fees for licences or for services;
- (b) which cannot be challenged in the Courts on the ground that it is *ultra vires*, or is only temporarily so challengeable;
- (c) the making of which appears to constitute an unusual or unexpected use of the powers conferred by the law under which it was made;
- (d) which purports to have retroactive or retrospective effect although the law under which it was made does not in terms give the maker of the instrument such a power;
- (e) the publication or the laying before the House of which, appears to have been unduly delayed;
- (f) in respect of which there has been unjustifiable delay in notifying the Speaker that the instrument had come into operation before it was laid before the House<sup>111</sup>; or
- (g) the purport or form of which appears to require elucidation.

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<sup>110</sup> Existing SO 75

<sup>111</sup> In the United Kingdom, pursuant to the Statutory Instruments Act, 1946, notifications must be sent forthwith to the Lord Speaker and the Speaker of the House of Commons drawing attention to the fact that the instrument is yet to be laid before Parliament and giving reasons why the instrument was not laid before it came into operation. There continue to be cases of instruments being enacted and not laid in the House, as required in law.

(2) The Statutory Instruments Committee shall not consider or report on the merits or policy of any such instrument.

(3) The Speaker shall be a member and the Chairman of the Statutory Instruments Committee.

(4) The Statutory Instruments Committee shall consist of six (6) Members inclusive of the Chairman.

(5) Reports of the Statutory Instruments Committee shall be presented to the House pursuant to Standing Order 111 (General Powers of Select Committees).<sup>112</sup>

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#### **94. BUSINESS COMMITTEE**

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(1) The Business Committee shall consider such matters as may arise from time to time in connection with the business of the House, including the composition of Members to serve on Committees.

(2) The Speaker shall be a member and the Chairman of the Business Committee.

(3) The Business Committee shall consist of six (6) Members inclusive of the Chairman.

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#### **95. SPECIAL SELECT COMMITTEES**

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(1) The House may, from time to time, appoint Special Select Committees.

(2) A Special Select Committee shall be appointed by Order of the House which shall specify the terms of reference of the Committee and shall consist of such Members as may be directed by Order of the House and, in the absence of such direction shall consist of such Members as may be chosen by the Speaker.

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#### **96. COMPOSITION AND CHAIRMAN OF SELECT COMMITTEES**

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<sup>112</sup> Existing SO 76, amended

(1) Every Select Committee shall be so constituted as to ensure, so far as is possible, that the balance of parties in the House is reflected in the Committee.

(2) In computing the balance of the parties -

(a) Parties which are in a coalition will be treated as one group; and

(b) Opposition parties with fewer than three (3) Members and Independent Members will altogether be treated as one group<sup>113</sup>.

(3) Where a Member of a Select Committee dies or for any other reason his seat becomes vacant, then, subject to the preceding paragraph, the Speaker shall appoint another Member in his place.

(4) Except as otherwise provided by these Standing Orders or by special direction of the House, a Select Committee may elect a Chairman from among its Members.<sup>114</sup>

(5) Before participating in the consideration of any item of business before a Committee in which he has a financial interest, a Member should disclose the extent of that interest.<sup>115</sup>

## **97. JOINT SELECT COMMITTEES**

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(1) A Select Committee of the House of no more than six (6) Members may be appointed to sit with a Select Committee of the Senate of equal number, to form a Joint Select Committee.

(2) A quorum of a Joint Select Committee shall be such fixed number of Members as specified by Order of the Houses or, in the absence of such Order,

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<sup>113</sup> Adapted from the principles used in the New Zealand House of Representatives which has a history of coalition governments

<sup>114</sup> Existing SO 78.

<sup>115</sup> Adapted from the principles used in the UK House of Commons as explained in the Erskine May Parliamentary Practice, 24<sup>th</sup> ed at pg 80

as the Committee may decide; such quorum may only require that each House be represented.<sup>116</sup>

(3) Subject to these Standing Orders, a Joint Select Committee shall elect its own Chairman.

(4) A Joint Select Committee may be appointed at the request of either House with the approval of the other House.<sup>117</sup>

## **98. JOINT STANDING COMMITTEES**

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(1) Pursuant to the Constitution there shall be the following Joint Select Committees:

(a) the Public Accounts Committee;

(b) the Public Accounts (Enterprises) Committee; and

(c) Departmental Committees appointed pursuant to Section 66A of the Constitution.

(2) As far as possible Cabinet Ministers should not be Members of the Committees established under paragraph (1). Where the circumstances require a Cabinet Minister to be appointed to such Committees any such appointment should be so made as to avoid occurrences of conflict of interest.<sup>118</sup>

(3) In addition, the following Joint Select Committees are hereby established:

(a) the Public Administration and Appropriations Committee;

(b) the Committee on National Security;

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<sup>116</sup> Amended to ensure that a quorum is numerical with no further qualification to avoid inadvertently giving a veto power to any group

<sup>117</sup> Existing SO 79; SO 79A has been deleted.

<sup>118</sup> This will ensure that a Minister is not appointed to a Committee that oversees his Ministry.

- (c) the Committee on Energy Affairs;
- (d) the Committee on Foreign Affairs;
- (e) The Committee on Human Rights, Diversity, the Environment and Sustainable Development;
- (f) the Parliamentary Broadcasting Committee; and
- (g) the Committee on Government Assurances.

(6) A Joint Select Committee established under this Standing Order shall be Standing Committees appointed for the duration of the life of a Parliament.

(7) Standing Committees shall meet in public, except:-

- (a) when deliberating upon evidence received; and
- (b) when deliberating on its report to the House; or
- (c) if otherwise resolved by Order of the Committee.

#### **99. THE PUBLIC ACCOUNTS COMMITTEE**

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(1) The Public Accounts Committee shall have the duty of considering and reporting to the House on:

- (a) appropriation accounts of moneys expended out of sums granted by Parliament to meet the public expenditure;
- (b) such other accounts as may be referred to the Committee by the House or as are authorized or required to be considered by the Committee under any Law; and
- (c) the report of the Auditor General on any such accounts.



- (2) In the performance of its duties under paragraph (1) of this Standing Order the Public Accounts Committee shall consider whether policy is carried out efficiently, effectively and economically and whether expenditure conforms to the authority which governs it.

#### **100. THE PUBLIC ACCOUNTS (ENTERPRISES) COMMITTEE**

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(1) The Public Accounts (Enterprises) Committee shall have the duty of considering and reporting to the House on:

(a) the audited accounts, balance sheets and other financial statements of all enterprises that are owned or controlled by or on behalf of the State; and

(b) the Auditor General's report on any such accounts, balance sheets and other financial statements.

(2) In the performance of its duties under paragraph (1) of this Standing Order the Public Accounts (Enterprises) Committee shall consider whether policy is carried out efficiently, effectively and economically and whether expenditure conforms to the authority which governs it.

#### **101. THE DEPARTMENTAL JOINT SELECT COMMITTEES<sup>119</sup>**

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(1) A Departmental Joint Select Committee appointed pursuant to Section 66A of the Constitution shall be empowered to investigate, enquire into and report on the administration, the manner of the exercise of the powers, methods of functioning and any criteria adopted by the Ministry of body which is assigned to it by the House in the exercise of its powers and functions. In general, the Committee shall be severally empowered to review and report on:

(a) the statute law relating to the Ministry/body assigned to it;

(b) the program and policy objectives of the Ministry/body and its effectiveness in the implementation of same; and

(c) other matters relating to the management, organisation of the Ministry/body, as the Committee deems fit.

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<sup>119</sup> New SO

## **102. THE COMMITTEE ON PUBLIC ADMINISTRATION AND APPROPRIATION<sup>120</sup>**

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(1) The Public Administration and Appropriation Committee shall have the duty of considering and reporting to the House on:

- (a) the budgetary expenditure of Government agencies to ensure that expenditure is embarked upon in accordance with parliamentary approval;
- (b) the budgetary expenditure of Government agencies as it occurs and keeps Parliament informed of how the budget allocation is being implemented; and
- (c) the administration of Government agencies to determine hindrances to their efficiency and to make recommendations to the Government for improvement of public administration.

## **103. THE COMMITTEE ON NATIONAL SECURITY<sup>121</sup>**

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(1) The Committee on National Security shall have the duty of considering, from time to time, and reporting whenever necessary, on all matters related to the national security policy of Trinidad and Tobago. In particular, the Committee shall be authorized to examine:

- (a) the security, safety and protection of citizens;
- (b) the working relationships between the various agencies involved in intelligence gathering, and how they collect, coordinate, analyse and disseminate information and how these functions might be enhanced; and

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<sup>120</sup> New SO, adopted from the Standing Orders of Jamaica. Committee aims to bring best practices to the management of the economy and public resources. Unlike the PAC which reviews government spending long after it occurs, the PAAC is expected to track the Budget as well as its general administration on an on-going basis.

<sup>121</sup> New SO

(c) the mechanisms to review the performance and activities of the various agencies involved in National Security and critical infrastructure.

#### **104. THE COMMITTEE ON ENERGY AFFAIRS**

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The Committee on Energy Affairs shall have the duty of considering, from time to time, and reporting whenever necessary, on all matters related to the expenditure, administration and policy in relation to Energy Affairs.

#### **105. THE COMMITTEE ON FOREIGN AFFAIRS**

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The Committee on Foreign Affairs shall have the duty of considering, from time to time, and reporting whenever necessary, on all matters relating to Foreign Affairs as may be referred to it by either House of the Parliament.

#### **106. THE COMMITTEE ON HUMAN RIGHTS, DIVERSITY, THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT**

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(1) The Committee on Human Rights, Diversity, the Environment and Sustainable Development shall have the duty of considering, from time to time, and reporting whenever necessary, on all matters related to:

(a) the compatibility of Acts of Parliament with human rights, and any matters relating to human rights in Trinidad and Tobago (but excluding consideration of individual cases);

(b) the creation of an inclusive and more equitable society through greater social justice and sustainable human development within Trinidad & Tobago; and

(c) the environment, climate change, energy efficiency, sustainability, and planning the use, sustainable development and protection of land and other resources.

#### **107. THE PARLIAMENTARY BROADCASTING COMMITTEE**

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The Parliamentary Broadcasting Committee shall have the duty of considering, from time to time, and reporting whenever necessary, on all matters related to

the regulation of the live broadcasting and televising of parliamentary proceedings.

#### **108. COMMITTEE ON GOVERNMENT ASSURANCES**

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(1) The Committee on Government Assurances shall scrutinize the assurances, promises and undertakings given by Ministers from time to time on the floor of the House and report on:

(a) the extent to which such assurances, promises and undertakings have been implemented; and

(b) when such assurances, promises and undertakings have been implemented and whether such implementation has taken place within the minimum time necessary for the purpose.

(2) The Speaker of the House of Representatives shall be a Member of the Committee.<sup>122</sup>

#### **109. CHAIRMAN OF JOINT STANDING COMMITTEES<sup>123</sup>**

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(1) In accordance with section 119 of the Constitution, the Chairman of the Public Accounts Committee shall be a Member of the Opposition in the House.

(2) Where the Members of the Opposition in the House are unwilling to act as Chairman of the Public Accounts Committee a Member of the Opposition in the Senate shall be appointed Chairman, and where the Members of the Opposition in the Senate are unwilling to act an Independent Senator shall be appointed Chairman.

(3) In accordance with section 119 of the Constitution, the Chairman of the Public Accounts (Enterprises) Committee shall be a Member of the Opposition in the Senate.

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<sup>122</sup> New SO

<sup>123</sup> New SO

(4) Where the Members of the Opposition in the Senate are unwilling to act as Chairman of the Public Accounts (Enterprises) Committee a Member of the Opposition in the House shall be appointed Chairman, and where the Members of the Opposition in the Senate are unwilling to act an Independent Senator shall be appointed Chairman.

(5) The Chairman of the Departmental Joint Select Committees appointed pursuant to Section 66A of the Constitution shall be an Independent Senator.

(6) The Chairman of the Public Administration and Appropriations Committee shall be the Speaker.

(7) The Chairman and Vice Chairman of the Parliamentary Broadcasting Committee shall be the Speaker and President of the Senate, respectively.

(8)The Chairman and Vice Chairman of the Committee on Government Assurances shall be the President of the Senate and Speaker, respectively.

#### **110. SPECIAL PROCEDURES OF JOINT STANDING COMMITTEES**

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(1) This Standing Order shall apply to all Joint Standing Committees with the exception of the Parliamentary Broadcasting Committee.

(2) Within ten (10) days following the appointment of Members to serve on a Joint Standing Committee, the Speaker of the House shall summon a Meeting of each Committee and the first business to be transacted shall be the election of a Chairman and a Vice Chairman and the determination of a quorum. If at such meeting a Chairman is not elected, the Speaker shall appoint a Member of the Committee to be the Chairman.

(3) The quorum of a Joint Standing Committee shall be in accordance with Standing Order 112(General Procedures in Select Committees).<sup>124</sup>

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<sup>124</sup> Amended to ensure that a quorum is numerical with no further qualification to avoid inadvertently giving a veto power to any group

(4) Every Standing Committee shall have the power to appoint Sub-Committees and to delegate to any such Sub-Committee all or any of its powers except the power to report directly to the Houses.

(5) Standing Orders 96 (Composition and Chairman of Select Committees), 97 (Joint Select Committees), 112 (General Procedures in Select Committees) (except paragraph (2)), 113 (Premature Publication) and 114 (Reports from Select Committees) shall apply to every Standing Committee. Standing Order 112 shall, as far the same may be applicable, apply to a sub-committee appointed under this Standing Order.

(6) The Minister responsible for the Ministry or body under review shall, not later than sixty (60) days after a report from a Standing Committee relating to the ministry or body has been laid upon the Table, present a paper to the House responding to any recommendations or comments contained in the report which are addressed to it. All such papers presented by the ministry or body shall be ordered to be laid upon the Table without question put, and any motion for the printing thereof as a House Paper shall be determined without amendment or debate.

(7) If the period of sixty (60) days referred to in this Standing Order expires on a day when Parliament is in recess or the House is adjourned, the Minister referred to in paragraph (6) shall present to the House, the paper responding to the recommendations/comments, no later than the third sitting day following that recess or adjournment.<sup>125</sup>

(8) If a Minister is unable to provide a response referred to in paragraph (7), the Minister shall write to the Speaker of the House providing the reason the response could not be provided.

### **111. GENERAL POWERS OF SELECT COMMITTEES**

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In addition to powers granted by these Standing Orders, Select Committees shall also have the following powers, namely:

- (a) To send for persons, papers and records;

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<sup>125</sup> Existing SO 79B amended to define these JSCs as Departmental JSCs

- (b) To sit notwithstanding any adjournment of the House;
- (c) To adjourn from place to place;
- (d) To report from time to time;
- (e) To appoint specialist advisers either to supply information which is not otherwise readily available, or to elucidate matters of complexity within the Committee's order of reference;
- (f) To communicate with any other Committee on matters of common interest;
- (g) To meet concurrently with any other Committee for the purpose of deliberating, taking evidence or considering draft reports.

## **112. GENERAL PROCEDURES IN SELECT COMMITTEES**

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(1) Except as otherwise provided in these Standing Orders, this Standing Order shall apply to all Select Committees.

### *Time of Committee Meetings*

- (2) Select Committee meetings may be held on:
- (a) Mondays between 8:00 a.m. and 4:00 p.m.;
  - (b) Tuesdays between 8:00 a.m. and 1:00 p.m.;
  - (c) Wednesdays between 8:00 a.m. and 4:00 p.m.;
  - (d) Thursdays between 8:00 a.m. and 4:00 p.m., and
  - (e) Fridays between 8:00 a.m. and 1:00 p.m.
- (3) A Committee may meet on weekends subject to the approval of the Speaker of the House.

### *General*

(4) If the Chairman is unable to be present at any meeting, a Committee shall elect another Chairman whose tenure of office shall be for the day of his election, except that in the case of a Joint Standing Committee, the Vice Chairman shall preside.

(5) Unless the House or these Standing Orders otherwise directs, a quorum shall be three (3) Members. In ascertaining whether there is a quorum present, the Member in the Chair shall not be excluded.

(6) The deliberations of a Select Committee shall be confined to the matter referred to it by the House and any extension or limitation thereof made by the House and, in the case of a Select Committee on a Bill, to the Bill committed to it and relative amendments.

(7) Where, by resolution of the House or under these Standing Orders, a Chairman is appointed, such Chairman shall appoint the time and place for the holding of the first meeting of the Committee. In all other cases, the first meeting of a Select Committee shall be summoned by the Speaker and the first order of business shall be the Election of a Chairman of the Committee. If at such meeting a Chairman is not elected, the Speaker shall appoint a Member of the Committee to be the Chairman.

(8) Subsequent meetings shall be held at such time and place as the Select Committee may determine, except that, if the Committee fails to do so, the Chairman or Vice-Chairman shall, in consultation with the Clerk, appoint such time and place.

#### Seeking Evidence

(9) When it is intended to examine any witness or request papers and records, the Member requiring such evidence shall deliver to the Clerk of the Committee the name and contact details of the witness he desires to examine or the details of the papers required, as the case may be, and the Committee shall decide if and when to request the attendance of the witness or to call for the papers.



(10) Pursuant to paragraph (7), the Clerk of the Committee, shall request any person to attend and give evidence before the Committee or request that papers and records that are relevant to its proceedings be produced.

*The Exercise of Powers to Send for Persons, Papers and Records*

(11) A Select Committee may require, by Order, that a summons be issued to any person:

(a) to attend before that Committee to be examined and give evidence; and

(b) to produce papers and records in that person's possession, custody or control to that Committee.

(12) Every summons issued under paragraph (9) of this Standing Order:

(a) must state the time and place at which it is to be complied with by the person to whom it is addressed; and

(b) shall be signed by the Clerk on behalf of the House and served by the Marshal of the Parliament under the Speaker's direction at least seven days before his evidence is required.

*Member of Parliament as Witness*

(13) If resolved by a Committee, the Chairman may write to a Member of Parliament requesting the Member to attend and give evidence before the Committee or request that papers and records that are relevant to its proceedings be produced.

(14) If the Member refuses to attend the Committee will not take any further action, except to report the matter to the House.

*Advisors to Witnesses*

(15) A witness may be accompanied by an Advisor who may be an Attorney-at-Law of the witness's choice and may consult with such Advisor in the course of a meeting at which the witness appears.

### Evidence

(16) The evidence of every witness shall be taken down verbatim and sent in proof to the witness. The witness shall be at liberty, within fourteen (14) days from that on which the Clerk of the Committee sent out the proof, to suggest corrections due to inaccurate reporting, and the evidence shall be printed with such of the corrections as may be approved by the Chairman.

(17) A Committee may, at its discretion, refuse to hear any irrelevant evidence or any recalcitrant witness.

(18) A Committee shall exercise its discretion in determining whether it shall treat any evidence tendered before it as secret or confidential.

(19) General rules governing the conduct of proceedings before Committees are set out in Appendix III to these Standing Orders.<sup>126</sup>

## **113. PREMATURE PUBLICATION OF EVIDENCE**

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(1) The proceedings of and the evidence taken at a meeting of a Select Committee or sub-committee, and any documents presented to, and decisions of, such a Committee shall not be published by any Member thereof or by any other person before the Committee has presented its report to the House.

(2) This Standing Order does not apply to evidence, whether oral and written, taken before a public meeting of a Committee held in accordance with these Standing Orders, any Order of the House or resolution of that Committee.<sup>127</sup>

## **114. REPORTS FROM SELECT COMMITTEES**

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<sup>126</sup> Existing SO 80

<sup>127</sup> Existing SO 81, amended. New paragraph (2)

(1) Every Committee, with the exception of the Standing Committees shall, before the end of the Session in which it was appointed, make a report to the House upon the matter referred to it; but where a Committee finds itself unable to conclude its investigation before the end of the Session, it may so report to the House.

(2) A report of a Committee may contain the opinions and observations of the Committee, and may be accompanied by the Minutes of evidence taken before the Committee.

(3) A Committee may make a special report relating to its powers, functions and proceedings on any matter that it thinks fit to bring to the notice of the House.

(4) The Secretary to the Committee shall prepare a Draft Report for the Chairman's consideration. The Draft Report thereafter shall be submitted for the consideration of the Committee. However, alternative drafts may be submitted for consideration by any other Member at the request of the Chairman.

(5) The report finally to be adopted shall be such as is agreed to, with amendments (if any) by all the Members of the Select Committee or, failing unanimous agreement, then such as is agreed to by a majority of the Members.

(6) Any Member dissenting from the report of a majority of the Committee may put in a concise written statement of his reasons for such dissent or if he so desires he may submit a minority report and such statement or minority report shall be appended to the report.

(7) The report of a Committee shall be presented to the House by the Chairman or other Member deputed by the Committee, including any minority report and shall be ordered to be laid on the Table, and be printed, without question put.

(8) The Minutes of the Proceedings of a Committee shall accompany the report of the Committee and shall be dealt with as the House may direct.

(9) The minutes of proceedings of a Committee shall record:

(a) the names of the Members present each day of the sitting of the Committee;

(b) the names of the witnesses examined; and

(c) in the event of a division taking place, the question proposed, the names of the proposer and the respective votes thereon of the Members present and the names of the Members (if any) who declined to vote.

(10) The Report of a Committee may be taken into consideration by the House on a motion "*That the Report of the Committee on . . . be adopted*". Such a motion may be submitted to the Clerk to be kept as a part of the records of the House.<sup>128</sup>

## CHAPTER XII

# Miscellaneous

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### 115. ABSENCE OF MEMBERS

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(1) Any Member who is unable to attend a sitting of the House shall inform the Clerk as early as possible of his inability to attend and seek leave of absence.

(2) If any Member is absent from the House for more than six (6) consecutive Sittings occurring during the same Session without the leave of the Speaker, such Member shall vacate his seat in the House under Section 49(2) of the Constitution.<sup>129</sup>

### 116. ABSENCE OF MEMBERS FROM COMMITTEES

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<sup>128</sup> Existing SO 82

<sup>129</sup> Existing SO 84

(1) If a Member fails to attend four (4) consecutive meetings of a Committee of which he is a member, without the permission of the Chairman of the Committee, such absenteeism shall be referred to the Business Committee by the Chairman.

(2) The provisions of paragraph (1) of this Standing Order do not preclude the Chairman of a Committee from referring general absenteeism.

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### **117. EMPLOYMENT OF MEMBERS IN PROFESSIONAL CAPACITY**

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No Member of the House shall appear before the House or any Committee as Counsel or in any other professional capacity for any party or in any capacity for which he is to receive a fee or reward.<sup>130</sup>

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### **118. REPORT OF DEBATES**

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(1) An Official Report of the proceedings and of all speeches made in the House shall be prepared under the supervision of the Clerk, acting under such instructions as the Speaker may from time to time give.

(2) The report shall be published in such form as the Speaker may direct, and a copy thereof shall be sent to each Member as soon as practicable.<sup>131</sup>

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### **119. STRANGERS**

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(1) Strangers may be present in the House Chamber in the places set apart for them, under such rules as the Speaker may make from time to time for that purpose.

(2) If, at any sitting of the House, any Member shall move that strangers withdraw, the Speaker shall immediately put the question "*That strangers do withdraw*" without permitting any debate or amendment.

(3) The Speaker may, whenever he thinks fit, order the withdrawal of strangers from any part of the Chamber and its precincts, and may order the doors of the Chamber to be closed.

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<sup>130</sup> Existing SO 85

<sup>131</sup> Existing SO 86

(4) Strangers must withdraw from the Chamber and its precincts when called upon by the Speaker to do so.

(5) Strangers must preserve silence, and must conduct themselves in a fit and proper manner during a sitting.

(6) The admission of strangers to those portions of the Chamber and dining rooms reserved for the exclusive use of Members shall be regulated in accordance with the Orders made by the Speaker.<sup>132</sup>

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## 120. MEDIA

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(1) The Speaker may grant a general permission to the representative of any journal or newspaper or other medium of public information to attend the sittings of the House under such rules as he may make from time to time for that purpose.

(2) If such rules are contravened such permission may be revoked.<sup>133</sup>

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## 121. AMENDMENT OF STANDING ORDERS

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(1) Unless the Speaker shall otherwise direct, not fewer than twelve (12) days' notice of a motion to amend the Standing Orders shall be given, and the notice shall be accompanied by a draft of the proposed amendments.

(2) The motion shall be set down for the earliest convenient sitting after the expiration of the notice.

(3) When the motion is reached, the mover shall move the motion, and after it has been seconded, if necessary, the motion shall be deemed referred, without any question being put thereon, to the Standing Orders Committee. No further proceedings shall be taken on any such motion until the Committee has reported.

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<sup>132</sup> Existing SO 87 amended

<sup>133</sup> Existing SO 88, amended. The word 'press' replaced by 'media'.

- (4) This Standing Order shall not be construed so as to deprive the House of the power of referring, by resolution, the Standing Orders or any part thereof to the Standing Orders Committee for consideration and report.<sup>134</sup>

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## 122. SUSPENSION OF STANDING ORDERS

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- (1) Any one or more of these Standing Orders may be suspended, on a motion made by a Member at any Sitting, after notice of at least one (1) day or with the leave of the Speaker.

- (2) A motion under this Standing Order shall be decided without amendment or debate.<sup>135</sup>

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## 123. GENERAL AUTHORITY OF THE SPEAKER

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- (1) The Speaker shall be responsible for the general direction and control of the precincts of the Parliament.<sup>136</sup>

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## 124. MINUTES OF PROCEEDINGS

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- (1) The Clerk shall keep and sign the Minutes of the Proceedings of each sitting of the House which shall be circulated to Members prior to the commencement of the next Sitting or as soon as possible<sup>137</sup> thereafter.

- (2) The Minutes shall record the names of Members attending and all decisions of the House whether made formally or informally.<sup>138</sup>

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## 125. PROCLAMATION OF THE PRESIDENT

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Where a Proclamation of His Excellency, the President made under Section 67(1) of the Constitution is published, the Clerk shall send a copy to each Member of the House as soon as possible after it is made and in advance of the time appointed for the commencement of every session.<sup>139</sup>

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<sup>134</sup> Existing SO 89, amended. New para (4)

<sup>135</sup> Existing SO 90.

<sup>136</sup> Existing SO 92, updated.

<sup>137</sup> Ideally, Minutes should be circulated before the next Sitting, but in instances when the next Sitting will be held on consecutive days, the Minutes will be circulated as soon as possible thereafter

<sup>138</sup> Existing SO 6(1) and (2), amended.

<sup>139</sup> Existing SO 6(9) amended

## **126. AGREEMENT BETWEEN BOTH SIDES OF THE HOUSE**

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Where agreement has been reached by leave of the Speaker between the Leader of the House and the Whips of the opposition parties in the House with regard to the transaction of any of the business of the House for any sitting or period, such agreement shall be announced in the House by the Speaker and the Speaker shall, the provisions of these Standing Orders notwithstanding, conduct such business in accordance with the terms of the said agreement.<sup>140</sup>

## **127. METHOD OF CIRCULATION**

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Whenever in these Standing Orders any Bill or other document is required to be circulated to Members the same shall be circulated electronically or by placing a copy thereof on each Member's desk.

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<sup>140</sup> Existing SO 94 amended to provide for the possibility of more than one party in opposition.



## **APPENDIX I- Time Limit on Speeches**

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A Member may speak for the periods as specified below-

### Motions

Mover	40 minutes
Any other Member	30 minutes
Mover in reply	30 minutes

Other than the mover, if the Member speaking so requests during or immediately upon the expiry of a speech, the time for the speech may be extended by the House for a further 10 minutes.

### Ministerial Statement

Minister	10 minutes
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### Personal Explanation

Member	10 minutes
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### Explanatory Statement – Papers

Minister	3 minutes
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### Matters on the Adjournment of the House

Each Member	10 minutes
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### Definite Matters of Urgent Public Importance

Presenter	20 Minutes
First Minister	20 Minutes
Other Member/Minister	5 minutes
Maximum time for discussion	60 minutes in total

## **BILLS**

### Private Members' Bills

#### Introduction and First Reading

Mover	5 minutes
Other Members	2 minutes
Debate	15 minutes in total

### Appropriation Bill

#### Second reading —

Mover	unspecified
Opposition's response	unspecified <sup>141</sup>
Any other Member	45 minutes
Mover in reply	45 minutes

Other than the mover and the Opposition's response, if the Member speaking so requests during or immediately upon the expiry of a speech, the time for the speech may be extended by the House for a further 10 minutes.

### Other Bills

#### Second reading

Mover	40 minutes
First three (3) Members (each bench)	40 minutes
Any other Member	30 minutes
Mover in reply	30 minutes

Other than the mover, if the Member speaking so requests during or immediately upon the expiry of a speech, the time for the speech can be extended by the House for a further 10 minutes.

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<sup>141</sup> To be limited to the time taken by the mover, provided that the mover does not speak for less than 75 minutes.

In Committee

All Members — unlimited periods not exceeding 5 minutes each

**APPENDIX II - General Rules for the Broadcasting of House Proceedings**

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1. The House authorizes the broadcasting, including re-broadcasting, of its gavel to gavel proceedings by the Parliament Channel.
2. The House authorizes the broadcasting of excerpts of its proceedings by radio and television stations, in accordance with the following conditions.

Conditions governing the broadcasting of excerpts of proceedings by radio and television stations

3. The following rules apply in relation to broadcasting of excerpts of proceedings:
  - (a) Broadcasts of excerpts shall be used only for the purposes of fair and accurate reports of proceedings, and shall not be used for:
    - i. Political party advertising or election campaigns;
    - ii. Satire and ridicule;
    - iii. The purpose of maliciously attacking someone's reputation or character; or
    - iv. Commercial sponsorship or commercial advertising.
  - (b) Reports of proceedings shall be such as to provide a balanced presentation of differing views.
  - (c) Excerpts of proceedings which are subsequently withdrawn may be broadcast only if the withdrawal is also reported.
  - (d) The instructions of the Speaker in respect of the broadcasting of excerpts, which are not inconsistent with these conditions, shall be observed.

Radio and television broadcasting of Committee proceedings

4. The following rules apply in relation to radio and television broadcasting, including rebroadcasting, of the proceedings of a committee:
  - (a) Recording and broadcasting of proceedings of a Committee may occur only in accordance with an order of the House or with the authorization of the Committee by a deliberate decision of the committee.
  - (b) A Committee may authorize the broadcasting of only its public proceedings.
  - (c) A Committee may determine conditions, not inconsistent with these rules, for the recording and broadcasting of its proceedings, may order that any part of its proceedings not be recorded or broadcast, and may give instructions for the observance of conditions so determined and Orders so made. A Committee shall report to the House any willful breach of such conditions, orders or instructions.
  - (d) Broadcasting of committee proceedings shall be for the purpose only of making fair and accurate reports of those proceedings, and, in particular:
    - i. Shall not be the subject of commercial sponsorship or be used for commercial advertising;
    - ii. Ridicule and satire; and
    - iii. Shall not be used for election advertising.
  - (e) Recording and broadcasting of proceedings of a Committee shall not be such as to interfere with the conduct of those proceedings.
  - (f) Where a Committee intends to permit the broadcasting of its proceedings, a witness who is to appear in those proceedings shall be given reasonable opportunity, before appearing in the proceedings, to object to the broadcasting of the proceedings and to state the ground of the objection. The Committee shall consider any such objection, having regard to the proper protection of the witness and the public interest in the proceedings, and if the Committee decides to permit broadcasting of the proceedings notwithstanding the witness's objection, the witness shall be so informed before appearing in the proceedings.

(5) The Parliamentary Broadcasting Committee shall determine the penalties which shall be incurred for noncompliance with the guidelines listed above.

### **APPENDIX III - General Rules for the Conduct of proceedings of Committees**

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#### Notice of meeting

1. A written notice informing Members of the Committee of a meeting of the Committee must be circulated by the Clerk of the Committee no later than the day before the meeting. The notice must contain a summary of the items of business proposed to be dealt with at the meeting.
2. The requirement for a written notice to be circulated may be waived if all Members of the committee agree.

#### Secretary

3. It shall be the responsibility of the Clerk to provide every Select Committee with a Clerk of Committee who shall serve as its Secretary.

#### Giving notice of business

4. Members of a Committee may give notice of business or motions to be considered by the Committee either orally at a meeting of the Committee or in writing to the Clerk of the Committee.
5. Notices given at a meeting and notices given to the Clerk of the Committee before 2:00 p.m. on the day before a meeting shall be placed on the agenda for the next meeting of the Committee.
6. Nothing in these rules affects the Chairman's power to rule on whether a proposed notice is in order.

#### Question previously decided

7. A motion or an amendment that is the same in substance as a motion or amendment that was agreed to or defeated in a Select Committee may be proposed again in that Committee in the same session only by leave or if notice has been given.

#### Names of Members present

8. The names of the Members of a Select Committee present at a meeting shall be recorded in the Committee's minutes.

#### Members may be present

9. Subject to this Standing Order, any Member of the House (not being a Member of the Committee) may attend any meeting of a Select Committee but cannot participate in the proceedings except by leave of the Committee.
10. The Minister or Member in charge of a Bill may take part in the proceedings of the Committee even though not a Member of the Committee but may not vote on any question put to the Committee.
11. Except by leave of the Committee, only Members of the Privileges Committee may attend any meeting of that Committee while the Committee is deliberating.

#### Advisors

12. Committee so empowered by Standing Orders, may seek the assistance of persons as advisors to the Committee during its consideration of a matter.
13. Advisors may remain present during relevant proceedings that are not open to the public, unless excluded by the Committee.

#### Attendance by Visitors

14. A Select Committee may invite any person to be present during relevant proceedings that are not open to the public to assist it in its consideration of any matter.

#### Voting

15. A Member may require that the respective votes or abstentions of each Member present on a question put to a Select Committee be recorded in the Committee's minutes.

#### Disorder

16. The Chairman may order any visitor to withdraw from a meeting if that person's conduct is disorderly.

17. The Chairman may order any Member (not being a Member of the Committee) to withdraw from a meeting if that Member's conduct is disorderly.

18. A Select Committee may resolve to exclude a Member of the Committee from its meeting if that Member's conduct is highly disorderly. The Member may be excluded for up to the remainder of the meeting held on that day.

### GENERAL PROVISIONS FOR EVIDENCE

#### Written submissions

19. A witness shall be given the opportunity to make a submission in writing before appearing to give oral evidence.

#### Return of evidence

20. A Select Committee may return, or expunge from any transcript of proceedings, any evidence or statement that it considers to be irrelevant to its proceedings, offensive or possibly defamatory.

### Private evidence

21. Some or all of the evidence to be given to a Select Committee may, by leave, be heard or received in private.
22. The Committee may require all visitors or any visitor to withdraw from a meeting while evidence is being heard in private.
23. Evidence heard or received in private shall be confidential to the Committee until it reports to the House.

### Secret evidence

24. A Select Committee may, by leave, declare evidence to be secret evidence where—
  - a) information that it wishes to obtain can be obtained only if it can assure a witness, or other person in possession of that information, that evidence given to it will remain confidential, or
  - b) it is satisfied that it is necessary to do so to protect the reputation of any person.
25. All visitors must withdraw from a meeting while secret evidence is being heard.
26. Secret evidence may not be disclosed to any other person by the Committee or by any Member of the Committee or by any other person, unless the House expressly authorises such disclosure. Following the Committee's report to the House, secret evidence is delivered into the custody of the Clerk.

### Application for evidence to be private or secret

27. Before providing written evidence to a Select Committee, a person may apply for that evidence to be received in private or in secret. A witness must give reasons for any such application. Where practicable, witnesses shall be



informed before providing written evidence that such an application maybe made.

28. Before giving evidence in private, a witness must be informed that the evidence will become available when the Committee reports to the House or, if it may seriously damage the reputation of any person, will be made available to that person.
29. Before giving evidence in secret, a witness must be informed that secret evidence may be disclosed and that the House has the power to order the disclosure of such evidence.

### HEARING OF EVIDENCE

#### Public attendance at hearings

30. The proceedings of any Select Committee during the hearing of evidence on a bill or other matter, which is the subject of consideration by the Committee, other than private or secret evidence may be open to the public, by order of the House or resolution of the Committee.

#### Matters of concern before giving evidence

31. A person who is to appear before a Committee may raise any matters of concern relating to that evidence with the Clerk of the Committee before appearing before the Committee. Any such matters will be brought to the attention of the Committee.

#### Conduct of examination

32. The examination of witnesses shall be conducted by the Chairman, with the approval of the Committee, directs.
33. The Chairman, and every Member through the Chairman, may put questions to a witness.

### Relevance of questions

34. The Chairman will take care to ensure that all questions put to a witness are relevant to the Committee's proceedings and that the information sought by those questions is necessary for the purpose of those proceedings.
35. A witness may object to a question on the ground that it is not relevant. The Chairman will then determine whether it is relevant to the Committee's proceedings.

### Objections to answer

36. Where a witness objects on any ground to answering a relevant question put to the witness, the witness will be invited to state the ground upon which objection to answering the question is taken.

### Committee consideration of objections

37. Where a witness objects to answering a question on any ground, the Select Committee, unless it decides immediately that the question should not be pressed, will then consider in private whether it will insist upon an answer to the question, having regard to the importance to the proceedings of the information sought by the question.
38. If the Committee decides that it requires an answer to the question, the witness will be informed of that decision, and shall be required to answer the question.
39. The Committee may decide that the public interest would best be served by hearing the answer in private or secret.
40. Where a witness declines to answer a question to which the Committee has required an answer, the Committee may report this fact to the House.

### Witnesses' expenses

41. No expenses may be paid to any witness or proposed witness except with the permission of the Speaker.

42. No Select Committee, Chairman, Member or other person may give any undertaking, promise or assurance to any person that any expenses of a witness or proposed witness will be paid out of public money without first obtaining the authority of the Speaker.

#### Transcripts of evidence

43. All oral evidence given before a Committee must be transcribed.

44. Reasonable opportunity will be afforded to witnesses to make corrections of errors of transcription in any transcript of their evidence.

### **NATURAL JUSTICE**

#### Disqualification for apparent bias

45. A Member who has (whether in the House or outside the House) made an allegation of crime or expressed a concluded view on any conduct or activity of a criminal nature, identifying by name or otherwise a person as being responsible for or associated with that crime, conduct or activity (referred to as apparent bias), may not participate—

- a) in any Select Committee inquiry into that person's responsibility for or association with that crime, conduct or activity, or
- b) in any other proceedings in a Select Committee that may seriously damage the reputation of that person.

#### Complaints of apparent bias

46. A complaint of apparent bias on the part of a Member of a Select Committee may be made by any Member (whether or not a Member of the Committee) or by any person appearing or about to appear before the Committee whose reputation may be seriously damaged by proceedings of the Committee.

47. A complaint of apparent bias must be made, in writing, to the Chairman.

48. The Chairman, after considering any information or comment from the Member against whom the complaint is made, shall decide whether the Member is disqualified by reason of apparent bias.
49. Any Member of a Committee who is dissatisfied with the Chairman's decision on a complaint of apparent bias may refer the matter to the Speaker for decision. The Speaker's decision shall be final.

#### Evidence containing allegations

50. At any stage during a Select Committee's proceedings, the Committee may consider hearing in private evidence that contains an allegation that may seriously damage the reputation of a person.
51. The Committee may also invite that person to be present during the hearing of such evidence.
52. A person who is to appear before a Committee shall be informed of or given a copy of any evidence (other than secret evidence) or material in the Committee's possession that contains an allegation that may seriously damage the reputation of that person.

#### Access to information by person whose reputation may be seriously damaged

53. Any person whose reputation may be seriously damaged by proceedings of a Select Committee may request from the Clerk of the Committee a copy of all material, evidence (except secret evidence), records or other information that the Committee possesses concerning that person.
54. The Committee shall consider any such request and may, if it considers it to be necessary to prevent serious damage to that person's reputation, furnish such material.
55. The Committee may furnish such material in a form different from that requested if to provide it in the form requested would impose undue difficulty, expense or delay.

#### Irrelevant or unjustified allegations

56. When a witness gives evidence that contains an allegation that may seriously damage the reputation of a person and the Select Committee is not satisfied that that evidence is relevant to its proceedings or is satisfied that the evidence creates a risk of harm to that person, which risk exceeds the benefit of the evidence, the Committee will give consideration—

- a) to returning any written evidence and requesting that it be resubmitted without the offending material:
- b) to expunging that evidence from any transcript of evidence:
- c) to seeking an order of the House preventing the disclosure of that evidence.

#### Responding where allegation may seriously damage reputation

57. Any person against whom an allegation has been made that may seriously damage the reputation of that person—

- a) will be given a reasonable opportunity to respond to the allegation by written submission and appearance before the Committee, and
- b) may ask that further witnesses give evidence to the Committee in that person's interest.

58. A response made or further evidence given under this Standing Order shall be received or heard—

- a) in private, if the allegation was made in private evidence or in advice:
- b) in secret, if the allegation was made in secret evidence.

### **INFORMATION ON PROCEEDINGS**

#### Confidentiality of proceedings

59. The proceedings of a Select Committee or a subcommittee other than during the hearing of evidence are not open to the public and remain strictly confidential to the Committee until it reports to the House.

60. Paragraph (60) does not prevent—

a) the disclosure, by the Committee or by a Member of the Committee, of proceedings to a Member of Parliament or to the Clerk or another officer of the House in the course of their duties:

b) the disclosure of proceedings in accordance with Standing Orders.

61. A Committee making an interim report or a special report to the House may resolve that some or all proceedings relating to the report remain confidential to the Committee until it reports finally to the House.

Confidentiality of reports

62. A report or a draft of the report of a Select Committee or a subcommittee is strictly confidential to the Committee until it reports to the House.

63. Paragraph (63) does not prevent—

a) the disclosure, by the Committee or by a Member of the Committee, of a report or a draft report to a Member of Parliament or to the Clerk or another officer of the House in the course of their duties:

b) the disclosure of a report or a draft report in accordance with Standing Orders.

Reports to be signed

64. When a Select Committee has adopted a report, the report shall be signed by the Chairman on behalf of the Committee, or by some other Member of the Committee authorized to do so by the Committee and shall be presented to the House.