



DEBATE AND VOTING

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INTRODUCTION

As with all deliberative bodies, discussion in the House of Commons must always be relevant to some definite proposal or motion. The House makes up its mind on these specific proposals by deciding on questions put to it by the Speaker. Without a motion and a question, there can be no debate. Once the Speaker proposes a question to the House, debate may take place. The Speaker has extensive powers to enforce the rules of debate—which are, in general, limitations on what may be said, when and by whom, and for how long—in order to guide the flow of debate and protect it from excess.

During the process of debate, the House follows a basic sequence of steps: providing notice of the motion, moving and seconding the motion, proposing the question from the Chair, debating the motion, amending the motion, putting the question on the motion, and arriving at a decision on the motion.

MOTIONS

In order to bring a proposal before the House and obtain a decision on it, a motion is necessary. A motion is a proposal moved by one Member in accordance with well-established rules that the House do something, or order that something be done or express an opinion with regard to some matter. A motion initiates a discussion and gives rise to the question to be decided by the House.

While there may be many items on the *Order Paper* awaiting the consideration of the House, only one motion can be debated at any one time. After the Chair has proposed a motion, the House is formally seized of it. A motion may be debated, amended, superseded, adopted, defeated or withdrawn.

A motion is adopted if it receives the support of the majority of the Members present in the House at the time the decision is taken. Every motion, once adopted, becomes either an order or a resolution of the House. Through its orders, the House regulates its proceedings or gives an instruction to its Members or officers, or one of its committees. A resolution makes a declaration of opinion or purpose; it does not have the effect of requiring that any action be taken, nor is it binding. The House has frequently brought forth resolutions in order to show support for some action.

DETAILED ARTICLES

Types of Motions

Debatable and Non-debatable Motions

NOTICE OF A MOTION

In order to bring a substantive proposal before the House, a notice of motion must generally be given. This is to provide Members and the House with some prior warning so that they are not called upon to consider a matter unexpectedly.

In most cases, notices of motion are required to be submitted in writing and printed in the *Notice Paper*. Generally, the written notices of motions are for substantive motions—self-contained motions that are not dependent on any other question before the House. There are also provisions where notices of motion are simply given orally during a sitting of the House. There are, however, some types of motions that do not require any notice.

DETAILED ARTICLE

Notices of Motion

MOVING A MOTION

A Member launches the process of debate in the Chamber by proposing or moving a motion. All motions in the House require a seconder. Any Member may act as a seconder, even for government motions, which may be moved only by Ministers. Once a motion is moved and seconded, it is still not properly before the House—that is, it may not be debated—until it has been proposed and read from the Chair.

Before reading a motion to the House, it is the Speaker's duty to ensure that the motion is procedurally in order. This is done by verifying that:

- the notice requirement (if any) was satisfied;
- the wording of the motion corresponds with the notice; and
- it contains no objectionable or irregular wording.

Any part of a motion found out of order renders the whole motion out of order.

If the motion is found to be in order, and then moved and seconded, the Speaker proposes it to the House. The Speaker then recognizes the mover as the first to speak in debate. If the mover chooses not to speak, he or she is nonetheless deemed to have spoken (the Member is considered to have said “I move” and this is taken as a speech in the debate). The Member who seconds a motion is not required to speak to it at this point, but may choose to do so later in the debate.

A Member wishing to withdraw his or her motion or replace it with another must request and obtain unanimous consent to do so. However, no motion or amendment may be withdrawn if an amendment or subamendment to it is before the House.

DEBATE

Freedom of speech is one of the most important privileges enjoyed by Members of Parliament. This freedom is circumscribed, however, by the necessity of maintaining order and decorum when debate is taking place. Thus, the right to speak is tempered by the written rules of the House, which are, in general, limitations on what may be said, when, by whom and for how long.

Any Member participating in debate must address the Chair. Since one of the basic principles of procedure in the House is that the proceedings be conducted in terms of a free and civil discourse, Members are less apt to engage in direct heated exchanges and personal attacks when their comments are directed to the Chair rather than to another Member. Members must also refrain from engaging in repetitious or irrelevant debate.

A Member who believes that the rules or customary procedures of the House have been incorrectly applied or overlooked during the proceedings may raise a point of order. This may be done at virtually any time in the proceedings, provided the point of order is raised and concisely argued as soon as the irregularity occurs. As a point of order concerns the interpretation of the rules of procedure, it is the responsibility of the Speaker to determine its merits and to resolve the issue.

DETAILED ARTICLES

Rules of Debate

Rules of Decorum

Time Limits on Debate

Closure and Time Allocation

Points of Order

AMENDMENTS

A motion in amendment arises out of debate and is proposed either to modify the original motion in order to make it more acceptable to the House or to present a different proposition as an alternative to the original. An amendment must be relevant to the main motion. It requires no notice and is submitted in writing to the Chair. After the amendment has been moved, seconded and examined as to its procedural acceptability, the Chair submits it to the House. Debate on the main motion is set aside and the amendment is debated until it has been decided, whereupon debate may resume on the main motion and another amendment may be proposed.

A subamendment is an amendment proposed to an amendment. Subamendments must be strictly relevant to the amendment and seek to modify the amendment, not the original question. In most cases, there is no limit on the number of amendments which may be moved; however, only one amendment and one subamendment may be before the House at any one time.

DETAILED ARTICLE

Amendments

SUPERSEDING MOTIONS

A superseding motion is one that is moved for the purpose of superseding (or replacing) the question before the House. Superseding motions can be moved without notice when any other debatable motion is before the House. There are two types of superseding motions: the previous question and several motions known collectively as dilatory motions.

The previous question is a motion, "That this question be now put". Its primary function is to preclude all amendment to the main motion. If adopted, it forces the House to proceed to an immediate decision on the main question. A unique feature of the previous question is that contrary to other superseding motions, it is debatable.

Dilatory motions are superseding motions designed to dispose of the original question before the House, either for the time being or permanently. Although dilatory motions are often used for the express purpose of causing delay, they may also be used to advance the business of the House. Thus, dilatory motions are used both by the government and the opposition. Examples of dilatory motions include motions to adjourn the debate, to adjourn the House and to proceed to the Orders of the Day.

DETAILED ARTICLES

Previous Question

Dilatory Motions

VOTING

The will of the House is ascertained by means of a vote. Once debate on a motion has concluded, either because no Member rises to speak or because of a predetermined deadline, the Speaker puts the question and the House pronounces itself on the motion. A simple majority of the Members is required to adopt or defeat a question.

A decision on a motion before the House can be made with no dissenting voices, in which case the motion is adopted and no vote (or division) is taken. Members who do not wish a motion to be carried or lost

unanimously, but who do not want a recorded division, may indicate their position by simply stating “on division”. The Speaker will then declare the motion carried or lost on division. When there are dissenting voices, a vote is taken. This can be either a voice vote or a recorded vote, where the House is called on to divide into the “yeas” and the “nays”.

In the case of a voice vote, the Speaker listens to Members saying “yea” and “nay”, judges the voices and states his or her opinion as to the result. If there is no objection, the Speaker declares the motion carried or lost, as the case may be. However, if five or more Members rise to signal a demand for a recorded vote, the Speaker will ask that the Members be called in for that purpose.

RECORDED DIVISIONS

Once the Speaker has ordered that the Members be called in for a recorded vote, the division bells are rung and the party Whips assemble their Members. Division bells can ring for a maximum of either 15 or 30 minutes, depending on whether the vote is scheduled or unscheduled.

A recorded division on a motion, if demanded, need not be held immediately. At the request of the Chief Government Whip or the Chief Opposition Whip, it may be deferred to a later time pursuant to various provisions in the Standing Orders or by a special order of the House.

Once the vote has been held and the “yeas” and “nays” counted, the Clerk rises and reports the result of the vote to the Speaker. The Speaker then declares the motion carried or defeated.

In the event of a tie vote, the Speaker has a deciding or casting vote. It should be noted that the casting vote is not an expression of the Chair occupant’s opinion on the matter, but a procedural mechanism used to ensure that the business of the House is not obstructed. When using the casting vote, the Speaker may briefly explain the reasons for voting in a given manner. The reasons are then entered in the *Journals*.

There is no rule requiring a Member to vote. A Member may abstain from voting simply by remaining seated during the vote. Such abstentions have no official status and are not recorded.

DETAILED ARTICLES

Voice Votes

Deferred Votes

Recorded Votes

UNANIMOUS CONSENT

At times, the House may choose to depart from the rules it has made for itself by obtaining the consent of all Members present in the House. Such a suspension of the rules or usual practices is done by what is termed “unanimous consent”.

For the most part, unanimous consent is used as a means of expediting the routine business of the House or as a means of extending the courtesies of the House. For example, unanimous consent can be used to alter the usual speaking rotation, briefly extend the length of speeches or permit a Member who has already spoken to make additional comments.

The arrangement of House business is also commonly achieved by unanimous consent. This may involve changes to the order of business, the suspension of sittings, alterations in adjournment hours or sitting days and special orders respecting procedures for individual events.

Despite the variety of uses to which it has been put, unanimous consent cannot be utilized to circumvent any and every rule or practice of the House. For example, unanimous consent may not be used to set aside provisions of the *Constitution Act* or any other statutory authority.

DETAILED ARTICLE

Unanimous Consent

MORE INFORMATION—DEBATE AND VOTING

House of Commons Procedure and Practice, Second Edition, 2009

Chapter 12, The Process of Debate

Chapter 14, The Curtailment of Debate

Standing Orders of the House of Commons

Chapter VI, Process of Debate

Chapter VIII, Motions

Find this and other articles on House of Commons procedure by visiting the *Compendium of Procedure* Web site at www.parl.gc.ca/compendium-e.

For further information about the procedures of the House of Commons, please contact the Table Research Branch at (613) 996-3611 or by e-mail at trbdrb@parl.gc.ca.

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