

*Rules*  
of the  
**Legislative Assembly**  
of  
**Prince Edward Island**



*(Including Standing Orders, Motions for Various Readings of Bills,  
Motions for Tabling Documents and Guidelines for Committees)*

November 2006

# Rules of the Legislative Assembly

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## Note

The Standing Orders, 1988 were approved by the House for effect on February 24, 1988. The dates of subsequent amendments are included in round brackets at the end of sections amended.

## **Regulation and Management of the House**

1. The proceedings in the Legislative Assembly of Prince Edward Island and in all Committees of the House shall be conducted according to these Rules.
2. In all cases not herein provided for in these Rules or by sessional or other Orders, the usages and customs of the House of Commons of Canada in force at the time shall be followed so far as they are applicable to this House.

### **Sittings of the House**

3. (1) The House shall meet on Tuesdays and Thursdays at two o'clock in the afternoon. If, on these days at the hour of five the business of the day is not concluded, the Speaker shall leave the Chair until seven o'clock in the evening. If the House is in Committee, the Chairman shall report progress.
- (2) The House shall meet on Wednesday at two o'clock in the afternoon. If, at the hour of five the business of the day is not concluded, the House shall stand adjourned until two o'clock in the afternoon of the following day. When the House rises on Thursdays it shall stand adjourned, unless otherwise ordered, until ten o'clock in the morning of the following day. When the House rises on Fridays it shall stand adjourned, unless otherwise ordered, until the following Tuesday.
- (3) At one o'clock in the afternoon on any day a morning sitting of the House is held pursuant to a sessional or special Order, the Speaker, or, if the House is in Committee, the Chairman shall leave the Chair until two o'clock in the afternoon.
- (4) Evening sittings shall adjourn at nine o'clock, but may continue until twelve o'clock midnight with the unanimous consent of the House. (Amended April 4, 1995)

### **Quorum**

4. The presence of at least ten Members, including the Speaker, is necessary to constitute a quorum of the House for the exercise of its powers. (Amended April 2, 1996)

5. Subject to Rule 7, if at the time of meeting a quorum is not present, the Speaker shall take the Chair and, without question put, adjourn the House until enough Members are present to form a quorum.
6. When the Speaker adjourns the House for want of a quorum, the time of the adjournment and the names of Members present shall be entered in the Journal.
7. The Speaker shall, whether or not a quorum is present, take the Chair for the purpose of admitting the Lieutenant-Governor for the giving of the Royal Assent or prorogation.

### **The Speaker**

8. (1) The House, on first assembling and within thirty days after Declaration Day following each general election, or when a vacancy in office occurs, shall conduct as its first order of business the secret ballot election of Speaker, which shall not be interrupted by any other proceeding.
- (2) All Members, except the Premier and other Members of Executive Council, the Leader of the Opposition and leaders of political parties in the House, are eligible for election as Speaker.
- (3) The Clerk must notify all Members in writing of the date and time for the election of Speaker. Any Member who wishes to offer for election as Speaker must file written declaration with the Clerk of the Legislative Assembly no later than five o'clock in the afternoon two days prior to the day on which the secret ballot is to be held.
- (4) The Clerk shall not disclose the names of candidates for the Speakership until after the day on which the declaration was to have been filed has passed.
- (5) The vote shall be conducted by secret ballot with the Clerk presiding over the election.
- (6) A candidate must receive the majority of votes cast to be elected.
- (7) The Clerk shall have authority to prescribe any forms or information necessary to facilitate the conduct of the election.

- (8) The Speaker shall preserve order and decorum, enforce the Rules and decide questions of order. In explaining a point of order or practice the Speaker shall state the Rule or authority applicable to the case. (Amended April 4, 1995)
9. The Speaker shall not take part in any debate before the House, except in Committee of the Whole, and may not vote except as provided for in Rule 41.
10. Whenever the Speaker is of the opinion that a motion offered to the House is contrary to the Rules or privileges of the Assembly, he shall apprise the House thereof immediately, and may reserve his decisions and subsequently state his reasons therefore before putting the question.

### **Deputy Speaker**

11. (1) At the commencement of the first session of each General Assembly, or whenever a vacancy occurs, the House shall elect one of its Members to be Deputy Speaker.  
  
(2) If, for any reason, neither the Speaker nor the Deputy Speaker is able to be present at a sitting or sittings, the House shall elect one of its Members as Acting Deputy Speaker for such period of time as may be necessary.
12. The Deputy Speaker shall be the Chairman of the Committee of Supply and shall take the Chair in the House or in Committee of the Whole whenever requested to do so by the Speaker.
13. When an Order is read for consideration of a Bill in Committee of the Whole, the Speaker shall, before leaving the Chair, appoint any Member to be Chairman of the Committee.
14. When the House is in Committee any Member may, at the request of the Chairman, take the Chair during any temporary absence of the Chairman.

### **Strangers**

15. Strangers may be admitted to the galleries or to such other parts of the House as the Speaker sets apart for this purpose.
16. The Speaker or the Chairman, as the case may be, may at any time order the withdrawal of strangers.

17. (1) Subject to section (2), if any Member takes notice that strangers are present, the Speaker or the Chairman shall forthwith, without any motion or debate, put the question that the strangers be ordered to withdraw.
  - (2) During Committee of the Whole House consideration of estimates or clause by clause consideration of legislation, a stranger or strangers, may, on motion put which shall neither require notice nor be debated, be admitted to the floor of the House to assist the promoter of a bill or a Minister. (May 19, 2006)
18. When strangers are ordered to withdraw, the business of the House shall be suspended until all strangers have withdrawn, and strangers shall not be admitted during the same day except upon motion which shall neither require notice nor be debated.
19. A stranger admitted to any part of the House or galleries who misconducts himself or does not withdraw when strangers are ordered to withdraw while the House or any Committee of the House is sitting shall be removed from the Legislative Chamber or taken into custody by the Sergeant-at-Arms, as the Speaker may order. No person so taken into custody shall be discharged without the special Order of the House.

### **Business of the House**

20. (1) The **Ordinary Daily Routine** of the House shall be:
  - (Behind Closed Doors)*
    - (a) Prayers
    - (b) Consideration of the Journals for the penultimate sitting day
  - (With Doors Opened)*
    - (c) Matters of Privilege and Recognition of Guests
    - (d) Statements by Members
    - (e) Questions by Members, commencing with Ministerial Responses to Oral Questions taken as Notice
    - (f) Statements by Ministers
    - (g) Presenting and Receiving Petitions
    - (h) Tabling of Documents, including responses to Written Questions
    - (i) Reports by Committees

(j) Introduction of Government Bills

(2) The Order of Business, following the Ordinary Daily Routine as determined by section (1), shall be:

**Tuesday afternoon, Wednesday, Thursday evening and Friday**

(k) Government Motions

(l) Orders of the Day (Government)

**Tuesday evening and Thursday afternoon**

(m) Motions other than Government

(n) Orders other than Government

(o) Government Motions

(p) Orders of the Day (Government)

- (3) A Member may be recognized, under provisions of Rule 20(1)(d), to make a statement for not more than one and one-half minutes. Statements by Members shall be held on each sitting day and shall last for not more than five minutes. The Speaker may order a Member to resume his seat if, in the opinion of the Speaker, improper use is made of this Rule.
21. When debate arises on a motion for an Address in Reply to the Speech from the Throne, the further consideration thereof shall be the First Order of the Day for the next day after the motion is made and for each succeeding day thereafter until the debate is concluded.
22. The Budget shall not be presented until the debate on the motion for an Address in Reply is concluded.
23. When the Provincial Treasurer presents the Budget and a debate arises on his motion that “this House approves, in general, the budgetary policy of the Government,” the further consideration thereof shall be the First Order of the Day for the next day after the motion has been made and for each succeeding day thereafter until the debate is concluded.
24. When an Order is called for the House to go into Committee of Supply or Committee of the Whole, the Speaker shall leave the Chair without question put.

25. During any sitting, the Speaker may entertain a motion to revert to any Order of Business already disposed of for the purpose of allowing the introduction of new items of business.

### **Conduct of Members and Rules of Debate**

26. Every Member is bound to attend the services of the House unless leave of absence has been given by the Speaker.
27. (1) When entering, leaving or crossing the Chamber, Members shall bow to the Chair.
- (2) When the Speaker rises at any time, any Member speaking shall sit down and the Speaker shall be heard without interruption.
- (3) When a Member is speaking, no Member shall pass between that Member and the Chair.
- (4) When the House adjourns, the Members shall keep their places until the Speaker has left the Chamber.
28. Every Member desiring to speak shall rise in his place, head uncovered, and address the Speaker.
29. When two or more Members rise to speak, the Speaker shall call upon the Member who first rose, but a motion may be made that any Member “be now heard” or “do now speak.”
30. (1) No Member may speak twice to a question except in explanation of a material part of his speech which may have been misquoted or misunderstood, but shall not then introduce any new matter, and no debate shall be allowed on the explanation.
- (2) A reply is allowed to a Member who has moved a substantive motion, but not to the mover of an amendment, the previous question, or an instruction to a Committee.
- (3) When the mover of the original motion rises to speak in reply, the Speaker shall inform the House that the reply closes the debate and any Member who wishes to speak shall be allowed to do so before the reply.



31. (1) No Member shall speak disrespectfully of the Queen, any member of the Royal Family, the Governor General of Canada, the Lieutenant-Governor or the Administrator of Prince Edward Island.
- (2) No Member shall use language or words offensive toward the House or any Member.
- (3) No Member shall speak beside the question in debate.
- (4) No Member shall reflect upon any vote of the House.
32. (1) When a Member is speaking, no Member shall interrupt except to raise a point of order or privilege.
- (2) When a matter is being debated, if a Member rises to speak on a subject not at the time under discussion, or interrupts a Member who is speaking except to raise a point of order or privilege, or transgresses any Rule, any Member may, and the Speaker shall, call that Member to order.
33. A Member addressing the House, if called to order either by the Speaker or on a point of order raised by another Member, shall sit down while the point is being stated after which that Member may explain. The Speaker may permit debate on the point of order before giving his decision but the debate must be strictly relevant to the point of order taken.
34. (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 irrelevance or repetition, may direct him to discontinue his speech. If the Member continues to speak, the Speaker shall name him, or, if in Committee, the Chairman shall report him to the House.
- (2) When a Member is named by the Speaker immediately after the commission of the offence of disregarding the authority of the Chair or of abusing the Rules of the House by persistently and wilfully obstructing the business thereof or otherwise, the Speaker shall forthwith put the question, on a motion being made, "that the Member be suspended from the service of the House" and no amendment, adjournment or debate shall be allowed.

- (3) When an offence to which section (2) applies is committed in a Committee of the Whole, the Chairman shall forthwith suspend the proceedings of the Committee and report the circumstances to the House and the Speaker shall put the question stated in section (2) without amendment, adjournment or debate as if the offence had been committed in the House.
- (4) A suspension under this Rule shall be for such time as is stated in the motion but shall not exceed two weeks.
35. If a Member is called to order for words spoken in debate, upon the demand of the Member called to order, or of any other Member, the exceptionable words shall be taken down in writing by the Clerk at the Table. Any Member who has used exceptionable words and does not explain or retract the same, or offer apologies therefor to the satisfaction of the House, may be censured or otherwise dealt with as the House thinks fit.
36. When a question arises touching the conduct of any Member, his election or his right to hold his seat, he may make a statement and shall withdraw during the time the matter is in debate.
37. (1) A Minister of the Crown may, although there is no question before the House, make a brief statement or explanation of Government policy or ministerial administration; but in doing so, he shall not offer arguments or observations beyond the fair bounds of explanation.  
  
(2) No debate shall be permitted on such statement or explanation but one Member from the Official Opposition may ask for explanation or comment for a period of time not to exceed the length of the ministerial statement. In addition, one Member of each of the other recognized opposition parties in the House may ask for explanation or comment for a period of time not to exceed one-half of the length of the ministerial statement. (Amended November 19, 1999)

### **Divisions**

38. All questions shall be decided by a majority of voices.
39. The Speaker shall, when the voices are heard, state whether in his opinion the Yeas or the Nays have it; and, unless the entering of names is demanded by any Member, shall declare the motion carried or lost.

40. (1) When a Division is called for, either before the question is put or after the voices have been given, the Speaker shall direct the Sergeant-at-Arms to call in the Members.
  - (2) No debate shall be permitted after the question has been put by the Speaker or after the Sergeant-at-Arms has been directed to call in the Members.
  - (3) The Speaker shall, no more than five minutes after directing that the Members be called in, direct the Clerk to read the question and call upon those voting in the negative to rise, and their names shall be entered in the Journal.
  - (4) Then, the Speaker shall call upon those voting in the affirmative to rise and their names shall be entered in the Journal.
41. When there is an equality of votes upon a Division, the Speaker shall cast the deciding vote and any reasons stated by him shall be entered in the Journal.

### **Privilege**

42. Privileges are the rights enjoyed by the House collectively and by the Members of the House individually as conferred by the *Legislative Assembly Act* or other statutes or by practice, precedent, usage and custom. Matters concerning any departure from the Rules, customary procedure in debate or in the conduct of legislative business are not matters of privilege and should be brought to the attention of the House as points of order.
43. (1) When a matter of privilege arises, it shall be taken into consideration immediately.
- (2) A Member who raises a matter or question directly concerning the privileges of the House or of any Committee or Member thereof shall do so by proposing a motion calling upon the House to take action thereon or referring the same to the Standing Committee on Privileges, Rules and Private Bills.
- (3) The Speaker shall not accept such a motion unless he is satisfied that there is a *prima facie* case that a breach of privilege has been committed and that the matter is being raised at the earliest opportunity and the Speaker's decision thereon is not subject to appeal.

44. A Member may complain to the House of a statement in a media report referring to him personally and relating to some proceeding of the House, or a Committee thereof, as a breach of privilege without proposing a motion but shall confine his remarks to explaining the matter and no debate shall be allowed.

### **Motions**

45. A motion to adjourn the House or a debate is always in order but no second motion to that effect may be made until after some intermediate proceeding has been had.
46. No notice is required for any of the following motions:
- (a) by way of an amendment to a question;
  - (b) for the committal of a Bill or question;
  - (c) for the postponement of a question to a certain day;
  - (d) for the previous question;
  - (e) for reading the Orders of the Day;
  - (f) for leave to introduce a Public Bill;
  - (g) for any Reading of a Public Bill, or for second and subsequent Readings of a Private Members Bill or a Private Bill;
  - (h) for the adjournment of the House or a debate;
  - (i) for raising a question of privilege;
  - (j) for the reconsideration, while in Committee of the Whole, of any clause of a Bill already agreed to;
  - (k) for the placing on the Order Paper for consideration in Committee of the Whole a Bill which has not been favourably reported by a Standing or Special Committee;
  - (l) for fixing a time of meeting or adjournment of the House;
  - (m) other motions of a merely formal or uncontentious nature;
  - (n) when notice is dispensed with by unanimous consent of the House.

47. One clear day's notice shall be given of a motion for any of the following purposes:
  - (a) to make, amend or repeal any Rule;
  - (b) for an Address to the Lieutenant-Governor;
  - (c) for the production of papers;
  - (d) for the appointment of a Special Committee;
  - (e) for leave to introduce a Private Members Bill;
  - (f) for any purpose to which Rules 46 and 47 do not apply;
  - (g) to refer any matter to any Committee of the House for consideration by the designated Committee;
  - (h) a motion to be made in Committee of the Whole for the purpose of proposing an important amendment to a Private Bill.
48. In Rule 47 the words "one clear day's notice" shall mean that a copy of the notice has been on the desk of each Member for one full sitting day before the motion may be considered by the House.
49. A Member giving notice of motion shall specify the day on which he proposes to move the same and shall deliver at the Table a written or typewritten copy thereof.
50. A Member may give notice of motion for an absent Member and the notice shall be entered on the Order Paper in the name of the absent Member.
51. All motions other than those of a formal character shall be in writing, and seconded, before being put from the Chair and debated.
52. Any Member may require a question under discussion to be read at any time during the debate, but not so as to interrupt a Member while speaking.
53. A Member who has made a motion may withdraw it with the unanimous consent of the House.

54. (1) The previous question may be debated and, until it is decided, precludes all amendment of the main question, and shall be in the words, "That this question be now put."
  - (2) If the previous question is resolved in the affirmative, the original question shall be put forthwith without any amendment or debate.
  - (3) If the previous question is negatived, the debate on the original question shall proceed until it is concluded or interrupted by some other motion.
55. A motion to refer a Bill, resolution or any question to a Committee of the Whole or any Standing or Special Committee, shall preclude all amendment to the main question.
56. When a question is under debate, no motion may be received unless: to amend it; to postpone it to a certain day; for the previous question; for reading the Orders of the Day; for proceeding to another Order; to adjourn the debate; or for the adjournment of the House.

### **Questions**

57. Written questions may be placed on the Order Paper or oral questions may be asked seeking information from Ministers of the Crown relating to public affairs; and to other Members relating to any Bill, motion or other public matter connected with the business of the Assembly in which such Members may be concerned; but in putting any such question or in replying to the same, no argument or opinion shall be offered, nor any facts stated, except so far as may be necessary to explain the same; and in answering any such question, the matter to which the same refers shall not be debated.
58. The Minister or Member to whom a written question is directed shall, without any unnecessary delay, file the answer in duplicate with the Clerk, who shall endorse the date of filing thereon and forthwith transmit a copy thereof to the Member who asked the question.
59. The Oral Question Period shall be limited to forty minutes on each sitting day, not inclusive of any time required for Ministerial Responses to Oral Questions taken as Notice.
60. (1) Upon the order of business "Questions by Members" being called, oral questions of an urgent nature relating to public affairs may be put without notice to Ministers of the Crown.

- (2) An oral question shall be concisely and clearly put and shall refer only to a matter which may reasonably be assumed to be within the present knowledge of the Minister.
  - (3) The Minister to whom an oral question is directed may:
    - (a) forthwith answer the question, or
    - (b) state that he takes the question as notice and answer it orally on a subsequent day under the same order of business, or
    - (c) state that in his opinion the question should be put in writing.
61. When a Minister answers an oral question, at the discretion of the Speaker, not more than two supplementary questions directly related to the same subject matter may be asked.
62. Where, in the opinion of the Speaker, a question put to a Minister is of such a nature as to require a lengthy reply, he may, upon the request of the Minister, direct the question to be put in writing, or to stand as Notice and be transferred to the Order Paper.

### **Bills**

63. (1) Bills shall be known and distinguished as Public Bills, Private Members Bills, and Private Bills.
- (2) Public Bills are Bills introduced by Ministers of the Crown relating to matters of administration or public policy of general application within the Province.
  - (3) Private Members Bills are Bills introduced by Members, other than Ministers of the Crown, relating to matters of administration or public policy of general application within the Province and which do not call for nor imply the expenditure of public funds or the imposition of any tax.
  - (4) Private Bills are those relating to private or local matters or for the particular interest or benefit of any person, corporation or municipality.

64. (1) A Bill may not be introduced either in blank or imperfect form.
- (2) A Bill shall receive three separate readings on different days before being passed.
- (3) A Bill must be read twice in the House before committal or amendment.
- (4) On urgent or extraordinary occasions a Bill may, with the unanimous consent of the House, be read twice or thrice, or advanced two or more stages in one day.
- (5) The Clerk shall endorse on each Bill the dates on which it receives its several readings; and, when it is passed, shall certify the same, with the date, at the foot of the Bill.
65. (1) A Private Members Bill is introduced upon motion for leave specifying the title of the Bill.
- (2) A motion for leave to introduce a Private Members Bill may be made only after notice.
- (3) A motion for leave to introduce a Private Members Bill shall be decided without debate or amendment but the Member seeking leave may give a succinct explanation of the provisions of the Bill.
- (4) Upon leave being granted for the introduction of a Private Members Bill, it shall forthwith be read a first time without further question put.
- (5) Subject to Rule 70, when a Bill is read a first time it stands ordered for second reading of the House, but a Bill shall not be read a second time until a copy has been on the desk of each Member for twenty-four hours.
66. When a Bill is read the second time it stands ordered for consideration in the Committee of the Whole.
67. When a Committee of the House reports to the House that they do not recommend a Bill that has been referred to them, the Bill so reported shall not be placed on the Order Paper for consideration in Committee of the Whole House except upon motion which may be made without notice.



68. (1) All amendments made in Committee of the Whole House shall be reported by the Chairman to the House and the same shall be received and the question for concurrence therein forthwith put by the Speaker without debate.
- (2) Bills reported from Committee of the Whole House stand ordered for third reading at the next sitting of the House.
- (3) When the Order for the Third Reading of a Bill is read, a motion may be made to discharge the Order and recommit the Bill.
- (4) When a Bill has received three readings and passed, a motion may be made to rescind the Third Reading and Pass and to recommit the Bill.

### **Private Bills**

69. (1) All petitions for Private Bills shall be presented within fourteen days after the commencement of the session exclusive of adjournment.
- (2) No petition for a Private Bill shall be presented unless two weeks previous notice shall have been given:
  - (a) by filing with the Clerk a copy of such petition and a draft of the Bill proposed;
  - (b) by advertisement in at least two issues of the *Royal Gazette* setting forth in general terms the scope of the proposed Bill and the name of the corporation (if any) intended to be created or affected thereby.
70. No Private Bill shall be brought into the House but upon a petition first presented, truly stating the case at the peril of the suitors for such Bill, and such petition must be signed by the said parties.
71. All Private Bills shall be referred to the Standing Committee on Privileges, Rules and Private Bills after First Reading and no proceedings after First Reading shall be had until such time as the Committee has reported thereon to the House.

72. (1) The fees payable by a petitioner for a Private Bill are:
- (a) on an original Bill of not more than one page ..... \$100
  - (b) on an amending Bill of not more than one page ..... \$ 60
  - (c) for each additional page or part of a page of any Bill ..... \$ 20
  - (d) a nominal fee at the discretion of the Standing Committee on Privileges, Rules and Private Bills shall be recommended for all Private Bills governing incorporation of community organizations in cases where the fees set forth in subsections (a) to (c) would be onerous.
- (2) When a petition for a Private Bill is filed after the day mentioned in section (1) of Rule 69, or when any Rule is suspended to permit the introduction of a Private Bill, the fees payable by the petitioner shall be double the amount fixed in section (1).
- (3) A petitioner shall also pay with respect to any Bill for the incorporation of a company with a stated capital, or for increasing the capital of a company, the same fee as would be payable in the case of an incorporation or increase of capital under the *Companies Act*.
73. No Bill, having for its object the vesting in or conferring upon any person or persons, municipality or body corporate the title to any tract of land shall be received or read in the House unless, before the opening of the Legislative Assembly, at least four weeks' notice containing a full description of the land in question has been published in the *Royal Gazette* and one other newspaper in this Province of the intention of such person or persons, municipality or body corporate to apply for such Bill. A copy of this Rule shall be published in the *Royal Gazette* and one other newspaper over the signature of the Clerk for four consecutive weeks in November and December of every year.
74. A Minister of the Crown shall not sponsor a Private Bill except those affecting municipalities.

## **Petitions**

75. (1) A petition to the House may be presented by a Member at any time during a sitting of the House by filing the same with the Clerk of the House, or, from his place in the House during the appropriate Ordinary Daily Routine (Rule 20(1)(g)).
- (2) On the presentation of a petition in the House, no debate on or in relation to the same shall be allowed.
- (3) No petition shall be received which prays for any expenditure, grant or charge on the public revenue whether payable out of the Consolidated Revenue Fund or out of the monies to be provided by the House.
- (4) Members presenting petitions shall be answerable that they do not contain impertinent or improper matter.
- (5) Every Member presenting a petition shall in presenting a petition confine himself to a statement of the parties from whom it comes, the number of signatures attached, the material allegations it contains and to reading the Prayer of the Petition. (Amended April 4, 1995)
- (6) The petition may also be read by a Clerk at the Table, if requested.
- (7) On the next sitting day following the presentation of a petition, the Clerk of the House shall lay on the Table a report and such report shall be printed in the Daily Journal for that day. Petitions which do not contravene the requirements of section (3) and Rules 69 through 74, (where applicable) shall be deemed to be read and received.
- (8) Petitions for Private Bills shall comply with the requirements of this Rule in addition to the requirements of Rules 69 through 74.

## **Committee of the Whole House**

76. (1) The Rules of the House shall be observed in the Committee of the Whole House insofar as they are applicable, except the Rules as to seconding of motions and limiting the number of times of speaking.
- (2) Speeches in Committee of the Whole House must be strictly relevant to the item or clause under consideration.

- (3) The Chairman shall maintain order in the Committee of the Whole House and decide all questions of order subject to an appeal to the House; but disorder in a Committee may only be censured by the House on receiving a report thereon.
  - (4) Where there is an equality of votes upon a Division in a Committee of the Whole House, the Chairman shall cast a deciding vote.
  - (5) In proceedings of the Committee of the Whole House on Supply (consideration of the Estimates), motions may be introduced for the omission or reduction of a vote but the Chairman shall not entertain a motion to increase, transfer, substitute, or attach a condition to a vote.
77. In proceedings in the Committee of the Whole House on Bills, the preamble, if any, and title are first postponed and then every clause considered in its proper order, and the preamble and title shall be last considered.
78. (1) The previous question may not be moved in Committee.
- (2) A motion that the Chairman leave the Chair is always in order and shall be decided forthwith without debate, but no second motion to the same effect may be made until after some intermediate proceeding has been had.

### **Officers and Servants of the House**

79. The officers of the House are the Clerk, the Clerk Assistant and the Sergeant-at-Arms.
80. Subject to the directions of the Speaker, or the House, the Clerk shall:
- (a) be responsible for the safekeeping of the records and documents of the House;
  - (b) have direction over the Clerk Assistant, Sergeant-at-Arms, committee clerks, doorkeepers, messengers, pages and secretarial staff as may be employed in connection with the House, and is responsible for the safekeeping of the furnishings and fittings of the House;
  - (c) be present at the Table in the Legislative Chamber during sittings of the House;

- (d) prepare and cause to be distributed the Daily Journal and the Order Paper;
  - (e) cause a copy of the Journal for the preceding day and a copy of the Order Paper for the day to be placed each morning on the Speaker's table and on each Member's desk;
  - (f) cause a copy of the Journal for the preceding day to be delivered to the office of the Lieutenant-Governor each day;
  - (g) when the Standing Committees have been appointed, cause a list thereof to be printed and posted in a conspicuous place in the House;
  - (h) at the conclusion of each session, cause the Journal to be indexed, published, and bound;
  - (i) perform such other duties as are assigned by the Speaker;
  - (j) assure that a true copy of each Bill, as reported from Committee of the Whole House, is available for Third Reading;
  - (k) receive command documents during times when the House is not in session and cause same to be distributed to all Members of the House. (Amended April 4, 1995)
81. (1) The hours of attendance of the respective officers and servants of the House during the session shall be fixed from time to time by the Speaker.
- (2) The officers of the House shall complete any work remaining at the close of the session.

### **Standing and Special Committees**

82. (a) At the commencement of each session a Committee of five Members to be named by the mover shall be appointed, on motion of the Leader or other Member of the Government, to nominate the Members to serve on the several Standing and Special Committees.
- (b) Membership on a Standing Committee shall not exceed ten Members. (Amended April 4, 1995)

83. (1) Committees shall be severally empowered to examine and inquire into all such matters and things that may be referred to them by the House; and, in addition, Committees, by majority decision of their membership, may meet to examine and inquire into such matters and things as the Committee deems appropriate (subject to Rule 83(3)). (Amended April 4, 1995)
- (2) Committees shall report to the House from time to time their observations and opinions with power to send for persons, papers and records.
- (3) The Standing Committees shall be:
- (a) (i) Standing Committee on Legislative Management to be composed of the Speaker (as Chair), the Leader of the Official Opposition (or designate), Leader of the Third Party (or designate), Government House Leader (or designate), Government Caucus Chair (or designate), Opposition Caucus Chair (or designate) and the Deputy Speaker (or designate). (Amended November 27, 1997)
- (ii) All designates must be Members of the Legislative Assembly.
- (iii) The Legislative Management Committee is charged with matters as follows:
- (a) policies for the administration of the Legislative Assembly;
- (b) the provision of security, facilities and services, including allocation to party caucuses and individual Members;
- (c) the appointment, supervision and management of the staff of the Legislative Assembly, other than the staff of party caucus offices and the Office of the Leader of the Opposition;
- (d) review of estimates of expenditure for the Legislative Assembly, including the forecasts and analysis of expenditures and financial commitments of the Assembly;

- (e) other matters necessary for the efficient and effective operation and management of the Legislative Assembly.
  - (b) Standing Committee on Privileges, Rules and Private Bills with said Committee charged with matters concerning the Rules and privileges of the Legislative Assembly, Private Bills, and matters concerning the *Conflict of Interest Act* (Section 17) and empowered to sit when the House is not in session.
  - (c) Standing Committee on Public Accounts with said Committee charged with matters concerning the Public Accounts of the Province and the annual report of the Auditor General.
  - (d) Standing Committee on Agriculture, Forestry and Environment with said Committee charged with matters concerning agriculture, forestry and the environment.
  - (e) Standing Committee on Community Affairs and Economic Development with said Committee charged with matters concerning community, cultural and economic affairs, labour and justice.
  - (f) Standing Committee on Social Development with said Committee charged with matters concerning education, health and social development.
  - (g) Standing Committee on Fisheries, Intergovernmental Affairs and Transportation with said Committee charged with matters concerning fisheries, intergovernmental affairs and transportation.
  - (h) Standing Committee on the Constitution of Canada with said Committee charged with matters concerning the Constitution of Canada.
84. Ministers of the Crown are not eligible for appointment to the Standing Committee on Public Accounts and may not attend its meetings other than as witnesses before the Committee. (February 21, 1989)
85. Other Committees, Standing and Special, may be appointed on motion.

86. (1) The Committee Clerk shall, within six sitting days of the approval of the report of the Committee on Committees, call the first meeting of Committees. (February 21, 1989)
- (2) At the first meeting of a Committee a Chairman shall be appointed who shall act as Chairman during the life of the Committee.
- (3) Changes in the membership of any Standing or Special Committee may be effected by a notification thereof signed by the Leader of the Party concerned being filed with the Chairman of the Committee and said changes reported to the House at the earliest convenience.
- (4) Unless otherwise ordered by the House, a majority of the Members of a Committee is a quorum.
87. (1) Committee meetings, excepting those meetings convened to draft a Committee's report, shall be held in public unless a motion is moved and carried to meet *in camera*.
- (2) Notwithstanding section (1), meetings of the Standing Committee on Legislative Management shall be held *in camera*.
88. (1) Notice of the time and place of each meeting of a Committee shall, not less than twenty-four hours before the time of the meeting:
  - (a) be given in writing to each Member of the Committee;
  - (b) be posted in the House precincts; and
  - (c) be given to the media representatives in the Press Gallery.
- (2) The Standing Committee on Legislative Management may determine the time for its meetings without the necessity of complying with section (1), preceding.
89. (1) No Standing or Special Committee shall, except by leave, sit during a sitting of the House.
- (2) Unless otherwise agreed to unanimously, Committee meetings shall be recorded and the recording shall be available, upon request, to Committee Members. Minutes of each meeting are to be prepared for Committee Members.



- (3) A Committee is dissolved by dissolution or prorogation of the House; but the House may, by motion, declare that a Committee is not dissolved by prorogation and may authorize it to continue its inquiries after prorogation.
90. All questions before Committees shall be decided by a majority of voices. In the event the voices are equal, the Chairman has the deciding vote.
  91. (1) All reports of Committees shall be in writing and signed by the Chairman only.
    - (2) A minority report shall not be appended nor received by the House. (February 21, 1989)
    - (3) All reports of Committees shall be presented by a Member of the Committee standing in his place.
    - (4) The Member presenting the report shall first move that the report of the Committee be received and then, if received, that the report be adopted. (February 21, 1989)
    - (5) Any Member may move that the report be referred to a Committee of the Whole House for its consideration and report. (February 21, 1989)
    - (6) Following a motion for adoption, the Committee report may be adopted, amended, rejected or referred back to the Committee for further examination and report.
    - (7) All Committees, Standing and Special, authorized to meet during an intersession, shall make report to the next session of the House within ten sitting days of its commencement. (February 21, 1989)
    - (8) Executive response to intersessional Committee reports must be made in the House sometime during the session in which the report was tabled. Executive response to other Committee reports must be made during the following session of the Legislative Assembly. (Amended April 4, 1995)
  92. A witness summoned to attend before a Committee of the House, except in the case of a Committee considering a Private Bill, may be paid in respect of each day of his attendance a reasonable sum *per diem* as determined by the Speaker and a reasonable allowance for travelling expenses.

## **Official Language**

93. English and French shall be considered official languages in debate.

## **Unanimous Consent**

94. The Assembly may, by unanimous consent, suspend its Rules or waive procedural requirements and precedents.

## **Repeal of Rules**

95. These Standing Orders, with attendant rules, orders and forms of proceeding, are approved for effect on February 24, 1988, and all such heretofore existing Standing Orders, rules, orders and forms of proceeding are repealed as of that date.

# **Bills Procedure**

**(Government, Private and Private Members)**

## **Procedure for Government Bills**

### **First Reading**

(After the Speaker calls “Introduction of Government Bills.”)

1. Promoter: “Mr. Speaker, I beg leave to introduce a Bill to be intituled (*read title of Bill*) and I move, seconded by the Honourable \_\_\_\_\_, that the same be now received and read a First Time.”
2. Speaker: “Shall it carry? Carried.”
3. (*Promoter hands one copy of the Bill to a Page, who hands it to the Clerk.*)
4. Clerk: (*Reads number and title of the Bill, and says*)  
“Read a First Time.”
5. (*Promoter may then give a brief explanation of the intent of the Bill.*)

### **Second Reading and To Committee**

(After the Speaker calls “Orders of the Day Government.”)

1. Promoter: “Mr. Speaker, I move, seconded by the Honourable \_\_\_\_\_, that the (*give number*) Order of the Day be now read.”
2. Speaker: “Shall it carry? Carried.”
3. (*Clerk then reads the requested Order of the Day.*)
4. Promoter: “Mr. Speaker, I move, seconded by the Honourable \_\_\_\_\_, that the said Bill be now read a Second Time.”
5. *Debate, in principle, is permitted at this stage. Following such debate, if any,*
6. Speaker: “Shall it carry? Carried.”

7. Clerk:           *(Reads the number and title of the Bill, and says,)*  
“Read a Second Time.”
8. Promoter:       “Mr. Speaker, I move, seconded by the Honourable \_\_\_\_\_, that  
this House do now resolve itself into a Committee of the Whole  
House to take into consideration the said Bill.”
9. Speaker:        “Shall it carry? Carried.”
10. *(Speaker names a Chairman and leaves the Chair.)*

### **Third Reading and Pass**

(After the Speaker calls “Orders of the Day Government.”)

1. Promoter:       “Mr. Speaker, I move, seconded by the Honourable \_\_\_\_\_, that  
the *(give number)* Order of the Day be now read.”
2. Speaker:        “Shall it carry? Carried.”
3. *(Clerk then reads the requested Order of the Day.)*
4. Promoter:       “Mr. Speaker, I move, seconded by the Honourable \_\_\_\_\_, that the  
said Bill be now read a Third Time.”
5. *(Debatable, though uncommon)*
6. Speaker:        “Shall it carry? Carried.”
7. Clerk:           *(Reads the number and title of the Bill, and then says,)*  
“Read a Third Time.”
8. Promoter:       “Mr. Speaker, I move, seconded by the Honourable \_\_\_\_\_, that  
the said Bill do now Pass.”
9. Speaker:        *(Reads formula for “Pass,” and then puts the question.)*

## **Procedure for Private Bills**

### **Presentation of Petition**

(Note: This step is not required if, in accordance with Rule 75(1), the promoting Member has filed the Petition with the Clerk of the House.)

(Proceed after the Speaker calls “Presenting and Receiving Petitions.”)

1. Promoter: “Mr. Speaker, pursuant to Notice given, I beg leave to present a Petition from (*give names of petitioners*) and others praying for an Act (*give title of Bill*) and I move, seconded by (*give name of seconder*) that the Petition do now lie on the Table for the Examination of the Clerk in accord with Rule 75(7).”
2. Speaker: “Shall it carry? Carried.”

### **Receiving Petition and First Reading**

(Note: This step follows a report from the Clerk, pursuant to Rule 75(7), that the Petition is acceptable as to its form and content and thus deemed to have been read and received.)

(Proceed after the Speaker calls “Presenting and Receiving Petitions.”)

1. Promoter: “Mr. Speaker, the Clerk, having reported that the Petition praying for (*give Title of the Bill*) is in acceptable form, I move, seconded by (*give name of Member*), that the said Bill be now read a First Time.”
2. Speaker: “Shall it carry? Carried.”
3. Clerk: (*Reads number and title of the Bill, and says,*)  
“Read a First Time.”
4. Promoter: “Mr. Speaker, I move, seconded by (*give name of Member*), that the said Bill be referred to the Standing Committee on Privileges, Rules and Private Bills for its consideration and report.”
5. Speaker: “Shall it carry? Carried.”

## **Report of the Standing Committee on Privileges, Rules and Private Bills**

(Note: This step follows review of the Private Bill by the Committee.)

(Proceed after the Speaker calls “Reports by Committees.”)

1. Committee Chairman: “Mr. Speaker, as Chairman of the Standing Committee on Privileges, Rules and Private Bills, I beg leave to present a report of the said Committee on Private Bills, and I move, seconded by *(give name of a Committee Member)* that the same be now received and read.”
2. *(Chairman hands report to a Page, who hands it to the Clerk.)*
3. Speaker: “Shall it carry? Carried.”
4. Committee Chairman: *(Reads report from a copy and says,)* “Mr. Speaker, I move, seconded by *(give name of a Committee Member)* that the report of the Committee be adopted and that consideration of the Private Bill(s) be added to the Orders other than Government of this House.”
5. Speaker: “Shall it carry? Carried.”

## **Second Reading and To Committee**

(Note: May be proceeded with only after the Standing Committee on Privileges, Rules and Private Bills has reported and the Bill in question has been added to “Orders other than Government.”)

(Proceed after the Speaker calls “Orders other than Government.”)

1. Promoter: “Mr. Speaker, I move, seconded by *(give name of Member)*, that the *(give number)* Order of the Day be now read.”
2. Speaker: “Shall it carry? Carried.”
3. *(Clerk then reads the requested Order of the Day.)*
4. Promoter: “Mr. Speaker, I move, seconded by *(give name of Member)*, that the said Bill be now read a Second Time.”

5. *(Debate, in principle, is permitted at this stage. Following such debate, if any,)*
6. Speaker: “Shall it carry? Carried.”
7. Clerk: *(Reads number and title of the Bill, and says,)*  
“Read a Second Time.”
8. Promoter: “Mr. Speaker, I move, seconded by *(give name of Member)*, that this House do now resolve itself into a Committee of the Whole House to take into consideration the said Bill.”
9. Speaker: “Shall it carry? Carried.”

### **Third Reading and Pass**

*(Proceed after the Speaker calls “Orders other than Government.”)*

1. Promoter: “Mr. Speaker, I move, seconded by *(give name of Member)*, that *(give number)* Order of the Day be now read.”
2. Speaker: “Shall it carry? Carried.”
3. *(Clerk reads requested Order of the Day.)*
4. Promoter: “Mr. Speaker, I move, seconded by *(give name of Member)*, that the said Bill be now read a Third Time.”
5. *(Debatable, though uncommon.)*
6. Speaker: “Shall it carry? Carried.”
7. Clerk: *(Reads number and title of Bill, and then says,)*  
“Read a Third Time.”
8. Promoter: “Mr. Speaker, I move, seconded by *(give name of Member)*, that the said Bill do now Pass.”
9. Speaker: *(Reads formula for “Pass,” and then puts the question.)*

## **Procedure for Private Members Bill**

A Member intending to introduce a Private Members Bill must, a) have prior notice of intent by handing notice to the Table for printing in the Notices of Motion paper, and, b) assure, in consultation with the Law Clerk of the House, that the intended Bill is properly drafted.

### **First Reading**

(After the notice has been in Members' books for at least one clear day, the Promoter proceeds after the Speaker calls "Motions other than Government.")

1. Promoter: "Pursuant to notice given, I beg leave to introduce a Bill to be intituled (*give the title of Bill*), and I move, seconded by (*give name of Member*), that the same be now received and read a First Time."

(Then, follow steps 2 through 5 as for Government Bills.)

### **Second Reading and To Committee**

(Proceed after the Speaker calls "Orders other than Government.")

(Then, follow steps 1 through 10, as for Government Bills.)

### **Third Reading and Pass**

(Proceed after the Speaker calls "Orders other than Government.")

(Then, follow steps 1 through 9, as for Government Bills.)



## Tabling of Documents

### A. By Command of the Lieutenant-Governor (by the Ministry)

(After the Speaker calls “Tabling of Documents.”)

Minister Tabling: “Mr. Speaker, by Command of His/Her Honour the Lieutenant-Governor, I beg leave to table (*give name of document and department or agency concerned*) for the period ending (*give date*) and I move, seconded by the Honourable \_\_\_\_\_, that the said document be now received and do lie on the Table.”

Speaker: “Shall it carry? Carried.”

(*Minister hands document to a Page who hands it to the Clerk.*)

### B. By Leave of the House

(After the Speaker calls “Tabling of Documents.”)

Tabling Member: “Mr. Speaker, by Leave of the House, I beg leave to table (*give name of document and its authority, or whatever*) and I move, seconded by (*name of MLA seconding*), that the said document be now received and do lie on the Table.”

Speaker: “Shall it carry? Carried.”

(*Tabling MLA hands document to a Page, who hands it to the Clerk.*)

**Guidelines for Standing and Special Committees  
of the Legislative Assembly of Prince Edward Island  
(As Approved by the House on February 21, 1989)**

**General**

1. The proceedings in all Committees of the House shall be guided by the Rules of the House.
2. In all cases not provided for in the Rules or by sessional or other Orders, the usages and customs of the House of Commons of Canada in force at the time shall be followed so far as they are applicable to the functioning of the Committees of this House.

**Membership**

3. (1) At the commencement of each session a Committee of five Members (comprised of three Members of Government and two other Members of the Legislative Assembly) to be named by the mover shall be appointed, on motion of the Leader or other Member of the Government, to nominate the Members to serve on the several Standing Committees.  
(2) The Committee referred to in section (1) shall be styled the Committee on Committees.
4. (1) The membership of the Committees shall be allocated by the Committee on Committees in generally the same proportion as that of the recognized political parties in the House itself, if such approach is practicable.  
(2) Notwithstanding subsection (1), in no case shall the Official Opposition have fewer than two Members on any one committee, unless there are fewer than two members of the Official Opposition. **(April 20, 2005)**
5. (1) Members of the House who are not members of a particular Committee are entitled to be present at the sitting of all Committees; but they may not vote, move motions or be part of any quorum for Committees of which they are not members. They may participate during Committee examination of witnesses but they do so usually at the discretion of the Committee through the Chairman.  
(2) On the grounds of established usage and courtesy to the Committee, they normally retire when the Committee is about to deliberate upon its report. The Committee, in the case of refusal to retire, has no power to order them to withdraw as Members cannot be excluded by the authority of the Committee. In such circumstances, the Committee should either adjourn or report the matter to the House.

6. Ministers of the Crown are not eligible for appointment to the Standing Committee on Public Accounts and may not attend its meetings unless called as witnesses.
7. Changes in the membership of any Standing or Special Committee may be effected by the notification thereof signed by the Leader of the Party concerned to be effective when filed with the Chairman of the Committee and said changes reported to the House at the earliest opportunity. Alternately, the Leader of the Party concerned may make verbal announcement of the changes or substitutions during the daily routine of business "Reports by Committees."

### **Standing Committees**

8. (1) Committees shall be severally empowered to examine and inquire into all such matters and things that may be referred to them by the House; and in addition, Committees, by majority decision of their membership, may meet to examine and inquire into such matters and things as the Committee deems appropriate (subject to Rule 83(3)). (Amended April 4, 1995)
- (2) Committees shall report to the House from time to time their observations and opinions with power to send for persons, papers and records.
- (3) The Standing Committees shall be:
  - (a) (i) Standing Committee on Legislative Management to be composed of the Speaker (as Chair), the Leader of the Official Opposition (or designate), Leader of the Third Party (or designate), Government House Leader (or designate), Government Caucus Chair (or designate), Opposition Caucus Chair (or designate) and the Deputy Speaker (or designate). (Amended November 27, 1997)
  - (ii) All designates must be Members of the Legislative Assembly.
  - (iii) The Legislative Management Committee is charged with matters as follows:
    - (a) policies for the administration of the Legislative Assembly;

- (b) the provision of security, facilities and services, including allocation to party caucuses and individual Members;
  - (c) the appointment, supervision and management of the staff of the Legislative Assembly, other than the staff of party caucus offices and the Office of the Leader of the Opposition;
  - (d) review of estimates of expenditure for the Legislative Assembly, including the forecasts and analysis of expenditures and financial commitments of the Assembly;
  - (e) other matters necessary for the efficient and effective operation and management of the Legislative Assembly.
- (b) Standing Committee on Privileges, Rules and Private Bills with said Committee charged with matters concerning the Rules and privileges of the Legislative Assembly, Private Bills, and matters concerning the *Conflict of Interest Act* (Section 17) and empowered to sit when the House is not in session.
  - (c) Standing Committee on Public Accounts with said Committee charged with matters concerning the Public Accounts of the Province and the annual report of the Auditor General.
  - (d) Standing Committee on Agriculture, Forestry and Environment with said Committee charged with matters concerning agriculture, forestry and the environment.
  - (e) Standing Committee on Community Affairs and Economic Development with said Committee charged with matters concerning community, cultural and economic affairs, labour and justice.
  - (f) Standing Committee on Social Development with said Committee charged with matters concerning education, health and social development.

- (g) Standing Committee on Fisheries, Intergovernmental Affairs and Transportation with said Committee charged with matters concerning fisheries, intergovernmental affairs and transportation.
  - (h) Standing Committee on the Constitution of Canada with said Committee charged with matters concerning the Constitution of Canada.
9. Other Committees, Standing and Special, may be appointed on motion.
  10. The Committee Clerk shall, within six sitting days of the acceptance of the report of the Committee on Committees, call the first meeting of the Committee, at which time a Chairman shall be appointed who shall act as Chairman during the life of the Committee.

### **Quorum**

11. Unless otherwise ordered by the House, the majority of the Members of a Committee is a quorum.

### **Terms of Reference**

12. Committees shall be severally empowered to examine and inquire into all such matters and things that may be referred to them by the House, and to report from time to time their observations and opinions with power to send for persons, papers and records.
13.
  - (1) Committees are regarded as creatures of the House and are governed, for the most part, in their proceedings by the same Rules which prevail in the House with the exception as to the seconding of motions and limiting the number of times of speaking.
  - (2) Committees receive their authority from the House itself and the authority of the House overrides that of any Committee.
  - (3) Committees should remain masters of their own procedure and the Speaker should not exercise procedural control over the Committees.

## Operating Routine

14. (1) Committee meetings, excepting those meetings convened to draft a Committee's report, shall be held in public unless a motion is moved and carried to meet *in camera* (see Guideline 29).
- (2) Notwithstanding section (1), meetings of the Standing Committee on Legislative Management shall be held *in camera*.
- (3) For Committee meetings held in public, audio and visual coverage of the proceedings by the media is permitted. (August 11, 1993)
- (4) Notwithstanding section (3), camera (visual) and audio coverage of a Committee's proceedings may be denied if, in the opinion of the Committee, a witness or witnesses may feel uncomfortable with such coverage. (August 11, 1993)
15. (1) Notice of time and place of each meeting of a Committee shall, not less than twenty-four hours before the time of the meeting:
  - (a) be given in writing to each Member of the Committee;
  - (b) be posted in the House;
  - (c) be posted for the information of the media representatives in the Press Gallery.
- (2) The Standing Committee on Legislative Management may determine the times for its meetings without the necessity of complying with section (1), preceding.
16. (1) No Standing or Special Committee shall, except by leave, sit during the sitting hours of the House.
- (2) Unless otherwise agreed unanimously, the Committee meetings shall be recorded and the recording shall be available, upon request, to Committee Members. Minutes of each meeting are to be prepared for Committee Members.
- (3) A Committee is dissolved by dissolution or prorogation of the House, but the House may, by motion, determine that a Committee is not dissolved by prorogation and may authorize it to continue its inquiries after prorogation.

## **Divisions**

17. All questions before Committee shall be decided by a majority of voices. In the event that the voices are equal, the Chairman shall have the deciding vote.
18. The decision of the Committee shall be determined by the majority of those voting on the question.
19. No Member may raise a question of privilege or a point of order when a Division is being taken.
20. With the exception of proceedings on Private Bills, the Chairman of a Committee may vote only when there is an equality of votes. In giving a casting vote, the Chairman is guided by the same principles as the Speaker in the House.

## **Reports**

21. (1) All Committee reports shall be in writing and signed by the Committee Chairman only.
- (2) A minority report shall not be appended nor received by the House.
- (3) All reports of the Committee shall be presented to the House by a Member of the Committee standing in his place.
- (4) The Member presenting the report shall first move that the report be received and then that the report be adopted.
- (5) Any Member may move that the report be referred to a Committee of the Whole House for its consideration and report.
- (6) Following a motion for adoption, the Committee report may be adopted, amended, rejected or referred back to the Committee for further examination and report.
- (7) All Special and Standing Committees meeting during the intersession shall report to the House not more than ten sitting days from the commencement of the session.

- (8) Executive response to intersessional Committee reports must be made in the House sometime during the session in which the report was tabled. Executive response to other Committee reports must be made during the following session of the Legislative Assembly.
22. The report of a Standing or Special Committee is considered final only after adoption by the House because, until then, the House can refer it back to the Committee with instruction to amend it in any particular.
23. It is a breach of privilege for anyone to publish or make reference to the content of a Committee report prior to its presentation in the House.

### **Remuneration for Witnesses**

24. A witness resident outside of Prince Edward Island summoned to attend before a Committee of the House, except in the case of a Committee considering a Private Bill, may be paid in respect of each day's attendance a reasonable sum *per diem* as determined by the Speaker and a reasonable allowance for travelling expenses.

### **Order and Decorum**

25. (1) Disobedience to the order of proceedings of a Committee, provided those orders are within the scope of the Committee's authority, is a contempt of the House.
- (2) The Chairman is responsible for order and decorum in Committee meetings.
26. All decisions of the Chairman may be appealed within the Committee, but there is no appeal to the House from a Chairman's ruling except by way of a report from the Committee to the House.
27. Procedural difficulties which arise in Committees ought to be settled in the Committee and not brought to the House.
28. A Committee has no authority to punish one of its Members or witnesses before it for an offense committed before it. The Committee may only report any such offense to the House for its determination.



## ***In Camera Meetings***

29. (1) As provided in Guideline 14(1), Committees may meet *in camera* provided that a motion is moved and carried to that effect.
- (2) The purpose of an *in camera* meeting is to enable a Committee to be free to discuss, deliberate, negotiate and, on occasion, compromise without the glare of publicity. *In camera* meetings are always held when a Committee is drafting its report and, less frequently, when a Committee may feel it appropriate to hear evidence in private.
- (3) When a Committee, by motion, sits *in camera*, its proceedings are protected by privilege. Any publication of its proceedings, either in written or verbal form is an offense which the House may deal with.
- (4) As for public meetings of Committees, the proceedings of *in camera* meetings may, as a Committee may determine, be recorded and transcribed. Any such transcriptions and recordings are to be considered and marked confidential, and there is to be no release of any tape or transcript beyond the membership of the Committee.

## **Witnesses**

30. The Committee, by majority, decides which witnesses should be called, if any.
31. Every witness attending before any Committee may claim the protection of the House in respect of the evidence called upon to give and may also ask leave to be assisted by (but not speak through) counsel.
32. When the Committee decides that a certain person should appear as a witness, it may direct the Committee Clerk to invite that person to appear; or if necessary, the Committee may adopt a motion requesting that person to be summoned before the Committee.
33. Witnesses are required to answer all questions put to them by the Committee.

## **Expert Assistance**

34. Committees may, with the permission of the House, engage persons with expert knowledge to assist the Committee in its deliberations.