



**HOUSE OF ASSEMBLY  
NEWFOUNDLAND AND LABRADOR**

**STANDING ORDERS  
OF THE  
HOUSE OF ASSEMBLY**

**Adopted May 18<sup>th</sup>, 1951, with amendments  
to and including March 16<sup>th</sup>, 2005**

## STANDING ORDER 1

### GENERAL RULE

*Application of Standing  
Orders & cases not  
provided for*

1. (1) The proceedings in the House of Assembly and in all committees of the House shall be conducted in accordance with the following Standing Orders and with the sessional and other orders of the House.

(2) In all cases not provided for in these Standing Orders or by sessional or other orders of the House, the Speaker shall be guided by the following in the order in which they are stated:

- (a) the usages, customs and precedents of this House;
- (b) the Standing Orders and sessional orders and forms and usages, customs and precedents of the House of Commons of Canada and those of any province or territory in Canada; and
- (c) in all cases not provided for above, the usages, customs and precedents of the House of Commons at Westminster in the United Kingdom.

(1951 SO 1; R&S 1999)

## **STANDING ORDERS 2-7**

### **REGULATION AND MANAGEMENT OF THE HOUSE**

#### **THE SPEAKER**

*Election of Speaker*

2. (1) At the opening of the first session of a General Assembly, and at any other time as determined pursuant to Standing Order 2(3), the election of a Speaker shall be the first order of business and shall not be interrupted by any other proceeding.

(2) Following a General Election the Members shall elect a Speaker immediately after the administration of the oath or affirmation of office.

(3) In the case of a vacancy in the Office of the Speaker, as a result of death, resignation or for any other reason, the House shall proceed to elect one of its Members to be Speaker.

(4) If the Office of Speaker becomes vacant between sessions or during a period when the House stands adjourned to the call of the Chair, the Clerk shall immediately notify all Members that the Office of Speaker is vacant.

(5) The Clerk, when the Office of Speaker is vacant, shall ensure that the notification to Members of the date for the opening of a new session or the reconvening of an existing session contains the information that the first order of business shall be the election of a Speaker by secret ballot.

(6) No Minister of the Crown or leader of a recognized parliamentary group, shall be eligible for election to the Office of Speaker.

(7) The election of a Speaker shall take precedence over all other business and the House shall continue to sit, if necessary, beyond its ordinary hour of daily adjournment, until a Speaker is elected and is installed in the chair and if the House has continued to sit beyond its ordinary hour of daily adjournment, the new Speaker shall thereupon adjourn the House until the next sitting day.

(SO 2 added 1999, amended 2005)

*Clerk presides*

3. (1) For the purpose of electing a Speaker, the Clerk, or in the absence of the Clerk, the Clerk Assistant, shall administer the election process and shall preside during the election of a Speaker.

(2) During the election of a Speaker, the Clerk shall not be permitted to entertain any question of privilege or point of order.

(3) During the election of a Speaker, there shall be no debate and no adjournment motion nor motion of any other kind shall be accepted for consideration.

(4) The election of a Speaker shall not be considered a question of confidence in the Government.

(SO 3 added 1999)

*Secret ballot*

4. (1) The election of a Speaker shall be conducted by secret ballot in accordance with this Standing Order.

(2) After a general election, or at any other time when there is a vacancy in the Office of Speaker, any

Member who wishes to stand for election to the Office of Speaker shall, not later than 4:30 o'clock in the afternoon on the working day preceding the day on which the election of a Speaker is expected to take place, in writing in the prescribed form, so inform the Clerk who shall prepare, in alphabetical order, a list of the given names and surnames of those Members who wish to stand as candidates for election to the Office of Speaker.

(3) After the closing days and times referred to in Standing Order 4(2), the Clerk shall affix a copy of the list of candidates provided for in Standing Order 4(2) in a conspicuous place in or near the Assembly Chamber, and shall provide copies of that list to the caucus office of each recognized parliamentary group and to each independent Member.

(4) If only one Member stands for election to the Office of Speaker, or at any stage of withdrawal pursuant to Standing Order 4(16), leaves only one candidate remaining, the Clerk shall announce in the Chamber that candidate's name and without any vote declare that Member to be elected Speaker.

(5) If there are two or more candidates for election to the Office of Speaker, ballot papers shall be provided to Members present in the Chamber, by the Clerk, prior to the taking of the ballot.

(6) Before the taking of the first ballot, the Clerk shall distribute the list of candidates to Members present in the Chamber.

(7) Each Member present in the Assembly Chamber who wishes to indicate his or her choice for the Office of Speaker, shall proceed to one of the voting booths at the Table and print or write legibly on the ballot paper the surname of a candidate whose name appears on the list distributed pursuant to Standing Order 4(6).

(8) Notwithstanding Standing Order 4(7) when two or more candidates, whose names appear on the list distributed pursuant to Standing Order 4(6), have identical surnames, each Member who wishes to indicate his or her choice for one of these candidates shall print or write legibly on the ballot paper the given name and the surname of the candidate of his or her choice.

(9) Members shall deposit their completed ballot paper in a box provided for that purpose on the Table.

(10) Once all Members wishing to do so have deposited their ballot papers, the Clerks at the Table shall retire from the Assembly Chamber with the ballot box and shall count the vote and the Clerk, being satisfied as to the accuracy of the count, shall destroy the ballots together with all records of the number of ballots cast for any candidate.

(11) If one candidate receives a majority of the votes cast, the Clerk shall announce the name of that Member as the Speaker.

(12) If no candidate receives a majority of the votes cast, the name of the candidate, or in the event of a tie the candidates, having the lowest number of votes cast, shall be excluded from subsequent ballots.

(13) If every candidate receives the same number of votes, no names shall be excluded from the next ballot.

(14) For each subsequent ballot, the Clerk shall prepare a list of candidates and distribute it to Members present in the Chamber.

(15) Subsequent ballots shall be conducted in the manner prescribed in Standing Orders 4(5) to 4(16) and the balloting shall continue, in a like manner, until such times as a candidate is elected Speaker upon having

received a majority of the votes cast.

(16) At any time after the result of the first ballot has been declared, but before the commencement of a second or subsequent ballot, a candidate may withdraw from the election by rising in his or her place in the House and stating that he or she is withdrawing, and the election shall then proceed as if the Member had not become a candidate.

(17) The Clerk shall prescribe the following:

- (a) Members' notice of intent to seek election to the Office of Speaker;
- (b) the form of the ballot paper; and,
- (c) such other forms and information as may be required.

(SO 4 added 1999)

*Deputy Speaker*

5. (1) A Chairperson of Committees who shall also be Deputy Speaker of the House shall be appointed at the commencement of every General Assembly, immediately after election of the Speaker; and the Member so appointed shall, if in his or her place in the House, take the Chair of all Committees of the Whole, including the Committees of Supply and Ways and Means.

(2) The Member appointed as Deputy Speaker and Chairperson of Committees shall continue to act in that capacity until the end of the General Assembly for which he or she is appointed, and in the case of a vacancy by death, resignation or otherwise, the House shall proceed forthwith to appoint a successor.

(3) In the absence of the Deputy Speaker and Chairperson of Committees of the House, the Speaker may, in forming a Committee of the Whole House, before

leaving the Chair, appoint any Member Chairperson of the Committee.

(1951 SO 43)

### **CASTING VOTE**

*Speaker's casting vote*

6. The Speaker shall not take any part in any debate before the House. In case of an equality of voices, the Speaker gives a casting vote, and any reasons stated by him or her are entered in the Journal.

(1951 SO 10)

### **ORDER & DECORUM**

*Order & decorum*

7. (1) The Speaker shall preserve order and decorum and shall decide questions of order. No debate shall be permitted on any such decision and no such decision shall be subject to an appeal to the House. In explaining a point of order or practice, the Speaker shall state the standing order or authority applicable to the case.

(2) When the Speaker is putting a question, no Member shall walk out of or across the House, or make any noise or disturbance.

(3) When a Member is speaking, no Member shall pass between him or her and the Chair, nor interrupt him or her, except to raise a point of order.

(4) No Member may pass between the Chair and the Table, nor between the Chair and the Mace when the Mace has been taken off the Table by the Sergeant-at-Arms.

(5) Every Member shall be uncovered when he or she enters or leaves the House, or moves to any part of the House during the debate, and shall make an obeisance to



the Chair in passing to or from his or her seat.

(6) When the House adjourns the Members shall keep their seats until the Speaker has left the Chair.

(1951 SO 11 amended 1999 & 2005)

## STANDING ORDERS 8-11

### SITTINGS OF THE HOUSE

#### *Daily Sittings*

8. The time for the meeting of the House is at 1:30 o'clock in the afternoon on Mondays, Tuesdays and Thursdays inclusive. On Wednesdays the time for the meeting of the House is at 2 o'clock in the afternoon. If a quorum is not present at 15 minutes after that time, the Speaker shall adjourn the House until the usual hour on the next sitting day. When the House rises on Thursday, it stands adjourned, unless otherwise ordered, until the following Monday.

(1951 SO 2 R&S 1999)

#### *Adjournment*

9. If at 5:30 o'clock in the afternoon except on Wednesday, the business of the House is not concluded, the Speaker shall leave the Chair until 7 o'clock. At the hour of 5 o'clock on Wednesday afternoon the Speaker adjourns the House without question put.

(1951 SO 7 R&S 1999)

#### *Evenings*

10. At 10 o'clock in the evening, unless the closure rule (SO 47) be then in operation, the proceedings of any business under consideration shall be interrupted and the Speaker shall adjourn the House without question put, provided that all business not disposed of at the termination of the sitting shall stand over until the next sitting day when it will be taken up at the stage where its progress was interrupted.

(1951 SO 8 amended 1999)

#### *Extended sittings*

11. The Government House Leader may move that

the House not adjourn at 5:30 o'clock on Monday, Tuesday and Thursday afternoons or at 10 o'clock on Monday, Tuesday and Thursday evenings but notice of this motion must be given at a previous day's sitting and once put by the Chair is not debatable.

(SO 11 added 1999)

## STANDING ORDERS 12-15

### QUORUM

*Quorum generally*

12. The presence of at least 14 Members of the House not including the Speaker shall be necessary to constitute a meeting of the House for the exercise of its powers. Whenever the Speaker adjourns the House for want of a quorum, the time of adjournment, and the names of the Members then present shall be inserted in the Journal.

(1951 SO 3)

*When Speaker advised  
no quorum present*

13. (1) Any Member may direct the Speaker's attention to the fact that there is not a quorum present.

(2) A Member need not remain in the House after giving notice that a quorum is not present.

(3) The only occasion when the Speaker takes the initiative is at the commencement of a sitting or at 7 o'clock, after the intermission, or at any such other hour that has been ordered by the House at a previous day's sitting for the commencement of business by the House on the following day. If the Speaker does not see a quorum he or she refrains from calling the Members to order and asks the Clerk to count the House. If there are not 14 Members present, the Speaker declares without question put that the House stands adjourned until the next sitting day. This procedure must be recorded in the Journal.

(4) When the Speaker's attention has been directed to the fact that there is not a quorum present, the Speaker shall cause the bells to be rung and shall cause the count to commence when 3 minutes have elapsed from the ringing of the bells. While the House is being counted the doors remain open and Members can come in during the

whole time occupied by the counting.

(1951 SO 4)

*Quorum in Committee*

14. If notice is taken by a Member that there is not a quorum present in the Committee of the Whole the Chairperson follows the course pursued by the Speaker of the House. If the Chairperson ascertains that 14 Members are not present he or she leaves the Chair, the House is resumed, and, on his or her report the Speaker counts the House or may cause the House to be counted by one of the clerks of the House, and if there be not then a quorum the Speaker must adjourn the House forthwith.

(1951 SO 5)

*Lieutenant-Governor  
arrives*

15. When the Sergeant-at-Arms announces a messenger from the Lieutenant-Governor, the Speaker shall take the Chair whether there be a quorum present or not.

(1951 SO 6)

## STANDING ORDERS 16

### DIVISION

#### *Division*

16. (1) When Members have been called in preparatory to a division, no further debate is to be permitted.

(2) The Division Bells shall ring for a period of not more than 10 minutes or for such lesser time as may be signified to the Speaker by the Government and Opposition Whips, before the Speaker or the Chairperson, as the case may be, puts the question.

(3) No Member shall be entitled to vote in any division unless he or she was in his or her place when the question was put.

(4) Upon a division, the "Yeas" and "Nays" shall not be entered upon the Minutes unless demanded by 3 Members.

(5) The same procedure for a division in the House shall be followed in Committee of the Whole.

(6) On a division every Member present in his or her place in the House when the question is put shall be required to vote.

(1951 SO 9,82,& 83)

## STANDING ORDERS 17-21

### CONDUCT OF MEMBERS

*Offer of money*

17. The offer of any money or other advantage to any Member of this House, for the promoting of any matter whatsoever, depending or to be transacted in Parliament, is a high crime and misdemeanour.

(1951 SO 77)

*Bribery in elections*

18. If it shall appear that any person had been elected and returned a Member of this House, or endeavoured so to be, by bribery, or any other corrupt practices, this House shall proceed with the utmost severity against all such persons as shall have been wilfully concerned in such bribery or other corrupt practices.

(1951 SO 78)

*Attendance*

19. Every Member is bound to attend the service of the House, unless leave of absence has been given to him or her.

(1951 SO 80)

*Pecuniary interest*

20. No Member is entitled to vote upon any question in which he or she has a direct pecuniary interest.

(1951 SO 81)

*Naming of a Member*

21. (1) The Speaker shall be vested with the authority to maintain order by naming individual Members for disregarding the authority of the Chair and, without resort to motion, ordering their withdrawal for the remainder of that sitting, notwithstanding Standing Order 19.

(2) In the event of a Member disregarding an order of the Chair pursuant to this Standing Order, the Speaker shall order the Sergeant-at-Arms to remove that Member.

(SO 21 added 1999)

## **STANDING ORDERS 22-23**

### **STRANGERS**

*Withdrawal of strangers*

22. If any Member takes notice that strangers are present, the Speaker, or the Chairperson (as the case may be), shall forthwith put the question that strangers be ordered to withdraw without permitting any debate or amendment: Provided that the Speaker or the Chairperson, may, whenever he or she thinks proper, order the withdrawal of strangers.

(1951 SO 12)

*Conduct of strangers*

23. Any stranger admitted into any part of the House or gallery, who misconducts himself or herself, or who does



not withdraw when strangers are directed to withdraw, while the House, or any Committee of the Whole House, is sitting, shall be taken into custody by the Sergeant-at-Arms and no person so taken into custody shall be discharged without a special order of the House.

(1951 SO 13)

## **STANDING ORDERS 24-35**

### **BUSINESS OF THE HOUSE**

#### **ROUTINE BUSINESS**

*Order of business*

24. (1) The ordinary daily routine of business in the House shall be as follows except where priority has been given previously by the House to other orders:

- (a) Statements by Members;
- (b) Statements by Ministers;
- (c) Oral Questions;
- (d) Presenting Reports by Standing and Select Committees;
- (e) Tabling of Documents;
- (f) Notices of Motion;
- (g) Answers to Questions for which notice has been given;
- (h) Petitions.

(2) The order of business for the consideration of the House day by day, after the above daily routine, shall be as follows, except on Wednesday:

- (a) Third Readings;
- (b) Committee of the Whole on reports of select committees;
- (c) Committee of the Whole on Bills read a second time;
- (d) Second Readings;
- (e) Motions of which notices have been given by the Government;
- (f) Motions of which notices have been given by Private Members.

(3) On Wednesday except when otherwise ordered by the House, after motion, of which due notice shall have been given, the following shall be the order of business:

- (a) Motions of which notices have been given by Private Members;
- (b) Motions of which notices have been given by the Government;
- (c) Members' Orders;
- (d) Government Orders.

(1951 SO 14 amended 1999 & 2005)

*Statements by Members*

25. (1) The time allotted for "Statements by

Members" under Routine Proceedings shall be limited to 6 minutes.

(2) A Member, other than a Minister of the Crown, may be recognized to make a statement for not more than one minute.

(3) A Member may make a statement about any subject of interest or concern to him or her.

(4) The subject matter of a Member's Statement may be an anniversary, historic event, some particular accomplishment, the death of a notable person, matters of local, provincial, national or international significance of a non-contentious nature.

(5) Statements by Members shall not be used to comment on aspects of provincial governmental policy or to reflect on a decision or direction of the House.

(6) Statements shall not pose a question but rather express the opinion of the Member.

(7) Statements are not debatable, do not lead to the introduction of a motion and are not responded to by any other Member.

(SO 25 added 1999)

*Oral questions*

26. (1) The ordinary daily routine proceeding "Oral Questions" provided in Standing Order 24 shall not last more than 30 minutes, including supplementary questions and points of order. In this period questions on matters of urgency may be addressed orally to Ministers of the Crown provided, however, that the Speaker shall disallow any question which he or she does not consider urgent or of public importance; provided also that if in the opinion of the Minister to whom a question is addressed it requires a lengthy answer, he or she may require it to be

placed on the Order Paper; and provided also that the Minister to whom a question is directed may take such oral question as notice to be answered orally at a later sitting, but where any such reserved question requires as its answer a lengthy statement, such statement shall be given under the ordinary daily routine proceeding "Statements by Ministers".

(2) In the discretion of the Speaker, a reasonable number of supplementary questions arising out of a Minister's reply to an oral question may be asked by any Member.

(3) In putting any oral question, no argument or opinion is to be offered nor any facts stated except so far as may be necessary to explain the same; and in answering any such question, the Minister is not to debate the matter to which it refers.

(4) Oral questions must not be prefaced by the reading of letters, telegrams, newspaper extracts or preambles of any kind.

(5) A Minister may in his or her discretion decline to answer any question.

(6) The Speaker's rulings relating to oral questions are not debatable or subject to appeal.

(1951 SO 31 amended 1999)

*Government orders*

27. (1) All items standing on the orders of the day (except Government Orders) shall be taken up according to the procedure assigned to each on the Order Paper.

(2) Whenever Government business has precedence, Government Orders may be called in such sequence as the Government may think fit.

(1951 SO 16)

*Dropped orders*

28. (1) Questions put by Members and notices of motions not taken up when called may (upon request of the Government) be allowed to stand and retain their precedence; otherwise they will disappear from the Order Paper. They may however be renewed.

(2) Orders not proceeded with when called, upon the like request, may be allowed to stand retaining their precedence; otherwise they shall be dropped and be placed on the Order Paper for the next sitting after those of the same class at a similar stage.

(3) All orders not disposed of at the adjournment of the House shall be postponed until the next sitting day without a motion to that effect.

(1951 SO 17)

*Bills reported from Committee*

29. Bills reported after Second Reading from any standing or select committee shall be placed on the orders of the day following the reception of the report, for reference to a Committee of the Whole House, in their proper order next after Bills reported from Committees of the Whole House.

(1951 SO 18)

*Effect of Wednesday adjournment*

30. If at the hour of 5 o'clock on Wednesday afternoon, or at the time of the adjournment of the House, a motion on the Order Paper be under consideration, that question shall stand first on the Order Paper of the following day, next after orders to which a special precedence has been assigned by standing order or order of the House.

(1951 SO 19)

*When Committee of Supply open*

31. When the Committee of Supply, and Ways and Means are open, they shall have precedence of all other Government Orders on Tuesday and Thursday, and on the

order being called the question shall be proposed by the Speaker that "I do now leave the Chair."

(1951 SO 20 amended 1999)

*Orders of the Day motion* 32. A motion for reading the orders of the day shall have preference to any motion before the House.

(1951 SO 21)

*Motion to adjourn* 33. A motion to adjourn (except when made for the purpose of discussing a definite matter of urgent public importance), shall always be in order, but no second motion to the same effect shall be made until after some intermediate proceeding has been had.

(1951 SO 22)

*Privilege* 34. Whenever any matter of privilege arises, it shall be taken into consideration immediately.

(1951 SO 15)

*Prorogation* 35. A prorogation of the House shall not have the effect of nullifying an order or address of the House for Returns or papers; but all papers and Returns ordered at one session of the House, if not complied with during the session shall be brought down during the following session, without renewal of the order.

(1951 SO 79)

## **STANDING ORDER 36**

### **MATTERS OF URGENT PUBLIC IMPORTANCE**

*Adjournment re  
urgent matter*

36. (1) Leave to make a motion for the adjournment of the House (when made for the purpose of discussing a definite matter of urgent public importance) must be asked after the ordinary daily routine of business (see S.O. 24) has been concluded and before the orders of the day are entered upon.

(2) Where possible and appropriate, notice of leave to make a motion under this Standing Order may be provided to the Speaker before the House opens on the day on which the Standing Order is invoked.

(3) The Member desiring to make such a

motion rises in his or her place, asks leave to move the adjournment of the House for the purpose of discussing a matter of urgent public importance, and states the matter.

(4) The Member then hands a written statement of the matter proposed to be discussed to the Speaker, who, if he or she thinks it in order and of urgent public importance, reads it out and asks whether the Member has the leave of the House. If objection is taken, the Speaker requests those Members who support the motion to rise in their places and if not less than 12 Members rise accordingly the Speaker calls upon the Member who has asked for leave.

(5) If less than 12 but not less than 3 Members rise in their places, the question whether the Member has leave to move the adjournment of the House shall be put forthwith, without debate, and determined if necessary by a division.

(6) Except with the requisite leave or support the motion cannot be made.

(7) The right to move the adjournment of the House for the above purposes is subject to the following restrictions:

- (a) Not more than one such motion can be made at the same sitting;
- (b) Not more than one matter can be discussed on the same motion;
- (c) The motion must not revive discussion on a matter which has been discussed in the same session;
- (d) The motion must not anticipate a matter which has previously been appointed for consideration by the



House, or with reference to which a notice of motion has been previously given and withdrawn;

- (e) The motion must not raise a question of privilege;
- (f) The discussion under the motion must not raise any question which, according to the Standing Orders of the House, can only be debated on a distinct motion under notice.

(8) If leave is given for the Speaker to put the motion that the Orders of the Day not be called, the debate under this Standing Order must be concluded no later than 6 o'clock in the evening after which the Speaker adjourns the House without question put.

(1951 SO 23 amended 1999)

## **STANDING ORDERS 37-43**

### **MOTIONS**

#### *Motions in writing*

37. All substantive motions shall be in writing, and seconded, before being debated or put from the Chair. A Member who has made a motion may withdraw the same,

by leave of the House, such leave being granted without any negative voice.

(1951 SO 32 amended 1999)

*Questions under debate*

38. When a question is under debate no question is received unless to amend it; to postpone it to a day certain; for the previous question; for reading the orders of the day; for proceeding to another order; to adjourn the debate; or for the adjournment of the House.

(1951 SO 33)

*Referred to Committee*

39. A motion to refer a Bill, resolution or any question to the Committee of the Whole or any standing or select committee shall preclude all amendment of the main question.

(1951 SO 35)

*Amendments to motion*

40. A motion may be amended: (a) by leaving out certain words; (b) by leaving out certain words in order to insert other words; (c) by inserting or adding other words. When the amendment is of form (a) above the Speaker shall put a question that words proposed to be left out do stand apart of the question; which if resolved in the affirmative shall dispose of the amendment. If the amendment is of form (b) above the same question shall be put as in case (a) which if resolved in the affirmative shall dispose of the amendment, but if in the negative then the Speaker shall put the further question that the words proposed to be inserted by the amendment be there inserted. If the amendment be of form (c) above the Speaker shall put a question that the proposed words be there inserted or added, which shall be resolved either in the affirmative or negative.

(1951 SO 36)

*Exception with amendment*

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

except the addition of other words thereto.

(1951 SO 37)

*Motion contrary  
to rules*

42. Whenever the Speaker is of opinion that a motion offered to the House is contrary to the rules and privileges of Parliament, he or she shall apprise the House thereof immediately, before putting the question thereon, and quote the Standing Order or authority applicable to the case.

(1951 SO 39)

*Previous Question*

43. (1) The previous question, until it is decided, shall preclude all amendments of the main question, and shall be in the following words, "That this question be now put." If the previous question be resolved in the affirmative the original question is to be put forthwith without any amendment or debate.

(2) A motion for the previous question is not admitted in a Committee of the Whole or any Select Committee of the House.

(3) The motion for the previous question may be superseded by a motion to adjourn or for reading the orders of the day.

(4) If the previous question be resolved in the negative, the original question shall not be debated or put on the same day.

## STANDING ORDERS 44-50

### RULES OF DEBATE

*Members speaking*

44. Every Member desiring to speak is to rise in his or her place, uncovered, and address himself or herself to the Speaker.

(1951 SO 47)

*Members rising  
simultaneously*

45. When two or more Members rise to speak, the Speaker calls upon the Member who first rose in his or her place, but a motion may be made that any Member who has risen “be now heard” or “do now speak”, which motion shall be forthwith put, without debate.

(1951 SO 48)

*Time limits*

46. (1) Subject to Standing Orders 46(2), (3), (4) and (6), no Member shall speak for than 20 minutes at a time in any debate.

(2) The Premier, the Leader of the Opposition, a Minister moving a Government Order and a Member replying thereto immediately after such Minister, a Member moving a motion of non-confidence and the Minister replying thereto, shall not speak for more than 60 minutes at a time in any debate.

(3) The Leader of the Opposition and the Premier have unlimited time when the Leader of the Opposition moves a motion of non-confidence and the Premier replies to such a motion other than an amendment to the Address in Reply or the Budget motion.

(4) The Member speaking immediately in reply to the Minister of Finance in giving the Budget Speech shall be limited to twice the amount of time used by the Minister or three hours, whichever is greater. (5)

The Leader of the Opposition and the Premier may not

delegate their right of unlimited time to another Member under Standing order 46(3).

(6) During debate of a motion in Committee of the Whole House, the Member who makes an opening statement and the Member who replies immediately after that Member may speak for not more than 15 minutes, while all other Members may speak for not more than 10 minutes with no limit on the number of times a Member may speak.

(1951 SO 49 R&S 1999 & amended 2005)

*Closure motion*

47. Immediately before the order of the day for resuming an adjourned debate is called, or if the House be in Committee of the Whole, or of Supply, or of Ways and Means, any Minister of the Crown, who, standing in his or her place, shall have given notice at a previous sitting of his or her intention to do so, may move that the debate shall not be further adjourned, or that further consideration of any resolution or resolutions, clause or clauses, section or sections, preamble or preambles, title or titles, shall be the first business of the Committee, and shall not further be postponed; and in either case such questions shall be decided without debate or amendment; and if the same shall be resolved in the affirmative, no Member shall thereafter speak more than once, or longer than 20 minutes in any such adjourned debate; or if in the Committee on any such resolution, clause, section, preamble or title; and if such adjourned debate or postponed consideration shall not have been resumed or concluded before 1 o'clock in the morning, no Member shall rise to speak after that hour; but all such questions as must be decided in order to conclude such adjourned debate or postponed consideration, shall be decided forthwith.

(1951 SO 50)  
*Relevancy*

48. (1) A Member addressing the House shall, if called to order by the Speaker or by any other Member,

resume his or her seat while the point of order is being stated, after which he or she may explain. Any debate on the point of order, which the Speaker may permit, must be strictly relevant.

(2) The Speaker or the Chairperson, after having called the attention of the House, or of the Committee, to the conduct of a Member who persists in irrelevance or needless repetition, may direct him or her to discontinue his or her speech, and if the Member continues to speak, the Speaker may name him or her, or, if in Committee, the Chairperson shall report him or her to the House.

(1951 SO 51)

*Offensive language*

49. No Member shall speak disrespectfully of Her Majesty, nor of any of the Royal Family, nor of the Governor or Administrator of the Government of Canada; nor of the Lieutenant-Governor of this Province; nor use offensive words against any Member of this House. No Member may reflect upon any vote of the House except for the purpose of moving that such vote be rescinded.

(1951 SO 52)

*Speaking twice*

50. (1) No Member may speak twice to a question except in explanation of a material part of his or her speech which may have been misquoted or misunderstood, but then he or she is not to introduce any new matter, and no debate shall be allowed upon such explanation.

(2) A reply shall be allowed to the mover of a substantive motion but not to the mover of an amendment, the previous question or an instruction to a Committee.

(3) In all cases the Speaker shall inform the House that the reply of the mover of the original motion closes the debate.

(1951 SO 53)



## STANDING ORDERS 51-56

### QUESTIONS, NOTICES

#### *Written questions*

51. (1) Questions may be placed on the Order Paper seeking information from the Ministers relating to public affairs; and from other Members relating to any Bill, motion or other public matter connected with the business of the House, in which such Members may be concerned; but in putting any such question or in replying to the same, no argument or opinion is to be offered, nor any facts stated, except so far as may be necessary to explain the same. And in answering any such question the matter to which the same refers shall not be debated.

(2) If in the opinion of the Speaker a question on the Order Paper put to a Minister be of such a nature as to require a lengthy reply he or she may, upon the request of the Government, direct same to stand as a notice of motion, and to be transferred to its proper place as such upon the Order Paper, the Clerk of the House being authorized to amend the same as to matter of form.

(3) If a question is of such a nature that in the opinion of the Minister who is to furnish the reply, such reply should be in the form of a Return, and the Minister states that he or she has no objection to laying such Return upon the Table of the House, his or her statement shall, unless otherwise ordered by the House, be deemed an order of the House to that effect.

(4) Notice of every question shall be given by reducing the question to writing and handing 4 copies thereof to the Clerk, and if not ruled out in accordance with these Standing Orders, the question shall appear on the Order Paper on the next day.



(5) The Clerk of the House shall cause written answers to questions which had been placed upon the Order Paper to be printed in the Verbatim Report of the day on which such answers are tabled unless such answers are of a lengthy or voluminous nature in which case the Clerk shall make them a Return.

(1951 SO 25)

*Questions can not be addressed to Speaker*

52. Questions dealing with matters within the jurisdiction of the Speaker are out of order. If however Members write to the Speaker and inquire about matters placed under his or her control, the Speaker is bound to give the information required.

(1951 SO 26)

*Questions withdrawn*

53. A question may be withdrawn from the Order Paper either by a written notice by the Member putting the question, to the Clerk of the House; or by the Member rising in his or her place in the House and informing the Speaker that he or she desires the question to be dropped.

(1951 SO 27)

*Speaker's supervision*

54. The Speaker may rule out any question which violates the privileges of Parliament in the same way as he or she deals with irregularities in motions and amendments. The Speaker may make an alteration in the question or refer it back to the Member for correction. A Member may call the attention of the House to the matter.

(1951 SO 28)

*Notice*

55. Notice shall be given at a previous sitting of a motion for leave to present a Bill, resolution or address, or for placing a question on the Order Paper; but this rule shall not apply to Bills after their introduction, or to Private Bills,

or to the times of meeting and adjournment of the House. Such notice shall be laid upon the Table before 5 o'clock or 5:30 o'clock in the afternoon, as the case may be.

(1951 SO 29 amended 1999)

*Unanimous consent*

56. A motion may in case of urgent and pressing necessity previously explained by the mover, be made by unanimous consent of the House without notice having been given under Standing Order 55.

(1951 SO 30)

## STANDING ORDERS 57-59

### BUSINESS OF SUPPLY AND BUDGET

#### *Order for Supply*

57. (1) At the commencement of each session, the House shall designate by motion, a continuing Order of the Day for the consideration of the business of supply.

(2) For the purposes of this Standing Order, the business of supply shall consist of motions to concur in interim supply, main estimates and supplementary estimates ; motions to restore or reinstate an item in the estimates; motions to introduce or pass at all stages a Bill or Bills based on the estimates.

(3) The adoption of a motion to concur in an estimate or estimates or interim supply shall be an Order of the House to bring in a Bill or Bills based thereon.

(SO 57 added 1999)

#### *Ways and Means Motion*

58. (1) A notice of a Ways and Means motion may be laid upon the Table of the House at any time during a sitting by a Minister of the Crown.

(2) When a Ways and Means motion is designated for the purpose of enabling a Minister of the Crown to make a Budget presentation, a motion "That this House approves in general the budgetary policy of the Government" shall be proposed.

(3) The adoption of a Ways and Means motion shall be an order to bring in a Bill or Bills based on the provisions of that motion

(SO 58 added 1999)

*Amendments*

59. Only one amendment and one subamendment may be made to a motion "That this House approves in general the budgetary policy of the Government".

(1951 SO 34 amended 1999)

## STANDING ORDERS 60-62

### COMMITTEE OF THE WHOLE HOUSE

*Committee of the Whole*

60. (1) The Standing Orders of the House shall be observed in the Committees of the Whole House so far as may be applicable, except the Standing Orders as to the seconding of motions and limiting the number of times of speaking.

(2) Speeches in Committee of the Whole House must be strictly relevant to the item or clause under consideration.

(3) The Chairperson shall maintain order in the Committees of the Whole House, deciding all questions of order subject to an appeal to the House, but disorder in a committee can only be censured by the House, on receiving a report thereof.

(1951 SO 44)

*Motion not debatable*

60.1 A motion that the Speaker leave the Chair for the House to resolve itself into Committee of the Whole House shall be decided without debate or amendment.

(SO 60.1 added 2005)

*Motion to leave the Chair*

61. A motion that the Chairperson leave the Chair is always in order, shall take precedence of any other motion, and shall not be debatable. Such motion, if rejected, cannot be renewed unless some intermediate proceeding has taken place.

(1951 SO 45)

*Money Resolutions*

62. If any motion be made in the House for public

aid or charge upon the people, the consideration and debate thereof may not be presently entered upon, but shall be adjourned till such further day as the House thinks fit to appoint; and then it shall be referred to a Committee of the Whole House, before any resolution or vote of the House do pass thereupon.

(1951 SO 46)

## **STANDING ORDERS 63-64**

### **PRIVATE MEMBER'S MOTION**

*Private Member's Day*

63. (1) The determination of which Private Member's motion shall be called by the Speaker on Private Member's Day rests with each side of the House, with the Speaker calling a motion from each side of the House on a weekly alternating basis.

(2) At the beginning of a new session the Speaker shall follow the custom of recognizing a Private Member's motion from the Opposition side of the House on the first Private Member's Day.

(3) On the Monday before the Wednesday of the week in which a Private Member's motion is to be debated, the Government House Leader or the Opposition House Leader, as the case may be, shall announce to the House the Private Member's motion to be debated on that Wednesday.

(4) A Private Member's motion shall be debated for not more than one sitting day and at 5 o'clock in the afternoon at the close of the day the motion then under consideration shall be put by the Speaker, if the debate has not concluded by that time.

(5) Notwithstanding the provisions of Standing Order 46, no Member may speak for more than 15 minutes on the debate on a Private Member's motion.

(6) The Member introducing a Private Member's motion has the right to close the debate and if at 4:45 o'clock on the day of debate on the motion the debate has not been concluded, the Speaker shall recognize that

Member who shall then close the debate.

(7) On Wednesday the question period shall commence not later than 2:30 o'clock in the afternoon, and the ordinary daily routine of business shall end not later than 3 o'clock in the afternoon, and at that time the Private Member's motion shall be called by the Speaker.

(8) In recognizing motions introduced by Members who sit in the Opposition, the Speaker shall ensure that motions made by Opposition Members who do not sit with the Official Opposition are called for debate in proportion to the number of those Members to the number of all the Members who sit in the Opposition, with the intent that each Member sitting in the Opposition shall have an opportunity to introduce a Private Member's motion once during a Session.

(SO 53.1 added 1979 R&S 1995)

*Private Member's  
notice of motion*

64. (1) When a Private Member's notice of motion shall have been twice called from the Chair, and not proceed with, it shall be dropped, provided that it may be placed at the foot of the list on the Order Paper upon motion made after due notice.

(2) If the notice of motion thus restored is again called from the Chair and not proceeded with, it shall be withdrawn from the Order Paper.

(3) No Private Member shall have more than one notice of motion at a time on the Order Paper.

(4) This Standing Order shall not apply to notices of motions for the production of papers.

(1951 SO 38)



## STANDING ORDERS 65-70

### COMMITTEES

#### *Standing Committees*

65. (1) At the commencement of the first session of each Assembly, a committee of 5 to be named by the mover shall be appointed on motion of the Leader of the House or other Member of the Government whose duty it shall be to prepare and report, within the first 20 sitting days after its appointment, lists of Members to compose the following Standing Committees of the House:

- (a) Government Services Committee to consist of not more than 17 Members and not less than 7 Members;
- (b) Social Services Committee to consist of not more than 17 Members and not less than 7 Members;
- (c) Resource Committee to consist of not more than 17 Members and not less than 7 Members;
- (d) Public Accounts Committee to consist of 7 Members;
- (e) Privileges and Elections Committee to consist of 5 Members;
- (f) Standing Orders Committee to consist of 5 Members; and
- (g) Miscellaneous and Private Bills

Committee to consist of 5  
Members.

(2) Each of the said Committees shall elect a Chairperson and Vice-Chairperson at the commencement of every Session, and, if necessary, during the course of the Session.

(3) The Membership of the said Standing Committees shall be as set out in the report of the said Committee of 5 referred to at the beginning of Standing Order 65(1), when concurred in by the House, and shall continue from Session to Session within an Assembly, but shall be subject to such changes as may be effected from time to time.

(4) The said Standing Committees may sit at all times during the Assembly for which they are appointed, whether or not the House is in Session, adjourned or prorogued.

(5) The said Standing Committees shall be severally empowered to examine and enquire into all such matters as may be referred to them by the House, and, to report from time to time, and except when the House otherwise orders to send for persons, papers and records, to print from day to day such papers and evidence as may be ordered by them, and to delegate to sub-committees all or any of their powers except the power to report direct to the House.

(1951 SO 84)

*Select Committees*

66. (1) No select committee may, without leave of the House consist of more than 7 Members; such leave shall not be moved for without notice, and if it is proposed to add or substitute certain Members after the first appointment of the Committee, the notice is to include the names of the Members proposed to be added or substituted.

(2) No Member who declares or decides against the principle of a Bill, resolution, or matter to be committed, can be nominated to such a committee.

(3) A select committee to draw up an Address in Reply to the Speech from the Throne may be appointed at once, without notice.

(1951 SO 85)

*Quorum & order in committees*

67. (1) A majority of the Members of a standing or select committee shall constitute a quorum. The presence of a quorum shall be required whenever a vote, resolution or other decision is taken by a standing or select committee, provided that any such committee, by resolution thereof, may authorize the Chairperson to hold meetings to receive and authorize the printing of evidence when a quorum is not present.

(2) Any Member of the House who is not a Member of a standing or select committee, may, unless the House or the committee concerned otherwise orders, take part in the public proceedings of the committee, but he or she may not vote or move any motion, nor shall he or she be part of any quorum.

(3) In a standing or select committee, the Standing Orders of the House shall be observed so far as may be applicable with the exception that motions need not be seconded.

(4) The Chairperson of a standing or select committee shall maintain order in the committees, deciding all questions of order subject to an appeal to the committee; but disorder in a committee can only be censured by the House, on receiving a report thereof.

(1951 SO 86  
amended 1999)

68. Changes in the membership of any committee may be effected by a notice, signed by the Government

*Changes in a committee*

House Leader to that effect, being filed with the Clerk.

(1951 SO 87)

*Witnesses*

69. (1) No witness shall be summoned to attend before any committee of the House, unless a certificate shall first have been filed with the Chairperson of such committee, by some Member thereof, stating that the evidence to be obtained from such witness is, in the opinion of such Member, material and important.

(2) The Clerk of the House is authorized to pay to witnesses so summoned, a reasonable sum (per diem) during their travel and attendance, to be determined by the Speaker, and a reasonable allowance for travelling expenses.

(3) The claim of a witness for payment shall state the number of days during which he or she has been in attendance, the time of necessary travel and the amount of his or her travelling expenses, which claim and statement shall, before being paid, be certified by the Chairperson and clerk of the committee before which such witness has been summoned.

(1951 SO 88)

*Lists of committees*

70. The Clerk shall display in some conspicuous part of the House a list of the several standing and select committees.

(1951 SO 89)

## STANDING ORDERS 71-77

### ESTIMATES PROCEDURE

*Time in Committee  
of Supply*

71. (1) The procedure in Committee of Supply shall be limited to not more than 75 hours to be reduced in accordance with the provisions of Standing Orders 71 to 77.

(2) For the purposes of Standing Order 77(1) "Committee of Supply" includes the Committee of Supply on the main estimates and on interim supply forming a part of the main estimates.

(SO 116 added 1979)

*Estimates referred  
to Committee*

72. (1) The striking committee established pursuant to Standing Order 65(1) may move the appointment at each Session, following the presentation of the motion to move "That this House approves in general the budgetary policy of the Government", of a committee or committees of the House composed of such Members as are set out in the motion to consider and report upon any estimates referred to it.

(2) Subject to Standing Order 68, the Members of each committee shall be elected by the House.

(3) The Government Services Committee, Social Services Committee and the Resource Committee may act as committees under Standing Orders 71 to 77.

(SO 117 added 1979 amended 1999)

*Procedure in  
Committee*

73. (1) Each committee shall consist of not less than 7 nor more than 15 Members.

(2) Each committee shall elect a Chairperson and Vice-Chairperson.

(3) Standing Orders 67 and 68 apply to each committee.

(4) Each committee may set its own hours of sitting but may not sit when the House is sitting, except by leave of the House.

(5) Notwithstanding Standing Order 46, the Minister introducing his or her estimates and the Member speaking immediately in reply shall not speak for more than 15 minutes and every other Member shall not speak for more than 10 minutes at a time during Committee of Supply, or during the debate in a committee or committees established under Standing Order 72.

(6) A committee may not question public servants except through the Minister, and may not call witnesses.

(SO 118 added 1979)

*Time limits*

74. (1) The House may refer such Heads of Expenditure (Estimates), as it may decide, upon motion of the House Leader, to a committee or committees established under Standing Order 72. Such motion shall be decided without debate or amendment.

(2) Three hours shall be deducted for each Head of Expenditure so referred from the time allocated under Standing Order 71.

(SO 119 added 1979 amended 1999 & 2005)

*At the end of  
15 days*

75. (1) Each committee shall, at the conclusion of 15 sitting days of the House of Assembly following the reference of estimates to it, put all questions, without debate, needed to carry every subhead of each Head of expenditure referred to it before making a report to the House.

(2) All estimates not selected for consideration by the respective Standing Committee on Estimates shall be deemed to be passed by the Committee and reported back to the House at the conclusion of the 15 day period.

(SO 120 added 1979 amended 1999)

*Concurrence*

76. (1) Upon the making of a report under Standing Order 75, a motion shall be deemed to be before the House that the report be concurred in.

(2) The motion to concur in the report of each committee may be debated for not more than 3 hours and at the conclusion of that period of time the motion shall be put by the Speaker.

(3) The time allocated under Standing Order 76 (2) for the concurrence debates shall be deducted from the 75 hours allocated for Committee of Supply.

(SO 121 added 1979)

*Estimates in House*

77. (1) Any estimates not referred to a committee or committees under Standing order 74 shall be considered in Committee of the Whole on Supply.

(2) At the conclusion of the 75 hours as reduced by Standing Orders 71 to 77 the Chairperson of the Committee of the Whole on Supply shall put all questions, without debate, necessary to carry every subhead of each Head of Expenditure not referred to a committee or committees or considered by the Committee of Supply.

(SO 122 added 1979)

## STANDING ORDERS 78-89

### PUBLIC BILLS

#### *Introduction of Bills*

78. Every Bill is introduced upon motion for leave, specifying the title of the Bill; or upon motion to appoint a committee to prepare and bring it in.

(1951 SO 54)

#### *Legislation referred to Committees*

79. (1) The Government House Leader may direct the Law Clerk to refer to one of the Standing Committees established under Standing Order 65(1) (a), (b) and (c), a draft public Bill which the Government propose to introduce into the House at some later time.

(2) The Standing Committee to which the draft Public Bill is referred under Standing Order 79(1) shall review that draft Public Bill, taking evidence from witnesses in either private or public hearings as its Members may deem desirable, but may sit outside St. John's only with prior leave of the House.

(3) The Standing Committee to which a draft Public Bill is referred shall report to the House with respect to the Bill by the later of the tenth sitting day after the receipt by its Chair of the Bill or the day set by the Government House Leader for commencement of the Second Reading debate on the proposed legislation.

(SO 54.1 added 1993)

#### *Bills referred to Committee after Second Reading*

80. (1) Subject to Standing Order 80 (4), a Bill which has been read a second time may be referred to the appropriate Committee, as determined by Standing Order 80(3), upon that Committee's request. The Committee shall review the Bill, taking evidence from witnesses in either



private or public hearings as its Members may deem desirable, and shall report to the House with respect to the Bill within 10 sitting days after the day the Bill receives Second Reading.

(2) The House shall give no further consideration to a Bill referred under Standing Order 80(1) until the Committee has made its report with respect thereto, unless the House otherwise orders, by means of a motion of which due notice has been given, which motion may be spoken to by one Member of the Opposition, and shall be replied to by a Minister, for not more than 10 minutes each, which motion may be put to the House at any time after the Bill has been read for the second time.

(3) A Bill referred under Standing Order 80(1) shall be sent to the Standing Order 65 Standing Committee which deals with the Bill's subject matter, unless the House orders it sent to a Select Committee, by means of a motion of which due notice has been given, which motion shall not be debatable.

(4) Notwithstanding Standing Order 79 and Standing Order 80(1) to (3), financial measures shall be dealt with in accordance with the hitherto established procedure, or such new procedure as may be established by the House from time to time.

(SO 54.2 added 1993)

*Imperfect Bills*

81. No Bill may be introduced either in blank or in an imperfect shape.

(1951 SO 55)

*Motion for  
First Reading*

82. When any Bill is presented by a Member, in pursuance of an order of the House, the question, "That this Bill be now read a first time," shall be decided without debate or amendment.

(1951 SO 56)

*Bills printed*

83. All Bills shall be printed before the Second Reading.

(1951 SO 57)

*Urgent cases*

84. Every Bill shall receive three several readings on different days, previously to being passed. On urgent or extraordinary occasions, a Bill may by leave of the House be read twice or thrice, or advanced two or more stages in one day.

(1951 SO 58)

*Dates of Readings*

85. When a Bill is read in the House, the Clerk shall certify upon it the readings and the time thereof. After it has passed, the Clerk shall certify the same, with the date at the foot of the Bill.

(1951 SO 59)

*Read twice before committal*

86. Every Public Bill shall be read twice in the House before committal or amendment.

(1951 SO 60)

*Third Reading*

87. When a Bill has been read a third time and passed, the Third Reading and passing may be declared rescinded by majority vote and the Bill then recommitted, but if a Bill has received Royal Assent, it can only be amended by bringing in another Bill for that purpose.

(SO 60A added 1953)

*Bills in Committee*

88. In proceedings in Committee of the Whole House upon Bills, the preamble is first postponed, and then every clause considered, preamble and title to be last considered.

(1951 SO 61)

*Bills reported from  
Committee*

89. All amendments made in committee are reported by the Chairperson of the House, which shall receive the same forthwith. But when a Bill is reported without amendment, it is forthwith ordered to be read a third time at such time as may be appointed by the House.

(1951 SO 62)

## STANDING ORDERS 90-97

### PETITIONS

*Introduction of  
Petitions*

90. A petition to the House shall be presented by a Member in his or her place who shall be answerable that it does not contain impertinent or improper matter; and every Member offering a petition to the House shall sign it with his or her own hand.

(1951 SO 90)

*Printed or written  
in English*

91. (1) A petition may be either printed or written and if more than 3 petitioners sign it, at least 3 signatures must appear on the page containing the prayer of the petition.

(2) Every petition must be written in English or be accompanied by a translation.

(1951 SO 91)

*Procedure & time*

92. Every Member offering a petition to the House shall confine himself or herself to the statement of the parties from whom it comes, the number of signatures attached to it and the material allegations it contains. In no case shall the Member occupy more than 3 minutes in so doing, unless by permission of the House upon question put.

(1951 SO 92 amended 1999)

*Read by Clerk*

93. If required a petition may be sent to the Table and read by the Clerk.

(1951 SO 93)

*Standing Order 24*

94. Petitions may not be offered at any time other than at the time provided by Standing Order 24 for such business.

(1951 SO 94)

*Expenditure of  
public funds*

95. A petition, the granting of which involves an expenditure of public money, shall if received, be referred to the government department concerned.

(1951 SO 95)

*Cases of urgency*

96. In case of urgency a petition may, upon motion be immediately taken into consideration, but a petition affecting the House will at once be considered as is the usage in all cases of privilege.

(1951 SO 96)

*No debate*

97. There shall be no debate on a petition, unless the House has it under consideration.

(1951 SO 97)

## STANDING ORDERS 98-111

### PRIVATE BILLS

*Introduced by Petition*

98. All Private Bills shall be introduced on petition, which is read and forthwith referred to the committee on standing orders. When the petition is favourably reported on by the committee, a motion is made for leave to introduce the Bill.

(1951 SO 63)

*Certificate from Clerk*

99. No petition to introduce a Private Bill shall be considered unless accompanied by a certificate from the Clerk that the fees applicable to such Bill have been received by the Clerk.

(1951 SO 64)

*Suspension of rules*

100. In case of urgent and pressing necessity, a motion for the suspension or modification of any rule applying to Private Bills, or petitions for Private Bills may be entertained by the House, but no such motion will be entertained unless the same has been reported by the committee on standing orders and the committee shall state the grounds for recommending such suspension.

(1951 SO 65)

*Select Committee*

101. Every Private Bill when read a second time shall be referred to a select committee and all petitions for and against shall also be referred to such committee.

(1951 SO 66)

*Notice*

102. No committee on any Private Bill is to consider the same until after one week's notice of the sitting of such committee has been posted on the notice board.

(1951 SO 67)  
*Proof of consent of  
interested parties*

103. All persons whose interests, rights or property may be affected by any Private Bill shall, when required to do so, appear before the committee touching their consent, or may, if required so to do, send their consent in writing, proof and verification of which may be demanded by the committee. In every case the committee upon every Bill for incorporating a company may require proof, in writing or otherwise, verification of which writing may be demanded by the committee, that the persons whose names appear in the Bill as comprising the company are of full age, and in a position to effect the objects contemplated; and have consented to become incorporated, and the committee shall among other things report accordingly.

(1951 SO 68)

*Private interests protected*

104. The select committee on a Private Bill may hear the promoters and opponents or their counsel, consider their private interests and determine in a quasi-judicial capacity, whether the promoters of the Bill have justified their request for a privilegium and whether private interests are properly protected.

(1951 SO 69)

*Hearing of evidence*

105. While a select committee is hearing evidence, Members of the House who are not on the committee have a right to be present but not to interfere in the proceedings. When the committee is about to deliberate, all the counsel, witnesses, agents and strangers are obliged to withdraw. It is customary for Members of the House to withdraw also.

(1951 SO 70)

*Majority vote*

106. All questions before a select committee on a Private Bill are decided by a majority of voices including the voice of the Chairperson; and whenever the voices are equal, the Chairperson has a second or casting vote.

(1951 SO 71)

107. The Chairperson of the committee shall sign

*Bills signed by Chair & Clerk*

with his or her name at length a printed copy of the Bill on which amendments are fairly written and shall also initial the preamble and the various sections of the Bill as they are agreed to, and also any amendments which may be made or clauses added in committee; and another copy of the Bill shall be similarly signed and initialled by the clerk of the committee who shall file the same with the Clerk of the House or attach it to the report.

(1951 SO 72)

*Report of Select Committee*

108. The committee to which any Private Bill has been referred shall report the same to the House in every case; and when the committee on any Private Bill report to the House that they have made any material change in the preamble of the Bill or that the preamble has not been proven to their satisfaction they must also state the grounds upon which they have made such decisions, and no Bill, the preamble of which has been reported as not proven, shall be placed upon the orders of the day unless by special order of the House.

(1951 SO 73)

*Order Paper*

109. Private Bills reported otherwise to the House by such committee shall be placed upon the orders of the day following reception of the report, for consideration in Committee of the Whole, in their proper order, next after Bills referred to a Committee of the Whole House.

(1951 SO 74)

*Notice of amendments*

110. No important amendment may be proposed to any Private Bill, in a Committee of the Whole House, or at the Third Reading of the Bill unless one day's notice has been given.

(1951 SO 75)

*Fees*

111. Any person seeking to obtain a Private Bill



giving an exclusive privilege or profit, or private or corporate advantage shall be required to deposit with the Clerk of the House a copy of the Bill together with a sum of money to cover the printing of the Bill and such amounts as may be prescribed by the Commission of Internal Economy of the House of Assembly.

(1951 SO 76 R&S 1999)

## STANDING ORDERS 112-118

### OFFICERS OF THE HOUSE

*The Clerk of the House*

112. The Clerk of the House is responsible for the safekeeping of all the papers and records of the House, and has the direction and control over all the officers and clerks employed in the offices, subject to such orders as he or she may, from time to time, receive from the Speaker of the House.

(1951 SO 98)

*List of reports, etc.*

113. It shall be the duty of the Clerk to make and cause to be printed and delivered to each Member at the commencement of every session of Parliament, a list of the reports or other periodical statements which it is the duty of any officer or department of the Government, or any bank or other corporate body to make to the House.

(1951 SO 100)

*Work completed*

114. It shall be the duty of the officers of the House to complete and finish the work remaining at the end of the session.

(1951 SO 101)

*Journals*

115. A copy of the Journals of the House, certified by the Clerk, shall be delivered after each major adjournment of the House to His or Her Honour the Lieutenant-Governor and to the Legislative Librarian.

(1951 SO 24 R&S 1999)

*Law Clerk*

116. It shall be the duty of the Law Clerk of the House to assist Members of the House and deputy heads in drafting legislation; to supervise the printing and

arrangement and extending of the statutes year by year as they are issued at the close of each Parliamentary Session; to revise, print, and put marginal notes upon all Bills; to revise before the Third Reading all amendments by select committees, or in committees of the whole; and to report to the several chairpersons of the various select committees, when requested to do so, any provisions in Private Bills which are at variance with general Acts on the subjects to which such Bills relate or with the usual provisions of private Acts on similar subjects and provisions deserving of special attention.

(1951 SO 102)

*Sergeant-at-Arms*

117. (1) The Sergeant-at-Arms is responsible for the safekeeping of the Mace, and of the furniture and fittings of the House.

(2) The Sergeant-at-Arms serves all orders of the House upon those whom they may concern. He or she preserves order in the galleries, corridors and other parts. He or she is responsible for the movable property belonging to the House.

(3) The Sergeant-at-Arms has the direction and control over all constables, messengers, pages and other such employees subject to such orders as he or she may receive from the Clerk, the Speaker or the House.

(1951 SO 103)

*Hours of attendance*

118. The hours of attendance of the respective officers of the House, and the extra clerks employed during the session, shall be fixed from time to time by the Speaker.

(1951 SO 104)

## STANDING ORDERS 119-128

### LIBRARY

*Catalogue*

119. A proper catalogue of the books belonging to the Library shall be kept by the Librarian, in whom the custody and responsibility thereof shall be vested, and who shall be required to report to the House through the Speaker, at the opening of each session, the actual state of the Library.

(1951 SO 105)

*Access to Library*

120. No person shall be entitled to resort to the Library during a session of Parliament, except the Lieutenant-Governor, the Members of the House, the Officers of the House and such other persons as may receive a written order of admission from the Speaker. Members may personally introduce strangers to the Library during the daytime, but not after 5 o'clock in the evening.

(1951 SO 106)

*Borrowing books  
during session*

121. During the session of Parliament, no books belonging to the Library shall be taken out of the building, except by the authority of the Speaker, or upon a receipt given by a Member of the House.

(1951 SO 107)

*Borrowing books  
during recess*

122. During the recess of Parliament no Member of the House not residing in St. John's shall be at liberty to borrow or have in his or her possession, at any one time, more than 3 works from the Library; or to retain the same for a longer period than one month.

(1951 SO 108)

*Library hours*

123. During the recess of Parliament, the Library and

reading room shall be open each day in the week, Sundays and holidays excepted, from 9 o'clock in the morning till 3 o'clock in the afternoon, and access to the Library shall be permitted to persons introduced by a Member of the House, or admitted at the discretion of the Clerk or Librarian, subject to such regulations as may be deemed necessary for the security and preservation of the collection, but no one shall be allowed to take any book out of the Library, except Members of the House, and such others as may be authorized by the Speaker.

(1951 SO 109)

*Other person  
borrowing*

124. No other persons who may be privileged by card from the Speaker to borrow books from the Library shall be allowed to have in their possession more than 2 works at any one time, or to retain the same longer than 2 weeks; and all such persons shall return the books so taken when required by the Librarian.

(1951 SO 110)

*Books of reference*

125. No books of reference, or books of special cost or value, may be removed from the Library under any circumstances.

(1951 SO 111)

*Library Committee*

126. At the beginning of each session, a committee of 5 Members, to be called the Library Committee of which the Speaker shall be the Chairperson, shall be appointed. Such committee shall advise and assist the Speaker in the control of the Library, and shall have the power to sit out of session, and until a new one has been appointed.

(1951 SO 112)

*Report of books absent*

127. At the first meeting of the Library Committee at every session of the House, the Librarian shall report a list

of books absent at the commencement of the session, specifying the names of any persons who have retained the same in contravention of any of the foregoing rules.

(1951 SO 113)

*Newspaper subscriptions*

128. The Clerk is authorized to subscribe for the newspapers published in the Province and for such other papers, Canadian, British and foreign, as may, from time to time be directed by the Speaker.

(1951 SO 114)

## **APPENDIX**

### **Practice Recommendations**

These are practice recommendations of the House of Assembly that were recommended by the 1999 Select Committee on the Standing Orders and subsequently adopted by the House. It is important to note that the procedures, guidelines, etc. listed here are practices and are not Standing Orders; and further, that this is not a complete collection of the practices of the House of Assembly.

### **Parliamentary Calendar**

1. (1) During a Session of the House of Assembly, the House shall ordinarily meet

- (a) in the Winter-Spring from the second Monday in March to the Friday before the Victoria Day weekend with a break from the end of the sitting day on Maundy Thursday to the third Monday after Easter; and
- (b) in the Fall for a minimum of four weeks adjourning not later than one week before Christmas.

(Amended 2005)

(2) Where the Government intends to extend the date of the adjournment of the House under paragraph 1(a) or (b), the Government House Leader shall after notice has been given make a motion to extend the sitting of the House and the motion shall be put without debate.

(3) Whenever the House stands adjourned, if the Speaker is satisfied, after consulting with the Government that the public interest requires that the House should meet at an earlier time than set out in number (1), the Speaker may give notice that being so satisfied the House shall meet, and therefore the House shall meet to transact its business as if it had been duly adjourned to that time.

(4) In the event the Speaker is unable to act owing to illness or other cause, the Deputy Speaker or Deputy Chair of Committees shall act in the Speaker's stead for the purpose of this item.

### **Parliamentary Group**

2. To be recognized as a parliamentary group in the House of Assembly, the group must be a registered party in accordance with the *Elections Act, 1991*, must have contested two-thirds of the number of seats in the House of Assembly at the preceding General Election and have elected at least three Members, at the preceding General Election or at a by-election. This definition would not affect the ruling of Mr. Speaker McNicholas in 1987 concerning the right of a two person group with respect to Ministerial Statements or other decisions made with respect to the entitlements of the New Democratic Party Members of the House.

### **Petitions**

3. (a) Where a petition does not conform to the requirements of Standing Orders 90 to 92 and the Speaker considers that in substance the petition is by its nature of concern and interest to Members of the House, the Speaker may waive the Standing Orders in this regard and rule that the particular petition is in order.
- (b) All petitions must be certified by a Table Officer before presentation.
- (c) Form of Petition:



**PETITION**

TO THE HONOURABLE HOUSE OF ASSEMBLY OF THE PROVINCE  
OF NEWFOUNDLAND IN PARLIAMENT ASSEMBLED

The Petition of the undersigned residents

\_\_\_\_\_

HUMBLY SHEWETH

WHEREAS \_\_\_\_\_  
(states the reason(s) for the Petition)

WHEREAS \_\_\_\_\_

WHEREUPON the undersigned, your Petitioners, humbly pray and call  
upon the House of Assembly to

\_\_\_\_\_

(The prayer expresses the request of the Petitioners)

\_\_\_\_\_

AND as in duty bound your Petitioners will ever pray.

DATE: \_\_\_\_\_

Name (Please print)

Address

Signature

(Added 1999)

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