



# Members' Parliamentary Guide

House of Assembly – Newfoundland & Labrador



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### **Member's Role in the House of Assembly**

The role of Members in the House of Assembly is of great importance because the laws they pass affect the lives of every citizen of Newfoundland and Labrador. The work of Members in the Legislature brings publicity to issues that help form public opinion and influence the decisions that the Government makes.

Members of the House of Assembly:

- Participate in debates in the House of Assembly, and vote on Bills and other matters presented to the House. When considering legislation, Members often draw on their own life experience and any expertise they may have in a given field; consultation with experts; opinions of constituents' and research in the given area.
- Sit on committees of the House of Assembly as appointed.
- Make statements and present petitions in the House of Assembly about issues important to their constituency or the province.

### Attendance at Sittings

A Member is required to attend the House of Assembly when it is sitting. By January 31st of each year, a Member must file with the Clerk a declaration under oath or affirmation of the Member's attendance while the House of Assembly was sitting in the previous calendar year. This declaration must include dates of absence(s) and provide an explanation for these absences.

The following are acceptable reasons for Members to be absent from the House:

- i. personal illness;
- ii. adoption, pregnancy or parental leave;
- iii. serious illness of a family member;
- iv. bereavement;
- v. House of Assembly Committee meeting/Management Commission meeting;
- vi. duties as caucus member (within House of Assembly precincts);
- vii. ministerial duties;
- viii. constituency business (within the House of Assembly precincts);
- ix. constituency business within the constituency (with prior approval of the Speaker);
- x. other circumstances (with approval of the Speaker)

If a Member files a Declaration disclosing an absence for reasons other than the above, an amount of \$200 will be deducted from the Member's salary for each day of the absence.

If a Member does not file the Declaration by the required filing date, the Member's salary can be withheld.

A copy of the Declaration of Attendance form can be found on the House of Assembly intranet homepage under *Forms*.

### **Structure of Legislature**

The House of Assembly is the elected body which approves legislation and holds oversight of the Government within provincial jurisdiction in accordance with the constitution of Canada.

The legislature of Newfoundland and Labrador is a single legislative chamber (unicameral) which comprises the House of Assembly and the Lieutenant Governor. Prior to Confederation, Newfoundland's parliament included an appointed upper house known as the Legislative Council. The Newfoundland Act, which gave effect to the Terms of Union of Newfoundland with Canada, provided that the Legislative Council be discontinued. Newfoundland and Labrador now

has a representative legislature similar to those of the other Canadian Provinces and Territories.

The Lieutenant Governor, appointed by the Governor General of Canada in Council, serves as the representative of the Sovereign in Newfoundland and Labrador in the discharge of certain functions. The Lieutenant Governor summons, prorogues and dissolves the House of Assembly; approves orders-in-council and gives Royal Assent to legislation.

The Government is formed from the Members of the political group which returns the majority in a General Election. The Official Opposition comprises the Members of the political group having the second largest representation in the House.

The composition of the House of Assembly is outlined in the *House of Assembly Act*. It is currently made up of 40 seats (36 on the island portion of the province, 4 in Labrador).

### **General Assembly**

Each General Assembly has a duration of a maximum of four years, although the Lieutenant Governor may dissolve the Assembly as he/she sees fit before a four-year period has elapsed. Since 2004, the province has fixed date elections, but the Premier still must formally request the Lieutenant Governor to dissolve the House of Assembly.

General Assemblies typically last four years and comprise four sessions. After a General Election on the advice of the Premier, the Lieutenant Governor summons the Members of the House to meet for its first session.

### Session

Each General Assembly or Parliament comprises one or more periods known as sessions, typically one session per year. A session begins with a Speech from the Throne, outlining government's plan for that session. A session ends with a very short Speech from the Thorne announcing the session's prorogation.

The Newfoundland and Labrador House of Assembly does not have a set parliamentary calendar. The House adopted a practice recommendation in 1999 which states that the House shall ordinarily meet in the Winter/Spring from the second Monday in March to Easter Recess; and following Easter Recess, meet to the Friday before the Victoria Day weekend (referred to as the Spring sitting). It also shall meet for a minimum of four weeks in the Fall, typically November and December (referred to as the Fall sitting).

### Daily Sittings

A daily sitting starts with the Speaker calling the House to order and ends with an adjournment. At the beginning of the daily sitting, the Sergeant-at-Arms places the Mace (the symbol of the authority of the House) on brackets at the end of the Table. The presence of the Mace on the Table indicates that the House is in session with the Speaker in the Chair.

The House sits on Monday, Tuesday and Thursday from 1:30 to 5:30 p.m. and on Wednesday from 2:00 to 5:00 p.m. The House may sit longer if at least one day's notice is given and the Assembly votes in favour of the motion to extend the sitting.

### Quorum

In order for the House to meet, there must be 14 members present not including the Speaker. If there is no quorum present, the Speaker adjourns the House. The House then convenes on the next parliamentary day.

### Adjournment (Sitting)

The adjournment of the House is the termination by the House of its own sitting (either by motion or pursuant to a Standing or Special Order) for any period of time within a session. The House may adjourn for a few minutes or for several months.

### **Prorogation**

Prorogation is the act by which the Lieutenant Governor brings a session of the Legislative Assembly to an end. Any motion or Bill still on the Assembly's agenda "dies on the Order Paper"; that is, it is no longer before the Assembly and must be reintroduced at the next session if it is to be considered. The prorogation of a session also refers to the period during which a session stands prorogued.

### **Dissolution**

Dissolution brings the Legislature to an end either at the conclusion of its four-year term or by proclamation of the Lieutenant Governor at the Premier's request by issuance of a Writ of election. It is followed by a general election.

## **Presiding Officers**

In addition to the Speaker, the other Presiding Officers of the House of Assembly include the Deputy Speaker/Chair of Committees and the Deputy Chair of Committees.

### **Speaker**

The Speaker is elected by the House through a secret ballot vote to preside over its proceedings. In particular, (s)he is responsible for maintaining order and decorum. The key characteristics of the Speakership are authority and

impartiality. The House grants the Speaker the authority to direct its proceedings, and the Speaker does so by serving all Members equally regardless of their party affiliation.

In the Chamber, the Speaker:

- Ensures that all Members follow parliamentary rules as they ask or answer questions, debate or vote;
- Gives all Members a fair chance to speak;
- Ensures that the special rights and privileges of Members and the House are protected; and
- Does not take part in debate, ask or answer questions during Oral Question Period, or vote except to break a tie.

As the Speaker is the representative of the House, Members must show the Speaker the same respect they would show the House. In the Chamber, a Member:

- Does not question the Speaker's rulings on parliamentary procedure, except by a formal motion of non-confidence, although they may ask for an explanation of a ruling;
- Does not enter or leave the Chamber while the Speaker is standing;
- Does not interrupt the Speaker;
- Addresses all comments to the Speaker; and

- Does not walk between the Speaker and a Member who is speaking.

The Speaker is the head of the House of Assembly Service which provides a range of services to Members. The Speaker is also the Chair of the House of Assembly Management Commission which oversees the administration of the House and related offices. The Speaker represents the House as spokesperson in dealings with other bodies and carries out ceremonial functions.

### **Deputy Speaker/Chair of Committees**

The Standing Orders provide that a Deputy Speaker and Chair of Committees be appointed at the commencement of every General Assembly, immediately following the election of the Speaker. The Deputy Speaker is vested with all the powers of the Speaker when s(he) is absent from the House, presides over the proceedings of the House, and is responsible for chairing Committees of the Whole House. The Deputy Speaker may attend meetings of the House of Assembly Management Commission as a non-voting Member, but may not participate in debate unless s(he) is acting as the Chair which occurs in the absence of the Speaker.

### **Deputy Chair of Committees**

The Deputy Chair of Committees supports the Speaker and the Deputy Speaker as a presiding officer. In the absence of

the Deputy Speaker, s(he) may take the Chair when the House sits as a Committee of the Whole.

## Parliamentary Officials

### Table Officers

The officials seated at the centre table when the House is sitting are referred to as the Table Officers or Clerks at the Table. They include the Clerk, Clerk Assistant and the Law Clerk.

### *Clerk*

The Clerk is the non-partisan chief permanent officer of the House of Assembly. In that capacity, the Clerk exercises responsibilities as Chief Parliamentary Advisor and Chief Administrative Officer.

As Chief Parliamentary Advisor, the Clerk interprets the Standing Orders, conventions, precedents and usages of the House to advise the Speaker and Members on parliamentary procedure. He/she is also responsible for the preparation of the Order Paper and the Minutes of the proceedings of the House. The Clerk is also responsible for ensuring the safe-keeping of papers and records of the House of Assembly.

The Office of the Clerk is responsible for the support of parliamentary operations. It co-ordinates House of Assembly support services and ensures that all forms of business pass through each of the required procedural steps. The Office prepares, processes, and maintains all legislative records and documents of the Assembly. It ensures the accuracy and composition of the Votes and Proceedings, the Notice Paper, and the Minutes and Reports of the various legislative committees.

The Office co-ordinates the operation of and provides support service to Standing, and Select committees of the House of Assembly. This includes all logistical and legislative requirements of Committees as well as the provision of procedural advice.

### *Clerk Assistant*

The Clerk Assistant is appointed in the same manner as the Clerk and works with the Clerk and Committees of the House in advising the Speaker and Members on parliamentary procedure. S(he) also serves as secretary to the Audit Committee, a Committee of the House of Assembly Management Commission, and clerks the Standing and Special Committees. The Clerk Assistant performs the parliamentary and procedural duties of the Clerk whenever the Clerk is absent or unable to act, or whenever the Office of the Clerk is vacant.

### ***Law Clerk***

The Law Clerk provides legal advice as follows:

1. Parliamentary legal advice to the Speaker and the Clerk respecting matters that arise when the House is sitting and as related to the privileges of the House and its Members.
2. Parliamentary Legal advice to all Members of the House regardless of Party affiliation. This includes vetting and drafting of amendments to Bills and resolutions for Opposition Members.
3. Legal advice as “corporate counsel” to Speaker, Clerk, Management Commission and House of Assembly service.

### ***Sergeant-at-Arms***

The Sergeant-at-Arms preserves order and maintains security in the galleries, corridors and other areas within the Parliamentary Precinct. S(he) is responsible for safekeeping of the Mace, and leads the Speaker’s Parade which signifies the ceremonial opening of each sitting day.

### ***Commissionaires***

The Sergeant-at-Arms is supported by Commissionaires Session to maintain security within the Parliamentary Precinct when the House is in Session.

### Pages

Pages are students hired to provide assistance to Members, Table Officers and staff of the Legislature when the House of Assembly is in session. There are a maximum of four Pages employed for each session of the House.

Pages perform such duties as:

- Distributing documents (Order Papers, Members'/Ministerial statements, Reports, Bills, Hansards, etc.).
- Delivering books and documents to House on behalf of the Speaker and Table Officers.
- Responding to requests from Members.
- Carrying out other duties in the House as necessary during Notices of Motion, Tabling of Documents, Divisions, etc.

## Other Parliamentary Positions

### House Leader

A House Leader is the Member of a caucus responsible for its management in the House. House Leaders act as spokespersons for their respective parliamentary groups and make submissions to the Speaker on questions of procedure which arise from time to time in the course of debate in the

House. The Government House Leader establishes a schedule for House business through consultation with the Leaders of the other recognized parties.

### **Whip**

A Whip is a Member charged with keeping other Members of the same caucus informed about House business and ensuring their presence in the House especially when a vote is anticipated. Members are expected to advise their Whip if they must be absent from the House.

### **Committee Chair**

A Committee Chair is elected by a Committee to preside at meetings, keep order, establish the agenda in consultation with the Members of the Committee, and generally help expedite the work of the Committee.

## **Parliamentary Privilege**

The House of Assembly and its Members have certain protections that are not available to the general public. These protections have existed and evolved over the past few centuries to allow parliaments and Members to carry out the work of “the people.”

The classic definition of parliamentary privilege taken from *Erskine May's Treatise on The Law, Privileges, Proceedings and Usage of Parliament*, reads:

*“Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively ... and by Members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals. Thus privilege, though part of the law of the land, is to a certain extent an exemption from the general law.”*

Privilege or “peculiar rights” can be divided into two categories:

1. Rights extended to Members individually
2. Rights extended to the House collectively

### **Privileges of Individual Members**

- *Freedom of Speech:* A Member has the right to speak freely during debate in the House subject to the Rules governing debate. Freedom of speech does not apply to statements made outside the legislature – ordinary laws of defamation and libel would apply.
- *Freedom from Arrest in civil actions:* This freedom recognizes that the Legislature has a priority to the service of its Members. This freedom must relate to the

performance of a Member's legislative duties and not to a Member in his or her personal capacity. There is no such freedom from arrest in Criminal proceedings.

- *Exemption from jury duty:* This exists so that Members can attend to their legislative duties.
- *Exemption from being subpoenaed to attend as a witness in court when the Legislature is in session and for 40 days before and after:* If a Member chooses to attend at court as witness, the Member forfeits this privilege.
- *Freedom from obstruction, interference, intimidation and molestation in carrying out his or her legislative duties:* There must be a "real" threat or interference with legislative duties thereby giving rise to a claim that a Member's privilege has been violated.

### Privileges of the House Collectively

- *Right to regulate its own internal affairs:* The House of Assembly has absolute control over its own agenda, debates and proceedings. It can manage its own internal affairs without outside interference. Its decisions are not subject to review by the Courts.
- *Right to administer its own precinct:* An outside party is admitted to the parliamentary precinct under the authority of the Speaker. Anyone wishing to issue a subpoena within the precinct, carry out a search warrant,

or arrest a person on the precinct cannot enter for that purpose without the permission of the Speaker.

- *Right to require and ensure the attendance and service of its Members to carry out “the business of the people”:* This underpins the privilege of a Member not to be called as a witness, for jury duty or to be arrested in civil matters.
- *Power to discipline its own Members and punish them for misconduct:*
  - Members may be “named” and forced to leave the House as directed by the Speaker.
  - Members who fail to properly carry out their roles as elected representatives can be expelled. Disobedience of a direct order of the House, threats, taking bribes and other similarly “bad” behavior may lead the House to expel a Member and declare his or her seat to be vacant.
- *Power to punish a person for interfering with the conduct of the business of the House:* For visitors, this may mean being removed from the Gallery. Individuals may also be summoned before the “Bar of the House” for reprimand or other direction.
- *Right to establish Committees and other bodies to conduct inquiries:* It can compel the attendance of witnesses and order the production of documents and

may administer oaths and examine individuals under oath.

- *Right to publish:* The House of Assembly and Committees acting under the authority of the House may publish papers without action in the courts as to their content.

### **Breach of Privilege**

A Breach of Privilege occurs when one of the privileges of the House or of a Member is violated. The key element to these affronts is that they interfere with the ability of the Legislature or its Members or officers to carry out their parliamentary duties. Examples include disobedience to an order of the House and interfering with a Member's ability to attend a sitting of the House.

### **Contempt**

Some interference with the Legislature and Member parliamentary duties do not fall within the enumerated privilege violations. Many of these interferences are a challenge to the authority and dignity of the House or bring the House or a Member(s) into disrepute. These actions are considered to be breaches which are Contempts of the House.

### **Addressing Breaches of Privilege/Contempt**

There are five stages to addressing breaches of privilege or contempt:

1. Raising the Issue
2. Determining “prima facie”
3. Decision of the Speaker
4. Debate
5. Outcome

### ***1. Raising the Issue***

Both Breaches of Privilege and Contempts are raised as a Question of Privilege. An issue regarding a Member must relate to his/her role as a Member, not as a Minister, Party Leader, Whip or Parliamentary Secretary. Obstruction of a Member must show that a Member was obstructed in his work related to a proceeding in Parliament and not simply while performing representative duties (i.e. caucus).

The cited facts may be claimed as:

- Both a Breach of Privilege and as a Contempt,
- A Breach of Privilege that is a Contempt, or
- A Breach of Privilege.

Under section 34 of our Standing Orders, a Question of Privilege must be considered immediately.

When a Member raises a possible breach of privilege, he or she must concisely lay out the facts constituting the claimed breach.

### ***2. Determining “Prima Facie”***

Prima facie simply means “apparent on its face”. At this point, the Speaker, who may hear from the Member who purportedly caused the breach (as to the facts) or from other involved Members, makes a decision as to whether or not, based upon the facts, there is a “prima facie breach of privilege.”

The Speaker may permit others who are directly implicated to speak to the facts raised and if an implicated Member is absent, the Speaker may postpone the matter until the Member is present. This also applies to others who may be able to add direct “evidence” as to the facts. The Speaker has the discretion to seek the advice of other MHAs to help determine if there is a prima facie case to warrant priority over other House business. The Speaker must be satisfied that on its face, a breach has occurred and that the question of privilege was raised at its earliest opportunity.

### ***3. Decision of the Speaker***

When the Speaker is satisfied that s(he) has sufficient information as to the facts, discussion will be ended. The Speaker’s decision as to whether or not there is a prima facie case is taken under advisement to permit a considered judgment in all but the clearest of cases.

If a prima facie breach is not found, the matter is over. It is not uncommon for Speakers to “lecture” as to the prudence of the conduct of a member even where no prima facie breach of privilege is found. If a prima facie breach is found, the Member who raised the issue moves that the matter be referred to the Committee on Privileges and Elections for consideration or immediately to the House for debate. Any proposed discipline must also be indicated by that Member.

#### *4. Debate*

Once the motion is proposed, the debate is on the question of referring the matter to the Committee unless an immediate consideration of the facts, breach and remedy is undertaken. If the motion touches on the conduct of a Member, he or she may make a statement but should then withdraw from the Chamber. Should the House vote to refer the matter to the Committee on Privileges and Elections, the Committee investigates and reports to the House on its findings and recommendations as to a course of action (i.e. no breach, apology, suspension etc.).

Once the Committee reports, a motion can be proposed to accept the report. Debate occurs and the House votes whether to accept the motion. Presumably an amendment can be proposed to vary the recommendations in some way.

Only the House can actually find a breach of privilege or contempt and only the House can vote on an actual action or remedy (punishment) for the breach of privilege or contempt.

### **5. Outcome**

The discipline, remedy or response to a finding of a breach of privilege or contempt lies with the House. This is not within the authority of the Speaker. Although the Speaker makes a decision based upon the facts to allow a motion with respect to the apparent breach, the Committee on Privileges and Elections investigates and recommends.

True breaches are rare. It is far more common for a Member to be chastised by either the Speaker or the Committee for imprudent behavior than it is to find a true breach of privilege or contempt.

Examples of contempt which have occurred in the House of Assembly are assaults on Members by other Members, and the disclosure of the contents of a committee report before the committee had submitted its findings to the House.

## **Parliamentary Procedures & Authorities**

Parliamentary procedure refers to the manner in which the House of Assembly conducts its business based on the

Standing Orders, statutes, regulations, authoritative procedural works, precedents and tradition.

Procedure in the House is similar in principle to the rules by which most meetings are conducted. It is designed to ensure that all who wish to speak have the opportunity to do so in such a way as to make the most efficient use of the time available. In a legislative assembly, the Speaker must always keep in mind the balance that must be struck between the right of the minority to be heard and the right of the majority to govern.

In the conduct of its business, the House is governed first by the Standing Orders; then by its usages, customs and precedents; then by the customs and usages of the House of Commons, Canada and other Canadian jurisdictions. If none of these is useful in a particular case, the House looks to the usages, customs and precedents of the House of Commons, Westminster.

The parliamentary authorities to which the House of Assembly refers are:

- *O'Brien & Bosc, House of Commons Procedure and Practice, 2010.*
- *MacMinn, Parliamentary Practice in British Columbia;*
- *Maingot, Parliamentary Privilege in Canada; and,*

- *Sir Erskine May, Parliamentary Practice.*

## Order & Decorum

### Entering/Exiting the Chamber

When entering and leaving the Chamber or crossing the centre point, it is customary for Members and staff to bow to the Speaker.

When the House adjourns, the Standing Orders state that Members are to stay in their seats until the Speaker has left the Chair.

### Rules of Debate/Decorum

- Water is provided to Members. Other beverages or food are not permitted in the Chamber.
- Members must stand when the Speaker enters the Chamber.
- Members must sit down when the Speaker rises.
- The Member must address his or her remarks to the Speaker who is the Chair of the proceedings.
- No Member is to cross between the Chair and the Member who is addressing the Chair.
- Nothing should come between the Speaker and the Mace (the symbol of his/her authority). No Member should pass between the Chair and the Table, or between the

Chair and the Mace, when the Mace is being taken off the Table by the Sergeant-at-Arms.

- Members must be at their own places to be recognized. In order to be recognized to speak a Member merely stands in his/her place and “catches the Speaker’s eye”. The Speaker usually recognizes the first Member standing, alternating between the two sides of the House. The Speaker has complete discretion in respect of recognition of Members wishing to speak. On the occasion of a Member’s first speech in the House, the Speaker may recognize him/her in preference to others who rise at the same time
- A Member who adjourns debate on a motion is entitled to speak first when the motion is next called for debate.
- A Member may speak only once to a question in the House. In Committees of the Whole and Standing Committees, Members may speak as often as they wish. In the House, as distinct from Committees of the Whole, Members may speak only once to a question except for the proponent of a motion who may speak a second time to close debate.
- When speaking in debate, Members address their remarks to the Speaker and refer to each other in the third person by the names of their Districts or, in the case of Ministers, by their portfolios. Leaders and House

Leaders of caucuses are referred to by their titles. Language in the House must be temperate.

- Notice must be given of substantive motions at a sitting prior to the day on which debate is to take place.
- Members may not use displays or props to illustrate their remarks.
- Members must be in their seats to vote.
- Incidental interruptions, such as applause, shouts of approval or disapproval, or heckling which sometimes punctuates speeches, may be tolerated by the Speaker as long as disorder does not arise. Excessive interruptions are swiftly curtailed, particularly when the Member speaking requests the assistance of the Chair.
- Loud private conversations in the Chamber are discouraged. The Speaker will request that private conversations be carried outside the Chamber.
- Members may not engage with visitors in the galleries (Speaker's, public or press).
- Business attire is considered appropriate for House of Assembly sittings. The Speaker may choose not to recognize Members who are considered inappropriately dressed.

### Electronic Devices

The use of electronic devices (mobile phones, tablets, laptops, etc.) by Members is permitted in the House of Assembly

Chamber with certain restrictions to ensure that order and decorum are preserved. Members must also ensure their use does not interfere with the Member who has the floor.

The following restrictions have been put in place for the use of electronic devices in the Chamber:

- Devices must be in silent mode at all times.
- Devices must not be used for consultation purposes while speaking in debate, or on any other occasion when a Member is in possession of the floor.
- Devices must not be used during Routine Proceedings, including laptops which must remain closed.
- Devices must not be used during ceremonial occasions such as the Speech from the Throne, Budget Address, or any other time when the Lieutenant Governor occupies the Chair.
- Devices must not be used during Points of Order, Points of Privilege, Speaker rulings, votes and divisions.
- Camera, video and audio recording functions must be disabled at all times in the Chamber. Photographing or recording Members in the Chamber would be a serious breach of privilege which could result in severe sanctions.
- Laptops used in the Chamber must have a privacy filter screen.

### Points of Order

If a Member perceives a breach of order in the House, s(he) must call the attention of the Speaker to the incident immediately by raising a point of order (except during Oral Questions). Points of Order may not be raised while a vote or a division is being conducted. They cannot concern hypotheticals, legal or constitutional questions, or be used to question a ruling on privilege.

The Speaker will intervene when (s)he becomes aware of an irregularity without waiting for a Member to raise a Point of Order. The Speaker may allow some commentary/brief debate, but does not have to; and the Speaker's rulings are not appealable.

### Code of Conduct

A Code of Conduct for Members of the House of Assembly was developed by the Standing Committee on Privileges and Elections as directed by section 35 of the *House of Assembly Accountability, Integrity and Administration Act*, and passed by a Resolution of the House on May 26, 2008.

The Code is the standard by which all Members agree to govern themselves in carrying out their responsibilities as elected officials. As a part of the oath of office, all Members

agree to follow this code of conduct before being permitted to take their seat.

### *Commitments:*

*Members of this House of Assembly recognize that we are responsible to the people of Newfoundland and Labrador and will responsibly execute our official duties in order to promote the human, environmental and economic welfare of Newfoundland and Labrador.*

*Members of this House of Assembly respect the law and the institution of the Legislature and acknowledge our need to maintain the public trust placed in us by performing our duties with accessibility, accountability, courtesy, honesty and integrity.*

### *Principles:*

- 1. Members shall inform themselves of and shall conduct themselves in accordance with the provisions and spirit of the Standing Orders of the House of Assembly, the House of Assembly Accountability, Integrity and Administration Act, the Members' Resources and Allowances Rules, the Elections Act, 1991, the House of Assembly Act and this Code of Conduct and shall ensure that their conduct does not bring the integrity of their office or the House of Assembly into disrepute.*

- 2. It is a fundamental objective of their holding public office that Members serve their fellow citizens with integrity in order to improve the economic and social conditions of the people of the province.*
- 3. Members reject political corruption and refuse to participate in unethical political practices which tend to undermine the democratic traditions of our province and its institutions.*
- 4. Members will act lawfully and in a manner that will withstand the closest public scrutiny. Neither the law nor this code is designed to be exhaustive and there will be occasions on which Members will find it necessary to adopt more stringent norms of conduct in order to protect the public interest and to enhance public confidence and trust.*
- 5. Members will not engage in personal conduct that exploits for private reasons their positions or authorities or that would tend to bring discredit to their offices.*
- 6. Members will carry out their official duties and arrange their private financial affairs in a manner that protects the public interest and enhances public confidence and trust in government and in high standards of ethical conduct in public office.*
- 7. Members will base their conduct on a consideration of the public interest. They are individually responsible for preventing conflicts of interest and will endeavour to*

*prevent them from arising. Members will take all reasonable steps to resolve any such conflict quickly and in a manner which is in the best interests of the public.*

- 8. In performing their official duties, Members will apply public resources prudently and only for the purposes for which they are intended.*
- 9. Members will not use official information which is not in the public domain, or information obtained in confidence in the course of their official duties, for personal gain or the personal gain of others.*
- 10. Relationships between Members and government employees should be professional and based upon mutual respect and should have regard to the duty of those employees to remain politically impartial when carrying out their duties.*
- 11. Members should promote and support these principles by leadership and example.*
- 12. This Code of Conduct has a continuing effect except as amended or rescinded by Resolution of the House of Assembly.*

### **Broadcast Considerations**

All proceedings of the House of Assembly are broadcast live via television on the House of Assembly Channel and online via the House of Assembly website. The Chamber is equipped

with five cameras on robotic pedestals which are mounted into recessed openings of the walls. There are two cameras on either side of the House and one above the main entrance. All cameras are remotely operated from the control room of Broadcast Services.

All Members will be seen on camera at some point during the proceedings and are advised to follow these guidelines respecting on camera conduct:

1. If the Member in front of/behind/adjacent to another Member is the recognized speaker, it is likely that the unrecognized Members may also be seen on camera.
2. Members are advised to avoid fidgeting or pacing as much as possible while they are speaking.

### Microphones

Each Member's desk is equipped with a microphone, a tally light, a speaker and a headphone jack with volume control.

Microphones are manually switched on and off by Broadcast Services. The microphone for the Speaker is always on during House proceedings. When the Speaker recognizes a Member, Broadcast Services turns on that Member's microphone. When the Member is finished speaking, the microphone is switched off. If the Speaker rises to his/her feet during a Member's speech, the Member's microphone is immediately

switched off. While the Speaker is standing, his/her microphone is the only one turned on in the Chamber.

The following guidelines will help to ensure all sound is adequately recorded:

- When recognized to speak, Members need to be standing in front of the microphone in order for the sound to be picked up. The microphone should not be beside or behind the Member.
- Members are advised to refrain from touching the microphone or microphone arm. If the microphone position is changed, it may not be in the correct position when a Member is recognized to speak.
- The tally light is the red light on the desk next to the microphone which indicates whether the microphone is on. In the event of a technical issue with a microphone, the Broadcast Centre will switch to an adjacent microphone. If a Member is recognized to speak and the tally light is not on, Members are advised to continue the speech without calling attention to the lights.
- Members should be aware that if a Member in front of/behind/adjacent to them is recognized to speak, anything they say may be picked up by the audio system.

- Members should be aware that the use of smartphones, tablets and other mobile devices may interfere with microphones.

### **Dress**

Members are advised to avoid wearing clothing with busy patterns, closely-patterned stripes or prints. Bright colors affect the visual look of the broadcast and may be distracting to the viewer. Avoid plain white blouses or shirts unless worn under a jacket.

## **Legislative Documents**

### **Order Paper**

The Order Paper is the official agenda of the House. Prepared by the Clerk for each sitting day, the Order Paper is published by the Queen's Printer under the authority of the Speaker and provides a comprehensive overview of the status of business before the House. The Order paper comprises the list of Routine Proceedings followed by the Legislation and Resolutions to be debated, and the status of each piece of legislation. Questions submitted in writing to a Minister also appear on the Order Paper.

### **Votes & Proceedings (Journals of the House)**

The Votes and Proceedings of the House are the official record of the Assembly's daily business. They are similar to minutes in that they are a record of what was done rather than what was said.

The Journals of the House are the complete, official record of a session. The Journals are compiled from the daily Votes and Proceedings of a session, incorporating any corrections and published in bound form under the authority of the Speaker.

### **Sessional Paper**

A sessional paper is any document tabled in the House or filed with the Clerk during a session. All such documents are open to public scrutiny.

### **Tabled Documents**

Tabled documents include information required to be presented in the House including responses to written questions previously accepted by ministers; documents required to be tabled by statute or order of the House; and documents voluntarily tabled by Private Members with the unanimous agreement of the House.

## Daily Procedure

### Speaker's Parade

The Speaker's Parade marks the opening of the House of Assembly on each sitting day. The Parade includes the Table Officers, the Sergeant-at-Arms and the Pages who escort the Speaker and the ceremonial Mace (carried by the Sergeant-at-Arms) into the Chamber. The Speaker's Parade leaves the Office of the Speaker at approximately 1:27 pm (1:57 pm on Wednesday – Private Members' Day), continues down the east hallway adjacent to the entrance of the Government Members' Caucus Room and into the Chamber through the main doors.

During the Speaker's Parade, the east hallway should remain clear to allow the Parade to pass without interruption. Typically, a Security representative will be positioned just inside the door at the entrance of the hallway asking people to remain by the East Block Security Desk until the Speaker's Parade continues into the House. Once the hallway is clear, individuals may proceed.

If Members are in the east hallway during the procession of the Speaker's Parade, they must stop, move to the far right and allow the Parade to pass before proceeding.

### Private Session

Occasionally, the Speaker may have cause to speak to Members *in camera*, which will occur immediately before visitors are admitted to the Chamber. These sessions are brief (typically less than 5 minutes), and are not recorded or televised.

### Admittance of Strangers

“Strangers” in the parliamentary context means anyone who is not a Member or an official of the House of Assembly. It includes members of the public, journalists and departmental officials. Strangers are admitted to the galleries on the direction of the Speaker, and may be expelled if there is a disturbance or if the House orders. When the Speaker gives the direction to “Admit Strangers”, Commissionaires open the doors and permit guests to enter the galleries (Public and Speaker’s galleries). At that time, accredited media personnel are also permitted to enter the Press gallery.

### Routine Proceedings

The following proceedings occur every day when the House is in Session (except for special ceremonies/proceedings) in the same order. No notice is required of these proceedings.

### 1. *Statements by Members:*

This proceeding affords private Members the opportunity to make a non-partisan statement, often concerning matters of significance in their District. The time limit on these statements is 60 seconds. They must be submitted to the Speaker for review by 12:00 p.m. on the day they are being delivered.

### 2. *Statements by Ministers:*

Ministerial statements usually concern governmental or departmental policy, but there are no rules governing the content of these statements. No debate is permitted but the Official Opposition may respond using half the time used by the Minister. The Third Party may respond using half the time allocated to the Official Opposition.

### 3. *Oral Questions:*

Oral Question period is a thirty-minute segment during which Members may question Ministers of the Crown. While Members usually direct their questions to a particular minister, any Minister may answer. The Member who first catches the Speaker's eye is recognized to speak. The Speaker usually recognizes the Leader of the Official Opposition first. The recognition of speakers is entirely within the discretion of

the Speaker. The Speaker's rulings respecting Oral Questions are not subject to appeal.

Questions are meant to elicit information and should be brief and to the point, as should answers, in order to allow the maximum number of questions to be asked.

Guidelines established for Oral Questions include the following:

- They should not express or seek an opinion.
- They should not be argumentative.
- They must relate to matters within the competence of Government.
- They must not be prefaced by reading from a document.
- They should be of some urgency.

#### *4. Presenting Reports by Standing and Special Committees*

The Chair of a Committee which must report to the House would table its report at this point. While no debate is permitted, leave is usually given for the Member submitting the report to make a brief statement.

### 5. *Tabling of Documents*

This proceeding was added in 2005 to accommodate the tabling of documents other than reports. Only Ministers and the Speaker may table documents.

### 6. *Notices of Motion*

Notices must be given at a previous sitting of substantive motions which are to be debated in the House.

### 7. *Answers to Questions for which Notice has been given*

During this proceeding Ministers may answer questions which have been placed on the Order Paper; or which a Minister or the Speaker has decided should be tabled because of their complexity or length.

### 8. *Petitions*

The presentation of Petitions is a tradition of the House of Assembly. Members may speak for three minutes in presenting a Petition. Petitions must be addressed to the House of Assembly, not to the Government; and should be submitted to a Table Officer for vetting before being presented in the House. Additional information on Petitions and their format can found on the House of Assembly website under *Proceedings\Petitions*.

### Orders of the Day

#### *Government Business*

Orders of the Day, listed in the second part of the Order Paper, are the matters that have been appointed by an order of the House at an earlier sitting to be dealt with at a subsequent sitting. They include the Address in Reply; Committee of Supply; the various stages of Bills which have been introduced; Motions of which notice has been given of Bills and Resolutions; and Questions submitted for inclusion on the Order Paper. Government business has priority on Monday, Tuesday and Thursday.

#### *Private Members' Business*

Private Members' Day is on Wednesday, on which Private Members' business has priority. Private Members' Resolutions which have been given notice of on the preceding Monday appear on the Order Paper on Wednesday and are called in the order decided by each caucus. Private Members' Business alternates weekly between the two sides of the House.

## Progress of a Bill

The progress of a Bill becoming law comprises the following steps:

1. *Notice:*

- Once a Bill has been drafted, the sponsoring Minister must give notice at a previous sitting of his or her intention to introduce the Bill. The title of the Bill and the name of the sponsoring Minister are then published in the Order Paper. The Bill may be introduced on a subsequent day during Routine Proceedings. No debate occurs at this stage.

2. *First Reading:*

- At this stage, the Minister introduces the Bill to the House of Assembly on motion "that a Bill entitled . . . . . be now read a first time". No debate or amendment is permitted at this stage.
- When a Bill is read a first time, it stands ordered for second reading at a subsequent sitting of the House. The Bill cannot be read a second time until it has been printed and copies have been provided to the Clerk of the House for distribution to all Members who can acquaint themselves with its content.

### 3. *Second Reading:*

- Second reading is considered the most important stage in the passage of a Bill. The Minister introducing the Bill may give a brief explanation on its provisions. At this stage, the principle and object of the Bill are debated and either accepted or rejected. Debate is general and addresses the Bill as a whole. Members must refrain from discussing the details of a Bill during the Second Reading debate.
- If a Bill passes second reading in the House, it is referred for a more detailed study to the Committee of the Whole House, and may be referred to another standing or select Committee designated by the sponsor of the Bill. Amendments permissible at this stage are reasoned amendments, the hoist and referral to Committee.

### 4. *Committee:*

- When a Bill is referred to the Committee of the Whole, the House itself is the Committee. When the House resolves itself into a Committee of the Whole, the Speaker leaves the chair and the Deputy Speaker or Deputy Chair of Committees acts as Chairperson. The Minister responsible for the Bill is the witness and s(he) answers questions on the details of the Bill.
- Members can speak on any clause of the Bill being studied; ask any number of questions; and can propose amendments to any clauses of the Bill. Amendments in

Committee must be in keeping with the principle of the Bill as agreed to during second reading. After the Committee of the Whole has completed its consideration of the Bill, it orders that the Bill be reported to the House.

- If the Bill is referred to a standing or select Committee of the House, the Committee can hold hearings or special meetings where people inside and outside government can make comments about the Bill. The Committee can also ask for government officials and experts/witnesses to answer questions. The Committee can suggest changes or amendments to the Bill when it gives its report to the House. Once a Committee reports the Bill back to the House, all Members can then debate it. At this point, those who were not part of the Committee that studied the Bill can suggest changes.

### 5. *Third Reading:*

- Debate may occur again on the Bill at this stage, but rarely does. The motion at this stage is "that the Bill be now read a third time." As in second reading, the debate is confined to the contents of the Bill as a whole during third reading.
- When a Bill has been read a third time, the further question is then put by the Speaker: "This Bill having had three separate readings, is it the pleasure of the House that it does now pass?" This is carried, and the Bill is then

ready for Royal Assent. Amendments permissible during second reading are also allowable at this stage.

### 6. *Royal Assent:*

- At this stage, the Bill is given to the Lieutenant Governor (or his/her appointed representative) for final approval. Normally a Bill comes into force on the day of Assent unless otherwise provided in the Bill itself. Provision is sometimes made for the Bill to come into force on a certain day or a day fixed by Proclamation.

## Process of Debate

### Motion

A motion is a proposal moved by a Member for the House to do something, to order something to be done or to express an opinion. In order to be placed before the House, a motion must be duly moved and seconded. Once adopted it becomes an order or a resolution.

### Proposing the Question

The proposing of the question is the formal reading to the House or Committee of the text of the motion to be debated. Until a question is proposed it cannot be debated, amended or voted upon.

### **Amendments**

An amendment is an alteration proposed to a motion as an alternative or improved version of the original proposal. Amendments may be amended in the same way as an original question by a sub-amendment.

### **Adjournment (Debate)**

Adjournment of debate is the termination by the House of the discussion of a question to another day or time. The Member who moves adjournment is entitled to speak first the next time the matter is called if (s)he has time remaining.

### **Putting the Question & Division**

Once the debate (if any) on a motion is finished, the Speaker or Chair ascertains the sense of the House or Committee on the matter, “collects the voices” or “puts the question” by asking those in favour and those against to signify their opinion (by saying “aye” or “nay”).

A division (standing vote) occurs when Members wish to have a recorded vote, or if the Speaker’s opinion of the outcome of a vote is challenged. If three or more Members stand after the Speaker announces the results of a voice vote, the Members are asked to declare with the “ayes” or “nays” to establish a record of the vote. Bells will then ring to summon Members to the Chamber. No Members are admitted once

the bells have stopped. During a division, Members are called by their names and voting results are reported.

### Speaking Times

<b>SECOND &amp; THIRD READING</b>	
Premier	60 minutes
Leader of the Official Opposition	60 minutes
Minister moving Government Order	60 minutes
Member speaking immediately after Minister (critic)	60 minutes
All other Members	20 minutes (Member can only speak once)
<b>COMMITTEE OF THE WHOLE</b>	
Member who makes opening statement	15 minutes
Member who replies immediately after opening statement	15 minutes
All other Members	10 minutes (No limit on number of times a Member can speak)
<b>PRIVATE MEMBERS' RESOLUTION</b>	
All Members	15 minutes

<b>MOTION OF NON-CONFIDENCE</b>	
Leader of the Official Opposition (moving motion, except Budget and Address in Reply)	Unlimited
Premier (responding to motion, except Budget and Address in Reply)	Unlimited
Member moving motion	60 minutes
Minister responding to motion	60 minutes
<b>BUDGET</b>	
Member speaking immediately after Budget Speech	Twice the time for the Budget Speech, or 3 hours (whichever is greater)
All other Members – Budget Debate	20 minutes
First Member speaking to Budget amendment	60 minutes
Minister responding to Budget amendment	60 minutes
All other Members debating Budget amendment or sub-amendment	20 minutes
<b>PETITIONS</b>	
Member presenting Petitions	3 minutes

<b>MEMBERS' STATEMENTS</b>	
Member presenting Members' Statement	1 minute

## Speech from the Throne

The Speech from the Throne is delivered at the beginning of each new General Assembly and at each new session after a prorogation. It is written by the government and sets out the government's agenda in very general terms. The Speech from the Throne is delivered by the Lieutenant Governor in a ceremonial opening of the House.

## Address in Reply

This is an address or formal message to the Crown expressing the Legislature's thanks to the Lieutenant Governor (the Sovereign's representative) for the Throne Speech which (s)he has delivered. After the Throne Speech, when the Lieutenant Governor has been led from the Chamber, a Member (typically a government private member) moves that a committee be struck to draft an address of thanks to be presented to the Lieutenant Governor in reply to the Throne Speech. The motion is seconded by another government private Member.

The Committee traditionally consists of the mover and seconder, as well as one opposition Member. The Premier, the Leader of the Official Opposition, and the Leader of the Third Party speak to the motion which is then voted on.

Later in the session, the committee reports that it has drafted its address. The debate which follows (known as the Address in Reply debate) is a debate on the motion that the report of the committee be adopted.

### **Maiden Speech**

The maiden speech is the first formal speech by a newly-elected Member in the House of Assembly during which they are traditionally heard without interruption. Unlike other debate in the House, the rule of relevance is relaxed. Members are also permitted to place the wooden lectern on their desk from which a prepared speech can be read. The only other time this occurs is for the reading of the Budget Speech by the Minister of Finance.

Members may speak to any topic they wish during their maiden speech. Typically, Members use the opportunity to promote their district, thank constituents, or speak to matters important to their district or the entire province. Members who stand to give their maiden speech are traditionally given precedence.

Members requiring further information or assistance regarding their maiden speech should contact the Clerk's Office.

### **Budget & Related Proceedings**

The spring sitting of the House is devoted largely to the Budget and its related proceedings.

#### **Interim Supply**

If the Main Supply Bill for the upcoming fiscal year has not been passed before April 1, the House must pass an Interim Supply Bill to enable Government to meet its financial commitments between the beginning of the new fiscal year and the passage of the Main Supply Bill. The Interim Supply Bill authorizes an advance of approximately one-quarter of the amount of funding contained in the main estimates. This funding permits Government to cover the needs of the public service from the end of the fiscal year until the end of June, or until the Main Supply Bill is passed.

#### **Budget Day**

Shortly after the opening of a new Session of the House of Assembly, the Minister of Finance delivers the Budget Speech and presents Estimates for the coming fiscal year.

On Budget Day, the Minister of Finance, having given Notice at a previous sitting, moves the following Motion:

*“That this House approves in general the budgetary policies of the Government.”*

Once the Motion is moved, the Minister delivers the Budget Speech, and in doing so is the first speaker to this Motion in what is referred to as the Budget Debate. While the Budget Debate continues for the next several weeks, the Minister of Finance is the only speaker to the Motion on Budget Day. When the Budget Speech concludes, the Minister moves adjournment of the debate.

### **Budget Debate**

When the Budget Debate continues on a subsequent day, an Opposition speaker (often the Finance critic) has the floor. The Standing Orders allows the person responding to speak for twice the period of time used by the Minister of Finance in the Budget Speech, or three hours (whichever is greater).

Unlike other jurisdictions, there is no time limit on the Budget Debate in Newfoundland and Labrador Legislature. The length of debate is limited only by the number of speakers who wish to participate, subject to the Standing Orders respecting speaking times (see previous section).

Members have the opportunity to speak once to the main Motion. If there is an amendment to the main Motion, Members have a second opportunity to speak. If there is a sub-amendment, the Member has a third opportunity to speak.

When there are no further speakers to the Motion and the Budget Debate concludes, the Motion as moved by the Minister of Finance comes to a vote.

The Budget Debate is a separate and distinct proceeding from the proceedings of the Estimates and the Main Supply Bill. Approval of the Budget Motion expresses the general confidence of the House in the Government's financial plan for the fiscal year; it does not result in any specific measures.

### **Estimates**

Following the Budget speech on Budget day, the Minister of Finance refers the Estimates of expenditure for the coming fiscal year to a Committee of Supply. The Committee meets briefly on that day, then rises and reports having made progress and asks leave to sit again.

On the same day, or shortly thereafter, the Government House Leader refers the Estimates to three Standing Committees which meet during subsequent weeks (15 sitting days) period to review these proposed expenditures. At the

end of the period, they report having approved (or otherwise) the estimates referred to them. While Committees tend to sit for up to three hours per Head of Expenditure, they are free to hold multiple meetings on a given Head within the 15 sitting days.

The following three Heads of Expenditure are traditionally debated in the Committee of the Whole, rather than in the Standing Committees: the Legislature, the Executive Council and the Consolidated Fund Services.

When all the Committees have reported, the House debates their reports and concurs in (or otherwise) their decisions. The time limit on each of these Concurrence Debates is three hours.

In total, seventy-five hours are allocated for these debates in Committee of Supply in the House; in the Standing Committees; on the concurrence motions in the House; and in the debate on the Interim Supply Bill.

Once the three Estimates Committee Concurrence Motions, and the three Heads reviewed in Committee of the Whole have been passed, the Main Supply Bill is introduced with a Resolution.

A more detailed description of the Estimates and Main Supply process can be referenced in the booklet, *Budget and Related Proceedings in the House of Assembly*.

### **Committees**

A Committee of the House derives its authority from the House which appointed it, and acquires the privileges which apply to that Legislature or Parliament.

#### **Striking Committee**

At the beginning of each General Assembly a Striking Committee is formed, led by the Government House Leader to establish the Standing Committees of the House.

#### **Standing Committees**

Standing Committees are struck at the beginning of a General Assembly and continue for the duration of that Assembly. These committees examine and report on matters referred to them by the House or on matters traditionally considered within their mandate. They may be asked to review draft legislation before its introduction in the House and Bills which have received Second Reading. These Committees continue for the life of the parliament. They establish their own meeting schedules which do not conflict with the sitting hours of the House.

In Newfoundland and Labrador there is provision for **seven** Standing Committees.

**Government Services, Social Services and Resource Committees:** particularly active during the Budget period in reviewing departmental and other Estimates but they may be asked to review any matter the House wishes to refer to them in their specified area of interest.

**Public Accounts Committee:** traditionally reviews the annual report of the Auditor General from which they select matters on which to hold hearings. This Committee also reviews the audited accounts of the House and the Clerk's role as accounting officer of the House and enquires into such other matters relating to the public accounts of the Province as it may decide. The Chair of the Public Accounts Committee is traditionally an Opposition Member.

**Privileges and Elections Committee:** deals with matters of privilege referred to it by the House. If the Speaker determines that a prima facie case has been made that a breach of privilege has occurred, a motion is made to refer it to this Committee. This Committee also reviews the code of conduct for Members.

**Standing Orders Committee:** reviews and recommends changes to the Standing Orders from time to time at the request of the House.

***Miscellaneous and Private Bills Committee:*** deals with private bills which confer particular powers or benefits on any person or body of persons, including individuals and private corporations. Such bills have not been passed in the Newfoundland and Labrador legislature for over 30 years.

### Select Committees

Select Committees are struck for a particular purpose such as the review of a particular matter of importance to government. Once they have reported, the committee ceases to exist.

### Breaches of Privilege in Committees

A committee chair must report to the Speaker any alleged breach of privilege. A Member may then raise the matter as a question of privilege in the House and the Speaker must decide if there is a “prima facie” breach. If the Speaker rules to that effect, the Member who raised the matter moves the appropriate motion. The process continues in the same manner as a breach occurring in the House.

## Committee of the Whole House/ Committee of Supply

A Committee of the Whole House, or a Committee of Supply, is a meeting of all the Members of the House sitting in the

Chamber as a committee. Presided over by a chair rather than the Speaker, Committees of the Whole review the details of legislation and any other matters which might be referred to them.

The Mace is removed from the table as the Speaker is not in the Chair. In a Committee of the Whole, a Member may speak for 10 minutes as many times as s/he wishes, as long as there is an intervening speaker. This allows for more suitable discussions on the details of proposed legislation.

## Parliamentary Resources

### Broadcast Services

Broadcast Services is responsible for recording and broadcasting all proceedings of the House of Assembly, recording Committees of the House, and recording and broadcasting all public meetings of the Management Commission.

The House of Assembly proceedings and Management Commission meetings are televised live via the House of Assembly channel and online via the House of Assembly website. All webcasts are archived on the website for on-demand viewing. The proceedings for a normal sitting day are rebroadcasted on the House of Assembly channel at 8:00 p.m.

on evenings the House adjourns at the normal time (5:00 or 5:30 p.m.). If the House sits into the evening the live broadcast will continue.

Audio recordings of Committee meetings are streamed live via the House of Assembly Intranet within the Confederation Building Complex and are archived on the House of Assembly website.

The entire audio/visual record of any House proceeding or Management Commission meeting is usually available on the House of Assembly website within 45 minutes of the end of the live broadcast. It can be viewed under *Proceedings\Webcast*.

Copies of all audio/video productions are available upon request by contacting Broadcast Services. They can be provided in a variety of formats for use on websites, in presentations, etc. The statement on use and copyright of audio and video clips can be viewed on the website under *Proceedings\Webcast* (see link at the top of the page). Broadcast Services will provide all newly elected Members with a copy of their introductory (maiden) speech.

Broadcast Services also offers video production services such as recording video messages for Members.

Broadcast Services is located on the ground floor of the East Block, and can be reached at 729-7448.

### **Legislative Library**

The Legislative Library's primary mandate is to provide parliamentary library and information services to all Members and Officers of the House of Assembly and their support staff. These services include providing reference and research, and information access and awareness. The Library is the official depository of publicly released government documents of Newfoundland and Labrador (*Rooms Act*, s.21(6)). It is the Library's responsibility to preserve these materials for long-term use and historical posterity regardless of their original format or storage medium.

### ***Research and Reference Services***

The Library has access to several in-house developed and commercial research databases. It maintains a complete collection of Hansard and is responsible for indexing Hansard. The Library also has indexed copies of news articles and news releases from the government and opposition parties. The news release collection dates back to the early 1970s. The Legislative Library provides research and reference services to all its clientele on a first-come-first-served basis. All transactions are kept completely confidential.

### ***Collection***

The Legislative Library has a diverse collection which includes materials dated from the 18th Century to present day. Its sections include:

- Newfoundland and Labrador Government Documents
- Provincial and Federal Government Documents
- Periodicals (including local, regional and NL community newspapers)
- Newfoundlandiana and Labradoriana
- Clipping Files (Parliamentary; Government and Subject files)
- Reference materials
- Professional Development
- General Monographs (political science, history, public administration and policy issues, etc.)

### ***Borrowing and Circulation***

Members are welcomed and encouraged to come to the Library for all their research requirements, to browse the latest periodicals, or to read the current newspapers. Items from certain sections of the collection may be borrowed for up to two weeks. All borrowers, including Members, are asked to return or renew their borrowed item(s) promptly. Items from certain sections of the collection do not circulate and must be used only in the Library.

The Legislative Library is located on the 3rd Floor (East Block) adjacent to the entrance to the Public Galleries of the Chamber. They can be reached at 729-3604.

### **Hansard**

Hansard is the official transcript and complete report of debates and proceedings of the House of Assembly, its Committees, and the public meetings of the House of Assembly Management Commission. The Hansard document is essentially a verbatim transcript with editing limited to ensuring proper grammar, spelling and punctuation, observing parliamentary forms, and minimizing repetition and redundancy. Only those interjections responded to by the Member who has the floor at that time, or that are otherwise referenced by the Speaker or Chair, are included in Hansard.

### ***Regular Sitzings***

Following an afternoon sitting of the House, an average of 3 hours of partially edited transcript is available online by approximately 7:00 p.m. on the same sitting day. This document is available on the House of Assembly website under *Proceedings\Hansard*. It is replaced by the complete/edited version of the sitting by midday the following day. A PDF version is emailed directly to Members around the same time.

### *Question Period*

Question Period is available, in its unedited format, as soon as transcription is complete. Partial edited hard copies are provided to the Chamber usually within an hour of the expiration of this particular House proceeding, and posted to the House of Assembly website approximately 90 minutes after the end of Oral Questions.

### *Evening Sittings*

The Hansard for evening sittings are completed when the House of Assembly is not in Session. These documents are available on the House of Assembly website as they are completed. If required, Members may request that a short segment of an evening sitting be transcribed and it will be completed as quickly as possible.

### *Committees*

Transcription of Committees of the House is also completed when the House is not in Session. These documents are available on the House of Assembly website as they are completed. If required, Members may request that a short segment of a Committee meeting be transcribed and it will be completed as quickly as possible. Audio recordings of Committee meetings are available on the House of Assembly website immediately after the meeting concludes.

### **Parliamentary Precinct**

The parliamentary precinct for the Newfoundland and Labrador Legislature is located within Confederation Building Complex (East Block). It is the space that is managed and controlled by the Speaker as custodian of the rights and privileges of the House of Assembly. The Precinct currently includes the following areas of the Confederation Building Complex (East Block):

- North wing – main and 3rd floors
- 5th floor – east and west wings (Note: Law Library of the Department of Justice and Public Safety occupies the centre area of the 5th floor - it is not part of the Precinct)
- Legislative Library on 3rd floor – east wing
- Broadcast Centre on ground floor - west wing
- Vault space on ground floor – east wing
- Members' parking spaces

The Legislature and the Department of Transportation and Works work cooperatively in managing the Precinct.

### **Visitors to Public Gallery**

Visitors who intend to view proceedings of the House from the public gallery are required to sign-in at the main lobby security desk and obtain the appropriate visitor pass.

Individuals will be directed to the entrance of the gallery on the 3rd floor where additional security screening will take place prior to admittance. Visitors must comply with certain customs (posted at the entrance) to ensure that proceedings take place without disturbances.

Visitors planning to go to another area of the Confederation Building Complex (including another area in the Parliamentary Precinct) after leaving the public gallery must return to the security desk on the main floor to obtain the appropriate visitor pass for access.

### **Visitors to Speaker's Gallery**

Admittance to the Speaker's Gallery on the floor of the House of Assembly Chamber is at the discretion of the Speaker and an appropriate pass must be obtained from the Speaker's Office. Visitors are required to sign-in with security in the main lobby prior to being escorted to the appropriate area.

## **Parliamentary Organizations**

### **Commonwealth Parliamentary Association (CPA)**

The Commonwealth Parliamentary Association (CPA) is composed of over 180 Branches formed in Legislatures (at national and state level) in Commonwealth countries which subscribe to parliamentary democracy. As articulated in its

Statement of Purpose, the CPA connects, develops, promotes and supports Parliamentarians and their staff to identify benchmarks of good governance and the implementation of the enduring values of the Commonwealth. The Dominion of Newfoundland was an inaugural member of the CPA when it was founded in 1911, including Australia, Canada, New Zealand, South Africa and the United Kingdom. Currently the CPA regions are: Canada, Africa, Asia, Australia, British Islands and Mediterranean (BIM), Caribbean, Americas and Atlantic (CAA), India, Pacific, South-East Asia.

Each province, territory and the federal parliament are considered branches of the Canadian Region of CPA. The Speaker (by virtue of his/her position) is the Branch president; the Clerk (by virtue of his/her position) is the Branch secretary; and all MHAs are Members. Administration for the Canadian Region is handled by the International and Interparliamentary Affairs Branch of the federal parliament.

The CPA Canadian Region holds various seminars and conferences each year which are typically attended by the Speaker, Deputy Speaker, Table Officers and Members (as selected by the Speaker).

### **Commonwealth Women Parliamentarians (CWP)**

The Commonwealth Women Parliamentarians (CWP) was founded by women delegates at the 1989 plenary CPA conference so women at future conferences could discuss ways to increase female representation in Parliament and work towards the mainstreaming of gender considerations in all CPA activities and programs. In 2004, the group was formally recognized in the CPA Constitution, and in 2005 the first CWP Conference for the Canadian Region was held in Newfoundland and Labrador.

As with the CPA, the federal parliament and Senate, and each provincial and territorial legislature are branches within the CWP Canadian Region. All female members of a legislature are members of that jurisdiction's branch of the CWP. Each jurisdiction appoints one of its members to serve on the CWP Steering Committee.

## Glossary

### A

#### ***Act***

A Bill that has passed Third Reading and received Royal Assent.

#### ***Address in Reply to the Speech from the Throne***

A formal message to the Lieutenant-Governor from the House expressing the thanks of the House for the Throne Speech which (s)he delivered on the day a Session is opened.

#### ***Adjournment of Debate***

The termination of a debate which has not concluded. A debate may be adjourned to later the same day or to another day. The Member who moves the adjournment of debate has the right to speak first to continue his/her speech, subject to time remaining, the next time the debate on that subject is called.

#### ***Adjournment of House***

The end of a Sitting within a Session. Adjournment also refers to the period between the end of one Sitting and the beginning of the next. At the end of each sitting day, the House of Assembly is adjourned to the next day or another day as stated in the adjournment motion. The House may also adjourn to the call of the Chair. In the latter case, the Speaker

recalls the House at the request of the Government. As long as the House is in session, its Members determine when it sits.

### ***Administrator***

The Chief Justice of Newfoundland and Labrador or designate who assumes the powers of the Lieutenant-Governor in the event of the latter's death, incapacity or absence from the Province. The Administrator may read the Throne Speech and signify Royal Assent to Bills.

### ***Amendment***

An alteration proposed to a motion, a Clause of a Bill, or a Committee report, which may attempt to present a different formulation of, or alternative to, the proposition under consideration.

### ***Answers to Questions for which Notice has been Given***

A heading under Routine Proceedings during which the Government may respond to written questions printed on the Order Paper or to questions taken under advisement during Oral Questions. Answers may be given orally or in writing.

### ***Appropriation***

A sum of money allocated by the Legislature for a specific purpose outlined in the government's spending estimates.

### ***Auditor General***

The statutory officer of the House of Assembly responsible for the independent examination of the province's public accounts. The Auditor General is appointed by the Lieutenant-Governor in Council and confirmed by a Resolution of the House of Assembly.

## **B**

### ***Backbencher (Private Member)***

A Member who is not in Cabinet, so called because backbenchers usually sit in the back rows of the House.

### ***Bicameral***

A two-Chamber system of government. Canada's Parliament is bicameral, consisting of the House of Commons and the Senate. Each of Canada's provincial Legislatures is unicameral, having only one legislative Chamber.

### ***Bill***

A proposed law. To become law a Bill must pass three Readings, Committee of the Whole and receive Royal Assent. A Bill may propose an entirely new law or amend an existing one.

### ***Blues***

The unofficial transcript of the proceedings of the House or one of its Committees. In the House of Assembly Hansard produces an unofficial transcript of Oral Questions only. The blues are so called because they were formerly printed on blue paper.

### ***Budget***

Government's estimated income and expenses for the fiscal year. In Newfoundland and Labrador the fiscal year runs from April 1 to March 31.

### ***Budget Speech***

The address of the Finance Minister to the House in which (s)he introduces Government's fiscal plans for the coming year. There is no legislative requirement for government to introduce the budget in this way but it is traditionally done in all Canadian jurisdictions.

### ***By-Election***

An election held to fill a vacancy which occurs during the life of an Assembly.

### ***Breach of Privilege***

An infringement of one of the specific rights or immunities which attach to the House or its Members which prevents them from carrying out their functions. The House is asked to

deal with an alleged breach of Privilege only when it appears to the Speaker to be evident (*prima facie*).

### ***Business of Supply***

The process by which the Government submits its projected annual expenditures to the House of Assembly for approval. The process includes consideration of the Interim, Main and Supplementary Supply Bills and associated Estimates.

### ***Business of the House***

Any Question, Motion, Bill or matter placed for the House for its consideration.

### ***Business of Ways and Means***

The process by which Government obtains the necessary resources to meet its expenses, specifically the budget presentation and the motions and debate relating to loan and tax Bills.

## **C**

### ***Cabinet***

The executive branch of Government consisting of those Members appointed by the Lieutenant-Governor on the advice of the Premier. The Cabinet is responsible for the administration of Government and the establishment of its policy.

### ***Cabinet Minister***

A Member of the Executive appointed by the Lieutenant-Governor on the advice of the Premier. Ministers are responsible to the House of Assembly for their official actions and those of their Departments. Cabinet Ministers are given the title “Honourable” for the duration of their membership in the Cabinet.

### ***Casting Vote***

The deciding vote accorded to the Speaker or Chair of Committee in the event of a tie. The Speaker or Chair votes only in the case of a deadlock and traditionally votes to maintain the status quo.

### ***Caucus***

A group composed of all Members of a given party.

### ***Censure Motion***

A motion condemning the Government, a Minister, the Speaker or a Private Member for some opinion which they have expressed or for something they have done or failed to do relating to their responsibilities.

### ***Chair (1)***

The presiding officer at a meeting of the House or a Committee.

### ***Chair (2)***

The seat in which the Speaker sits as presiding officer of the House. The Speaker's Chair was a gift from the Province of Ontario in at the time of Confederation with Canada.

### ***Chamber***

The room in Confederation Building in which the House of Assembly meets to conduct business. It is also used for Committee meetings.

### ***Chair of Committees of the Whole***

The Member appointed at the beginning of each General Assembly to preside over Committees of the Whole. This officer serves also as Deputy Speaker.

### ***Chief Electoral Officer***

The statutory officer of the House of Assembly appointed by Resolution of the House, responsible for the administration of provincial elections.

### ***Child and Youth Advocate***

The statutory officer of the House of Assembly appointed by the Lieutenant-Governor in Council, upon Resolution of the House of Assembly, who is charged with ensuring that the rights of children and youth are protected and advanced.

### ***Citizens' Representative***

The statutory officer of the House of Assembly appointed by the Lieutenant- Governor in Council, upon Resolution of the House of Assembly, who accepts complaints from citizens who believe that they have been unfairly treated by government offices and agencies.

### ***Clause (of a Bill)***

A division of a Bill consisting of an individual sentence or statement. Once a Bill becomes law, its Clauses are referred to as Sections.

### ***Clause-by-Clause Review***

The detailed study of the provisions of a Bill carried out in a Committee of the Whole.

### ***Clerk of the House of Assembly***

The chief permanent Officer of the House of Assembly, who has responsibility for keeping the Assembly's records and providing procedural advice and administrative support to the Speaker and Members. The Clerk is also the chief administrative officer of the Legislature and is a non-voting member of, and secretary to, the House of Assembly Management Commission.

### ***Clerk Assistant***

The Table Officer who assists the Clerk of the House in providing procedural advice to the Speaker and Members, taking notes and keeping Minutes. The Clerk Assistant also assists Committees as clerk and procedural adviser.

### ***Closure***

A procedure which may be used to terminate debate on a motion by requiring that the motion be put to a vote at the end of the sitting at which it is invoked.

### ***Code of Conduct***

A document setting out the principles, values, standards and rules of behaviour applicable to Members and staff of the House of Assembly. The obligation to follow the Code of Conduct is an element of Members' Oath of Office.

### ***Commissioner for Legislative Standards***

A statutory officer of the House of Assembly, appointed by the House upon nomination by the Premier, who is responsible for monitoring, investigating and reporting on the compliance of Members of the House of Assembly with the conflict of interest legislation. In Newfoundland and Labrador, the Chief Electoral Officer has traditionally been appointed as the Commissioner of Legislative Standards.

### ***Committee***

A body of Members selected to consider such matters as the House may refer to it or empower it to examine. There are three types of Committees: Standing, Select and Committees of the Whole.

### ***Committee of Supply***

A Committee of the Whole House which examines estimates and appropriation Bills which give effect to government's spending plans.

### ***Consolidated Revenue Fund***

The government account, which is drawn upon whenever an appropriation is approved by the House, and replenished through the collection of taxes and royalties.

### ***Cross the Floor***

To change political allegiance in the House of Assembly. A Member usually crosses the floor to take a seat as an independent or among Members of his or her new party.

### ***Crown (1)***

Her Majesty the Queen in Her role as head of state, represented in Newfoundland and Labrador by the Lieutenant-Governor.

***Crown (2)***

The Executive branch of Government, the Queen acting through Her agents (Cabinet).

***Committee of the Whole (House)***

All the Members of the House sitting in the Chamber as a committee presided over by the Chair of Committees rather than the Speaker. These Committees examine the details of Bills.

***Constituency***

Electoral District.

***Concurrence (in a report)***

Agreement with a Committee Report arrived at by the adoption of a Motion usually following a debate.

**D**

***Department***

A Cabinet Minister's area of responsibility

***Debate***

The discussion which takes place in the House when a motion has been made and a Question has been proposed from the Chair.

### **Decision**

A ruling of the Speaker or Chair of a Committee on the procedural acceptability of some matter before the House or a Committee. Rulings of the Speaker may not be debated or appealed. Rulings of the Chair of a Committee may be appealed to the Committee or, if in Committee of the Whole, to the Speaker once the Committee rises.

### ***Die on the Order Paper***

To remain on the Order Paper at the end of a Session without a final decision having been taken.

### ***Dilatory Motion***

A motion designed to dispose of the original question either for the time being or permanently. A motion to adjourn the debate and a motion to adjourn the House are examples of dilatory motions.

### ***Dissolution***

The bringing to an end of a General Assembly, either at the conclusion of its four-year term or by proclamation by the Lieutenant-Governor.

### ***Division***

A standing vote occurring in the Assembly or in the Committees of the Whole when the Speaker's opinion of the outcome of a vote is challenged. If three or more Members stand after the Speaker announces the results of a voice vote,

the Members are asked to declare with the yeas or nays to establish a record of the vote.

## E

### ***Enacting Clause***

The part of a Bill giving the appropriate authorities the power to bring the provisions of the Bill into force.

### ***Erskine May (Erskine May's Treatise on the Law, Privileges, Proceedings and Usage of Parliament)***

A procedural authority providing a complete description of the rules, practices and precedents in the United Kingdom's House of Commons at Westminster.

### ***Estimates***

The proposed expenditures for government Departments and Agencies, as well as the Legislature, for the upcoming fiscal year, tabled as part of the annual Budget process.

### ***Executive Council***

The members of the Executive Council, headed by the Premier, are chosen from among elected Members of the party holding the majority of the seats in the House of Assembly. The Executive Council is responsible for the administration of the Government and the establishment of its policy.

## F

### ***Filibuster***

An obstructive tactic consisting of the use of either numerous or excessively long speeches to delay the business of the House or of a Committee.

### ***First Reading***

The first Stage in the passage of a Bill. This is a purely formal stage at which no debate is allowed.

## G

### ***Galleries***

The areas of the House set aside for the general public, the press and distinguished visitors.

### ***Gazette (Newfoundland and Labrador Gazette)***

A periodical publication of the Government of the Province in which public notices and subordinate legislation (regulations) are published.

### ***General Assembly***

A period of time during which the legislative body exercises its powers. In Newfoundland and Labrador, each General Assembly has a maximum lifespan of four years.

### ***General Election***

An election, following dissolution of the Assembly, in which Members are selected for every electoral District.

### ***Government***

In the parliamentary sense, the Cabinet, or Executive Council, headed by the Premier. Informally, the term is often used to refer collectively to the Members of the governing party.

### ***Government Bills***

Bills proposing laws which, if passed, will govern certain areas of our society. Before they are introduced, these Bills are approved by Cabinet. Although they are sometimes amended, they nearly always pass because they are supported by the caucus with the majority of Members in the Assembly.

### ***Government House Leader***

The Government Member responsible for managing the Government's business in the House, including the negotiation of scheduling with the House leaders of the opposition caucuses.

### ***Green Paper***

A consultation document, setting out Government policy proposals, which is issued to elicit public views.

## H

### ***Hansard***

The official, substantially verbatim record of parliamentary debates and proceedings. Hansard is the name of the British family originally responsible for publishing the proceedings of the House of Commons in the United Kingdom. Most Commonwealth jurisdictions produce a Hansard.

### ***Her Majesty's Loyal Opposition***

The party having the second-largest number of seats in the House of Assembly. It receives financial and procedural advantages over other opposition parties.

### ***Hoist***

An amendment that defers Second or Third Reading of a Bill for a specified period of time, usually six months.

### ***House of Assembly Management Commission***

The Statutory, all-party body appointed pursuant to the House of Assembly Accountability, Integrity and Administration Act charged with the financial stewardship and administration of House of Assembly and related offices.

### ***House Leader***

The Member of a party responsible for the management of its activities in the House.

### I

#### ***In camera Meeting***

A meeting from which the public are excluded. Committees sometimes meet this way to deal with administrative matters and consider draft reports and when sensitive personnel matters are being discussed. The House begins each sitting day in camera at which time it may deal with housekeeping and other matters before the doors are opened.

#### ***Independent Member***

A Member who is not a Member of a recognized political party. The person may be elected as an independent or may leave or be expelled from a party during the course of an Assembly to sit as an independent.

#### ***Information and Privacy Commissioner***

The Information and Privacy Commissioner is a statutory officer of the House of Assembly, appointed by the Lieutenant-Governor in Council upon a resolution of the House of Assembly, responsible for overseeing the application of the Access to Information and Protection of Privacy Act.

#### ***Instruction to a Committee***

A direction of the House to a Committee which has already received an order of reference further defining its course of action or empowering it to do something.

### ***Introduction of Visitors***

A prerogative of the Speaker – the welcoming to the House of Assembly of diplomats, parliamentarians, representatives of organizations and groups of citizens.

## **J**

### ***Journals***

The complete, official record of a session. The Journals are compiled from the daily Votes and Proceedings (Minutes) of a session, incorporating any corrections and published in bound form under the authority of the Speaker.

## **L**

### ***Law (Act, Statute)***

A Bill that has passed three Readings and committee study and received Royal Assent.

### ***Law Clerk***

An official of the House of Assembly, appointed by the Lieutenant-Governor in Council upon Resolution of the House, who offers legal and procedural advice to the Speaker, the House of Assembly Management Commission and Members of the House. The Law Clerk assists Members in the preparation of Private Members' Bills.

### ***Leave of the House***

See Unanimous Consent

### ***Legislative Counsel***

The division of the Department of Justice responsible for drafting government legislation.

### ***Legislature***

The law-making branch of government consisting of the Lieutenant-Governor and the House of Assembly. Each general election results in a new Legislature.

### ***Lieutenant-Governor***

The provincial representative of the monarch and the head of state, a largely ceremonial position. The Lieutenant Governor is appointed by the Prime Minister for a five-year term and summons Members to open an Assembly, delivers the Speech from the Throne, grants Royal Assent to Bills, and approves orders-in-council.

### ***Lieutenant-Governor in Council***

The Lieutenant-Governor acting by and with the advice and consent of the Executive Council (Cabinet).

### ***Long Title (of a Bill)***

The title of a Bill that sets out in general terms the purposes of the Bill.

### M

#### ***Mace***

The large and richly ornamented ceremonial staff carried into the Assembly each day by the Sergeant-at-Arms at the beginning of a sitting. It is the symbol of the authority of the House of Assembly to make laws on behalf of the people. When the Assembly is sitting, the Sergeant-at-Arms places the Mace on the Table with the orb and cross facing the government side of the Chamber. When the Speaker leaves the chair and the Assembly sits as a committee of the whole House, the Mace is moved to brackets on the underside of the table. The Mace was a gift from the Province of British Columbia in at the time of Confederation with Canada.

#### ***Maiden Speech***

The first speech made in the House by a Member. By tradition, the Speaker recognizes a Member rising to make such a speech in preference to others and the Member may read from notes and use a lectern on this occasion.

#### ***Main Estimates***

A series of Government documents providing a breakdown of the planned spending for the coming fiscal year.

### ***Main Motion***

The principal question before the House or a Committee. A proposed modification (amendment) to it or an attempt to supersede it is considered a subsidiary or secondary motion.

### ***Majority government***

A government formed by the party or coalition of parties holding more seats in the House than any other group.

### ***Members' Statements***

The order of business during which one-minute statements are made by up to six Private Members on matters of concern to their constituents or themselves. Ministers must have leave to make a statement under this proceeding.

### ***Messages***

Formal communications between the Lieutenant-Governor and the House of Assembly that accompany money Bills

### ***Motion***

A proposal made to the House by a Member that the House do something, order something or express an opinion regarding some matter. A motion must be duly moved and seconded except in Committee where seconding is not required. Once adopted, a motion becomes an order or a resolution.

## N

### ***Naming of a Member***

A disciplinary procedure used by the Speaker to maintain order in the House. In naming a Member for persistently disregarding the authority of the Chair, the Speaker addresses the Member using his or her name rather than the name of his/her District, after which the Member is usually suspended for the rest the sitting day.

### ***Non-confidence Motion***

A motion which, if adopted, signifies that the Government has lost the confidence of the House and must resign or request that the Lieutenant-Governor dissolve the House. Votes on the Speech from the Throne and the Budget are traditionally considered confidence motions.

### ***Notices of Motion***

The routine proceeding during which Members announce their intention to present a proposal to the House. Motions must be given notice of at a prior sitting of the House.

## O

### ***Oath/Affirmation of Allegiance***

The oath or affirmation of loyalty to the Sovereign required by the Constitution Act, 1867 and the House of Assembly Accountability, Integrity and Administration Act. This must be

completed by a Member before taking his/her seat in the House of Assembly.

### ***Oath/Affirmation of Office***

The oath or affirmation taken by Members before they take their seat in the House in which they swear/affirm that they are qualified to take office, will faithfully perform their duties and will not be influenced in carrying out their public responsibilities directly or indirectly by monetary or other personal or private interests.

### ***Officers of the House***

Officials responsible to the House for the carrying out of duties assigned by statute or by standing or special order. The Clerk, Clerk Assistant, Sergeant-at-Arms and Law Clerk are Officers of the House.

### ***Officers of the House (Statutory)***

Officials who are responsible to the House of Assembly for the carrying out of duties assigned to them by Statute. This designation applies to the Chief Electoral Officer, Commissioner of Legislative Standards, Information and Privacy Commissioner, Citizens' Representative, Child and Youth Advocate and (except in the application of the House of Assembly Accountability, Integrity and Administration Act) the Auditor General

### ***On Division***

If a Member wishes the record to show that there is opposition to any question without precipitating a recorded vote (s)he may register such opposition by using the phrase “on Division” when the Speaker has declared his or opinion of the result of the vote.

### ***Oral Questions***

A daily 30-minute period during which Members may ask Ministers questions about the responsibilities of their current portfolio.

### ***Order in Council***

An order issued by the Lieutenant-Governor in Council usually dealing with the administration of the Government or appointments to office.

### ***Order of Reference***

An order of the House to a Committee instructing it to consider some matter or defining the scope of its deliberations.

### ***Order Paper***

The official agenda of the House of Assembly published for each sitting day listing all the items that may be brought forward on a particular day.

## **P**

### ***Page***

A post-secondary student hired by the House of Assembly to deliver messages, House documents and other material to Members in the Chamber during a sitting and to carry out other House-related duties as required.

### ***Parent Act***

In relation to a Bill, the statutory law(s) the Bill is amending.

### ***Parliamentary Calendar***

A calendar which presents a fixed timetable of sittings and adjournments for a given year. In Newfoundland and Labrador, the Parliamentary Calendar is embodied in a Practice Note in an Appendix to the Standing Orders and is not binding on the House.

### ***Parliamentary Procedure***

The rules by which the House conducts its business based on statute, the Standing Orders, authoritative procedural works, precedents and tradition.

### ***Parliamentary Assistant***

A Member of the government party named to assist the Premier as the Premier directs.

### ***Parliamentary Secretary***

A Member of the government party named to assist a Minister as the Minister directs. There is provision in law for a maximum of four Parliamentary Secretaries.

### ***Passage of a Bill***

The process by which a Bill becomes law. The principal steps in the passage of a Bill are Introduction and First Reading, Second Reading, Committee of the Whole, Third Reading and Royal Assent.

### ***Point of Order***

A question raised by a Member with respect to any departure from the Standing Orders or customary procedures in the conduct of House business.

### ***Portfolio***

The responsibilities of a Cabinet Minister, especially the subject matter or government department s(he) is charged with administering.

### ***Prayer (of a Petition)***

That part of a Petition through which the petitioners present their request for action in relation to an alleged grievance. The prayer should be factual, temperate and respectful.

### ***Preamble***

The part of some Bills, preceding the main text, that states the reasons for its introduction.

### ***Precedent***

A Speaker's ruling or a practice of the House taken as guidance for subsequent cases of a similar nature. Not all decisions and practices constitute precedents.

### ***Previous Question***

A debatable motion used to prevent any further debate or amendment to a motion before the House. If the Previous Question motion is carried, the original question is put forthwith.

### ***Prima facie***

Latin for "at first sight" or "from a first impression". When the Speaker must rule on an alleged breach of privilege, his/her role is only to determine whether it appears, prima facie, that there has been a breach.

### ***Principle (of a Bill)***

The object which a Bill seeks to achieve. The principle of a Bill is debated at Second Reading.

### ***Private Member***

Generally, a Member who is not a Minister or the Speaker.

### ***Private Members' Business***

Motions sponsored by Private Members. This category of proceeding provides a forum in which the Assembly may debate issues of importance to a Private Member or that Member's constituents. Private Members' business is scheduled for Wednesday after Routine Proceedings.

### ***Privilege***

Those rights and immunities enjoyed by the House as a collectivity and by each Member individually without which the Members could not carry out their duties and the House could not fulfill its functions. The privilege of freedom of speech protects Members and witnesses before the House or Committees from legal sanction or prosecution for what they say in the Assembly.

### ***Procedural Authority***

A text dealing with the procedure and practices of the House which may be referred to for guidance in resolving points of order and questions of privilege. The most frequently cited works are those of O'Brien and Bosc, Beauchesne, Bourinot and Erskine May.

### ***Proclamation***

An official notice or order issued by the Crown. A General Assembly is begun and ended by a Proclamation.

### ***Proclamation Clause***

A Clause in a Bill specifying when the Bill or certain of its provisions shall come into force. A proclamation clause may provide for the coming-into-force of a Bill, or certain of its provisions, on another specific date or on a date to be fixed by Order in Council. Otherwise, the Bill will come into force when it is given Royal Assent.

### ***Pro forma Bill***

A Bill which is introduced immediately before consideration of the Speech from the Throne at the opening of a Session. Pro forma bills on other Legislatures are often incomplete pieces of legislation which merely symbolize the authority of parliament to carry out its own business before that of the Crown. In Newfoundland and Labrador, however, this right is traditionally asserted by means of an actual, substantive Bill numbered as 1.

### ***Propose the Question***

The formal reading of a motion from the Chair which places the issue before the House. Until the Question is proposed by the Chair, it cannot be debated, amended or voted upon.

### ***Prorogation***

The ending of a Session of the Assembly, announced by the Lieutenant-Governor in a Speech to the House; also the period of time during which the House of Assembly stands prorogued.

***Public Accounts***

A report on the annual financial transactions of the Government prepared by the Comptroller General of Finance.

***Put the Question***

To read the motion under consideration to the House immediately prior to the vote. At this point, no further debate or amendment is possible.

**Q**

***Quaerite prime Regnum Dei (“Seek ye first the Kingdom of God”)***

The Latin motto of the Province which appears on the Coat of Arms above the Speaker's chair in the House. The plaque was a gift from the Province of Alberta at the time of Confederation with Canada.

***Question***

The matter before the House or a Committee concerning which it is called to make a decision.

***Quorum***

The number of Members, excluding the Speaker, necessary to constitute a meeting of the House for the exercise of its powers; 14 Members are required. The quorum in a Committee is a simple majority.

***Quorum Call***

The act of drawing the attention of the House to the absence of a quorum.

**R**

***Reading of Bill***

One of the Stages of the passage of a Bill.

***Reasoned Amendment***

An amendment expressing specific reasons for opposing Second or Third Reading of a Bill which is intended to prevent further progress of the Bill.

***Recall of the House***

The notification of the Speaker to the Members during a period of adjournment that the House will meet prior to the date at which it was scheduled to reconvene.

***Recess***

The period between prorogation and the beginning of the next Session of the House. The term is also used loosely to refer to a long adjournment. The term is also loosely used to refer to an unscheduled short break in the daily proceedings.

***Recommittal (of a Bill)***

The referral of a Bill back to a Committee for further reconsideration or amendment.

### ***Recorded Division***

A vote during which the names of Members voting for and against a motion are registered in the official record of the House or one of its Committees.

### ***Reduced Quorum***

The number of Members of a Committee authorized by the Committee to meet for the sole purpose of hearing witnesses.

### ***Report Progress***

To advise the House that a Committee of the Whole has not concluded its deliberations on a specific matter. Such a report - and a request for leave to sit again - is necessary because a Committee of the Whole has no power to adjourn its own sitting or to adjourn consideration of a matter to a future sitting.

### **Representative Government**

Representative government is a system with a law-making body that is at least partly elected by the people. It is a principle in governments following the English model that only an elected assembly could make laws (legislate) and institute taxes. Newfoundland gained representative government in 1832 with an elected Assembly, although it also had an appointed Legislative Council.

### ***Resolution***

A motion adopted by the House in order to make a declaration of opinion or purpose. A Resolution does not require that action be taken.

### ***Responsible Government***

The principle that Ministers are collectively responsible and accountable to the Legislature. It is by virtue of this principle that the legislative branch of Government exercises control over the Executive.

### ***Return***

A document required to be laid before the Assembly, usually in response to a written question or motion for a return

### ***Right of Reply***

The right of the mover of a substantive motion or motion for Second Reading of a Bill to speak a second time in debate.

### ***Roll of Members***

A large parchment-like document inscribed by a calligrapher after an Election with the names of Members elected and the names of their districts. Members sign the Roll in the presence of the Lieutenant-Governor and House Officers who also sign the document.

### ***Routine Motion***

A motion required for the observance of the proprieties of the House, the maintenance of its authority, the management of its business, the arrangement of its proceedings, the correctness of its records or the fixing of its sitting days and the times of its meeting and adjournment.

### ***Routine Proceedings***

Daily business of a basic nature comprising Statements by Members, Statements by Ministers, Oral Questions, Presenting Reports by Standing and Select Committees, Tabling of Documents, Notices of Motion, Answers to Question for which Notice has been Given and Petitions.

### ***Royal Assent***

The approval by a representative of the Crown, usually the Lieutenant-Governor, of a Bill passed by the House of Assembly upon which it becomes law.

### ***Royal Recommendation***

A message from the Lieutenant-Governor required for any measure of law appropriating public revenue. Only a Minister can obtain such a recommendation.

## S

### ***Schedule***

An appendix to a Bill that contains matters of detail not suitable for inclusion in the body of the Bill. Schedules form part of a Bill and are subject to amendment.

### ***Second Reading***

The stage in the passage of a Bill at which the principle is either accepted or rejected. It is not in order to discuss the details of the Bill at this stage.

### ***Sergeant-at-Arms***

An Officer of the House appointed by the Lieutenant-Governor in Council upon nomination by the House. The Sergeant-at-Arms is the Guardian of the Mace which is the symbol of parliamentary authority. S(he) assists the Speaker in maintaining order in the Chamber and has a number of ceremonial functions which include leading the Speaker's procession into the Chamber at the start of each day's sitting and preceding the Speaker as he or she leaves the chamber at a recess or adjournment of the Assembly. (S)he also announces and escorts the Lieutenant-Governor into and out of the Chamber.

### ***Session***

A series of meetings of the Legislative Assembly opened by Royal Proclamation and a Speech from the Throne and closed

by prorogation of the House or dissolution of the General Assembly. Our Sessions traditionally last about one calendar year, starting in the Spring.

### ***Sessional Paper***

Any document tabled in the House or filed with the Clerk during a given session. All such documents are public.

### ***Short Title (of a Bill)***

The title of a proposed act used for purposes of citation.

### ***Sitting***

A meeting of the House within a Session. Although usually one calendar day, a sitting may last only a matter of minutes or may extend over several days.

### ***Six (three) Months' Hoist***

See Hoist.

### ***Speaker***

The Member elected by the House through secret ballot to preside over its proceedings.

### ***Select Committee***

A group of Members appointed to study a particular matter. Once it has made its final report, the Committee ceases to exist.

### ***Speech from the Throne***

Usually, the address delivered by the Lieutenant-Governor which opens each new Session, outlining the Government's legislative plans for the Session. (A Speech from the Throne is also delivered upon prorogation of the House, which typically summarizes the achievements of that Session.)

### ***Standing Committee***

A permanent Committee of the House struck at the beginning of each General Assembly which studies matters within its area of responsibility or which have been referred to it by the House.

### ***Standing Orders***

The permanent written rules adopted by the House to govern its proceedings.

### ***Statements by Ministers***

A daily proceeding during which Ministers may make an announcement or statement of Government policy. Opposition spokespersons are given an opportunity to respond to the Statements.

### ***Statutory Expenditures***

Expenditures authorized by the House outside the annual Supply process. Acts authorizing statutory expenditures give the Government the authority to withdraw funds from the

Consolidated Revenue Fund for one or more years without the annual approval of the House of Assembly.

### ***Statutory Instruments***

Regulations, orders or other instruments issued by virtue of power conferred by an Act of the House of Assembly or by the Lieutenant-Governor in Council.

### ***Statutory Item***

An item included in the Estimates for information purposes only which does not have to be voted on during the Estimates review process.

### ***Stranger***

Anyone who is not a Member of the House of Assembly or an official of the House. Strangers are admitted to the House but may be ejected if there is a disturbance or if the House so orders. To “spy strangers” is to draw attention to strangers with a view to having them excluded.

### ***Striking Committee***

A Committee charged at the beginning of each General Assembly with preparing a list of Members to serve on the Standing Committees of the House.

### ***Sub judice Convention***

A voluntary restraint imposed by the House upon itself whereby a Member is expected to refrain from referring to a

matter, especially criminal cases, pending in a court or before a judge for judicial determination.

### ***Sub-amendment***

An amendment to an amendment.

### ***Subsidiary Motion***

A motion which is procedural in nature, dependent on an order already made by the House and used to move forward a question before the House. Motions for the Second and Third Reading of Bills are subsidiary motions.

### ***Superseding Motion***

A motion moved for the purpose of supplanting or replacing the question before the house by way of a dilatory motion (q.v.) or a motion for the Previous Question.

### ***Supplementary Question***

A question seeking clarification or further information following a Minister's response to a question during Oral Questions. Supplementaries are permitted at the discretion of the Speaker.

### ***Supply***

Revenue authorized by the Legislature to be provided to the Government,

***Supply Bill***

Legislation authorizing Government to withdraw funds from the Consolidated Revenue Fund.

**T**

***Table (1)***

The Table in front of the Speaker's Chair at which the Clerk and the other Table Officers sit. The Table of the House was a gift to Newfoundland from the Province of Quebec at the time of Confederation with Canada.

***Table (2)***

To place a document before the House or a Committee for consideration or consultation.

***Table Officers***

The clerks who provide procedural advice during sittings of the House, record the votes, and keep the minutes of proceedings.

**U**

***Unanimous Consent***

The consent of all Members present in the Chamber, which is required when the House wishes to set aside its rules or usual practices without notice. Actions taken by unanimous

consent do not constitute precedents. Also referred to as leave (of the House).

### ***Unparliamentary Language***

Words or expressions contrary to the proprieties of the House. A Member who refuses to withdraw unparliamentary language when directed to do so by the Speaker may be Named.

## **V**

### ***Voice vote***

An oral vote held without the recording of individual Members' votes or the numbers of votes for and against the question.

### ***Vote***

- 1) The formal expression of opinion for the purpose of reaching a decision. In the House, votes are given either orally or by Members standing in their places to have their names recorded on the record.
- 2) An individual item in the Estimates indicating the amount of money required by the Government for a particular purpose.

## **W**

### ***Ways and Means***

(See Business of Ways and Means)

### ***Ways and Means Motion***

A motion proposing to introduce a new tax, to increase an existing tax, to continue an expiring tax or to extend the application of a tax. If adopted, it becomes an order that a Bill or Bills based on its provisions be brought in.

### ***Whip***

A Member charged with keeping other Members of the same parliamentary group informed about House business and ensuring their attendance in the House or a Committee when a vote is anticipated.

### ***White Paper***

A document tabled in the House presenting Government policy which may include legislative or administrative proposals on which Government intends to act.

### ***Witness***

A person invited to appear before a Committee to present an opinion or provide technical advice about a Bill or other matter. While testifying, witnesses enjoy the same privilege of freedom of speech as Members.

***Writ of Election***

A document issued by the Chief Electoral Officer in order to initiate an election in a specific electoral District. Following the election, the name of the elected candidate is recorded on the writ by the Returning Officer who signs and returns it to the Chief Electoral Officer.



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