

# **STANDING ORDERS**

**OF THE**

## House of Representatives

Made by the Governor under the provisions of  
section 8 of the Trinidad and Tobago  
(Constitution) Order in Council, 1961

**STANDING ORDERS OF THE HOUSE OF  
REPRESENTATIVES**

*Standing*

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TRINIDAD AND TOBAGO

**HOUSE OF REPRESENTATIVES STANDING  
ORDERS, 1961**

**Title**

1. These Standing Orders may be cited as the House of Representatives Standing Orders, 1961.

**Oath of Allegiance**

2. (1) When the House of Representatives first meets after a general election, the Clerk of the House immediately following the election of a Speaker and Deputy Speaker, shall administer the oath or affirmation of allegiance, first to the Speaker and Deputy Speaker and then to the other Members of the House.

(2) At any other time, except in a case to which Article 27(3) of the Constitution of Trinidad and Tobago applies, the oath or affirmation shall be administered to the Member by the Clerk of the House immediately after Prayers.

(3) The oath or affirmation shall be in the form set out in item 1 or item 2, as the case may be, of the First Schedule to the Constitution of Trinidad and Tobago.

**Election of Speaker**

**3.** (1) At the first meeting of the House immediately after a general election and before the House proceeds to the despatch of any other business, or whenever it is necessary for the House to elect a Speaker by reason of a vacancy in the office occurring otherwise, the Clerk shall call upon the House to elect a Speaker.

(2) A Member, having first ascertained that the Member, or other person to be proposed is willing to serve if elected, may, rising in his place and addressing the Clerk, propose any other

Member 'not being a Minister or a Parliamentary Secretary), or any other person who is not a Member of either chamber of the Legislature, to the House as Speaker of the House; and if that proposal be seconded, the Clerk, if no other such Member or person be proposed for the office, shall declare. the Member or the person so proposed and seconded to be Speaker of the House.

(3) If another such Member or person, willing to serve if elected, be proposed and seconded, the Clerk shall propose the question that the Member who was first proposed should be the Speaker. If that proposal be agreed to, the Member or other person so chosen shall be Speaker, but if the proposal be negatived, the Clerk shall propose a like question in respect of any other such Member or person, who has been proposed and seconded, until the question is carried in favour of one of the Members, or other persons, so proposed.

(4) No debate shall be allowed upon proposals for filling the office of Speaker, but any member may call for a division after the decision on the proposal has been announced.

#### **Election of Deputy Speaker**

**4.** (1) At the first meeting of the House of Representatives immediately after a general election and before the House proceeds to the despatch of any other business except the election of Speaker, so soon as the Speaker has been elected the House shall proceed to the election of one of its Members, not being a Minister or a Parliamentary Secretary, to be Deputy Speaker of the House.

(2) If the office of Deputy Speaker falls vacant at any time before the next dissolution of the legislature, the House shall, as soon as convenient, elect another Member to that office.

(3) The election of the Deputy Speaker shall be conducted in a similar manner to the election of the Speaker, save that the Speaker shall preside.

#### **Presiding in the House and in Committee**

**5.** (1) The Speaker, or in his absence the Deputy Speaker, shall preside at sittings of the House, and, except as provided in paragraph .(4) of Standing Order No. 64 (Finance Committee), shall act as Chairman of Committees of the whole House.

(2) When the Speaker and the Deputy Speaker are both absent, the Clerk shall call upon the House to elect, from amongst the Members present who are not Ministers or Parliamentary Secretaries, one to preside over that sitting of the House, and the election shall take place forthwith in the manner provided by these Standing Orders for the election of the Speaker.

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

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

(5) Whenever the unavoidable absence of the Speaker from any day's sitting is announced by the Clerk at the Table, the Deputy Speaker shall take the Chair and shall be invested with all the powers of the Speaker until the Speaker resumes.

(6) The Speaker in the House and the Chairman in Committee shall have power to regulate the conduct of business in all matters not provided for in these Standing Orders.

#### **Duties of the Clerk**

6. (1) The Clerk of the House shall keep the Minutes of Proceedings of the House and of Committees of the whole House, and shall circulate copies thereof to Members as early as practicable and, if possible, on the day following each sitting of the House or Committee of the whole House.

(2) Minutes shall record the names of Members attending and all decisions of the House whether made formally or informally, and shall be signed by the Speaker.

(3) In the case of divisions of the House or of a Committee of the whole House, the Minutes shall include the numbers voting for and against the question, the names of Members so voting, and the names (and the number) of Members who declined to vote on the question.

(4) The Clerk shall prepare from day to day, and keep on the Table of the House and in the Clerk's office, an Order Book showing all business appointed for any future day, and any Notices of Questions or Motions which have been set down for a future day whether for a day

named or not. The Order Book shall be open to the inspection of Members at all reasonable hours.

(5) The Clerk shall cause to be printed and circulated to every Member in respect of each sitting of the House an Order Paper setting out the business to be transacted at that sitting.

(6) The Clerk shall be responsible for the custody of the votes, records, Bills and other documents laid before the House, which shall be open to inspection by Members of the House and other persons under such arrangements as may be sanctioned by the Speaker.

(7) It shall be the responsibility of the Clerk to provide every Select Committee of the House with a clerk, and, if so required by the Committee, with a shorthand writer.

(8) At the end of each Session, the Clerk shall cause to be prepared and placed in the records of the House a bound volume containing the Minutes of Proceedings of that Session, marked with all such corrections as the Speaker may have directed to be made therein.

(9) Where a proclamation of the Governor under Article 40 of the Constitution of Trinidad and Tobago is published in the *Gazette*, the Clerk shall send to each Member of the House a copy of the proclamation.

### **Language**

7. (1) The proceedings and debates of the House shall be in the English language.  
(2) Every petition shall be in the English language-

### **Quorum**

8. (1) Under Article 31 (2) of the Constitution of Trinidad and Tobago, a quorum of the House, and of a Committee of the whole House, shall consist of ten Members (excluding the person presiding).

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

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

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

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

(6) The Members to be summoned by the Clerk under this Standing Order shall be those Members who are not in the Chamber of the House but are within the precinct thereof.

### **Days of Meetings**

**9.** (1) Subject to paragraph (2) of this Standing Order, the House shall meet on Fridays, and every adjournment of the House shall be to the next Friday unless the House, upon a motion moved by a Minister or a Parliamentary Secretary, otherwise decides. Notice of such a motion shall not be required, and the question on the motion shall be put without amendment or debate.

(2) If at any time when the House stands adjourned pursuant to its own order the Speaker is satisfied that there is urgent necessity for the House to meet upon a day earlier than the day to which the House stands adjourned, he may, subject to the provisions of paragraph (3) of this Standing Order, direct the Clerk to summon a meeting of the House for such time on such day, whether Friday or otherwise, as the Speaker may determine.

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

(4) Forthwith upon receipt of any direction under paragraph (3) of this Standing Order, the Clerk shall inform every Member of the House, personally if practicable, of the day and hour appointed by the Speaker for the holding of the Special Meeting of the House and of the business to be transacted at such meeting.

(5) Except by leave of the House, no business other than the business specified in the direction under paragraph (2) of this Standing Order shall be transacted at any Special meeting of the House under the said paragraph.

### **Hours of Sitting**

**10.** (1) Except as provided in these Standing Orders, every sitting of the House shall begin at 1.30 o'clock in the afternoon and, unless the House upon motion moved by a Minister or a Parliamentary Secretary otherwise decides, shall end not later than 8 o'clock on the same day. Notice of such a motion shall not be required, and the question upon such a motion shall be put without amendment or debate.

(2) At 4.30 p.m. the Speaker shall suspend the sitting and order it to be resumed at 5.00 p.m.

(3) The Speaker may, at any time, suspend the sitting for a stated period.

(4) Before 8.00 p.m. the House shall not adjourn except in pursuance of a resolution moved by a Minister. Notice of the motion shall not be required, and the question upon the motion shall be put without amendment or debate.

(5) If the Speaker is of opinion that the proceedings on which the House is engaged could be concluded by a short extension of the sitting, he may permit the sitting to be continued to 8.15 p.m.

(6) The Speaker shall at 7.50 p.m. interrupt the business under discussion and its resumption shall be appointed for such day as the Minister in charge of arranging the business of the House shall direct, and if the House is in Committee at that time the Chairman shall leave the Chair forthwith, report to the House shall be made, and the committee shall be directed to sit again on such day as the said Minister shall direct. Any other business, if unopposed, shall then be disposed of, and at its conclusion or at the time appointed for the termination of the sitting,

notwithstanding that there may be business then under discussion, the Speaker shall adjourn the House without question put.

(7) If any business, when called during the time of unopposed business, is opposed, it shall be appointed for such a day as the Minister in charge of arranging the business of the House shall direct. Any business which, when called during the time of unopposed business, is objected to by a Member shall be treated as opposed business.

(8) On the interruption of business the Closure may be moved and if it is moved, or if proceedings under Standing Order 39 (Closure of Debate) are then in progress, the Speaker or the Chairman shall not leave the Chair until the Questions consequent thereon and on any further motion as provided for in Standing Order No. 39 (Closure of Debate) have been decided, even though the Divisions on such questions carry on beyond 8 o'clock, but in that event immediately such questions have been decided or, if in Committee, as soon as the Chairman's report has been received, the Speaker shall proceed as provided for in the next succeeding paragraph.

(9) Business which has not been disposed of or postponed by 8 o'clock shall stand over till the next sitting, and at that hour, or upon the earlier conclusion of all business appointed at a sitting, the Speaker shall call upon a Minister to move "That the House do now adjourn" and upon that question being agreed to, the House shall adjourn. If that question has not been agreed to at 8 o'clock, the Speaker shall at that hour adjourn the House without question put.

(10) A Minister may, without notice, at the time appointed in Standing Order No. 13 (Order of Business), move that the proceedings on any specified business be exempted at that day's sitting from the provisions of paragraph (6) of this Order and any such motion shall be decided without amendment or debate. Any business so exempted shall not be interrupted at 7.50 o'clock and may be entered upon at any hour though opposed. Upon the conclusion of all business so exempted, the Speaker shall call upon a Minister, to move "That this House do now adjourn", and, if it is then after 8 p.m., the Speaker shall adjourn the House without question put.

(11) A Minister may, without notice, move that the House continue to sit until the conclusion of the business on the Order Paper or of any matter specified thereon. The question upon such a motion shall be put without amendment or debate.

(12) The House may from time to time alter, by resolution, the hours provided in this Standing Order for beginning and ending a sitting.

## **Adjournment of the House**

**11.** (1) A Minister may move "That this House do now adjourn" at any time after the conclusion of questions at any sitting, but any other Member may only move such a Motion under Standing Order -No. 12 (Adjournment-Definite Matter of Urgent Public importance).

(2) Upon any Motion "That this House do now adjourn" moved under paragraph (9) or paragraph (10) of Standing Order No. 10 (Hours of Sittings), any matter for which the Cabinet is responsible may be raised by any member who has obtained the right to raise a matter on the Motion for the adjournment of the House that day and the Minister responsible for the matter raised shall reply. Thereafter, if time permits, any other member who has obtained the right may similarly raise another matter subject to the same conditions. Any such debate shall cease at 8 p.m. or, with the leave of the Speaker, at 8.15 p.m.

(3) Any Member who wishes to raise a matter under the provisions of paragraph (2) of this Standing Order at a particular sitting shall give notice of the matter in writing to the Speaker not less than three days before the sitting concerned. Subject to the giving of such notice, the right to raise a matter shall be allotted for each sitting through such arrangements as the Speaker may make.

### **Adjournment-Definite Matter of Urgent Public Importance**

**12.** (1) Any Member, other than a Minister or a Parliamentary Secretary may at the time appointed under Standing Order No. 13 (Order of Business.) rise in his place and ask leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance.

(2) A member who wishes to ask leave to move the adjournment of the House shall, before the commencement of the sitting, hand to the Speaker a written notification of the matter which he wishes to discuss, The Speaker shall refuse to allow the claim unless he is satisfied that the matter is definite, urgent and of public importance and may properly be raised on a motion for the adjournment of the House.

(3) If the Speaker is so satisfied, and either-

(a) leave of the House is given; or

(b) If it is not given, at least nine Members by rising indicate that they support the request,--

the motion shall stand over until 6.00 o'clock on the same day, and at that hour any proceeding On which the House is engaged shall be postponed until the motion for the adjournment is disposed of or until 7.00 o'clock, whichever is the earlier. At 7.00 o'clock the motion for the adjournment, if not previously disposed of, shall lapse and the proceedings which have been postponed shall be resumed and dealt with in accordance with the next paragraph of this Standing Order.

(4) At 7.00 o'clock or upon their earlier conclusion of the debate on the motion for the adjournment, the business which was postponed at 6.00 p.m. shall be resumed and any proceedings thereon, and upon any business standing on the Order Paper for that day's sitting, shall be exempted from the provisions of paragraph (1) of Standing Order No. 10 (Hours of Sittings) for a period of time equal to the duration of the proceedings upon the adjournment motion under this Standing Order, and that period shall be added to the hours of 7.50 o'clock, 8.00 o'clock and 8.15 o'clock wherever they occur in Standing Order No. 10 (Hours of Sittings).

(5) Not more than one motion for the adjournment of the House under this Standing order may be allowed at any one sitting.

### **Order of Business**

**13.** Unless the House otherwise directs, the business of each sitting day shall be transacted in the following order:

- (a) Prayers.
- (b) Oath of Allegiance of a new Member.
- (c) Announcements by the Speaker.
- (d) Bills brought from the Senate.
- (e) Petitions.
- (f) Papers.
- (g) Presentation of Reports from Select Committees.
- (h) Questions to Ministers.

- (i) Requests for leave to move the adjournment of the House on definite matters of urgent public importance.
- (j) Statements by Ministers
- (k) Personal explanations.
- (l) Introduction of Bills.
- (m) Motions relating to the Business or Sittings of the House and moved by a Minister or Parliamentary Secretary.
- (n) Public Business.

### **Petitions**

**14.** (1) Every Petition intended to be presented to the House must conclude with a prayer setting forth the general object of the Petition.

(2) A Petition shall not be presented to the House unless it shall have been endorsed by the Clerk as being in accordance with the rules in regard to Petitions.

(3) The Member presenting a Petition may state concisely the purport of the Petition.

(4) All Petitions shall be ordered to lie upon the Table without question put unless a Member when presenting a Petition move for it to be read or printed, or referred to a Select Committee. Any such motion shall be decided forthwith without amendment or debate.

The provisions of this paragraph shall not apply to a Petition from the promoters of a Private Bill under Standing Order 84 (Private Bills).

(5) The House will not receive any Petition—

(a) which is not addressed to the House or which is not properly and respectfully worded;

or

(b) which has not at least one signature on the sheet on which the prayer of the Petition appears and which has not at least the prayer at the head of each subsequent sheet of signatures; or

(c) which, in the opinion of the Speaker, requests that provision be made for imposing or increasing any charge on the revenues or other funds of this Territory or for altering

any such charge otherwise than by reducing it or for compounding or remitting any debt due to this Territory, unless on the recommendation of the Cabinet signified by a Minister.

### **Papers**

**15.** (1) Every Paper shall be presented by a Minister or a Parliamentary Secretary and its presentation shall be recorded in the Minutes of Proceedings.

(2) A Minister, or Parliamentary Secretary, presenting a Paper may make a short explanatory statement of its contents.

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

(4) All Instruments made under the authority of any law, if required to be laid before the House, shall be laid on the Table of the House as soon as may be after being made.

### **Nature of Questions**

**16.** Questions may be put to a Minister relating to any matter, subject or Department in respect of which the Minister is charged with responsibility.

### **Notice of Questions**

**17.** (1) A question shall not be asked without notice, unless it is of an urgent character or relates to the business of the day, and unless the Member has obtained the leave of the Speaker to ask it.

(2) Notice of a question may be handed by a Member to the Clerk when the House is sitting, or may be sent to or left at the office of the Clerk at any time during the hours prescribed for the purpose. Every such notice must be signed by the Member giving it.

(3) A Member who desires an oral answer to a question shall mark his notice with an asterisk and such a question shall be put down for a day to be named by the Member being a day

not earlier than twenty-one clear days after notice of the Question was given. A Question not so marked may be put down for the next sitting day of the House and the answer when received shall be circulated with the Minutes of Proceedings.

### **Contents of Questions**

**18.** (1) The right to ask a question shall be subject to the following general rules, as to the interpretation of which the Speaker shall be the sole judge:

- (a) The proper object of a question is to obtain information on a question of fact within the official cognisance of the Minister to whom it is addressed, or to ask for official action.
- (b) A question shall not include the names of persons, or any statements of fact, unless they be necessary to render the question intelligible.
- (c) If a question contains a statement of fact, the Member asking it shall make himself responsible for the accuracy of the statement, and no question shall be based upon a newspaper report or upon an unofficial publication.
- (d) No Member shall address the House upon any question, and a question shall not be made the pretext for a debate.
- (e) Not more than one subject shall be referred to in any one question, and a question shall not be of excessive length.
- (f) A question shall not contain arguments, inferences, opinions, imputations, epithets, ironical expressions or hypothetical cases.
- (g) A question shall not be asked-
  - (i) which raises an issue already decided in the House, or which has been answered fully during the current Session, or to which an answer has been refused;
  - (ii) seeking information about matters which are in their nature secret;
  - (iii) regarding proceedings in a Committee which have not been placed before the House by a report from the Committee;
  - (iv) which deals with matters referred to a Commission of Enquiry or within the jurisdiction of the Chairman of a Select Committee;

- (v) as to the character or conduct of any person except in his official or public capacity;
- (vi) about any matter then pending before any Court of Justice, or which reflects on the decision of a Court of Justice;
- (vii) reflecting on the character or conduct of my person whose conduct can only be challenged on a substantive motion under Standing Order 36 (Contents of Speeches);
- (viii) asking whether statements in the Press, or of private individuals, or unofficial bodies are accurate;
- (ix) the answer to which can be found by reference to available official publications;
- (x) referring discourteously to, or seeking information about, the internal affairs of any Territory within the Commonwealth or of a friendly Foreign Country;
- (xi) dealing with the action of a Minister for which he is not responsible to the Legislature;
- (xii) seeking for purposes of argument, information on matters of past history; or
- (xiii) raising questions of policy too large to be dealt with in the limits of an answer to a question.

(h) A question shall not solicit the expression of an opinion, or the solution of an abstract legal question, or of a hypothetical proposition.

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

- (a) that the Member concerned be informed that the Question is out of order; or
- (b) that the question be entered in the Order Book with such alterations as he may direct.

### **Manner of Asking and Answering Questions**

**19.** (1) At the time appointed for the oral asking and answering of questions under Standing Order No. 13 (Order of Business), the Speaker shall call in turn upon each Member in whose name a question stands upon the Order Paper, in the order in which the questions are printed, or in any such other order as the Speaker may on any particular occasion determine. Each Member

so called shall rise in his place and ask the question by reference to its number on the Order Paper, and the Minister questioned shall give his reply.

(2) After the answer to a question has been given, supplementary questions may, at the discretion of the Speaker, be put for the purpose of elucidating the answer given orally, but the Speaker may refuse any such question which in his opinion introduces matters not relative to the original question, or which infringes any of the provisions of Standing Order No. 18 (Contents of Questions), and may in that case direct that such questions be not reported in the Official Report.

(3) When all the questions for which an oral answer is required have been called, the Speaker, if time permits, shall call again any question which has not been asked by reason of the absence of the Member in whose name it stands; in which case another Member may, if deputed by the absent Member, on his behalf either ask the question or request its postponement. The Speaker shall also call again any question which has not been answered by reason of the absence of the Member to whom it is addressed.

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

(5) Not more than three questions requiring an oral answer shall appear in the Order Paper in the name of the same Member for the same day, and any question in excess of this number shall not be called by the Speaker but shall be answered as provided in paragraph (7) of this Order, save that no postponement shall be allowed.

(6) No question shall be asked after 2.15 o'clock in the afternoon, except any question which the Speaker has allowed to be asked without notice under paragraph (1) of Standing Order No. 17 (Notice of Questions).

(7) Questions which have not received an oral answer by 2.15 o'clock in the afternoon shall be answered in writing by the Minister to whom the question was addressed, and copies of the answer shall be sent immediately after that hour to the Clerk of the House, who shall send a copy to the Member in whose name the question stood upon the Order Paper and cause the answer to be circulated with the Minutes of Proceedings, unless at any time before 2.15 o'clock in the afternoon a Member having a question on the Order Paper but whose name has not yet been called by the Speaker signifies to the Clerk at the Table his desire to postpone the question to a later sitting or to withdraw it.

### **Personal Explanations**

**20.** With the leave of the Speaker and by the indulgence of the House, a Member may make a personal explanation of not more than ten minutes duration at the time appointed under Standing Order No. 13 (Order of Business) although there is no question before the House; but no controversial matter may be brought forward nor may debate arise upon the explanation.

### **Arrangement of Public Business**

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

(2) Subject to the provisions of those Standing Orders, Government Business shall have precedence on every day except the fourth Friday in each month when Private Member's Business shall have precedence.

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

(4) Private Members' business shall be set down on the Order Paper for a particular day in the order in which it was entered in the Order Book for that day, and business so entered shall take precedence over any business postponed from the previous day.

### **Questions for Debate**

**22.** Subject to the Constitution of Trinidad and Tobago and to these Standing Orders, any Member may propose, by way of motion, any matter for debate in the House.

### **Notice of Motions or Amendments**

**23.** (1) Where under any Standing Order notice of motion or of an amendment is required, such notice shall be given in writing, signed by the Member and addressed to the Clerk of the House. Such notice shall be handed to the Clerk, or sent to, or left at, the Clerk's Office during the hours prescribed for the purpose.

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

(a) that the Member concerned be informed that the notice of motion is out of order, or

(b) that the notice of motion be entered in the Order Book with such alteration as he may direct.

(3) Not more than three notices of motion in the name of the same Member may be entered on the Order Paper of any Sitting. The provisions of this paragraph shall not apply to a Member who is a Minister or a Parliamentary Secretary.

(4) Copies of motions and amendments sent to the Clerk shall be circulated by him to Members, whether or not they be matters of which notice is required, and, in the case of amendments to Bills, shall be arranged, so far as may be, in the order in which they will be proposed.

(5) No debate shall take place on the giving of notice of any matter.

#### **Period of Notice**

**24.** (1) Except with the consent of the Speaker notice of a Government motion shall not be placed upon the Order Paper of any sitting earlier than the day following the day on which the notice was given to the Clerk of the House.

(2) Except as provided in paragraph (9) of Standing Order No. 83 (Reports from Select Committees), a notice of a Private Member's motion shall not be entered in the Order Book, or placed upon the Order Paper, for a day earlier than twelve clear days from the day on which the notice was given to the Clerk.

#### **Exemption from Notice**

**25.** Unless the Standing Orders otherwise provide, notice shall be given of any motion which it is proposed to make, with the exception of the following:

(a) a motion for the amendment of any motion;

(b) a motion for the adjournment of the House *or of* a debate;

- (c) a motion for the election of a temporary presiding officer under paragraph (2) of Standing Order No. 5 (Presiding in the House and in Committee);
- (d) a motion for the suspension of Standing Orders put with the leave of the Speaker;
- (e) a motion for the withdrawal of strangers;
- (f) a motion that the House resolve itself into Committee;
- (g) a motion made in Committee of the whole House, other than the Finance Committee;
- (h) a motion for the suspension of a Member;
- (i) a motion that a petition be read, printed or referred to a Select Committee;
- (j) a motion for the printing of a paper under paragraph (3) of Standing Order No. 15 (Papers);
- (k) a motion relating to a matter of privilege;
- (l) a motion arising out of any item of business made immediately after that item is disposed of and before the next item is entered upon;
- (m) a motion to recommit a Bill under paragraph (1) of Standing Order No. 56 (Recommittal of Bills reported from Committee of the whole House);
- (n) a motion in respect of which notice has been dispensed with under Standing Order No. 26 (Dispensing with Notice);
- (o) a motion for the withdrawal of a Bill under Standing Order No. 61 (Withdrawal of Bills);
- (p) a motion that the Report of a Select Committee be referred to a Committee of the whole House, or a motion that such Report be printed as a House Paper.

#### **Dispensing with Notice**

**26.** Notice shall not be dispensed with in the case of a motion or in respect of any proceedings for which notice is required, except with the consent of the Speaker and the assent of the majority of the Members present at the time.

#### **Privilege Motions**

**27.** (1) A motion directly concerning the privileges of the House shall take precedence of all

other public business,

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

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

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

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

(6) No member moving a Motion under this Standing Order may speak for more than fifteen minutes.

### **Moving of Motions**

**28.** (1) On a Motion made and when necessary seconded, the Speaker shall propose the question to the House, and after debate (if any), shall then put the question for the decision of the House.

(2) If a motion embodies two or more separate propositions, the propositions may be proposed by the Speaker as separate questions.

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

### **Seconding of Motions and Amendments**

**29.** (1) In the House the question upon a motion or amendment shall not be proposed by the Speaker unless such motion or amendment has been seconded; provided that Government business shall not require seconding.

(2) In Committee a seconder shall not be required.

### **Motions not Moved or Seconded**

**30.** (1) If a Member other than a Minister does not, when called, move a motion or amendment which stands in his name such motion or amendment shall be removed from the Order Paper unless deferred by leave of the House or moved by another Member duly authorised by that Member; but Government business may be moved by any Minister or Parliamentary Secretary.

(2) No question shall be proposed upon a motion or amendment, which under these Standing Orders is required to be seconded, if it is not so seconded.

### **Withdrawal of Motions**

**31.** (1) A motion may be withdrawn, at the request of the mover, after it has been moved, by leave of the House or Committee, before the question is fully put thereon, provided there is no dissentient voice.

(2) A motion so withdrawn may not be moved again during the same Session.

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

### **Amendments to Motions— How moved and put**

**32.** (1) When any motion is under consideration in the House or in a Committee thereof, an amendment may be proposed to the motion if it is relevant thereto.

(2) An amendment may be proposed to any such amendment if it is relevant thereto.

(3) An amendment to a motion may be moved and seconded at any time after the question upon the motion has been proposed by the Speaker or Chairman and before it has been put by the Speaker or Chairman at the conclusion of the debate upon the motion when all amendments have been disposed of the Speaker shall then put the question on the original Motion or the Motion as amended as the case may require.

(4)(a) Upon any amendment to leave out any of the words of the motion, the question to be proposed shall be "That the words proposed to be left out, be left out of the question."

(b) Upon any amendment to insert words in, or to add words at the end of, a motion, the question to be proposed shall be "That those words be there inserted" (or "added").

(c) Upon any amendment to leave out words and insert or add other words instead, a question shall first be proposed "That the words proposed to be left out, be left out of the question", and only if that question is agreed to, shall the question then be proposed "That those words be there inserted" (or "added").

(d) When two or more amendments are proposed to be moved to the same motion, the Speaker shall call upon the movers in the order in which their amendments relate to the text of the motion, or in case of doubt in such order as he shall decide.

(e) Any amendment may, by leave of the House, be withdrawn at the request of the mover before the question is fully put thereon, provided that there is no dissentient voice.

(5)(a) Any amendment to an amendment which a Member wishes to propose may be moved and seconded at any time after the question upon the original amendment has been proposed, and before it has been put at the conclusion of the debate on the original amendment.

(b) The provisions of paragraph (4) of this Standing Order shall apply to the discussion of amendments to amendments except that in any question to be put, the words "original amendment" shall be substituted for the word "question"

(c) When every such amendment to an amendment has been disposed of the Speaker shall put the question on the original amendment or on the original amendment as amended as the case may require.

(6) Any amendment, whether in the House or in Committee of the whole House, shall be put into writing by the mover and delivered to the Clerk before the question is proposed thereon.

(7) When the question upon an amendment to a motion has been proposed by the Speaker or Chairman an earlier part of the motion may not be amended unless the amendment under discussion is withdrawn.

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

### **Time and Manner of Speaking**

**33.** (1) A Member desiring to speak shall rise in his place and if called upon shall address his observations to the Speaker or Chairman. No Member shall speak unless called by the Speaker or Chairman.

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

(3) Subject to paragraph (5) of this Standing Order, no Member shall speak more than once on an, question except-

- (a) when the House is in Committee; or
- (b) in explanation as prescribed in paragraph (4) of this Standing Order: or
- (c) to a point of order, as provided in Standing Order 35 (interruptions);
- (d) in the case of the mover of a substantive motion or the Member in charge of a Bill in reply:

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

(4) A Member who has spoken on a question may again be heard to offer explanations of some material part of his speech which he alleges has been misquoted or misrepresented, but he shall not introduce new matter.

(5) A Member who has spoken may speak again when a new question has been proposed by the Speaker or Chairman, such as a proposed amendment or a Motion for the adjournment of the debate.

(6) Except with the leave of the Speaker, a Member shall not read his speech; but he may read extracts from written or printed papers or books in support of his argument, and may refresh his memory by reference to notes.

(7) No Member may speak on any question after it has been put to the vote by the Speaker or Chairman.

### **Right of Reply**

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

(2) A Minister or a Parliamentary Secretary may conclude a debate on any motion which is critical of the Government, or reflects adversely on or is calculated to bring discredit upon the Government or an Officer thereof.

### **Interruptions**

**35.** A Member shall not interrupt another Member except-

- (a) by rising to a point of order, whereupon the Member speaking shall resume his seat and the Member interrupting shall simply direct attention to the point which he desires to bring to notice and submit it to the Speaker or Chairman for decision; or
- (b) to elucidate some matter raised by that Member in the course of his speech, provided that the Member speaking is willing to give way and resumes his seat and that the Member wishing to interrupt is called by the Chair.

## Contents of Speeches

**36.** (1) Subject to the provisions of Standing Order No. 12 (Adjournment–Definite Matter of Urgent Public Importance), debate upon any motion, Bill or amendment shall be relevant to such motion, Bill or amendment. and a Member shall confine his observations to the subject under discussion.

(2) Reference shall not be made to any matter on which a judicial decision is pending, in such a way as might, in the opinion of the Chair, prejudice the interests of parties thereto.

(3) It shall be out of order to attempt to revive in any debate a matter or reconsider any specific question (other than a matter or question relating to a Bill returned with any amendment by the other Chamber) upon which the House. has come to a conclusion during the current Session, except upon a substantive motion for rescission which motion shall not be. brought sooner than six months after the date on which the House reached its decision.

(4) It shall be out of order to use offensive or insulting language about Members of either Chamber of the Legislature.

(5) No Member shall impute improper motives to any other Member of either Chamber.

(6) No Member shall refer to any other Member by name.

(7) Members shall be referred to by the names of the electoral areas for which they have been elected.

(8) Her Majesty's name or the Governor General's name or the Governor's name shall not be used to influence the House.

(9) The conduct of Her Majesty and Members of the Royal Family shall not be called in question.

(10) The conduct of the Governor, Members of the Senate or the House of Representatives, or of judges or other persons engaged in the administration of justice shall not be raised except upon a substantive motion moved for the purpose; and in any amendment, question to a Minister, or debate on a motion dealing with any other subject any reference to the conduct of any such person as aforesaid shall be out of order.

### **Scope of Debate**

**37.** (1) When an amendment proposes to leave out words and to add or insert other words in their place, debate upon the question "That the words proposed to be left out, be left out of the question" may relate, to both the words proposed to be left out and those proposed to be added or inserted.

(2) On an amendment proposing only 'to leave out words or to add or insert words, debate shall be confined to the omission, addition or insertion of such words respectively.

(3) Where during the course of a debate a motion is made (*a*) for the adjournment of the debate or of the House, or (*b*) in Committee that the Chairman do report progress or do leave the Chair, unless it appears to the Chair that that Motion is an abuse of the rules of the House or an infringement of the rights of the minority, the question on the motion for the adjournment as aforesaid shall be put forthwith without amendment or debate; and a Member who has moved or seconded such a motion shall not be entitled to move or second any similar motion during the same debate: but this paragraph shall not be construed as restricting the customary right of the Minister in charge of arranging the business of the House to move the adjournment of the House on the conclusion of the business of the day.

### **Anticipation**

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

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

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

### **Closure of Debate**

**39.** (1) After a question has been proposed any Member may at any time during tile course of debate rise in his place and claim to move "That the question be now put" and unless it appears to the Chair that that motion is an abuse of the rules of the House or an infringement of the rights of the minority, the question "That the question be now put" shall be put forthwith. No debate on that motion shall be allowed, and if the motion is carried, the debate then before the House shall cease and the question before the House shall be put forthwith.

(2) When the motion "That the question be now put" has been carried, and the question consequent thereon has been decided, any Member may claim that any other question already proposed from the Chair be now put and if the assent of the Chair is given, every such question shall be put forthwith and decided without amendment or debate.

(3) A motion under this Standing Order shall not be decided in the affirmative if it appears on a division that less than ten Members voted in the majority in support of the motion.

#### **Rules for Members not Speaking**

**40.** A Member present in the House during a debate—

- (a) shall enter or leave the House with decorum;
- (b) shall maintain silence while another Member is speaking, and shall not interrupt, except in accordance, with these Standing Orders; and
- (c) shall otherwise conduct himself in a fit and proper manner.

#### **Time Limit of Speeches**

**41.** (1) The Mover of an original motion shall be limited in the duration of his speech in presenting his motion to seventy-five minutes.

(2) Subject to the preceding paragraph of this Standing Order, a Member shall not be entitled to address tile House or a Committee of the whole House for more than 45 minutes on any subject:

Provided that the House or the Committee may by motion made and carried without amendment or debate, extend once only the time limited by this Standing Order for such period not exceeding thirty minutes as may be agreed to by the House.

Provided also that no time limit shall be imposed on the Minister of Finance in presenting his Budget Speech.

(3) The ruling of the Speaker, or the Chairman, as the case may be, as to the time taken by any member, shall be final.

#### **Responsibility for Order in the House and in Committee**

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

(2) When the Speaker, or Chairman, rises during a Debate any Member then speaking or wishing to appeal shall immediately resume his seat, and the House, or the Committee, shall be silent.

#### **Order in the House and in Committee**

**43.** (1) The Speaker or the Chairman, after having called the attention of the House, or of the Committee, to the conduct of a Member who persists in irrelevance, or tedious repetition either of his own arguments or of the arguments used by other Members in debate, may direct him to discontinue his speech and to resume his seat.

(2) Any member may, after the Speaker or Chairman, as the case may be, has under paragraph (1) of this Standing Order once called the attention of the House or Committee to the conduct of a member who persists in irrelevance or tedious repetition of his own arguments or of the arguments used by other members in debate, move that the Member be no longer heard and such Motion shall be put forthwith without amendment or debate.

(3) The Speaker or the Chairman shall order any Member to withdraw immediately from the House during the remainder of the day's sitting and may direct such steps to be taken, as are required, to enforce such order-

- (a) where the conduct of such Member is grossly disorderly; or
- (b) where such Member has used objectionable, abusive, insulting or offensive words or language or unparliamentary expressions, and, on being called to order, has refused to withdraw such words or language or expressions and has not offered an apology for the use thereof to the satisfaction of the House.

(4) If an order under paragraph (2) of this Standing Order be not complied with at once, or if, on any occasion, the Speaker or the Chairman considers that his powers under that paragraph are inadequate he may name such Member in pursuance of paragraph (4) or paragraph (5) of this Standing Order.

(5) If a Member shows disregard for the authority of the Chair, or abuses the rule, of the House by persistently and willfully obstructing the business of the House or otherwise, the Speaker shall direct the attention of the House thereto, mentioning by name the Member concerned, the Speaker shall then call upon a Minister to move "That Mr. .... be suspended from the service of the House", and the Speaker shall forthwith put the question, no seconder being required and no amendment, adjournment or debate being allowed.

(6) If the offence has been committed in a Committee of the whole House, the, Chairman shall forthwith suspend the proceedings of the Committee and, as soon as the House has resumed, shall report the circumstances to the House, whereupon the procedure provided for in the preceding paragraph shall be followed.

(7) If a Member is suspended under any provisions of this Standing Order, his suspension shall continue until it is terminated by resolution of the House,

(8) Not more than one Member shall be named at the same time, unless several Members present together have jointly disregarded the authority of the Chair.

(9) A member who is ordered to withdraw under the provisions of paragraph (2) of this Standing Order, or who is suspended under the provisions of paragraphs (4) to (6), of this Order, shall forthwith leave the House and its precincts. A Member who is suspended shall not be entitled to attend any sitting of the House, or enter the House or its precincts, until the termination of his suspension.

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

(11) If resort to force is necessary, the Speaker may suspend the sitting during the removal of the Member and invoke the assistance of any police officer in ejecting the offending member and such officer shall, for the purposes of this Order, be deemed to be an Officer of the House,

(12) In the case of grave disorder arising in the House, the Speaker may, if he thinks it necessary to do so, adjourn the House without question put, or suspend the sitting for a time to be named by him.

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

(14) Nothing in this Order shall be taken to deprive the House of the power of proceeding against any Member according to any resolution of the House.

#### **Decision of Questions**

**44.** (1) Save as otherwise provided in Article 29 of the Constitution of Trinidad and Tobago or in these Standing Orders all questions proposed for decision in the House or in any Committee shall be determined by a majority of the votes of those present and voting.

(2) Where the Speaker is not an Elected Member of the House, he shall have neither an original vote nor a casting vote, and if upon any question before the House the votes are equally divided the motion shall be declared lost.

(3) The Speaker, if an Elected Member of the House, or any other Member presiding in the absence of the Speaker, shall not have an original vote, but if upon any question before the House the votes are equally divided, such a person shall have and exercise a casting vote.

### **Collection of Votes**

**45.** (1) At the conclusion of a debate upon any question the Speaker or Chairman shall put that question for the decision of the House, and shall collect the voices of the Ayes and of the Noes, after which no further debate may take place upon that question.

(2) The result shall be declared by the Speaker or Chairman, stating "I think the Ayes have it" Or "I think the Noes have it" as the case may be, but any Member may challenge the opinion of the Chair by claiming a division.

### **Divisions**

**46.** (1) In a division the Clerk shall call each Member's name separately and such Member shall indicate how he desires to vote. The Clerk shall thereupon record the vote accordingly.

(2) Subject to paragraphs (2) and (3) of Standing Order No. 44 (Decision of Questions), every Member present, unless he expressly says that he declines to vote, shall record his vote either for the Ayes or the Noes,

(3) The Clerk shall announce the number of Members who have voted for, and of those who voted against, the proposal, and the number of Members who declined to vote. Subject to the provisions of paragraph (4) of this Standing Order, the Speaker or other Member presiding, or the Chairman in Committee of the whole Council, shall then declare the result of the division.

(4) The Clerk shall enter on the Minutes of proceedings the record of each Member's vote, and shall add a statement of the number and the names of all the Members present who declined to vote. Where the votes are equally divided and the Speaker or other Member presiding has a casting vote, the Clerk shall record in the Minutes the manner in which the Speaker or other Member presiding exercised his casting vote.

(5) If a Member states that he voted in error, or that his vote has been counted wrongly, he may claim to have his vote altered provided that such claim is made as soon as the Clerk has announced the numbers and before the Chair has declared the result of the division. Upon such claim being made the Speaker, or Chairman, at his sole discretion, shall either direct the Clerk to alter that Member's vote or direct that a fresh division be held.

### **Introduction and First Reading of Bills**

47. (1) Subject to the provisions of paragraph (4) of this Standing Order any Member of the House may move for leave to introduce a Bill of which he has given notice.

(2) Subject to the provisions of paragraph (4) of this Standing Order, a Bill may be presented to the House on behalf of the Government after notice without an order of the House for its introduction.

(3) A notice of the presentation of a Bill on behalf of the Government may be entered on the Order Paper for the day following the day on which it was received by the Clerk of the House.

(4) Except upon the recommendation of the Cabinet, to be signified by a Minister and recorded in the Minutes of Proceedings, the House shall not receive any Government Bill, and shall not proceed upon any motion for leave to introduce a Bill which, in the opinion of the Speaker, would make provision for imposing or increasing any tax, for imposing or increasing any charge on the revenues or other funds or the Territory or for altering any such charge otherwise than by reducing it, or for compounding or remitting any debt due to the Territory.

(5) A Bill, whether presented in pursuance of an order of the House after leave given or without such order, shall be handed to the Clerk by the Member who gave notice of the Bill. The Clerk shall read aloud the title of the Bill which, without question put, shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be printed and published in the *Gazette*.

(6) copies of the Bill, as printed and published in the *Gazette*, shall be made available to every Member.

(7) When a Bill has been brought from the Senate and in the case of a Private Bill a Member of the House has signified to the Clerk of the House his willingness to take charge of the Bill, that Bill shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be printed, and shall be put down for second reading on a day to be named by the Member in charge of the Bill.

### **Appointment of Days for Stages of Bills**

**48.** (1) Subject to the Provisions of this Standing Order, the Member in charge of the Bill may, at the conclusion of the Proceedings on any stage of the Bill, either name a day to be appointed for the next stage of the Bill or move that the next stage be taken forthwith.

(2) An interval of not less than five days must elapse between the first and second reading of a Bill, unless the House, on motion made and question put, agree to proceed with the Bill at an earlier date or forthwith.

(3) Subject to paragraph 2 of this Order, no Bill shall be read a second time until it has been printed and circulated to Members.

#### **Printing and Circulation of Bills**

**49.** (1) The Clerk of the House shall be responsible for the printing of Bills from the draft handed in by the Member in charge of the Bill.

(2) As soon as possible after the printing of a Bill the Clerk shall circulate a copy to every Member. The Bill may be accompanied by a short explanatory statement of its objects.

(3) The Clerk shall as soon as possible cause every Bill to be published in the *Gazette*.

#### **Second Reading of Bills**

**50.** (1) On the second reading of a Bill a debate may arise covering the general merits and principles of the Bill.

(2) To the question "That the Bill be now read a second time" an amendment may be proposed, without notice, to leave out the word "now" and add at the end of the question "upon this day six months", or an amendment may be moved to leave out all the words after the word "that" in order to add words stating the object and motive on which the opposition to the Bill is based, but such words must be strictly relevant to the general merits and principles of the Bill and may not deal with its details.

#### **Committal of Bill**

**51.** (1) When a Bill has been read a *second* time it shall stand committed to a Committee of the whole House, unless the House, on motion made, commits it to a Select Committee. Such motion shall not require notice and must be made immediately after the Bill has been read a second time, and the question thereon shall be put without amendment or debate and may, though opposed, be decided after 7.50 p.m. The said motion may be proposed by any Member.

(2) When a Bill has been committed to a Select Committee, no further proceedings shall be taken thereon until the Select Committee has presented its report to the House.

(3) When a Bill has been committed to a Committee of the whole House the Speaker shall leave the Chair without question put.

#### **Functions of Committees on Bills**

**52.** (1) Any Committee to which a Bill is committed shall not discuss the general merits and principles of the Bill but only its details.

(2) Any such Committee shall have power to make such amendments therein as they shall think fit, provided that the amendments, including new clauses and new schedules, are relevant to the subject matter of the Bill; but if any such amendments are not within the title of the Bill, they shall amend the title accordingly, and shall report the same specially to the House.

#### **Procedure in Committee of the Whole House on A Bill**

**53.** (1) The Chairman in Committee of the whole House shall call the number of each clause in succession. If no amendment is proposed thereto, or when all proposed amendments have been disposed of, he shall propose the question "That the clause (or the clause as amended) stand part of the Bill" and, when all Members who wish to speak thereon have spoken, he shall put that question to the Committee for its decision.

(2) Any proposed amendments of which notice has not been given shall be handed to the Chairman in writing.

(3) The following provisions shall apply to amendments relating to Bills:

(a) An amendment must be relevant to the subject matter of the Bill, and to the subject matter of the clause to which it relates.

- (b) An amendment must not be inconsistent with any clause already agreed to or with any previous decision of the Committee.
- (c) An amendment must not be such as to make the clause which it proposes to amend, unintelligible or ungrammatical.
- (d) If an amendment refers to, or is not intelligible without, a subsequent amendment or schedule, notice of the subsequent amendment or schedule must be given before or when the first amendment is moved so as to make the series of amendments intelligible as a whole.
- (e) In order to save time and repetition of arguments, the Chairman may allow a single discussion to cover a series of interdependent amendments.
- (f) The Chairman may refuse to allow an amendment, which is, in his opinion, frivolous or meaningless, to be moved.
- (g) Except upon the recommendation of the Cabinet, to be signified by a Minister and recorded in the Minutes of Proceedings, the Committee shall not proceed upon any amendment which, in the opinion of the Chairman, would have effect in any of the ways described in paragraph (4) of Standing Order No. 47 (Introduction and First Reading of Bills).
- (h) The Chairman may at any time during the discussion of a proposed amendment withdraw it from the consideration of the Committee if, in his opinion, the discussion has shown that the amendment violates the provisions of this Standing Order.

(4) The Provisions of paragraphs (4) and (5) of Standing Order No. 32 (Amendments to Motions) shall apply to the discussion of amendments to Bills, with the substitution, where appropriate, of the word "Clause" for the word "motion" or the word "question", and of the word "Chairman" for the word "Speaker" and the word "Committee" for the word "House" throughout.

(5) A Clause may be postponed, unless a decision has already been taken upon an amendment thereto. Postponed clauses shall be considered after the remaining clauses of the Bill have been considered and before new clauses are brought up.

(6) Any proposed new clause shall be considered after the clauses of the Bill have been disposed of and before consideration of any schedule to the Bill: Provided that a new clause

proposed in substitution for a clause which has been disagreed to may be considered immediately after such disagreement.

(7) On the title of any new clause being read by the Clerk, the clause shall be deemed to have been read a first time. The question shall then be proposed "That the clause be read a second time"; if this is agreed to, amendments may then be proposed to the new clause. The final question to be proposed shall be "that the clause (or the clause as amended) be added to the Bill."

(8) Schedules shall be disposed of in the same way as clauses, and any proposed new schedule shall be considered after the schedules to the Bill have been disposed of, and shall be treated in the same manner as a new clause.

(9) When every clause and schedule and proposed new clause or schedule has been dealt with, the preamble, if there is one, shall be considered and the question put "That the preamble to the Bill be approved". No amendment to the preamble shall be considered which is not made necessary by a previous amendment to the Bill.

(10) If any amendment to the title of the Bill is made necessary by an amendment to the Bill, it shall be made at the conclusion of the proceedings detailed above, but no question shall be put that the title (as amended) stand part of the Bill; nor shall any question be put upon the enacting formula.

(11) At the conclusion of the proceedings in Committee on a Bill, the Chairman shall put the question "That the Bill (or the Bill as amended) be reported to the, House" which question shall be decided without amendment or debate.

(12) If any Member, before the conclusion of proceedings on a Bill, moves to report progress and such motion is carried, or if the proceedings in a Committee of the whole House have not been finished at the moment of interruption, the Chairman shall leave the Chair of the Committee and the Member in charge of the Bill shall report progress to the House and ask leave to sit again, and name a day for the resumption of the proceedings.

(13) A Committee having met to consider a Bill shall proceed with its consideration, except that during the proceedings on a Bill the Member in charge of the Bill may, subject to the discretion of the Chairman, move a motion "That the Committee do not proceed further with the Bill". If the motion is carried, the Committee shall then report the Bill to the House as so far amended or without amendment as the case may be, and make a special report explaining its

proceedings on the Bill, and the special report and the Bill shall be ordered to lie upon the Table without question put.

#### **Procedure in Select Committee on a Bill**

**54.** A Select Committee on a Bill shall be subject to Standing Orders No. 81 (Procedure in Select Committees) and Nos. 44 to 46 (Voting) but, before reporting the Bill to the House, it shall go through the Bill as provided in Standing Order No. 53 (Procedure in Committee of the whole House on a Bill).

#### **Procedure on Reporting of Bills from Committee of the Whole House**

**55.** (1) So soon as a Committee of the Whole House has agreed that a Bill be reported, the Chairman shall leave the Chair of the Committee and the House shall resume, and the Member in charge of the Bill shall report it to the House.

(2) When a Bill has been reported from a Committee of the whole House, it shall be ordered to be read a third time.

#### **Recommittal of Bill reported from Committee of the Whole House**

**56.** (1) If any Member desires to delete or amend any provision contained in a Bill as reported from a Committee of the whole House or to introduce any new provision therein, he may, at any time before a Member rises to move the third reading of the Bill, move that the Bill be recommitted either wholly or in respect only of some particular part or parts of the Bill or some proposed new clause or new schedule. No notice of such motion shall be required, the question shall be put without amendment or debate and, if the motion is agreed to, the Bill shall stand so recommitted. The House may then, upon motion made, resolve itself into Committee to consider the business so recommitted either forthwith or upon a later day.

(2) When the whole Bill has been recommitted, the Committee shall go through the Bill as provided in Standing Order No. 53 (Procedure in Committee of the whole House on a Bill).

(3) When the Bill has been recommitted in respect only of some particular part or parts or of some proposed new clause or new schedule, the Committee shall consider only the matter so recommitted and any amendment which may be moved thereto.

(4) At the conclusion of the proceedings in Committee on a Bill recommitted under the provisions of this Standing order, the Chairman shall put the question "That the Bill (or the Bill as amended on recommitment) be reported to the House" which question shall be decided without amendment or debate. So soon as the Bill has been reported, the Member in charge of the Bill may either name a future day for the third reading of the Bill or move that it be read a third time forthwith.

#### **Procedure on Bills reported from Select Committee**

**57.** (1) When a Bill has been reported from a Select Committee, the House may proceed to consider the Bill as reported from the Select Committee upon a motion "That the report of the Select Committee on the .... Bill be adopted", moved under paragraph (8) of Standing Order No. 82 (Reports from Select Committees).

(2) If that motion is agreed to without amendment, the House may proceed to the third reading of the Bill as reported from the Select Committee.

(3) Upon a motion to approve the report of the Select Committee on a Bill, any Member may propose an amendment to add, at the end of the motion, the words "subject to the recommitment of the Bill (either wholly or in respect only of some particular part or parts of the Bill or of some proposed new clause or new schedule) to a Committee of the whole House", and if that motion is agreed to with such an amendment, the Bill shall stand so recommitted and the House may then resolve itself into a Committee to consider the business so recommitted.

(4) A Committee of the whole House upon a Bill recommitted under the provisions of this Standing Order shall proceed in accordance with paragraph (2) or paragraph (3) of Standing Order No. 56 (Recommitment of Bills reported from Committee of the whole House), and the conclusion of its proceedings and the remaining proceedings on the Bill shall be subject to paragraph (4) of that Order.

### **Third Reading**

**58.** (1) On the third reading of a Bill no amendments may be proposed to the question "that the Bill be now read a third time and passed" and the question shall be put without debate.

(2) Corrections of errors or oversights may be made by the Speaker before the question for the third reading of the Bill is put from the Chair.

(3) When a Bill which originated in the House has been read the third time, a printed copy of it, signed by the Clerk of the House and endorsed by the Speaker, shall be sent to the Senate, together with a message informing the Senate that the Bill has been passed by the House and desiring the concurrence of the Senate.

(4) When a Bill which originated in the Senate has been read a third time and passed by the House without amendment, the Clerk of the House of Representatives shall retain the Bill and a message shall be sent to the Senate "That the House of Representatives has agreed to the ..... Bill without amendment" and that a printed copy shall be submitted to the Governor for his Assent.

(5) When a Bill which originated in the Senate has been read a third time and passed by the House with amendment or amendments, the Clerk of the House shall cause the said amendment or amendments made to the Bill by the House to be entered in the original copy of the Bill received from the Senate which copy, signed by the clerk and endorsed by the Speaker, shall then be returned to the Senate, with a message desiring the concurrence of the Senate in the amendment or amendments made by the House of Representatives.

(6) When the Senate has agreed to any amendments inserted by the House in a Bill to which paragraph (5) of this Standing Order relates, or has returned to the House a Bill to which paragraph (3) of this Standing Order relates, with an intimation That the Bill has been read a third time and passed without amendment, a printed copy shall be submitted to the Governor for his Assent.

### **Procedure on Senate Amendments**

**59.** (1) When a Bill is returned from the Senate with amendments, the consideration of such amendments may, with the consent of the Speaker, be entered upon forthwith, or may be put down for such future day as the Member in charge of the Bill shall appoint.

(2) Upon a motion being made "That the Senate amendments to the Bill be now considered", an amendment may be proposed to that question, to leave out the word "now", and add at the end of the question "upon this clay six months" or some other date.

(3) When the House proceeds to the consideration of Senate amendments, each amendment shall be read by the Clerk and may be agreed to, or agreed to with amendment, or disagreed to. Upon any such amendment being disagreed to, an amendment may be made to the Bill in lieu thereof, but no amendment may be, proposed to a Senate amendment save an amendment strictly relevant thereto, nor may an amendment be moved to the Bill, unless the amendment be relevant to or consequent upon either the acceptance or rejection of a Senate amendment.

(4) When the House has concluded the consideration of the Senate amendments—

(a) if such amendments have been agreed to, a message shall be sent to the Senate informing them "That the House of Representatives has agreed to the amendments to the ..... Bill", and a printed copy of the Bill as amended shall be submitted to the Governor for his Assent;

(b) if such amendments have been amended, a printed copy of the Bill as amended, endorsed by the Speaker, shall be returned to the Senate together with a message informing the Senate that the House has passed the Bill with amendments to which they desire the concurrence of the Senate;

(c) if such amendments have been disagreed to, a message shall be sent informing the Senate "That the House of Representatives has disagreed to the Senate amendments to the Bill".

(5) When the House has disagreed to a Senate amendment, if the Senate returns the Bill with a message that it insists upon the amendment the House may either-

(a) agree to the said amendment, in which case the provisions of paragraph (4) (a) of this Standing Order shall apply; or

(b) amend such amendments in which case the provisions of paragraph (4) (b) of this Standing Order shall apply; or

- (c) postpone the consideration of the Senate amendment for six months or any other period decided by the House;
- (d) order the withdrawal of the Bill; or
- (e) subject to the provisions of articles 32, 33, 34 and 35 of the Constitution of Trinidad and Tobago (which is annexed to the Trinidad and Tobago (Constitution) Order in Council, 1961) present the Bill as passed by the House of Representatives to the Governor for his Assent notwithstanding the disagreement of the Senate.

#### **Custody of Bills and Assent thereto**

**60.** (1) The Clerk of the House shall have custody of-

- (a) every Bill passed by the House and agreed to by the Senate;
- (b) every Bill passed by the Senate and agreed to by the House;

and shall, as soon as possible, present every such Bill to the Governor for his Assent.

(2) The Clerk, when directed by the Speaker, shall Present to the Governor for his Assent any Bill passed by the House but not agreed to by the Senate, if under Article 33 or 34 of the Constitution of Trinidad and Tobago the Bill can be presented to the Governor for his Assent notwithstanding that the Senate has not consented to the Bill.

#### **Withdrawal of Bills**

**61.** A Bill may be withdrawn by leave of the House or, as the case may be, of the Committee either-

- (a) before the commencement of Public Business; or
- (b) when any stage of the Bill is reached in the Order of Business, if before the Question is fully put, the mover so requests and there is no dissentient voice.

#### **Bills Containing Substantially the same Provisions**

**62.** Once the second reading of any Bill has been agreed to or negatived, no question shall be proposed during the same Session for the second reading of any other Bill containing substantially the same provisions.

#### **Presentation and Second Reading of Appropriation Bill**

**63.** (1) Any Bill containing the estimated financial requirements for expenditure on all the services of the Government of this Territory for the current or succeeding financial year shall be known as an Appropriation Bill.

(2) Estimates containing the details of the said financial requirements shall be presented at the same time as any such Bill.

(3) Immediately after the presentation of an Appropriation Bill, the Minister presenting the same shall, notwithstanding the provisions of Standing Order No. 48 (Appointment of days for stages of Bills), be entitled to move the second reading of the Appropriation Bill. A seconder shall not be required.

(4) The motion for such second reading shall be the occasion for the Minister of Finance to make his annual financial statement or budget speech. After the Minister has made his Budget Speech, no other Member shall speak then on the motion and the Minister of Finance shall name the day upon which the debate on the second reading shall be resumed; such day shall not be less than two clear days after the Budget Speech.

(5) After the motion for the second reading of the Appropriation Bill has been resumed under paragraph (4) of this Standing Order, the debate upon such motion shall continue on the day of the resumption and on three further days to be allotted for the debate on the second reading of the Bill.

(6) The debate, when resumed under paragraph (5) of this Standing Order, shall be confined to the financial and economic state of the Territory and the general principles of Government policy and administration as indicated by the Appropriation Bill and the Estimates. At 7.50 p.m. on the last of the allotted days, unless the debate is concluded earlier, the Speaker shall put any question necessary' to bring the proceedings on the second reading to a conclusion.

(7) For the purposes of this Standing Order and Standing Order No. 65 (Allotment of Time in Finance Committee) an allotted day shall be any day on which the consideration of the

Appropriation Bill, whether by the House or in Finance Committee, stands as the first Public Business for that day, and on such a day the debate on the Appropriation Bill shall not be interrupted at 7.50 p-m. subject to paragraph (6) above.

(8) When the Appropriation Bill is read a second time, a Minister may move that the House resolve itself into Committee to consider the Bill and the Estimates, and, thereupon and without question put, the House shall go into Committee, or may name a date for consideration of the Bill and the Estimates in Committee.

### **Finance Committee**

**64.** (1) There shall be a Committee of the whole House, to be called the Finance Committee. The deliberations of Finance Committee shall not take place in public.

(2) The Finance Committee shall consider and on all proposals for the expenditure from public revenue or other funds which are not included in the Annual Estimates, including proposals for supplementary and unforeseen expenditure.

(3) The Finance Committee shall sit at such times, as may be determined by the Chairman but, except in cases of emergency when shorter notice may be given, not less than 48 hours notice of each meeting shall be given to the members.

(4) The Estimates shall, upon presentation to the House, stand referred to Finance Committee. The Appropriation Bill, upon being read a second time, shall stand committed to that Committee. By resolution the House may, in its discretion, also refer to the said Committee any other matter or matters relating to expenditure.

(5) Minutes of the proceedings of the Committee to be kept by the Clerk shall record any division taken in Finance Committee and the names of all Members voting for and against a question, or declining to vote.

(6) The Chairman of the Finance Committee shall be the Minister responsible for finance and in his absence such other Minister as the Premier may nominate shall act as Chairman,

(7) When the House is sitting, Finance Committee may meet as a Committee of the whole House when the House resolves itself into Finance Committee. Finance Committee, when summoned by the Chairman thereof, may meet at any time when the House is not sitting, and

shall, as far as possible, have the same powers and duties as the Finance Committee has when it functions in pursuance of the House resolving itself into Finance Committee.

#### **Allotment of Time In Finance Committee**

**65.** (1) There shall be allotted a maximum of seven days for discussion of the Appropriation Bill in Finance Committee. Provided that, if the question on the second reading of the Bill was agreed to on a day earlier than the last day allotted for the debate on second reading, the day or days thus saved may be added to the days allotted under this paragraph.

(2) Upon any day allotted under paragraph (1) of this Standing Order, no dilatory motion shall be moved, except by a Minister, upon any proceedings upon the Appropriation Bill; and such proceedings shall not be interrupted or postponed under any Standing Order.

(3) The Speaker may name the hour upon any day allotted under paragraph (1) of this Standing Order at which proceedings upon any Head of Expenditure in the Schedules to the Appropriation Bill, or any Schedule of, or on the clauses of the Bill, shall be concluded. In the case of any Head or Schedule or of the clauses the hour so named is reached before the business concerned is disposed of, the Chairman shall put forthwith any question necessary to dispose of that business: Provided that, if in the case of any Head or Schedule the proceedings thereon are concluded before the hour named, the next business may be entered upon forthwith.

#### **Procedure in Finance Committee**

**66.** (1) On the consideration of the Appropriation Bill in Finance Committee the clause of the Bill shall stand postponed until after consideration of the Schedule or Schedules.

(2) On consideration of the Schedules each Head of Expenditure shall be considered with the appropriate Estimate, and any reference in these Standing Orders to a sub-head or an item means a sub-head or an item in the Estimates for the Head then under discussion.

(3) On the consideration of a. Schedule, the Chairman shall call the title of each Head of Expenditure in turn, and shall propose the question "That the sum of \$..... for Head..... stand part of the Schedule", and unless an amendment is proposed under the provisions of the next succeeding Standing Order, a debate may take place on that question.

(4) When all the Heads in a Schedule have been disposed of, the Chairman shall put forthwith, without amendment or debate, the question "That the Schedule (as amended) stand part of the Bill."

(5) When every Schedule has been disposed of, the Chairman shall call successively each clause of the Bill and shall forthwith propose the question "That the clause stand part of the Bill" and, unless a consequential amendment is moved, that question shall be disposed of without amendment or debate.

(6) No amendment may be moved to any Clause except any amendment consequential on an alteration in the total sum appropriated by any Schedule. Any such consequential amendment shall be moved by a Minister only, and may be moved without notice, and the question thereon shall be put forthwith without amendment or debate. When the question on the last of any such amendments to a clause has been decided, the Chairman shall forthwith put the question "That the clause as amended stand part of the Bill" and that question shall then be decided without amendment or debate.

(7) When the question upon every clause of the Bill has been decided, the Chairman shall put the question to the Committee that the Bill (as amended) be reported to the House, which question shall be decided without amendment or debate. Upon such question being agreed to, the Chairman shall leave the Chair and the House shall resume, and the Member in charge of the Bill shall report it to the House.

#### **Amendments to Heads of Estimates in Finance Committee**

**67.** (1) No amendment shall be moved in Finance Committee under this Standing Order until one clear day after that on which notice of the amendment was given to the Clerk of the House.

(2) An amendment to any Head of Expenditure to increase the sum allotted thereto whether in respect of any item or sub-head or of the Head itself may only be moved by a Minister who shall signify to the Committee the recommendation of the Cabinet to the increase in accordance with paragraph (3) (g) of Standing Order No. 53 (Procedure in Committee of the whole House on a Bill). Every such amendment shall take the form of a motion "That Head ..... be increased by \$..... (in respect of sub-head ..... item ..... ) (sub-head .....)"

(3) An amendment to increase a Head whether in respect of any item or sub-head or of the Head itself shall take precedence over an amendment to reduce the Head in the same respect, and, if it is carried, no amendment to reduce the Head in that respect shall be called.

(4) An amendment to any Head of Expenditure to reduce the sum allotted thereto in respect of an item therein may be moved by any Member, and shall take the form of a motion "That Head ..... be reduced by \$ ..... in respect of (or by leaving out) subhead ..... item ....."

(5) An amendment to reduce a Head in respect of any sub-head or by leaving out a sub-head shall only be in order if the sub-head is not itemised.

(6) An amendment to reduce a Head without reference to a sub-head therein shall only be in order if the Head is not divided into sub-heads.

(7) An amendment to leave out a Head shall not be in order, and shall not be placed on the Order Paper.

(8) In the case of each Head, amendments in respect of items or sub-heads under that Head shall be placed upon the Order Paper, and considered in the order in which the items or sub-heads to which they refer, stand under the Head in the Estimates.

(9) When notice has been given of two or more amendments to reduce the same item, subhead, or Head they shall be placed upon the Order Paper, and considered in the order of the magnitude of the reductions proposed, the amendment proposing the largest reduction being placed first in each case.

(10) Debate on every amendment shall be confined to the item, sub-head or Head to which the amendment refers, and after an amendment to an item or sub-head has been disposed of, no amendment or debate on a previous item or sub-head of that Head shall be permitted.

(11) When all amendments standing on the Order Paper in respect of any particular Head of Expenditure have been disposed of, the Chairman shall again propose the question "That the sum of \$..... for Head stand part of the Schedule", or shall propose the amended question "That the (increased) (reduced) sum of \$ ..... for Head ..... stand part of the Schedule", as the case may require. There shall be no debate on any such question.

### **Third Reading of Appropriation Bill**

**68.** So soon as the Appropriation Bill has been reported to the House a motion for the third reading shall be made by a Minister. Such motion shall not require to be seconded, and shall be decided without amendment or debate.

#### **Report of Finance Committee**

**69.** (1) The report of the Finance Committee shall be presented to the House by the Minister of Finance, who shall move that the report be adopted, and debate thereon may take place forthwith or on a day to be named by him.

(2) On the debate on the motion "That the Report of the Finance Committee be adopted", Members may raise points as to specific details of Heads of Expenditure in the report but may not raise any matters of general principle.

#### **Supplementary Appropriation Bills**

**70.** (1) If from time to time, whether in the course of a particular financial year or after its close, a supplementary Appropriation Bill is presented appropriating only proposals which have been approved by the Finance Committee and agreed to by the House under Standing Order No. 69 (Supplementary Financial Provisions), then the debate on the second reading of the said Bill shall be strictly confined to the matter for which additional expenditures is required: and, when the question thereon has been agreed to, the Bill shall not be committed and the question "That the Bill be now read a third time" shall be put forthwith without amendment or debate.

(2) The proceedings on any such Bill shall not be interrupted under the provisions of Standing Order No. 10 (Hours of Sitting) and may be entered upon after 7.50 p.m. although opposed.

#### **Sessional Select Committees**

**71.** (1) There shall be the following Sessional Select Committees—

(a) the Public Accounts Committee;

- (b) the Standing Orders Committee;
- (c) the House Committee;
- (d) the Committee of Privileges;
- (e) the Regulations Committee.

(2) Members of the House appointed to the Sessional Select Committees shall be chosen by the Speaker as soon as may be after the beginning of each Session.

#### **Public Accounts Committee**

**72.** (1) The Public Accounts Committee shall have the duty of examining, considering and reporting on-

- (a) the accounts showing the appropriation of the sums granted by the Legislature to meet the public expenditure of this Territory;
- (b) such other accounts as may be referred to the Committee by the House or under any law; and
- (c) the report of the Auditor General on any Such accounts.

(2) The Public Accounts Committee shall consist of not less than six, and not more than ten, members inclusive of the member who is Chairman thereof.

#### **Standing Orders Committee**

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

(2) The Speaker shall be a Member and the Chairman of the Standing Orders Committee.

(3) The Standing Orders Committee shall consist of seven Members inclusive of the Chairman.

### House Committee

74. (1) The House Committee shall have the duty of considering and advising the Speaker on all matters connected with the comfort and convenience of Members of the House, and from time to time reporting to the House its Minutes of Proceedings.

(2) The Minister in charge of arranging the business of the House shall be a Member, and the Chairman of the House Committee.

(3) The House Committee shall consist of six members inclusive of the Chairman.

### Committee of Privileges

75. (1) There shall be referred to the Committee of Privileges any matter which appears to affect the powers or privileges of the House, and it shall be the duty of the Committee to consider any matter so referred and to report thereon to the House.

(2) The Speaker shall be a Member, and the Chairman, of the Committee of Privileges.

(3) The Committee of Privileges shall consist of not less than six, and not more than ten, Members inclusive of the Chairman.

### Regulations Committee

76. (1) The Regulations Committee shall have the duty of considering all such regulations (as defined by the Interpretation Ordinance for the time being in force) as under the authority of any Law are to be laid before the House, and to bring to the special attention of the House any regulation—

(a) which involves the expenditure of public moneys or imposes or fixes fees for licences or for services;

(b) which cannot be challenged in the Courts on the ground that it is *ultra vires*, or is only temporarily so challengeable;

(c) the making of which appears to constitute an unusual or unexpected use of the powers conferred by the law under which it was made;

(d) which purports to have retroactive effect although the law under which it was made does not in terms give the Minister such a power;

(e) the publication or the laying before the House of which, appears to have been unduly delayed;

(f) in respect of which there has been unjustifiable delay in notifying the Speaker that the instrument had come into operation before it was laid before the House; or

(g) the purport or form of which appears to require elucidation,

(2) The Regulations Committee shall not consider or report on the merits or policy of any regulations.

(3) The Speaker shall be a Member and the Chairman of the Regulations Committee.

(4) The Regulations Committee shall consist of six Members inclusive of the Chairman.

#### **Special Select Committees**

**77.** (1) A Select Committee other than a Sessional Select Committee shall be known as a Special Select Committee. It shall be appointed by order of the House which shall specify the terms of reference of the Committee and shall consist of such Members as may be directed by order of the House and, in the absence of such direction shall consist of such Members as may be chosen by the Speaker.

(2) The quorum of a Special Select Committee shall be such as shall be Specified in the order of the House or, in the absence of such Order, by the Speaker.

#### **Constitution and Chairman of Select Committees**

**78.** (1) Every Select Committee shall be so constituted as to ensure, so far as is possible, that the balance of parties in the House is reflected in the Committee.

(2) Where a Member of a Select Committee dies or for any other reason his seat becomes vacant, then, subject to the preceding paragraph, the Speaker shall appoint another Member in his place.

(3) Except as is otherwise provided by these Standing Orders or by special direction of the House, a Select Committee may elect a Chairman from among its Members.

### **Joint Select Committees**

**79.** (1) The House may for the purposes of any Select Committee appoint not more than six Members to sit with Members of the Senate as a joint Select Committee.

(2) The quorum of a Joint Select Committee shall be such as the Committee may decide.

(3) A Joint Select Committee shall elect its own Chairman.

(4) A Joint Select Committee may be appointed at the request of either House with the approval of the other House.

**79A.** (1) There shall be a Joint Select Committee on External Affairs to be known as the Joint Parliamentary Committee on External Affairs. The Committee shall be a Standing Committee appointed for the duration of the life of the Parliament.

(2) The House shall, for the purposes of this Committee, appoint not more than six members to sit with members of the Senate, but any member may be discharged from serving as a member of the Committee and be replaced.

(3) The balance of the parties in the House shall be reflected in the appointment of the House members of the Committee.

(4) The Committee shall consider such matters pertaining to External Affairs as may be referred to it by the Minister responsible for External Affairs, and shall submit its reports to the Minister who may in his discretion, lay or cause such reports to be laid in the House of Representatives.

(5) The Committee shall have power-

(a) to send for persons, papers and records;

(b) to appoint sub-committees from among its members and to delegate any of its authority to such sub-committee; and

(c) to make its own rules

### **Joint Select Committees Relating to Government Ministries, Municipal Corporations and other Bodies**

**79B.** (1) Subject to paragraph (3), the House of Representatives shall appoint Members to sit with Members of the Senate as Joint Select Committees to inquire into and report to it in respect of –

- (a) Government Ministries;
- (b) Municipal Corporations;
- (c) Statutory Authorities;
- (d) Service Commissions; and
- (e) enterprises owned or controlled by or on behalf of the State or which receive funding from the State of more than two-thirds of their total income in any one year.

(2) A Joint Select Committee referred to in sub-paragraph (1), shall be empowered to study and report on all matters relating to the mandate, management and operations of the Ministry or body which is assigned to it by the House. In general, the Committee shall be severally empowered to review and report on –

- (a) the statute law relating to the ministry/body assigned to it;
- (b) the program and policy objectives of the ministry/body and its effectiveness in the implementation of same;
- (c) other matters relating to the management, organisation of the ministry/body, as the Committee deems fit.

(3) The House of Representatives shall appoint not more than six Members to any Joint Select Committee appointed for the purpose of this Standing Order.

(4) A Joint Select Committee may, by resolution, authorize its Chairman or Vice Chairman to continue meetings in order to receive evidence if it appears that a quorum can no longer be sustained, except that a quorum shall be required whenever a vote, resolution or other decision is taken.

(5) Within ten days following the appointment of Members to serve on Joint Select Committees, the Speaker of the House shall summon a Meeting of each Committee and the first business to be transacted thereat shall be the election of a Chairman and a Vice Chairman and the determination of a quorum. If at such meeting a Chairman is not elected, the Speaker shall appoint a Member of the Committee to be the Chairman.

(6) Every Joint Select Committee established under this Standing Order shall have the power to appoint Sub-Committees and to delegate to any such Sub-Committee all or any of its powers except the power to report directly to the House of Representatives.

(7) In addition to powers granted by these Standing Orders, each Joint Select Committee shall also have the following powers, namely –

- (a) to send for persons, papers and records;
- (b) to sit notwithstanding any adjournment of the House of Representatives;
- (c) to adjourn from place to place;
- (d) to report from time to time;
- (e) to appoint specialist advisers either to supply information which is not otherwise readily available, or to elucidate matters of complexity within the Committee's or the Sub-Committee's order of reference;
- (f) to communicate with any Committee of Parliament on matters of common interest;
- (g) to meet concurrently with any other Committee for the purpose of deliberating, taking evidence or considering draft reports.

(8) The specialist advisers referred to in paragraph (7)(e), with the approval of the Committee or Sub-Committee, may question persons appearing before such Committee or Sub-Committee.

(9) Except the House directs otherwise, every member of a Joint Select Committee appointed under this Standing Order shall continue to be a member of that Committee for the duration of the life of the Parliament.

(10) Standing Orders 78; 79; 79A(3); 80, except paragraph (2); 81 and 82 shall apply to every Joint Select Committee or a Sub-Committee appointed under this Standing Order.

(11) The provisions of this Standing Order are in addition to and without prejudice to any other powers of the House with respect to Joint Select Committees.

(12) Meetings of each Joint Select Committee appointed under this Standing Order and of any Sub-Committee appointed under paragraph (6) of this Standing Order shall be held in public, unless the Committee or both Houses otherwise resolve.

(13) The Minister responsible for the ministry/body under review shall, not later than ninety days after a report from a Joint Select Committee, relating to the ministry/body, has been

laid upon the Table, present a paper to the House responding to any recommendations/comments contained in the report which are addressed to it. All such papers presented by the ministry/body shall be ordered to be laid upon the Table without question put, and any motion for the printing thereof as a House Paper shall be determined without amendment or debate.

(14) If the period of ninety days referred to in this Standing Order expires on a day when Parliament is in recess or the House is adjourned, the Minister referred to in paragraph (13) shall present to the House, the paper responding to the recommendations/comments, no later than the third sitting day following that recess or adjournment.

### **Procedure in Select Committees**

**80.** (1) Except as otherwise provided in Standing Orders Nos. 72 to 77 inclusive (Sessional Select Committees), this Standing Order shall apply to all Select Committees.

(2) If the Chairman is unable to be present at any meeting, the Committee shall elect another Chairman whose tenure of office shall be for the day of his election.

(3) Unless the House otherwise directs, the Standing Orders Committee and the House Committee shall not have, but every other Select Committee shall have, power to send for persons, papers and records.

(4) A Select Committee shall not have power to delegate any of its functions to its Chairman or any other member.

(5) Unless the House otherwise directs, three Members shall be the quorum. In ascertaining whether there is a quorum present, the Member in the Chair shall not be excluded.

(6) The deliberations of a Select Committee shall be confined to the matter referred to it by the House and any extension or limitation thereof made by the House, and, in the case of a Select Committee on a Bill, to the Bill committed to it and relative amendments.

(7) Where, by resolution of the House or under these Standing Orders, the Speaker or a Minister is Chairman of a Select Committee, the Speaker or the Minister shall appoint the time and place for the holding of the first meeting of the Committee. In all other cases, the first meeting of a Select Committee shall be summoned by the Speaker and the first business to be transacted thereat shall be the Election of a Chairman of the Committee: if at such meeting a

Chairman is not elected, the Speaker shall appoint a Member of the Committee to be the Chairman.

(8) Subsequent meetings shall be held at such time and place as the Select Committee may determine; provided that, if the Committee fail to do so, the Chairman shall, in consultation with the Clerk of the House, appoint such time and place.

(9) Subject to any order of the House or resolution of the Committee, the sittings of a Select Committee shall be held in private.

(10) Except by leave of the House no Select Committee may sit while the House is sitting, but a Select Committee may sit any time when the House is adjourned or the sitting of the House is suspended.

(11) When it is intended to examine any witnesses, the Member requiring such witnesses shall deliver to the Clerk of the Committee the name, residence and occupation of any witnesses he desires to examine and the Committee shall decide if and when to summon the witnesses.

(12) If the Committee desires to summon any witnesses, the Chairman shall supply the name, residence and occupation of every such witness to the Clerk of the House at least seven days before his evidence is required. The Clerk shall then, subject to the directions of the Speaker, summon every such witness on behalf of the House.

(13) The evidence of every witness shall be taken down verbatim and sent in proof to the witness. The witness shall be at liberty, within fourteen days from that on which the Clerk sent out the proof, to suggest corrections due to inaccurate reporting, and the evidence shall be printed with such of the corrections as may be approved by the Chairman.

(14) The committee may at its discretion refuse to hear any irrelevant evidence or any recalcitrant witness.

#### **Premature Publication of Evidence**

**81.** The proceedings of and the evidence taken before, any Select Committee, and any documents presented to, and decisions of, such a Committee shall not be published by any Member thereof or by any other person before the Committee has presented its Report to the House.

## Reports from Select Committees

**82.** (1) Every Select Committee shall, before the end of the Session in which it was appointed, make a report to the House upon the matter referred to it; but where a Select Committee finds itself unable to conclude its investigation before the end of the Session, it may so report to the House.

(2) A report of a Select Committee may contain the opinions and observations of the Committee, and may be accompanied by the Minutes of evidence taken before the Committee.

(3) A Select Committee may make a special report relating to its powers, functions and proceedings on any matters that it thinks fit to bring to the notice of the House.

(4) (a) The Chairman of a Select Committee shall prepare a draft report and submit it for the consideration of the Committee; but alternative drafts may be submitted for consideration by any other Members at the request of the Chairman.

(b) The report finally to be adopted shall be such as is agreed to, with amendments (if any) by all the Members of the Select Committee or, failing unanimous agreement, then such as is agreed to by a majority of the Members.

(c) Any Member dissenting from the report of a majority of the Committee may put in a concise written statement of his reasons for such dissent, and such statement shall be appended to the report; or, if he so desires he may submit a minority report.

(5) The report of a Select Committee shall be presented to the House by the Chairman or other Member deputed by the Committee, including any minority report and shall be ordered to be laid on the Table, and be printed, without question put.

(6) The minutes of proceedings of a Select Committee shall record—

(a) the names of the Members present each day of the sitting of the Committee;

(b) the names of the witnesses examined;

(c) in the event of a division taking place, the question proposed, the names of the proposer and the respective votes thereon of the Members present and the names of the Members (if any) who declined to vote;

The minutes of the proceedings of a Select Committee shall accompany the report of the Committee, and shall be dealt with as the House may direct.

(7) The Report of a Select Committee may be taken into consideration by the House on a motion "That the Report of the Select Committee on . . . be adopted". Such a motion may be submitted to the Clerk of the House to be kept as a part of the records of the House.

### Private Bills

**83.** (1) Every Bill, not being a Government measure, intended to affect or benefit some particular person, association or corporate body (in this Standing Order called a "Private Bill") shall contain a clause saving the rights of Her Majesty the Queen, Her Heirs and Successors, all bodies politic and corporate, and all others except such as are mentioned in the Bill and those claiming by, from, or under, them, and may be introduced into the House under the provisions of this Standing Order.

(2) Any Bill, not being a Government measure, which in the opinion of the Speaker appears to affect directly private rights or property may be introduced into the House as a Private Bill under the provisions of this Standing Order.

(3) A Private Bill shall be introduced by a Member, only—

(a) on petition front the promoters stating the objects of and reasons for the Bill, and

(b) after notice of the Bill has been given-

(i) by not less than three successive publications of the Bill in the *Gazette*,  
and

(ii) by three successive publications in a newspaper circulating in the Territory of a notice containing a statement of the objects of and the reasons for the Bill.

(4) The petition shall be presented by being lodged with the Clerk, and shall be read at the first ordinary sitting of the House after it is so lodged, and thereupon the Speaker shall put the question that the promoters be allowed to proceed.

(5) Subject to Paragraph (6) of this Standing Order, when leave to proceed has been granted, the promoters shall, within the next ensuing three months after such leave has been granted, lodge with the Clerk of the House-

(a) two copies of the Bill;

- (b) a certificate under the hand of the Accountant General certifying that the sum of two hundred and fifty dollars (or such less sum as the Accountant General may in writing approve), to meet the expenses of printing, has been deposited with the Accountant General;
- (c) a bond duly executed by two sufficient persons obliging them to pay on demand to the Clerk any excess over the deposited sum, required for such expenses.

(6) The Clerk shall cause the Bill lodged with him to be printed as early its possible, and, at the first ordinary sitting of the House after the printing is completed, the Speaker, if he is satisfied that the notices required by paragraph (3) of this Standing Order have been given, shall put the question that the Bill be read a first time, upon which no discussion shall be allowed. After the Bill is read a first time, it shall stand upon the order Paper for the second reading at the next ordinary sitting of the House, and the promoters may propose any amendments which they think fit, but the Speaker, if he considers such amendments beyond the scope of the Bill, shall report his opinion to the House.

(7) Upon the day ordered for second reading, the Speaker shall, unless the House otherwise orders, put the question that the Bill be read a second time.

(8) After a Bill has been read a second time, it shall stand referred to a Special Select Committee to be chosen by the Speaker. The Speaker shall appoint the Chairman of the Committee.

(9) (a) Every Special Select Committee on such a Bill shall require proof of the facts and other allegations set forth in the Bill as showing that it is expedient that the Bill should be passed, and may take such oral or other evidence as it may think requisite; and thereafter, if the Select Committee finds that the said facts and allegations are not proved, it shall report to the House accordingly, and thereupon no further proceedings shall be taken with reference to the Bill unless the House makes a special order to the contrary.

(b) If the Special Select Committee finds that the said facts and allegations have been proved, the Committee shall consider the several clauses of the Bill and may strike out clauses, add new clauses, and make **any** other amendments which it shall deem necessary, and in respect of such new clauses and other amendments shall describe their purport in a Special Report to the House. No new clauses or amendments shall be allowed in such a Bill which are foreign to the objects of and reasons for the Bill or which are beyond its scope.

(10) No person, other than a Member of the House, shall be heard in opposition to any Private Bill, unless he has previously lodged a petition with the Clerk showing the nature of his objections to the Bill, and stating whether his objections extend to the whole or some part of the preamble (if any), or to the clauses of the said Bill, and praying that he may be, heard by himself or his Counsel against the Bill.

(11) Subject to the provisions of this Standing Order, all petitions against a Bill, where such petitions contain a prayer that the petitioners be heard by themselves or Counsel, shall stand referred to the Special Select Committee, and the Committee shall hear all such opposers who appear to have a *locus standi*.

(12) When it is intended to examine any witnesses before the Special Select Committee, the provisions of paragraph (11) and (12) of Standing Order 81 (Procedure in Select Committees) shall apply.

(13) The Special Select Committee shall examine the Bill and make such amendments thereto as it thinks proper, and shall report to the House that it has examined the Bill, and (if the fact be so) made amendments thereto, and shall make to the House such recommendations, if any, as it thinks fit.

(14) After the report of the Special Select Committee has been presented to and adopted by the House in accordance with Standing Order (57) the Speaker shall put the question, without amendment or debate, that the Bill be read a third time.

(15) As soon as practicable after any Private Bill is passed, rejected, dropped or abandoned, the Clerk of the House shall make out an account showing, according to the scale prescribed or approved by the Governor in Council, the expenses of printing, and shall transmit the same, signed by him, to the Accountant General who thereupon shall, if the amount of the account is less than two hundred and fifty dollars, transfer such amount from the deposited sum of two hundred and fifty dollars to the general revenue of this Territory, and pay the balance to the depositors, their executors or administrators.

(16) If the account for the expenses of printing exceeds two hundred and fifty dollars, the Accountant General shall transfer the whole of the deposited sum to the credit of the general revenue of this Territory, and the Attorney General shall, in the event of the promoters failing to pay the Accountant General the balance after being requested so to do, take proceedings to enforce payment of such balance.

**Miscellaneous**  
**Absence of Members**

**84.** (1) Any Member who is prevented from attending a meeting of the House shall acquaint the Clerk as early as possible of his inability to attend.

(2) If, without the leave of the Speaker obtained in writing before the end of the last of the sittings referred to in this paragraph, any Member is absent from the House for more than six consecutive sittings occurring during the same Session, and within a period of not longer than three calendar months, such Member shall vacate his seat in the House under paragraph (2) (b) of Article 23 of the Constitution of Trinidad and Tobago.

**Employment of Members in Professional Capacity**

**85.** No Member of the House shall appear before the House or any Committee thereof as Counsel or Solicitor for any party or in any capacity for which he is to receive a fee or reward.

**Report of Debates**

**86.** (1) An Official Report of the proceedings, and of all speeches made in the House shall be prepared under the supervision of the Clerk, acting under such instructions as the Speaker from time to time may give.

(2) The report shall be published in such form as the Speaker may direct, and a copy thereof shall be sent to each Member as soon as practicable.

**Strangers**

**87.** (1) Strangers may be present in the Chamber of the House in the places set apart for them, under such rules as the Speaker may make from time to time for that purpose.

(2) If, at any sitting of the House, any Member shall move that strangers withdraw, the Speaker shall forthwith put the question "That strangers do withdraw" without permitting any debate or amendment.

(3) The Speaker may, whenever he thinks fit, order the withdrawal of strangers from any part of the Chamber and its precincts, and may order the doors of the Chamber to be closed.

(4) Strangers must preserve silence, and must conduct themselves in a fit and proper manner during a sitting.

(5) Strangers must withdraw from the Chamber and its precincts when called upon by the Speaker to do so.

### **Press**

**88.** (1) The Speaker may grant a general permission to the representative of any journal or newspaper or other medium of public information to attend the sittings of the House under such rules as he may make from time to time for that purpose.

(2) If such rules are contravened, such permission may be revoked.

### **Amendment of Standing Orders**

**89.** (1) Unless the Speaker shall otherwise direct, not less than twelve days' notice of a motion to amend the Standing Orders shall be given, and the notice shall be accompanied by a draft of the proposed amendments.

(2) The motion shall be set down for the earliest convenient sitting after the expiration of the notice.

(3) When the motion is reached, the mover shall move the motion, and after it has, if necessary, been seconded, the motion shall be referred forthwith, without any question being put thereon, to the Standing Orders Committee, and no further proceedings shall be taken on any such motion until the Committee has reported thereon.

### **Suspension of Standing Orders**

**90.** (1) Any one or more of these Standing Orders may, after notice or with the leave of the Speaker, be suspended on a motion made by a Member at any sitting.

(2) A motion under this Standing Order shall be decided without amendment or debate,

#### **Rules in Cases not provided for by Standing Orders**

**91.** (1) In any matter not herein provided for, resort shall be had to the usage and practice of the Commons House of Parliament of Great Britain and Northern Ireland, which shall be followed as far as the same may be applicable to this House, and not inconsistent with these Standing Orders nor with the practice of this House.

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

#### **General Authority of the Speaker**

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

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

(3) The Speaker shall be responsible for the management and general administration of the Chamber.

#### **Absence of the Speaker**

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

**Agreement between both sides of the House**

**94.** Where agreement has been reached by leave of the Speaker between the Leader of the House and the Leader of the Opposition with regard to the transaction of any of the business of the House for any sitting or period, such agreement shall be announced in the House by the Speaker and the Speaker shall, the provisions of these Standing Orders notwithstanding, conduct such business in accordance with the terms of the said agreement.

Made by the Governor this 27th day of December, 1961, under the provisions of section 8 of the Trinidad and Tobago (Constitution) Order in Council, 1961.

S. HOCHOY

*Governor*

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