



STANDING ORDERS

of

THE SENATE

of

BARBADOS



Made under the Constitution of Barbados, Section 50(1)

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STANDING ORDERS OF THE HONOURABLE THE SENATE OF BARBADOS

Made under the Constitution of Barbados, Section 50(1)

SENATORS AND OFFICERS OF THE SENATE

1. Oath of Allegiance

No Senator shall take his seat in the Senate until he has duly made and subscribed the oath or affirmation of allegiance.

2. Election of President

(1) Whenever it is necessary for the Senate to elect a Senator to be President, the procedure for the election shall be as provided in this Order.

(2) Any Senator, having first ascertained that the Senator to be proposed is willing to serve if elected, may, addressing himself to the Clerk, propose any other Senator (not being a Minister or Parliamentary Secretary) to the Senate as President. The proposal shall require to be seconded but, except as provided in paragraph (4) of this Order, no debate shall be allowed.

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

(4) If more than one Senator is so proposed, the Clerk shall, after all such Senators have been proposed and seconded, propose the question that the first Senator 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 that the first Senator proposed do take the Chair of the Senate as President.

(5) If a majority is not in favour of the Senator first proposed, the Clerk shall successively put the same question in respect of the other Senators so proposed, in the order in which they were proposed until the question is carried in favour of one of them.

3. Election of Deputy President

(1) Whenever there is a vacancy in the office of Deputy President the Senate shall proceed to elect a Senator (not being a Minister or Parliamentary Secretary) to be Deputy President.

(2) The election of the Deputy President shall be conducted in a similar manner to the election of the President save that the President shall preside.

4. Presiding in the Senate and in Committees

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

(2) Save as otherwise provided in these Standing Orders, the Deputy President, or other Senator presiding, shall have all the authority and power of the President when presiding or otherwise performing the function of the President.

(3) The President may, without any formal communication to the Senate or to the Committee, request the Deputy President to take the Chair.

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

5. Language

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

(2) Every petition shall be in the English language.

6. Duties of the Clerk

(1) The Clerk shall be responsible for keeping the Minutes of Proceedings of the Senate and of Committees of the whole Senate, which shall record the names of Senators attending, all decisions taken and details of every division held.

(2) The Clerk shall submit the Minutes of the Proceedings of each sitting to the President for his signature and shall then circulate

copies thereof to Senators before the commencement of the next sitting.

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

(4) The Clerk shall be responsible for preparing from day to day an Order Book showing all business appointed for any future day and any notices of questions or motions which have been set down for a future day whether for a day named or not given. The Order Book shall be opened to the inspection of Senators at all reasonable hours.

(5) The Clerk shall be responsible for preparing for each sitting a Business Paper containing the business for that sitting.

(6) The Clerk shall cause to be circulated to each Senator the Business Paper so prepared in respect of each sitting of the Senate at least three days before each sitting.

(7) The Clerk shall be responsible for the custody of the votes, records, bills and other documents laid before the Senate, which shall be open to inspection by Senators and other persons under such arrangements as may be sanctioned by the President.

(8) It shall be the responsibility of the Clerk to provide every Select Committee of the Senate with a clerk and, if so required by the Committee, a shorthand writer.

7. Quorum

(1) The Quorum of the Senate and of a Committee of the whole Senate shall consist of eight Senators (excluding the Senator in the Chair).

(2) If any Senator draws the attention of the President in the Senate or of the Chairman in Committee of the whole Senate to the fact that a quorum is not present, the President or Chairman, as the case may be, shall direct Senators to be summoned as if for a division.

(3) When the order to summon Senators has been given in the Senate, the President shall, after the expiration of five minutes, count

the Senate. If a quorum is not then present, he shall adjourn the Senate without question put. The adjournment shall be for seven days unless the President otherwise directs.

(4) When the order to summon Senators has been given in Committee of the whole Senate, the Chairman shall, after the expiration of two minutes, count the Committee. If he ascertains that a quorum is not then present, he shall leave the Chair, the Senate shall resume and the President shall count the Senate. If a quorum is then present, the Senate shall again resolve itself into Committee; but if a quorum is not present, the President shall adjourn the Senate without question put. The adjournment shall be for seven days unless the President otherwise directs.

(5) If, from the number of Senators taking part in a division, including those Senators who declined to vote, it appears that a quorum is not present, the division shall be invalid, the business then under consideration shall stand over until the next sitting, and the Senate or Committee shall be counted in accordance with paragraph (3) or paragraph (4) of this Order.

SITTINGS OF THE SENATE

8. Days and Hours of Sittings

The Senate shall meet on such days and at such times as it may from time to time decide or, in default of such decision, as the President may direct.

9. Adjournment of the Senate

(1) A Minister or a Parliamentary Secretary may move "That the Senate do now adjourn" at any time after the conclusion of questions at any sitting and on such a motion being made a debate may take place in which any matter for which the Cabinet is responsible may be raised by any Senator who, in accordance with the next succeeding paragraph of this Order, has obtained the right to raise a matter on the motion for the adjournment of the Senate on that day.

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

10. Adjournment – Definite matter of urgent public importance

(1) No Senator other than a Minister or a Parliamentary Secretary may move the adjournment of the Senate except in accordance with the following paragraphs of this Order.

(2) A Senator who wishes so to ask leave to move the adjournment of the Senate shall, before the commencement of the sitting, hand to the President a written notification of the matter which he wishes to discuss. The President shall refuse to allow the claim unless he is satisfied that the matter is definite, urgent and of public importance, and may properly be raised on a motion for the adjournment of the Senate.

(3) If the President is so satisfied and either

(a) leave of the Senate is given; or

(b) if it is not given, at least eight Senators rise in their places to support the request,

the motion shall stand over until such hour on the same day as the President may appoint, and at that hour any proceedings on which the Senate is engaged shall be postponed until the motion for the adjournment is disposed of.

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

ARRANGEMENT OF BUSINESS

11. Order of Business

Unless the Senate otherwise directs, the business of each sitting shall be transacted in the following order:—

(a) Formal entry of President.

(b) Prayers.

(c) Messages from the Governor-General.

(d) Announcements by the President.

(e) Presentation of Petitions.

(f) Presentations of Papers.

(g) Reports from Select Committees.

(h) Questions to Ministers.

(i) Requests for leave to move the adjournment of the Senate on matters of urgent public importance.

(j) Statements by Ministers or Parliamentary Secretaries.

(k) Personal explanations.

(l) Motions relating to the Business or Sitzings of the Senate and moved by a Minister.

(m) Introduction of Bills.

(n) Public Business.

(o) Private Members' Business.

PETITIONS AND PAPERS

12. Presentation of Petitions

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

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

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

(4) All Petitions shall be ordered to lie upon the Table without question put unless a Senator when presenting a Petition moves for it to be read, printed or referred to a Select Committee. Any such motion shall be decided forthwith without debate.

(5) The Senate will not receive any Petition:—

- (a) which is not addressed to the Senate and which is not properly and respectfully worded;
- (b) which has not at least one signature on the sheet on which the prayer of the Petition appears and which has not at least the prayer at the head of each subsequent sheet of signatures; or
- (c) except on the recommendation of the Cabinet which, in the opinion of the President, requests that provision be made for imposing or increasing any charge on the revenues or other funds of the Island or for altering any such charge otherwise than by reducing it or for compounding or remitting any debt due to the Island.

13. Presentation of Papers

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

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

(3) All papers presented to the Senate shall be ordered to lie upon the Table without question put. Any motion for the printing thereof shall be determined without amendment or debate.

QUESTIONS

14. Nature of Questions

Questions may be put to a Minister relating to Public affairs for which the Cabinet is responsible.

15. Notice of Questions

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

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

(3) A Senator who desires an oral answer to a question shall mark his notice with an asterisk and such a question shall be put down for a day to be named by the Senator being a day not earlier than fourteen clear days after the question has appeared on the Business Paper. A question not so marked may be put down for the next sitting day of the Senate and the answer when received shall be circulated with the Minutes of Proceedings.

16. Contents of Questions

(1) The right to ask a question shall be subject to the following general rules, as to the interpretation of which the President shall be the sole judge:—

- (a) The proper object of a question is to obtain information on a question of fact within the official cognizance of the Cabinet, or to ask for official action.
- (b) A question shall not include the names of persons or any statements of fact, unless they be necessary to render the question intelligible.

- (c) If a question contains a statement of fact, the Senator asking it shall make himself responsible for the accuracy of the statement, and no question shall be based upon a newspaper report, or upon an unofficial publication.
- (d) No Senator shall address the Senate upon any question, and a question shall not be made the pretext for a debate.
- (e) Not more than one subject shall be referred to in any one question, and a question shall not be of excessive length.
- (f) A question shall not contain arguments, inferences, opinions, imputations, epithets, ironical expressions or hypothetical cases.
- (g) 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;
 - (ii) seeking information about matters which are in their nature secret;
 - (iii) regarding proceedings in a Committee which have not been placed before the Senate by a report from the Committee;
 - (iv) which deals with matters referred to a Commission of Enquiry or within the jurisdiction of the Chairman of a Select Committee;
 - (v) as to the character or conduct of a person except in his official or public capacity;
 - (vi) about any matter then pending before any Court of Justice, or which reflects on the decision of a Court of Justice;
 - (vii) reflecting on the character or conduct of any person whose conduct can only be challenged on a substantive motion under Standing Order 34 (Contents of Speeches);

- (viii) asking whether statements in the press, or of private individuals, or unofficial bodies are accurate;
- (ix) the answer to which can be found by reference to available official publications; or
- (x) referring discourteously to, or seeking information about, the internal affairs of any territory within the Commonwealth or of a friendly Foreign Country.

(h) A question shall not solicit the expression of an opinion on the solution of an abstract legal question, or of a hypothetical proposition.

(2) If the President is of the opinion that any question of which a Senator has given notice to the Clerk infringes the provisions of any Standing Order or is in any way an abuse of the right of questioning he may direct:—

- (a) that the Senator concerned be informed that the question is out of order; or
- (b) that the question be entered in the Order Book with such alterations as he may direct.

17. Manner of Asking and Answering Questions

(1) At the time appointed for the oral asking and answering of questions under Standing Order No. 11 (Order of Business), the President shall call in turn upon each Senator in whose name a question stands upon the Order Paper, in the order in which the questions are printed. Each Senator so called shall rise in his place and ask the question by reference to its number on the Order Paper, and a Minister or a Parliamentary Secretary shall give the reply.

(2) After the answer to a question has been given supplementary questions may, at the discretion of the President be put for the purpose of elucidating the answer given orally, but the President may refuse any such question which in his opinion introduces matters irrelevant to the original question or which infringes any of the provisions of Standing Order No. 16 (Contents of Questions), and may in that case direct that such question be not reported in the Official Report.

(3) When all the questions for which an oral answer is required have been called, the President if time permits shall call again any question which has not been asked by reason of the absence of the Senator in whose name it stands; in which case a Senator can ask a question for another Senator if deputed by him to do so. The President shall also call again any question which has not been answered by reason of the absence of the Minister to whom it is addressed.

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

(5) Not more than three questions requiring an oral answer shall appear on the Order Paper in the name of the same Senator for the same day and any question in excess of this number shall not be called by the President but shall be answered as provided in paragraph 7 of this Order, save that no postponement shall be allowed.

(6) No question shall be asked later than three-quarters of an hour after the opening of the sitting except any question which the President has allowed to be asked without notice under paragraph (1) of Standing Order No. 15 (Notice of Questions).

(7) Questions which have not received an oral answer three-quarters of an hour after the opening of the sitting shall be answered in writing and copies of the answer shall be sent immediately after that hour to the Clerk, who shall send a copy to the Senator in whose name the question stood upon the Order Paper and cause the answer to be circulated with the Minutes of Proceedings, unless at any time earlier than three-quarters of an hour after the opening of the sitting a Senator having a question on the Order Paper but whose name has not yet been called by the President signifies to the Clerk at the Table his desire to postpone the question to a later sitting or to withdraw it.

PERSONAL EXPLANATIONS

18. Personal Explanations

With the leave of the President, a Senator may make a personal explanation for a period not exceeding ten minutes at the time

appointed under Standing Order No. 11 (Order of Business) although there is no question before the Senate; but no controversial matter may be brought nor may debate arise upon the explanation.

PUBLIC BUSINESS

19. Arrangement of Public Business

(1) Public business shall consist of motions and public bills.

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

(3) Government Business shall consist of motions proposed and bills introduced by a Minister or a Parliamentary Secretary and shall be set down in such order as the Minister in charge of Government Business shall direct.

(4) Private Members' Business shall be set down on the Business Paper for a particular day in the order in which it was entered in the Order Book for that day, and business so entered shall take precedence over any business postponed from a previous day.

MOTIONS AND AMENDMENTS THERETO

20. Questions for Debate

Except as provided by section 54(4) of the Constitution, the Senate shall not proceed upon any motion or amendment to a motion the effect of which, in the opinion of the President is that provision should be made for imposing or increasing any tax, for imposing or increasing any charge on the revenues or other funds of the Island or for altering any such charge otherwise than by reducing it, or for compounding or remitting any debt due to the Island.

21. Notice of Motions or Amendments

(1) Where under any Standing Order notice is required such notice shall be given in writing, signed by the Senator and addressed

to the Clerk. Such notice shall be handed to the Clerk or sent to, or left at, the Clerk's Office during the hours prescribed for the purpose.

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

- (a) that the Senator concerned be informed that the notice of motion is out of order; or
- (b) that the notice be entered in the Order Book with such alterations as he may direct;
- (c) not more than three notices of motion in the name of the same Senator other than a Minister or a Parliamentary Secretary may be entered on the Order Paper of any sitting.

(3) Copies of motions and amendments sent to the Clerk shall be circulated by him to Senators, and, in case of amendments to Bills, shall be arranged, as far as may be, in the order in which they will be proposed.

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

22. Period of Notice

(1) Except as provided in the next succeeding Order a notice of a Government motion shall not be placed upon the Business Paper of any sitting earlier than the day following the day upon which notice was given to the Clerk.

(2) Except as provided in paragraph (5) of Standing Order No. 66 (Reports from Select Committees) a notice of a Private Member's motion shall not be entered in the Order Book, or placed upon the Business Paper, for a day earlier than six clear days from the day on which the notice was given to the Clerk.

23. Exemptions from Notice

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

- (a) a motion for the amendment of any motion;

- (b) a motion for the adjournment of the Senate or of a debate;
- (c) a motion for the election of a temporary presiding officer under paragraph (1) of Standing Order No. 4 (Presiding in the Senate and in Committee);
- (d) a motion for the suspension of Standing Orders put with the leave of the President;
- (e) a motion for the withdrawal of strangers;
- (f) a motion that the Senate resolve itself into Committee;
- (g) a motion made in Committee of the whole Senate;
- (h) a motion for the suspension of a Senator;
- (i) a motion that a petition do lie upon the Table and be read, printed or referred to a Select Committee;
- (j) a motion for the printing of a paper under paragraph (3) of Standing Order No. 13 (Presentation of Papers);
- (k) a motion relating to a matter of privilege;
- (l) a motion arising out of any item of business made immediately after that item is disposed of and before the next item is entered upon;
- (m) a motion to recommit a bill under paragraph (1) of Standing Order No. 53 (Recommittal of Bills reported from Committee of the whole Senate);
- (n) a motion for the withdrawal of a bill under Standing Order No. 57 (Withdrawal of Bills);
- (o) a motion in respect of which notice has been dispensed with under Standing Order No. 24 (Dispensing with Notice).

24. Dispensing with Notice

Notice shall not be dispensed with in the case of a motion or in respect of any proceedings for which notice is required, except with the consent of the President and the assent of the majority of the Senators present at the time.

25. Privilege Motions

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

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

(3) No debate shall take place on a motion under this Order, but if the President decides that a *prima facie* case has been made out he shall so state and refer the matter to the Committee of Privileges.

(4) A Senator moving a motion under this Standing Order shall not speak for more than fifteen minutes.

26. Moving of Motions

(1) Subject to the Constitution and to these Standing Orders, it shall be competent for any Senator to propose by way of Motion any matter for debate in the Senate.

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

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

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

27. Seconding of Motions

(1) In the Senate the question upon a motion or amendment shall not be proposed by the President unless such motion or amendment has been seconded:

- Provided that Government Business shall not require seconding.
(2) In Committee a seconder shall not be required.

28. Motions not Moved or Seconded

(1) If a Senator other than a Minister or a Parliamentary Secretary does not move a motion or amendment which stands in his name when he is called on, it shall be removed from the Order Paper unless some other Senator, duly authorised by him in writing, move it in his stead;

Provided that Government Business may be moved by any Minister or a Parliamentary Secretary.

(2) No question shall be proposed upon a motion or amendment, which under these Standing Orders is required to be seconded, if it is not so seconded, and no record of proceedings upon the motion or amendment shall be entered in the Minutes of Proceedings.

29. Withdrawal of Motions

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

(2) A motion so withdrawn may be made again provided that notice, as required by these Orders, is given.

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

30. Amendments to Motions

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

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

(3) An amendment to a motion may be moved and seconded at any time after the question upon the motion has been proposed by the President or Chairman, and before it has been put by the

President or Chairman at the conclusion of the debate upon the motion. When every such amendment has been disposed of, the President or Chairman shall either again propose the question upon the motion or shall propose the question upon the motion as amended, as the case may require, and after any further debate which may arise thereon, shall put the question to the Senate or Committee for its decision.

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

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

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

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

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

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

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

(c) When every such amendment to an amendment has been disposed of, the President shall either again propose the ques-

tion upon the original amendment, or shall propose the question upon the original amendment as amended, as the case may require.

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

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

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

RULES OF DEBATE

31. Time and Manner of Speaking

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

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

(3) No Senator shall speak more than once on any question except —

- (a) in Committee;
- (b) in explanation as prescribed in paragraph (4) of this order;
- (c) in the case of the mover of a substantive motion or the Senator in charge of a bill in reply;
- (d) to a point of order as provided in Standing Order 33 (Interruptions):

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

(4) A Senator who has spoken on a question may again be heard to offer explanation of some material part of his speech which he claims has been misrepresented; but he shall not introduce new matter.

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

(6) A Senator shall not read his speech but he may read extracts from books or papers in support of his argument, and may refresh his memory by reference to notes.

(7) No Senator may speak on any question after it has been fully put to the vote by the President or Chairman, that is, after the voices of the *Ayes* and the *Noes* have been collected.

32. Right of Reply

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

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

32A. Time Limits of Speeches

(1) In a debate on an Appropriation Bill, a member may speak for no more than one hour, provided that that time limit shall not apply to the Minister moving the Second Reading who may speak for no more than two hours on moving the motion and no more than one hour in reply; and the person speaking first on behalf of the Opposition who may speak for no more, than two hours.

(2) In a debate on a Bill or measure a member may speak for no more than 30 minutes, provided that that time limit shall not apply to the Minister or member moving the motion and no more

than 30 minutes in reply, and the person speaking first on behalf of the Opposition who may speak for no more than one hour.

(3) In the debate on a Bill in Committee of the whole Senate, no member may speak more than once on a clause or schedule, and a speech shall not exceed fifteen minutes, provided that with leave of the Committee a member may again be heard on a clause or schedule for a period or periods not exceeding fifteen minutes.

33. Interruption

No Senator shall interrupt another Senator except:

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

34. Contents of Speeches

(1) Reference shall not be made to any matter which is *sub judice* in such a way as might in the opinion of the Chair prejudice the interests of parties thereto.

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

(3) It shall be out of order to use offensive and insulting language about Members of either House.

(4) Senators may be referred to by name.

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

(6) Her Majesty's or the Governor-General's name shall not be used to influence the Senate.

(7) The conduct of Her Majesty and Members of the Royal Family shall not be called in question.

(8) The conduct of the Governor-General or Officer administering the Government, Members of either House, Judges of the Supreme Court of Judicature shall not be raised except upon a substantive motion moved for the purpose.

35. Scope of Debate

(1) Debate upon any motion, bill or amendment shall be relevant to such motion, bill or amendment, except in the case of a motion for the adjournment of the Senate.

(2) When an amendment proposes to leave out words and to add or insert other words instead of them, debate upon the question "That the words proposed to be left out be left out of the question" may include both the words proposed to be left out and those proposed to be added or inserted.

(3) On an amendment proposing only to leave out words or to add or insert words, debate shall be confined to the omission, addition or insertion of such words respectively.

(4) Debate upon any motion "That the debate be now adjourned", or "That the Senate do now adjourn" if moved during any debate, or in Committee upon any motion "That the Chairman do report progress and ask leave to sit again", shall be confined to the matter of such motion; and a Senator who has made or seconded such motion shall not be entitled to move or second any similar motion during the same debate. This paragraph shall not be construed as restricting the right of the Minister in charge of Government business to move the adjournment of the Senate at the conclusion of the business of the day or of a Senator to speak on a subject in respect of which he has given notice and obtained leave from the President.

36. Anticipation

(1) It shall be out of order to anticipate a bill by discussion upon a motion dealing with the subject matter of that bill.

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

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

37. Rules for Members not speaking

A Senator present in the Senate during a debate –

- (a) shall enter or leave the Senate with decorum;
- (b) shall not read books, newspapers, letters or other documents save such as relate to the business before the Senate;
- (c) shall maintain silence while another Senator is speaking, and shall not interrupt, except in accordance with these Standing Orders; and
- (d) shall otherwise conduct himself in a fit and proper manner so as to maintain dignity and order.

RULES OF ORDER

38. Responsibility for Order in the Senate and in Committee

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

(2) When the President or Chairman rises, any Senator then speaking or wishing to speak shall immediately resume his seat and the Senate or the Committee shall be silent.

39. Order in the Senate and in Committee

(1) The President or the Chairman, after having called the attention of the Senate, or of the Committee, to the conduct of a Senator who persists in irrelevance, or tedious repetition either of his own arguments, or of the arguments used by other Senators in debate, may direct him to discontinue his speech and to resume his seat.

(2) The President or the Chairman shall order any Senator whose conduct is grossly disorderly or who has used objectionable, insulting or unparliamentary words or expressions and has refused to withdraw such words or expressions to withdraw immediately from the Senate during the remainder of that day's sitting, and may direct such steps to be taken as are required to enforce this order. But if, on any occasion, the President or the Chairman considers that his powers under the previous provisions of this Order are inadequate, the President or Chairman may name such Senator for disregarding the authority of the Chair under this Standing Order, in which event the procedure prescribed in the next succeeding paragraph should be followed.

(3) Whenever a Senator has been named by the President, or by the Chairman, then:—

- (a) if the offence has been committed in the Senate, the President shall call upon a Minister to move "That Mr. be suspended from the service of the Senate." The President shall put the question on such motion forthwith, no seconder being required and no amendment, adjournment or debate being allowed;
- (b) if the offence has been committed in Committee, the Chairman, shall forthwith suspend the proceedings of the Committee and, as soon as the Senate has resumed, shall report the circumstances, whereupon the procedure provided for in the preceding sub-paragraph shall be followed;
- (c) if any such motion be carried, and a Senator be suspended, his suspension on the first occasion shall continue until the expiration of the fifth day, and on

the second occasion until the expiration of the tenth day, on which the Senate sits after the day on which he was suspended, and on the third or any subsequent occasion until the Senate resolves that such suspension be terminated.

(4) Not more than one Senator shall be named at the same time, unless several Senators present together have jointly committed the offence.

(5) A Senator who is directed to withdraw or who is suspended under this Standing Order shall forthwith leave the Senate and its precincts.

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

(7) If resort to force is necessary, the President may suspend the sitting during the removal of the Senator.

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

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

(10) Nothing in this order shall be taken to deprive the Senate of the power of proceeding against any Senator according to any resolution of the Senate.

VOTING

40. Decision of Questions

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

(2) Neither the President nor any other Senator presiding shall vote unless the votes of the other Senators are equally divided in which case he shall give a casting vote.

41. Collection of Voices

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

(2) The result shall be declared by the President or Chairman stating "I think the *Ayes* have it" or "I think the *Noes* have it" as the case may be, but any Senator may challenge the opinion of the Chair by claiming a division.

42. Divisions

(1) A division shall be taken by the Clerk calling each Senator's name and asking each Senator separately how he desires to vote and recording the vote accordingly. The Clerk shall then announce the number of those who voted for and of those who voted against the proposal and the President or Chairman shall declare the result of the division.

(2) Every Senator present, unless he expressly says that he declines to vote, shall record his vote either for the *Ayes* or the *Noes*. The Clerk shall enter in the Minutes or Proceedings the record of each Senator's vote and shall add a statement of the names of Senators who declined to vote.

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

43. Closure of Debate

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

(2) A motion under this Standing Order shall not be decided in the affirmative if it appears on a division that less than eight Senators voted in the majority in favour of the motion.

44. Introduction and First Reading

(1) Except as provided in paragraph (3) of this Order any Senator may move for leave to introduce a bill of which he has given notice but a bill may be presented to the Senate on behalf of the Government after notice without an order of the Senate for its introduction.

(2) A notice of the presentation of a bill on behalf of the Government may be entered on the Business Paper for the day following the day on which it was received by the Clerk.

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

increasing any tax, for imposing or increasing any charge on the revenues or other funds of the Island or for altering any such charge otherwise than by reducing it, or for compounding or remitting any debt due to the Island.

(4) A bill, whether presented in pursuance of an order of the Senate after leave given or without such order, shall be handed to the Clerk at the Table by the Senator who gave notice of the bill. The Clerk shall then read aloud the title of the bill, which shall then be recorded in the Minutes of Proceedings as having been read a first time and ordered to be printed.

(5) When a bill has been brought from the House of Assembly and a Senator has signified to the Clerk his willingness to take charge of the bill, that bill shall be recorded in the Minutes of Proceedings as having been read a first time.

45. Appointment of days for stages of Bills

(1) Subject to this Order at the conclusion of the proceedings on any stage of a bill, the Senator in charge of the bill may either name a day to be appointed for the next stage of the bill or move that the next stage be taken forthwith.

(2) An interval of not less than five days must elapse between the first and second reading of a bill, unless the Senate on motion made and question put, agree to proceed with the bill at an earlier date, or forthwith.

(3) No bill shall be read a second time until it has been printed and circulated to Senators.

46. Printing and Circulation of Bills

(1) The Clerk shall be responsible for the printing of bills from the draft handed to him by the Senator in charge of the bill and, before any bill is printed, he shall satisfy himself that —

- (a) the bill is divided into successive clauses numbered consecutively;
- (b) the bill has in the margin a short summary of each clause; and
- (c) the provisions of the bill do not go beyond its title.

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

(3) The Clerk shall as soon as possible cause every bill originating in the Senate to be published in the Official Gazette.

47. Second Reading of Bills

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

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

48. Committal of Bill

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

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

49. Functions of Committee on Bills

(1) Any Committee to which a bill is committed shall not discuss the principle of the bill but only its details.

(2) Any such Committee shall have power to make such amendments therein as they shall think fit, provided that the amendments, including new clauses and new schedules, are relevant to the subject matter of the bill; but if any such amendments are not within

the title of the bill, they shall amend the title accordingly, and shall report the same to the Senate.

50. Procedure in Committee of the whole Senate on a Bill

(1) The Chairman in Committee of the whole Senate shall call the number of each clause in succession. If no amendment is proposed thereto, or when all proposed amendments have been disposed of, he shall propose the question "That the clause (or the clause as amended) stand part of the bill" and, when all Senators who wish to speak thereon have spoken, he shall put that question to the Committee for its decision.

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

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

- (a) An amendment must be relevant to the subject matter of the bill, and to the subject matter of the clause to which it relates.
- (b) An amendment must not be inconsistent with any clause already agreed to or with any previous decision of the Committee.
- (c) An amendment must not be such as to make the clause which it proposes to amend unintelligible or ungrammatical.
- (d) If an amendment refers to, or is not intelligible without a subsequent amendment or schedule, notice of the subsequent amendment or schedule must be moved so as to make the series of amendments intelligible as a whole.
- (e) In order to save time and repetition of arguments, the Chairman may allow a single discussion to cover a series of interdependent amendments.
- (f) The Chairman may refuse to allow an amendment, which is, in his opinion, frivolous or meaningless, to be moved.

- (g) Except upon the recommendation of the Cabinet, to be signified by a Minister and recorded in the Minutes of Proceedings, the Committee shall not proceed upon any amendment which, in the opinion of the Chairman, would have effect in any of the ways described in paragraph (3) of Standing Order No. 44 (Introduction and First Reading).
- (h) The Chairman may at any time during the discussion of a proposed amendment withdraw it from the consideration of the Committee if, in his opinion, the discussion shall have shown that the amendment violates the provisions of this Standing Order.

(4) The provisions of paragraphs (4) and (5) of Standing Order No. 30 (Amendments to Motions) shall apply to the discussion of amendments to bills, with the substitution where appropriate of the word "clause" for the word "motion" or the word "question", and of the word "Chairman" for the word "President" and the word "Committee" for the word "Senate" throughout.

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

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

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

(8) Schedules shall be disposed of in the same way as clauses and any proposed new schedule shall be considered after the sche-

dules to the bill have been disposed of, and shall be treated in the same manner as a new clause.

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

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

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

(12) If any Senator, before the conclusion of proceedings on a bill, moves to report progress and such motion is carried, or if proceedings in a Committee of the whole Senate have not been finished at the moment of interruption, the Chairman shall leave the Chair of the Committee and the Senator in charge of the bill shall report progress to the Senate and ask leave to sit again, and name a day for the resumption of the proceedings.

(13) A Committee having met to consider a bill shall proceed with its consideration except that during the proceedings, on a bill the Senator in charge of the bill may, subject to the discretion of the Chairman, move a motion "That the Committee do not proceed further with the bill". If the motion is carried the Committee shall then report the bill to the Senate as so far amended or without amendment as the case may be, and make a special report and the bill shall be ordered to lie upon the Table without question put.

51. Procedure in Select Committee on a Bill

A Select Committee on a bill shall be subject to Standing Orders No. 63 (Procedure in Select Committees) and No. 64 (Divisions in Select Committees) but before reporting the bill to the

Senate, it shall go through the bill as provided in Standing Order No. 50 (Procedure in Committee of the whole Senate on a Bill).

52. Procedure on reporting of Bills from Committee of the whole Senate

So soon as a Committee of the whole Senate has agreed that a bill be reported, the Chairman shall leave the Chair of the Committee and the Senate shall resume, and the Senator in charge of the bill shall report to the Senate.

53. Recommittal of Bills reported from Committee of the whole Senate

(1) If any Senator desires to delete or amend any provisions contained in a bill as reported from a Committee of the whole Senate or to introduce any new provision therein he may at any time before a Senator rises to move the third reading of the bill, move that the bill be recommitted either wholly or in respect only of some particular part or parts of the bill or some proposed new clause or new schedule, no notice of such motion being required, and if the motion is agreed to the bill shall stand recommitted. The Senate may then, upon motion made, resolve itself into Committee to consider the business so recommitted, either forthwith or upon a later day.

(2) When the whole bill has been recommitted, the Committee shall go through the bill as provided in Standing Order No. 50 (Procedure in Committee of the whole Senate on Bill).

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

(4) At the conclusion of the proceedings in Committee on a bill recommitted under the provisions of this Order, the Chairman shall put the question "That the bill (or the bill as amended on re-committal) be reported to the Senate" which question shall be decided without amendment or debate. So soon as the bill has been reported the Senator in charge of the bill may either name a future

day for the third reading of the bill or move that it be read a third time forthwith.

54. Proceedings on Bills reported from Select Committee

(1) When a Bill has been reported from a Select Committee the Senate may proceed to consider the bill as reported from the Select Committee upon a motion "That the report of the Select Committee on the bill be adopted", moved under paragraph (5) of Standing Order No. 66 (Reports from Select Committees).

(2) If that notice is agreed to without amendment, the Senate may proceed to the third reading of the bill as reported from the Select Committee.

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

(4) A Committee of the whole Senate upon a bill recommitted under the provisions of this Order shall proceed in accordance with paragraph (2) or paragraph (3) of Standing Order No. 53 (Recommittal of Bill reported from Committee of the whole Senate), and the conclusion of its proceedings and the remaining proceedings on the bill shall be subject to paragraph (4) of that Order.

55. Third Reading

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

(2) On the question being proposed "that the Bill be now read a third time" no amendments may be proposed and the question shall be put in without debate.

(3) When a bill originating in the Senate has been read a third time, a printed copy of it signed by the Clerk and endorsed by the President, shall be forwarded by the Clerk of the Senate to the Clerk of the House of Assembly, together with a message desiring the concurrence of the House of Assembly.

(4) When a Bill which originated in the House of Assembly has been read a third time in the Senate and passed without amendment, the Clerk shall send it to the Governor-General for his assent.

(5) When a bill which originated in the General Assembly has been read a third time and passed by the Senate with an amendment or amendments, the Clerk of the Senate shall cause any amendments that may have been made to it by the Senate to be entered in the original copy of the bill received from the House of Assembly, which copy, signed by the Clerk and endorsed by the President, shall then be returned to the House of Assembly, together with a message desiring the concurrence of the General Assembly to the amendment or amendments made by the Senate.

(6) When the House of Assembly has agreed to any amendments inserted by the Senate in a Bill to which Clause 5 of this Order relates with the intimation that the Bill has been read a third time and passed without amendment, a printed copy shall be submitted to the Governor-General for his assent.

(7) The Clerk of the Senate shall have custody of:—

- (a) every bill passed by the Senate and agreed to by the House of Assembly; and
- (b) every bill passed by the House of Assembly and agreed to by the Senate;

and shall, as soon as possible, present every such bill to the Governor-General for his assent.

56. Procedure on General Assembly Amendments

(1) When a bill is returned from the House of Assembly with amendments the consideration of such amendments shall be put

down for such future day as the Senator in charge of the bill shall appoint.

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

(3) When the Senate proceeds to the consideration of House of Assembly amendments, each amendment shall be read by the Clerk and may be agreed to with amendment or disagreed to. Upon any such amendment disagreed to, an amendment may be made to the bill in lieu thereof.

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

- (a) if such amendments have been agreed to, return the bill to the House of Assembly, together with a message "That the Senate has agreed to the Bill"; or
- (b) if such amendments have been amended or disagreed to, the Clerk shall cause the appropriate entries to be made in the original copy of the bill and return it to the House of Assembly, together with the appropriate message.

(5) When the Senate has disagreed to a House of Assembly amendment if the House of Assembly return the bill with a message that it insists on the amendment the Senate may either –

- (a) agree, with or without amendment, to the said amendment and make, if necessary, a consequential amendment to the bill, in which case the Clerk shall return the Bill to the House of Assembly, together with an appropriate message; or
- (b) postpone the consideration of the House of Assembly amendment for six months.

57. Withdrawal of Bills

The Senator in charge of a Bill may make a motion, without notice, for its withdrawal, either before the commencement of Public

Business or when any stage of the Bill is reached in the Order of Business, before the question is fully put.

58. Bills containing substantially the same provisions

Once the second reading of any bill has been agreed to or negatived, no question shall be proposed during the same session for the second reading of any other bill containing substantially the same provisions.

59. Money Bills

(1) When a Money Bill other than an annual Appropriation Bill has been read a second time it shall stand committed to a Committee of the whole Senate unless on motion made, of which no notice shall be required, the Senate decides that the Bill shall not be so committed, whereupon the President shall forthwith put the question that the bill be now read a third time and that question shall be decided without amendment or debate.

(2) When an annual Appropriation Bill has been read a second time the President shall forthwith put the question that the Bill be now read a third time and that question shall be decided without amendment or debate.

SELECT COMMITTEES

60. Sessional Select Committees

Committee of Selection

- (1) (a) There shall be a Committee to be known as the Committee of Selection appointed at the beginning of every session to perform the functions allotted to it by these Standing Orders, and for such other matters as the Senate may from time to time refer to it.
- (b) The Committee of Selection shall consist of the President as Chairman, and four Senators to be

nominated by the Senate. The Committee shall inform the Senate by means of a report when any Senator has been nominated to any Committee.

- (c) The Committee shall not have power to send for persons, papers and records.

Standing Orders Committee

- (2) (a) There shall be a Committee to be known as the Standing Orders Committee to consist of the President as Chairman, and four Senators to be nominated by the Committee of Selection as soon as may be after the beginning of each session. It shall be the duty of the Committee to consider from time to time and report on all matters relating to the Standing Orders which are referred to it by the Senate.
- (b) The Committee shall not have power to send for persons, papers and records unless the Senate so resolves.

House Committee

(3) There shall be a Committee to be known as the House Committee, to consist of the President as Chairman and four Senators to be nominated by the Committee of Selection as soon as may be after the beginning of each session, to consider and advise the President upon all matters connected with the comfort and convenience of Senators. The Committee shall from time to time report its minutes of proceedings to the Senate but shall not have power to send for persons, papers and records unless the Senate so resolves.

Committee of Privileges

(4) There shall be a Committee to be known as the Committee of Privileges to consist of the President as Chairman and four Senators to be nominated by the Committee of Selection as soon as may be after the beginning of each session. There shall be referred to this Committee any matter which appears to affect the powers and privileges of the Senate. It shall be the duty of the Committee to

consider any such matters to them referred and to report on them to the Senate.

Regulations Committee

(5) There shall be a Regulations Committee which shall consist of the President as Chairman and four Senators to be nominated by the Committee of Selection which shall have the duty of considering all such Regulations (as defined by the Interpretation Act for the time being in force) as under the authority of any law are to be laid before the Senate, and to bring to the attention of the Senate any regulation:—

- (a) which involves the expenditure of public moneys or imposes fees for licences or for services;
- (b) which cannot be challenged in the Courts on the ground that it is *ultra vires*, or is only temporarily so challengeable;
- (c) the making of which appears to constitute an unusual or improper use of the powers conferred by the law under which it was made;
- (d) which purports to have retroactive effect without such power being given to the Minister or Authority by law;
- (e) the publication or the laying before the Senate of which appears to have been unduly delayed; or
- (f) the purport or form of which appears to be ambiguous and to require elucidation;

but the Regulations Committee shall not consider or report on the merits or policy of any regulations.

61. 'Special Select Committees'

(1) A Select Committee other than a Sessional Select Committee shall be known as a Special Select Committee. It shall be appointed by order of the Senate and shall consist of such Senators as may be nominated by the Committee of Selection.

(2) A special Select Committee shall have power to elect its own Chairman.

62. Constitution of Select Committees

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

(2) In the event of the death of a Senator nominated to a Committee, or if his seat becomes vacant for any other reason, the Senate, or the Committee of Selection, as the case may require, shall nominate another Senator in his place, and in so doing shall observe the provisions of paragraph (1) of this Order. Every such nomination by the Committee of Selection shall be reported to the Senate.

63. Procedure in Select Committees

(1) Except as otherwise provided in Standing Order No. 60 (Sessional Select Committee) this Order shall apply to all Select Committees.

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

(3) A Select Committee shall have power to send for persons, papers and records, and shall have leave to report its opinion and observations, together with the minutes of evidence taken before it to the Senate.

(4) Unless the Senate otherwise directs, three Senators shall be the quorum. In ascertaining whether there is a quorum present the Senator in the Chair shall not be excluded.

(5) The deliberations of a Select Committee shall be confined to the matter referred to it by the Senate and any extension or limitation thereof made by the Senate and, in the case of a Select Committee on a bill, to the bill committed to it and relevant amendments.

(6) The first meeting of a Select Committee shall be held at such time and place as the Chairman in the case of a Sessional Select Committee, or the President in the case of a Special Select Committee shall appoint. Subsequent meetings shall be held at such time and place as the Committee may determine:

Provided that if the Committee fail to do so the Chairman shall, in consultation with the Clerk of the Senate, appoint such time and place.

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

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

(b) If the Committee desire to summon any witnesses, the Chairman shall supply the name, residence and occupation of every such witness to the Clerk of the Senate at least seven days before his evidence is required.

The Clerk shall then summon every such witness on behalf of the Senate.

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

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

(11) Any member of a Select Committee may bring up a report for its consideration, and all such reports shall be entered in full upon the minutes of proceedings of the Committee. When all the reports have been brought up, the Chairman shall put the question that this report be the report of the Committee to the Senate.

64. Divisions in Select Committees

(1) Every division in a Select Committee shall be taken by the Clerk to the Committee asking each member of the Committee separately how he desires to vote and recording the votes accordingly.

(2) In taking the division, the names of all members of the Committee shall be called.

(3) When a division is claimed in a Select Committee every member of the Committee present shall, unless he expressly states that he declines to vote record his vote either for the *Ayes* or *Noes*. The clerk to the Committee shall enter in the minutes of the proceedings a record of members who declined to vote.

(4) As soon as the clerk has collected the votes he shall state the number of members voting for the *Ayes* and *Noes* respectively and the Chairman shall then declare the result of the division. The Chairman shall not have an original vote but in the event of an equality of votes he shall give a casting vote.

(5) If a member of the Committee states that he voted in error or that his vote has been wrongly counted he may claim to have his vote altered, provided that such request is made as soon as the clerk has announced the numbers and before the Chairman has declared the results of the division.

65. Premature Publication of Evidence

The evidence taken before any Select Committee and any documents presented to such Committee shall not be published by any member of such Committee or by any other person before the Committee have presented their Report to the Senate.

66. Reports from Select Committees

(1) Every Select Committee shall make a report to the Senate upon the matters referred to them before the end of the session in which the Committee were appointed, but if a Committee find themselves unable to conclude their investigation before the end of the session, they may so report to the Senate.

(2) A Select Committee shall have leave to make a special report relating to the powers, functions and proceedings of the Committee on any matters which they may think fit to bring to the notice of the Senate.

(3) A report or special report together with the minutes of proceedings of a Select Committee and the minutes of any evidence

taken before the Committee shall be presented to the Senate by the Chairman or other Senator deputed by the Committee and shall be ordered to lie upon the Table and be printed without question put.

(4) The minutes of proceedings of a Committee shall record all proceedings upon the consideration of any report or bill in the Committee and upon every amendment proposed to such report or bill together with a note of any division taken in the Committee and of the name of Senators voting therein or declining to vote.

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

67. Joint Select Committees

(1) The Senate may for the purposes of any Select Committee appoint not less than six members to sit with members of the General Assembly as a Joint Select Committee.

(2) A Joint Select Committee shall select its own Chairman and the quorum shall be such number as the Committee may decide.

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

68. Absence of Members

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

69. Employment of Senators in Professional capacity

No Senator shall appear before the Senate or any Committee thereof as Counsel or Solicitor for any party or in any capacity for which he is to receive a fee or reward.

70. Report of Debates

(1) An official report of all speeches made in the Senate shall be prepared under the supervision of the Clerk, acting under such instructions as the President may give.

(2) The report shall be published in such form as the President may direct, and a copy thereof shall be sent to each Senator as soon as practicable.

71. Strangers

(1) Strangers shall be admitted to debates in the Senate under such rules as the President may make from time to time for that purpose.

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

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

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

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

72. Press

The President may grant a general permission to the representative of any journal or broadcasting or television station to attend the sittings of the Senate under such rules as he may make from time to time for that purpose. If such rules are contravened, such permission may be revoked.

73. Amendment of Standing Orders

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

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

(3) When the motion is reached, the mover shall move the motion, and after it has, if necessary, been seconded, the motion

shall be referred forthwith, without any question being put thereon, to the Standing Orders Committee, and no further proceedings shall be taken on any such motion until the Committee has reported thereon.

74. Suspension of Standing Orders

Any one or more of these Standing Orders may, after notice, or with the leave of the President, be suspended on a motion made by a Senator at any sitting. A motion under this Order shall be decided without amendment or debate.

75. Private Bills

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

(2) A Private Bill shall be introduced by a Senator only —

- (a) on petition from the promoters stating the objects of and the reasons for the Bill; and
- (b) after notice has been given —
 - (i) by not less than three successive publications of the objects of and the reasons for the Bill in the *Official Gazette*, and
 - (ii) by three similar publications in a newspaper circulating in the Island.

(3) The petition shall be presented by being lodged with the Clerk and shall be read at the first ordinary sitting of the Senate after it is lodged.

(4) The Clerk shall cause the Bill introduced under the provisions of clause (3) of this Order to be printed as early as possible, and at the first ordinary sitting of the Senate after the printing is completed the President shall put the question that the Bill be read a first time upon which no debate shall be allowed. After the Bill is

read a first it shall stand upon the Business Paper for the second reading at the next ordinary sitting of the Senate.

(5) After the Bill has been read a second time it shall stand referred without question put to a Special Select Committee to be appointed by the Senate.

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

(7) If the Special Select Committee finds that the said facts and allegations have been proved, the Committee shall consider the several clauses of the Bill and may strike out clauses, add new clauses and make any other amendments it shall deem necessary and describe their purport in a special report to the Senate. No new clauses or amendments shall be allowed in such a Bill which go beyond the scope or outside the terms of the notice in the *Official Gazette*.

(8) Any party affected may be heard on petition in opposition to the Bill by the Committee either in person or by Counsel. A petition shall state the nature of his objections to the bill and whether they extend to the whole or some part of the Preamble (if any) or to the clauses of the Bill.

(9) When the Committee intends to examine any witnesses the provisions of Standing Order No. 63 shall apply.

(10) After the report of the Special Select Committee has been presented to and adopted by the Senate in accordance with the provisions of Order No. 54, the President shall put the question without amendment or debate, that the Bill be read a third time.

(11) The President shall not sign any Private Bill unless the Clerk has certified that any prescribed fees have been paid.

76. Rules in Cases not provided for by Standing Orders

(1) In any matter not herein provided for, resort shall be had to the usage and practice of the Commons House of Parliament of Great Britain and Northern Ireland, which shall be followed as far as the same may be applicable to the Senate and consistent with the law of Barbados, with these Standing Orders and with the practice of the Senate.

(2) In cases of doubt the Standing Orders of the Senate shall be interpreted in the light of the relevant usage and practice of the House of Commons, but no restriction which the House of Commons has introduced by Standing Order shall be deemed to extend to the Senate or to Senators until the Senate has provided by Standing Order for such restriction.

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