

REPUBLIC OF TRINIDAD AND TOBAGO

SENATE STANDING ORDERS

TITLE

THESE STANDING ORDERS MAY BE CITED AS THE  
SENATE STANDING ORDERS

*Made pursuant to section 56(1) of the Constitution of the Republic  
of Trinidad and Tobago in accordance with  
section 20 of the Constitution of the Republic of Trinidad and  
Tobago Act, Chap 1:01*

As amended by the Senate on 31st March, 2015.  
Further amended on 10th June, 2015.

STANDING ORDERS  
OF THE SENATE

(as amended by the Senate on March 31, 2015)

CONTENTS

	Page
<b>Preliminary Provisions</b>	
1. Purpose ... ..	1
2. Interpretation and Application of Standing Orders ... ..	1
3. Definitions ... ..	1
CHAPTER I	
<b>General Provisions</b> ... ..	4
4. Election of a President ... ..	4
5. Election of a Vice-President ... ..	6
6. Oath ... ..	6
7. Presiding in the Senate and in Committee ... ..	6
8. Language ... ..	7
9. Quorum ... ..	7
CHAPTER II	
<b>Sittings of the Senate</b> ... ..	8
10. Meeting Days ... ..	8
11. Hours of Sitting ... ..	8
12. Extraordinary Sitting ... ..	8
13. Fixed Recess ... ..	9
14. Adjournment of the Senate ... ..	9
15. Matters on the Adjournment ... ..	10
16. Adjournment—Definite Matter of Urgent Public Importance ... ..	10
17. Broadcasting and the Opportunity to Respond ... ..	11
CHAPTER III	
<b>Business of the Senate</b> ... ..	12
18. Order of Business ... ..	12
19. Order Paper ... ..	13
20. Petitions ... ..	13
21. Papers ... ..	14
22. Personal Explanations ... ..	15
23. Statements by Ministers or Parliamentary Secretaries ... ..	15

## CHAPTER IV

<b>Questions</b>	...	...	...	...	...	...	...	15
24. Questions	...	...	...	...	...	...	...	15
25. Urgent Questions	...	...	...	...	...	...	...	16
26. Questions for which Notice is Required	...	...	...	...	...	...	...	16
27. Manner of Asking and Answering Questions which Require Notice	...	...	...	...	...	...	...	17
28. Contents of Questions	...	...	...	...	...	...	...	19
29. Notice Paper—Questions	...	...	...	...	...	...	...	20
30. Privilege Matters	...	...	...	...	...	...	...	21

## CHAPTER V

<b>Public Business</b>	...	...	...	...	...	...	...	21
31. Arrangement of Public Business	...	...	...	...	...	...	...	21
32. Issues for Debate	...	...	...	...	...	...	...	22
33. Notice of Motions or Amendments	...	...	...	...	...	...	...	22
34. Period of Notice	...	...	...	...	...	...	...	23
35. Notice Paper—Motions	...	...	...	...	...	...	...	23
36. Exemption from Notice	...	...	...	...	...	...	...	23
37. Dispensing with Notice	...	...	...	...	...	...	...	24
38. Admissibility of Motions	...	...	...	...	...	...	...	24
39. Motions—General Rules	...	...	...	...	...	...	...	25
40. Amendments	...	...	...	...	...	...	...	26
41. Motions on National Policy Issues	...	...	...	...	...	...	...	28

## CHAPTER VI

<b>Rules of Debate</b>	...	...	...	...	...	...	...	28
42. Time and Manner of Speaking	...	...	...	...	...	...	...	28
43. Length of Speeches and Debates	...	...	...	...	...	...	...	29
44. Right of Reply	...	...	...	...	...	...	...	29
45. Interruptions	...	...	...	...	...	...	...	30
46. Contents of Speeches	...	...	...	...	...	...	...	30
47. Matters Sub Judice	...	...	...	...	...	...	...	31
48. Scope of Debate	...	...	...	...	...	...	...	31
49. Anticipation	...	...	...	...	...	...	...	32
50. Closure of Debate	...	...	...	...	...	...	...	32
51. Rules for Members not Speaking	...	...	...	...	...	...	...	32

## CHAPTER VII

<b>Rules of Order</b>	...	...	...	...	...	...	33
52. Responsibility for Order in the Senate and in Committee	...						33
53. Order in the Senate and in Committee	...	...					33

## CHAPTER VIII

<b>Voting</b>	...	...	...	...	...	...	36
54. Decisions of Questions	...	...	...	...	...	...	36
55. Collection of Voices	...	...	...	...	...	...	36
56. Division	...	...	...	...	...	...	36

## CHAPTER IX

<b>Legislation</b>	...	...	...	...	...	...	37
57. Restrictions with Respect to Money Bills	...	...	...	...	...	...	37
58. Private Members' Bills	...	...	...	...	...	...	37
59. Introduction and First Reading of Private Members' Bills	...						38
60. Introduction and First Reading of Government Bills	...	...					38
61. First Reading of House of Representatives' Bills	...	...					38
62. Appointment of Days for Stages of Bills	...	...	...	...	...	...	39
63. Printing and Circulation of Bills	...	...	...	...	...	...	39
64. Procedure in Select Committee before Second Reading	...						39
65. Second Reading of Bills	...	...	...	...	...	...	40
66. Committal of Bills after Second Reading	...	...					40
67. Procedure in Committee on Bills after Second Reading	...						40
68. Procedure in Committee of the Whole Senate on a Bill	...						41
69. Procedure on Reporting from Committee of the Whole Senate							43
70. Procedure on Bills Reported from Select Committees Appointed under Standing Order 66							44
71. Third Reading of Bills (Final Stage)	...	...	...	...	...	...	45
72. Procedure on House of Representatives Amendments	...						45
73. Private Bills	...	...	...	...	...	...	47
74. Custody of Bills	...	...	...	...	...	...	49
75. Withdrawal of Bills	...	...	...	...	...	...	49
76. Bills Containing Substantially the same Provisions	...	...					49
77. Lapsed Bills and the Procedure for Carrying Over	...	...					49
78. Statutory Instruments	...	...	...	...	...	...	49

## CHAPTER X

<b>Committees</b>	...	...	...	...	...	...	50
79. Sessional Select Committees	...	...	...	...	...	...	50
80. Standing Orders Committee	...	...	...	...	...	...	50
81. House Committee	...	...	...	...	...	...	50
82. Committee of Privileges	...	...	...	...	...	...	50
83. Statutory Instruments Committee	...	...	...	...	...	...	51
84. Business Committee	...	...	...	...	...	...	52
85. Special Select Committees	...	...	...	...	...	...	52
86. Composition and Chairman of Select Committees	...	...	...	...	...	...	52
87. Joint Select Committees	...	...	...	...	...	...	52
88. Joint Select Committees (Standing)	...	...	...	...	...	...	53
89. The Public Accounts Committee	...	...	...	...	...	...	54
90. The Public Accounts (Enterprises) Committee	...	...	...	...	...	...	54
91. General Functions of Departmental Joint Select Committees	...	...	...	...	...	...	54
92. The Committee on Public Administration and Appropriations	...	...	...	...	...	...	55
93. The Committee on National Security	...	...	...	...	...	...	55
94. The Committee on Energy Affairs	...	...	...	...	...	...	55
95. The Committee on Foreign Affairs	...	...	...	...	...	...	55
96. The Committee on Human Rights, Equality and Diversity	...	...	...	...	...	...	56
97. The Parliamentary Broadcasting Committee	...	...	...	...	...	...	56
98. The Committee on Government Assurances	...	...	...	...	...	...	56
99. Chairman of Joint Select Committees (Standing)	...	...	...	...	...	...	56
100. Procedures for Joint Select Committees (Standing)	...	...	...	...	...	...	57
101. General Powers of Select Committees	...	...	...	...	...	...	58
102. Procedures in Select Committees	...	...	...	...	...	...	59
103. Premature Publication of Evidence	...	...	...	...	...	...	61
104. Reports from Select Committees	...	...	...	...	...	...	61

## CHAPTER XI

<b>Miscellaneous</b>	...	...	...	...	...	...	62
105. Absence of Members	...	...	...	...	...	...	63
106. Absence of Members from Committees	...	...	...	...	...	...	63
107. Employment of Members in a Professional Capacity	...	...	...	...	...	...	63
108. Report of Debates	...	...	...	...	...	...	63
109. Visitors	...	...	...	...	...	...	63
110. Media	...	...	...	...	...	...	64

111. Amendment of Standing Orders	...	...	...	...	64
112. Suspension of Standing Orders	...	...	...	...	64
113. General Authority of the President	...	...	...	...	64
114. Absence of the President	...	...	...	...	64
115. Minutes of Proceedings	...	...	...	...	65
116. Proclamation of the President	...	...	...	...	65
117. Agreement between the Benches	...	...	...	...	65
118. Commencement	...	...	...	...	65
<b>APPENDIX I</b>	...	...	...	...	66
<b>APPENDIX II</b>	...	...	...	...	67
<b>APPENDIX III</b>	...	...	...	...	69
<b>APPENDIX IV</b>	...	...	...	...	76
<b>APPENDIX V</b>	...	...	...	...	77
<b>INDEX</b>	...	...	...	...	79

# Preliminary Provisions

## 1. PURPOSE

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

## 2. INTERPRETATION AND APPLICATION OF STANDING ORDERS

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

(2) In all cases, the President will be guided by the established practices of this Senate and by previous Presidents' rulings.

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

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

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

(6) The President may issue practice notes on the procedure and practice to be followed under any Standing Order.

## 3. DEFINITIONS

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

**Bench** means the respective groups of Senators as appointed in accordance with section 40 (2)(a), 40(2)(b) and 40(2)(c) of the Constitution.

**Chair** means the President or other presiding officer;

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

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

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

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

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

**Coordinator of the Independent Bench** means the longest serving Senator on the Independent Bench recognized by the Independents Senators as the primary liaison for the arrangement of Independent business in the Senate;

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

**Court** means a court of law in Trinidad and Tobago and includes a Judicial Committee;

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

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

**Leader of Government Business in the Senate** means the Minister who is primarily responsible to the Prime Minister for the arrangement of Government business in the Senate;

**Leader of Opposition Business in the Senate** means the Senator who is primarily responsible to the Leader of the Opposition (per section 83 of the Constitution) for the arrangement of Opposition business in the Senate;

**Leave of the Senate or leave of the committee** means permission to do something that is granted without a dissentient voice;

**Make** when used in these Standing Orders in reference to written law means enact or *Gazette*;

**Member** means either a member of the Senate or a Minister from the House of Representatives (including the Attorney General) who is attending a sitting of the Senate pursuant to section 62 of the Constitution;



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

**Motion** means any proposal made for the purpose of eliciting a decision of the Senate;

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

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

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

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

**Person** includes an organization;

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

**President/President of the Senate** means the Senator elected to preside in accordance with section 45 of the Constitution;

**Presiding Officer** means the Senator who regulates the conduct of business at the sittings of the Senate;

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

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

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

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

**Senate** means the legislative chamber as established by section 39 of the Constitution;

**Senator** means a member of the Senate appointed in accordance with sections 40 or 44 of the Constitution;

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

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

**Sub judice** for the purposes of Standing Order (47) refers to a matter that is before the Courts and awaiting adjudication;

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

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

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

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

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

## CHAPTER I

# General Provisions

### 4. ELECTION OF A PRESIDENT

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

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

(a) for the purpose of the election of a President, the Clerk shall act as Chairman and call for nominations;

- (b) the President may be elected either from among the Senators who are not Ministers or Parliamentary Secretaries;
- (c) no debate shall be allowed upon the proposals for filling the office of President;

*Senator nominated as President*

- (d) any Senator may rise in his place and propose that such other Senator (hereinafter referred to as “candidates”), duly qualified in accordance with paragraph 2(b) and having consented, “take the Chair of this Senate as President”. The motion shall be seconded;
- (e) the proposer may make a brief address, not to exceed two minutes, on the candidate’s nomination;

*If unopposed, elected*

- (f) the Clerk shall then ask “Is there any further nomination?” and if there is no further nomination, the Clerk shall without question put, declare the candidate so nominated and seconded to have been elected as President;

*Where there are two nominations*

- (g) if two candidates are nominated for election as President, the Clerk shall propose the question that the candidate who was first proposed should be the President. If that proposal is approved by a majority of Senators, the Clerk shall declare that candidate to have been elected as President. If the proposal is negatived, the Clerk shall propose a like question in respect of the other candidate. In the event of a tie, the Clerk shall proceed in accordance with paragraph (k);

*When there are more than two nominations*

- (h) if more than two (2) candidates are nominated for election as President, a ballot shall be conducted by the Clerk;
- (i) upon the conclusion of the ballot, if a candidate receives the votes of a majority of the Members of the Senate, the Clerk shall declare that candidate to have been elected as President;
- (j) otherwise, the candidate with the fewest number of votes shall be eliminated and the ballot held again for the remaining candidates until one candidate receives the vote of a majority of the Senate;
- (k) if after the holding of a ballot referred to in paragraph (j) the votes remain equal, the Clerk must determine by lot which candidate is to be eliminated;

*President takes the Chair*

- (l) once elected, the President shall be escorted to the dais and take the Chair. The Mace shall then be laid upon the Table;
- (m) whenever the office of President becomes vacant, before the Senate proceeds to attend to any other business, the Clerk shall call upon the Senate to elect a President and the procedure contained in the preceding paragraphs shall apply.

**5. ELECTION OF A VICE-PRESIDENT**

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

(2) The election of the Vice-President shall be conducted in a similar manner to the election of the President, except that the President shall preside.

**6. OATH**

(1) At the first meeting of the Senate after a general election, and immediately following the election of the President and Vice-President, the Clerk shall administer the Oath or Affirmation of Allegiance, firstly to the President, then the Vice-President, and thereafter to the other Senators.

(2) At any other time, the Oath or Affirmation shall be administered to Senators by the Clerk immediately after Prayers.

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

(4) A Senator who refuses to make or subscribe the Oath or Affirmation before the Senate shall not be entitled to take his seat in the Senate nor to be remunerated.

**7. PRESIDING IN THE SENATE AND IN COMMITTEE**

(1) The President or in his absence the Vice-President, shall preside at sittings of the Senate and shall act as Chairman of the Committee of the whole Senate.

(2) When the President and Vice-President are both absent, the Clerk shall call upon the Senate to elect a Senator to preside over that sitting of the Senate. Such Senator must not be a Minister or Parliamentary Secretary and the election shall be conducted in a similar manner to the election of the President described in Standing Order 4.

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

(4) The President may, without any formal communication to the Senate or the Committee, request the Vice-President to take the Chair.

(5) The President, or in his absence the Vice-President, may at any time ask any Member present, not being a Minister or a Parliamentary Secretary, to take the Chair temporarily without any formal communication to the Senate or to the Committee.

## **8. LANGUAGE**

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

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

## **9. QUORUM**

(1) The quorum of the Senate and of a Committee of the whole Senate shall be 10 Senators, excluding the person presiding, in accordance with Section 60(1) of the Constitution.

(2) If any Senator draws the attention of the President in the Senate or of the Chairman in Committee of the whole Senate to the fact that a quorum is not present, the President or Chairman, as the case may be, shall direct that Senators be summoned.

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

(4) When the order to summon Senators has been given in Committee of the whole Senate, the Chairman shall, after the expiration of ten minutes, count the Committee. If he ascertains that a quorum is not present, the Senate shall resume and the President shall count the Senate.

(5) If a quorum is then present, the Senate shall resolve itself into Committee; but if a quorum is not present, the President shall adjourn the Senate without question put.

(6) If, from the number of Senators taking part in a division, including those Senators 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.

(7) The Senators to be summoned by the Clerk under this Standing Order shall be those Senators who are within the precincts of the Parliament.

## CHAPTER II

# Sittings of the Senate

### 10. MEETING DAYS

(1) Subject to Standing Order 12, the Senate shall meet on Tuesdays and every adjournment of the Senate shall be to the next Tuesday unless the Senate, upon a motion moved by a Minister, decides otherwise.

(2) Notice of such a motion shall not be required, and the question on the motion shall be put without amendment or debate.

### 11. HOURS OF SITTING

(1) Except as otherwise provided by these Standing Orders, every sitting of the Senate shall begin at 1.30 p.m. and unless previously adjourned, shall end at 8:00 p.m. on the same day.

(2) The President may at any time suspend the sitting for a stated period, unless the Senate otherwise resolves.

(3) The Senate may at any time by motion moved by a Minister and carried without amendment or debate, suspend or vary the provisions of paragraphs (1) and (2) of this Standing Order.

### 12. EXTRAORDINARY SITTING

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

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

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

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

### **13. FIXED RECESS**

Notwithstanding Standing Order No. 10, and subject to Standing Order 12, unless there are special reasons for so doing, no sitting of the Senate shall be held from the first week in the month of July to the first week in the month of September in any year.

### **14. ADJOURNMENT OF THE SENATE**

(1) A Minister or Parliamentary Secretary may move "That this Senate do now adjourn" at any time after the conclusion of Questions to Ministers at any sitting. However, on Private Members' Day, except with the agreement of all Benches, the Senate shall not be adjourned earlier than 6:00 p.m.

(2) At 7.50 p.m. the President shall interrupt the business under consideration which shall stand deferred to the next sitting day, unless the Member in charge of the business under consideration names a different sitting day to which that business should be deferred. If the Senate is in Committee at that time the Chairman shall immediately leave the Chair and report to the Senate. The Committee shall be directed to sit again on a day to be determined by the Leader of Government Business in the Senate. Then at the time appointed for the termination of the sitting in Standing Order 11(1), the President shall adjourn the Senate without question put.

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

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

(5) At any time prior to the time of interruption (7:50 p.m.) a Minister may without notice move that the Senate 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.

## **15. MATTERS ON THE ADJOURNMENT**

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

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

(3) Subject to the giving of such notice, the right to raise a matter shall be allotted for each sitting through such arrangements as the President may make.

(4) All matters raised on the adjournment motion shall not, in the aggregate, exceed forty (40) minutes, after which the motion on the adjournment shall expire.

## **16. ADJOURNMENT—DEFINITE MATTER OF URGENT PUBLIC IMPORTANCE**

(1) No Senator other than the Leader of Government Business or in his absence any other Senator to whom such responsibility has been delegated may move the adjournment of the Senate except in accordance with the following paragraph of this Standing Order.

(2) At the time appointed under Standing Order 18 (Order of Business), a Senator may rise in his place and seek leave to move the adjournment of the Senate for the purpose of discussing a definite matter of urgent public importance.

(3) No more than two Senators shall be permitted by the President to seek leave to move the adjournment of the Senate under this Standing Order, at any one sitting.



(4) A Senator who wishes to seek leave to move the adjournment of the Senate under this Standing Order shall, at least ninety (90) minutes before the commencement of the sitting, hand to the President a written notification of the matter which he wishes to discuss. The President 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 Senate.

(5) If the President is so satisfied and either—

(a) leave of the Senate is given; or

(b) if leave is not given, at least ten Members rise in their places to support the request,

the motion shall stand over until 6:00 p.m. on the same day, and at that time any proceedings on which the Senate is engaged shall be postponed until the motion for the adjournment is disposed of or until 7:00 p.m., whichever is the earlier. At 7:00 p.m. the motion for the adjournment, if not previously disposed of, shall lapse and the proceedings which have been postponed shall be resumed.

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

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

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

(2) A person, not being a Senator, who has been referred to in the Senate by name, or in such a way as to be readily identifiable, may make a submission to the President in writing—

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

(b) submitting a response to the reference; and

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

(3) A submission must be made within two (2) weeks of the reference having been made and must be succinct and strictly relevant to the reference that was made. It must not contain anything offensive in character.

(4) The President shall consider whether in all the circumstances of the case the response should be incorporated in the parliamentary record.

- (5) In that consideration, the President:
- (a) may confer with the person who made the submission and with the Member who referred to that person in the Senate;
  - (b) shall take account of the extent to which the reference is capable of adversely affecting, or damaging the reputation of the person making the submission;
  - (c) must be satisfied that—
    - (i) the subject matter is not trivial; or
    - (ii) the submission is not frivolous, vexatious or offensive in character.

(6) The President is not to consider or judge the truth of the reference made in the Senate or of the response to it.

(7) If the President decides that the response should not be incorporated in the parliamentary record, the President shall direct the Clerk to inform the person concerned that no further action will be taken.

(8) If the President decides that the response should be incorporated in the parliamentary record, he shall order that the submission, as may be amended by him, be read by the Clerk at the next subsequent sitting after his determination.

## CHAPTER III

# Business of the Senate

## 18. ORDER OF BUSINESS

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

- (1) Prayers;
- (2) Oath or Affirmation;
- (3) Announcements by the President;
- (4) Bills brought from the House of Representatives;
- (5) Petitions;
- (6) Papers;
- (7) Reports from Committees;
- (8) Urgent Questions;
- (9) Questions on Notice;
- (10) Requests for Leave to Move the Adjournment of the Senate on Definite Matters of Urgent Public Importance;
- (11) Statements by Ministers or Parliamentary Secretaries;

- (12) Personal Explanations;
- (13) Introduction of Bills;
- (14) Motions Relating to the Business or Sitzings of the Senate and moved by a Minister;
- (15) Public Business;
  - (a) Government Business;
  - (b) Committee Business;
  - (c) Private Members' Business.

## 19. ORDER PAPER

- (1) The Clerk shall prepare an Order Paper for each sitting of the Senate.
- (2) The Order Paper shall be circulated as early as possible before each sitting.

## 20. PETITIONS

- (1) A Petition shall be endorsed by the Clerk as being in accordance with the rules in regard to Petitions prior to its presentation to the Senate.
- (2) Every Petition must conclude with a prayer setting forth the general objects of the Petition.
- (3) The Senate will not receive any Petition—
  - (a) which is not addressed to the Senate and which is not properly and respectfully worded;
  - (b) which has not at least one (1) signature on the sheet on which the prayer of the Petition appears;
  - (c) which, in the opinion of the President, refers to a matter not within the cognizance of the Executive or the Parliament; and
  - (d) which, in the opinion of the President, requests that provision be made for imposing or increasing any charge on the revenues or other funds of the State or for altering any such charge otherwise than by reducing it or for compounding or remitting any debt due to the State, unless on the recommendation of the Cabinet signified by a Minister.

### *Presentation of Petitions and Responses*

- (4) The Clerk shall announce petitions lodged for presentation and the announcement shall state in each case:
  - (a) the Member who lodged it;
  - (b) the identity and number of petitioners;
  - (c) the subject matter of the petition.

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

#### *Action on Petitions*

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

(7) If such a petition remains without a response at the expiration of the period of thirty (30) days, the matter of the failure of the Minister to respond shall be deemed referred to the appropriate Joint Select Committee under Standing Order 88.

(8) The provisions of paragraphs (6) and (7) of this Standing Order shall not apply to a Petition from the promoters of a Private Bill under Standing Order 73 (Private Bills).

## **21. PAPERS**

(1) A Paper shall ordinarily be presented by a Minister or 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 but no debate shall then take place upon any such statement.

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

(4) The President shall cause to be presented all papers from independent bodies and other agencies that do not fall under the portfolio of a Minister.

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

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

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

## **22. PERSONAL EXPLANATIONS**

(1) With the leave of the President, a Senator may make a personal explanation at the time appointed under Standing Order 18 (Order of Business) although there is no question before the Senate. No controversial matter may be brought forward nor may any debate arise upon the explanation.

(2) A personal explanation shall not exceed ten minutes.

## **23. STATEMENTS BY MINISTERS OR PARLIAMENTARY SECRETARIES**

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

(2) A Minister or Parliamentary Secretary who intends to make a ministerial statement shall, before the commencement of the sitting, inform the President of his intention to make a ministerial statement and the subject of the statement.

(3) A statement by a Minister or Parliamentary Secretary shall not exceed fifteen (15) minutes.

(4) The President may permit one (1) question for the purpose of elucidation, to be asked by one Member from each Bench and the Minister, if he can then answer, shall reply.

(5) Any reply in accordance with paragraph (4) shall be limited to two (2) minutes.

## **CHAPTER IV**

### **Questions**

#### **24. QUESTIONS**

(1) Questions may be put to a Minister relating to any subject or department under the Minister's administrative responsibility.

(2) The right to ask a Question shall be subject to the rules set out in this chapter, as to the interpretation of which the President shall be the sole judge.

## 25. URGENT QUESTIONS

(1) There shall be a ten (10) minute period for Urgent Questions at the appropriate stage in the Order of Business at each sitting of the Senate which shall be subject to the following rules:

- (a) any Senator desiring to ask a question on the ground of urgency in the public interest shall submit to the Clerk a copy of the proposed question marked “urgent question” at least one (1) hour prior to the commencement of the sitting;
- (b) the President shall approve the questions if the proposed question relates to a matter that is urgent and has arisen suddenly, and that he considers it to be one which requires immediate response in the public interest;
- (c) an Urgent Question shall not exceed forty (40) words in length and must be asked without argument or opinion;
- (d) answers must not exceed two (2) minutes in length and must be relevant to the Question asked;
- (e) the President may permit the Senator asking an Urgent Question to ask no more than two (2) supplementary questions;
- (f) a Minister may decline to answer a Question if, in his opinion, the publication of the answer would be contrary to the public interest.

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

## 26. QUESTIONS FOR WHICH NOTICE IS REQUIRED

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

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

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

### *Oral Answer*

- (4) A question for oral answer—
  - (a) shall not be placed on the Order Paper earlier than twenty-one (21) days after it has been approved by the President;
  - (b) shall not be of excessive length;
  - (c) shall not require an answer which will involve extensive details.

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

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

#### *Written Answer*

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

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

(1) A Senator shall not publish his question prior to such Question being approved by the President.

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

#### *Oral answer*

(3) The time allotted for answering oral Questions on notice shall not exceed forty-five (45) minutes.

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

(5) Not more than three questions requiring an oral answer shall appear on the Order Paper in the name of the same Senator for the same day.

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

(7) In cases where the Minister's reply is very lengthy, the Minister may seek leave of the Senate to circulate his answer.

(8) After an oral answer to a Question has been given, no more than four (4) supplementary questions may be asked, by any Senator, for the purpose of elucidating the answer given orally, but the President 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 28 (Contents of Questions).

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

- (a) it does not arise from the main question or its answer;
- (b) it gives information rather than seeking information;
- (c) it involves more than one separate issue;
- (d) it seeks confirmation or denial of an opinion; or
- (e) it infringes any of the rules regarding questions.

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

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

(12) Questions on the Order Paper for oral answer which remain outstanding at the expiration of forty-five (45) minutes shall be answered in writing by the Minister to whom the Question was addressed, who shall immediately pass copies of his answer to the Clerk for circulation to Members at that sitting and for inclusion in the Minutes of Proceedings. However, at any time before the expiration of question time a Member having an unanswered Question on the Order Paper may signify to the Clerk at the Table his desire to postpone the Question to a later sitting.

#### *Written Answer*

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

#### *Deferral of Questions*

(14) At the request of a Minister and with the approval of the Senate, without debate, the answer to a Question on the Order Paper may be deferred once only for a maximum period of fourteen (14) days. A Question so deferred is not to be taken into account for the purpose of Standing Order 27(5).

(15) If such a question remains unanswered at the expiration of fourteen (14) days, the Senator who asked the question may, at the conclusion of Question Time, ask that the President write to the Minister concerned, seeking reasons for the delay in answering.



### *Withdrawal of Questions*

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

(17) A Question withdrawn from the Order Paper may be asked again provided that notice as required by these Standing Orders is given.

## **28. CONTENTS OF QUESTIONS**

(1) The right to ask a question shall be subject to the following general rules, as to the interpretation of which the President 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 contain preambles, opinions, statements of facts or 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 Senator asking it shall be responsible for the accuracy of the statement, and no question shall be based upon a newspaper reporter upon an unofficial publication;
- (d) no Senator shall address the Senate 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, allegations, 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 Senate, 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 Senate by a report from the Committee;
  - (iv) which deals with matters referred to a Commission of Enquiry;

- (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 any person whose conduct can only be challenged on a substantive motion under Standing Order 46 (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 country 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 Parliament;
  - (xii) seeking, for purposes of argument, information on matters of past history;
  - (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 President is of the opinion that any Question of which a Senator has given notice to the Clerk is an abuse of the right of questioning or infringes any of the provisions of this or any other Standing Order, he may direct—

- (a) that it be printed or asked with such alterations as he may direct; or
- (b) that the Senator concerned be informed that the Question is inadmissible.

## **29. NOTICE PAPER—QUESTIONS**

Once a Question on notice has been approved by the President, the Clerk shall immediately prepare and circulate to Senators a Notice Paper setting out particulars of the question.

### **30. PRIVILEGE MATTERS**

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

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

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

(4) No debate shall ensue on a matter raised under this Standing Order but if the President 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 Senate a matter suddenly arises which appears to involve the Privileges of the Senate and which calls for the immediate intervention of the Senate, the proceedings may be interrupted, except during the progress of a division, by a motion based on such matter.

(6) No Senator moving a matter under this Standing Order may speak for more than five (5) minutes.

## **CHAPTER V**

### **Public Business**

#### **31. ARRANGEMENT OF PUBLIC BUSINESS**

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

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

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

(4) Committee Business consists of motions for the consideration of Committee reports in accordance with Standing Order 104(7). Such motions shall be placed on the Order Paper on the day following the day on which it was filed with the Clerk.

(5) The fourth Tuesday of every month shall be Private Members' Day. Private Business shall take precedence over Government Business unless, and to the extent that the Leader of Government Business moves and the Senate agrees that any urgent Government matters should be disposed of before Private Members' business.

### **32. ISSUES FOR DEBATE**

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

(2) Except on the recommendation or with the consent of the Cabinet the Senate shall not—

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

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

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

(3) When a question for debate has been proposed, debated and decided, it shall not be competent for any Member to raise a question substantially identical thereto in the same session except upon a substantive motion for rescission, under Standing Order 39(12).

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

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

(2) If the President 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 motion be approved with such alterations as he may direct.

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

### **34. PERIOD OF NOTICE**

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

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

(2) Except as provided in Standing Order 73 (Private Bills), a Private Member's motion shall not be placed upon the Order Paper for a day earlier than twelve (12) clear days from the day on which the notice was given to the Clerk.

### **35. NOTICE PAPER—MOTIONS**

(1) Once a Motion has been approved by the President, the Clerk shall immediately prepare and circulate to Senators a Notice Paper setting out particulars of the Motion.

(2) A notice of amendment sent to the Clerk shall be circulated by him to Senators.

### **36. EXEMPTION FROM NOTICE**

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

- (a) a motion for the amendment of any motion;
- (b) a motion for the adjournment of the Senate or a debate;
- (c) a motion for the election of a temporary presiding officer under Standing Order 7 (Presiding in the Senate and in Committee);
- (d) a motion for the suspension of Standing Orders put with the leave of the President;
- (e) a motion for the withdrawal of visitors;
- (f) a motion that the Senate resolve itself into Committee;
- (g) a motion made in the Committee of the Whole Senate;
- (h) a motion for the suspension of a Senator;
- (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 21 (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 commit a Bill to a Select Committee under Standing Order 61 or 66;
- (n) a motion to recommit a Bill under paragraph (2) of Standing Order 69 for the Recommittal of Bills reported from Committee of the Whole Senate;
- (o) a motion for withdrawal of a Bill under Standing Order 75 (Withdrawal of Bills);
- (p) a motion in respect of which notice has been dispensed with under Standing Order 37 (Dispensing with notice); and
- (q) a motion “That the question be now put” under paragraph (1) of Standing Order 50 (Closure of debate).

### **37. DISPENSING WITH NOTICE**

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 President and with the leave of the Senate.

### **38. ADMISSIBILITY OF MOTIONS**

A motion must clearly indicate the issue to be raised for debate and include only such material as may be necessary to identify the facts or matter to which the motion relates. In order that a motion may be admissible, it shall satisfy the following conditions, as to the interpretation of which, the President shall be the sole judge.

A motion shall—

- (a) raise substantially one definite issue;
- (b) not contain ironical, offensive expressions or words that would not be permitted in debate;
- (c) not contain the names of persons unless they are strictly necessary to render the motion intelligible;
- (d) not raise for debate matters of conduct of persons except in their public capacity;

- (e) not revive discussion of a matter which has been discussed in the same session;
- (f) not raise for discussion a matter which already qualifies to be discussed;
- (g) not relate to matters which have been referred to a Committee of the Senate for consideration and report;
- (h) not exceed two hundred and fifty (250) words in length.

### 39. MOTIONS—GENERAL RULES

#### *Motions not moved*

(1) Motions on the Order Paper which have not been moved by the time the Senate adjourns will be set down on the Order Paper for the next sitting day.

(2) If a Member does not move a motion which stands in his name when he is called on, it shall be removed from the Order Paper unless deferred by leave of the Senate or moved by some other Member, duly authorized by that Member, provided that Government Business may be moved by any other Minister.

#### *Withdrawal of Motion*

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

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

#### *Seconding of Motions*

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

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

#### *Restrictions for the Withdrawal of Motions*

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

#### *Motions Withdrawn, again moved*

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

*President proposes question*

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

*Separation of a complicated question*

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

*Question put*

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

*Rescission*

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

## 40. AMENDMENTS

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

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

*Forms of Amendment*

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

- (a) deleting words;
- (b) deleting words in order to substitute other words; or
- (c) inserting or adding words,

but an amendment may not be a direct negative.

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

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

(6) An amendment which does not make sense or which is frivolous shall not be accepted.



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

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

*Amendments to be written and signed*

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

*No notice of an Amendment is necessary*

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

*Seconding of Amendments*

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

*Amendments proposed from the Chair*

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

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

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

*Amendments proposed but not agreed to*

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

*Order of moving Amendments*

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

*Amendment to Amendment*

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

*Withdrawal of Amendment*

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

#### **41. MOTIONS ON NATIONAL POLICY ISSUES**

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

(2) A report on the Cabinet's decision in response to the submission made pursuant to paragraph (1) shall be tabled by the Leader of Government Business in the Senate not later than thirty (30) days from the date of its submission to the Cabinet.

### **CHAPTER VI**

## **Rules of Debate**

#### **42. TIME AND MANNER OF SPEAKING**

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

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

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

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

(5) It shall not be proper for a Member to leave the Senate immediately after speaking.

(6) No Member shall speak more than once on any question except when the Senate is in Committee in explanation as prescribed in paragraph (8) of this Standing Order; or in the case of a mover of a substantive motion or the Member in charge of a Bill, in reply.

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

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

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

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

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

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

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

(2) The ruling of the President as to the time taken by any Member shall be final.

(3) Notwithstanding paragraph (1) above, the Senate may limit the length of a debate on any matter, provided that there is agreement between the Leader of Government Business in the Senate and the leaders/ coordinators of the other benches in the Senate. The President shall be informed of any such agreement.

(4) In any debate, in which a time limit is imposed on the entire debate by agreement, the President shall ensure that the time is equally proportioned among the Benches represented in the Senate.

#### **44. RIGHT OF REPLY**

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

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

## 45. INTERRUPTIONS

(1) Subject to these Standing Orders, no Senator shall interrupt another Senator except—

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

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

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

(3) A Senator raising a point of order must put the point succinctly and shall be heard in silence.

## 46. CONTENTS OF SPEECHES

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

(2) Reference shall not be made to any matter which is *sub judice* as provided in Standing Order 47.

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

(4) It shall be out of order to use offensive and insulting language about Members of either Chamber, or the political parties to which they are affiliated.

(5) Ministers shall be referred to by the title of their appointments and other Senators by name.

(6) No Senator shall make an imputation of improper motives against any Member, an offensive reference to a Member's private affairs, a personal reflection against a Member or allegations of bribery or corruption.

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

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

## 47. MATTERS *SUB JUDICE*

(1) Subject always to the discretion of the President and to the right of the Senate to legislate on any matter, a Senator shall not raise or pursue any matter which relates to active proceedings in any court of record until the proceedings are ended by judgment or discontinuance, unless the President is satisfied that—

- (a) the matter is clearly related to a matter of general public importance or a ministerial decision is in question;
- (b) the matter does not relate to a case that is awaiting or under adjudication, particularly those matters before a jury; and
- (c) the Senator does not in his comments create a real and substantial danger of prejudice to the proceedings of a Court.

(2) By alleging that a matter is *sub judice* a Senator shall thereby be confirming to the Senate that paragraph (1) is applicable and shall accept responsibility for so advising the Senate.

## 48. SCOPE OF DEBATE

### *Motions debated together*

(1) With the leave of the Senate, motions may be debated together where—

- (a) the content of two or more motions interrelate; or
- (b) a number of motions relate to a single subject of debate.

(2) If the Senate agrees to proceed in accordance with paragraph (1), the first motion shall be moved and the joint debate shall then take place.

(3) Upon the conclusion of the debate, the questions shall be put on the first motion. The second and subsequent motions shall thereafter be moved in consecutive order, and the questions on them shall be put from the Chair, without further debate.

### *Adjournment of the Debate*

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

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

(6) This shall not be construed as restricting the customary right of the Leader of Government Business or any other Minister or Parliamentary Secretary to move the adjournment of the Senate on the conclusion of the business of the day.

#### 49. ANTICIPATION

(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.

#### 50. CLOSURE OF DEBATE

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

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

(3) A motion under this Standing Order shall not be decided in the affirmative if it appears on a division that less than ten (10) Senators voted in the majority in support of the motion.

#### 51. RULES FOR MEMBERS NOT SPEAKING

- (1) A Member present in the Senate during the debate—
- (a) shall enter or leave the Senate with decorum;
  - (b) shall bow to the President on entering or leaving the Chamber;
  - (c) shall not leave the Senate when the President is addressing the Senate;
  - (d) shall not pass between the President and any Member who is speaking;
  - (e) shall maintain silence while another Member is speaking and shall not interrupt, except in accordance with these Standing Orders;
  - (f) shall not engage excessively in cross talk or converse noisily with another Member or otherwise disturb the proceedings;
  - (g) shall avoid running commentaries when another Member is speaking;
  - (h) shall not sit with his back towards the Chair;
  - (i) shall not read books, newspapers, letters or other documents unless they relate to the business before the Senate;

- (j) shall not use any electronic device in such a manner that in the opinion of the President disturbs the proceedings of the Senate;
- (k) shall avoid talking or laughing in the lobby loud enough to be heard in the chamber;
- (l) shall otherwise conduct himself in a fit and proper manner;
- (m) shall wear business attire.

(2) The President shall draw the attention of the Senate to any Member who, despite warning, persists in breaching any provision of this Standing Order and may thereafter take action in accordance with Standing Order 53.

## CHAPTER VII

### Rules of Order

#### **52. RESPONSIBILITY FOR ORDER IN THE SENATE AND IN COMMITTEE**

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

(2) When the President or Chairman rises, any Senator then speaking or wishing to speak shall immediately resume his seat and the Senate, or the Committee, shall be silent.

#### **53. ORDER IN THE SENATE AND IN COMMITTEE**

(1) The President or the Chairman after having called the attention of the Senate or of the Committee to the conduct of a Senator who—

- (a) 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;
- (b) persists in irrelevant or tedious repetition either of his own arguments, or of the arguments used by other Senators in debate; or engages in excessive cross talk or converses noisily with another Senator or otherwise disturbs the proceedings;

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

(2) Any Senator, may, after the President or Chairman, as the case may be, has under paragraph (1) of this Standing Order once called the attention of the Senate or Committee to the said conduct of a Senator in a debate, move *that the Senator be no longer heard* and such Motion, shall be put without amendment or debate.

(3) A Senator referred to in paragraphs (1) and (2) above, shall immediately take his seat.

#### *Gross disorder*

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

- (a) creates actual disorder;
- (b) uses or threatens violence against a Senator or other person;
- (c) acts in a manner that displays flagrant disobedience to rulings of the Chair; or
- (d) acts in any other way to the serious detriment of the dignity or orderly procedure of the Senate.

(5) The President may order any Senator whose conduct is grossly disorderly to withdraw immediately from the Senate for the remainder of that day's sitting.

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

#### *Suspension from the Service of the Senate*

7) If on any occasion, the President considers that his powers under the previous provision of this Standing Order are inadequate, the President may name such Senator under this Standing Order, by mentioning the name of the Senator concerned. In such circumstances, the procedure prescribed in the succeeding paragraphs shall be followed:

- (a) the President shall mention the Senator by name;
- (b) immediately following the naming, a Senator shall move a motion that “Mr. \_\_\_\_\_” be suspended from the service of the Senate;
- (c) the President shall put the question “*that Mr. \_\_\_\_\_ be suspended from the service of the Senate;*”
- (d) this question must be resolved without amendment, adjournment or debate;



- (e) if the offence has been committed in Committee of the Whole Senate, the Chairman shall immediately suspend the proceedings of the Committee resume the Senate and report the circumstances and the procedure provided for in the preceding sub-paragraphs of this Standing Order shall be followed;
- (f) the Senator so named must immediately leave the Chamber and its precincts and shall stand suspended from the service of the Senate.

#### *Duration of Suspension*

(8) If a Senator is suspended pursuant to paragraph (7) of this Standing Order:

- (a) for a first time in a session, the suspension will be for seven (7) days;
- (b) for a second time in a session, the suspension will be for thirty (30) days;
- (c) on any subsequent occasion within the same session, for a period to last until the Senate orders that the Senator's suspension shall terminate or, in default of such order, for the remainder of the session.

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

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

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

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

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

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

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

(16) Nothing in this Standing Order shall be taken to deprive the Senate of the power of proceeding against any Senator according to any resolution of the Senate.

## CHAPTER VIII

### Voting

#### 54. DECISIONS OF QUESTIONS

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

(2) The President or any other Senator presiding shall not vote unless on any question the votes are equally divided, in which case, he shall have and exercise a casting vote and any reason stated shall be entered in the Minutes of Proceedings.

#### 55. COLLECTION OF VOICES

(1) At the conclusion of a debate upon any question the President or Chairman shall put that question for the decision of the Senate, 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 President or Chairman stating "*I think the Ayes have it*" or "*I think the Noes have it*" as the case may be; but any Senator may challenge the opinion of the Chair by calling a division.

#### 56. DIVISION

(1) If a division is called for, it shall be taken by the Clerk calling each Senator's name individually and recording each vote accordingly.

(2) The Clerk shall then announce the number of those who have voted for, those who voted against the proposal and those who declined to vote and the President or Chairman shall declare the result of the division.

(3) The Clerk shall enter in the Minutes of Proceedings the record of each Senator's vote. If a Senator states that he voted in error or that his vote has been counted wrongly, he may request to have his vote altered provided that such request is made as soon as the Clerk has announced the numbers and before the Chair has declared the result of the division. Upon such request being made the President or Chairman, at his sole discretion shall either direct the Clerk to alter that Senator's vote or direct a fresh division be held.

## CHAPTER IX

### Legislation

#### **57. RESTRICTIONS WITH RESPECT TO MONEY BILLS**

(1) Except on the recommendation or with the consent of the Cabinet, the Senate shall not proceed upon any Bill (including any amendment to a Bill) which, in the opinion of the President, makes provision for any of the following purposes:

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

(2) When a Money Bill, as defined in section 66 of the Constitution of the Republic of Trinidad and Tobago has been read a Second time, it shall stand committed to a Committee of the whole Senate unless on motion made, of which no notice shall be required, the Senate decides that the Bill shall not be so committed, whereupon the President shall forthwith put the question that the Bill be now read a third time and that question shall be decided without amendment or debate.

#### **58. PRIVATE MEMBERS' BILLS**

(1) Subject to the provisions of these Standing Orders, a Private Member, desiring to introduce a Bill, shall give written notice to the Clerk of his intention to do so and shall together with the notice submit three (3) copies of the Bill to the Clerk, along with an explanatory statement of objects and reasons which shall not contain arguments.

(2) Copies of the Notice and the Bill together with the explanatory statement of objects and reasons shall be circulated to Senators by the Clerk within two (2) days of its receipt.

## **59. INTRODUCTION AND FIRST READING OF PRIVATE MEMBERS' BILLS**

(1) A motion for leave to introduce a Private Member's Bill shall be set down under Private Members' Business on the Order Paper not earlier than seven (7) clear days from the date on which written notice was given to the Clerk.

(2) A motion for leave to introduce a Private Member's Bill shall be heard on the first sitting day after the expiration of the period of notice required under paragraph (1).

(3) The President shall permit the Private Member moving for leave to make an explanatory statement which shall not exceed five (5) minutes.

(4) The President shall permit any Senator opposing the Bill to address the Senate for a period not exceeding two (2) minutes in duration.

(5) On a motion for leave under this Standing Order any debate thereon shall be limited to a maximum of fifteen (15) minutes in duration.

(6) If leave is granted, the Clerk shall then read aloud the title of the Bill, which shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be published.

## **60. INTRODUCTION AND FIRST READING OF GOVERNMENT BILLS**

(1) A notice of the presentation of a Bill on behalf of the Government may be entered on the Order Paper for the sitting day on which the Bill is to be presented.

(2) Leave shall not be required for the introduction of a Government Bill. The Clerk shall read aloud the title of the Bill which, without question put, shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be published.

## **61. FIRST READING OF HOUSE OF REPRESENTATIVES' BILLS**

When a Bill has been brought from the House of Representatives, 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.

## **62. APPOINTMENT OF DAYS FOR STAGES OF BILLS**

(1) After a Bill has been introduced and read a first time, the Member in charge may either—

- (a) name a day to be appointed for the next stage of the Bill not being less than four (4) clear days after the date of its First reading; or
- (b) move that the Second reading of the Bill be taken at an earlier date or forthwith, such motion shall be put without amendment or debate; or
- (c) move that the Bill be referred to a Committee for consideration and report. Such motion shall be put without amendment or debate.

(2) No Bill shall be read a second time unless it has been printed and published in the *Gazette* and circulated to Senators other than in circumstances provided for in paragraph 1(b) above.

## **63. PRINTING AND CIRCULATION OF BILLS**

(1) The Clerk shall be responsible for the printing of Bills from the draft handed to him by the Senator in charge of the Bill.

(2) Before any Bill is printed, the Clerk shall satisfy himself that-

- (a) the Bill is divided into successive clauses numbered consecutively;
- (b) the Bill has in the margin a short summary of each clause; and
- (c) the provisions of the Bill do not go beyond its title.

(3) As soon as possible after the printing of a Bill the Clerk shall circulate a copy to every Senator.

## **64. PROCEDURE IN SELECT COMMITTEE BEFORE SECOND READING**

(1) Any Select Committee, to which a Bill is committed under Standing Order 62(1)(c), shall be empowered to discuss the general merits and principles of the Bill.

(2) The Select Committee shall be subject to Standing Order 102 (Procedure in Select Committee) and Standing Order 54 (Decision of Questions), as far as may be applicable.

(3) When the Bill has been reported from the Select Committee, the Senate may proceed to consider the Bill as reported upon a motion moved by the Chairman of the Committee (or any other person deputed) "*That the report of the Select Committee on the \_\_\_\_\_ Bill be adopted.*"

(4) The Member in charge of the Bill may then move that the Second Reading of the Bill, as adopted by the Senate on report, be taken on such day as the Member may appoint or forthwith; such motion shall be put without amendment or debate.

## **65. SECOND READING OF BILLS**

On the second reading of a Bill a debate may arise covering the general merits and principles of the Bill subject to Standing Order 64(4).

## **66. COMMITMENT OF BILLS AFTER SECOND READING**

(1) When a Bill has been read a second time it shall be committed to a Select Committee unless the Senate on motion made and question put commits it to the Committee of the Whole. Such motion shall not require notice and must be made immediately after the Bill has been read a second time and may be moved by any Senator. The question thereon shall be put without amendment or debate.

(2) When a Bill has been committed to a Select Committee, no further proceedings shall be taken thereon until the Select Committee has presented its report to the Senate, provided that if the report is delayed for more than twenty one (21) days the Chairman of the Committee (or in his absence any person authorized by the Committee) must report progress to the Senate at the next sitting of the Senate immediately after the expiration of that period and after each period of twenty-one (21) days thereafter until the final report is presented.

(3) A Bill, while under consideration in Committee of the Whole Senate, may, on motion made in the Senate, be withdrawn from that Committee and be referred to a Select Committee, and the reference to a Select Committee may be in respect of the Bill as a whole, or to specified clauses.

## **67. PROCEDURE IN COMMITTEE ON BILLS AFTER SECOND READING**

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

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

(3) Before reporting to the Senate the Committee shall go through the Bill as provided in Standing Order 68 (Procedure in Committee of the whole Senate on a Bill).

(4) The Select Committee shall be subject to Standing Order 102 (Procedure in Select Committee) and Standing Order 54 (Decision of Questions), as far as may be applicable.

## **68. PROCEDURE IN COMMITTEE OF THE WHOLE SENATE ON A BILL**

(1) The Clerk in Committee of the Whole Senate shall call the number of each clause in succession:

- (a) the Chairman shall propose the question “*that the clause stand part of the Bill*”;
- (b) a discussion shall ensue, during which amendments may be moved. Amendments must be in writing and handed to the Clerk for circulation;
- (c) at the conclusion of the discussion, if amendments have been proposed, the Chairman shall put the question “*that the clause be amended as circulated (or read)*” and if that question is approved, the Chairman shall put the question that “*the clause, as amended, now stand part of the Bill*”;
- (d) if no amendments were proposed, the Chairman shall put the question that “*the clause now stand part of the Bill*”;

(2) A group of clauses appearing in succession can be called by the Clerk together if no amendments are proposed thereto.

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

- (a) an amendment must be relevant to the subject matter of the Bill, and to the subject matter of the clause to which it relates;
- (b) an amendment must not be inconsistent with any clause already agreed to or with any previous decision of the Committee;
- (c) an amendment must not be such as to make the clause which it proposes to amend unintelligible or ungrammatical;
- (d) if an amendment refers to, or is not intelligent without a subsequent amendment or schedule, notice of the subsequent amendment or schedule must be given before or when the first amendment is moved so as to make the series of amendments intelligible as a whole; and

(e) the Chairman may refuse to allow an amendment, which is, in his opinion, frivolous or meaningless, to be moved.

(4) In order to save time and repetition of arguments, the Chairman may allow a single discussion to cover a series of inter-dependent amendments.

(5) Except on the recommendation or with the consent of the Cabinet, the Committee shall not proceed upon any amendment which, in the opinion of the Chairman, would make provision for any of the purposes described in Standing Order 57 (Restrictions with respect to Money Bills).

(6) The Chairman may at any time during the discussion of a proposed amendment withdraw it from the consideration of the Committee if, in his opinion, the discussion shall have shown that the amendment violates the provisions of this Standing Order.

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

(8) Any proposed new clause shall be considered after the clauses of the Bill have been disposed of and before consideration of any schedule to the Bill, except that a new clause proposed in substitution for a clause which has been disagreed to may be considered immediately after such disagreement.

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

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

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

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



(13) At the conclusion of the proceedings in Committee on a Bill, the Chairman shall put the question *“that the Bill (or the Bill as amended) be reported to the Senate”* which shall be decided without amendment or debate.

(14) If any Senator, before the conclusion of proceedings on a Bill, moves to report progress and such motion is carried, the Senate shall resume and the Senator in charge of the Bill shall report progress to the Senate and ask leave to sit again, and name a day for the resumption of the proceedings.

(15) The Committee having met to consider a Bill shall proceed with its consideration, except that during the proceedings on a Bill the Senator 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 Senator in charge of the Bill shall then report the Bill to the Senate as so far amended or without amendments, as the case may be, explaining the proceedings of the Committee on the Bill.

## **69. PROCEDURE ON REPORTING FROM COMMITTEE OF THE WHOLE SENATE**

(1) At the conclusion of Committee of the Whole, the Senator in charge of the Bill shall report to the Senate. The Senator shall inform the Senate that the Bill was *“approved with (or without) amendments”* and move that *“the Senate agree with the Committee’s report”* whereupon, the President shall forthwith put the question.

(2) If the question on the report is agreed to by the Senate, the Senator in charge of the Bill may either name a future day for the Third Reading of the Bill or move that it be forthwith read a Third time and passed.

### *Recommittal of Bills Reported from Committee of the Whole Senate*

(3) The question on any Motion moved under paragraph (1) of this Standing Order shall be put forthwith, no amendment, adjournment or debate being allowed, unless any Senator desires to delete or amend any provision contained in a Bill, or to introduce any new provision therein, in which case he may propose any amendment to add, at the end of the Motion, the words *“subject to the re-committal of the Bill (in respect of some specified part or of some proposed new clause or new schedule) to a Committee of the Whole Senate”*, and if that Motion is agreed to with such an amendment, the Bill shall stand so re-committed.

(4) The Senate shall either forthwith or upon a day named by the Senator in charge of the Bill resolve itself into Committee to consider the matters so re-committed.

(5) When the whole Bill has been recommitted, the Committee shall go through the Bill as provided in Standing Order 68 (Procedure in Committee of the Whole Senate).

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

(7) At the conclusion of the proceedings in Committee on a Bill recommitted under the provisions of this Standing Order, the Chairman shall put the question *“That the Bill (or the Bill as amended) on recommitment be reported to the Senate”* which question shall be decided without amendment or debate. As soon as the Bill has been reported, the Senator in charge of the Bill may either name a future day for the Third Reading of the Bill or move that it be forthwith read a Third time and passed.

#### **70. PROCEDURE ON BILLS REPORTED FROM SELECT COMMITTEES APPOINTED UNDER STANDING ORDER 66**

(1) When a Bill has been reported from a Select Committee appointed under Standing Order 66, the Senate may proceed to consider the Bill as reported from the Select Committee upon a motion *“That the Senate adopt the Report of the Select Committee on the .....”* moved under paragraph (7) of Standing Order No. 104 (Reports from Select Committees).

(2) If that motion is agreed to without amendment, the President shall put the question that *“the Bill be now read a Third time and passed”*; such question to be decided without amendment or debate.

(3) Upon a motion to approve the report of the Select Committee on a Bill, any Senator 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 of some particular part or parts of the Bill or some proposed new clause or new schedule) to a Committee of the Whole Senate”* and if that motion is agreed to with such an amendment, the Bill shall stand so recommitted. The Senate may then, upon motion made, resolve itself into a Committee to consider the business so recommitted.

(4) A Committee of the whole Senate upon a Bill recommitted under the provisions of this Standing Order shall proceed in accordance with paragraph (3) or paragraph (4) of Standing Order 69 on Recommitment of Bills reported from a Committee of the Whole Senate, and the conclusion of its proceedings and the remaining proceedings on the Bill shall be subject to paragraph (7) of that Standing Order.

## 71. THIRD READING OF BILLS (FINAL STAGE)

(1) The Third Reading shall be the final stage of a Bill. On the Third Reading of a Bill no amendments may be proposed to the question “*That the Bill be now read a Third time and passed*”.

### *Communication between the Houses*

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

(3) When a Bill which originated in the House of Representatives has been read a Third and final time and passed by the Senate without amendment, the Clerk shall retain the Bill and a message shall be sent to the House “*that the Senate has agreed to the..... Bill without amendment*” and a printed copy shall be submitted to His Excellency, the President for his Assent.

(4) When a Bill which originated in the House of Representatives has been read a Third and final time and passed by the Senate with amendment, the Clerk shall cause this list of amendments made in the Senate together with the amended version of the Bill, signed by the Clerk and endorsed by the President, to be returned to the House, with a message desiring the concurrence of the House in the amendment, made by the Senate.

(5) When the House of Representatives has agreed to any amendments inserted by the Senate in a Bill to which paragraph (4) of this Standing Order relates, or has returned to the Senate a Bill to which paragraph (2) of this Standing Order relates with an intimation—“*That the Bill has been read a Third and final time and passed without amendment*”, a printed copy shall be submitted to His Excellency, the President for his Assent.

(6) Where amendments are made in the Bill, any errors in the renumbering or re-lettering of the clauses and any consequential amendments and any other clerical or typographical errors may be rectified by the Clerk.

## 72. PROCEDURE ON HOUSE OF REPRESENTATIVE AMENDMENTS

(1) When a Bill is returned from the House of Representatives with amendments, the consideration of such amendments may, with the consent of the President, be immediately entered upon, or may be put down for such future day as the Senator in charge of the Bill shall appoint.

(2) Upon a motion being made *“that the House of Representatives amendments to the Bill be now considered”* an amendment may be proposed that—

- (a) the word “now” be deleted from the question; and
- (b) consideration of such amendments be deferred to a later date.

(3) When the Senate proceeds to the consideration of House of Representatives amendments, each amendment shall be read by the Clerk and may be agreed to. Upon any such amendment being disagreed to, an amendment may be proposed to a House of Representatives’ amendment but not to the Bill, unless the proposed amendment is relevant to or consequent upon either the acceptance or rejection of a House of Representatives’ amendment.

(4) House of Representatives amendments proposed to Bills which are subject to Sections 13 and 54 of the Constitution, shall be rejected by the Senate, as being out of order, if such amendments, in the opinion of the President appear to be inconsistent with the principles agreed upon at Second Reading and passed by the Senate on Third Reading.

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

- (a) if such amendments have been agreed to, a message shall be sent to the House of Representatives informing them *“that the Senate has agreed to the amendments to the .....”*;
- (b) if such amendments have been amended, a message shall be sent informing the House of Representatives that the Senate has amended the House of Representatives’ amendments to which they desire the concurrence of the House of Representatives; and
- (c) if such amendments have been disagreed to, a message shall be sent informing the House of Representatives *“that the Senate has disagreed to the House of Representatives’ amendments to the Bill for the following reasons .....”*.

(6) When the Senate has disagreed to a House of Representatives amendment, if the House of Representatives returns the Bill with a message that it insists upon the amendment, the Senate may either—

- (a) agree to the said amendment, in which case the provisions of paragraph (5)(a) of this Standing Order shall apply;
- (b) amend such amendments in which case the provisions of paragraph (5)(b) of this Standing Order shall apply;
- (c) postpone the consideration of the House amendment for six (6) months or any other period decided by the Senate; or
- (d) order the withdrawal of the Bill.

### 73. PRIVATE BILLS

(1) Every Bill (not being a Public Bill) intended to affect or benefit some particular person, association or corporate body, herein called a "Private Bill" shall be introduced into the Senate under the provisions of this Standing Order.

(2) Any Bill (not being a Government Bill) which in the opinion of the President, appears to affect directly private rights or property, shall be introduced into the Senate as a Private Bill under the provision of this Standing Order.

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

- (a) on petition from the promoters stating the objects of and reasons for the Bill; and
- (b) after notice of the Bill has been given by not less than three (3) successive publications of the Bill at the expense of the promoters in the *Gazette* and three (3) notices have been inserted in a newspaper containing a statement of the objects of and reasons for the Bill.

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

(5) (a) When leave to proceed has been granted, a copy of the Bill shall, if not previously lodged, be lodged with the Clerk within two (2) months next after such leave has been granted.

(b) Upon lodging the Bill, the promoters shall pay to the Comptroller of Accounts the cost, as ascertained by the Clerk, of publication in the *Gazette* and in a newspaper together with the prescribed stamp duty except in such cases where the House has remitted the stamp duty.

(c) The Clerk shall cause the Bill lodged with him to be printed as early as possible, and at the first ordinary sitting of the House following the publication of notices of the Bill in accordance with paragraph (3)(b) of this Standing Order, the Speaker, if he is satisfied that the said notices have been published, shall put the question that the Bill be read a first time, upon which no discussion shall be allowed. After the Bill is read the first time, it shall stand upon the Order Paper for second reading at the next ordinary sitting of the Senate.

(6) Upon the day ordered for the second reading, the President shall, unless the Senate otherwise orders, propose the question that the Bill be read a Second time.

(7) When the Bill has been read a Second time it shall stand to a Committee of the Whole Senate, unless the Senate on motion made commits it to a Select Committee. Such motion shall not require notice and must be made immediately after the Bill has been read a Second time, and the question thereon shall be put without amendment or debate.

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

(9) If the Select Committee finds that the said facts and allegations had been proved, the Committee shall consider the several clauses of the Bill and may strike out clauses, add new clauses, and make any other amendments which it shall deem necessary, and in respect of such new clauses and other amendments, shall describe their purport in a special report to the Senate. 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 Senator shall be heard in opposition to any Private Bill, unless he has previously lodged a petition with the Clerk showing the nature of his objections to the Bill, and stating whether his objections extend to the whole or some part of the preamble if any, or to the clauses of the Bill, and praying that he may be heard by himself or his counsel against the Bill.

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

(12) When it is intended that witnesses be examined the petitioner or Senator requiring such witnesses shall deliver to the Clerk at least two (2) days before the day appointed for their examination, a list containing names, residence and occupation of such witnesses.

(13) The evidence of every witness shall be taken down and read over to the witness who may then desire any correction to be made; and in case no such correction shall be made, the evidence shall stand as taken down and not be altered afterwards.

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

(15) After the report of the Committee has been presented to and adopted by the Senate, the President shall put the question without amendment or debate, that the Bill be read a Third time.

## **74. CUSTODY OF BILLS**

The Clerk of the Senate shall have custody of—

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

## **75. WITHDRAWAL OF BILLS**

The Member in charge of a Bill may, by leave of the Senate, withdraw the Bill at any stage before the questions is fully put.

## **76. BILLS CONTAINING SUBSTANTIALLY THE SAME PROVISIONS**

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.

## **77. LAPSED BILLS AND THE PROCEDURE FOR CARRYING OVER**

(1) A Bill shall lapse if Parliament is prorogued or dissolved before the Bill has reached its final stage in Parliament.

(2) A Private Bill is exempt from the provisions of paragraph (1) of this Standing Order during a period of prorogation.

(3) The Senate may, notwithstanding paragraph (1) of this Standing Order, on motion moved without amendment or debate, agree to the resumption of proceedings on a Bill in the following session.

## **78. STATUTORY INSTRUMENTS**

(1) A Statutory Instrument which is required to be laid in Parliament shall be submitted forthwith to the Clerk for laying on the Table simultaneous with its submission for publication.

(2) For the purpose of section 75(9) of the Interpretation Act, Chapter 3:01 the prescribed period shall be 40 days from the date on which a statutory instrument is published.

(3) Where notice of a motion to annul a statutory instrument is given, that motion shall be debated as soon as practicable and in any event before the expiration of the period prescribed in paragraph (2).

## CHAPTER X

### Committees

#### 79. SESSIONAL SELECT COMMITTEES

(1) There shall be the following Sessional Select Committees:

- (a) the Standing Orders Committee;
- (b) the House Committee;
- (c) the Committee of Privileges;
- (d) the Statutory Instruments Committee; and
- (e) the Business Committee.

(2) Members of the Sessional Select Committees shall be appointed by the President as soon as possible after the beginning of each Session.

(3) Sessional Select Committees shall meet in private.

#### 80. STANDING ORDERS COMMITTEE

(1) The Standing Orders Committee shall have the duty of considering amendments to the Standing Orders from time to time whether referred to it by the Senate or not and making recommendations to the Senate thereon.

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

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

#### 81. HOUSE COMMITTEE

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

(2) The Leader of Government Business in the Senate shall be a Member and the Chairman of the House Committee.

(3) The House Committee shall consist of five Members inclusive of the Chairman.

#### 82. COMMITTEE OF PRIVILEGES

(1) The Committee of Privileges shall have the duty of considering and reporting on any matter referred to it by the President or the Senate, in accordance with Standing Order 30 (Privilege Matters) and Standing Order 53 (Order in the Senate and in Committee). It shall be the duty of the Committee to consider any matter so referred and to report thereon to the Senate.



(2) The President shall be the Chairman of the Committee of Privileges.

(3) The Committee of Privileges shall consist of five Members inclusive of the Chairman.

### **83. STATUTORY INSTRUMENTS COMMITTEE**

(1) The Statutory Instruments Committee shall consider Statutory Instruments that are subject to the negative resolution of the Senate or the Parliament, as the case may be. It shall have the duty, *inter alia*, of bringing to the attention of the Senate any such instrument—

- (a) which involves the expenditure of public moneys or which imposes or fixes fees for licences or for services;
- (b) which cannot be challenged in the Courts on the ground that it is *ultra vires*, or is only temporarily so challengeable;
- (c) the making of which appears to constitute an unusual or unexpected use of the powers conferred by the law under which it was made;
- (d) which purports to have retroactive or retrospective effect although the law under which it was made does not in terms give the maker of the instrument such a power;
- (e) the publication or the laying before the Senate of which, appears to have been unduly delayed;
- (f) in respect of which there has been unjustifiable delay in notifying the President that the instrument had come into operation before it was laid before the Senate; or
- (g) the purport or form of which appears to require elucidation;
- (h) which may be in conflict with any provision of the Constitution of the Republic of Trinidad and Tobago; or
- (i) which it considers is not in accordance with the letter, spirit or intention of its enabling Act.

(2) The Statutory Instruments Committee shall not consider or report on the merits or policy of any such instrument.

(3) The President shall be the Chairman of the Statutory Instruments Committee.

(4) The Statutory Instruments Committee shall consist of five Members inclusive of the Chairman.

(5) Reports of the Statutory Instruments Committee shall be presented to the Senate pursuant to Standing Order 104 (Reports from Select Committees)

#### **84. BUSINESS COMMITTEE**

(1) The Business Committee shall consider such matters as may arise from time to time in connection with the business of the Senate, including the composition of Members to serve on Committees.

(2) The President shall be the Chairman of the Business Committee.

(3) The Business Committee shall consist of five members inclusive of the Chairman.

#### **85. SPECIAL SELECT COMMITTEES**

(1) The Senate may, from time to time, appoint Special Select Committees.

(2) A Special Select Committee shall be appointed by Order of the Senate which shall specify the terms of reference of the Committee and shall consist of such Senators as may be directed by Order of the Senate and, in the absence of such direction shall consist of such Senators as may be chosen by the President.

(3) The quorum of a Special Select Committee shall be such number of Senators as specified in the Order of the Senate or, in the absence of such Order, by the President.

#### **86. COMPOSITION AND CHAIRMAN OF SELECT COMMITTEES**

(1) Every Select Committee shall be so constituted as to ensure, so far as is possible, that the balance of parties in the Senate is reflected in the Committee, save that parties which are in a government coalition will be treated as one group.

(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 President shall appoint another Member in his place.

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

(4) Before participating in the consideration of any item of business before a Committee in which he has a financial interest, a Senator should disclose the extent of that interest.

#### **87. JOINT SELECT COMMITTEES**

(1) A Select Committee of the Senate of no more six (6) Senators may be appointed to sit with a Select Committee of the House of Representatives of equal number to form a Joint Select Committee.

(2) The quorum of a Joint Select Committee shall be such fixed number of Members as specified by Order of the Houses or, in the absence of such Order, as the Committee may decide. The quorum may only require that each House be represented.

(3) Subject to these Standing Orders a Joint Select Committee shall elect its own Chairman.

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

### **88. JOINT SELECT COMMITTEES (STANDING)**

(1) A Joint Select Committee established under this Standing Order shall be a Standing Committee appointed for the life of a Parliament.

(2) Pursuant to the Constitution, there shall be the following Joint Select Committees:

- (a) the Public Accounts Committee;
- (b) the Public Accounts (Enterprises) Committee; and
- (c) Departmental Committees appointed pursuant to Section 66A of the Constitution.

(3) Unless the Senate otherwise directs, the Departmental Committees at paragraph (2)(c) shall be as set out in Appendix V.

(4) In addition to the Joint Select Committees at (2) above, the following Joint Select Committees are hereby established:

- (a) Public Administration and Appropriations Committee;
- (b) Parliamentary Broadcasting Committee; and
- (c) Committee on Government Assurances.

(5) As far as possible Cabinet Ministers should not be Members of the Committees established under paragraphs (2), (3) and (4). Where the circumstances require a Cabinet Minister to be appointed to such Committees any such appointment should be so made as to avoid occurrences of conflict of interest.

(6) Standing Committees shall meet in public, except—

- (a) when deliberating upon evidence received;
- (b) when deliberating on its report to the House; or
- (c) if otherwise resolved by Order of the Committee.

### **89. THE PUBLIC ACCOUNTS COMMITTEE**

(1) The Public Accounts Committee shall have the duty of considering and reporting to the House on—

- (a) appropriation accounts of monies expended out of sums granted by Parliament to meet public expenditure;
- (b) such other accounts as may be referred to the Committee by the House or as are authorized or required to be considered by the Committee under any Law; and
- (c) the report of the Auditor General on any such accounts.

(2) In the performance of its duties under paragraph (1) of this Standing Order, the Public Accounts Committee shall consider whether policy is carried out efficiently, effectively and economically and whether expenditure conforms to the authority which governs it.

#### **90. THE PUBLIC ACCOUNTS (ENTERPRISES) COMMITTEE**

(1) The Public Accounts (Enterprises) Committee shall have the duty of considering and reporting to the House on—

- (a) the audited accounts, balance sheets and other financial statements of all enterprises that are owned or controlled by or on behalf of the State; and
- (b) the Auditor General's report on any such accounts, balance sheets and other financial statements.

(2) In the performance of its duties under paragraph (1) of this Standing Order the Public Accounts (Enterprises) Committee shall consider whether policy is carried out efficiently, effectively and economically and whether expenditure conforms to the authority which governs it.

#### **91. GENERAL FUNCTIONS OF DEPARTMENTAL JOINT SELECT COMMITTEES**

(1) In general, the functions of a Departmental Committee shall be to—

- (a) examine Bills and review all legislation relating to the relevant Ministries, departments or bodies or as may be referred to it by the House;
- (b) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration and operations of the assigned Ministries, departments or bodies;
- (c) study the programme and policy objectives of Ministries, departments or bodies and the effectiveness of the implementation;
- (d) assess and monitor the performance of Ministries, Departments and Bodies and the manner of the exercise of their powers;
- (e) investigate and inquire into all matters relating to the assigned Ministries, Departments and Bodies as they may deem necessary, or as may be referred to them by the House or a Minister; and
- (f) make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.

## **92. THE COMMITTEE ON PUBLIC ADMINISTRATION AND APPROPRIATIONS**

The Public Administration and Appropriations Committee shall have the duty of considering and reporting to the House on—

- (a) the budgetary expenditure of Government agencies to ensure that expenditure is embarked upon in accordance with parliamentary approval;
- (b) the budgetary expenditure of Government agencies as it occurs and keeps Parliament informed of how the budget allocation is being implemented; and
- (c) the administration of Government agencies to determine hindrances to their efficiency and to make recommendations to the Government for improvement of public administration.

### **DUTIES OF SPECIFIC DEPARTMENTAL JOINT SELECT COMMITTEES**

#### **93. THE COMMITTEE ON NATIONAL SECURITY**

The Committee on National Security shall have the duty of considering, from time to time, and reporting whenever necessary, on all matters related to the national security policy of Trinidad and Tobago. In particular, the Committee shall be authorized to examine—

- (a) the security, safety and protection of citizens;
- (b) the working relationships between the various agencies involved in intelligence gathering, and how they collect, co-ordinate, analyse and disseminate information and how these functions might be enhanced; and
- (c) the mechanisms to review the performance and activities of the various agencies involved in National Security and critical infrastructure.

#### **94. THE COMMITTEE ON ENERGY AFFAIRS**

The Committee on Energy Affairs shall have the duty of considering, from time to time, and reporting whenever necessary, on all matters related to the expenditure, administration and policy in relation to Energy Affairs.

#### **95. THE COMMITTEE ON FOREIGN AFFAIRS**

The Committee on Foreign Affairs shall have the duty of considering, from time to time, and reporting whenever necessary, on—

- (a) all matters relating to the foreign policy of the Government (including missions abroad) and examining the implications and likely effect on Trinidad and Tobago; and

- (b) International treaties and other agreements entered into by the Government on behalf of the State and advising the Parliament of their likely impact on Trinidad and Tobago; and
- (c) other matters relating to Foreign Affairs as may be referred to it by the House.

#### **96. THE COMMITTEE ON HUMAN RIGHTS, EQUALITY AND DIVERSITY**

The Committee on Human Rights, Equality and Diversity shall have the duty of considering, from time to time, and reporting whenever necessary, on all matters related to—

- (a) the compatibility of Acts of Parliament with human rights, and any matters relating to human rights in Trinidad and Tobago (but excluding consideration of individual cases);
- (b) Government compliance with national and international human rights instruments to which Trinidad and Tobago is a party; and
- (c) the promotion of measures designed to enhance the equalisation of opportunities and improvement in the quality of life and status of all peoples including marginalised groups on the basis of gender, age (elderly, youth, children) disability and the creation of an inclusive and more equitable society through greater social justice and sustainable human development within Trinidad and Tobago.

#### **97. THE PARLIAMENTARY BROADCASTING COMMITTEE**

(1) The Parliamentary Broadcasting Committee shall have the duty of considering, from time to time, and reporting whenever necessary, on all matters related to the live broadcasting and televising of parliamentary proceedings.

(2) The Chairman and Vice-Chairman of the Parliamentary Broadcasting Committee shall be the Speaker and President of the Senate, respectively.

#### **98. THE COMMITTEE ON GOVERNMENT ASSURANCES**

(1) The Committee on Government Assurances shall scrutinize the assurances, promises and undertakings given by Ministers from time to time on the floor of the House and report on—

- (a) the extent to which such assurances, promises and undertakings have been implemented; and

(b) when such assurances, promises and undertakings have been implemented and whether such implementation has taken place within the minimum time necessary for the purpose.

(2) The President of the Senate shall be a Member of the Committee.

### **99. CHAIRMAN OF JOINT SELECT COMMITTEES (STANDING)**

(1) In accordance with section 119 of the Constitution, the Chairman of the Public Accounts Committee shall be a Member of the Opposition in the House.

(2) Where the Members of the Opposition in the House are unwilling to act as Chairman of the Public Accounts Committee a Member of the Opposition in the Senate shall be appointed Chairman, and where the Members of the Opposition in the Senate are unwilling to act an Independent Senator shall be appointed Chairman.

(3) In accordance with section 119 of the Constitution, the Chairman of the Public Accounts (Enterprises) Committee shall be a Member of the Opposition in the Senate.

(4) Where the Members of the Opposition in the Senate are unwilling to act as Chairman of the Public Accounts (Enterprises) Committee a Member of the Opposition in the House shall be appointed Chairman, and where the Members of the Opposition in the Senate are unwilling to act an Independent Senator shall be appointed Chairman.

(5) The Chairman of the Departmental Joint Select Committees appointed pursuant to Section 66A of the Constitution shall be an Independent Senator. \*

(6) The Chairman of the Public Administration and Appropriations Committee shall be the Speaker.

(7) The Chairman and Vice-Chairman of the Parliamentary Broadcasting Committee shall be the Speaker and President of the Senate, respectively.

(8) The Chairman and Vice-Chairman of the Committee on Government Assurances shall be the President of the Senate and Speaker, respectively.

### **100. PROCEDURES FOR JOINT SELECT COMMITTEES (STANDING)**

(1) This Standing Order shall apply to all Standing Committees with the exception of the Parliamentary Broadcasting Committee.

*\* This relates to the Omnibus Committees established under section 66A of the Constitution*

(2) Within ten days following the appointment of Members to serve on a Joint Select Committee (Standing), the President of the Senate 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 President shall appoint a Member of the Committee to be the Chairman.

(3) The quorum of a Joint Select Committee shall be in accordance with Standing Order 102 (Procedures in Select Committees)

(4) Every Standing Committee shall have the power to appoint sub-committees and to delegate to any such sub-committee all or any of its powers except the power to report directly to the Houses.

(5) Standing Orders 86 (Composition and Chairmen of Select Committees), 87 (Joint Select Committees), 102 (Procedures in Select Committees) (except paragraph (2)), 103 (Premature Publication of Evidence) and 104 (Reports from Select Committees) shall apply to every Standing Committee. Standing Order 99 shall, as far as the same may be applicable, apply to a Sub-Committee appointed under this Standing Order.

(6) The Minister responsible for the Ministry / Body under review shall, not later than sixty (60) days after a report from a Standing Committee, relating to the Ministry / Body, has been laid upon the Table, present a paper to the Senate responding to any recommendations or 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 Senate Paper shall be determined without amendment or debate.

(7) If the period of sixty (60) days referred to in this Standing Order expires on a day when Parliament is in recess or the Senate is adjourned, the Minister referred to in paragraph (6) shall present to the Senate, the paper responding to the recommendations/comments, no later than the third sitting day following that recess or adjournment.

(8) If a Minister is unable to provide a response referred to in paragraph (7), the Minister shall write to the Speaker of the House providing the reason the response could not be provided.

## **101. GENERAL POWERS OF SELECT COMMITTEES**

In addition to powers granted by these Standing Orders, Select Committees shall also have the following powers, namely:



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

## **102. PROCEDURES IN SELECT COMMITTEES**

### *Time of Committee Meetings*

(1) Except as otherwise provided in these Standing Orders, this Standing Order shall apply to all Select Committees.

(2) Select Committee meetings may be held on—

- (a) Mondays between 8:00 a.m. and 4:00 p.m.;
- (b) Tuesdays between 8:00 a.m. and 1:00 p.m.;
- (c) Wednesdays between 8:00 a.m. and 4:00 p.m.;
- (d) Thursdays between 8:00 a.m. and 4:00 p.m.; and
- (e) Fridays between 8:00 a.m. and 1:00 p.m.

(3) A Committee may meet on weekends subject to the approval of the President of the Senate.

### *General*

(4) 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, except that in the case of a Joint Select Committee (Standing), the Vice-Chairman shall preside.

(5) Unless the Senate or these Standing Orders otherwise directs, three (3) 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 Senate and any extension or limitation thereof made by the Senate 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 Senate or under these Standing Orders, a Chairman is appointed, such Chairman shall appoint the time and place for the holding of the first meeting of the Committee. In all other cases, the first meeting of a Select Committee shall be summoned by the President and the first order of business shall be the election of a Chairman of the Committee: if at such meeting a Chairman is not elected, the President shall appoint a Member of the Committee to be the Chairman.

(8) Subsequent meetings shall be held at such time and place as the Select Committee may determine, except that, if the Committee fails to do so, the Chairman or Vice-Chairman shall, in consultation with the Clerk, appoint such time and place.

(9) Except by leave of the Senate, no Select Committee may sit while the Senate is sitting, but a Select Committee may sit during any adjournment or suspension of the Senate.

#### *Seeking Evidence*

(10) When it is intended to examine any witness or request papers and records, the Member requiring such evidence shall deliver to the Clerk of the Committee the name and contact details of the witness he desires to examine or the details of the papers required, as the case may be, and the Committee shall decide if and when to request the attendance of the witness or to call for the papers.

(11) Pursuant to paragraph (10), the Clerk of the Committee, shall request any person to attend and give evidence before the Committee or request that papers and records that are relevant to its proceedings be produced.

#### *The Exercise of Powers to Send for Persons, Papers and Records*

(12) A Select Committee may require, by Order, that a summons be issued to any person—

- (a) to attend before that Committee to be examined and give evidence; and
- (b) to produce papers and records in that person's possession, custody or control to that Committee.

(13) Every summons issued under paragraph (12)—

- (a) must state the time and place at which it is to be complied with

- by the person to whom it is addressed; and
- (b) is signed by the Clerk on behalf of the House and served by the Marshal of the Parliament under the President's direction, at least seven (7) days before his evidence is required.

*Member of Parliament as Witness*

(14) If resolved by a Committee, the Chairman may write to a Member of Parliament requesting the Member to attend.

(15) If the Member refuses to attend the Committee will not take any further action, except to report the matter to the Senate.

*Advisors to Witnesses*

(16) A witness may be accompanied by an Advisor who may be an Attorney-at-Law (of the witness's choice) and may consult with such Advisor in the course of a meeting at which the witness appears.

*Evidence*

(17) The evidence of every witness shall be taken down verbatim and sent in proof to the witness. The witness shall be at liberty, within fourteen (14) days from that on which the Clerk of the Committee sent out the proof, to suggest corrections due to inaccurate reporting, and the evidence shall be printed with such of the corrections as may be approved by the Chairman.

(18) The Committee may, at its discretion, refuse to hear any irrelevant evidence or any recalcitrant witness.

(19) A Committee shall exercise its discretion in determining whether it shall treat any evidence tendered before it as secret or confidential.

(20) A Committee may, by resolution, authorise 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.

(21) General rules governing the conduct of proceedings before Committees are set out in Appendix III to these Standing Orders.

### **103. PREMATURE PUBLICATION OF EVIDENCE**

(1) The proceedings of and the evidence taken at a meeting of a Select Committee or Sub-Committee, and any documents presented to, and decisions of, such a Committee shall not be published by any Member thereof or by any other person before the Committee has presented its report to the Senate.

(2) This Standing Order does not apply to evidence, whether oral and written, taken before a public meeting of a Committee held in accordance with these Standing Orders, any Order of the Senate or resolution of that Committee.

#### **104. REPORTS FROM SELECT COMMITTEES**

(1) Every Committee, with the exception of the Joint Standing Committees shall, before the end of the Session in which it was appointed, make a report to the Senate upon the matter referred to it; but where a Committee finds itself unable to conclude its investigation before the end of the Session, it may so report to the Senate.

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

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

(4) The Secretary to the Committee shall prepare a Draft Report for the Chairman's consideration. The Draft Report thereafter shall be submitted for the consideration of the Committee. However, alternative drafts may be submitted for consideration by any other Member at the request of the Chairman.

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

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

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

(8) The Minutes of the Proceedings of a Committee shall accompany the report of the Committee and shall be dealt with as the Senate may direct.

(9) The Minutes of Proceedings of a Committee shall record—

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

(b) the names of the witnesses examined;

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

(10) The Report of a Committee may be taken into consideration by the Senate on a motion *“That the Report of the Committee on . . . be adopted”*. Such a motion may be submitted to the Clerk to be kept as a part of the records of the Senate.

## CHAPTER XI

### Miscellaneous

#### 105. ABSENCE OF MEMBERS

(1) Any Member who is unable to attend a sitting of the Senate shall inform the Clerk as early as possible of his inability to attend and seek leave of absence.

(2) If any Member is absent from the Senate for more than six (6) consecutive Sittings occurring during the same Session without the leave of the President, such Member shall vacate his seat in the Senate under section 49(2) of the Constitution.

#### 106. ABSENCE OF MEMBERS FROM COMMITTEES

(1) If a Member fails to attend four (4) consecutive meetings of a Committee of which he is a Member, without the permission of the Chairman of the Committee, such absenteeism shall be referred to the Business Committee by the Chairman.

(2) The provisions of paragraph (1) of this Standing Order do not preclude the Chairman of a Committee from referring general absenteeism.

#### 107. EMPLOYMENT OF MEMBERS IN A PROFESSIONAL CAPACITY

No Member of the Senate shall appear before the Senate or any Committee thereof as Counsel or in any other professional capacity for any party or in any capacity for which he is to receive a fee or reward.

#### 108. REPORT OF DEBATES

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

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

### **109. VISITORS**

(1) Visitors may be present in the Senate Chamber in the places set apart for them, under such rules as the President may make from time to time for that purpose.

(2) If, at any sitting of the Senate, any Member shall move that visitors withdraw, the President shall immediately put the question "*That visitors do withdraw*" without permitting any debate or amendment.

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

(4) Visitors must withdraw from the Chamber and its precincts when called upon by the President to do so.

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

(6) The admission of visitors to those portions of the Chamber and dining rooms reserved for the exclusive use of Members shall be regulated in accordance with the Orders made by the President.

### **110. MEDIA**

(1) The President 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 Senate, 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.

### **111. AMENDMENT OF STANDING ORDERS**

(1) Unless the President shall otherwise direct, not fewer than twelve (12) days' notice of a motion to amend the Standing Orders shall be given, and the notice shall be accompanied by a draft of the proposed amendments.

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

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

(4) This Standing Order shall not be construed so as to deprive the Senate of the power of referring, by resolution, the Standing Orders or any part thereof to the Standing Orders Committee for consideration and report.

### **112. SUSPENSION OF STANDING ORDERS**

(1) Any one or more of these Standing Orders may be suspended, on a motion made by a Senator at any Sitting, after notice of at least one (1) day or with the leave of the President.

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

### **113. GENERAL AUTHORITY OF THE PRESIDENT**

The President shall be responsible for the general direction and control of the precincts of the Parliament.

### **114. ABSENCE OF THE PRESIDENT**

During any period where the President is abroad, 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 Vice-President until such time as the President resumes his office.

### **115. MINUTES OF PROCEEDINGS**

(1) The Clerk shall keep and sign the Minutes of the Proceedings of each sitting of the Senate which shall be circulated to Members prior to the commencement of the next sitting or as soon as possible thereafter.

(2) The Minutes shall record the names of Members attending and all decisions of the Senate whether made formally or informally.

### **116. PROCLAMATION OF THE PRESIDENT**

Where a Proclamation of His Excellency, the President made under section 67(1) of the Constitution is published, the Clerk shall send a copy to each Member of the Senate as soon as possible after it is made and in advance of the time appointed for the commencement of every session.

### **117. AGREEMENT BETWEEN THE BENCHES**

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

## 118. COMMENCEMENT

These Standing Orders shall come into effect on a date to be fixed by the President.

### APPENDIX I

#### TIME LIMIT ON SPEECHES

A Member may speak for the periods as specified below—

##### *Motions*

Mover	45 minutes
Any other Member	40 minutes

##### *Ministerial Statement*

Minister	15 minutes
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##### *Personal Explanation*

Member	10 minutes
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##### *Explanatory Statement—Papers*

Minister	3 minutes
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##### *Matters on the Adjournment of the Senate*

Each Member	10 minutes
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##### *Definite Matters of Urgent Public Importance*

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

### BILLS

##### *Public Bills*

##### *Second Reading*

Mover	45 minutes
Any other member	40 minutes

##### *Private Members' Bills*

##### *Introduction and First Reading*

Mover	5 minutes
Other Members	2 minutes



Debate

15 minutes in total

*In Committee*

All Members—unlimited periods not exceeding 5 minutes each.

APPENDIX II

GENERAL RULES FOR THE BROADCASTING OF SENATE  
PROCEEDINGS

1. The Senate authorizes the broadcasting, including rebroadcasting, of its gavel to gavel proceedings by the Parliament Channel.

2. The Senate authorizes the broadcasting of excerpts of its proceedings by radio and television stations, in accordance with the following conditions:

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

The following rules apply in relation to broadcasting of excerpts of proceedings:

- (a) broadcasts of excerpts shall be used only for the purposes of fair and accurate reports of proceedings, and shall not be used for—
  - (i) political party advertising or election campaigns;
  - (ii) satire and ridicule;
  - (iii) the purpose of maliciously attacking someone's reputation or character; or
  - (iv) commercial sponsorship or commercial advertising;
- (b) reports of proceedings shall be such as to provide a balanced presentation of differing views;
- (c) excerpts of proceedings which are subsequently withdrawn may be broadcast only if the withdrawal is also reported;
- (d) the instructions of the President in respect of the broadcasting of excerpts, which are not inconsistent with these conditions, shall be observed.

## RADIO AND TELEVISION BROADCASTING OF COMMITTEE PROCEEDINGS

The following rules apply in relation to radio and television broadcasting, including rebroadcasting of the proceedings of a Committee:

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

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

## APPENDIX III

### GENERAL RULES FOR THE CONDUCT OF PROCEEDINGS OF COMMITTEES

#### *Notice of meeting*

1. A written notice informing Members of the Committee of a meeting of the Committee must be circulated by the Clerk of the Committee no later than the day before the meeting. The notice must contain a summary of the items of business proposed to be dealt with at the meeting.

2. The requirement for a written notice to be circulated may be waived if all Members of the Committee agree.

#### *Secretary*

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

#### *Giving notice of business*

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

5. Notices given at a meeting and notices given to the Clerk of the Committee before 2.00 p.m. on the day before a meeting shall be placed on the agenda for the next meeting of the Committee.

6. Nothing in these Rules affects the Chairman's power to rule on whether a proposed notice is in order.

#### *Question previously decided*

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

#### *Names of Members present*

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

#### *Members may be present*

9. Any Senator (not being a Member of the Committee) may attend any meeting of a Select Committee but cannot participate in the proceedings except by leave of the Committee.

10. The Minister or Member in charge of a Bill may take part in the proceedings of the Committee even though not a Member of the Committee but may not vote on any question put to the Committee.

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

#### *Advisors*

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

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

#### *Attendance by Visitors*

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

#### *Voting*

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

#### *Disorder*

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

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

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

## **GENERAL PROVISIONS FOR EVIDENCE**

#### *Written submissions*

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

#### *Return of evidence*

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

*Private evidence*

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

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

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

*Secret evidence*

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

(a) information that it wishes to obtain can be obtained only if it can assure a witness, or other person in possession of that information, that evidence given to it will remain confidential; or

(b) it is satisfied that it is necessary to do so to protect the reputation of any person.

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

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

*Application for evidence to be private or secret*

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

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

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

## HEARING OF EVIDENCE

### *Public attendance at hearings*

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

### *Matters of concern before giving evidence*

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

### *Conduct of examination*

32. The examination of witnesses shall be conducted by the Chairman, with the approval of the Committee, directs.

33. The Chairman, and every Member through the Chairman, may put questions to a witness.

### *Relevance of questions*

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

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

### *Objections to answer*

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

### *Committee consideration of objections*

37. Where a witness objects to answering a question on any ground, the Select Committee, unless it decides immediately that the question should not be pressed, will then consider in private whether it will insist upon an answer to the question, having regard to the importance to the proceedings of the information sought by the question.

38. If the Committee decides that it requires an answer to the question, the witness will be informed of that decision, and shall be required to answer the question.

39. The Committee may decide that the public interest would best be served by hearing the answer in private or secret.

40. Where a witness declines to answer a question to which the Committee has required an answer, the Committee may report this fact to the Senate.

*Witnesses' expenses*

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

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

*Transcripts of evidence*

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

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

## NATURAL JUSTICE

*Disqualification for apparent bias*

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

(a) in any Select Committee inquiry into that person's responsibility for, or association with that crime, conduct or activity; or

(b) in any other proceedings in a Select Committee that may seriously damage the reputation of that person.

*Complaints of apparent bias*

46. A complaint of apparent bias on the part of a Member of a Select Committee may be made by any Member (whether or not a Member of the Committee) or by any person appearing or about to appear before the Committee whose reputation may be seriously damaged by proceedings of the Committee.

47. A complaint of apparent bias must be made, in writing, to the Chairman.

48. The Chairman, after considering any information or comment from the Member against whom the complaint is made, shall decide whether the Member is disqualified by reason of apparent bias.

49. Any Member of a Committee who is dissatisfied with the Chairman's decision on a complaint of apparent bias may refer the matter to the President for decision. The President's decision shall be final.

*Evidence containing allegations*

50. At any stage during a Select Committee's proceedings, the Committee may consider hearing in private, evidence that contains an allegation that may seriously damage the reputation of a person.

51. The Committee may also invite that person to be present during the hearing of such evidence.

52. A person who is to appear before a Committee shall be informed of, or given a copy of any evidence (other than secret evidence) or material in the Committee's possession that contains an allegation that may seriously damage the reputation of that person.

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

53. Any person whose reputation may be seriously damaged by proceedings of a Select Committee may request from the Clerk of the Committee a copy of all material, evidence (except secret evidence), records or other information that the Committee possesses concerning that person.

54. The Committee shall consider any such request and may if it considers it to be necessary to prevent serious damage to that person's reputation, furnish such material.

55. The Committee may furnish such material in a form different from that requested if to provide it in the form requested would impose undue difficulty, expense or delay.

*Irrelevant or unjustified allegations*

56. When a witness gives evidence that contains an allegation that may seriously damage the reputation of a person and the Select Committee is not satisfied that the evidence is relevant to its proceedings or is satisfied that the evidence creates a risk of harm to that person, which risk exceeds the benefit of the evidence, the Committee will give consideration—

- (a) to returning any written evidence and requesting that it be resubmitted without the offending material;
- (b) to expunging that evidence from any transcript of evidence;
- (c) to seeking an order of the Senate preventing the disclosure of that evidence.

*Responding where an allegation may seriously damage reputation*

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

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



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

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

## **INFORMATION ON PROCEEDINGS**

### *Confidentiality of proceedings*

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

60. Paragraph (59) does not prevent—

- (a) the disclosure, by the Committee or by a Member of the Committee, of proceedings to a Member of Parliament or to the Clerk or another officer of the Senate in the course of their duties;
- (b) the disclosure of proceedings in accordance with Standing Orders.

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

### *Confidentiality of reports*

62. A report or a draft of the report of a Select Committee or a Sub-Committee is strictly confidential to the Committee until it reports to the Senate.

63. Paragraph (62) does not prevent—

- (a) the disclosure, by the Committee or by a Member of the Committee, of a report or a draft report to a Member of Parliament or to the Clerk or another officer of the House in the course of their duties;
- (b) the disclosure of a report or a draft report in accordance with Standing Orders.

### *Reports to be signed*

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

## APPENDIX IV

### DUTIES OF THE CLERK

The duties of the clerk, in relation to the proceedings at sittings and in committees include the following:

#### *Minutes of Proceedings*

(1) The Clerk of the Senate shall keep the Minutes of the Proceedings of the Senate and of the Committees of the whole senate, which shall be made available to Senators.

(2) The Minutes shall record the names of Senators attending, all decisions taken and details of every division held.

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

#### *Order Paper and Notices of Questions/Motions*

(4) The Clerk shall cause to be circulated to every Senator in respect of each sitting of the Senate, an Order Paper setting out the business proposed to be transacted at the sitting.

(5) The Clerk shall prepare, from day to day all papers regarding the business of the Senate inclusive of Order Paper, Notice Papers of Questions or Motions which have been set down for a future day. These shall be circulated to all Senators within reasonable time.

(6) As soon as a proclamation of the President of the Republic of Trinidad and Tobago under Article 67(1) of the Constitution of the Republic of Trinidad and Tobago is published in the *Gazette*, the Clerk shall send to each Senator a copy of the proclamation.

#### *Select Committees*

(7) It shall be the responsibility of the Clerk to provide every Select Committee of the Senate with a Clerk and if so required by the Committee, with facilities for a verbatim reporter.

#### *Custody of Records*

(8) The Clerk shall be responsible for the custody of the votes, records, Bills and other documents laid before the senate, which shall be opened to inspection by Senator and other persons under such arrangements as may be sanctioned by the President.

## APPENDIX V

### THE DEPARTMENTAL COMMITTEES

Committee on—

- (1) National Security;
- (2) Energy Affairs;
- (3) Foreign Affairs;
- (4) Human Rights Equality and Diversity;

and the following omnibus Committees:

(1) Finance and Legal Affairs (to include Finance, Planning, Trade, Tobago Affairs, Office of the Prime Minister, Attorney General, Justice and Legal Affairs);

(2) Land and Physical Infrastructure (to include Land, Agriculture, Marine Resources, Housing, Public Utilities, Transport and Works);

(3) Social Services and Public Administration (to include Education, Health, Gender, Tourism, Public Administration, Labour, Culture, Community Development and other Social Services);

(4) Local Authorities, Service Commissions and Statutory Authorities (including the THA); and

- (5) State Enterprises.

# INDEX

## ALPHABETICAL INDEX OF STANDING ORDERS

<i>Standing Order</i>	<i>Subject</i>	<i>Page</i>
<b>A</b>		
105	Absence of Members ... ..	63
106	Absence of Members from Committees ... ..	63
114	Absence of the President ... ..	64
16	Adjournment—Definite Matter of Urgent Public Importance	10
15	Adjournment—Matters on ... ..	10
48	Adjournment—of Debate ... ..	31
14	Adjournment of the Senate ... ..	9
38	Admissibility of Motions ... ..	24
117	Agreement between the Benches ... ..	65
33	Amendment—Notice of Motions ... ..	22
111	Amendment of Standing Orders ... ..	64
40	Amendments ... ..	26
49	Anticipation ... ..	32
31	Arrangement of Public Business ... ..	21
<b>B</b>		
3	Bench—Definition of ... ..	1
57	Bills—Restrictions with respect to Money ... ..	37
58	Bills—Private Members ... ..	37
59	Bills—First Reading of House of Representatives ... ..	38
61	Bills—Introduction and First Reading of Government	38
60	Bills—Introduction and First Reading of Private Members	38
62	Bills—Appointment of Days for Stages of ... ..	39

**INDEX—Continued**

ALPHABETICAL INDEX OF STANDING ORDERS—CONTINUED

<i>Standing Order</i>	<i>Subject</i>	<i>Page</i>
<b>B—Continued</b>		
63	Bills—Printing and Circulation of ... ..	39
64	Bills—Procedure in Select Committee before Second Reading	39
65	Bills—Second Reading of ... ..	40
66	Bills—Committal of after Second Reading ...	40
67	Bills—Procedure in Committee after Second Reading	40
68	Bills—Procedure in Committee of the Whole Senate on a	41
70	Bills—Procedure on reporting from Committee ...	44
71	Bills—Third Reading of (Final Stage) ... ..	45
73	Bills—Private ... ..	47
74	Bills—Custody of ... ..	49
75	Bills—Withdrawal of ... ..	49
76	Bills—Containing substantially the same provision	49
77	Bills—Lapsed and the procedure for carrying over	49
App I	Bills—Time Limit ... ..	66
84	Business—Committee ... ..	52
17	Broadcasting and the Opportunity to respond ...	11
App II	Broadcasting of Senate Proceedings—General Rules	67
App II	Broadcasting of Committee Proceedings— Radio and Television	68
18	Business—Order of ... ..	12

**INDEX—Continued**

ALPHABETICAL INDEX OF STANDING ORDERS—CONTINUED

<i>Standing Order</i>	<i>Subject</i>	<i>Page</i>
<b>C</b>		
3	Chair—Definition of ... ..	1
3	Chairman—Definition of ... ..	1
99	Chairman—Joint Select Committees (Standing) ...	57
3	Circulate—Definition of ... ..	2
3	Clerk—Definition of ... ..	2
3	Co-ordinator of Independent Bench— Definition of	2
3	Constitution—Definition of ... ..	2
3	Court—Definition of ... ..	2
55	Collection of Voices ... ..	36
79	Committee—Sessional Select ... ..	50
80	Committee—Standing Orders ... ..	50
81	Committee—House ... ..	50
82	Committee—Privileges ... ..	50
83	Committee—Statutory Instrument ... ..	51
84	Committee—Business ... ..	52
85	Committee—Special Select ... ..	52
86	Committees—Composition and Chairman of Select	52
87	Committee—Joint Select ... ..	52
88	Committee—Joint Select ... ..	53
89	Committee—Public Accounts ... ..	53
90	Committee—Public Accounts (Enterprises) ...	54
91	Committees—General Functions Departmental Joint Select	54
92	Committee—on Public Administration and Appropriations	55
93	Committee—on National Security ... ..	55
94	Committee—on Energy Affairs ... ..	55
95	Committee—on Foreign Affairs ... ..	55

**INDEX—Continued**

ALPHABETICAL INDEX OF STANDING ORDERS—CONTINUED

<i>Standing Order</i>	<i>Subject</i>	<i>Page</i>
<b>C— Continued</b>		
96	Committee—on Human Rights, Equality and Diversity	56
97	Committee—Parliamentary Broadcasting ...	56
98	Committee—Government Assurances ...	56
99	Committee—Joint Select—Chairman of ...	57
100	Committee—Procedure for Joint Select (Standing)	57
101	Committee—General Powers of Select ...	58
102	Committee—Procedure in Select Committees ...	59
68	Committee—Procedure in Committees of the Whole	41
104	Committee—Reports from Select ...	62
App III	Committees—General Rules for the conduct of proceedings	69
App V	Committees—Departmental ...	77
106	Committees—Absence of Members from ...	63
102	Committee—Quorum ...	59
118	Commencement ...	65
74	Custody of Bills ...	49
<b>D</b>		
3	Dissolution—Definition of ...	2
43	Debates—Length of Speeches and Debates ...	29
48	Debate—Scope of ...	31
50	Debate—Closure of ...	32
48	Debate—Adjournment of ...	31
54	Decision of Questions ...	36
56	Division ...	36
108	Debates—Report of ...	63
App IV	Duties of the Clerk ...	76

**INDEX—Continued**

ALPHABETICAL INDEX OF STANDING ORDERS—CONTINUED

<i>Standing Order</i>	<i>Subject</i>	<i>Page</i>
<b>E</b>		
4	Election of a President ... ..	4
5	Election of a Vice-President ... ..	6
86	Election of a Chairman ... ..	52
12	Extraordinary Sitting ... ..	8
22	Explanations—Personal ... ..	15
36	Exemption from Notice ... ..	23
107	Employment of Members in a Professional Capacity	63
App III	Evidence—Hearing of ... ..	72
App III	Evidence—General Provisions ... ..	70
<b>F</b>		
3	Financial Interest—Definition of ... ..	2
13	Fixed Recess ... ..	9
61	First Reading of House of Representatives' Bills ...	38
<b>G</b>		
113	General Authority of the President ... ..	65
101	General Powers of Select Committee ... ..	58
<b>H</b>		
11	Hours of Sitting ... ..	8
81	House Committee ... ..	50



**INDEX—Continued**

ALPHABETICAL INDEX OF STANDING ORDERS—CONTINUED

<i>Standing Order</i>	<i>Subject</i>	<i>Page</i>
<b>I</b>		
2	Interpretation and Application of Standing Orders	1
45	Interruptions ... ..	30
59	Introduction and First Reading of Private Members' Bills	38
60	Introduction and First Reading of Government Bills	38
32	Issues for Debate ... ..	22
<b>J</b>		
87	Joint Select Committees ... ..	52
88	Joint Select Committees (Standing) ... ..	53
<b>L</b>		
8	Language ... ..	7
77	Lapsed Bills and the Procedure for Carrying Over	49
3	Leader of Government Business in the Senate— Definition of	2
3	Leader of Opposition Business in the Senate— Definition of	2
3	Leave of the Senate or leave of the committee— Definition of	2
43	Length of Speeches and Debates ... ..	29
<b>M</b>		
3	Make—Definition of ... ..	2
3	Member—Definition of ... ..	2
3	Minister—Definition of ... ..	3

**INDEX—Continued**

ALPHABETICAL INDEX OF STANDING ORDERS—CONTINUED

<i>Standing Order</i>	<i>Subject</i>	<i>Page</i>
<b>M—Continued</b>		
3	Motion—Definition of ... ..	3
15	Matters on the Adjournment ... ..	10
27	Manner of Asking and Answering Questions which require notice	17
38	Motions—Admissibility ... ..	24
39	Motions—General Rules ... ..	25
47	Matters <i>Sub Judice</i> ... ..	31
110	Media ... ..	64
104	Minutes of Proceedings—Select Committee ...	62
115	Minutes of Proceedings—Senate ... ..	65
<b>N</b>		
33	Notice of Motions or Amendments ... ..	22
34	Notice—Period of ... ..	23
35	Notice Paper—Motions ... ..	23
36	Notice—Exemption from ... ..	23
37	Notice—Dispensing with ... ..	24
App III	Natural Justice ... ..	73
<b>O</b>		
3	Order Paper—Definition of ... ..	3
6	Oath ... ..	6
18	Order of Business ... ..	12
19	Order Paper ... ..	13
52	Order—Responsibility for—in the Senate and in Committee	33
53	Order in the Senate and in Committee ... ..	33

**INDEX—Continued**

ALPHABETICAL INDEX OF STANDING ORDERS—CONTINUED

<i>Standing Order</i>	<i>Subject</i>	<i>Page</i>
<b>P</b>		
3	Paper—Definition of ... ..	3
21	Papers ... ..	14
3	Party—Definition of ... ..	3
34	Period of Notice ... ..	23
22	Personal Explanations ... ..	15
3	Person—Definition of ... ..	3
3	Petition—Definition of ... ..	3
20	Petition ... ..	13
3	Precincts of Parliament—Definition of ... ..	3
103	Premature Publication of Evidence ... ..	61
3	President/President of the Senate—Definition of ... ..	3
7	Presiding in the Senate and in Committee ... ..	6
3	Presiding Officer—Definition of ... ..	3
73	Private Bills ... ..	47
3	Private Member—Definition of ... ..	3
58	Private Members Bills ... ..	37
3	Privilege ... ..	3
30	Privileges Matters ... ..	21
68	Procedure in Committee of the Whole Senate on a Bill	41
67	Procedure in Committee on Bills after Second Reading	40
102	Procedure in Select Committees ... ..	59
70	Procedure on Bills reported from Select Committees appointed under Standing Order 66	44
72	Procedure on House of Representative Amendments	45
69	Procedure on Reporting from Committee of the whole Senate	43
100	Procedures for Joint Select Committees (Standing)	57
App III	Proceedings—Information on ... ..	75
115	Proceedings—Minutes of ... ..	65
116	Proclamation of the President ... ..	65

**INDEX—Continued**

ALPHABETICAL INDEX OF STANDING ORDERS—CONTINUED

<i>Standing Order</i>	<i>Subject</i>	<i>Page</i>
<b>P—Continued</b>		
3	Prorogation ... ..	3
90	Public Accounts (Enterprises) Committee ...	54
89	Public Accounts Committee ... ..	53
92	Public Administration and Appropriations Committee	55
1	Purpose ... ..	1
31	Public Business—Arrangement of ... ..	21
<b>Q</b>		
9	Quorum—Senate ... ..	7
102	Quorum—Select Committees ... ..	59
24	Questions ... ..	15
25	Questions—Urgent ... ..	16
26	Questions for which Notice is required ... ..	16
27	Questions—Manner of asking and answering which require notice	17
28	Questions—contents of ... ..	19
29	Questions—Notice Paper ... ..	20
<b>R</b>		
3	Recess—Definition of ... ..	3
44	Right of Reply ... ..	29
51	Rules for Members not speaking ... ..	32
52	Responsibility for order in the Senate and in Committee	33
57	Restrictions with Respect to Money Bills ...	37
104	Reports from Select Committees ... ..	62
108	Report of Debates ... ..	63
<b>S</b>		
3	Senate—Definition of ... ..	3
3	Senator—Definition of ... ..	3
3	Session—Definition of ... ..	4
3	Statutory Instrument—Definition of ... ..	4

**INDEX—Continued**

ALPHABETICAL INDEX OF STANDING ORDERS—CONTINUED

<i>Standing Order</i>	<i>Subject</i>	<i>Page</i>
<b>S—Continued</b>		
3	<i>Sub judice</i> —Definition of ... ..	4
3	Substantive Motion—Definition of ... ..	4
11	Sitting—Hours of ... ..	8
14	Senate—Adjournment of ... ..	9
23	Statements by Ministers or Parliamentary Secretaries	15
42	Speaking—Time and manner of ... ..	28
App I	Speaking—Time Limits ... ..	66
46	Speeches—Contents of ... ..	30
48	Scope of Debate ... ..	31
65	Second Reading of Bills ... ..	40
78	Statutory Instruments ... ..	49
79	Sessional Select Committees ... ..	50
80	Standing Orders Committee ... ..	50
83	Statutory Instruments Committee ... ..	51
85	Special Select Committees ... ..	52
102	Summons ... ..	60
112	Suspension of Standing Orders ... ..	65
<b>T</b>		
3	Table of the Senate—Definition of ... ..	4
42	Time and manner of Speaking ... ..	28
App I	Time Limit on Speeches ... ..	66
<b>V</b>		
3	Visitor—Definition of ... ..	4
109	Visitors ... ..	64
<b>W</b>		
3	Witness—Definition of ... ..	4
3	Writing—Definition of ... ..	4
75	Withdrawal of Bills ... ..	49