

LEGAL NOTICE No. 278

REPUBLIC OF TRINIDAD AND TOBAGO

THE TOBAGO HOUSE OF ASSEMBLY ACT, 1996

STANDING ORDERS

MADE BY THE TOBAGO HOUSE OF ASSEMBLY UNDER SECTION 69 OF THE  
TOBAGO HOUSE OF ASSEMBLY ACT, 1996

THE TOBAGO HOUSE OF ASSEMBLY STANDING ORDERS, 1997

1. These Standing Orders may be cited as the Tobago House of Short title  
Assembly Standing Orders, 1997.

2. (1) When the Assembly first meets after a primary election, the Oath of  
President shall administer the oath or affirmation of office to the allegiance  
Assemblymen, the Presiding Officer, the Councillors and the Deputy  
Presiding Officer in accordance with the provisions of the Tobago House  
of Assembly Act, 1996 and these Standing Orders.

(2) At any other time, immediately after Prayers, the oath or  
affirmation of office shall be administered in the Assembly Chamber by  
the Presiding Officer or the Deputy Presiding Officer where the person  
is elected to the office of Presiding Officer.

(3) No member shall assume the duties of his office until he is  
administered the relevant oath of office in accordance with section 13 of  
the Tobago House of Assembly Act, 1996.

3. (1) At the inaugural meeting of the Assembly held immediately Election of  
after a primary election, in accordance with section 6 of the Tobago Presiding  
House of Assembly Act, 1996, the Clerk shall call upon members to elect Officer  
a Presiding Officer of the Assembly, except that no member shall  
nominate more than one candidate for the same office, whether as  
proposer or seconder.

(2) A member, having first ascertained that a member or other  
person to be proposed is willing to serve if elected, may, propose that  
member or other person as Presiding Officer and if that proposal be  
seconded, the Clerk, if no other such member or person be proposed for  
the office, shall declare the member or the person so proposed and  
seconded to be the Presiding Officer.

(3) If another member or person who is willing to serve if elected  
is proposed and seconded as Presiding Officer there shall be an election  
by secret ballot.

(4) The member or person elected to the office of Presiding Officer shall be the candidate receiving the highest number of votes, but where because of an equality of votes the election of the Presiding Officer is impossible, the ballot shall be retaken in respect of the relevant Candidates.

(5) Where on the second ballot the equality of votes continues, the Clerk shall propose the question that the member or other person chosen who was first proposed should be the Presiding Officer. If that proposal be agreed to, the member or other person chosen shall be the Presiding Officer.

(6) If the proposal be negatived, the Clerk shall propose a like question in respect of any other member or person who has been proposed and seconded, in the order in which they were proposed until the question is carried in favour of one of the members or other persons proposed.

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

Election of  
Chief  
Secretary and  
Deputy Chief  
Secretary

4. (1) At the inaugural meeting of the Assembly referred to in Standing Order No. 3(1) (Election of Presiding Officer) as soon as the Presiding Officer has been appointed, the Assembly shall proceed to the election of a Chief Secretary and a Deputy Chief Secretary except that no Assemblyman shall nominate more than one candidate for the same office, whether as proposer or seconder.

(2) An Assemblyman, having first ascertained that the Assemblyman to be proposed, is willing to serve if elected, may propose any Assemblyman as Chief Secretary or Deputy Chief Secretary and if that proposal be seconded, the Presiding Officer, if no other Assemblyman be proposed for the office, shall declare the Assemblyman so proposed and seconded to be the Chief Secretary or Deputy Chief Secretary as the case may be.

(3) If more than one Assemblyman is so proposed, the Presiding Officer shall, after all such members have been proposed and seconded put selection of the Chief Secretary or Deputy Chief Secretary as the case may be, to a vote by secret ballot.

(4) The Assemblyman elected to the office of Chief Secretary or Deputy Chief Secretary, as the case may be shall be the candidate receiving the highest number of votes, but where because of an equality of votes the election of a member is impossible, the ballot shall be retaken in respect of the relevant Assemblyman.

(5) Where on the second ballot the equality of votes continues, the Presiding Officer shall exercise a casting vote.

5. Immediately after administering the oath or affirmation of office to the Chief Secretary and Deputy Chief Secretary, the President shall appoint the Minority Leader in accordance with section 8A of the Tobago House of Assembly Act, 1996. Appointment of Minority Leader

6. (1) Immediately after the appointment of the Minority Leader, the Presiding Officer shall, acting in accordance with the advice of the Chief Secretary and the Minority Leader, appoint three Councillors and one Councillor each respectively. Appointment of Councillors

(2) The President shall administer to each Councillor the oath or affirmation of office.

7. (1) At the inaugural meeting of the Assembly referred to in Standing Order No. 3(1), so soon as the Councillors have been appointed, the Assembly shall proceed to the election of an Assemblyman or Councillor, to be Deputy Presiding Officer of the Assembly except that no member shall nominate more than one candidate for the same office, whether as proposer or seconder. Election of Deputy Presiding Officer

(2) A member, having first ascertained that the member to be proposed is willing to serve if elected, may propose any member to the Assembly as Deputy Presiding Officer and if that proposal be seconded, the Presiding Officer, if no other such member be proposed for the office, shall declare the member so proposed and seconded to be the Deputy Presiding Officer.

(3) If more than one member is proposed and seconded for the office of Deputy Presiding Officer, the Presiding Officer shall, after all such members have been proposed and seconded put selection of the candidate to a vote by secret ballot.

(4) The members elected to the office shall be the candidate receiving the highest number of votes, but where because of an equality of votes the election of Deputy Presiding Officer is impossible, the ballot shall be retaken in respect of the relevant members.

(5) Where on the second ballot the equality of votes continues, the Presiding Officer shall exercise a casting vote.

8. (1) If more than one member is proposed for an office the Presiding Officer shall, after all such members have been proposed and seconded put selection of the candidate to a vote by secret ballot. Procedure for Election

(2) The member elected to the office shall be the candidate receiving the highest number of votes, but where because of an equality of votes the election of a member is impossible, the ballot shall be retaken in respect of the relevant candidates.

(3) Where on the second ballot the equality of votes continues, the Presiding Officer shall exercise a casting vote.

General  
authority of  
the Presiding  
Officer

9. (1) The Presiding Officer shall have power to regulate the conduct of business in all matters not provided for in these Standing Orders.

(2) The decision in all cases for which these Standing Orders do not provide, shall lie within the discretion of the Presiding Officer, and shall not be open to challenge, except on a substantive motion.

Presiding in  
the Assembly  
and in  
Committee

10. The Presiding Officer, or in his absence, the Deputy Presiding Officer shall preside at all Meetings of the Assembly and shall act as Chairman of the Committee of the Assembly, however, in their absence, a member not being a member of the Executive Council shall be elected by the Assembly to preside at that Meeting.

Absence of the  
Presiding  
Officer

11. During any period where the Presiding Officer is absent on account of illness or is for any other reason unable to perform the functions his office, these functions shall be assumed and performed by the Deputy Presiding Officer.

Leader of  
Executive  
Council  
Business

12. (1) At the first ordinary meeting of the Assembly held after a Primary Election before he proceeds to the dispatch of any other business, the Presiding Officer shall appoint on the advice of the Chief Secretary, the member who shall be Leader of Executive Council Business for that Session.

(2) In the absence of the Leader of Executive Council Business the Presiding Officer acting on the advice of the Chief Secretary shall appoint any other member to perform the functions of the Leader of Executive Council Business.

Duties of the  
Clerk

13. (1) The Clerk shall keep the Minutes of the proceedings of the Assembly and of its committees and shall circulate copies of such Minutes to members as early as practicable and such Minutes when so circulated shall be taken as read.

(2) The Minutes shall record the names of members attending, all decisions taken and shall be signed by the member presiding.

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

(4) The Clerk shall prepare from day to day and keep on the Table of the Assembly and in the Clerk's office an Order Book showing all business appointed for any future day and any Notices of Questions

or motions which have been set down for a future day whether for a day named or not. The Order Book shall be open to the inspection of the members at all reasonable hours.

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

(6) The Clerk shall be responsible for the custody of the votes, records, rules, and other documents laid before the Assembly which shall be open to inspection by members at any reasonable time and to other persons at such times as the Presiding Officer thinks fit.

(7) The Clerk shall be responsible for the custody of the Assembly's Common Seal which shall be kept in a vault provided for that purpose.

(8) The Clerk shall make available to committees of the Assembly such staff as is reasonably necessary for their efficient running and operation.

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

(10) As soon as the President approves any rule, or assents to any Assembly law the same shall be published in the *Gazette* and any newspaper that is circulated throughout Trinidad and Tobago, and the Clerk shall send to each member a copy of such rule, or Assembly law.

14. (1) Subject to paragraph (2) of this Standing Order, the Assembly shall meet at least once every month on the fourth Thursday at 1.30 in the afternoon but it may hold other Ordinary Meetings as often as its business may require. Unless previously adjourned by a motion moved by a Secretary, Assistant Secretary or Leader of Executive Council Business, the Assembly shall sit until 8 o'clock in the afternoon. <sup>Sitting of the Assembly</sup>

(2) At 4.30 p.m. the Presiding Officer shall suspend the Sitting and order it to be resumed at 5.00 p.m.

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

(4) If at any time when the Assembly stands adjourned pursuant to its own order, the Presiding Officer is satisfied that there is urgent necessity for the Assembly to meet upon a day earlier than the day to which the Assembly stands adjourned, he may subject to the

provisions of paragraph (5) of this Standing Order, direct the Clerk to summon a meeting of the Assembly for such time on such day, whether Thursday or otherwise, as the Presiding Officer may determine.

(5) Every direction under paragraph (4) of this Standing Order shall be in writing and shall be signed by the Presiding Officer 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.

(6) The Presiding Officer shall convene a Special Meeting of the Assembly—

(a) at the written request of the Chief Secretary; or

(b) at the written request of not less than one-third of the members.

(7) A request for a Special Meeting shall be directed through the Clerk to the Presiding Officer.

(8) Except by leave of the Assembly no business other than the business specified in the direction under paragraph (6) of this Standing Order shall be transacted at any Special Meeting of the Assembly under the said paragraph.

(9) All meetings of the Assembly shall be open to the public except that the Presiding Officer may order the removal of any person or persons for disorderly conduct or obstruction of the proceedings of the Assembly.

(10) The Leader of Executive Council Business may without notice move that the Assembly continue to sit until the conclusion of the business on the Order Paper or of any matter specified thereon and the question upon such a motion shall be put without amendment or debate.

(11) The Assembly may from time to time alter by resolution the hours provided in this Standing Order for the beginning and ending of a Sitting.

Quorum

15. (1) By virtue of section 68 of the Tobago House of Assembly Act, 1996 the quorum of the Assembly and of the Committee of the whole Assembly shall consist of nine members including the member in the Chair when not the Presiding Officer.

(2) If any member draws the attention of the Presiding Officer, or of the Chairman in Committee of the Assembly, to the fact that a quorum is not present, the Presiding Officer or Chairman, as the case may be, shall direct members to be summoned.

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

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

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

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

16. (1) Unless the Assembly directs, the business of each sitting day shall be transacted in the following order: Order of business

- (a) Prayers;
- (b) Oath of Allegiance of a new member;
- (c) Announcements by the Presiding Officer;
- (d) Assembly Bills sent back from Cabinet;
- (e) Assembly Laws brought back from Parliament;
- (f) Petitions;
- (g) Papers;
- (h) Presentation of reports from:
  - (i) Dispute Resolution Commission;
  - (ii) Select Committees;
- (i) Questions to Secretaries;
- (j) Requests for leave to move the adjournment of the Assembly on definite matters of urgent public importance;
- (k) Statement by Secretaries or Assistant Secretaries;
- (l) Personal Explanations;
- (m) Introduction of Bills;
- (n) Motions relating to the business or sittings of the Assembly and moved by a Secretary or Assistant Secretary;
- (o) Public business;
- (p) Motion for adjournment.

(2) Upon the Presiding Officer's direction the Clerk shall read the Order Paper, without any question being put.

Adjournment of the Assembly 17. No member other than the Leader of Executive Council Business or Secretary to whom such responsibility has been delegated may move the adjournment of the Assembly except in accordance with these Standing Orders.

Adjournment on definite matter of urgent public importance 18. (1) A member who wishes to ask leave to move the adjournment of the Assembly for the purpose of discussing a definite matter of urgent public importance shall, before the commencement of the Sitting, hand to the Presiding Officer a written notification of the matter which he wishes to discuss.

(2) The Presiding Officer shall refuse to allow the claim unless he is satisfied—

- (a) that the matter is definite;
- (b) that the matter is urgent;
- (c) that the matter is of public importance; and
- (d) that the matter may properly be raised on a motion for the adjournment of the Assembly.

(3) If the Presiding Officer is so satisfied and either—

- (a) leave of the Assembly is given; or
- (b) if it is not given, at least seven members by rising indicate that they support the request,

the motion shall stand over until such hour on the same day as the Presiding Officer may appoint, and at that hour any proceedings on which the Assembly is engaged shall be postponed until the motion for the adjournment is disposed of, or until such motion has continued for a period of one hour, whichever is earlier.

(4) When the debate on the motion for the adjournment has continued for the period of one hour, the motion for the adjournment shall lapse and the proceedings which were postponed shall be resumed and dealt with in accordance with the relevant Standing Orders.

(5) The Assembly's ordinary hours of sitting shall be extended by a period of time equivalent to the period of time spent in respect of the debate on the motion for the adjournment of the Assembly for the purpose of discussing a definite matter of urgent public importance.

(6) Not more than one motion for the adjournment of the Assembly under this Standing Order may be allowed at one sitting.

Papers 19. (1) Every paper shall be presented by a Secretary or Assistant Secretary or Leader of Executive Council Business and its presentation shall be recorded in the Minutes of Proceedings.

(2) The member presenting a paper may make a short explanatory statement of its contents.

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

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

20. Questions may be put to a Secretary relating to any matter, <sup>Nature of</sup> subject or division in respect of which that Secretary is charged with <sup>questions</sup> responsibility.

21. (1) A question shall not be asked without notice, unless it is of <sup>Notice of</sup> an urgent character or relates to the business of the day, and unless the <sup>questions</sup> member has obtained the leave of the Presiding Officer to ask it.

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

(3) Subject to Standing Order No. 16 (Order of business) a member who desires an oral answer to a question shall mark his notice with an asterisk and such a question shall be put down for a day to be named by the member being a day not earlier than twenty-one clear days after notice of the question was given and a question not so marked may be put down for the next sitting day of the Assembly and the answer when received shall be circulated with the Minutes of Proceeding.

22. (1) The right to ask a question shall be subject to the following <sup>Content of</sup> general rules, as to the interpretation of which the Presiding Officer <sup>questions</sup> 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 Secretary to whom it is addressed, or to ask for official action;

(b) a question shall not include the names of persons, or any statement of fact, unless they be necessary to render the question intelligible;

(c) if a question contains a statement of fact, the member asking it shall make himself responsible for the accuracy of the statement, and no question shall be based upon a newspaper report or upon an unofficial publication;

- (d) not more than one subject shall be referred to in any one question, and a question shall not be of excessive length;
- (e) a question shall not contain arguments, inferences, opinions, imputations, epithets, ironical expressions or hypothetical cases;
- (f) a question shall not be asked—
  - (i) which raises an issue already decided by the Assembly, or which has been answered fully during the current Session, or to which an answer has been refused;
  - (ii) which seeks information about matters which are in their nature secret;
  - (iii) regarding proceedings in a Committee which have not been placed before the Assembly by a report from that committee;
  - (iv) which deals with matters referred to a Commission of Enquiry or Dispute Resolution Commission or falls within the jurisdiction of the Chairman of a Select Committee;
  - (v) as to the character or conduct of any person except in his official or public capacity.

(2) If the Presiding Officer is of the opinion that any question of which a member has given notice to the Clerk infringes the provisions of any Standing Order or is in any way abusive he may direct that—

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

Manner of asking and answering questions

23. (1) At the time appointed for the oral asking and answering of questions under Standing Order No. 16, (Order of business) the Presiding Officer shall call questions in turn upon each member in whose name a question stands upon the Order Paper, in the order in which the questions are printed, or in any such order as the Presiding Officer may on any particular occasion determine, and each member so called shall rise in his place and ask the question by reference to its number on the Order Paper, and the Secretary questioned shall give his reply.

(2) After the answer to a question has been given, supplementary questions may, at the discretion of the Presiding Officer, be put for the purposes of elucidating the answer given orally, but the

Presiding Officer may refuse any such question which in his opinion introduces matters not relative to the original question, or which infringes any of the provisions of Standing Order No. 22 (Content of Questions), and may in that case direct that such question be not reported in the Official Report.

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

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

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

(6) The question and answer period should not exceed forty-five minutes.

(7) Questions which have not received an oral answer after forty-five minutes in the question time shall be answered in writing by the Secretary to whom the question was addressed, and copies of the answer shall be sent immediately after that hour to the Clerk of the Assembly, who shall send a copy to the member in whose name the question stood upon the Order Paper and cause the answer to be circulated with the Minutes of Proceedings, unless at any time before Question time a member having a question on the Order Paper but whose name has not yet been called by the Presiding Officer signifies to the Clerk at the Table his desire to postpone the question to a later sitting or to withdraw it.

24. With the leave of the Presiding Officer and with the indulgence of the Assembly, a member may make a personal explanation of not more than five minutes duration at the time appointed under Standing Order No. 16 (Order of business) although there is no question before the Assembly, but no controversial matter may be brought forward nor may any debate arise upon the explanation.

Arrangement  
of public  
business

25. (1) Public Business shall consist of motions and Public Bills.

(2) Subject to the provisions of these Standing Orders, Executive Council Business shall have precedence on every day.

(3) Executive Council Business shall consist of motions proposed to be made and Bills sponsored by Secretaries or Assistant Secretaries and shall be set down in such order as the Executive Council thinks fit.

(4) On the fourth Thursday of every third month in each quarter, Private Member's business shall take precedence over Executive Council Business unless, and to the extent that the Leader of Executive Council Business moves and the Assembly agrees that any urgent Executive Council matters should be disposed of before Private Member's business.

Questions for  
debate

26. Subject to the Constitution, the Tobago House of Assembly Act, 1996 and to these Standing Orders, any member may propose, by way of motion, any matter for debate in the Assembly.

Notice of  
motions or  
amendments

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

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

(a) that the member concerned be informed that the notice of motion is out of order; or

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

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

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

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

28. (1) Except with the consent of the Presiding Officer notice of an Executive Council motion shall not be placed upon the Order Paper of any sitting earlier than the day following the day on which the notice was given to the Clerk. <sup>Period of notice</sup>

(2) A notice of a Private Member's motion shall not be entered in the Order Book or placed upon the Order Paper for a day earlier than twelve clear days from the day on which the notice was given.

29. 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: <sup>Exemption from notice</sup>

- (a) a motion for an amendment of any motion;
- (b) a motion for an adjournment of the Assembly or of a debate;
- (c) a motion for the election of a temporary Presiding Officer under section 21(4) of the Tobago House of Assembly Act, 1996;
- (d) a motion for the suspension of Standing Orders put with the leave of the Presiding Officer;
- (e) a motion for the withdrawal of strangers;
- (f) a motion for the suspension of a member;
- (g) a motion that the Assembly resolve itself into Committee;
- (h) a motion made in Committee of the whole Assembly, other than the Finance Committee;
- (i) a motion that a petition be read, printed or referred to a Select Committee;
- (j) a motion for the printing of a paper under paragraph (3) of Standing Order No. 19 (Papers);
- (k) a motion relating to a matter of privilege;
- (l) a motion arising out of any item of business made immediately after an item is disposed of and before the next item is entered upon;
- (m) a motion to recommit a Bill;
- (n) a motion in respect of which notice has been dispensed with under Standing Order No. 30 (Dispensing with Notice);
- (o) a motion for the withdrawing of a Bill under Standing Order No. 63 (Withdrawal of Bills);

(p) a motion that the Report of a Select Committee be referred to a Committee of the whole Assembly or a motion that such Report be printed as an Assembly Paper.

Dispensing  
with notice

30. 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 Presiding Officer and the assent of the majority of the members present at the time.

Privilege  
motion

31. (1) A motion directly concerning the privilege of the Assembly shall take precedence over all other public business.

(2) Any member desiring to raise a matter under this Standing Order shall first obtain leave of the Presiding Officer and if he obtains such leave, there shall be no debate on the motion but the Presiding Officer shall refer the matter to the Committee of Privileges.

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

(4) No Member moving a motion under this Standing Order may speak for more than five minutes.

Moving of  
motions

32. (1) On a motion made and when necessary seconded, the Presiding Officer shall propose the question to the Assembly, and after debate, if any, shall then put the question for the decision of the Assembly.

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

Seconding of  
motions and  
amendments

33. (1) In the Assembly the question upon a motion or amendment shall not be proposed by the Presiding Officer unless such motion or amendment has been seconded; save that Executive Council Business shall not require seconding.

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

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34. (1) If a member other than a Secretary does not, when called, move a motion or amendment which stands in his name such motion or amendment shall be removed from the Order Paper unless deferred by leave of the Assembly or moved by another member duly authorised by that member; but Executive Council Business may be moved by any Secretary or Assistant Secretary. Motions not moved or seconded

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

35. (1) A motion may be withdrawn, at the request of the mover, after it has been moved by leave of the Assembly, before the question is fully put thereon, if there is no dissentient voice. Withdrawal of motions

(2) A motion so withdrawn may not be moved again within twelve months from the date of withdrawal.

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

36. (1) When any motion is under consideration in the Assembly or in a Committee thereof an amendment may be proposed to the motion if it is relevant thereto. Amendments to motions how moved and put

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

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

(4) Upon any amendment—

(a) to leave out any of the words of the motion, the question to be proposed shall be “That the words proposed to be left out, be left out of the question;”

(b) to insert words in, or to add at the end of the motion, the question to be proposed shall be “That those words be there inserted” (or “added”);

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

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

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

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

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

(9) When every such amendment to an amendment has been disposed of, the Presiding Officer shall, as the case may require, either put the question upon the original amendment, or shall put the question upon the original amendment as amended.

(10) Any amendment shall be put in writing by the mover and delivered to the Clerk before the question is proposed thereon.

(11) When the question upon an amendment to a motion has been proposed by the Presiding Officer, an earlier part of the motion may not be amended unless the amendment under discussion is withdrawn.

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

Time and  
manner of  
speaking

37. (1) A member desiring to speak shall signify his intention and if called upon shall address his observations to the Presiding Officer, and no member shall speak unless called upon to do so by the Presiding Officer.

(2) If two or more members rise at the same time, the Presiding Officer shall call upon the member who first catches his eye.

(3) Subject to paragraph (5) of this Standing Order, no member shall speak more than once on any question except—

- (a) well the Assembly is in committee; or
- (b) in explanation as prescribed in paragraph (4) of this Standing Order; or
- (c) to a point of order, as provided in Standing Order No. 39 (Interruptions),

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

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

(5) A member who has spoken may speak again when a new question has been proposed by the Presiding Officer, such as a proposed amendment or a motion for the adjournment of the debate.

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

(7) No member may speak on any question after it has been put to the vote by the Presiding Officer.

38. (1) The mover of a motion may reply after all the other members present have had an opportunity of addressing the Assembly 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. Right to reply

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

39. A member shall not interrupt another member except— Interruptions

(a) by rising to a point of order, whereupon the member speaking shall resume his seat and the member interrupting shall simply direct attention to the point which he desires to bring to notice and submit it to the Presiding Officer for decision; or

(b) to elucidate some matter raised by that member in the course of his speech, where the member speaking is willing to give way and resume his seat and that the member wishing to interrupt is called by the Chair.

40. (1) Subject to the provisions of these Standing Orders, debate upon any motion, Bill or Assembly Law or amendment shall be relevant to such motion, Bill, Assembly Law or amendment and a member shall confine his observations to the subject under discussion. Content of speeches

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

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

(4) It shall be out of order to use offensive or insulting language about members.

(5) No member shall impute improper motives to any other member.

(6) Secretaries assigned shall be referred to by the title of their portfolios and other members, who are not Councillors, only by the electoral districts for which they have been elected.

(7) The name of the President of the Republic of Trinidad and Tobago shall not be used to influence the Assembly.

(8) The conduct of the President of the Republic, members of the Assembly, Members of Parliament or of Judges or other persons engaged in the administration of justice shall not be raised except upon a substantive motion moved for the purpose, and in any amendment, or debate on a motion dealing with any other subject, any reference to the conduct of any such person as aforesaid shall be out of order.

Scope of  
debate

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

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

(3) Where during the course of the debate a motion is made—  
(a) for the adjournment of the debate or of the Assembly; or  
(b) in Committee that the Chairman do report progress or do leave the Chair,

unless it appears to the Chair that the motion is an abuse of the rules of the Assembly or an infringement of the rights of the minority, the question on the motion for the adjournment as aforesaid shall be put forthwith without amendment or debate; and a member who has moved or seconded such a motion shall not be entitled to move or second any similar motion during the same debate; but this paragraph shall not be construed as restricting the customary right of the Leader of Executive Council Business to move the adjournment of the Assembly on the conclusion of the business of the day.

42. (1) It shall be out of order to anticipate a Bill by discussion Anticipation 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 Assembly.

(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 Assembly within a reasonable time.

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

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

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

44. A member present in the Assembly during a debate shall—

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

Rules for members not speaking

45. (1) The Mover of an original motion shall be limited in the duration of his speech in presenting his motion to sixty minutes. Time limit of speeches

(2) Subject to the preceding paragraph of this Standing Order, a member shall not be entitled to address the Assembly or Committee of the whole Assembly for more than forty-five minutes on any subject, except that the Assembly or the Committee may by motion made and carried without amendment or debate, extend once only the time

limited by this Standing Order for such period not exceeding fifteen minutes as may be agreed to by the Assembly, except that no time limit shall be imposed on a Secretary presenting the Annual Estimates of the Assembly.

(3) In their reply to debate on a motion the Secretary or Assistant Secretary for the subject area or the mover of the original motion shall be limited to forty-five minutes, save that no limit shall be placed upon a Secretary presenting the Annual Estimates.

(4) The ruling of the Officer presiding as to the time taken by any member shall be final.

Responsibility  
for rules of  
order in the  
Assembly and  
in Committee

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

(2) When the Presiding Officer rises during a debate any member then speaking or wishing to speak shall immediately resume his seat, and the Assembly or the Committee shall be silent.

Order in the  
Assembly and  
in Committee

47. (1) The Presiding Officer or the Chairman of a Committee after having called the attention of the Assembly or of the Committee, respectively to the conduct of a member who persists in irrelevance, or tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech and to resume his seat.

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

(3) The Presiding Officer shall order any member to withdraw immediately from the Assembly during the remainder of the days Sitting and may direct such steps to be taken, as are required, to enforce such order—

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

(4) If an order under paragraph (3) of this Standing Order is not complied with at once, or if, on any occasion, the Presiding Officer considers that his powers under that paragraph are inadequate, he may name such member in pursuance of paragraph (5) or paragraph (9) of this Standing Order.

(5) If a member disregards the authority of the Chair, or abuses the rules of the Assembly by persistently and wilfully obstructing the business of the Assembly or otherwise, the Presiding Officer shall direct the attention of the Assembly thereto mentioning by name the member concerned, and the Presiding Officer shall then call upon any Secretary to move "That Mr. ....be suspended from the service of the Assembly" and the Presiding Officer shall forthwith put the question, no seconder being required and no amendment, adjournment or debate being allowed.

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

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

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

(9) A member who is ordered to withdraw under the provisions of paragraph (3) of this Standing Order, or who is suspended under the provisions of paragraph (5) of this Standing Order, shall forthwith leave the Assembly and its precincts.

(10) If any member, who has been ordered to withdraw or who has been suspended under this Standing Order, refuses at any time to obey the direction of the Presiding Officer to withdraw from the Assembly and its precincts, the Presiding Officer shall call the attention of the Assembly to the fact that recourse to force is necessary in order to compel obedience to his direction, and the member named by him having so refused to obey his direction shall thereupon without further question be suspended from the service of the Assembly for at least six months.

(11) If resort to force is necessary, the Presiding Officer may suspend the Sitting during the removal of the member and invoke the assistance of any police officer in ejecting the offending member and such officer shall, for the purpose of this Standing Order be deemed to be an officer of the Assembly.

(12) A member, 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 enter the precincts of the Assembly until the termination of his suspension.

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

(14) Any remuneration to which a member is entitled as a member shall cease for the period of his suspension.

(15) Nothing in this Standing Order shall be taken to deprive the Assembly of the power of proceedings against any member according to any resolution of the Assembly.

Decisions on  
questions

48. (1) Save as otherwise provided in these Standing Orders, all questions proposed for decision in the Assembly or in Committee shall be determined by a majority of the votes of those present and voting.

(2) The Presiding Officer shall preside at all meetings of the Assembly at which he is present and may exercise the right of a casting vote only, except that where he is an Assemblyman or a Councillor, he shall retain the right to vote and may also exercise the right of a casting vote.

(3) Where the Presiding Officer is unable to attend a meeting of the Assembly, the Deputy Presiding Officer shall preside with the same powers and authority as the Presiding Officer, except that he shall retain the right to vote and may also exercise the right of a casting vote.

(4) Where both the Presiding Officer and Deputy Presiding Officer are unable to attend a meeting of the Assembly the members present shall elect one of their number, not being a member of the Executive Council, to preside at that meeting and the member so elected shall retain the right to vote and may also exercise the right of a casting vote.

Collection of  
voices

49. (1) At the conclusion of a debate upon any question the Presiding Officer shall put that question for the decision of the Assembly, and shall collect the voices of the "Ayes" and the "Noes", after which no further debate may take place upon that question.

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

50. (1) In a division the Clerk shall call each member's name <sup>Divisions</sup> separately and such member shall indicate how he desires to vote, and the Clerk shall thereupon record the vote accordingly.

(2) Subject to Standing Order No. 15 and to paragraph (2) of Standing Order No. 48 (Decisions on Questions) every member present unless he expressly says that he declines to vote, shall record his vote either for the "Ayes" or the "Noes".

(3) The Clerk shall announce the number of members who have voted for and of those who voted against the proposal, and the number of members who declined to vote, and subject to the provisions of paragraph (4) of this Standing Order, the Presiding Officer or other member presiding, shall then, declare the result of the division.

(4) The Clerk shall enter in the Minutes of Proceedings the record of each member's vote, and shall add a statement of the number and the names of all the Members present who decline to vote, and where the votes are equally divided and the Presiding Officer or other member presiding has a casting vote, the Clerk shall record in the minutes the manner in which the Presiding Officer or other member presiding exercised his casting vote.

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

51. (1) Any member may move for leave to introduce a Bill for <sup>Introduction and First reading of Bills</sup> which he has given notice.

(2) A Bill may be presented to the Assembly on behalf of the Executive Council after notice without an order of the Assembly for its introduction.

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

(4) Copies of the Bill, as printed and published in the *Gazette*, shall be made available to each member.

(5) A Bill adopted by the Assembly shall not seek to abrogate, suspend, repeal, alter, override or be contrary to any written law of the Republic of Trinidad and Tobago or impose and direct or indirect taxation whatsoever.

Appointment  
of days for  
stages of Bills

52. (1) Subject to the provisions of this Standing Order, the member in charge of the Bill may, at the conclusion of the proceedings of any stage of the Bill, either name a day to be appointed for the next stage of the Bill or move that the next stage be taken forthwith.

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

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

Printing and  
circulation of  
Bills

53. (1) The Clerk of the Assembly shall be responsible for the printing of Bills from the draft handed in by the member in charge of the Bill.

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

Second  
reading of  
Bills

54. (1) On the second reading of a Bill a debate, may arise covering the general merits and principles of the Bill and any amendment to the Bill may be moved by a member.

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

Committal of  
Bills

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

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

(3) When a Bill has been committed to a Committee of the Whole Assembly the Presiding Officer shall leave the Chair without question put.

56. (1) Any Committee to which a Bill is committed shall not discuss the general merits and principles of the Bill but only its details. Functions of Committees on Bills

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

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

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

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

- (a) An amendment must be relevant to the subject matter of the Bill, and to the subject matter of the clause to which it relates.
- (b) An amendment must not be inconsistent with any clause already agreed to or with any previous decision of the Committee.
- (c) An amendment must not be such as to make the clause which it proposes to amend, unintelligible or ungrammatical.
- (d) If an amendment refers to or is not intelligible without a subsequent amendment or Schedule, notice of the subsequent amendment or Schedule must be given before or when the first amendment is moved so as to make the series of amendments intelligible as a whole.
- (e) In order to save time and repetition of arguments, the Chairman may allow a single discussion to cover a series of interdependent amendments.

- (f) The Chairman may refuse to allow an amendment, which, in his opinion, is frivolous or meaningless, to be moved.
  - (g) Except upon the recommendation of the Executive Council, to be signified by a Secretary and recorded in the Minutes of Proceedings, the Committee shall not proceed upon any motion or amendment which, in the opinion of the Chairman, would have effect in any of the ways described in Standing Order No. 51(5) (Introduction and First Reading of Bills).
  - (h) The Chairman may at any time during the discussion of a proposed amendment withdraw it from the consideration of the Committee if, in his opinion, the discussion has shown that the amendment violates the provisions of these Standing Orders.
- (4) The provisions of paragraphs (4) and (5) of Standing Order No. 36 (Amendments to motions how moved and put) shall apply to the discussion of amendments to Bills, with the substitution, where appropriate, of the word "clause" for the word "motion" or the word "question" and the word "Chairman" for the word "Presiding Officer" and the word "Committee" for the word "Assembly" throughout.
- (5) A clause may be postponed, unless a decision has already been taken upon an amendment thereto. Postponed clauses shall be considered after the remaining clauses of the Bill have been considered and before new clauses are brought up.
- (6) Any proposed new clause shall be considered after the clauses of the Bill have been disposed of and before consideration of any Schedule to the Bill: save that a new clause proposed in substitution for a clause which has been disagreed with may be considered immediately after such disagreement.
- (7) On the title of any new clause being read by the Clerk, the clause shall be deemed to have been read a first time. The question shall then be proposed "That the clause be read a second time", if this is agreed to, amendments may then be proposed to the new clause. The final question to be proposed shall be "That the clause (or the clause as amended) be added to the Bill".
- (8) Schedules shall be disposed of in the same way as clauses, and any proposed new Schedule shall be considered after the Schedules to the Bill have been disposed of, and shall be treated in the same manner as a new clause.
- (9) When every clause and Schedule and proposed new clause has been dealt with, the preamble, if there is one, shall be considered and the question put "That the preamble to the Bill be approved". No amendment to the preamble shall be considered which is not made necessary by a previous amendment to the Bill.

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

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

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

(13) A Committee having met to consider a Bill shall proceed with its consideration, except that during the proceedings on a Bill the member in charge of the Bill may, subject to the discretion of the Chairman, move a motion "That the Committee do not proceed further with the Bill". If the motion is carried, the Committee shall report the Bill to the Assembly as so far amended or without amendment, as the case may be, and make a Special Report explaining its proceedings on the Bill, and the Special Report and the Bill shall be ordered to be laid upon the Table without question put.

58. (1) So soon as a Committee of the whole Assembly has agreed that a Bill be reported, the Chairman shall leave the Chair of the Committee and the Assembly shall resume, and the member in charge of the Bill shall report it to the Assembly.

Procedure on reporting of Bills from Committee of the whole Assembly

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

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

Recommittal of Bills reported from Committee of the whole Assembly

(2) When the Whole Bill has been recommitted, the Committee shall go through the Bill as provided in Standing Order No. 57 (Procedure in Committee of the whole Assembly on Bills).

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

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

Procedure on  
Bills reported  
from Select  
Committee

60. (1) When a Bill has been reported from a Select Committee, the Assembly may proceed to consider the Bill as reported from the Select committee upon a motion "That the report of the Select Committee on the ..... Bill be adopted; moved under paragraph (8) of Standing Order No. 80 (Reports from Select Committees).

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

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

(4) A Committee of the whole Assembly upon a Bill recommitted under the provisions of this Standing Order shall proceed in accordance with paragraph (2) or paragraph (3) of Standing Order No. 59 (Recommittal of Bills reported from Committee of the Whole Assembly) and the conclusion of its proceedings and the remaining proceedings on the Bill shall be subject to paragraph (4) of that Order.

Third reading  
of Bills

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

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

62. (1) The Clerk of the Assembly shall have custody of every Bill passed by the Assembly. Custody of Bills and introduction thereof into Parliament

(2) The Clerk shall, as soon as possible after adoption and in accordance with section 29(2) of the Tobago House of Assembly Act, 1996 cause every Bill to be transmitted to the Chief Secretary for conveyance to Cabinet with a request for its introduction into Parliament for enactment into law in accordance with section 61 of the Constitution.

63. A Bill may be withdrawn by leave of the Assembly or, as the case may be, of the Committee either— Withdrawal of Bills

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

64. 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. Bills containing substantially the same provisions

65. (1) There shall be a Committee of the whole Assembly to be called the Finance Committee. The deliberations of Finance Committee shall not take place in public. Finance Committee

(2) The Finance Committee shall consider and report on all proposals for the expenditure from public revenue, including proposals for supplementary and unforeseen expenditure.

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

(4) The Estimates shall, upon presentation to the Assembly, stand referred to Finance Committee. By resolution the Assembly may, in its discretion, also refer to the said Committee any other matter or matters relating to expenditure.

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

(6) Notwithstanding Standing Order No. 10 (Presiding in the Assembly and in Committee) the Chairman of the Finance Committee shall be the Secretary responsible for Finance and in his absence such other Secretary as the Chief Secretary may nominate shall act as Chairman.

(7) When the Assembly is sitting, Finance Committee may meet as a Committee of the whole Assembly and when the Assembly resolves itself into Finance Committee the Finance Committee, when summoned by the Chairman thereof, may meet at any time when the the Assembly is not sitting, and shall as far as possible, have the same powers and duties as the Finance Committee has when it functions in pursuance of the Assembly resolving itself into Finance Committee.

(8) The report of the Finance Committee on the amendments or points raised shall be presented to the Assembly by the Secretary for Finance or such other member as the Chief Secretary may designate who shall move that the report be adopted.

Procedure in  
Finance  
Committee

66. (1) On the consideration of the Estimates in Finance Committee the clauses of the Estimate shall stand postponed until after consideration of the Schedule or Schedules.

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

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

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

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

(6) No amendment may be moved to any clause except any amendment consequential on an alteration in the total sum appropriated by any Schedule. Any such consequential amendment shall be moved by a Secretary only, and may be moved without notice, and the question thereon shall be put forthwith without amendment or

debate. When the question on the last of any such amendments to a clause has been decided, the Chairman shall forthwith put the question "That the clause as amended stand part of the Estimates" and that question shall then be decided without amendment or debate.

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

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

Amendments  
to Heads of  
Estimates in  
Finance  
Committee

(2) An amendment to any Head of Expenditure to increase the sum allotted thereto in respect of any item or sub-head or of the Head itself may only be moved by a Secretary who shall signify to the Committee the recommendation of the Executive Council to the increase in accordance with paragraph (3)(g) of Standing Order No. 57 (Procedure in Committee of the Whole Assembly on Bills). Every such amendment shall take the form of a motion "That Head ..... be increased by \$.....(in respect of sub-Head.....Item .....) (sub-Head.....)".

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

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

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

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

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

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

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

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

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

Sessional  
Select  
Committee

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

- (a) the Standing Orders Committee;
- (b) the Assembly Committee;
- (c) the Committee of Privileges;
- (d) the Public Accounts Committee; and
- (e) the Regulations Committee.

(2) Members of the Sessional Select Committees shall be appointed by the Presiding Officer as soon as may be after the beginning of each session.

(3) The Chairman of each Sessional Select Committee shall be chosen by the Presiding Officer who shall have the right to change the Chairman so chosen from time to time.

(4) Save and except for Committees under section 68(1)(a) and (c), Sessional Select Committees shall from time to time report their minutes of proceedings to the Assembly.

Standing  
Orders  
Committee

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

(2) The Presiding Officer 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.

70. (1) The Assembly Committee shall consider and advise the Presiding Officer upon all matters connected with the comfort and convenience of members and every four months, report to the Assembly on its minutes of proceedings.

(2) The Leader of Executive Council Business shall be a member and the Chairman of the Assembly Committee.

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

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

(2) The Presiding Officer shall be a member and the Chairman of the Committee of Privileges.

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

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

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

(2) The Public Accounts Committee shall consist of five members inclusive of a member chosen from among the Minority on the advice of the Minority Leader and that member shall be Chairman thereof.

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

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

- (b) which cannot be challenged in court on the grounds that it is *ultra vires*, or is only temporarily so challengeable;
- (c) the making of which appears to constitute an unusual or unexpected use of the powers conferred by the law under which it was made;
- (d) which purports to have retroactive effect although the law under which it was made does not in terms give the Secretary such power;
- (e) the publication or laying before the Assembly of which appears to have been unduly delayed;
- (f) in respect of which there has been unjustifiable delay in notifying the Presiding Officer that the instrument had come into operation before it was before the Assembly; or
- (g) the purpose or form of which appears to require elucidation.

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

(3) The Presiding Officer shall be a member and the Chairman of the Regulations Committee.

(4) The Regulations Committee shall consist of five members inclusive of the Presiding Officer.

Special Select  
Committee

74. (1) A Select Committee other than a Sessional Select Committee shall be known as a Special Select Committee, and it shall be appointed by order of the Assembly which shall specify the terms of reference of the Committee and shall consist of such and so many members as may be chosen by the Presiding Officer.

(2) The quorum of a Special Select Committee shall be such as shall be specified in the order of the Presiding Officer.

Constitution  
and Chairman  
of Select  
Committees

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

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

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

76. (1) 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. Procedure in Select Committee

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

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

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

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

(6) Where, by resolution of the Assembly or under these Standing Orders, the Presiding Officer or a Secretary is Chairman of a Select Committee, the Presiding Officer or the Secretary 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 Presiding Officer and the first business to be transacted thereat shall be the Election of a Chairman of the Committee, if at such meeting a Chairman is not elected, the Presiding Officer shall appoint a member of the Committee to be the Chairman.

77. The proceedings of, and the evidence taken before, any Select Committee and any documents presented to and decisions of such a committee shall not be published by any member thereof or by any other person, before the Committee has presented its report to the Assembly. Premature publication of evidence

78. (1) Every Select Committee shall, before the end of the session in which it was appointed, make a report to the Assembly upon the matters referred to it, but where a Select Committee finds itself unable to conclude its investigation before the end of the session, it may so report to the Assembly. Reports from Select Committees

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

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

(4) The Chairman of a Select Committee shall prepare a draft report and submit it for the consideration of the Committee; but alternative drafts may be submitted for consideration by any other 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, and such statement shall be appended to the report; or, if he so desires he may submit a Minority Report.

(7) The report of a Select Committee shall be presented to the Assembly by the Chairman or other member deputed by the Committee, including any Minority Report and shall be ordered to be laid on the Table of the Assembly and be printed, without question put.

(8) The Minutes of Proceedings of a Select Committee shall record—

- (a) the names of the members present each day of the sitting of the Committee;
- (b) the names of the witnesses examined;
- (c) in the event of a division taking place, the question proposed, the names of the proposer and the respective votes thereon of the members present and the names of the members (if any) who declined to vote.

(9) The Minutes of the proceedings of a Select Committee shall accompany the Report of the Committee, and shall be dealt with as the Assembly may direct.

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

Absence of  
members

79. (1) Any member who is prevented from attending a meeting of the Assembly shall acquaint the Clerk as early as possible of his inability to attend.

(2) If, without the leave of the Presiding Officer obtained in writing before the end of the last of the sittings referred to in this section, any member is absent from the Assembly for more than three consecutive ordinary sittings or is continually absent from Tobago for an aggregate period of ninety days occurring during the same session, such a member shall vacate his seat in the Assembly in accordance with section 19 of the Tobago House of Assembly Act, 1996.

80. No member shall appear before the Assembly or any Committee as an Attorney for any party or in any capacity for which he is to receive a fee or reward.

Employment  
of members in  
professional  
capacity

81. (1) An official report of the proceedings and of all speeches made in the Assembly shall be prepared under the supervision of the Clerk, acting under such instruction as the Presiding Officer may from time to time direct.

Reports of  
debates

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

82. (1) Strangers may be present in the Chamber of the Assembly in the places set apart for them, under such rules as the Presiding Officer may make from time to time for that purpose.

Strangers

(2) If, at any sitting of the Assembly, any member shall move that strangers withdraw, the Presiding Officer shall forthwith put the question "That strangers do withdraw" without permitting any debate or amendment.

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

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

(5) Strangers must withdraw from the Chamber and its precincts when called upon by the Presiding Officer.

83. (1) The Presiding Officer 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 Assembly, under such rules as he may make from time to time for that purpose.

Press

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

84. Unless the Presiding Officer otherwise directs notice of a motion to amend the Standing Orders shall be given not less than twelve days' and the notice shall be accompanied by a draft of the proposed amendments.

Amendment of  
Standing  
Orders

85. (1) Any one or more of these Standing Orders may, after notice or with the leave of the Presiding Officer be suspended on a motion made by a member at any sitting.

Suspension of  
Standing  
Orders

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

Rules in cases  
not provided  
for by  
Standing  
Orders

86. (1) In any matter not herein provided for, resort shall be had to the usage and practice of the House of Representatives of Trinidad and Tobago which shall be followed as far as the same may be applicable to this Assembly, and not inconsistent with these Standing Orders nor with the practice of this Assembly.

(2) In cases of doubt the Standing Orders of the Assembly shall be interpreted in the light of the relevant usage and practice of the House of Representatives.

(3) No restrictions which the House of Representatives has introduced by Standing Order shall be deemed to extend to this Assembly or to its members until the Assembly has provided by Standing Order for such restriction.

Agreement  
between the  
Leader of  
Executive  
Council  
Business and  
Minority  
Leader

87. Where agreement has been reached by leave of the Presiding Officer between the Leader of Executive Council Business and the Minority Leader with regard to the transaction of any of the business of the Assembly for any sitting or period, such agreement shall be announced in the Assembly by the Presiding Officer and the Presiding Officer shall, the provisions of these Standing Orders notwithstanding, conduct such business in accordance with the terms of the said agreement.

Common seal

88. The Assembly shall have a common seal which shall be judicially noticed.

Approved by the Tobago House of Assembly this 27th day of March, 1997.

J. G. DAVIDSON  
*Presiding Officer*