



Senate of Bermuda

Standing Orders of the Senate

Commencement on September 25, 2013

Electronic Version

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BERMUDA

STANDING ORDERS OF THE SENATE 2013

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The Senate, in exercise of the power conferred under section 45 of the Bermuda Constitution 1968, makes the following Rules ("Standing Orders").

PROCEDURE IN EXCEPTIONAL CASES

Procedure in exceptional cases

1 In all questions of procedure not provided for in these Standing Orders the Senate shall follow—

- (1) in cases relating to the action of the Senate as a Second Chamber, the Rules, Usages and Practice of the House of Lords; and
- (2) in all other cases, the Rules, Usages and Practice of the House of Commons, so far as the same are applicable to the Senate and are not inconsistent with these Standing Orders or with the Practice of the Senate.

OATH OF ALLEGIANCE

Oath of Allegiance

2 Except for the purpose of electing a President after a General Election, no Member of the Senate shall be permitted to take part in the proceedings of the Senate until he has made and subscribed the oath or affirmation of allegiance in the form set out in the First Schedule to the Constitution of Bermuda.

MEETINGS

Meetings

3 (1) During a Legislative Session the Senate shall meet for the despatch of business on every Wednesday at 10.00 a.m., except when otherwise ordered.

(2) Every Member shall attend the meetings of the Senate and its committees, unless the Member has given notice of his leave of absence, in advance and in writing, to the President.

ELECTION OF PRESIDENT

Election of President

4 (1) At the first meeting of the Senate immediately after a General Election and before the Senate proceeds to despatch any other business, or whenever it is necessary for the Senate to elect a President by reason of a vacancy occurring otherwise, the Clerk shall call upon the Senate to elect a President.

(2) A Member, having first ascertained that the Member to be proposed is willing to serve if elected, may, addressing the Clerk, propose that any other Member (not being a Minister or a Junior Minister) do take the Chair of the Senate as President; the proposal

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shall require to be seconded, and except as provided in paragraph (4) of this Standing Order, no debate shall be allowed on the proposal.

(3) If only one Member is so proposed, he shall be declared by the Clerk to have been elected.

(4) If more than one Member is so proposed, the Clerk shall, after nominations have closed, conduct the debate (if any) on the question that the first Member proposed do take the Chair of the Senate as President; after conducting any debate which may then arise, the Clerk shall put the question to the Senate.

(5) If a majority of the Members present are not in favour of the Member first proposed, the Clerk shall successively put the question in respect of the other Members proposed in the order in which they were proposed until one of them receives the affirmative vote of a majority of the Members present.

ELECTION OF VICE-PRESIDENT

Election of Vice-President

5 The election of the Vice-President shall be conducted in a similar manner to the election of the President except that the President shall preside.

THE PRESIDENT OR MEMBER PRESIDING

The President or Member presiding

6 (1) The President, or in his absence the Vice-President, or if they are both absent a Member (not being a Minister or a Junior Minister) elected by the Senate for that sitting shall preside at each sitting of the Senate and any reference in the subsequent provisions of these Standing Orders to the President shall, unless the context otherwise requires, be deemed to include a reference to the Vice-President or other Member presiding in accordance with this Standing Order.

(2) The President shall preserve order and decorum and shall decide questions of order, subject to an appeal to the Senate and in giving any such decision the President shall state the ground on which it is based and the rule, Standing Order or authority which in his judgment is applicable thereto.

(3) If disorder shall arise during any meeting the President shall have power to adjourn the Senate without the question being put.

QUORUM

Quorum

7 (1) A quorum shall consist of the President or the Member presiding and four other Members and if within fifteen minutes after the appointed hour of meeting there is no quorum present the Senate shall stand adjourned to the next regular day of meeting.

(2) Whenever after the Senate has begun the consideration of the Orders of the Day a quorum is not present the Senate shall stand adjourned to the next regular day of meeting.

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ORDER AND CONDUCT OF BUSINESS

Order of business

- 8 Business before the Senate shall be transacted in the following order—
- (a) prayers;
 - (b) confirmation of Minutes;
 - (c) reading of Messages;
 - (d) reports of Committees;
 - (e) announcements;
 - (f) notices of Motion;
 - (g) petitions;
 - (h) statements by Ministers and Junior Ministers;
 - (i) introduction of Bills;
 - (j) First Reading of Public Bills received from the House of Assembly;
 - (k) First Reading of Private Bills received from the House of Assembly;
 - (l) questions;
 - (m) Orders of the Day;
 - (n) any Motion made under Standing Order 16;
 - (o) speeches of congratulations or condolence;
 - (p) Adjournment Motion.

Conduct of Business

- 9 (1) Business remaining over from the previous meeting shall be put down first on the Orders of the Day.
- (2) With the permission of the Senate, messages from His Excellency the Governor or from the House of Assembly may be read at any time during the meeting.
- (3) Unless otherwise ordered the business shall be taken in the order printed.

Minutes

- 10 The Minutes of each meeting, with the Orders of the Day, shall be printed and circulated at least twenty-four hours in advance of the next regular day of meeting; at every meeting the Minutes shall, unless agreed otherwise, be read, amended if required, and confirmed by the Senate and signed by the President.

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Consideration of motion submitted

11 During the consideration of any Bill or question which may be before the Senate, any Member may submit a motion without a seconder.

Motions read from the chair

12 Every motion shall be in writing and read from the Chair before being debated and every motion shall be entered in the Minutes unless the Senate shall otherwise order; but this Standing Order shall not be construed to preclude a Member from speaking on a motion made, or about to be made by him before the motion is read from the Chair.

Relevancy of amendment

13 If an amendment to any Bill or question is offered by a Member, and the President, or if the Senate is in Committee, the Chairman, rules that such amendment is irrelevant to the subject, then the Member shall decline to put the question.

Objection to motion

14 (1) The President, on putting a question shall inquire whether there is any objection to the motion.

(2) If no Member objects, the motion shall be recorded in the Minutes as "Agreed to"; if one Member only objects, the motion shall be recorded as "Agreed to, Senator . . . objecting".

(3) If more than one Member objects a division shall be taken, whereupon, each Member in turn, beginning with the Opposition Members and followed by the Government and then by the Independent Members, shall declare "aye" or "nay" and the Clerk shall make a note of each declaration as made.

(4) The result of the vote on the motion shall be declared as "affirmed" or "lost" or "a tie" as the case may be; the names of Members and how they voted shall be recorded in the Minutes.

Equality of votes

15 On an equality of votes on any motion the motion shall be deemed to have been lost.

Notice of motion

16 A motion to set down an Order of the Day may be made, or a notice of motion may be given at the conclusion of the business of the day before the motion for adjournment.

Manner of speaking

17 (1) Except when the Senate is in Committee, no Member shall speak more than once on the same question except in explanation of a material part of his speech in which his words have been misconstrued, and in such case he must adhere strictly to such explanation; the mover of the substantive motion under consideration shall have the right of reply.

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(2) The mover of a motion may reply after all the other Members present have had an opportunity of addressing the Senate and before the question is put, and after such reply no other Member may speak except as provided in paragraph (3) of this Standing Order.

(3) A Minister or Junior Minister may conclude a debate on any motion which the President determines is critical of the Government, or reflects adversely on or is calculated to bring discredit upon the Government.

INTERRUPTIONS

Interruptions

18 (1) No Member shall interrupt another Member except—

(a) by raising a point of order, when the Member interrupting shall simply direct attention to the point which he desires to bring to the notice of the Senate and submit it to the President for decision; or

(b) to elucidate some matter raised by that Member in the course of his speech.

(2) A Member raising a point of order shall state concisely the ground of his objection.

Direct pecuniary interest

19 (1) No Member shall vote on any question in which he has direct pecuniary interest, peculiar to such Member as distinguished from the public at large.

(2) If the right of any Member to vote shall be challenged by any other Member on this ground, such Member shall not be entitled to vote if the President shall determine that the Member whose right to vote is in question is disqualified by this Standing Order from voting.

(3) A Member disqualified from voting under this Standing Order or Standing Order 20 shall so declare to the President, or when the Senate is in Committee, to the Chairman.

Other pecuniary interest

20 No Member shall bring forward, promote or advocate in the Senate or vote for any Bill, Petition or other matter in respect of which he had acted in consideration of any pecuniary fee or reward; provided that this Standing Order shall not apply to any Bill, Petition or other matter, which shall have been prepared by any Member under the instructions of any Committee of the Senate, or of the House of Assembly, or any Joint Committee of the two Houses appointed with leave to employ counsel.

Motion relating to disposal of any Bill

21 No motion relating to the disposal of any Bill may be made unless such Bill is actually under consideration of the Senate at the time such motion is made.

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Presentation of messages, Bills and papers

22 When messages, Bills or other papers are at any time ordered by the House of Assembly to be presented to the Senate, the delivery of such documents to the Clerk of the Senate shall be deemed to be for all purposes the presentation of them to the Senate.

PROCEDURE ON PUBLIC BILLS

Leave to introduce Public Bills

23 No Bill originating in the Senate may be introduced unless leave to do so has been granted.

Bill read by title only

24 A Bill may by leave of the Senate be read by its title only.

Bill read a second time

25 A Bill may by leave of the Senate be read a second time on the same day as it is read a first time.

Debating the principle of a Bill

26 (1) On a motion for the second reading of a Bill, the Member presenting the Bill shall have the right to read a brief stating the purpose of the Bill. Only the principle of the Bill may be debated at this stage.

(2) At the conclusion of the debate on the principles of the Bill, the mover of the Bill shall have the right to speak last.

(3) After such motion has been adopted the Bill shall be referred to a Committee of the whole Senate, or to a Select Committee, unless agreed otherwise by the Senate.

Appointment of Chairman of a Committee

27 Whenever the Senate is about to go into Committee of the whole House, the President or Member Presiding shall before leaving the Chair appoint a Chairman of such Committee who shall have the authority in the Chair of the Committee as the President or Member Presiding has in the Chair of the Senate.

Standing Orders observed in Committee

28 (1) The Standing Orders of the Senate shall, so far as they are applicable, be observed in Committees of the whole House except that portion of Standing Order 17 which provides that no Member shall speak more than once on the same question.

(2) At the conclusion of the debate in Committee, the mover of the Bill shall have the right to speak last.

Bills read by title or marginal note

29 When in Committee of the whole Senate, the Chairman of the Committee may, by leave of the Committee, read a Bill by its title only or may read the clauses of the Bill by the

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number or the marginal note of each clause in succession, but in the latter cases any Member may require a clause to be read at length.

Non-discussion in Committee of the principle of a Bill

30 The underlying principle or policy behind a Bill shall not be discussed in Committee.

Amendments to clauses

31 (1) Any amendments may be made to a clause, or clauses may be deleted, or new clauses may be added, provided they are relevant to the subject matter of the Bill and are otherwise in conformity with the Standing Orders.

(2) Any proposed amendment must be circulated to Members at the time the amendment is being proposed.

No amendment to be put which is inconsistent

32 No amendment may be put which is inconsistent with any decision come to upon any previous part of a Bill.

Recommittal of a Bill

33 A Bill having passed through the Committee of the whole Senate may be recommitted for further amendment on notice having been given stating the amendments to be proposed, or for general purposes.

Recording of proceedings of a Committee

34 The proceedings of a Committee of the whole Senate shall be recorded in the Minutes of the Senate.

PROCEDURE ON THIRD READING

Procedure on third reading

35 A Bill having passed through the Committee of the whole Senate, or by leave of the Senate, having been read a second time without referral to the Committee of the whole Senate, may forthwith be read a third time and passed unless at least three Members object to the motion for the third reading, in which case the third reading shall be deferred to the next day of meeting.

Question

36 (1) Amendments for the correction of errors or oversights may, with the President's permission, be made before the question of the third reading of the Bill is put from the Chair, but no amendments of a material character shall be proposed,

(2) After the third reading and further proceedings thereon a question is put "That this Bill do now pass".

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Forwarding of Bills

37 (1) A Bill received from the House of Assembly and passed without amendment by the Senate shall be signed by the President and forwarded to His Excellency the Governor for His Excellency's assent.

(2) A Bill received from the House of Assembly and amended by the Senate shall be returned to the House of Assembly together with a suitable Message inviting concurrence with any amendments; if the House of Assembly agrees to the amendments, the Bill shall be reprinted before being returned to the Senate for third reading.

(3) In cases where the House of Assembly does not accept the amendments or any recommendation for amendments proposed by the Senate to a money Bill that is not a taxation Bill, sections 37 and 38 of the Bermuda Constitution 1968 shall apply.

(4) A Bill originating in the Senate when passed shall be signed by the President and forwarded to the House of Assembly.

Return of Bills

38 When a Bill initiated by the Senate is returned to the Senate by the House of Assembly with amendments, the Bill shall be recommitted for the consideration only of the amendments proposed; the Bill shall be returned to the House of Assembly with the amendments made therein, should the Senate approve them, or with an intimation that the Senate has not concurred with such amendments or some of them.

Lapse of three months

39 If an interval of three calendar months shall elapse after any reading of a Bill without further action being taken on such Bill, the same shall be ordered to be withdrawn, unless the Senate otherwise orders.

PROCEDURE ON PRIVATE BILLS

Procedure on Private Bills

40 No Private Bill shall be allowed to be brought in except upon Petition from the promoters, which shall set forth the nature and objects of the Bill and any reasons which the promoters think fit to submit in its support.

Lodging of Private Bill Petition

41 Every Private Bill Petition shall be presented by being lodged with the Clerk of the Senate, and shall be communicated to the Senate by the Member offering the same at the first ordinary meeting after it is so lodged.

Copies of Bill

42 Every Petition for the passing of a Private Bill shall be accompanied by fifteen copies of the Bill which the Petitioners desire to have passed.

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Petition for passing Private Bill

43 Every Petition for the passing of a Private Bill together with the relevant Bill shall be referred to the Joint Select Committee on Private Bills (see Standing Order 52) before the Bill is read a first time in the Senate.

Summer period

44 Unless the Senate otherwise orders, no Petition for the passing of a Private Bill shall be presented during the period in any year, beginning on the 1st day of June and ending on the day on which the Legislature is prorogued for the summer recess.

Gazette advertisement

45 (1) No Private Bill shall be read a first time until it has been reported on by the Joint Select Committee on Private Bills under Standing Orders 43 and 52 and unless the Senate upon motion made and question put, decides that adequate notice has been given to all parties concerned of the general nature and objects of such Bill, by advertisement in the Gazette.

(2) The advertisement in the Gazette referred to under paragraph (1) shall be published fifteen days before the first reading of the Bill, and the advertisement must have been inserted at least three times in the Gazette before such reading.

Subsequent procedure

46 The subsequent procedure in regard to all Private Bills shall be the same as that laid down in the Standing Orders for other Bills before the Senate.

QUESTION OF ORDER

Question of order

47 (1) A Member called to order by the President shall immediately cease speaking, and the point of order shall be decided by the President without debate before the other business is dealt with.

(2) When the Senate is in Committee of the whole, an appeal shall lie from any decision of the Chairman on a question of order, to the President in the chair of the Senate; on a motion to that effect carried in Committee, the Chairman may if he thinks fit, decline to allow any point of order.

(3) In either of such cases the question shall be referred to the President in the Chair of the Senate, and the sitting of the Committee shall, without any motion to that effect, be temporarily suspended until the point of order has been decided, after which the consideration of the matter in question shall resume in Committee without any motion to that effect.

Order in the Senate

48 (1) The President (and in Committee, the Chair) shall preserve order and decorum, and shall decide all questions of order. In deciding points of order, the President may state the Standing Order, rule or other authority applicable to the case. Such decisions shall not

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be subject to appeal except by way of a substantive motion, of which notice has been properly given, moved for that exclusive purpose.

(2) Except as provided in paragraph (1) above, no motion may be moved which reflects on any such decision by the President.

(3) The President—

- (a) shall be vested with the authority to maintain order by naming an individual Member for disregarding the authority of the Chair and, without resort to motion, ordering their withdrawal for the remainder of that sitting;
- (b) shall, if a Member disregards the order of the President made pursuant to paragraph (a), order the Clerk to remove the Member.

(4) In the case of grave disorder arising in the Senate, the President may adjourn the Senate without question put, or suspend the sitting for a time to be fixed by him.

(5) Members shall preserve the decorum of the Senate by observing the following—

- (a) Members shall not use laptop computers, electronic devices nor read newspapers, books, letters or other documents, except as they may be directly connected with Parliamentary business and as provided for under these Standing Orders;
 - (b) while a Member is speaking, all other Members shall be silent or shall confer only in undertones, and shall not make unseemly interruptions.
- (6) When a Member is speaking, no other Member shall interrupt him, except—
- (a) on a point of order in which case the Member speaking shall cease and the Member raising the point of order shall simply state what breach of order he believes has occurred and submit it to the President (or the Chair) for decision; or
 - (b) on a point of clarification or elucidation, in which case the Member raising the point shall first request that the Member speaking consent to give way and if so the Member wishing to interrupt is then called on by the President (or the Chair).

Rules of debate

49 In speaking to any motion under consideration of the Senate, the following rules set out in paragraphs (1) to (11) shall be observed.

- (1) A Member while speaking to a question may not use offensive or insulting words against the character or proceedings of either House or against particular parties or Members of either House.
- (2) Every Member shall address his observations to the Chair.
- (3) The Member who first commences to speak shall be heard first, and if two commence together the President shall determine who shall be heard first;

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no Member shall be interrupted while speaking except when called to order.

- (4) Every Member shall confine his observations to the subject under consideration.
- (5) No Member shall impute improper motives to any other Member.
- (6) All personalities are to be avoided.
- (7) No Member may speak to any question after the same has been fully put by the Chair; a question is fully put when the voices of both of the Ayes and Nays have been given thereon.
- (8) On any question put either in the Senate or in Committee, every Member present shall record his vote either for the Ayes or Nays, unless excused by the Chair or disqualified from voting under Standing Orders 19 and 20.
- (9) When a question has been proposed, debated and disposed of, it is impermissible for any Member, without special leave of the Senate, again to propose such question during the same Session.
- (10) Except for Statements presented by Ministers or Junior Ministers in discussion of the Estimates of Revenue and Expenditure, the Opposition Statement in reply thereto, Statements made pursuant to Standing Order 8(h) and ministerial briefings presented in support of a Bill or subsidiary legislation, a Member shall not read his speech—
 - (a) but a Member may, with the consent of the President, or in Committee the Chair, read extracts from written or printed papers in support of his argument and may refresh his memory by reference to notes; and
 - (b) in any case, where Statements are made pursuant to Standing Order 8(h), copies of such Statements shall be made available to all Members at the time the Statement is made; any extracts from written or printed papers cited by a Member in support of his argument must be made available to all Members at the time the reference is made to such extracts.
- (11) A Member shall not speak against or reflect upon any decision or procedure of the Senate, except on a motion that such decision or procedure be rescinded.

Time Limits on Speeches

50 (1) Except where otherwise expressly provided by the Standing Orders or by leave of the Senate, no Member shall speak in the Senate for more than 45 minutes during any debate.

(2) Notwithstanding paragraph (1), the first speaker for the Government and/or the first speaker for the Opposition in the Senate shall not speak for more than 60 minutes in the following circumstances—

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- (a) debate on second reading of a Government Bill; or
- (b) debate on any other motion,

save that the first speaker for the Government shall have an additional 30 minutes in the right to reply.

(3) Notwithstanding paragraph (1), no Member shall speak for more than 30 minutes after five hours of debate on the second reading of a Government Bill, or debate on any other motion.

(4) Notwithstanding paragraph (1), no Member shall speak for more than five minutes on any congratulatory and/or obituary speech given under the provisions of Standing Order 8(o).

Anticipation

51 (1) It shall be out of order to anticipate an Order of the Day by a discussion on a motion or amendment dealing with the subject matter of a Bill or any other Order of the Day prior to the Bill or Order being placed before the Senate for consideration.

(2) It shall be out of order to anticipate a Bill or a Notice of Motion or a reply to a question by discussion upon—

- (a) an amendment; or
- (b) a motion for the adjournment of the Senate.

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

JOINT SELECT COMMITTEES

Joint Select Committees

52 (1) The President may for the purposes of a Joint Select Committee (other than a Standing Joint Select Committee) appoint not more than three Members of the Senate to sit with Members of the House of Assembly as a Joint Select Committee.

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

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

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

STANDING JOINT SELECT COMMITTEES

Joint Select Committee on Private Bills

53 (1) There shall be a Joint Select Committee to be known as the "Joint Select Committee on Private Bills"; this Committee shall be a Standing Committee appointed for the duration of the life of the Legislature.

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(2) The President shall, for the purpose of this Committee appoint not more than three Members of the Senate to sit with the Members of the House of Assembly, but any Member may be discharged from serving as a Member of the Committee and be replaced.

(3) The Joint Select Committee on Private Bills shall have the duty of examining, considering and reporting on—

- (a) all Petitions and Private Bills referred to it; and
- (b) all other Petitions and matters referred to it by either House of the Legislature.

Joint Select Committee on Members' Interests

54 (1) There shall be a Joint Select Committee to be known as the "Joint Select Committee on Members' Interests"; this Committee shall be a Standing Committee appointed for the duration of the life of the Legislature.

(2) The Joint Select Committee on Members' Interests shall consist of a total of seven Members including the Chairman of the Committee.

(3) Five of the members of the Joint Select Committee on Members' Interests shall be appointed from the House of Assembly by the Speaker of the House.

(4) Two Members are to be appointed from the Senate by the President of the Senate.

(5) The Joint Select Committee on Members' Interests shall have the duty—

- (a) to examine the arrangements made for the compilation, maintenance and accessibility of the Register of Members' Interests;
- (b) to consider any proposals made by Members or others as to the rules, form and content of the Register;
- (c) to consider any specific complaints or disputes made in relation to the Registering or declaration of interests and to report on these and any other matters relating to Members' interests;
- (d) to exercise a general oversight of the procedures for the registering and declaration of interests and make recommendations for changes therein; and
- (e) from time to time report to the Senate or House of Assembly, its interpretation of the scope of the various classes of pecuniary interests or other material benefits of members.

(6) The Clerk to the Legislature shall act as the Registrar of the Joint Select Committee on Members' Interests.

Register of Members' Interests

55 There shall be a Register of Members' Interests; the purpose of such Register is to provide information on any pecuniary interest or other material benefit which a Member of

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the Senate or the House of Assembly may receive which may be thought to affect his or her conduct as a Member of the Senate or a Member of the House or influence his or her actions, speeches or vote in the Senate or the House of Assembly.

SELECT COMMITTEES

Select Committees

56 (1) A Select Committee shall consist of such number of Members not exceeding three, except with the leave of the Senate, as the President shall appoint.

(2) On appointing a Select Committee the President may then or at any future time, nominate a Member or Members to fill permanently any vacancy or vacancies that may occur in such Select Committee by reason of the death, resignation, illness or absence from Bermuda of any appointed Member or Members.

Duration

57 A Select Committee may continue its investigations and duties although the Legislature may not be in Session and the Committee shall not be dissolved until the presentation to the Senate of its Report, unless the Senate orders otherwise.

Dissent

58 Any Member or Members of a Select Committee dissenting from the opinion of a majority of such Committee may make a written statement of his or their reasons for such dissent, as a minority report, which shall be appended to the Report of the Committee.

Report

59 The Report of a Select Committee shall be brought up by the Chairman of such Committee and presented to the Senate, and on the motion of any Member present it may be referred to a Committee of the whole Senate.

Motion to refer

60 A motion to refer a Bill to a Select Committee shall not be made until the motion for the second reading of such Bill has been affirmed.

Services of Clerk

61 Select Committees shall have a right to the services of the Clerk to the Senate.

PETITIONS

Petitions

62 All applications to the Senate shall be in the form of a Petition presented by a Member who shall be responsible for its presentation.

Explanation of Petition

63 Unless otherwise ordered by the Senate a Petition on presentation shall not be read but the Member offering the Petition shall explain concisely the nature of the Petition

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confining himself to a statement of the person or persons from whom it comes, of the number of signatures attached to it, and to the reading of the Prayer of the Petition.

Consideration of Petition

64 Every Petition shall be considered by the Senate and, if it relates to a Bill before the House, it shall be considered on the motion for the second reading of such Bill and also in Committee if the Bill reaches that stage.

QUESTIONS

Questions

65 (1) Questions may be put to a Minister or a Junior Minister relating to public affairs or Departments.

(2) Questions addressed to a Minister or a Junior Minister may be answered by another Minister or another Junior Minister.

(3) Notice of a question shall be in writing and signed by a Member and shall be received by the Clerk by 12 noon not less than six clear days before the day on which the answer is required.

(4) Every question shall conform to the following rules—

- (a) a question shall not include the names of persons or statements not strictly necessary to render the question intelligible;
- (b) a question shall not contain statements which the Member who asks the question is not prepared to substantiate;
- (c) a question shall not contain arguments, inferences, opinions, imputations, epithets, tendentious, ironical or offensive expressions;
- (d) a question shall not refer to debates or answers to questions in the current Sitting;
- (e) a question shall not refer to proceedings in a Committee which have not been reported to the Senate;
- (f) a question shall not seek information about any matter which is of its nature secret;
- (g) a question shall not reflect on the decision of a court of law or be so drafted as to be likely to prejudice a matter which is in court;
- (h) a question shall not be asked for the purpose of obtaining an expression of opinion, the solution of an abstract legal case or the answer to a hypothetical proposition;
- (i) a question shall not be asked as to whether statements in the Press or of private individuals or unofficial bodies are accurate;
- (j) a question shall not be asked as to the character or conduct of any person except in his official public capacity;

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- (k) a question shall not be asked seeking information set forth in accessible documents or ordinary works of reference;
- (l) a question shall not be asked—
 - (i) which raises an issue already decided in the Senate or which has been answered fully during the current Session, or to which an answer has been refused; or
 - (ii) which deals with a matter referred to a Commission of Inquiry or within the jurisdiction of the Chairman of a Select Committee.
- (5) A question shall not be made the pretext for a debate.
- (6) If the President is of the opinion that any question which a Member has sought to ask infringes any of the paragraphs of this Standing Order he shall so inform that Member not later than the next day of meeting and may direct—
 - (a) that the question be printed or asked with such alterations as he may direct; or
 - (b) that the question is out of order.
- (7) The number of questions which may be asked by any Member on any one sitting day shall be limited to three.
- (8) Supplementary questions may be put for the purpose of elucidating an oral answer; the number of such questions which may be asked by any Member shall be limited to two.
- (9) The President may refuse any supplementary questions that may be put for the purpose of elucidating an oral answer.

Question Period

66 During Question Period Members may ask questions without notice in the following circumstances set out in paragraphs (1) to (9)—

- (1) Questions resulting from a Ministerial Statement (Statements must be distributed to Members at the time the Minister or Junior Minister commences his or her statement).
- (2) Members should notify the President and/or the Clerk as early as possible that he intends to ask such questions.
- (3) The questions must arise directly from the contents of the Ministerial Statement and be directed to the Minister/Junior Minister concerned.
- (4) Questions must be short, to the point and framed in the following terms "With respect to the matter raised by the Minister/Junior Minister in his/her Statement [the Member may quote relevant portions], would the Honourable Minister/Junior Minister please inform/tell/clarify for this Honourable House etc.", or other acceptable variations thereon.

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- (5) Any Member who asks a question is permitted two follow-up supplementary questions.
- (6) At the discretion of the President, other Members may be permitted follow-up questions on the same subject.
- (7) Ministers/Junior Ministers should not be expected to provide information of a factual nature without notice and if the President so determines that this is the case, then any such questions will be subject to the Notice provisions.
- (8) Any Minister or Junior Minister who, with the concurrence of the President on the grounds that he needs to consult and obtain the necessary factual information, defers answering a question will be expected to provide such information during the next Question Period.
- (9) The Minister or Junior Minister may take an oral question as notice to be answered orally at the next day of meeting, but where any reserved answer requires a lengthy statement, the statement shall be given under Statements by the Minister or Junior Minister at the next day of meeting.

PERSONAL EXPLANATIONS

Personal explanations

- 67 (1) With prior leave of the President, any Member may make a personal explanation although there is no question before the Senate.
- (2) Such explanation may not be debated and no controversial matter may be included in an explanation.

CLOSURE OF DEBATE

Closure of debate

- 68 (1) After a question has been proposed, a Member may claim to move "That the question be now put"; and unless it appears to the Chair that such motion is an abuse of the Standing Orders of the Senate, or infringement of the rights of a minority, the question "That the question be now put" shall be put forthwith, and decided without amendment or debate notwithstanding that the mover has had no opportunity to make his reply.
- (2) When the motion "That the question be now put" has been carried, and the question consequent thereon has been decided, any further motion may be made (if the assent of the Chair has not been withheld) which may be requisite to bring to a decision any question already proposed from the Chair.
- (3) Such questions shall be put forthwith, and decided without amendment or debate.

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PAPERS

Papers

69 (1) Every paper shall be presented by a Minister or by a Junior Minister and its presentation shall be entered in the Minutes.

(2) A Minister or a Junior Minister presenting a paper may make a short explanatory statement of its contents.

(3) All papers shall be laid on the Table without question put, and shall be printed, unless the Senate on motion (the question on which shall be put without amendment or debate) decides otherwise.

MOTIONS

Motions

70 Unless these Standing Orders otherwise direct, notice shall be given of any motion which it is proposed to move with the exception of the following—

- (a) a motion that the Senate resolve into Committee;
- (b) a motion for the adjournment of the Senate or of any debate;
- (c) a motion for leave to introduce and read for the first time a Bill by its title;
- (d) a motion made in Committee of the whole Senate;
- (e) a motion allocating time for the consideration of any Order of the Day;
- (f) a motion for the withdrawal of strangers;
- (g) a motion for the suspension of a Member;
- (h) a motion for the withdrawal of a Bill;
- (i) a motion relating to a matter of privileges;
- (j) a motion in respect of which notice has been dispensed with by leave of the Senate;
- (k) a motion for the suspension of a Standing Order put with leave of the President.

MANNER OF GIVING NOTICE OF MOTION

Manner of giving notices of motion

- 71 (1) Every Member in giving notice of a motion shall do so—
- (a) by handing a written or typed copy of such motion signed by himself to the Clerk, during a sitting of the Senate; or
 - (b) when the Senate is not sitting, by handing a written or typed copy of such motion signed by himself to the Clerk, during office hours; or

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(c) by forwarding the motion to the Clerk.

(2) Unless otherwise provided in these Standing Orders, no motion shall be moved on the day on which notice of the motion is received by the Clerk except by leave of the Senate.

(3) A Member may amend a notice of a motion standing in his name if such amendment does not, in the opinion of the President, materially alter any principle embodied in the motion, and any such amendment shall be deemed to have been made at the time the original notice of motion was given.

(4) Motions or amendments to Bills received by the Clerk shall be printed and circulated by the Clerk.

WITHDRAWAL OF BILLS

Withdrawal of Bills

72 On the Order of the Day for any stage of a Bill being called, the Member in charge of a Bill may move "That the order be discharged and that the Bill be withdrawn".

STRANGERS

Strangers

73 (1) No stranger shall be entitled to enter or remain within the Chamber of the Senate or the precincts of the Senate without the authority of the President.

(2) If any Member takes notice that any stranger is present, the President shall immediately ask the stranger to leave the Chamber of the Senate or the precincts of the Senate without permitting any debate or amendment.

(3) The President may, whenever he thinks fit, order the withdrawal of strangers from the Chamber of the Senate or the precincts of the Senate.

PRESS

Press

74 (1) The President may, under such rules as he may make from time to time, grant permission to the management of any local newspaper or broadcasting media station to have its accredited representative attend sittings of the Senate and occupy a place at the press table in the Senate for the purpose of reporting the proceedings of the Senate.

(2) If such rules are contravened or if any report of the proceedings is published which the Senate considers unfair, the President may revoke the permission granted under this Standing Order.

ADJOURNMENT OF THE SENATE

Adjournment of Senate

75 (1) When a substantive motion for the adjournment of the Senate has been made, no Member shall be entitled to speak on the motion for more than fifteen minutes, except when adjournment has been agreed under paragraph (3) of this Standing Order.

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(2) A Minister may move "That the Senate do now adjourn" at any time after the conclusion of questions at any sitting, but any other Member may only move such a motion under paragraph (3) of this Standing Order.

(3) Any Member other than a Minister may at any time ask for leave to move the adjournment of the Senate for the purpose of discussing a definite matter of public importance.

(4) Before commencement of the sitting the matter for discussion under a motion intended to be made pursuant to paragraph (3) of this Standing Order shall be reduced into writing and handed to the President; the President shall refuse to permit the Member to ask for leave to move the motion unless the President is satisfied that the matter is of definite and urgent public importance requiring urgent debate.

(5) If the President is so satisfied the motion shall stand over until the Orders of the Day have been disposed of on the same day, and at that hour any proceedings on which the Senate is engaged shall be postponed until the motion has been disposed of.

(6) Not more than one motion for the adjournment of the Senate under paragraph (3) of this Standing Order shall be allowed in any one sitting day.

(7) The debate on any motion for the adjournment of the Senate under paragraph (3) of this Standing Order shall be confined to the matter raised by the Member making the motion.

(8) A Minister or a Junior Minister may speak on the motion to adjourn in the ordinary way as a Member.

(9) If the President considers that matters raised by a Member when speaking on the motion to adjourn warrant a reply by a Minister or Junior Minister, the President may call on a Minister or a Junior Minister to reply.

RECALL OF THE SENATE

Recall of Senate

76 (1) If, during an adjournment of the Senate, it is represented to the President by a Minister, or the President is of the opinion that the public interest requires that the Senate should meet on an earlier day than that to which the Senate is adjourned, the President may give notice accordingly, and the Senate shall meet at any time stated in such notice.

(2) The business set down for that day shall be appointed by the Government or the President, and notice thereof shall be circulated not later than the time of the meeting.

Suspension of Standing Order by vote

77 Any Standing Order may be suspended by a majority vote of the Members present at any meeting.

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Made this day of 2013.

President of the Senate