



**PARLIAMENT**

**REPUBLIC OF TRINIDAD AND TOBAGO**

**REPORT**

**OF**

**THE STANDING ORDERS COMMITTEE**

**HOUSE OF REPRESENTATIVES**

**(2006-2007 SESSION)**



# REPUBLIC OF TRINIDAD AND TOBAGO

## REPORT OF THE STANDING ORDERS COMMITTEE OF THE HOUSE OF REPRESENTATIVES (2006-2007 SESSION)

House Paper No.

File No.

---

Your Committee was appointed on Friday October 27, 2006. Your Committee comprised the following members:

<b>Mr. Barendra Sinanan</b>	~	<b>Chairman</b>
<b>Mrs. Camille Robinson-Regis</b>	~	<b>Member</b>
<b>Mr. Fitzgerald Hinds</b>	~	<b>Member</b>
<b>Mr. Hedwidge Bereaux</b>	~	<b>Member</b>
<b>Mr. Harry Partap</b>	~	<b>Member</b>
<b>Mr. Nizam Baksh</b>	~	<b>Member</b>
<b>Ms. Gillian Lucky</b>	~	<b>Member</b>

### Mandate

2. On Wednesday May 09, 2007, the House of Representatives, by resolution, mandated your Committee to consider the entire Standing Orders of the House of Representatives and to report its recommendations to the House of Representatives.

### Deliberations

3. Your Committee undertook a comprehensive review of the Standing Orders of the House of Representatives. During its consideration of the Standing Orders, your committee took note of the following documents:

- a) **Standing Orders of the House of Representatives , New Zealand;**
- b) **Standing Orders of the House of Representatives, Australia;**
- c) **Standing Orders of the House of Commons, Canada, together with its rules of procedures;**
- d) **Standing Orders of the Senate of Trinidad and Tobago.**

4. Your Committee also took note of the work undertaken by previous Standing Orders Committees of the House of Representatives during this Parliament.

5. Your committee met on Friday August 10, 2007 and Wednesday September 05, 2007 and engaged in a clause by clause examination of the Standing Orders. At the end of its deliberation, there was general consensus on the revision of many of the existing Standing Orders of the House of Representatives in order to:

- a) **modernize the Standing Order;**
- b) **provide for the regulations of certain procedures;**
- c) **introduce new provisions consistent with current practices;**
- d) **introduce new procedures as may be required by statute law; and**
- e) **facilitate the codification of well-established practices of this House.**

6. There were extensive discussions with particular focus on the following areas:

- a) **Election of a Speaker**
- b) **Length of Speeches and Debates**
- c) **Question to Ministers**
- d) **Legislation.**

7. Although there was general consensus on areas for revision, two Members of your Committee disagreed with any change to the rules pertaining to Length of Speeches.

8. The Committee agreed that there should be included in the Standing Orders, general rules for:

- a) **the broadcasting of House proceedings;**
- b) **the conduct of proceedings of Committees.**

### **Report**

9. Your committee wishes to report that it has completed its work. It recommends to the House the proposed revised Standing Orders appended to this report.

10. Your committee is thankful to the House of Representatives for the opportunity to serve.

Respectfully submitted,

**Barendra Sinanan**  
Chairman

**September 10, 2007**



# **APPENDIX**

## **REVISED STANDING ORDERS OF THE HOUSE OF REPRESENTATIVES**

**Proposed by the Standing Orders Committee  
(2006-2007) session**

Containing references to the existing Standing Orders

(Made under Section 56(1) of the Constitution)

# HOUSE OF REPRESENTATIVES TRINIDAD AND TOBAGO

## STANDING ORDERS

(as amended by the House of representatives on 2007)

### CONTENTS

<i>Preliminary Provisions</i>	<b>1</b>
<b>1. Purpose</b>	<b>1</b>
<b>2. Interpretation and Application of Standing Orders</b>	<b>1</b>
<b>3. Definitions</b>	<b>2</b>
<b>CHAPTER 1</b>	<b>3</b>
<i>General Provisions</i>	<b>3</b>
<b>5. Oath</b>	<b>3</b>
<b>6. Election of Speaker</b>	<b>4</b>
Member or other person nominated as Speaker	<b>4</b>
If unopposed, elected	<b>5</b>
When there are two nominations	<b>5</b>
When there are more than two nominations	<b>5</b>
Procedure in the event of a tie in the final vote	<b>6</b>
Speaker takes the Chair	<b>6</b>
<b>7. Election of Deputy Speaker</b>	<b>6</b>
<b>8. Presiding in the House and in Committee</b>	<b>6</b>
<b>9. Language</b>	<b>7</b>
<b>10. Parties</b>	<b>8</b>
<b>11. Quorum</b>	<b>8</b>
<b>CHAPTER II</b>	<b>9</b>
<i>Sittings of the House</i>	<b>9</b>
<b>12. Meeting Days</b>	<b>9</b>
<b>13. Hours of Sitting</b>	<b>10</b>



<b>14. Extraordinary Sitting</b>	<b>10</b>
<b>15. Recess</b>	<b>11</b>
<b>16. Adjournment of the House</b>	<b>11</b>
<b>17. Matter on the Adjournment</b>	<b>12</b>
<b>18. Adjournment – Definite Matter of Urgent Public Importance</b>	<b>13</b>
<b>19. Broadcasting and the Right to Respond</b>	<b>14</b>
<b>CHAPTER III</b>	<b>16</b>
<b><i>Business of the House</i></b>	<b>16</b>
<b>20. Order of Business</b>	<b>16</b>
<b>21. Order Paper</b>	<b>17</b>
<b>22. Petitions</b>	<b>18</b>
<b>23. Papers and Reports</b>	<b>19</b>
<b>24. Personal Explanations</b>	<b>21</b>
<b>25. Statement by Ministers</b>	<b>21</b>
<b>CHAPTER IV</b>	<b>21</b>
<b><i>Questions</i></b>	<b>22</b>
<b>26. Nature of Questions</b>	<b>22</b>
<b>27. Questions without Notice</b>	<b>22</b>
<b>28. Questions for which Notice is required</b>	<b>23</b>
Oral Answer	23
Written Answer	24
<b>29. Manner of asking and answering Questions which require notice</b>	<b>24</b>
Oral Answer	24
Written Answer	25
Deferral of Questions	25
Withdrawal of Questions	25
<b>30. Contents of Question</b>	<b>26</b>
<b>31. Notice Paper – Questions</b>	<b>28</b>
<b>CHAPTER V</b>	<b>28</b>
<b><i>Public Business</i></b>	<b>28</b>

<b>32.</b>	<b><i>Arrangement of Public Business</i></b>	<b>28</b>
<b>33.</b>	<b><i>Questions for Debate</i></b>	<b>29</b>
<b>34.</b>	<b><i>Admissibility of Motions</i></b>	<b>30</b>
<b>35.</b>	<b><i>Notice of Motions or Amendments</i></b>	<b>31</b>
<b>36.</b>	<b><i>Period of Notice</i></b>	<b>32</b>
<b>37.</b>	<b><i>Notice Paper – Motions</i></b>	<b>32</b>
<b>38.</b>	<b><i>Exemption from Notice</i></b>	<b>33</b>
<b>39.</b>	<b><i>Dispensing with Notice</i></b>	<b>34</b>
<b>40.</b>	<b><i>Privilege Motions</i></b>	<b>35</b>
<b>41.</b>	<b><i>Moving of Motions</i></b>	<b>35</b>
<b>42.</b>	<b><i>Seconding of Motions</i></b>	<b>36</b>
<b>43.</b>	<b><i>Motions not Moved or Seconded</i></b>	<b>36</b>
<b>44.</b>	<b><i>Withdrawal of Motions</i></b>	<b>37</b>
<b>45.</b>	<b><i>Amendments to Motions</i></b>	<b>37</b>
	 <b>CHAPTER VI</b>	 <b>39</b>
	<b><i>Rules of Debate</i></b>	<b>39</b>
<b>46.</b>	<b><i>Time and Manner of Speaking</i></b>	<b>39</b>
<b>47.</b>	<b><i>Length of Speeches and Debates</i></b>	<b>40</b>
<b>48.</b>	<b><i>Right of Reply</i></b>	<b>41</b>
<b>49.</b>	<b><i>Interruptions</i></b>	<b>42</b>
<b>50.</b>	<b><i>Contents of Speeches</i></b>	<b>42</b>
<b>51.</b>	<b><i>Scope of Debate</i></b>	<b>43</b>
	<b>Motions debated together</b>	<b>44</b>
	<b>Adjournment of the debate</b>	<b>44</b>
<b>52.</b>	<b><i>Anticipation</i></b>	<b>44</b>
<b>53.</b>	<b><i>Closure of Debate</i></b>	<b>45</b>
<b>54.</b>	<b><i>Rules for Members not Speaking</i></b>	<b>45</b>
	 <b>CHAPTER VII</b>	 <b>47</b>
	<b><i>Rules of Order</i></b>	<b>47</b>
<b>55.</b>	<b><i>Responsibility for Order in the House and in Committee</i></b>	<b>47</b>
<b>56.</b>	<b><i>Order in the House and in Committee</i></b>	<b>47</b>

<b>CHAPTER VIII</b>	<b>50</b>
<b><i>Voting</i></b>	<b>50</b>
<b>57. <i>Decision of Questions</i></b>	<b>50</b>
<b>58. <i>Collection of Voices</i></b>	<b>50</b>
<b>59. <i>Division</i></b>	<b>51</b>
<b>CHAPTER IX</b>	<b>51</b>
<b><i>Legislation</i></b>	<b>51</b>
<b>60. <i>Restrictions with Respect to Money Bills</i></b>	<b>52</b>
<b>61. <i>Private Members' Bills</i></b>	<b>52</b>
<b>62. <i>Introduction and First Reading of Private Members' Bills</i></b>	<b>53</b>
<b>63. <i>Introduction and First Reading of Government Bills</i></b>	<b>54</b>
<b>64. <i>First Reading of Senate Bills</i></b>	<b>54</b>
<b>65. <i>Appointment of Days for Stages of Bills</i></b>	<b>54</b>
<b>66. <i>Printing and Circulation of Bills</i></b>	<b>55</b>
<b>67. <i>Procedure in Committee before Second Reading</i></b>	<b>55</b>
<b>68. <i>Second Reading of Bills</i></b>	<b>56</b>
<b>69. <i>Committal of Bills after Second Reading</i></b>	<b>56</b>
<b>70. <i>Procedure in Committee on Bills after Second Reading</i></b>	<b>57</b>
<b>71. <i>Procedure in Committee of the Whole House on a Bill</i></b>	<b>58</b>
<b>72. <i>Procedure on Reporting of Bills from Committee of the Whole House</i></b>	<b>61</b>
<b>73. <i>Procedure on Bills Reported from Select Committees appointed under Standing Order 69</i></b>	<b>62</b>
<b>74. <i>Third Reading of Bills (Final Stage)</i></b>	<b>63</b>
<b>75. <i>Procedure on Senate Amendments</i></b>	<b>64</b>
<b>76. <i>Private Bills</i></b>	<b>66</b>
<b>77. <i>Custody of Bills and Assent thereto</i></b>	<b>68</b>
<b>78. <i>Withdrawals of Bills</i></b>	<b>69</b>
<b>79. <i>Bills Containing Substantially the Same Provisions</i></b>	<b>69</b>
<b>80. <i>Lapsed Bills</i></b>	<b>69</b>
<b>81. <i>Negative Resolutions</i></b>	<b>70</b>

<b>CHAPTER X</b>	<b>71</b>
<i>Financial Procedures</i>	<b>71</b>
<b>82. Presentation and Second Reading of Appropriation Bill</b>	<b>71</b>
<b>83. Finance Committee</b>	<b>72</b>
<b>84. Allotment of Time in Finance Committee</b>	<b>73</b>
<b>85. Procedure in Finance Committee</b>	<b>74</b>
<b>86. Amendments to Heads of Estimates in Finance Committee</b>	<b>75</b>
<b>87. Third Reading of Appropriation Bill</b>	<b>77</b>
<b>88. Report of Finance Committee</b>	<b>77</b>
<b>89. Supplementary Appropriation Bills</b>	<b>78</b>
<b>CHAPTER XI</b>	<b>78</b>
<i>Committees</i>	<b>78</b>
<b>90. Sessional Select Committees</b>	<b>78</b>
<b>91. Standing Orders Committee</b>	<b>79</b>
<b>92. House Committee</b>	<b>79</b>
<b>93. Committee of Privileges</b>	<b>80</b>
<b>94. Statutory Instruments Committee</b>	<b>80</b>
<b>95. Special Select Committees</b>	<b>81</b>
<b>96. Composition and Chairman of Select Committees</b>	<b>82</b>
<b>97. Joint Select Committees</b>	<b>82</b>
<b>98. The Public Accounts Committee</b>	<b>83</b>
<b>99. The Public Accounts (Enterprises) Committee</b>	<b>84</b>
<b>100. The Parliamentary Broadcasting Committee</b>	<b>84</b>
<b>101. Departmental Joint Select Committees</b>	<b>85</b>
<b>102. Procedures in Select Committee</b>	<b>88</b>
<b>103. Premature Publication of Evidence</b>	<b>90</b>
<b>104. Reports from Select Committees</b>	<b>90</b>
<b>CHAPTER XII</b>	<b>92</b>
<i>Miscellaneous</i>	<b>92</b>
<b>105. Absence of Members</b>	<b>92</b>
<b>106. Employment of Members in Professional Capacity</b>	<b>93</b>

<b>107. Financial Interest</b>	<b>93</b>
<b>108. Declaration of Financial Interest</b>	<b>93</b>
<b>109. Report of Debates</b>	<b>94</b>
<b>110. Visitors</b>	<b>94</b>
<b>111. Media</b>	<b>95</b>
<b>112. Amendment of Standing Orders</b>	<b>95</b>
<b>113. Suspension of Standing Orders</b>	<b>96</b>
<b>114. General Authority of the Speaker</b>	<b>96</b>
<b>115. Absence of the Speaker</b>	<b>97</b>
<b>116. Minutes of Proceedings</b>	<b>97</b>
<b>117. Proclamation of the President</b>	<b>97</b>
<b>116. Agreement between both sides of the House</b>	<b>97</b>
 <b>APPENDIX I</b>	 <b>99</b>
<b>General Rules for the Broadcasting of House Proceedings</b>	<b>99</b>
 <b>APPENDIX II</b>	 <b>102</b>
<b>General Rules for the Conduct of proceedings of Committees</b>	<b>102</b>

**INDEX  
(TO BE COMPILED)**



# *Preliminary Provisions*

---

## **1. Purpose**

---

These Standing Orders contain rules for the conduct of the proceedings of the House and for the exercise of the powers possessed by the House. They are not intended to diminish or restrict the rights, privileges and immunities of the House and its Committees collectively or of its Members individually.<sup>1</sup>

---

## **2. Interpretation and Application of Standing Orders**

---

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

(2) In all cases, the Speaker will be guided by the established practices of this House and by previous Speaker's rulings.

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

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

---

<sup>1</sup> New Standing Order

<sup>2</sup> New Standing Order, includes existing SO 91

### 3. Definitions

---

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

**Chair** means the Speaker or other person presiding;

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

**Clerk** means the Clerk of the House or, if the office is vacant or the Clerk is absent from duty, the person appointed on the recommendation of the Speaker to act as Clerk of the House; and includes any person authorised by the Clerk to perform any of the functions or exercise any of the powers of the Clerk under these Standing Orders;

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

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

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

**House** means the House of Representatives;

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

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

**Member** means a Member of the House of Representatives or of a Committee;

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



**Party** means a party recognized for parliamentary purposes in accordance with these Standing Orders;

**Person** includes an organization;

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

**President** means His Excellency the President of the Republic of Trinidad and Tobago;

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

**Statutory Instrument** means any regulation, order, rule or other instrument made under a written law;

**Whip** is a Member of a party in the House who is responsible for organising members of his party to take part in debates and votes.<sup>3</sup>

## CHAPTER 1

# *General Provisions*

---

## 5. Oath

---

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

(2) At any other time, the oath or affirmation shall be administered to the Member by the Clerk immediately after Prayers.

---

<sup>3</sup> New Standing Order.

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

**(4) Until he has made and subscribed before the House the Oath or affirmation no Member of the House shall be entitled to receive remuneration as a member of the House.<sup>4</sup>**

---

## **6. Election of Speaker**

---

**(1) At the first sitting of the House after a general election or whenever the office of Speaker becomes vacant, the election of Speaker shall be conducted in the following manner:**

**(2) For the purposes of the election of a Speaker, the Clerk shall act as chairman and call for nominations.**

**(3) The Speaker may be elected either from among the Members of the House who are not Ministers or Parliamentary Secretaries or, subject to subsection 50(3) of the Constitution, from among persons who are not Members of either House.**

### **Member or other person nominated as Speaker**

---

**(4) Any Member may rise in his place and propose that such other Member or person (referred to as candidates), duly qualified in accordance with paragraph (3), “take the Chair of this House as Speaker”. The motion shall be seconded. That Member or other person’s consent in writing to being nominated shall be produced to the Clerk.**

---

<sup>4</sup> The Committee was desirous of amending this Standing Order so that the Oath is given priority over any other business, in order to ensure that nothing precludes Members from taking the Oath. However, the Constitution, in sub-sections 50 (1) and (4), requires that the election of Speaker and Deputy Speaker be the first items of business. However, the proposed Standing Order 6 below seeks to amend the procedure for the election of a Speaker to avoid any repeat of the 2002 case when the House failed to elect a Speaker. In those circumstances, paragraph 4, is included in the event that a Member **refuses** to take and subscribe the Oath.

#### If unopposed, elected

---

**(5) The Clerk shall then ask “Is there any further nomination?” and if there is no further nomination, the Clerk shall say “The time for nominations has expired”. No Member may then address the House or propose any other Member, and the Clerk shall, without question put, declare the Member or other person so nominated and seconded to have been elected as Speaker.**

#### When there are two nominations

---

**(6) If two candidates are nominated for election as Speaker, the Clerk shall propose the question that the candidate who was first proposed should be the Speaker. If that proposal is agreed to, the candidate so chosen shall be Speaker. If the proposal is negatived, the Clerk shall propose a like question in respect of the other candidate. In the event of a tie, the Clerk shall proceed in accordance with paragraph 12.**

#### When there are more than two nominations

---

**(7) If more than two candidates are nominated for election as Speaker, the Clerk shall state the names of all nominees and call on each member, in alphabetical order, to vote for one of the candidates.**

**(8) On being called by the Clerk, Members shall vote in their places by stating the name of the candidate for whom they vote; a member may abstain.**

**(9) If a candidate receives the votes of a majority of the Members voting, the Clerk shall declare that Member or other person to have been elected as Speaker.**

**(10) Otherwise, the candidate with the fewest number of votes is eliminated and the votes are taken again for the remaining candidates until their number is reduced to two.**

**(11) When the number of candidates is reduced to two, the election for Speaker shall take place as provided in paragraph 6.**

## Procedure in the event of a tie in the final vote

---

**(12) In the event of a tie in the final vote, the House shall proceed to elect a Speaker by ballot.**

**(13) If after the holding of a ballot referred to in paragraph (12) the votes remain equal, the Clerk must determine by lot which Member or other person is to be eliminated.<sup>5</sup>**

## Speaker takes the Chair

---

**(14) Once elected, the Speaker shall be escorted to the dais and take the Chair. The Mace shall then be laid upon the Table.**

---

## 7. Election of Deputy Speaker

---

**(1) When the House first meets after a general election immediately after the election of a speaker or whenever there is a vacancy in the office of the Deputy Speaker, the House shall proceed to elect a Member to be Deputy Speaker. Such a Member shall not be a Minister or Parliamentary Secretary.**

**(2) The election of the Deputy Speaker shall be conducted in a similar manner to the election of the Speaker, except that the Speaker, if present, shall preside.<sup>6</sup>**

---

## 8. Presiding in the House and in Committee

---

**(1) The Speaker or, in his absence, the Deputy Speaker shall preside at sittings of the House and shall act as Chairman of Committees of the whole House, with the exception of Finance Committee.**

---

<sup>5</sup> In 2002, attempts to elect a Speaker failed due to repeated hung votes. This proposed SO will amend existing SO 3 in order to avoid a repeat of such a situation.

<sup>6</sup> A modified version of existing SO 4.

**(2) When the Speaker and Deputy Speaker are both absent, the Clerk shall call upon the House to elect a Member to preside over that sitting of the House. Such Member must not be a Minister or Parliamentary Secretary and the election shall be conducted in a similar manner to the election of the Speaker**

**(3) Except as may be otherwise provided in these Standing Orders, the Deputy Speaker, or other Members presiding, shall have all the authority and power of the Speaker when presiding or otherwise performing the functions of the Speaker.**

**(4) The Speaker may, without any formal communication to the House or the committee, request the Deputy Speaker to take the Chair.**

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

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

**(7) The Speaker in the House and the Chairman in Committee shall have power to regulate the conduct of business in all matters not provided for in these Standing Orders<sup>7</sup>.**

---

## **9. Language**

---

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

**(2) Every Petition shall be in the English Language<sup>8</sup>.**

---

<sup>7</sup> Existing SO5 with minor amendment.

Existing SO6 has been deleted and the duties of the Clerk of the House are set out in various parts of the standing orders. The duties of the Clerk are also to be found in numerous statutes. It is no longer feasible to include a specific standing order to this effect.

---

## **10. Parties**

---

**(1) The Speaker shall recognize a party for parliamentary purposes, if such party:**

**(a) is registered as a party by the Elections and Boundaries Commission; and**

**(b) has at least one Member elected to the House of Representatives.**

**(2) The Speaker shall, for the purpose of section 49A(5) of the Constitution, recognize as Leader in the House of Representatives of a party the person, who in his judgment is best able to command the support of the greatest number of Members of such party in the House of Representatives.<sup>9</sup>**

---

## **11. Quorum**

---

**(1) The quorum of the House and of a Committee of the whole House shall be 12 Members, excluding the person presiding, in accordance with Section 60 (1) of the Constitution.**

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

---

<sup>8</sup> Existing SO7.

<sup>9</sup> Section 49A(5) of the Constitution states that Standing Orders shall make provision for the identification and recognition of the Leader of the House of every party. This new standing Order is proposed in fulfillment of this constitutional requirement.

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

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

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

(6) The Members to be summoned by the Clerk under this Standing Order shall be those Members who are within the precincts of the House.<sup>10</sup>

## CHAPTER II

# *Sittings of the House*

---

## 12. Meeting Days

---

Subject to Standing Order 14, the House shall meet on Fridays and every adjournment of the House shall be to the next Friday unless the House, upon a motion moved by a Minister decides

---

<sup>10</sup> Existing SO 8 amended to be consistent with the Constitution

otherwise. Notice of such a motion shall not be required, and the question on the motion shall be put without amendment or debate.<sup>11</sup>

---

### **13. Hours of Sitting**

---

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

(2) The Speaker may at any time suspend the sitting for a stated period but, unless the House otherwise resolves, the Speaker shall at 4.30 p.m. suspend the sitting for forty (40) minutes.

(3) The House may at any time by motion moved by a Minister carried without amendment or debate suspend or vary the provisions of paragraphs (1) and (2) of this Standing Order.<sup>12</sup>

---

### **14. Extraordinary Sitting**

---

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

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

---

<sup>11</sup> Existing SO9 amended. Provision for extraordinary sittings now form part of a separate SO (14 below)

<sup>12</sup> Existing SO 10 amended (other provisions in Existing SO 10 are now in SO 16). Tea break increased to 40 mins.



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

(4) Except by leave of the House, no business other than the business specified in the direction under paragraph (2) of this Standing Order shall be transacted at any extraordinary sitting of the House. At the conclusion of the business, unless the House has otherwise decided, the House shall stand adjourned without question being put to the day to which it had originally been adjourned at its last meeting.<sup>13</sup>

---

## 15. Recess

---

Notwithstanding Standing Order No. 12, unless there are special reasons for so doing, no sitting of the House of Representatives shall be held from the second week in the month of July to the second week in the month of August in any year.<sup>14</sup>

---

## 16. Adjournment of the House

---

(1) A Minister may move “That this House do now adjourn” at any time after the conclusion of Questions to Ministers at any sitting. However on Private Member’s day, except with the agreement of the whips representing each of the parties in Opposition to the Government, the House shall not be adjourned earlier than 6:00p.m.

---

<sup>13</sup> Existing SO 9, modified

<sup>14</sup> New Standing Order. This new provision is consistent with practice here and elsewhere. It seeks to ensure that, unless an emergency arises, the House is guaranteed at least one month break in each year.

(2) At 7.50 p.m. the Speaker shall interrupt the business under consideration which shall stand deferred to the next sitting day, unless the Member in charge of the business under consideration names a different sitting day to which that business should be deferred. If the House is in Committee at that time the Chairman shall immediately leave the Chair and report to the House. The Committee shall be directed to sit again on a day to be determined by the Leader of the House. Then at the time appointed for the termination of the sitting in paragraph one (1) of Standing Order (13), the Speaker shall adjourn the House without question put.

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

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

(5) At any time prior to the time of interruption (7:50 p.m.) a Minister may, without notice move that the House continue to sit until the conclusion of the business on the Order Paper or of any matter specified thereon. The question upon such a motion shall be put without amendment or debate.<sup>15</sup>

---

## **17. Matter on the Adjournment**

---

(1) Upon any motion “That this House do now adjourn”, debates may take place in which any matter for which Cabinet is responsible may be raised by a Private Member.

(2) A Private Member wishing to obtain the right to raise a matter on the motion for the adjournment shall give not less than three days’

---

<sup>15</sup> Existing SO 10, modified. Paragraph (4) seeks to ensure that the House spends at least 4 hours a month debating a matter of concern to a Private Member.

written notice thereof to the Speaker specifying the matter which he proposes to raise.

(3) All debates permitted on the adjournment motion shall not, in the aggregate, exceed thirty minutes, after which the motion on the adjournment shall expire.

(4) Subject to the giving of such notice, the right to raise a matter shall be allotted for each sitting through such arrangements as the Speaker may make.<sup>16</sup>

---

#### **18. Adjournment – Definite Matter of Urgent Public Importance**

---

(1) At the time appointed under Standing Order No. 20 (Order of Business), a Member may rise in his place and ask leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance.

(2) No more than three Members shall be permitted by the Speaker to seek leave to move the adjournment of the House under this Standing Order, at any one sitting.

(3) A Member who wishes so to seek leave to move the adjournment of the House under this Standing Order shall, at least ninety minutes before the commencement of the sitting, hand to the Speaker a written notification of the matter which he wishes to discuss. The Speaker shall refuse to allow the claim unless he is satisfied that the matter is definite, urgent and of public importance and may properly be raised on a motion for the adjournment of the House.

---

<sup>16</sup> Existing SO11, amended. This proposal provides for the regulating of this procedure consistent with the original intention and with the general practice. It seeks to make it clear that the motion for the adjournment of the House has a life span of 30 minutes maximum, and that during that time period a number of matters for which the Cabinet is responsible can be raised and responded to. This proposal makes it clear that such matters can be raised at any time that the motion on the adjournment is moved, even after the hour of interruption.

**(4) If the Speaker is so satisfied and either-**

**(a) Leave of the House is given; or**

**(b) If it is not given, at least eleven Members rise in their places to support the request<sup>17</sup>,**

**the motion shall stand over until 6.00 p.m. on the same day, and at that time any proceedings on which the House is engaged shall be postponed until the motion for the adjournment is disposed of or until 7.00 p.m., whichever is the earlier. At 7.00 p.m. the motion for the adjournment, if not previously disposed of, shall lapse and the proceedings which have been postponed shall be resumed.**

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

---

## **19. Broadcasting and the Right to Respond**

---

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

**(2) A person, not being a Member, who has been referred to in the House by name, or in such a way as to be readily identifiable, may make a submission to the Speaker in writing ---**

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

---

<sup>17</sup> Existing SO 12, amended to reflect the constitutional requirement for a quorum and to provide for the better regulation of this procedure.

- (b) submitting a response to the reference; and
- (c) requesting that the response be incorporated in the parliamentary record.

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

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

(5) In that consideration, the Speaker:

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

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

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

(8) If the Speaker decides that the response should be incorporated in the parliamentary record, he shall order that the

submission, as may be amended by him, be read by the Clerk at the next subsequent sitting after his determination.<sup>18</sup>

### CHAPTER III

## *Business of the House*

---

### **20. Order of Business**

---

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

- a) Prayers
- b) Oath of a New Member
- c) Announcements by the Speaker
- d) Bills brought from the Senate
- e) Petitions
- f) Papers
- g) Reports from Committees

---

<sup>18</sup> New Standing Order pursuant to an earlier resolution of the House which adopted a report from a JSC on Broadcasting.

- h) Oral questions without Notice**
- i) Questions on Notice**
- j) Statements by Ministers**
- k) Personal Explanations**
- l) Requests for Leave to Move the Adjournment of the House on Definite Matters of Urgent Public Importance**
- m) Introduction of Bills**
- n) Motions Relating to the Business or Sitzings of the House and Moved by a Minister**
- o) Public Business**
  - Government Business**
  - Private Members' Business**
  - Committee Business<sup>19</sup>**

---

## **21. Order Paper**

---

**(1) The Clerk shall prepare an Order Paper for each sitting of the House showing the business before the House in the sequence in which orders of business are called on.**

---

<sup>19</sup> Existing SO13, amended

**(2) The Order Paper shall be circulated as early as possible before each sitting.**

**(3) An order may be postponed on motion moved without notice by the Member in charge of the order or, in his absence, by another Member deputed for that purpose.**

**(4) If any notices or orders of the day on the Order Paper have not been called on before the adjournment of the House, they shall be listed on the Order Paper for the next sitting.<sup>20</sup>**

---

## **22. Petitions**

---

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

**(2) Every Petition must conclude with a prayer setting forth the general objects of the Petition.**

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

**(4) The House will not receive any Petition-**

**(a) which is not addressed to the House and 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**

**(c) which, in the opinion of the Speaker, request that provision be made for imposing or increasing any charge**

---

<sup>20</sup> New Standing Order



on the revenues or other funds of the State or for altering any such charge otherwise than by reducing it or for compounding or remitting any debt due to the State, unless on the recommendation of the Cabinet signified by a Minister.

**(5) All Petitions presented to the House shall be ordered to lie upon the Table without question put unless a Member when presenting a Petition moves for it to be read and any such motion shall be determined without amendment or debate.<sup>21</sup> The provisions of this paragraph shall not apply to a Petition from the promoters of a Private Bill under Standing Order 76 (Private Bills).**

**(6) Every petition presented pursuant to this Standing Order shall be transmitted by the Clerk to the relevant Ministry within two (2) working days. The Ministry shall, within forty-five (45) days of the date of the Clerk's letter, submit to the Clerk a response to the petition, which shall be circulated to all Members.**

**(7) If such a petition remains without a response at the expiration of the period of forty-five (45) days, the matter of the failure of the Ministry to respond shall be deemed referred to the appropriate Joint Select Committee under Standing Order 101.<sup>22</sup>**

---

## **23. Papers and Reports**

---

**(1) A Paper shall ordinarily be presented by a Minister and its presentation shall be recorded in the Minutes of Proceedings.**

**(2) A Minister presenting a Paper may make a short explanatory statement of its contents but no debate shall then take place upon any such statement.**

---

<sup>21</sup> According to this provision, the presenter of a petition, except one under SO 76, should move that the petition be read. This means that a petition should not be read automatically. This provision is not new and it is proposed that this practice be followed.

<sup>22</sup> Existing SO14 has been amended by the inclusion of the proposed paragraphs (6) and (7) which propose a procedure for the disposing of petitions.

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

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

**(5) A report from any Committee shall be presented to the House by the Chairman of that Committee or by such other Member thereof as the Chairman may designate and shall be ordered to be published without question put.**

**(6) The Leader of the House may present any Paper containing the reply of the Government to the recommendations or opinions expressed by a Committee of the House and tabled in a report. Such a Paper shall be ordered to be published without question put.**

**(7) Within thirty (30) days of the return to Trinidad and Tobago of an officially recognized parliamentary delegation composed, in any part, of Members of the House, the head of the delegation, or a Member acting on behalf of him, shall present a report to the House of the activities of the delegation.**

**(8) Any Instrument made under the authority of any law, if required to be laid before the House, shall be laid on the Table of the House no later than seven (7) days after the date upon which it was made.<sup>23</sup>**

---

<sup>23</sup> Existing SO 15, amended. New: paragraphs (4 to (8).

## **24. Personal Explanations**

---

(1) With the leave of the Speaker, a Member may make a personal explanation at the time appointed under Standing Order No. 20 (Order of Business) although there is no question before the House; but no controversial matter may be brought forward nor any debate arise upon the explanation.

(2) The time limit for a personal explanation shall not exceed five minutes.<sup>24</sup>

---

## **25. Statement by Ministers**

---

(1) A Minister who intends to make a statement on a public matter for which the Government is responsible shall inform the Speaker of his intention before the beginning of the Sitting at which he wishes to make the statement.

(2) The time limit for a statement by a Minister shall not exceed ten minutes.

(3) The Speaker may permit one question for the purpose of elucidation, to be asked by a Member from each of the parties in Opposition to the Government and the Minister, if he can then answer, shall reply.

(4) Any reply in accordance with paragraph (2) shall be limited to two minutes.<sup>25</sup>

## *CHAPTER IV*

---

<sup>24</sup> Existing SO 20, amended. Time limit is now five minutes.

<sup>25</sup> New Standing Order. The time limit proposed is consistent with traditional practice.

# Questions

---

## 26. Nature of Questions

---

(1) Questions may be put to a Minister relating to the responsibility with which he has been assigned.

(2) The right to ask a Question shall be subject to the rules set out in this chapter, as to the interpretation of which the Speaker shall be the sole judge.<sup>26</sup>

---

## 27. Questions without Notice

---

There shall be a 10 minute period for Oral Questions without Notice at the appropriate stage in the Order of Business at each sitting of the House which shall be subject to the following rules:

- (a) the permission of the Speaker to ask the Question must be obtained at least two hours prior to the start of the sitting at which the question is proposed to be asked;
- (b) Questions without notice can only be asked on matters that are of urgent concern or relate to the business of the day;
- (c) A Question without notice shall not exceed thirty seconds in length and must be stated without argument or opinion;
- (d) Answers must not exceed two minutes in length and must be relevant to the question asked;

---

<sup>26</sup> SOs 16 to 19 have been replaced by the proposed SOs 26 to 31, with amendments as noted.

- (e) Only two supplementary questions may be permitted, for the purpose of elucidation at the discretion of the Speaker. All supplementary questions and responses thereto must be brief.
- (f) A Minister may decline to answer a question if, in his opinion, the publication of the answer would be contrary to the public interest.<sup>27</sup>

---

## **28. QUESTIONS FOR WHICH NOTICE IS REQUIRED**

---

(1) Notice of a Question may be handed by a Member to the Clerk when the House is sitting, or may be sent, by hand, fax or email, to or left at the Clerk's Office at any time during the hours prescribed for the purpose. Wherever possible, every such notice must be signed by the Member giving it.

(2) A Question for which notice has been given may require either oral or written answer.

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

### Oral Answer

---

(4) A Question for oral answer :

(a) shall be marked with an asterisk and submitted to the Clerk not later than twenty-one (21) days before the sitting day on which the answer is required;

(b) shall not be of excessive length;

---

<sup>27</sup> Existing 17(1) amended. This new proposal seeks to establish a procedure for the regulation of this standing order which, as currently exists, provides for the asking of questions, without notice.

(c) shall not require an answer which will involve extensive details.

(5) A Member is entitled to a maximum of two (2) Questions for oral answer on the Order Paper at any one time.

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

#### Written Answer

---

(7) A Question for written answer shall be submitted to the Clerk not later than sixty (60) days before the sitting day on which the answer is required to be submitted.<sup>28</sup>

---

## 29. Manner of asking and answering Questions which require notice

---

#### Oral Answer

---

(1) The time allotted for answering oral Questions on notice shall not exceed forty (40) minutes.

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

(3) In the case of a Question for oral answer, the Minister questioned shall rise in his place and give his reply, which shall be relevant thereto.

(4) After an oral answer to a Question has been given, supplementary questions may be asked for the purpose of elucidating the answer given orally, but the Speaker may refuse any

---

<sup>28</sup> Existing SO 17(2) and 17(3). This proposal seeks to establish a procedure for the regulation of this standing order.

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. 30 (Contents of Questions).

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

(6) Questions on the Order Paper for oral answer which remain outstanding at the expiration of forty (40) Minutes shall be answered in writing by the Minister to whom the Question was addressed, who shall immediately pass copies of his answer to the Clerk for circulation to Members at that sitting and for inclusion in the Minutes of Proceedings, unless at any time before the expiration of time a Member having a Question on the Order Paper for oral answer but whose name has not yet been called by the Speaker signifies to the Clerk at the Table his desire to postpone the Question to a later sitting or to withdraw it.

#### Written Answer

(7) In the case of a Question on the Order Paper for written reply, the Minister questioned shall immediately pass copies of the answer to the Clerk who shall circulate the answer to Members at that sitting and shall cause the Question and the reply to be recorded in the Official Report.

#### Deferral of Questions

(8) At the request of a Minister and with the approval of the House, without debate, the answer to Question on the Order Paper may be deferred for a maximum period of fourteen (14) days. A question so deferred is not to be taken into account for the purpose of Standing Order 28(5).

(9) If such a question remains unanswered at the expiration of the periods provided for under this Standing Order, the matter of the failure of the Ministry to respond shall, with the consent of the Member asking the question, be deemed referred to the appropriate Joint Select Committee under Standing Order 101.

#### Withdrawal of Questions

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

**(11) A Question withdrawn from the Order Paper may be asked again provided that notice as required by these Standing Orders is given.<sup>29</sup>**

---

### **30. Contents of Question**

---

**(1) Every Question shall conform to the following rules. A question shall not: –**

- (a) contain more than one issue and shall be concise;**
- (b) include the names of persons or statements not strictly necessary to render the Question intelligible;**
- (c) contain statements which the Member who asks the Question is not prepared to substantiate;**
- (d) contain arguments, inferences, opinions, imputations, epithets ironical or offensive expressions and shall not be made the pretext for a debate;**
- (e) refer to proceedings before a Committee of the House which have not been reported to the House;**
- (f) refer to matters which have been referred to a Commission of Enquiry;**
- (g) seek information about any matter which is of its nature secret;**

---

<sup>29</sup> Existing SO 19 revised



- (h) reflect on the decision of a court of Law and no Question shall be answered on any matter which, in the opinion of the Speaker, is *sub judice*;**
- (i) be asked for the purpose of obtaining an expression of opinion, the solution of an abstract legal question or the answer to a hypothetical proposition;**
- (j) seek to ascertain whether statements in the Media or of private individuals or bodies or persons are accurate;**
- (k) be based upon a newspaper report or upon an unofficial publication;**
- (l) reflect the character or conduct of any person except in his official or public capacity;**
- (m) seek for purposes of argument information on matters of past history;**
- (n) reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion under Standing Order 50(8);**
- (o) refer discourteously to, or seek information about, the internal affairs of any country within the Commonwealth or of a friendly foreign State;**
- (p) be asked making or implying a charge of a personal character;**
- (q) raise policy issues too large to be dealt with in the limits of an answer to a question;**
- (r) seek information set forth in accessible official publications or ordinary works of reference;**

- (s) raise an issue already decided in the House or which has been fully answered during the same session or for which an answer has been refused.

(2) If the Speaker is of the opinion that any Question of which a Member has given notice to the Clerk, is an abuse of the right of questioning or infringes any of the provisions of this or any other Standing Order, he may direct –

- (a) that it be printed or asked with such alterations as he may direct; or
- (b) that the Member concerned be informed that the Question is inadmissible.<sup>30</sup>

---

### 31. Notice Paper - Questions

---

Once a Question on Notice has been approved by the Speaker, the Clerk shall immediately prepare and circulate to Members a Notice Paper setting out particulars of the question.<sup>31</sup>

## CHAPTER V

# *Public Business*

---

### 32. Arrangement of Public Business

---

---

<sup>30</sup> Existing SO 18(1), amended.

<sup>31</sup> New Standing Order

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

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

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

**(4) Private Members' Business shall be set down on the Order Paper in the order in which they qualify.<sup>32</sup>**

---

### **33. Questions for Debate**

---

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

**(2) Except on the recommendation or with the consent of the Cabinet signified by a Minister and recorded in the Minute of Proceedings, the House shall not –**

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

**(i) for imposing or increasing any tax;**

**(ii) for imposing any charge upon the Consolidated Fund or any other public fund of Trinidad and Tobago or for altering any such charge otherwise than by reducing it;**

---

<sup>32</sup> Standing Order 21 amended.

(iii) for the payment, issue or withdrawal from the Consolidated Fund or any other public fund of Trinidad and Tobago of any moneys not charged thereon or any increase in the amount of such a payment, issue or withdrawal; or

(iv) for compounding or remitting any debt due to Trinidad and Tobago; or

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

(3) When a question for debate has been proposed, debated and decided, it shall not be competent for any Member to raise a question substantially identical thereto in the same session except upon a substantive motion for rescission.<sup>33</sup>

---

#### **34. Admissibility of Motions**

---

In order that a motion may be admissible, it shall satisfy the following conditions, as to the interpretation of which, the Speaker shall be the sole judge. A motion shall:

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

---

<sup>33</sup> Existing SO 22, amended.

- (d) not refer to the conduct or character of persons except in their public capacity;
  - (e) not revive discussion of a matter which has been discussed in the same session;
  - (f) not anticipate discussion of a matter which is likely to be discussed in the same session;
  - (g) not relate to any matter which is under adjudication by a court of Law;
  - (h) not relate to matters which have been referred to a Committee of the House of Representatives for consideration and report;
  - (i) not relate to a matter with which the Government is not officially concerned.
  - (j) not exceed two hundred and fifty (250) words in length.<sup>34</sup>
- 

### **35. Notice of Motions or Amendments**

---

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

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

---

<sup>34</sup> New Standing Order to set out rules for the admission of motions, based on practice.

- (a) that the Member concerned be informed that the notice of motion is out of order; or
- (b) that the motion be approved with such alterations as he may direct.

(3) Not more than three motions in the name of the same Member may be entered on the Order Paper of any sitting. The provision of this paragraph shall not apply to a Minister.<sup>35</sup>

---

### **36. Period of Notice**

---

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

(2) Except as provided in paragraph (7) of Standing Order No. 103 (Reports from Select Committees), a Private Member's motion shall not be placed upon the Order Paper for a day earlier than twelve (12) clear days from the day on which the notice was given to the Clerk.<sup>36</sup>

---

### **37. Notice Paper - Motions**

---

(1) Once a Motion has been approved by the Speaker, the Clerk shall immediately prepare and circulate to Members, a Notice Paper setting out particulars of the Motion.<sup>37</sup>

---

<sup>35</sup> Existing SO 23 (1) – (3).

<sup>36</sup> Existing SO 24.

<sup>37</sup> New provision

(2) A notice of amendment sent to the Clerk shall be circulated by him to members.<sup>38</sup>

---

### **38. Exemption from Notice**

---

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

- (a) a motion for the amendment of any motion.
- (b) a motion for the adjournment of the House or a debate;
- (c) a motion for the election of a temporary presiding officer under paragraph (1) of Standing Order No. 8 (presiding in the House and in Committee);
- (d) a motion for the suspension of Standing Orders put with the leave of the Speaker;
- (e) a motion for the withdrawal of strangers;
- (f) a motion that the House resolve itself into Committee;
- (g) a motion made in the Committee of the whole House, other than the Finance Committee;
- (h) a motion for the suspension of a Member;
- (i) a motion that a Petition be read, printed or referred to a Select Committee;

---

<sup>38</sup> Existing SO 23(4)

- (j) a motion for the printing of a Paper under paragraph (3) of Standing Order No.23 (presentation of Papers);
- (k) a motion relating to a matter of privilege;
- (l) a motion arising out of any item of business made immediately after that item is disposed of and before the next item is entered upon;
- (m) a motion to commit a Bill to a Select Committee under Standing Order No. 65 or 69;
- (n) a motion to recommit a Bill under paragraph (2) of Standing Order No. 72 for the Recommittal of Bills reported from Committee of the Whole House;
- (o) a motion for withdrawal of a Bill under Standing Order No. 78 (Withdrawal of Bills);
- (p) a motion in respect of which notice has been dispensed with under Standing Order No. 39 (dispensing with notice);
- (q) a motion “That the question be now put” under paragraph (1) of Standing Order No. 53 (Closure of debate).<sup>39</sup>

---

### **39. Dispensing with Notice**

---

Notice shall not be dispensed with in the case of a motion or in respect of any proceedings for which notice is required, except with

---

<sup>39</sup> Existing SO 25, modified.



the consent of the Speaker and the assent of the majority of the Members present at the time.<sup>40</sup>

---

#### **40. Privilege Motions**

---

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

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

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

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

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

(6) No Member moving a matter under this Standing Order may speak for more than five minutes.<sup>41</sup>

---

#### **41. Moving of Motions**

---

<sup>40</sup> Existing SO 26

<sup>41</sup> Existing SO 27, amended. New: time limit in paragraph (6)

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

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

**(3) If a Member desires to vary the terms of a motion standing in his name, he may do so by giving an amended notice of motion, provided that such amendment does not, in the opinion of the Speaker, materially alter any principle embodied in the original motion or the scope thereof. Such amended notice of motion shall run from the time at which the original notice of motion was given.<sup>42</sup>**

---

#### **42. Seconding of Motions**

---

**(1) In the House the question upon a motion or amendment shall not be proposed by the Speaker unless such motion or amendment has been seconded. However, Government Business shall not require seconding.**

**(2) A seconder shall not be required in Committee.<sup>43</sup>**

---

#### **43. Motions not Moved or Seconded**

---

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

---

<sup>42</sup> Existing SO 28.

<sup>43</sup> Existing SO 29.

(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.<sup>44</sup>

---

#### **44. Withdrawal of Motions**

---

(1) A motion already moved but not yet put for a decision of the House may, at the request of the mover, be withdrawn only by leave of the House or Committee.

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

(3) A motion not yet moved may be withdrawn at the request of the Member in whose name the motion stands on the Order Paper.

(4) If an amendment has been proposed to a motion, the original motion cannot be withdrawn until the amendment has been disposed of.<sup>45</sup>

---

#### **45. Amendments to Motions**

---

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

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

(3) An amendment shall not be moved which has merely the effect of a negative vote.

---

<sup>44</sup> Existing SO 30.

<sup>45</sup> Existing SO 31, in simpler language.

**(4) An amendment to a motion may be moved and seconded at any time after the question upon the motion has been proposed by the Speaker or Chairman, and before it has been put by the Speaker or Chairman at the conclusion of the debate upon the motion.**

**(5) When every such amendment has been disposed of, the Speaker or Chairman shall either again propose the question upon the motion or shall propose the question upon the motion as amended, as the case may require, and after any further debate which may arise thereon, shall put the question to the House or Committee for its decision.**

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

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

**(8) An amendment to an amendment 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.**

**(9) The provisions of paragraph (5) of this Standing Order shall apply to the discussion of amendments to amendments except that in any question to be put, the words "original amendment" shall be substituted for the word "question".**

**(10) When every such amendment to an amendment has been disposed of, the Speaker shall either again propose the question upon the original amendment, or shall propose the question upon the original amendment as amended, as the case may require.**

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

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

(13) An Amendment shall not raise any question which, by these Standing Orders, can only be raised by a substantive motion after notice.<sup>46</sup>

## CHAPTER VI

# *Rules of Debate*

---

### **46. Time and Manner of Speaking**

---

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

(2) A Member desiring to speak shall rise in his place and if called upon shall address his observations to the Speaker.

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

(4) No Member shall speak more than once on any question except-

(a) when the House is in Committee;

(b) in explanation as prescribed in paragraph (5) of this Standing Order; or

---

<sup>46</sup> Existing SO 32, as amended by the inclusion of paragraph (3)

(c) in the case of a mover of a substantive motion or the Member in charge of a Bill, in reply.

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

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

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

(8) A Member shall not read his speech except with the leave of the Speaker but he may read extracts from books or papers in support of his argument, and may refresh his memory by reference to written notes. For this purpose he may use a computer or other electronic device, with leave of the Chair.

(9) No Member may speak on any question after it has been put to the vote by the Speaker or Chairman.<sup>47</sup>

---

#### **47. Length of Speeches and Debates**

---

(1) Unless otherwise provided in these Standing Orders, no Member shall be entitled to speak for more than thirty-five (35) minutes on any question. However, the House may by motion made and carried without amendment or debate extend, once only, this time limit for such period not exceeding ten (10) minutes.

---

<sup>47</sup> Existing SO 33 amended in paragraph 7. A new paragraph 9 is added.

(2) Notwithstanding paragraph (1), the mover of a motion shall be entitled to speak for a maximum of forty-five (45) minutes on such motion or in reply.

(3) The Chair shall regulate the length of speeches in Committee provided that no Member may speak for more than five (5) minutes in Committee.

(4) A Member speaking in accordance with Standing Order 46(7) shall be limited to a period of five (5) minutes.

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

(6) The House may limit debate on a Private Member's Motion and on any other matter to a maximum period, provided that there is agreement between the Leader of the House and the whips of the opposition parties in the House.

(7) In any debate, in which a time limit is imposed either by way of Standing Order or by agreement of the House, the Speaker shall ensure that the time is equally proportioned among the parties represented in the House. <sup>48</sup>

---

#### **48. Right of Reply**

---

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

---

<sup>48</sup> Existing SO 41, amended. Speaking time reduced. Provisions added to encourage the use of time limits for debates.

**(2) A Minister 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 Government Officer.<sup>49</sup>**

---

#### **49. Interruptions**

---

**(1) Subject to these Standing Orders, no Member shall interrupt another Member except-**

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

**(2) In accordance with paragraph 1(a), a Member may raise a point of order. A point of order takes precedence over other business until ruled on by the Speaker.**

**(3) A Member raising a point of order must put the point tersely and a point of order shall be heard in silence by the House.<sup>50</sup>**

---

#### **50. Contents of Speeches**

---

**(1) Subject to these Standing Orders, debate upon any motion, Bill or amendment shall be relevant to such motion, Bill or amendment,**

---

<sup>49</sup> Existing SO 34

<sup>50</sup> Existing SO 35, amended. Rules for raising a Point of Order clarified.



and a Member shall confine his observations to the subject under discussion.

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

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

(4) It shall be out of order to use offensive and insulting language about Members of either House or to threaten a Member.

(5) A Member shall be referred to in the House by reference to his constituency or to his official portfolio.

(6) No Member shall impute improper motive to any Member of either House.

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

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

(9) In any amendment, question or debate on a motion dealing with any other subject, any reference to any person referred to in paragraph (8) shall be out of order.<sup>51</sup>

---

## 51. Scope of Debate

---

---

<sup>51</sup> Existing SO 36, amended. Updated.

### Motions debated together

---

**(1) With the leave of the House, motions may be debated together where –**

- a) **the content of two or more motions is cognate; or** t
- b) **number of motions relate to a single subject of debate.** a

**(2) If the House agrees to proceed in accordance with paragraph (1), the first motion shall be moved and the joint debate shall then take place. Upon the conclusion of the debate, the questions shall be put on the first motion. The second and subsequent motions shall thereafter be moved in consecutive order, and the questions on them shall be put from the Chair, without further debate.<sup>52</sup>**

### Adjournment of the debate

---

**(3) Where during the course of a debate a motion is made (a) for the adjournment of the debate of the House, or (b) in Committee, that the Chairman do report progress or do leave the Chair, unless it appears to the Chair that the Motion is an abuse of the rules of the House or an infringement of the rights of the minority, the question on motion shall be immediately put without amendment or debate. A Member who has moved or seconded such a motion shall not be entitled to move or second any similar motion during the same debate. This paragraph shall not be construed as restricting the customary right of the Leader of the House or any other Minister to move the adjournment of the House on the conclusion of the business of the day.<sup>53</sup>**

---

## 52. Anticipation

---

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

---

<sup>52</sup> New provision consistent with practice

<sup>53</sup> Existing SO 37

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

(3) In determining whether discussion is out of order on the grounds of anticipation, regard shall be had by the Chair to the probability of the matter anticipated being brought before the House within a reasonable time.<sup>54</sup>

---

### **53. Closure of Debate**

---

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

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

(3) A motion under this Standing Order shall not be decided in the affirmative if it appears on a division that less than twelve (12) Members voted in the majority in support of the motion.<sup>55</sup>

---

### **54. Rules for Members not Speaking**

---

---

<sup>54</sup> Existing SO 38

<sup>55</sup> Existing SO 39

**(1) A Member present in the House during the debate –**

- (a) shall enter or leave the House with decorum;**
- (b) bow to the Speaker on entering or leaving the Chamber;**
- (c) not pass between the Speaker and any Member who is speaking;**
- (d) shall maintain silence while another Member is speaking and shall not interrupt, except in accordance with these Standing Orders;**
- (e) shall not engage excessively in cross talk with another Member;**
- (f) shall not read books, newspapers, letters or other documents unless they relate to the business before the House;**
- (g) shall not use any electronic device, without the permission of the Speaker; and**
- (h) shall otherwise conduct himself in a fit and proper manner.**

**(2) The Speaker shall draw the attention of the House to any Member who, despite warning, persists in breaching any provision of this Standing Order and may thereafter take action in accordance with Standing Order 56(3).<sup>56</sup>**

---

<sup>56</sup> Existing SO 40, amended. New: 1(c) and 1(d) and para 2.

# *Rules of Order*

---

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

---

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

(2) When the Speaker or Chairman rises, any Member then speaking or wishing to speak shall immediately resume his seat and the House, or the Committee, shall be silent.<sup>57</sup>

---

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

---

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

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

---

<sup>57</sup> Existing SO 42

**(3) The Speaker or the Chairman shall order any Member whose conduct is grossly disorderly to withdraw immediately from the House during the remainder of that day's sitting, and may direct such steps to be taken as are required to enforce this order.**

**(4) If, on any occasion, the Speaker or the Chairman considers that his powers under the previous provision of this Standing Order are inadequate, the Speaker or Chairman may name such Member for disregarding the authority of the Chair under this Standing Order, in which event the procedure prescribed in the next succeeding paragraph should be followed.**

**(5) Whenever a Member has been named by the Speaker or by the Chairman, then –**

**(a) If the offence has been committed in the House, the Speaker shall call upon a Minister to move that Mr..... be suspended from the service of the House". The Speaker shall immediately put the question on such motion, no seconder being required and no amendment, adjournment or debate being allowed;**

**(b) If the offence has been committed in Committee, the Chairman shall immediately suspend the proceedings of the Committee and as soon as the House has resumed, shall report the circumstances and the procedure provided for in the preceding sub-paragraph shall be followed;**

**(c) if any such motion be carried, and a Member is suspended, his suspension on the first occasion shall continue until the expiration of at least one month, and on the second occasion until after the expiration of at least two months from the date of suspension, and on the third or any subsequent occasion until the House resolves that such suspension be terminated.**

**(6) Not more than one Member shall be named at the same time, unless several Members present together have jointly committed the offence.**

**(7) A Member who is directed to withdraw or who is suspended under this Standing Order shall immediately leave the House and its precincts.**

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

**(9) If resort to force is necessary, the Speaker may suspend the sitting during the removal of the Member.**

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

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

**(12) A Member suspended under this standing order shall, during the period of his suspension, forego one half of his salary but shall be entitled to his full allowances for the maintenance and operations of his constituency.**

**(13) Nothing in this Standing Order shall be taken to deprive the House of the power of proceeding against any Member according to any resolution of the House.<sup>58</sup>**

---

<sup>58</sup> Existing SO 43, amended. New; para (10)

## CHAPTER VIII

# Voting

---

### 57. Decision of Questions

---

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

(2) The Speaker or any other Member presiding shall not vote unless on any question the votes are equally divided, in which case, he shall have and exercise a casting vote.<sup>59</sup>

---

### 58. Collection of Voices

---

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

(2) The result shall be declared by the Speaker or Chairman stating “I think the Ayes have it” or “I think the Noes have it” as the case may be; but any elected Member may challenge the opinion of the Chair by claiming a division.<sup>60</sup>

---

<sup>59</sup> Existing SO 44, amended. Old para (2) deleted to accord with the Constitution.

<sup>60</sup> Existing SO 45.



## 59. Division

---

(1) If a division is claimed, it shall be taken by the Clerk calling each elected Member's name and asking each Member separately how he desires to vote and recording the vote accordingly.

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

(3) The Clerk shall enter in the Minutes of Proceedings the record of each Member's vote.

(4) When the Speaker or other Member presiding has exercised a casting vote in accordance with Standing Order 57(2), the Clerk shall record in the Minutes the manner in which the Speaker or other Member presiding exercised his vote.

(5) If a Member states that he voted in error or that his vote has been counted wrongly, he may claim to have his vote altered provided that such claim is made as soon as the Clerk has announced the numbers and before the Chair has declared the result of the division. Upon such claim being made the Speaker or Chairman, at his sole discretion shall either direct the Clerk to alter that Member's vote or direct a fresh division be held.<sup>61</sup>

## CHAPTER IX

# *Legislation*<sup>62</sup>

---

---

<sup>61</sup> Existing SO 46

<sup>62</sup> Existing SOs 47 to 62 and 83 (which deal with legislation) are amended and updated by proposed SOs 61 to 81, as explained.

---

## **60. Restrictions with Respect to Money Bills**

---

Except on the recommendation or with the consent of the Cabinet signified by a Minister, the House shall not proceed upon any Bill (including any amendment to a Bill) which, in the opinion of the Chair, makes provision for any of the following purposes –

- (a) for imposing or increasing any tax;
- (b) for imposing any charge upon the Consolidated Fund or any other public fund of Trinidad and Tobago or for altering any such charge otherwise than by reducing it;
- (c) for the payment, issue or withdrawal from the Consolidated Fund or any other public fund of Trinidad and Tobago of any moneys not charged thereon or any increase in the amount of such a payment, issue or withdrawal, or
- (d) for compounding or remitting any debt due to Trinidad and Tobago.<sup>63</sup>

---

## **61. Private Members' Bills**

---

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

---

<sup>63</sup> Existing SO 47(4)

(2) Copies of the Bill together with the explanatory statement of objects and reasons shall be circulated to Members by the Clerk.<sup>64</sup>

---

## **62. Introduction and First Reading of Private Members' Bills**

---

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

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

(3) If the motion is opposed, the Speaker, after permitting an explanatory statement by the Member moving for leave and by any Member opposing it, may, without further debate or amendment, put the question.

(4) If the motion is unopposed, the Speaker, after permitting an explanatory statement by the Member moving for leave may, without debate or amendment, put the question.

(5) On a motion for leave under this standing order, no member shall address the House for more than five (5) minutes and any debate thereon shall be limited to a maximum of twenty (20) minutes in duration.

(6) If leave is granted, the Clerk shall then read aloud the title of the Bill, which shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be published.<sup>65</sup>

---

<sup>64</sup> New provision to set out the established procedure for the introduction of a Private Member's Bill, which is currently governed by SO 47(1)

<sup>65</sup> New provision, consistent with the proposed SO 61 above.

### **63. Introduction and First Reading of Government Bills**

---

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

**(2) Leave shall not be required for the introduction of a Government Bill. The Clerk shall read aloud the title of the Bill which, without question put, shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be published.<sup>66</sup>**

---

### **64. First Reading of Senate Bills**

---

**When a bill has been brought from the Senate and in the case of a Private Bill a Member of the House has signified to the Clerk his willingness to take charge of the Bill, the Bill shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be published.<sup>67</sup>**

---

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

---

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

- (a) name a day to be appointed for the next stage of the Bill. However, an interval of not less than five (5) days must elapse between the first and second reading of a Bill, unless the House, on motion made and question put, agree to proceed with the Bill at an earlier date; or**

---

<sup>66</sup> Contained in existing SO 47, with appropriate amendment consistent with current practice

<sup>67</sup> Existing SO 47(7)

(b) move that the Bill be referred to a Committee for consideration and report.

(2) No Bill shall be read a second time unless it has been printed and published in the Gazette and circulated to Members.<sup>68</sup>

---

## **66. Printing and Circulation of Bills**

---

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

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

(a) the Bill is divided into successive clauses numbered consecutively;

(b) the Bill has in the margin a short summary of each clause; and

(c) the provisions of the Bill do not go beyond its title.

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

(3) As soon as possible after the printing of a Bill the Clerk shall circulate a copy to every Member.<sup>69</sup>

---

## **67. Procedure in Committee before Second Reading**

---

---

<sup>68</sup> Existing SO 48, amended. New: para. 1(b)

<sup>69</sup> Existing SO 49, amended. New: para (2)

(1) When a Bill has been referred to a Select Committee in accordance with Standing Order No. 65(b), the Committee may circulate the Bill, as may be deemed necessary by the Committee for the purpose of eliciting opinion thereon.

(2) Any Committee, to which a Bill is committed under Standing Order 65(b), shall be empowered to discuss the general merits and principles of the Bill.

(3) After presentation of the final report by the Committee the Member in charge may move that the Bill, as reported by the Select Committee, be read a second time, provided that copies of the report of the Select Committee, have been made available to Members.

(4) The Select Committee shall be subject to Standing Order 102 (Procedure in Select Committee) and Standing Order 57 (Decision of Questions), as far as may be applicable.<sup>70</sup>

---

## **68. Second Reading of Bills**

---

(1) On the second reading of a Bill a debate may arise covering the general merits and principles of the Bill.<sup>71</sup>

---

## **69. Committal of Bills after Second Reading**

---

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

---

<sup>70</sup> New Standing Order for the consideration of Bills before second reading.

<sup>71</sup> Existing SO 50, amended.

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

(3) A Bill, while under consideration in Committee of the whole House, may, on motion made in the House, be withdrawn from that Committee and be referred to a Select Committee, and the reference to a Select Committee may be in respect of the Bill as a whole, or to specified clauses.<sup>72</sup>

---

#### 70. Procedure in Committee on Bills after Second Reading

---

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

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

(3) Before reporting to the House the Committee shall go through the Bill as provided in Standing Order 71 (procedure in Committee of the whole House on a Bill).

(4) The Select Committee shall be subject to Standing Order 102 (Procedure in Select Committee) and Standing Order 57 (Decision of Questions), as far as may be applicable.<sup>73</sup>

---

<sup>72</sup> Existing SO 51, amended.

<sup>73</sup> Existing SO 52 and 54.

---

## **71. Procedure in Committee of the Whole House on a Bill**

---

**(1) The Chairman in Committee of the whole House shall call the number of each clause in succession or a number of clauses together. 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) or the clauses stand part of the Bill” and, when all Members who wish to speak thereon have spoken, he shall put that question to the Committee for its decision.**

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

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

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



- (f) The Chairman may refuse to allow an amendment, which is, in his opinion, frivolous or meaningless, to be moved.
- (g) Except on the recommendation or with the consent 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 make provision for any of the purposes described in Standing Order No. 60 (Restrictions with respect to money 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 shall have shown that the amendment violates the provisions of this Standing Order.

(4) The provisions of paragraph (4) and (5) of Standing Order No. 45 (Amendments to Motions) shall apply to the discussion of amendments to Bills, with the substitution where appropriate of the word “clause” for the word “motion” or the word “question”, and of the word “Chairman” for the word “Speaker” and the word “Committee” for the word “House” throughout.

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

(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, except that a new clause proposed in substitution for a clause which has been disagreed to may be considered immediately after such disagreement.

(7) When the number of a new clause is called, amendments may be proposed thereto. If no amendment is proposed, or when all the proposed amendments have been disposed of, the Chairman shall propose the question “That the clause (or the clause as amended) be added to the Bill” and when all Members who wish to speak thereon

have spoken, he shall put that question to the Committee for its decision.

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

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

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

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

(13) The Committee having met to consider a Bill shall proceed with its consideration, except that during the proceedings on a Bill the Member in charge of the Bill may, subject to the discretion of the Chairman, move a motion "That the Committee do not proceed further with the Bill". If the motion is carried the Member in charge of the Bill shall then report the Bill to the House as so far amended or

without amendments, as the case may be, explaining the proceedings of the Committee on the Bill.<sup>74</sup>

---

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

---

**(1) Whenever a Committee of the whole House agrees that a Bill be reported, the House shall resume, and the Member in charge of the Bill shall report it to the House and either name a future day for the third reading of the Bill or move that it be immediately read a third time and passed.<sup>75</sup>**

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

**(2) If any Member desires to delete or amend any provision contained in a Bill as reported from a Committee of the whole House or to introduce any new provision he may at any time before a Member rises to move the third reading of the Bill, move that the Bill be recommitted either wholly or in respect only of some particular part or parts of the Bill or some proposed new clause or new schedule. Notice of such motion shall not be required. If the motion is agreed to the Bill shall stand so recommitted and the House may then immediately resolve itself into Committee or it may do so upon a later day, whichever is agreed.**

**(3) When the whole Bill has been recommitted, the Committee shall go through the Bill as provided in Standing Order No. 71 (Procedure in Committee of the Whole House).**

**(4) 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.**

**(5) At the conclusion of the proceedings in Committee on a Bill recommitted under the provisions of this Standing Order, the**

---

<sup>74</sup> Existing SO 53

<sup>75</sup> Existing SO 55, amended to be consistent with practice

Chairman shall put the question “That the Bill (or the Bill as amended on recommittal) be reported to the House” which question shall be decided without amendment or debate. As soon as the Bill has been reported, the Member in charge of the Bill may either name a future day for the third reading of the Bill or move that it be immediately read a third time and passed.<sup>76</sup>

---

**73. Procedure on Bills Reported from Select Committees appointed under Standing Order 69**

---

(1) When a Bill has been reported from a Select Committee appointed under Standing Order 69, the House may proceed to consider the Bill as reported from the Select Committee upon a motion “That the report of the Select Committee on the ..... Bill be adopted” moved under paragraph (7) of Standing Order No. 104 (Reports from Committees).

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

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

(4) A Committee of the whole House upon a Bill recommitted under the provisions of this Standing Order shall proceed in accordance with paragraph (3) or paragraph (4) of Standing Order No. 72 on Recommittal of Bills reported from a Committee of the Whole House, and the conclusion of its proceedings and the remaining

---

<sup>76</sup> Existing SO 56

proceedings on the Bill shall be subject to paragraph (5) of that Standing Order.<sup>77</sup>

---

#### **74. Third Reading of Bills (Final Stage)**

---

**(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 amendment or debate.**

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

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

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

**(5) When the Senate has agreed to any amendments inserted by the House in a Bill to which paragraph (4) of this Standing Order relates, or has returned to the House a Bill to which paragraph (2) of this Standing Order relates with an intimation –“That the Bill has been**

---

<sup>77</sup> Existing SO 57.

read a third time and passed without amendment', a printed copy shall be submitted to the President for his Assent.

(6) Where amendments are made in the Bill, any errors in the renumbering or relettering of the clauses and any consequential amendments and any other clerical errors may be rectified by the Clerk.<sup>78</sup>

---

## 75. Procedure on Senate Amendments

---

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

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

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

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

- (a) If such amendments have been agreed to, a message shall be sent to the Senate informing them "That the House of Representatives has agreed to the amendments to the .....

---

<sup>78</sup> Existing SO 58, amended

- (b) If such amendments have been amended, a printed copy of the Bill as amended, endorsed by the Speaker, shall be returned to the Senate together with a message informing the Senate that the House has passed the Bill with amendments to which they desire the concurrence of the Senate;
- (c) If such amendments have been disagreed to, a message shall be sent informing the Senate “That the House of Representatives has disagreed to the Senate Amendments to the Bill”.

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

- (a) Agree to the said amendment, in which case the provisions of paragraph (4)(a) of this Standing Order shall apply;
- (b) Amend such amendments in which case the provisions of paragraph (4)(b) of this Standing Order shall apply; or
- (c) Postpone the consideration of the Senate amendment for six (6) months or any other period decided by the House;
- (d) Order the withdrawal of the Bill; or
- (e) Subject to the provisions of Sections 64(1) and 65(1) of the Constitution present the Bill as passed by the House of Representatives to the President for his Assent notwithstanding the disagreement of the Senate.<sup>79</sup>

---

<sup>79</sup> Existing SO 59.

## 76. Private Bills

---

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

(2) Any Bill (not being a Government Bill) which, in the opinion of the Speaker, appears to affect directly private rights or property, shall be introduced into the House as a Private Bill under the provision of this 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 by not less than three successive publications of the Bill at the expense of the promoters in the *Gazette* and three notices have been inserted in a newspaper containing a statement of the objects of and reasons for the Bill.

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

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

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



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

(6) Upon the day ordered for the second reading, the Speaker shall, unless the House otherwise orders, propose the question that the bill be read a second time.

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

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

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

(10) No person other than a Member shall be heard in opposition to any Private Bill, unless he has previously lodged a petition with the

Clerk showing the nature of his objections to the Bill, and stating whether his objections extend to the whole or some part of the preamble if any, or to the clauses of the Bill, and praying that he may be heard by himself or his counsel against the Bill.

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

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

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

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

(15) After the report of the Committee has been presented to and adopted by the House, the Speaker shall put the question without amendment or debate, that the Bill be read a third time.<sup>80</sup>

---

## 77. Custody of Bills and Assent thereto

---

---

<sup>80</sup> Existing SO 83

(1) Every Bill passed by the House and the Senate shall remain in the custody of the Clerk who shall, at the earliest opportunity, submit the Bill to the President for his Assent.

(2) The Clerk shall, when directed by the Speaker, present to the President for his Assent any Bill passed by the House but not agreed to by the Senate, in accordance with the provisions set out in Section 64 or 65 of the Constitution.<sup>81</sup>

---

## 78. Withdrawals of Bills

---

The Member in charge of a Bill may move a motion, without notice, for its withdrawal, either before the commencement of Public Business or when any stage of the Bill is reached, but before the question is put.<sup>82</sup>

---

## 79. Bills Containing Substantially the Same Provisions

---

Once the second reading of any Bill has been agreed to or negatived, no question shall be proposed during the same session for the second reading of any other Bill containing substantially the same provisions.<sup>83</sup>

---

## 80. Lapsed Bills

---

---

<sup>81</sup> Existing SO 60, updated.

<sup>82</sup> Existing SO 61, updated.

<sup>83</sup> Existing 62

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

**(2) In the case of a prorogation, proceedings on a lapsed Bill may be resumed in the next session, at the stage reached in the preceding session, if:**

**a) the House in which the Bill originated agrees, by resolution, to the resumption of proceedings; and**

**b) the House last in possession of the Bill resolves to restore it to the Order paper.**

**(3) The House last in possession of the Bill cannot proceed in accordance with sub-paragraph 2(b) unless it has received a message from the originating House asking for consideration of the Bill to be resumed.**

**(4) In the case of a dissolution, proceedings on a lapsed Bill may not be resumed.<sup>84</sup>**

---

## **81. Negative Resolutions**

---

**(1) The period prescribed for the purpose of section 75 (8) of the Interpretation Act, Chapter 3:01 (which relates to subsidiary legislation subject to negative resolution) shall be 40 days from the date on which the subsidiary legislation is laid before the House.**

**(2) Where notice of a motion that any subsidiary legislation subject to negative resolution shall be annulled is given, that motion shall be debated as soon as practicable and in any event before the expiration of the period prescribed in paragraph (1) hereof.<sup>85</sup>**

---

<sup>84</sup> New Standing Order to save lapsed Bills

<sup>85</sup> New Standing Order to comply with the Interpretation Act

## *Financial Procedures*<sup>86</sup>

---

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

---

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

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

(3) Immediately after the presentation of an Appropriation Bill, the Minister presenting the same shall, notwithstanding the provisions of Standing Order No. 65 (Appointment of days for stages of Bills), be entitled to move the second reading of the Appropriation Bill.

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

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

(6) The debate, when resumed under paragraph (5) of this Standing Order, shall be confined to the financial and economic state of

---

<sup>86</sup> Existing SOs 63 to 70 have been amended by the proposed SOs 82 to 89, as indicated.

Trinidad and Tobago and the general principles of Government policy and administration as indicated by the Appropriation Bill and the Estimates. At 7.50 p.m. on the last of the allotted days, unless the debate is concluded earlier, the Speaker shall put any question necessary' to bring the proceedings on the second reading to a conclusion

(7) For the purposes of this Standing Order and Standing Order No. 84 (Allotment of Time in Finance Committee) an allotted day shall be any day on which the consideration of the Appropriation Bill, whether by the House or in Finance Committee, stands as the first Public Business for that day, and on such a day the debate on the Appropriation Bill shall not be interrupted at 7.50 p.m. subject to paragraph (6) above.

(8) When the Appropriation Bill is read a second time, a Minister may move that the House resolve itself into Committee to consider the Bill and the Estimates. Immediately and without question put, the House shall go into Committee, or may name a date for consideration of the Bill and the Estimates in Committee.<sup>87</sup>

---

### **83. Finance Committee**

---

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

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

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

---

<sup>87</sup> Existing SO 63.

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

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

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

(7) When the House is sitting, Finance Committee may meet as a Committee of the whole House when the House resolves itself into Finance Committee. Finance Committee, when summoned by the Chairman thereof, may meet at any time when the House is not sitting, and shall, as far as possible, have the same powers and duties as the Finance Committee has when it functions in pursuance of the House resolving itself into Finance Committee.<sup>88</sup>

---

#### **84. Allotment of Time in Finance Committee**

---

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

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

---

<sup>88</sup> Existing SO 64.

**(3) The Speaker may name the hour upon any day allotted under paragraph (1) of this Standing Order at which proceedings upon any Head of Expenditure in the Schedules to the Appropriation Bill, or any Schedule of, or on the clauses of the Bill, shall be concluded. If the hour so named is reached before the business concerned is disposed of, the Chairman shall immediately put any question necessary to dispose of that business. However, if in the case of any Head or Schedule, the proceedings thereon are concluded before the hour named, the next business may be immediately entered upon.<sup>89</sup>**

---

#### **85. Procedure in Finance Committee**

---

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

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

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

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

**(5) When every Schedule has been disposed of, the Chairman shall call successively each clause of the Bill and shall propose the**

---

<sup>89</sup> Existing SO 65, amended. Reduction of days from seven days to four days in Finance Committee: para (1)



question "That the clause stand part of the Bill" and, unless a consequential amendment is moved, that question shall be disposed of without amendment or debate.

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

(7) When the question upon every clause of the Bill has been decided, the Chairman shall put the question to the Committee that the Bill (as amended) be reported to the House, which question shall be decided without amendment or debate. Upon such question being agreed to, the Chairman shall leave the Chair and the House shall resume, and the Member in charge of the Bill shall report it to the House.<sup>90</sup>

---

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

---

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

(2) An amendment to any Head of Expenditure to increase the sum allotted thereto whether in respect of any item or sub-head or of the Head itself may only be moved by a Minister who shall signify to the Committee the recommendation of the Cabinet to the increase in accordance with paragraph(3) (g) of Standing Order No. 71(Procedure in Committee of the whole House on a Bill). Every such amendment shall take the form of a motion "That Head....."

---

<sup>90</sup> Existing SO 66.

be increased by \$..... (in respect of sub-head.....  
item ..... ) (sub-head .....)"

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

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

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

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

(7) An amendment to leave out a Head shall not be in order.

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

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

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

amendment or debate on a previous item or sub-head of that Head shall be permitted.

(11) When all amendments in respect of any particular Head of Expenditure have been disposed of, the Chairman shall again propose the question "That the sum of \$..... for Head stand part of the Schedule", or shall propose the amended question "That the (increased) (reduced) sum of \$ ..... for Head ..... stand part of the Schedule", as the case may require. There shall be no debate on any such question.<sup>91</sup>

---

### **87. Third Reading of Appropriation Bill**

---

So soon as the Appropriation Bill has been reported to the House a motion for the third reading shall be made by a Minister. Such motion shall not require to be seconded, and shall be decided without amendment or debate.<sup>92</sup>

---

### **88. Report of Finance Committee**

---

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

(2) On the debate on the motion "That the Report of the Finance Committee be adopted", Members may raise points as to specific details of Heads of Expenditure in the report but may not raise any matters of general principle.<sup>93</sup>

---

<sup>91</sup> Existing SO 67.

<sup>92</sup> Existing SO 68.

<sup>93</sup> Existing SO 69.

## 89. **Supplementary Appropriation Bills**

---

(1) If from time to time, whether in the course of a particular financial year or after its close, a Supplementary Appropriation Bill is presented appropriating only proposals which have been approved by the Finance Committee and agreed to by the House then the debate on the second reading of the said Bill shall be strictly confined to the matter for which additional expenditures is required. When the question has been agreed to, the Bill shall not be committed and the question "That the Bill be now read a third time" shall be immediately put without amendment or debate.

(2) The proceedings on any such Bill shall not be interrupted under the provisions of Standing Order No. 16 (Hours of Sitting) and may be entered upon after 7.50 p.m. although opposed.<sup>94</sup>

## CHAPTER XI

# *Committees*<sup>95</sup>

---

## 90. **Sessional Select Committees**

---

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

- a) the Standing Orders Committee;
- b) the House Committee;
- c) the Committee of Privileges;

---

<sup>94</sup> Existing SO 70.

<sup>95</sup> Existing SOs 71 to 82 have been amended by the proposed SOs 90 to 104, as indicated.

d) the Statutory Instruments Committee.

(2) Members of the House appointed to the Sessional Select Committees shall be chosen by the Speaker as soon as may be after the beginning of each Session.<sup>96</sup>

---

#### 91. Standing Orders Committee

---

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

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

(3) The Standing Orders Committee shall consist of seven Members inclusive of the Chairman.<sup>97</sup>

---

#### 92. House Committee

---

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

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

---

<sup>96</sup> Existing SO 71, amended. PAC removed from Sessional Select, see proposed SO 98. Consequently SO 72 has been deleted.

<sup>97</sup> Existing SO 73

(3) The House Committee shall consist of six members inclusive of the Chairman.<sup>98</sup>

---

### 93. Committee of Privileges

---

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

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

(3) The Committee of Privileges shall consist of not less than six, and not more than ten, Members inclusive of the Chairman.<sup>99</sup>

---

### 94. Statutory Instruments Committee

---

(1) The Statutory Instruments Committee shall have the duty of considering all such Statutory Instruments (as defined by the Interpretation Act, Chap 3:01) for the time being in force as under the authority of any Law that are to be laid before the House, and to bring to the special attention of the House any such instrument—

- 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;

---

<sup>98</sup> Existing SO 74

<sup>99</sup> Existing SO 75

- c) the making of which appears to constitute an unusual or unexpected use of the powers conferred by the law under which it was made;
- d) which purports to have retroactive or retrospective effect although the law under which it was made does not in terms give the Minister such a power;
- e) the publication or the laying before the House of which, appears to have been unduly delayed;
- f) in respect of which there has been unjustifiable delay in notifying the Speaker that the instrument had come into operation before it was laid before the House; or
- g) the purport or form of which appears to require elucidation,

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

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

(4) The Statutory Instruments Committee shall consist of six Members inclusive of the Chairman.<sup>100</sup>

---

## 95. Special Select Committees

---

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

---

<sup>100</sup> Existing SO 76

**(2) A Special Select Committee shall be appointed by order of the House which shall specify the terms of reference of the Committee and shall consist of such Members as may be directed by order of the House and, in the absence of such direction shall consist of such Members as may be chosen by the Speaker.**

**(3) The quorum of a Special Select Committee shall be such as shall be specified in the order of the House or, in the absence of such Order, by the Speaker.<sup>101</sup>**

---

## **96. Composition and Chairman of Select Committees**

---

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

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

**(3) Except as otherwise provided by these Standing Orders or by special direction of the House, a Select Committee may elect a Chairman from among its Members.<sup>102</sup>**

---

## **97. Joint Select Committees**

---

---

<sup>101</sup> Existing SO 77.

<sup>102</sup> Existing SO 78.



(1) The House may, from time to time, appoint not more than six Members to sit with an equal number from the Senate as a Joint Select Committee.

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

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

(4) A Joint Select Committee may be appointed at the request of either House with the approval of the other House.<sup>103</sup>

---

#### **98. The Public Accounts Committee**

---

(1) Pursuant to Section 119 (1) of the Constitution and in accordance with Standing Order 97(1), the House shall appoint Members to sit with an equal number from the Senate on the Public Accounts Committee.

(2) The Public Accounts Committee shall have the duty of examining, considering and reporting to the House on-

(a) appropriation accounts of moneys expended out of sums granted by parliament to meet the public expenditure of Trinidad and Tobago;;

(b) such other accounts as may be referred to the Committee by the House or as are authorized or required to be considered by the Committee under any other enactment; and

(c) the report of the Auditor General on any such accounts.

---

<sup>103</sup> Existing SO 79.  
Standing Order 79A has been deleted.

(3) The Public Accounts Committee shall consist of not less than six or more than ten members inclusive of the member who is Chairman thereof.<sup>104</sup>

---

#### **99. The Public Accounts (Enterprises) Committee**

---

(1) Pursuant to Section 119(5) of the Constitution and in accordance with Standing Order 97(1), the House shall appoint Members to sit with an equal number from the Senate on the Public Accounts (Enterprises) Committee.

(2) The Public Accounts (Enterprises) Committee shall have the duty of examining, considering and reporting to the House on-

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

(3) The Public Accounts (Enterprises) Committee shall consist of not less than six or more than ten members, inclusive of the member who is Chairman thereof.<sup>105</sup>

---

#### **100. The Parliamentary Broadcasting Committee**

---

(1) In accordance with Standing Order 97(1), the House shall appoint Members to sit with an equal number from the Senate on the Parliamentary Broadcasting Committee.

---

<sup>104</sup> New Standing Order

<sup>105</sup> New Standing Order

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

(3) The Chairman and vice Chairman of the Parliamentary Broadcasting committee shall be the Speaker and President of the Senate, respectively.<sup>106</sup>

---

### **101. Departmental Joint Select Committees**

---

(1) In accordance with Standing Order 97(1) and subject to paragraph (3), the House shall appoint Members to sit with Members of the Senate on Departmental 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, with the exception of the Judicial and Legal Service Commission; and
- e) Enterprises owned or controlled by or on behalf of the State or which receive funding from the State of more than two-thirds of their total income in any one year.

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

---

<sup>106</sup> New Standing Order

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

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

(4) Every Departmental Joint Select Committee shall have the power to appoint Sub-Committees and to delegate to any such Sub-Committee all or any of its powers except the power to report directly to the House of Representatives.

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

- a) To send for persons, papers and records;
- b) To sit notwithstanding any adjournment of the House;
- c) To adjourn from place to place;
- d) To report from time to time;
- e) To appoint specialist advisers either to supply information which is not otherwise readily available, or to elucidate matters of complexity within the Committee's or the Sub-Committee's order of reference;

- f) To communicate with any Committee of Parliament on matters of common interest;
- g) To meet concurrently with any other Committee for the purpose of deliberating, taking evidence or considering draft reports.

(6) The specialist advisers referred to in paragraph (5)(e), with the approval of the Chairman, may question persons appearing before such Committee or Sub-Committee.

(7) Except the House directs otherwise, every member of a Departmental Joint Select Committee shall continue to be a member of that Committee for the duration of the life of the Parliament.

(8) Standing Orders, 96, 97, 102 (except paragraph [2]), 103 and 104 shall apply to every Departmental Joint Select Committee. Standing Order 102 shall, as far the same may be applicable, apply to a sub-committee appointed under this Standing Order.

(9) Meetings of each Departmental Joint Select Committee and of any Sub-Committee appointed under paragraph (4) of this Standing Order shall be held in public, unless the Committee or both Houses otherwise resolve.

(10) The Minister responsible for the Ministry/body under review shall, not later than one hundred and twenty (120) days after a report from a Departmental Joint Select Committee, relating to the ministry/body, has been laid upon the Table, present a paper to the House responding to any recommendations/comments contained in the report which are addressed to it. All such papers presented by the ministry/body shall be ordered to be laid upon the Table without question put, and any motion for the printing thereof as a House Paper shall be determined without amendment or debate.

(11) If the period of sixty days referred to in this Standing Order expires on a day when Parliament is in recess or the House is adjourned, the Minister referred to in paragraph (13) shall present to the House, the paper responding to the

recommendations/comments, no later than the third sitting day following that recess or adjournment.<sup>107</sup>

---

## **102. Procedures in Select Committee**

---

**(1) Except as otherwise provided in Standing Orders Nos. 90 to 94 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, except that in the case of a Departmental Joint Select Committee, the Vice Chairman shall preside.**

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

**(4) Unless otherwise provided in these Standing Orders, a Select Committee shall not have power to delegate any of its functions to its Chairman or any other member.**

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

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

**(7) Where, by resolution of the House or under these Standing Orders, the Speaker or a Minister is Chairman of a Select**

---

<sup>107</sup> Existing SO 79B amended to define these JSCs as Departmental JSCs

Committee, the Speaker or the Minister shall appoint the time and place for the holding of the first meeting of the Committee. In all other cases, the first meeting of a Select Committee shall be summoned by the Speaker and the first business to be transacted thereat shall be the Election of a Chairman of the Committee: if at such meeting a Chairman is not elected, the Speaker shall appoint a Member of the Committee to be the Chairman.

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

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

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

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

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

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

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

(15) General rules governing the conduct of proceedings before Committees are set out in Appendix II to these Standing Orders.<sup>108</sup>

---

### **103. Premature Publication of Evidence**

---

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

(2) This Standing Order does not apply to evidence, whether oral and written, taken before a public meeting of a Committee held in accordance with any order of the House or resolution of that Committee.<sup>109</sup>

---

### **104. Reports from Select Committees**

---

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

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

---

<sup>108</sup> Existing SO 80

<sup>109</sup> Existing SO 81, amended. New paragraph (2)



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

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

**a) 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.**

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

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

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

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

**b) the names of the witnesses examined;**

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

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

(7) The Report of a Select Committee may be taken into consideration by the House on a motion "That the Report of the Select Committee on . . . . be adopted". Such a motion may be submitted to the Clerk to be kept as a part of the records of the House.<sup>110</sup>

## CHAPTER XII

# *Miscellaneous*

---

### **105. Absence of Members**

---

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

(2) If, without the leave of the Speaker obtained in writing before the end of the last of the sittings referred to in this paragraph, any Member is absent from the House for more than six consecutive sittings occurring during the same Session, and within a period of not longer than three calendar months, such Member shall vacate his seat in the House under Section 49(2) of the Constitution of Trinidad and Tobago.<sup>111</sup>

---

<sup>110</sup> Existing SO 82.

<sup>111</sup> Existing SO 84

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

---

**No Member of the House shall appear before the House or any Committee thereof as legal advocate or in any other professional capacity for any party or in any capacity for which he is to receive a fee or reward.<sup>112</sup>**

---

## **107. Financial Interest**

---

**(1) A financial interest is a direct financial benefit that might accrue to a member personally, or to any trust, company or other business entity in which the member holds an appreciable interest, as a result of the outcome of the House's consideration of a particular item of business.**

**(2) A financial interest ---**

- (a) includes a financial interest held by a member's spouse or domestic partner or by any child of the member who is wholly or mainly dependent on the member for support; but**
  - (b) does not include any interest held by a member or any other person as one of a class of persons who belong to a profession, vocation or other calling or who hold public offices or an interest held in common with the public.<sup>113</sup>**
- 

## **108. Declaration of Financial Interest**

---

**(1) Before participating in the consideration of any item of business in which he has a financial interest, a Member must disclose the extent of that interest.**

---

<sup>112</sup> Existing SO 85

<sup>113</sup> New Standing Order

(2) If any dispute arises as to whether a Member has a financial interest, the matter shall be referred to the Speaker, whose decision shall be final.<sup>114</sup>

---

### **109. Report of Debates**

---

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

(2) The report shall be published in such form as the Speaker may direct, and a copy thereof shall be sent to each Member as soon as practicable.<sup>115</sup>

---

### **110. Visitors**

---

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

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

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

---

<sup>114</sup> New Standing Order

<sup>115</sup> Existing SO 86

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

(5) Visitors must withdraw from the Chamber and its precincts when called upon by the Speaker to do so.<sup>116</sup>

---

## 111. Media

---

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

(2) If such rules are contravened such permission may be revoked.<sup>117</sup>

---

## 112. Amendment of Standing Orders

---

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

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

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

---

<sup>116</sup> Existing SO 87, amended. The word 'strangers' replaced by 'visitors'

<sup>117</sup> Existing SO 88, amended. The word 'press' replaced by 'media'.

(4) This Standing Order shall not be construed so as to deprive the House of the power of referring, by resolution, the Standing Orders or any part thereof to the Standing Orders Committee for consideration and report.<sup>118</sup>

---

### **113. Suspension of Standing Orders**

---

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

(2) A motion under this Standing Order shall be decided without amendment or debate.<sup>119</sup>

---

### **114. General Authority of the Speaker**

---

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

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

(3) The Speaker shall be responsible for the general direction and control of the parliamentary offices and precincts.<sup>120</sup>

---

<sup>118</sup> Existing SO 89, amended. New para (4)

<sup>119</sup> Existing SO 90.

<sup>120</sup> Existing SO 92, updated.

### **115. Absence of the Speaker**

---

During any period where the Speaker is absent on account of illness, or is for any other reason unable to perform the functions of his office, those functions shall be assumed and performed by the Deputy Speaker until such time as the Speaker resumes his office.<sup>121</sup>

---

### **116. Minutes of Proceedings**

---

- (1) The Clerk shall keep and sign the Minutes of the Proceedings of each sitting of the House which shall be circulated to Members prior to the commencement of the next sitting.
  - (2) The Minutes shall record the names of Members attending and all decisions of the House whether made formally or informally.<sup>122</sup>
- 

### **117. Proclamation of the President**

---

Where a Proclamation of the President made under section 67(1) of the Constitution is published, the Clerk shall send a copy to each Member of the House as soon as possible after it is made and in advance of the time appointed for the commencement of every session.<sup>123</sup>

---

### **116. Agreement between both sides of the House**

---

---

<sup>121</sup> Existing SO 93

<sup>122</sup> Existing SO 6(1) and (2), amended.

<sup>123</sup> Existing SO 6(9) amended

Where agreement has been reached by leave of the Speaker between the Leader of the House and the whips of the opposition parties in the House with regard to the transaction of any of the business of the House for any sitting or period, such agreement shall be announced in the House by the Speaker and the Speaker shall, the provisions of these Standing Orders notwithstanding, conduct such business in accordance with the terms of the said agreement.<sup>124</sup>

---

<sup>124</sup> Existing SO 94 amended to provide for the possibility of more than one party in opposition.



# APPENDIX I

---

## General Rules for the Broadcasting of House Proceedings

---

(1) The House authorizes the broadcasting, including re-broadcasting, of its gavel to gavel proceedings by the Parliament Channel.

(2) The House authorizes the broadcasting of excerpts of its proceedings by radio and television stations, in accordance with the following conditions

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

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

(a) Broadcasts of excerpts shall be used only for the purposes of fair and accurate reports of proceedings, and shall not be used for:

- i. Political party advertising or election campaigns;
- ii. Satire and ridicule; or
- iii. Commercial sponsorship or commercial advertising.

(b) Reports of proceedings shall be such as to provide a balanced presentation of differing views.

(c) Excerpts of proceedings which are subsequently withdrawn may be broadcast only if the withdrawal is also reported.

(d) The instructions of the Speaker in respect of the broadcasting of excerpts, which are not inconsistent with these conditions, shall be observed.

### ***Radio and television broadcasting of committee proceedings***

**(4) The following rules apply in relation to radio and television broadcasting, including rebroadcasting, of the proceedings of a committee:**

**(a) Recording and broadcasting of proceedings of a committee may occur only in accordance with an order of the House or with the authorization of the committee by a deliberate decision of the committee.**

**(b) A committee may authorize the broadcasting of only its public proceedings.**

**(c) A committee may determine conditions, not inconsistent with these rules, for the recording and broadcasting of its proceedings, may order that any part of its proceedings not be recorded or broadcast, and may give instructions for the observance of conditions so determined and orders so made. A committee shall report to the House any willful breach of such conditions, orders or instructions.**

**(d) Broadcasting of committee proceedings shall be for the purpose only of making fair and accurate reports of those proceedings, and, in particular:**

**i. Shall not be the subject of commercial sponsorship or be used for commercial advertising; and**

**ii. Shall not be used for election advertising.**

**(e) Recording and broadcasting of proceedings of a committee shall not be such as to interfere with the conduct of those proceedings.**

**(f) Where a committee intends to permit the broadcasting of its proceedings, a witness who is to appear in those proceedings shall be given reasonable opportunity, before appearing in the proceedings, to object to the broadcasting of the proceedings and to state the ground of the objection. The committee shall consider any such objection, having regard to the proper protection of the witness and the public interest in the proceedings, and if the committee decides to permit**

**broadcasting of the proceedings notwithstanding the witness's objection, the witness shall be so informed before appearing in the proceedings.**

# *APPENDIX II*

---

## General Rules for the Conduct of proceedings of Committees

---

### Notice of meeting

1. A written notice informing Members of the Committee of a meeting of the Committee must be circulated by the Clerk of the Committee no later than the day before the meeting. The notice must contain a summary of the items of business proposed to be dealt with at the meeting.
2. The requirement for a written notice to be circulated may be waived if all Members of the committee agree.

### Secretary

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

### Giving notice of business

4. Members of a Committee may give notice of business or motions to be considered by the Committee either orally at a meeting of the Committee or in writing to the Clerk of the Committee.
5. Notices given at a meeting and notices given to the Clerk of the Committee before 2 pm on the day before a meeting shall be placed on the agenda for the next meeting of the Committee.
6. Nothing in these rules affects the Chairman's power to rule on whether a proposed notice is in order.

### Question previously decided

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

### Names of Members present

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

### Members may be present

9. Subject to this Standing Order, any Member of the House (not being a Member of the Committee) may attend any meeting of a Select Committee but cannot participate in the proceedings except by leave of the Committee.

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

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

### Advisers

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

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

### Attendance by Visitors

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

### Voting

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

### Disorder

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

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

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

## GENERAL PROVISIONS FOR EVIDENCE

### Written submissions

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

### Return of evidence

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

#### Private evidence

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

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

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

#### Secret evidence

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

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

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

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

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

#### Application for evidence to be private or secret

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

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

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

## **HEARING OF EVIDENCE**

### **Public attendance at hearings**

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

### **Matters of concern before giving evidence**

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

### **Conduct of examination**

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

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



### Relevance of questions

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

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

### Objections to answer

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

### Committee consideration of objections

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

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

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

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

## Counsel

41. A witness may be accompanied by counsel (of the witness's choice) and may consult counsel in the course of a meeting at which the witness appears.

42. Counsel may—

- a) with the Committee's agreement, address the Committee on the procedure to be followed by the Committee before counsel's client is heard;
- b) object to a question to counsel's client on the ground that it is not relevant;
- c) when the client's reputation may be seriously damaged by proceedings of a Committee, ask that further witnesses give evidence in the client's interest.

## Witnesses' expenses

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

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

## Transcripts of evidence

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

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

## **NATURAL JUSTICE**

### Disqualification for apparent bias

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

- a) in any Select Committee inquiry into that person's responsibility for or association with that crime, conduct or activity, or
- b) in any other proceedings in a Select Committee that may seriously damage the reputation of that person.

### Complaints of apparent bias

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

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

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

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

### Evidence containing allegations

52. At any stage during a Select Committee's proceedings, the Committee may consider hearing in private evidence that contains

an allegation that may seriously damage the reputation of a person.

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

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

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

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

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

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

#### Irrelevant or unjustified allegations

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

- a) to returning any written evidence and requesting that it be resubmitted without the offending material:

- b) to expunging that evidence from any transcript of evidence:
- c) to seeking an order of the House preventing the disclosure of that evidence.

### **Responding where allegation may seriously damage reputation**

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

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

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

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

## **INFORMATION ON PROCEEDINGS**

### **Confidentiality of proceedings**

61. The proceedings of a Select Committee or a subcommittee other than during the hearing of evidence are not open to the public and remain strictly confidential to the Committee until it reports to the House.

62. Paragraph (60) does not prevent—

- a) the disclosure, by the Committee or by a Member of the Committee, of proceedings to a Member of Parliament or to the Clerk or another officer of the House in the course of their duties:

b) the disclosure of proceedings in accordance with Standing Orders.

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

Confidentiality of reports

64. A report or a draft of the report of a Select Committee or a subcommittee is strictly confidential to the Committee until it reports to the House.

65. Paragraph (63) does not prevent—

a) the disclosure, by the Committee or by a Member of the Committee, of a report or a draft report to a Member of Parliament or to the Clerk or another officer of the House in the course of their duties:

b) the disclosure of a report or a draft report in accordance with Standing Orders.

Reports to be signed

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