

# **STANDING ORDERS**

**OF THE**

**Senate**

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

**Amended 1989 and 2000**

**Reprinted 2001**

## CONTENTS

Title.....	5
Oath of Allegiance .....	5
Election of President.....	5
Election of Vice-President .....	5
Presiding in the Senate and in Committee .....	5
Duties of the Clerk of the Senate .....	6
Language.....	6
Quorum.....	6
Sittings of the Senate .....	7
Order of Business.....	7
Adjournment of the Senate .....	8
Adjournment-Definite Matter of Urgent Public Importance.....	8
Petition.....	9
Papers.....	9
Nature of Questions .....	9
Notice of Questions .....	10
Contents of Questions .....	10
Manner of Asking and Answering Questions .....	11
Personal Explanation .....	11
Arrangement of Public Business.....	11
Question for Debate.....	12
Notice of Motions or Amendments.....	12
Period of Notice.....	12
Exemptions from Notice.....	12
Dispensing with Notice.....	13
Privilege Motions.....	13
Moving of Motions .....	13
Seconding of Motions and Amendments .....	13
Motions not Moved or Seconded.....	13
Withdrawal of Motions .....	14
Amendments to Motions-How Moved and Put .....	14
Time and Manner of Speaking.....	15
Right of Reply.....	15
Interruptions.....	15
Contents of Speeches .....	15
Scope of Debate .....	16
Anticipation .....	16
Closure of Debate .....	16
Rules for Members not Speaking.....	17
Time Limit of Speeches .....	17
Responsibility for Order in the Senate and in Committee .....	17

President to be heard in Silence .....	17
Order in the Senate and in Committee .....	17
Decision of Questions .....	18
Collection of Voices .....	18
Divisions .....	19
Procedure on Bills - Introduction and First Reading of Bills .....	19
Appointment of Days for Stages of Bills .....	19
Printing and Circulation of Bills .....	20
Second Reading of Bills.....	20
Committal of Bill.....	20
Functions of Committees on Bills.....	20
Procedure in Committee of the Whole Senate on a Bill .....	21
Procedure in Select Committee on a Bill .....	22
Procedure on Reporting of Bills from Committee of the Whole Senate .....	22
Recommittal of Bills Reported from Committee of the Whole Senate.....	22
Procedure on Bills Reported from Select Committee .....	23
Third Reading .....	23
Procedure on House of Representatives Amendments .....	23
Custody of Bills .....	24
Withdrawal of Bills.....	24
Bills Containing Substantially the same Provision .....	24
Money Bills .....	24
Sessional Select Committees .....	25
Standing Orders Committee.....	25
House Committee .....	25
Committee of Privileges .....	25
Statutory Instruments Committee .....	25
Special Select Committees.....	26
Constitution and Chairman of Select Committees .....	26
Joint Select Committees.....	26
Joint Select Committees Relating to Government Ministries, Municipal Corporations and other Bodies .....	27
Joint Parliamentary Committees .....	28
Procedure in Select Committees .....	28
Premature Publication of Evidence .....	29
Reports from Select Committees .....	29
Private Bills .....	30
Absence of Members .....	31
Employment of Members in Professional Capacity.....	32
Report of Debates .....	32
Strangers .....	32
Press.....	32
Amendment of Standing Orders .....	32

Suspension of Standing Orders ..... 32  
Rules in cases not provided for by Standing Orders ..... 32  
General Authority of the President ..... 33  
Absence of the President..... 33  
Definition ..... 33

## SENATE STANDING ORDERS, 2000

### Title

1. These Standing Orders may be cited as the Senate Standing Orders, 2000.

### Oath of Allegiance

2. (1) When the Senate first meets after a General Election, the Clerk of the Senate shall, immediately following the election of a President and Vice-President, administer the oath or affirmation of allegiance, first to the President and Vice-President and then to the other Senators.

(2) At any other time, except in a case to which Article 44(3) of the Constitution of the Republic of Trinidad and Tobago applies, the oath or affirmation shall be administered before the Senate Chamber immediately after Prayers.

### Election of President

3. (1) When the Senate first meets after a General Election, and before it proceeds to the despatch of any other business, the Clerk of the Senate shall call upon the Senators to elect a President and the procedure for such election under Article 45(1) of the Constitution of the Republic of Trinidad and Tobago shall be as hereunder:

- (a) any Senator may, rising in his place and addressing the Clerk, propose any other Senator to be the President, who is not a Minister or Parliamentary Secretary and who is willing to serve as President. The proposal shall require to be seconded but no debate shall be allowed;
- (b) if only one Senator is so proposed, he shall be declared by the Clerk to have been elected;
- (c) if more than one Senator is so proposed, the Clerk shall, after all such Senators have been proposed and seconded, put the question that the first Senator proposed do take the Chair of the Senate as President;
- (d) if a majority is not in favour of the Senator first proposed, the Clerk shall successively put the same question in respect of the other Senators so proposed in the order in which they were proposed until the question is carried in favour of one of them;
- (e) no debate shall be allowed upon proposals for filling the post of President but any Senator may call for a division after the decision on the proposal has been announced.

(2) Whenever the office of President falls vacant at any time before the next dissolution of the Parliament, the procedure for filling the vacancy shall be as set forth in paragraph (1) of this Standing Order, except (a) that the election under Article 45(1) of the Constitution of the Republic of Trinidad and Tobago shall take place in the Senate after Prayers and (b) that the powers and duties conferred or imposed upon the Clerk shall be deemed to have been conferred or imposed upon the Vice-President or on any other Senator for the time being presiding.

### Election of Vice-President

4. Whenever there is a vacancy, under Article 45(2) of the Constitution of the Republic of Trinidad and Tobago, in the office of Vice-President, the election of a Senator to fill the vacant office shall be conducted in a similar manner to the election of the President, save that the President shall preside.

### Presiding in the Senate and in Committee

5. (1) The President, or in his absence the Vice-President, or in their absence a Senator (not being a Minister or a Parliamentary Secretary) elected by the Senate for the sitting, shall preside at the sitting of the Senate and shall act as Chairman of the Committee of the whole Senate.

(2) Save as otherwise provided in these Standing Orders, the Vice-President, or other Senator presiding shall have all the authority and powers of the President when presiding or otherwise performing the functions of the President.

(3) The President or in his absence the Vice-President may, without any formal communication to the Senate or to the Committee, as the case may be, ask any member present (not being a Minister or a Parliamentary Secretary) to take the Chair temporarily.

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

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

**6.** (1) The Clerk of the Senate shall keep the Minutes of Proceedings of the Senate and of Committees of the whole Senate, which shall be open for the inspection of Senators at all reasonable times.

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

(3) In the case of divisions of the Senate or of a Committee of the whole Senate, the Minutes shall include the numbers voting for 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.

(4) The Clerk shall prepare, from day to day, and keep on the Table of the Senate 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 opened to the inspection of Senators at all reasonable hours.

(5) 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 that sitting.

(6) 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 Senators and other persons under such arrangements as may be sanctioned by the President.

(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.

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

(9) 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.

### **Language**

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

(2) Every petition shall be in English language.

### **Quorum**

**8.** (1) Under Article 60(1) of the Constitution of the Republic of Trinidad and Tobago, the quorum of the Senate and of a Committee of the whole Senate shall consist of ten (10) Senators (excluding the Senator in the Chair).

(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 suspend the sitting and shall direct Senators to 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 the 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 then present he shall leave the Chair, the Senate shall resume and the President shall count the Senate. If a quorum is then

present the Senate shall again resolve itself into Committee; but if a quorum is not present the President shall adjourn the Senate without question put.

(5) 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 and the Senate or Committee shall be counted in accordance with paragraph (3) or paragraph (4) of this Standing Order.

(6) For the avoidance of doubt it is hereby declared that the Senators to be summoned by the Clerk under this Standing Order shall be those Senators who are not in the chamber of the Senate but are within the precincts thereof.

## **DAYS AND HOURS OF SITTINGS**

### **Sittings of the Senate**

**9.** (1) Except as otherwise provided in this Standing Order, the Senate shall meet on Tuesdays at 1:30 o'clock in the afternoon and unless previously adjourned, shall sit until 6.30 o'clock in the afternoon.

(2) At ten minutes before the time appointed for the termination of a sitting the President shall interrupt the business under discussion and its resumption shall be appointed for such day as the Leader of Government Business shall request and, if the Senate is in Committee at that time, the Chairman shall leave the Chair forthwith to make his report to the Senate and the Committee shall be directed to sit again on such day as the said Leader of Government Business shall request. Any other business, if unopposed, shall then be disposed of and at its conclusion, or at the time appointed for the termination of the sitting, whichever is later, notwithstanding that there may be business then under discussion, the President shall adjourn the Senate without question put.

(3) If any business, when called during the time of unopposed business, is opposed, it shall be appointed for such day as the Leader of Government Business shall request.

(4) Notwithstanding anything to the contrary in these Standing Orders, 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 (5) of this Standing Order, direct the Clerk of the Senate to summon a meeting of the Senate for such time on such day, as the President may determine.

(5) Every direction under paragraph (4) 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.

(6) Forthwith upon receipt of any direction under paragraph (4) of this Standing Order the Clerk shall, as expeditiously as possible, inform every Senator of the day and time appointed by the President for holding the special meeting of the Senate and of the business to be transacted at such meeting.

(7) By resolution of the Senate, the Senate may be adjourned to a day other than Tuesday, or to an hour other than 1.30 o'clock in the afternoon, or to a date to be fixed by the President.

(8) The Leader of Government Business 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 motion shall be put without amendment or debate.

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

### **Order of Business**

**10.** (1) Unless the Senate otherwise directs, the business of each sitting day shall be transacted in the following order:

- (1) Prayers
- (2) Oath of allegiance of a new Senator
- (3) Announcements by the President

- (4) Bills brought from the House of Representatives
  - (5) Petitions
  - (6) Papers
  - (7) Presentation of Reports from Select Committee
  - (8) Questions to Ministers
  - (9) Questions to chairmen of Sessional and Special Select Committees
  - (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 Sittings of the Senate and moved by a Minister or Parliamentary Secretary
  - (15) Public Business-
    - (a) Government Business
    - (b) Private Business
- (2) Upon the President's direction, the Clerk shall read the Order Paper, without any question being put.

### **Adjournment of the Senate**

**11.** (1) At any time after the conclusion of questions at any sitting, a Minister or Parliamentary Secretary may move "That the Senate do now adjourn". Upon any such motion being made, any matter for which the Cabinet is responsible may be raised by any Senator who has obtained the right to raise a matter on the motion for the adjournment of the Senate that day and the Minister or Parliamentary Secretary responsible for the matter raised or, in their absence, any other Senator to whom such responsibility has been delegated by the Minister or Parliamentary Secretary, shall reply. Thereafter, if time permits, any other Senator who has obtained the right may similarly raise another matter subject to the same conditions. Any such debate shall cease at 6.30 p.m. or, with leave of the President, at 6.45 p.m.

(2) Any Senator who wishes to raise a matter under the foregoing paragraph of this Standing Order shall give notice of that matter in writing to the Clerk of the Senate not less than five clear days before the sitting concerned, and the Clerk shall inform the Ministry or the Department concerned of the Senator's intention. Subject to the giving of such notice, the right to raise the matter shall be allotted for each sitting through such arrangements as the President may make.

(3) A Senator who is not a Minister or Parliamentary Secretary may move "that the Senate do now adjourn," only under Standing Order No 12. (Adjournment-Definite Matter of Urgent Public Importance).

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

**12.**(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) A Senator who wishes to ask leave to move the adjournment *of* the Senate for the purpose *of* discussing a definite matter *of* urgent public importance shall, 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, (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 Senate.

(3) If the President is so satisfied and either-

(a) leave *of* the Senate is given; or

(b) if it is not given, at least seven Senators by rising indicate that they support the request,

the motion shall stand over until such hour on the same day as the President may appoint, and at that hour any proceeding on which the Senate is engaged shall be postponed until the motion for the adjournment is disposed of or until such motion has continued for the period of one hour, whichever is earlier. When 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. The Senate'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 Senate for the purpose of discussing a definite matter of urgent public importance.

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

### **Petition**

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

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

(3) The Senator presenting a Petition may state concisely the purpose of the Petition.

(4) All Petitions shall be ordered to lie upon the Table without question put unless a Senator when presenting a Petition moves for it to be read or printed, or referred to a Select Committee. Any such motion shall be decided forthwith without amendment or debate. The provisions of this paragraph shall not apply to a Petition from the promoters of a Private Bill under Standing Order 76 (Private Bills).

(5) The Senate will not receive any Petition-

- (a) which is not addressed to the Senate or which is not properly and respectfully worded;
- (b) which has not at least one signature on the sheet on which the prayer of the Petition appears and which has not at least the prayer at the head of each subsequent sheet of signature; or
- (c) 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 this Territory or for altering any such charge otherwise than by reducing it or for compounding or remitting any debts due to their Territory, on the recommendation of the Cabinet signified by a Minister.

### **Papers**

**14.** (1) Every paper shall be presented by a Minister or a Parliamentary Secretary or Leader of Government Business and its presentation shall be recorded in the Minutes of Proceedings.

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

(3) All papers presented to the Senate shall be ordered to lie upon the Table without question put, and any motion for the printing therefore as a Senate 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 Senate, shall be laid on the Table of the Senate as soon as possible.

### **Nature of Questions**

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

(2) Questions may be put to the Chairman of a Sessional or Select Committee other than the President of the Senate relating to any matter concerning the terms of reference of such Committee.

### Notice of Questions

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

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

(3) A Senator 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 Senator being a day not earlier than twenty-one clear days after the question has appeared on the Notice of Questions Paper. A question not so marked may be put down for the next sitting day of the Senate and the answer, when received, shall be circulated.

### Contents of Questions

**17.** (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 objective of a question is to obtain information on a question of fact within the official cognisance of the Minister to whom it is addressed, or to ask for official action.
- (b) A question shall not include the names of persons, or any statement of fact, unless they may be necessary to render the question intelligible.
- (c) If a question contains a statement of fact, the Senator asking it shall make himself responsible for the accuracy of the statement, and no question shall be based upon a newspaper report or upon an unofficial publication.
- (d) No 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 anyone question, and a question shall not be of excessive length.
- (f) A question shall not contain arguments, inferences, opinions, epithets, ironical expressions or hypothetical cases.
- (g) A question shall not be asked-
  - (i) which raised 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 inquiry;
  - (v) as to the character or conduct of any person except in his official or public capacity;
  - (vi) about any matter pending before any Court of Justice, or which reflects on the Court of Justice;
  - (vii) reflecting on the character and conduct of any person whose conduct can only be challenged on a substantive motion under Standing Order 35 (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 publication; or
  - (x) referring discourteously to, or seeking information about, the internal affairs of any Territory within the Commonwealth or of a friendly Foreign Country;
  - (xi) dealing with the action of a Minister for which he is not responsible to the Parliament;

- (xii) seeking, for purpose 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, on 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 infringes the provisions of any Standing Order or is in any way an abuse of the right of questioning, he may direct:

- (a) that the Senator 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**

**18.** (1) At the time appointed for the oral asking and answering of questions under Standing Order No. 10 (Order of Business), 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, or in any such other order that the President may on any particular occasion (by leave of the Senate) determine. Each Senator so called shall rise in his place and ask the question by reference to its number on the Order Paper, and the Minister questioned shall give his reply.

(2) After the answer to a question has been given, supplementary questions may, at the discretion of the President, be put 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 No. 17 (Contents 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 President, if time permits, shall call again any question which has not been asked by reason of the absence of the Senator in whose name it stands; in which case another Senator may, if deputed by the absent Senator, on his behalf either ask the question or request its postponement. The President shall also call again any question which has not been answered by reason of the absence of the Senator to whom it is addressed.

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

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

(6) No question shall be asked later than forty-five minutes after the opening of the sitting except any question which the President allowed to be asked without notice under paragraph (1) of Standing Order No. 16 (Notice of Questions).

(7) In any case where forty-five minutes after the opening of the sitting of the Senate, a question has not received an oral answer, it shall be placed on the Order Paper for the next sitting.

### **Personal Explanation**

**19.** With the leave of the President, and by the indulgence of the Senate, a Senator may make a personal explanation of not more than ten minutes duration at the time appointed under Standing Order No. 10 (Order of Business) although there is no question before the Senate; but no controversial matter may be brought forward nor may debate arise upon the explanation.

### **Arrangement of Public Business**

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

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

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

(4) On the fourth Tuesday of every month Private Senators' 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 Senators' business.

### **Question for Debate**

**21.** Subject to the Constitution of the Republic of Trinidad and Tobago and to these Standing Orders, any Senator may propose, by way of motion, any matter for debate in the Senate.

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

**22.** (1) Where under any Standing Order notice of motion or of an amendment is required, such notice shall be given in writing, signed by the Senator and addressed to the Clerk of the Senate. 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 President is of the 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 Senator 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 alterations as he may direct.

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

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

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

### **Period of Notice**

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

(2) Except as provided in paragraph (7) of Standing Order No. 75 (Reports from Select Committees) a notice of a Private Senator's motion shall not be entered in the Order Book, or placed upon the Order Paper, for a day earlier than twelve clear days from the day on which the notice was given to the Clerk.

### **Exemptions from Notice**

**24.** 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 of a debate;

(c) a motion for the election of a temporary presiding officer under paragraph (1) Standing Order No.5 (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 strangers;

(f) a motion that the Senate resolve itself into Committee;

(g) a motion made in 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 No. 14 (Papers);

(k) a motion relating to a matter of privilege;

- (l) a motion arising out of any item of business made immediately after that item is disposed of and before the next item is entered upon;
- (m) a motion to recommit a Bill under paragraph (1) of Standing Order No. 56 (Recommittal of Bills reported from Committee of the whole Senate);
- (n) a motion in respect of which notice has been dispensed with under Standing Order No. 25 (Dispensing with Notice);
- (o) a motion for the withdrawal of a Bill under Standing Order No. 61 (Withdrawal of Bills);
- (p) a motion that the Report of a Select Committee be referred to a Committee of the whole Senate, or a motion that such Report be printed as a Senate Paper.

### **Dispensing with Notice**

**25.** 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 the assent of the majority of the Senators present at the time.

### **Privilege Motions**

**26.** (1) A motion directly concerning the privileges of the Senate shall take precedence over all other public business.

(2) Any Senator desiring to raise a matter under this Standing Order shall first obtain leave of the President who shall 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 Order, the Senator so permitted may raise the matter at any time after Question Time and move that it be referred to the Committee of Privileges.

(4) No debate shall ensue on a Motion under this 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, save during the progress of a division, by a motion based on such matter.

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

### **Moving of Motions**

**27.** (1) On a motion made and when necessary seconded, the President shall propose the question to the Senate, and after debate (if any), shall then put the question for the decision of the Senate.

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

(3) If a Member desires to vary the terms of a motion standing in his name, he may do so by giving an amended notice of motion, provided that such amendment does not, in the opinion of the 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.

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

**28.** (1) In the Senate the question upon a motion or amendment shall not be proposed by the President unless such motion or amendment has been seconded: Provided that Government business shall not require seconding.

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

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

**29.** (1) If a Member other than a Minister does not, when called, move a motion or amendment which stands in his name such motion or amendment shall be removed from the Order Paper unless deferred by leave of

the Senate or moved by another Member duly authorised by that Member; but Government business may be moved by any Minister or Parliamentary Secretary.

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

### **Withdrawal of Motions**

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

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

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

### **Amendments to Motions-How Moved and Put**

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

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

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

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

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

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

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

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

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

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

(c) When every such amendment to an amendment has been disposed of, the President 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.

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

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

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

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

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

(2) If two or more Senators rise at the same time, the President or Chairman shall call upon the Senator who first catches his eye.

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

- (a) when the Senate is in Committee; or
- (b) in explanation as prescribed in paragraph (4) of this Standing Order; or
- (c) on a point of order, as provided in Standing Order No. 34 (Interruptions);
- (d) in the case of the mover of a substantive motion or the Senator or Minister in charge of a Bill in reply,

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

(4) A Senator 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 new matter.

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

(6) Except with the leave of the President a Senator 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 Senator may speak on any question after it has been put to the vote by the President or Chairman.

### **Right of Reply**

**33.** (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 Senator may speak, except as provided in paragraph (2) of this Order.

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

### **Interruptions**

**34.** A Senator shall not interrupt another Senator except-

- (a) by rising to a point of order, whereupon the Senator speaking shall resume his seat and the Senator interrupting shall simply direct attention to the point 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 that Senator in the course of his speech, provided that the Senator speaking is willing to give way and resumes his seat and that the Senator wishing to interrupt is called by the Chair.

### **Contents of Speeches**

**35.** (1) Subject to the provisions of 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 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 or reconsider any specific question (other than a matter or question relating to a Bill returned with any amendment by the other Chamber) upon which the Senate 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 Senate reached its decision or three months when dealing with matters of national security.

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

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

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

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

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

(9) The conduct of Officers administering the Government in Territories comprising part of the former Federation of the West Indies, of Presiding Officers of Territorial Legislatures and of all Judges in those Territories shall not be raised in debate.

### **Scope of Debate**

**36.** (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) When during the course of a debate a motion is made (*a*) for the adjournment of the debate or the Senate, 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 Senate 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 Senator who has moved or seconded such 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 Senator in charge of arranging the business of the Senate to move the adjournment of the Senate on the conclusion of the business of the day.

### **Anticipation**

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

(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 Senate within a reasonable time.

### **Closure of Debate**

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

(2) When the motion "That the question be now put" has been carried, and the question consequent there-on has been decided, any Senator 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 division that less than ten (10) Senators voted in the majority in support of the motion.

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

**39.** A Senator present in the Senate during a debate-

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

### **Time Limit of Speeches**

**40.** (1) The mover of an original motion shall limited in the duration of his speech in presenting his motion to sixty minutes.

(2) Subject to the preceding paragraph of this Standing Order, a member shall not be entitled to address the Senate or a Committee of the whole Senate for more than 45 minutes on any subject. Provided that the Senate 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 Senate.

(3) The rulings of the President, or the Chairman, as the case may be, as to the time taken by any Senator, shall be final.

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

**41.** 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.

### **President to be heard in Silence**

**42.** When the President, or Chairman, rises during a Debate any Senator then speaking or wishing to speak shall immediately resume his seat, and the Senate, or the Committee, shall be silent.

### **Order in the Senate and in Committee**

**43.** (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 persists in irrelevance, or tedious repetition either of his own arguments or of the arguments used by other Senators in debate, may direct him to discontinue his speech and to resume his seat.

(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 conduct of a Senator who persists in irrelevance or tedious repetition of his own arguments or of the arguments used by other Senators in the debate, move that the Senator be no longer heard and such Motion shall be put forthwith without amendment or debate.

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

- (a) where the conduct of such Senator is grossly disorderly; or
- (b) where such Senator 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 Senate.

(4) If an order under paragraph (3) of this Standing Order be not complied with at once, or if, on any occasion, the President or the Chairman considers that his powers under that paragraph are inadequate, he may name such Senator in pursuance of paragraph (5) or paragraph (6) of this Standing Order.

(5) If a Senator disregards the authority of the Chair, or abuses the rules of the Senate by persistently and wilfully obstructing the business of the Senate or otherwise, the President shall direct the attention of the Senate thereto, mentioning by name the Senator concerned. The President shall then call upon a Minister, and if no Minister be present any other Senator, *to move* "That Senator . . . be suspended from the service of the Senate", and the President shall forthwith put the question, no seconder being required and no amendment, adjournment or debate being allowed.

(6) If the offence specified in paragraph (5) of this Standing Order has been committed in a Committee of the whole Senate, the Chairman shall forthwith suspend the proceedings of the Committee and, as soon as the Senate has resumed, shall report the circumstances to the Senate, whereupon the procedure provided for in the preceding paragraph shall be followed.

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

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

(9) A Senator who is ordered to withdraw under the provisions of paragraph (3) of this Standing Order, or who is suspended under the provisions of paragraphs (5) to (7) of this Order, shall forthwith leave the Senate and its precincts.

(10) If any Senator, 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 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 thereupon without further question be suspended from the service of the Senate during the remainder of the Session.

(11) If resort to force is necessary, the President may suspend the sitting during the removal of the Senator and invoke the assistance of any police officer in ejecting the offending Senator and such officer shall, for the purpose of this Order, be deemed to be an officer of the Senate.

(12) 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 enter the precincts of the Senate until the termination of his suspension.

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

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

(15) 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.

#### **Decision of Questions**

**44.** (1) Save as otherwise provided in Article 59 of the Constitution of the Republic of Trinidad and Tobago 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 those present and voting.

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

#### **Collection of Voices**

**45.** (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 claiming a division.

### **Divisions**

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

(2) Subject to paragraph (5) of Standing Order No.8 (Quorum) to paragraph (2) of Standing Order No. 44 (Decision of Questions), every Senator 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 Senators who have voted for, and of those who voted against, the proposal, and the number of Members who declined to vote. Subject to the provisions of paragraph (2) of Standing Order No. 44 (Decision of Questions), the President or other Senator presiding, or the Chairman in Committee of the whole Senate shall then, subject to paragraph (5) of Standing Order No.8 (Quorum) declare the result of the division.

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

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

### **Procedure on Bills - Introduction and First Reading of Bills**

**47.** (1) Subject to the provision of paragraph (4) of this Standing Order any Senator or Minister may move for leave to introduce a Bill of which he has given notice.

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

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

(4) Except upon the recommendation of the Cabinet, to be signified by a Minister and recorded in the Minutes of Proceedings, the Senate shall not receive any Government Bill, and shall not proceed upon any motion for leave to introduce a Bill which, in the opinion of the President, would make provision for imposing or increasing any tax, 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 to the State.

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

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

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

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

**48.** (1) After the introduction and First Reading of a Bill, whether introduced in the Senate or brought from the House of Representatives, an interval of not less than fifteen (15) days must elapse before the debate on Second Reading, provided however that for a Money Bill the interval shall not be less than five (5) days.

(2) Notwithstanding (1) above, the Senator or Minister in charge of a Bill may, at the conclusion of proceedings on any stage of a Bill, on motion made and question put, obtain the leave of the Senate to either name a day for the next stage of the bill or move that the next stage be taken at a later stage of the day's proceedings.

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

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

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

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

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

### **Second Reading of Bills**

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

(2) To the Question "That the Bill be now read a second time" an amendment may be proposed to leave out the word "now" and add at the end of the question "upon this day six months", or an amendment may be moved to leave out all the words after the word "that" in order to add words stating the object and motive on which the opposition to the Bill is based, but such words must be strictly relevant to the general merits and principles of the Bill and may not deal with its details.

### **Committal of Bill**

**51.** (1) When a Bill has been read a second time, it shall stand committed to a Select Committee and the provisions of Standing Order 69(1) shall take effect unless the Senate on motion made and question put, commits it to a Committee of the whole Senate. 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.

(2) When a Bill has been committed to a Select Committee no further proceedings shall be taken until the Select Committee has presented its Report to the Senate, provided however that if the Report is delayed, for whatever reason, for more than twenty-one (21) days, the Chairman of the Select 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 each twenty-one days thereafter until the final report is presented.

(3) When a Bill has been committed to a Committee *of* the whole Senate, three (3) days must elapse between the second reading and the Committee stage unless the Senate on a motion moved and decided without debate, decides that the Bill be committed forthwith. Such motion shall not require notice and shall be made immediately after the motion provided for in Standing Order 51(1).

(4) When a Bill has been committed to a Committee *of* the whole Senate, the President shall leave the Chair without question put, whenever the House resolves itself into such Committee to consider the bill Clause by Clause.

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

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

(2) Any such Committee shall have power to make such amendments therein as the Committee 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, the Committee shall amend the title accordingly, and shall report the same specially to the Senate.

### **Procedure in Committee of the Whole Senate on a Bill**

53. (1) The Chairman in Committee of the whole Senate 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 Senators who wish to speak thereon have spoken, he shall put that question to the Committee for its decision.

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

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

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

(4) The provisions of paragraphs (4) and (5) of Standing Order No. 31 (Amendments to Motions) shall apply to the discussion of amendments to Bills, with the substitution, where appropriate, of the word "clause" for the word "motion" or the word "question", and of the word "Chairman" for the word "President" and the word "Committee" for the word "Senate" throughout.

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

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

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

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

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

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

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

(12) If any Senator, before the conclusion of proceedings on a Bill, moves to report progress and such motion is carried, or if the proceedings in a committee of the whole Senate have not been finished at the moment of interruption, the Chairman shall leave the Chair of the Committee 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.

(13) A 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 Committee shall report the Bill to the Senate as so far amended or without amendment as the case may be, and make a special report explaining its proceedings on the Bill, and the special report and the Bill shall be ordered to lie upon the Table without question put.

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

**54.** A Select Committee on a Bill shall be subject to Standing Order No. 73 (Procedure in Select Committee) and Nos. 44 (Decision of Questions), 45 (Collection of Voices) and 46 (Division) but, before reporting the Bill to the Senate, it shall go through the Bill as provided in Standing Order No. 53 (Procedure in Committee of the whole Senate on a Bill).

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

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

(2) Subject to those Standing Orders, when a Bill has been reported from a Committee of the whole Senate, the Member in charge of the Bill may either name a future date for the third reading of the Bill or move that it be read a third time forthwith.

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

**56.** (1) If any Senator desires to delete or amend any provision contained in a Bill as reported from a Committee of the whole Senate or to introduce any new provision therein, he may, at any time before a Senator rises to move the third reading of the Bill, move that the Bill be recommitted whether 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 Senate may then, upon motion made, resolve itself into Committee to consider the business so recommitted either forthwith or upon a later date.

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

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

(4) At the conclusion of the proceedings in Committee on a Bill recommitted under the provisions of this Standing Order, the Chairman shall put the question "That the Bill (or the Bill as amended on recommittal) be reported to the Senate", which question shall be decided without amendment or debate. So 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 read a third time forthwith.

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

57. (1) When a Bill has been reported from a Select Committee, the Senate may proceed to consider the Bill as reported from the Select Committee upon a motion "That the report of the Select Committee on Bill .....be adopted", moved under paragraph (7) of Standing Order No. 75 (Reports from Select Committees).

(2) If that motion is agreed to without amendment, the Senate 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 Senator 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 Senate", and if that motion is agreed to with such an amendment, the Bill shall stand so recommitted and immediately thereafter the Senate may then 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 (2) or paragraph (3) of Standing Order No. 56 (Recommittal of Bills Reported from Committee of the Whole Senate), and the conclusion of its proceedings and the remaining proceedings on the Bill shall be subject to paragraph (4) of that Order.

### **Third Reading**

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

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

(3) When a Bill originating in the Senate has been read a third time and passed, a printed copy of it, signed by the Clerk and endorsed by the President, shall be forwarded by the Clerk of the Senate to the Clerk of 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 of Representatives.

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

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

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

### **Procedure on House of Representatives Amendments**

59. (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 entered upon forthwith, or may be put down for such future day as the Senator or Minister 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 to that question, to leave out the word "now", and add at the end of the question "upon this day six months" or some other date.

(3) When the Senate proceeds to the consideration of the House of Representatives amendment, each amendment shall be read by the Clerk and may be agreed to, agreed to with amendment or disagreed to. Upon any

such amendment being disagreed to, an amendment may be made to the Bill in lieu thereof, but no amendment may be proposed to a House of Representatives amendment save an amendment strictly relevant thereto nor may an amendment be moved to the Bill, unless the amendment be relevant to or consequent upon either the acceptance or rejection of a House of Representatives amendment.

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

- (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 .....Bill", and a printed copy of the Bill as amended shall be submitted to the President of the Republic for his Assent;
- (b) if such amendments have been amended, a printed copy of the Bill as amended, endorsed by the President, shall be returned to the House of Representatives together with a message informing the House that the Senate has passed the Bill with amendments to which they desire the concurrence of the House;
- (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".

(5) When the Senate has disagreed to a House 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 (4)(b) of this Standing Order shall apply; or
- (b) amend such amendments in which case the provisions of paragraph (4)(a) of this Standing Order shall apply; or
- (c) postpone the consideration of the House of Representatives amendment for six months; or
- (d) order the withdrawal of the Bill.

### **Custody of Bills**

**60.** 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.

### **Withdrawal of Bills**

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

- (a) before the commencement of Public Business; or
- (b) when any stage of the Bill is reached in Order of Business, if before the Question is fully put, the mover so requests.

### **Bills Containing Substantially the same Provision**

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

### **Money Bills**

**63.** 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.

### **Sessional Select Committees**

**64.** (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.

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

(3) The Chairman or Chairmen of each Sessional Committee shall be appointed by the President who shall have the right to change the Chairmen so appointed from time to time.

### **Standing Orders Committee**

**65.** (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 Standing Orders Committee shall consist of five Members inclusive of the Chairman.

### **House Committee**

**66.** (1) The House Committee shall consider and advise the President upon all matters connected with the comfort and convenience of Senators.

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

(3) The said Committee shall from time to time report its minutes of proceedings to the Senate.

### **Committee of Privileges**

**67.** (1) There shall be referred to the Committee of Privileges any matter which appears to affect the powers or privileges of the Senate, and 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 a Member, and the Chairman, of the Committee of Privileges.

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

### **Statutory Instruments Committee**

**68.** (1) The Statutory Instruments Committee shall have the duty of considering all such instruments (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 Senate, and are to be subject to negative resolution within the meaning of the Interpretation Act-

- (a) which involves the expenditure of public", moneys or imposes or fixes fees for licences or for services;
- (b) which cannot be challenged in the Courts on the ground that it is *ultra vires*, or is only temporarily so challengeable;
- (c) the making of which appears to constitute an unusual or unexpected use of the powers conferred by the law under which it was made;
- (d) which purports to have retroactive effect although the law under which it was made does not in terms give the Minister such a power;
- (e) the publication or the laying before the 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;
- (g) the purport or form of which appears to require elucidation;

- (h) which as 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 regulations.
- (3) The Statutory Instruments Committee shall consist of five Members inclusive of the Chairman.

### **Special Select Committees**

**69.** (1) A Select Committee other than a Sessional Select Committee shall be known as a Special Select Committee. It shall be appointed by order of the Senate which shall specify the terms of reference of the Committee and shall consist of such and so many 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.

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

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

**70.** (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.

(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 Senator in his place.

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

### **Joint Select Committees**

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

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

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

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

**71A.** (1) There shall be a Joint Select Committee on External Affairs to be known as the Joint Parliamentary Committee on External Affairs. The Committee shall be a Standing Committee appointed for the duration of the life of the Parliament.

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

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

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

(5) The Committee shall have power-

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

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

(c) to make its own rules.

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

**71B.** (1) Subject to paragraph (3), the Senate shall appoint members to sit with Members of the House of Representatives as Joint Select Committees to inquire into and report to it in respect of-

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

(2) A Joint Select Committee referred to in sub-paragraph (1), shall be empowered to study and report on all matters relating to the mandate, management and operations of the Ministry or body which are assigned to it by the Senate. In general, the Committee shall be severally empowered to review and report in relation to their administration, the manner of the exercise of their powers, their methods of functioning and any criteria adopted by them in the exercise of their powers and functions.

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

(4) A Joint Select Committee may, by resolution, 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.

(5) Within ten days following the appointment of members to serve on Joint Select Committees, 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.

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

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

- (a) to send for persons, papers and records;
- (b) to sit notwithstanding any adjournment of the Senate;
- (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
  - (a) complexity within the Committee's or Sub-Committee's order of reference;
  - (f) to communicate with any Committee of Parliament on matters of common interest;
  - (g) to meet concurrently with any other Committee for the purpose of deliberating, taking evidence or considering draft reports.

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

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

(10) Standing Orders 70, 71, 72, 73, 74 and 75 shall apply to every Joint Select Committee or Sub-Committee appointed under this Standing Order.

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

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

(13) The Minister responsible for the Ministry/Body under review shall, not later than sixty days after a report from a Joint Select Committee, relating to the Ministry/Body, has been laid upon the Table, present a paper to the Senate responding to any recommendations/comments contained in the report which are addressed to it. All such papers presented by the Ministry/Body shall be ordered to be laid upon the Table without question put, and any motion for the printing thereof as a Senate Paper shall be determined without amendment or debate.

(14) If the period of sixty 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 (13) shall present to the Senate, the paper responding to the recommendations/comments, no later than the third sitting day following that recess or adjournment.

### **Joint Parliamentary Committees**

**72.** (1) At the commencement of each Parliament, the Senate (with the concurrence of the House of Representatives) shall appoint the following Joint Parliamentary Committees:

- (a) Banking, Finance and Estimates;
- (b) External Affairs and International Trade;
- (c) Labour, Industry and Commerce;
- (d) Food Security and Agricultural Development;
- (e) Constitutional and Legal Affairs;
- (f) Education, Health and Social Services;
- (g) Tertiary Education, Research, Science and Technology.

(2) The Senate shall, for the purpose of these Committees, appoint not more than three members to sit with Members of the House of Representatives.

(3) The Committees shall examine the estimates, expenditure, administration and policy of the Ministries, Government departments, State Enterprises falling under the Headings set out in (1) above and submit periodical reports to the Parliament.

(4) Committees appointed under this Standing Order shall have power to:

- (a) send for persons, papers and records and to sit notwithstanding any adjournment of the Parliament; to adjourn from place to place and to make their own rules of procedure;
- (b) invite specialist advisors to any of its sittings to assist in its deliberations.

(5) (a) All members shall be for the duration of the life of the Parliament but any member may be discharged from serving as a member of the Committee and be replaced.

(b) The quorum of the Committee shall be three members unless the context otherwise admits.

(6) No Minister shall be a Member of a Joint Parliamentary Committee appointed under this Standing Order.

### **Procedure in Select Committees**

**73.** (1) Except as otherwise provided in Standing Orders Nos. 64 to 68 inclusive (Sessional Select Committees), this Standing Order shall apply to all Select Committees.

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

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

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

(5) Unless the Senate otherwise directs, three Senators shall be the quorum. In ascertaining whether there is a quorum present, the Senator 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, the President or a Minister is Chairman of a Select Committee, the President or the Minister shall appoint the time and place for the holding of the first meeting of the Committee. In all other cases, "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; provided that, if the Committee fails to do so, the Chairman shall, in consultation with the Clerk of the Senate, appoint such time and place.

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

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

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

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

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

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

### **Premature Publication of Evidence**

**74.** 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 Senate.

### **Reports from Select Committees**

**75.** (1) Every Select Committee shall, before the end of the Session in which it was appointed, make a report to the Senate 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 Senate.

(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 Senate.

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

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

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

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

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

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

The minutes of the proceedings of a Select Committee shall accompany the report of the Committee, and shall be submitted to the Clerk of the Senate to be kept as a part of the records of the Senate.

(7) The Report of a Select Committee may be taken into consideration by the Senate on a motion "That the Report of the Select Committee on .....be adopted." Such a motion may be moved by any member after one clear day's notice.

### Private Bills

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

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

(3) A Private Bill shall be introduced by a Member; 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-
  - i. by not less than three successive publications of the Bill in the *Trinidad and Tobago Gazette*; and
  - ii. by three publications in a daily newspaper circulating in the Territory of a notice containing a statement of the objects of and the reasons for the Bill.

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

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

- (a) two copies of the Bill;
- (b) a certificate, under the hand of the Comptroller of Accounts, certifying that the sum of five hundred dollars or such greater sum as the Clerk of the Senate may in writing determine, to meet the cost of advertising, printing and miscellaneous charges has been paid to the said Comptroller of Accounts;
- (c) a bond duly executed by two sufficient persons obliging them to pay on demand to the Clerk any excess over the deposited sum, required for such expenses.

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

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

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

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

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

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

(12) When it is intended to examine any witnesses before the Special Select Committee, the provisions of paragraphs (11) and (12) of Standing Order 73 (Procedure in Select Committees) shall apply.

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

(14) After the report of the Special Select Committee has been presented to and adopted by the Senate in accordance with Standing Order No. 57, the President shall put the question, without amendment or debate, that the Bill be read a third time.

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

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

## MISCELLANEOUS

### Absence of Members

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

(2) If, without the leave of the President obtained in writing before the end of the last of the sittings referred to in this paragraph, any Senator is absent from the Senate for more than six consecutive sittings occurring during the same session, such Senator shall vacate his seat in the Senate under paragraph 43(2)(a) of the Constitution of the Republic of Trinidad and Tobago.

### **Employment of Members in Professional Capacity**

**78.** No Senator shall appear before the Senate or any Committee thereof as Attorney-at-law for any party or in any capacity for which he is to receive a fee or reward.

### **Report of Debates**

**79.** (1) An Official Report of the proceedings, and of all speeches made in the Senate shall be prepared under the supervision of the Clerk of the Senate, 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.

### **Strangers**

**80.** (1) Strangers may be present in the Chamber of the Senate in the places set apart for them, under such conditions as the President may from time to time direct.

(2) If, at any sitting of the Senate, any Senator shall move that strangers withdraw, the President shall forthwith put the question "that strangers do withdraw" without permitting any debate or amendment.

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

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

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

### **Press**

**81.** (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 sitting of the Senate, under such conditions as the President may from time to time direct.

(2) If such conditions are not observed, permission may be revoked.

### **Amendment of Standing Orders**

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

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

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

### **Suspension of Standing Orders**

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

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

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

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

(2) In cases of doubt, the Standing Orders of the Senate shall be interpreted in the light of the relevant usage and practice of the said House of Commons, but no restrictions which the House of Commons has introduced

by Standing Order shall be deemed to extend to this Senate or to its Senators until the Senate has provided by Standing Orders for such restriction.

### **General Authority of the President**

**85.** (1) The President 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 President, and shall not be open to challenge.

### **Absence of the President**

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

### **Definition**

**87.** A Minister who is attending a sitting of the Senate pursuant to section 62 of the Constitution shall be deemed to be a member of the Senate for the purpose of these Standing Orders.

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