

CHAPTER V111
PROCESS OF DEBATE

57. Rules of Debate

- 1) A member shall not read his or her speech, but may refresh his or her memory from notes. He or she may read extracts from written or printed papers in support of his or her argument
- 2) No member shall speak more than once on any question before the Assembly except in the following cases: -
 - a. In explanation of a material part of his or her speech which has been misunderstood or misrepresented, but without the introduction of any new matter; or
 - b. To ask leave to withdraw a motion, or
 - c. Where the member is the mover of a substantive motion or an order of the Day, to deliver a concluding argument, or
 - d. Where the member is the leader of Government Business, minister, or chairperson of the committee connected with the subject under discussion, or
 - e. Where the question is at the report stage.
- 3) The mover of any motion or amendment may speak in support thereof before the Speaker proposes that motion or amendment to the Assembly, but the question thereon, or any amendment thereto shall not be proposed to the Assembly, unless the motion or amendment has been duly seconded; provided that the following shall not require to be seconded:
 - a. Order of the Day,
 - b. A motion or an amendment moved by a minister; or
 - c. Any motion required by these Regulations to be decided without amendment or debate.
- 4) Any member seconding a motion or an amendment may speak in support thereof before the Speaker thereon proposes the question, or he or she may reserve his or her speech till a later period in the debate.
- 5) When a motion or an amendment has been moved, and seconded if necessary, the Speaker shall thereupon submit the question to the Assembly, and it shall be open for debate.
- 6) No debate shall take place at any time in the Assembly except on a question proposed by the Speaker in accordance with sub regulation (5) hereof.
- 7) Any member may, rising in his or her place, require the question or matter under discussion to be read by the Speaker at any time during the debate, but not so as to interrupt a member speaking.

- 8) Any member may, rising in his or her place, ask leave of the Speaker to make an explanation according to the provisions of sub Regulation (2) hereof, but not so as to interrupt a member speaking.
- 9) Any member may, rising in his or her place, ask leave of the Speaker to request an explanation from one of the speakers, but not so as to interrupt a member speaking.
- 10) No motion for closure of debate shall be moved unless at least four members have spoken on the question before the Assembly.
- 11) No member may speak about any question once it has been put to the vote by the Speaker and a number of members for or against thereof have been counted.
- 12) It shall be out of order to reflect upon, or to attempt to reconsider, any specific question on which the Assembly has come to a conclusion during the current session except upon a substantive motion for revocation thereof.
- 13) The mover of a substantive motion may, if he or she so desires, surrender his or her right of reply to another member, nominated by him or her who has not already spoken on such motion.

58 Rules for members speaking

- 1) A member intending to address the Assembly shall rise in his or her place, but shall remain silent until his or her name is called by the Speaker.
- 2) If more than one member rise at the same time, the Speaker shall call on any one of those members as he or she thinks fit and every other member who has risen shall forthwith resume his or her seat.
- 3) The Leader of the Government Business, Minister or Chairperson of the Committee concerned with the subject under discussion shall have precedence at any time he or she rises for leave to address the Assembly.
- 4) Every member shall address his or her remarks to the Speaker and shall speak while standing.
- 5) With the exception of the Leader of Government Business, Minister, chairperson of a Committee, a member may not speak for more than five minutes unless given special leave by the Speaker.
- 6) A member may speak on any question before the Assembly and also upon any amendment thereto; but if a member has already spoken on the question, he or she shall not subsequently move or second an amendment to that question or move or second any motion after a debate has been underway.

- 7) Every member shall confine his or her remarks to the subject under discussion, and shall not introduce matters irrelevant thereto.
- 8) A member may refer to another member by his or her name provided that it is preceded by the title the Honorable.
- 9) No member shall use offensive or insulting language about, or impute improper motives to members of the Assembly whether individually or in general. The Speaker shall immediately order any member contravening this provision to withdraw the insulting or offensive word or imputation, and that member shall thereupon withdraw them. Failure to comply with any order shall constitute gross disorderly conduct and may lead to expulsion of the member from the sitting.
- 10) No matter on which a judicial decision is pending shall be brought forward in a debate.
- 11) The conduct of the Speaker, the Leader of Government Business and other members of the Assembly, judges or any other persons engaged in the administration of justice, shall not be raised except upon a substantive motion. In any amendment, question by a member, or remark in a debate in a motion dealing with any other subject, reference to the conduct of the persons aforesaid shall constitute gross disorderly conduct.
- 12) The Speaker may of his or her own motion or at the request of any other member raising a point of order, call upon any member contravening the provisions of this regulation to keep order.
- 13) If a member whose attention has been drawn twice by the Speaker to a point of order commits further breach of order, the Speaker may disallow such member to speak on the same subject for the rest of the sitting.

59. Rules for members not speaking

- 1) A member entering into the Chamber or present during a debate shall:
 - a. Enter and leave the Chamber with decorum;
 - b. Not move about the Chamber unnecessarily
 - c. Not pass between the Chair and a member who is speaking;
 - d. Not read books, newspapers or letters, save such as relate to the business before the Assembly;
 - e. Not smoke; and
 - f. Maintain silence while another member is speaking.
- 2) A member wishing to interrupt another may rise in his or her place but shall remain silent until the Speaker directs the member speaking to sit, and gives such member leave to speak.

- 3) Save as in accordance with sub-Regulation (2) hereof, no member shall interrupt another while that other is speaking except to:
 - a. Move the closure of debate
 - b. Move that the motion be withdrawn
 - c. Draw attention to a point of order or of privilege suddenly arising
 - d. Draw attention to the absence of a quorum
 - e. Move that visitors do withdraw
4. If it becomes apparent to the Speaker that the aim of a member who has interrupted the debate twice is to obstruct the discussion, he or she may not direct any member speaking to sit if such member rises for the third time.

60. Responsibility for Observance of Rules of Order

- 1) The Speaker shall be responsible for the observance of the rules of order in the Assembly and his or her decision upon any point of order shall not be open to appeal and shall not be subject to review by the Assembly except upon a substantive motion preceded by notice.
- 2) Whenever the Speaker rises during a sitting any member then speaking or wishing to speak shall sit down and be silent so that the Speaker may be heard without interruption. Any willful or persistent contravention of this provision shall constitute gross disorderly conduct.
- 3) A member who wishes to raise a point of order which has suddenly arisen during a sitting of the Assembly may forthwith ask leave of the Speaker so to do, whether or not any other member is then speaking. Such leave being given, the member shall state the point of order and shall resume his or her seat. No other member shall speak except with the leave of the Speaker, after which the member who had been interrupted shall be entitled to proceed with his or her speech, provided that effect be given to the ruling of the Speaker.

61. Order in the Assembly and Committees

- 1) The Speaker, or in any committee, the Chairperson, after having drawn attention to the conduct of a member who persists in irrelevance or tedious repetition either of his or her own arguments or the arguments used by other members in the debate, may direct the member to discontinue his or her speech.
- 2) a) The Speaker, or in any committee, the Chairperson shall order any member whose conduct is grossly disorderly, or who disregards the authority of the Speaker or the Chair, or abuses the rules of the Assembly by persistently and willfully obstructing the business of the Assembly otherwise, to withdraw immediately during the remainder of the day's sitting.

(b) When a member withdraws from the chamber in accordance with sub-regulation 2 (a) hereof the Leader of Government Business any Minister or a Member, if he or she thinks that mere withdrawal is inadequate may propose to the Assembly that such member shall be suspended from the service of the Assembly. Such proposal shall be put to the vote without amendment or debate; provided that such proposal by a member shall be seconded.

(c)When a member withdraws from a committee meeting in accordance with sub-regulation 2 (a) hereof, or refuses to comply with the order of the Chairperson and the Chairperson has to resort to the Sergeant-at-Arms to enforce his or her order under sub-regulation (3) hereof, the Chairperson shall report the incident to the Speaker who shall take the decision necessary. The Assembly shall be informed of every such decision.

- 3) If the Speaker or the Chairperson of a Committee orders a member to withdraw and the member refuses to comply with that order, the Speaker or the Chairperson as the case may be, shall direct the Sergeant-at Arms to take such steps as are required to enforce the order.
- 4) When a member leaves the Chamber in accordance with the provisions of Sub-regulation (3) hereof, any member of the Assembly may propose the suspension of such member from the service of the Assembly. Such proposal shall be treated in the manner as provided in sub-regulation (2) (b) hereof.
- 5) When a member has been suspended under sub-regulations (2) (b) and (4) hereof, his or her suspension on the first occasion in any session shall continue for one week, on the second occasion, for two weeks and on the third or any subsequent occasion, for a month.
- 6) A member who has been ordered to withdraw under Sub-regulation (3) hereof or who has been suspended under sub-regulation (4) hereof shall forthwith withdraw from the precincts of the Assembly, and no member who has been suspended shall enter the precincts during his or her suspension. The Speaker may direct the Sergeant-at Arms to take such steps as are required to enforce this order.
- 7) If any member or members acting jointly, who has or have been suspended under Sub-Regulation (2) (b) and 4 hereof refuse to obey the directives of the Speaker when summoned under the Speaker's order by the Sergeant-at-Arms to obey such directives, the Speaker shall draw the attention of the Assembly to the fact that recourse to the use of reasonable force is necessary in order to compel obedience to his or her directives, and such member or members shall thereupon and without further decision of the Assembly, be suspended from the service of the Assembly for the remainder of the session.

- 8) The remuneration to which a member is entitled by virtue of his or her membership in the Assembly shall cease for any period during which he or she is suspended from the service of the Assembly.
- 9) Any member who has used offensive words and has not withdrawn the same or explained or offered apology for the use of thereof to the satisfaction of the assembly or who has committed any breach of order not specified in these Regulations may be proceeded against in accordance with sub-regulations (2) and (4) hereof.
- 10) In case of grave disorder arising in the Assembly or in any committee, the Speaker or the Chairperson may, if he or she thinks it necessary to do so, adjourn the sitting of the Assembly or the committee as the case may be, or suspend the sitting for a time to be named by him or her.

62. Lapse of Motions and Questions

- 1) If a member does not move a motion which stands in his or her name when he or she is called on so to do, the motion shall lapse, unless it has been set down in the names of more than one member, or unless some other member duly authorized by him or her in writing moves it in his or her stead; provided that a motion in the name of a minister may be moved by any other minister.
- 2) An order of the day may be moved by any member, unless the member in whose name the order stands has previously signified to the Clerk of the Assembly his or her desire to have the order deferred to another day or moved by another member. If not moved or deferred the order shall lapse.
- 3) Save as otherwise provided for in regulation 57 (3) a motion or amendment, which is not seconded, shall lapse.
- 4) Motions, questions and Orders of the Day in which proceedings have not been started or completed on the adjournment of the Assembly shall be considered in the following sitting.
- 5) Lapsed motions, questions and Orders of the Day may be renewed on notice given.

63. Withdrawal of Motions

- 1) At any time after a motion or amendment has been proposed but before it has been fully put, the mover of the motion or amendment or any member may propose to the Assembly or committee, as the case may be, that such motion or amendment be withdrawn.

- 2) If any amendment has been proposed to the question, leave shall not be asked to withdraw the main question until such amendment has been disposed of.
- 3) A motion or amendment that has been withdrawn by leave of the Assembly may be proposed again; but in the case of a motion, notice shall be required.

64. Anticipation of Motions

- a) The subject matter of an Order of the Day shall not be considered in debate upon any prior motion or amendment or under the item "Any Other Business".
- b) The subject matter of a notice of motion shall not be considered in debate upon any prior motion or amendment or under the item "Any Other Business".
- c) In determining whether a discussion is out of order on the grounds of anticipation, regard shall be had by the Speaker to the probability of the matter anticipated being brought before the Assembly within a reasonable time.

65 Amendment of motions

1. (a) After the question consequent upon a notice has been proposed by the Speaker any member who has been called upon to speak may move any amendment thereto that may be in order.
 - (b) An amendment that has been seconded, if necessary shall be incorporated without debate if such amendment is accepted by the Assembly without dissent.
2. When the clause of a bill or report or the order for the consideration of a bill on report or the order for the consideration of any matter has been read, any member who has complied with the provisions of these Regulations may move an amendment to such clause, bill or other matter when called upon by the Speaker to do so.
3. Every motion for an amendment shall be in one of the following forms:
 - a) Omission of certain words, expressions and/ or figures; or
 - b) Insertion or addition of words or expressions and/or figures and the substitution thereof by others, or
 - c) Omission of certain words or expressions and/or figures and substitution thereof, by others.

4. Notice of an amendment to a motion shall be given before 24 hours, but if notice has not been given, the amendment shall be put in writing and handed to the Speaker at the commencement of the sitting and the Assembly shall directly accept or refuse such amendment without any amendment or debate.
5. An amendment shall be out of order if it is irrelevant to the motion, bill or other matter to which it is proposed, or would, if approved, result in a defective, meaningless or ungrammatical form of words.
6. No amendment shall be proposed if it is inconsistent with a previous decision given at the same stage of any bill or matter.
7. An amendment shall not raise any matter, which can only be raised by a substantive motion after notice has been given under regulation **45(11)**.
8. After a decision has been taken on an amendment to a motion, clause of a bill or other matter, an earlier part of that motion, bill or other matter shall not be amended.
9. An amendment may be moved on an amendment proposed from the chair, provided that the procedure laid down in these Regulations in respect of original amendments be observed.

66. Procedures for Amendments and Manner of Presentation thereof.

- 1) When an amendment has been moved and seconded, if necessary, and where there is dissent thereto the Speaker shall propose the question thereon and save as provided for in Sub-Regulation (6) hereof, such question shall, unless the amendment is withdrawn, be disposed of before any other amendment is moved.
- 2) If an amendment to omit words, expressions and/or figures is moved, the Speaker shall state the amendment and propose the question thereon in the form “that words or expressions and /or figures be omitted.”
- 3) If an amendment to insert or to add words, expressions and or figures be moved, the Speaker shall explain the amendment and propose the question thereon in the form of “that/those words (and or expressions and or figures) therein be inserted or added as the case may be”.
- 4) In case of an amendment to omit certain words expressions and /or figures and to substitute others thereof, the Speaker, shall first state the words, expressions and /or figures to be omitted and propose the question as in Sub-regulation (3) hereof; and if that question be agreed upon, the Speaker shall state the words proposed to be inserted or added and propose the question as in sub-Regulation (4) hereof.

- 5) When an amendment proposes to omit certain words, expressions and / or figures and to substitute others therefore, debate upon the first question proposed on the amendment may include both the items proposed to be inserted or added.
- 6) If an amendment is moved to a proposed amendment, the parent amendment is not disposed of until all amendments proposed thereon have been disposed of.

67. Putting the Question

- 1) At the conclusion of a debate the Speaker shall put the question either in its original or in its amended form as the case requires, and the decision may be taken by voting Ayes and Noes and the Speaker shall state his or her opinion as to where the majority lies.
- 2) If the opinion of the Speaker is not challenged by any member, such opinion shall be recorded as that of the Assembly.
- 3) If no member dissents when the question is put, the Speaker may, if he or she thinks fit, inform the Assembly that he or she proposes to instruct the Clerk of the Assembly to record a unanimous decision. If no member then objects, the Clerk of the Assembly shall record accordingly.

68. Voting

- 1) If the opinion of the Speaker as to a decision relating to the result of voting on any question be challenged by any member, or if any member at the end of any debate requests that votes be taken by way of members rising and sitting in their places, or if the Speaker after the decision has been made by "Ayes and Noes" thinks that votes are to be taken by way of members rising and sitting in their places, the Division Bell shall be rung for five minutes. The doors of the Chambers shall be closed immediately after the bell has ceased to ring and no member or other person shall enter or leave the Chamber until the result of the division conducted by rising or sitting has been announced. The Speaker shall then once more put a question and conduct voting by calling successively upon the members, who support, and upon those who oppose the motion and upon abstainers to rise or raise their hands sitting in their places while they are counted by the Speaker and by two or more officials at the table.
- 2) The Speaker shall announce the number of those who have voted for and those who voted against the motion as well as the number of abstainers and declare the result of the division. If the votes are equal, the Speaker shall declare that the motion is lost.

- 3) If any member claims that the votes counted in accordance with Sub-regulation (1) hereof have been miscounted, he may request a fresh division, provided that such request be made before business is resumed after the division, and the Speaker may either accept such request and hold a fresh division or reject the same.
- 4) If a member rises in his or her place before the Speaker announces the result of the division and states that he or she had voted in error, or that his or her vote has been miscounted, and the Speaker is satisfied that the error is a genuine one and not a mere change of mind, he or she shall cause the error to be corrected before declaring the result of the division.
- 5) The Speaker may direct that voting be conducted by way of secret ballot.