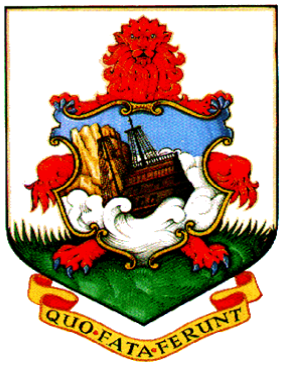

BERMUDA
HOUSE OF ASSEMBLY

Official Standing Orders

Revised: February 14, 2023

The Hon. Dennis Lister, JP, MP

STANDING ORDERS
OF THE
HOUSE OF ASSEMBLY

(Made pursuant to Section 45 of the Bermuda Constitution Order)

INTRODUCTION

What are Standing Orders?

Standing Orders are the Formal rules that govern the proceedings of the House and set out the arrangement of the business to be conducted as well as the rules for debate.

Standing Orders (Rules) may be suspended, if the House agrees, in order to allow a certain item of business to be conducted.

As a Territory of the British Commonwealth, Bermuda's Standing Orders are based on the following: the Commonwealth Parliamentary Association's (CPA) Template, the House of Commons Procedure and Practice and Erskine May's *Parliamentary Practice*.

In addition, the Standing Orders are governed by Section 45 of the Bermuda Constitution.

How to use Standing Orders

The Arrangement of Orders is the Index – this is helpful in looking up a specific rule or Standing Order.

Various Explanations

Oath of Allegiance [Standing Order 1] - there are two separate forms (1) **Oath** of Allegiance and (2) **Affirmation** of Allegiance.

Naming a Member [Standing Order 10(5) (a)] - a Member whose conduct is grossly disorderly may be "named" and then **ordered** to withdraw immediately from the House.

Order Paper [Standing Order 14(2)] – a paper which outlines the business to be placed before the House on any given Meeting Day and the order in which it is to be taken.

Tabling of Papers/Reports [Standing Order 16(3) and (4)] - Documents such as Reports, Statements from government departments and authorities, Parliamentary Committee Reports, and a wide variety of other papers are presented to the House by being laid upon the Table.

Questions [Standing Order 17] - Ministers may be asked questions for oral or written answers relating to public affairs for which they are responsible. Ministers may also be asked on-the-spot questions based on Statements presented to the House. **Supplementary questions** to elicit further information may also be asked.

Points of Order - the purpose of a point of order is to draw the Speaker or the Chair's attention to a breach of the Standing Orders of the House [Standing Order 19(11)]; to offer clarification (*with the speaking Member's permission*); or to seek guidance on a matter of procedure.

A motion [Standing Order 21] is a formal proposal that the House take action of some kind. Motions involve words like "*Whereas*" and "*Resolutions*". The moving of and voting on Motions is the basic building block of parliamentary procedure.

> A motion must first be *moved* by a Member, then *(if necessary) seconded by* another Member; the Chair then proposes the question which is debated by Members *(The Member moving a motion speaks twice—once upon the introduction of the Motion, and again after Members have debated its merits. All others speak only once.)* who may propose amendments *(which are then also debated).* When this process is finished, the Chair puts the question *(as amended if necessary)* and the House makes its decision.

Voting/Divisions [Standing Order 26(4) (c)] - if the result of a vote is in doubt, or if Members want the record to show how each Member voted, a division may be requested.

A **Bill** [Standing Orders 27 to 33 and 42, 48 and 49 all relate to Bills] - is a proposal for a new law, or for a change to an existing law. Bills have their own terminology like – Amendment; Clause; First Reading; Second Reading; Third Reading; Preamble; Schedule; Short title and Long title.

> The body of a Bill consists of **clauses** which are divided into: **subsections** (1), (2), (3); which may be further divided into **paragraphs** (a), (b), and (c); and possibly even **subparagraphs** (i), (ii) (iii)**.** Once a Bill is enacted the clauses become ***sections*** of the Law or **Act**.
>
> **Stages of a Bill:** Introduction and First Reading *[Standing Order 28]* is when the Bill is read by its title only. Second Reading *[Standing Order 29*] is when the general debate on the principles of the Bill takes place within Committee (usually of the whole House). A Chairperson, other than the Speaker, chairs this stage of the legislative process. During Committee stage the Bill is considered line by line and there can be a vote on each clause; amendments are also made at this stage.
> Report - the Chairperson reports the results of the Committee stage to the whole House of Assembly [i.e. The Speaker]. Third Reading *[Standing Order 30]* – again, the Bill is read by its title only and if there are no amendments or objections, the Bill is passed.

These Standing Orders represent a major revision of the rules of the House of Assembly and were completed by two former members of the House of Assembly. The Former Deputy Speaker and Former Premier of Bermuda the Hon. Dame Jennifer M. Smith JP MP of the Progressive Labour Party, who was first elected to the House of Assembly in 1989 and who had previously served in the Senate from December 1980 to the general Election of 1989, and the Hon. John Barritt JP MP of the One Bermuda Alliance, former Opposition House Leader, Whip and Shadow spokesman for Legislative Reform and Public Administration, who was first elected to the House in 1993.

STANDING ORDERS
OF THE
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(Made pursuant to Section 45 of the Bermuda Constitution Order)

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1. OATH OF ALLEGIANCE

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

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2. CONDUCT OF BUSINESS

2. (1) The proceedings of the House and its Committees shall be conducted according to these Standing Orders.

(2) In any matter not provided for in these Standing Orders, the question shall be decided by the Speaker. In doing so, the Speaker shall have regard to any applicable usage and practice of the Commons House of Parliament of Great Britain and Northern Ireland, which shall be followed so long as they are not inconsistent with the practice or precedent of this House.

(3) In case of doubt the Standing Orders of this House shall be interpreted in the light of the relevant usage and practice of the said House of Commons, but no restrictions which the said House of Commons has introduced by Standing Order shall be deemed to extend to this House or its Members until this House has by Standing Order provided for such restriction.

(4) The proceedings and debates of the House and its Committees shall be in the English language.

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3. DEFINITIONS

3. For the purposes of these Standing Orders,

"Adjournment" means the termination of a sitting.

"Precincts" means the Chamber of the House of Assembly in the Sessions House, together with such other parts of the premises comprising the Sessions House and its grounds as declared by the Speaker to form part of

the precincts pursuant to s. 20 (2) of the Parliament Act 1957 *(title 2 item 13)*.

"Session" means the time period commencing with the first meeting after any general election or prorogation of the Legislature and ending with a prorogation or dissolution.

"Sitting" means a meeting of the House within a session and includes any period during which the House is in Committee or suspended.

"Standing Orders" means the rules of procedure adopted and approved by the House of Assembly from time to time for the regulation and orderly conduct of its proceedings and the despatch of business, pursuant to s. 45 of the Bermuda Constitution Order.

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4. ELECTION OF SPEAKER

4. (1) Whenever it is necessary to elect a person to be Speaker, the procedure for the election shall be as provided in this Standing Order.

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

(3) Any Member, having first ascertained that the Member to be proposed is willing to serve if elected, may, addressing himself to the Clerk, propose that the Member not being a Member of Cabinet, or a Junior Minister, do take the Chair of the House as Speaker. The proposal shall be seconded, but no debate shall be allowed.

(4) If only one person is so proposed and seconded that Member shall be declared by the Clerk to have been elected as Speaker of the House.

(5) If more than one person is so proposed and seconded, the House shall proceed to elect a Speaker by ballot.

(6) The procedure for the holding of a ballot shall be as follows:

(a) Every Member present shall write upon a ballot paper, to be supplied by the Clerk, the name of the person so proposed and seconded whom the Member desires to be Speaker;

(b) At the calling of their name by the Clerk, each Member who so desires shall come to the Table and deposit their ballot paper thereon in such a manner as not to disclose how he or she is voting;

(c) When all Members who wish to do so have deposited their ballot paper the Clerk shall examine the ballot papers and then report the result of the ballot;

(d) Should there be no clear winner because two or more persons receive the same number of votes, and that number of votes exceeds the number of votes received by any other nominee, a second ballot shall be taken in the manner prescribed in sub-paragraphs 4 (6) (a), (b) and (c) above except that votes may then be cast only for one of the two or more persons who received an equal number of votes in the first ballot;

(e) If upon the holding of a second ballot under sub-paragraph 4 (6) (d) above, two or more persons receive an equal number of votes, subsequent ballots shall be held until one person is duly elected;

(f) A Member shall not deposit with the Clerk any ballot paper save his or her own;

(g) A Member who arrives after the names of the Members have been called, but before the Clerk has begun his or her examination of the ballot papers, shall be entitled to record his vote in the manner prescribed.

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5. ELECTION OF DEPUTY SPEAKER

5. (1) At the first meeting of the House immediately after a general election, or whenever it is necessary for the House to elect a Deputy Speaker by reason of a vacancy in the office occurring otherwise, then so soon as the Speaker has been elected and Members have taken the Oath or made the Affirmation (or as soon as Prayers have been said and the Oath or Affirmation of any new Member has been taken), the House shall proceed to the election of one of its Members, not being a Minister or a Junior Minister, to be Deputy Speaker.

(2) The election of the Deputy Speaker shall be conducted in the same manner as the election of the Speaker, save that the Speaker shall preside.

6. PRESIDING IN THE HOUSE AND IN COMMITTEE

6. (1) The Speaker, or in his or her absence the Deputy Speaker, or in their absence a Member of the House (not being a Member of Cabinet or a Junior Minister) elected by the House for that sitting, shall preside at the sittings of the House, and shall either act as Chairperson of Committees of the whole House or ask some other Member present (not being a Minister or Junior Minister) to take the Chair without formal communication to the House.

(2) The Speaker or, in his or her absence the Deputy Speaker or, in their absence, the Member who is elected to preside or the Member selected to take the Chair pursuant to sub-paragraph 6 (1) above may at any time ask any other Member present (not being a Minister or Junior Minister) to take the Chair of the House or Chair of the Committee of the whole House (as the case may be) without formal communication to the House.

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

(4) Whenever the unavoidable absence of the Speaker from any day's sitting is announced by the Clerk at the Table, the Deputy Speaker shall take the Chair and shall be invested with all the powers of the Speaker until the next sitting of the House, or for twenty-four hours, whichever period is the shorter.

(5) The Speaker in the House and the Chair in Committee shall have power to regulate the conduct of business in all matters not provided for in these Standing Orders.

7. SITTINGS OF THE HOUSE

7. (1) The first sitting of every Session shall be on such day and at such hour as the Governor shall appoint:-

a) Notwithstanding any other Standing Orders, where it is impracticable, by reason of a public emergency or any emergency as agreed by the Speaker after consultation with the Premier and

the Opposition Leader, for the House or a Committee of the House to meet physically, the Speaker may grant leave for the House to meet virtually so long as the Speaker is satisfied that the business of the House may be conducted through electronic means that permits Members to be seen and heard by the Speaker or by a Chairperson of a Committee.

(2) The ordinary sitting day of the House when the Legislature is in session shall be every Friday during the year, but the House may adjourn over any Friday, or any number of consecutive Fridays, or sit on any other day.

(3) The ordinary time for the meeting of the House shall be at 10 o'clock a.m. and at that hour the Speaker shall make his or her formal entry and the House shall proceed to business.

(4) On motion that the House, or the House in Committee, do now adjourn for lunch, the Speaker or the Chair as the case may be, shall forthwith put the question without permitting any debate or amendment.

(5) Where the House adjourns for lunch the Speaker or, if the House is in Committee, the Chair shall order a time on the same day for the resumption of business, which shall not be earlier than one hour and fifteen minutes after the time of adjournment, and at such time the Speaker or the Chair, as the case may be, shall take the Chair and business shall resume without further formality.

(6) When the House adjourns on any day it shall, unless otherwise ordered, stand adjourned to the next ordinary sitting day:

Provided that this sub-paragraph 7(6) shall not apply where the House adjourns for lunch.

(7) Notwithstanding anything to the contrary in these Standing Orders, if at any time when the House stands adjourned pursuant to its own order the Speaker is satisfied that a definite matter of public importance requires the House to meet on a day earlier than the day to which the House stands adjourned, the Speaker may, subject to the provisions of sub-paragraph 7(8), direct the Clerk to summon a meeting of the House for such time on such day, not being earlier that the day after the day on which the direction is given, as the Speaker may determine.

(8) Every direction under sub-paragraph 7(7) above shall be in writing and shall be signed by the Speaker and shall bear the date upon which it is given to the Clerk and shall specify the business to be transacted at the meeting to which it relates.

(9) Forthwith upon receipt of any direction under sub-paragraph 7(7) above the Clerk shall communicate with every Member of the House so that they are informed of the day and time appointed by the Speaker for the holding of the special meeting of the House and of the business to be transacted at such meeting.

(10) Except by leave of the House, no business other than the business specified in the direction under sub-paragraph 7(8) above shall be transacted at any special meeting of the House under this Standing Order.

[S.O. 7(1) (a) Amended 22 May 2020]

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8. QUORUM

8. (1) A quorum shall consist of the Speaker, or in Committee, the Chair, and fourteen other Members.

(2) If at any time any Member draws the attention of the Speaker or, in Committee the Chair, to the absence of a quorum, the Speaker or the Chair, as the case may be, shall cause the bell to be rung and business shall thereupon be suspended until such time as a quorum is present, and in the event that a quorum is not present within five minutes after the ringing of the bell, the Speaker or the Chair shall proceed as follows:-

(a) if the Speaker be in the Chair, the Speaker shall adjourn the House without question put until the next sitting day;

(b) if the House be in committee of the whole House, the Chair shall leave the Chair and report the absence of a quorum to the Speaker. The House shall resume and the Speaker shall count the House. If a quorum is not present, the Speaker shall thereupon adjourn the House without question put until the next sitting day. If a quorum is present, the House shall again resolve itself into Committee.

(3) If attention is drawn to the absence of a quorum before consideration of the Orders of the Day, the Speaker shall before taking the action prescribed in sub-paragraph (2) of this Order suspend the sitting for fifteen minutes.

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9. ADJOURNMENT OF THE HOUSE

9. (1) Upon conclusion of all business appointed at a sitting, the Speaker shall call upon a Minister to move "That this House do now adjourn" and upon that question being agreed, the House shall adjourn:

Provided that when a substantive motion for the adjournment of the House has been made by a Minister, Members shall be entitled to speak thereon for no more than twenty minutes each.

(2) A Minister may move "That the House do now adjourn' at any time after the conclusion of Question Time at any sitting, but any other Member may only move such a motion under the provisions of sub-paragraph 9(3) below.

(3) Any Member other than a Minister may at the time appointed under Standing Order 14 (1 (q) rise in his place and ask for leave to move the adjournment of the House for the purpose of discussing a definite matter of public importance.

(4) Before commencement of the sitting the matter for discussion under a motion intended to be made pursuant to sub-paragraph 9(3) above shall be put in writing and handed to the Speaker. The Speaker shall refuse to permit the Member to ask for leave to move the motion unless the Speaker is satisfied that the matter is of definite and urgent public importance requiring urgent debate.

(5) If the Speaker is so satisfied the motion shall stand over until 11:30 am or until the Orders of the Day have been disposed of (whichever shall be sooner) on the same day, or until such earlier time as the Speaker may order and at that time any proceedings on which the House is engaged shall be postponed until the motion has been disposed of.

(6) Not more than one motion for the adjournment of the House under sub-paragraph 9(3) above shall be allowed in any one sitting day.

(7) The debate on any motion for the adjournment of the House under sub-paragraph 9(3) above shall be confined to the matter raised by the Member making the motion.

(8) The House may otherwise be adjourned by the Speaker in pursuance of Standing Order 8(2) or Standing Order 10(8).

10. ORDER IN THE HOUSE

10. (1) The Speaker (and in Committee, the Chair) shall preserve order and decorum, and shall decide all questions of order. In deciding points of order, the Speaker may state the Standing Order or other authority applicable to the case. Such decisions shall not be subject to appeal except by way of a substantive motion, of which notice has been properly given, moved for that exclusive purpose.

(2) Except as provided in sub-paragraph 10(1) above, no motion may be moved which reflects on any such decision by the Speaker.

(3) The Speaker shall not take part in any debate before the House and shall not vote except in the case of a tie, when the Speaker shall give a casting vote.

(4) When the Speaker (or Chair) rises during a debate, any member then speaking, or wishing to speak, shall immediately resume his or her seat and the House (or Committee) shall be silent.

(5) (a) The Speaker shall be vested with the authority to maintain order by naming individual Members for disregarding the authority of the Chair and, without resort to motion, ordering their withdrawal for the remainder of that sitting.

(b) If a Member disregards the order of the Speaker made pursuant to paragraph (a) above of this sub-section, the Speaker shall order the Sergeant-at-Arms to remove the Member.

(c) If any Member on being named and directed to withdraw refuses to do so when summoned under the Speaker's order by the Sergeant-at-Arms, the Speaker shall forthwith put the question "That M_____ be suspended from the House", no seconder being required and no amendment, adjournment or debate being allowed.

(d) If any such motion is carried, the suspension of the Member shall last:

- On the first occasion until the next sitting of the House;
- On the second occasion for a period of three sittings;
- On the third and any subsequent occasion for a period of six sittings, or longer as determined by the House.

(e) Members who are ordered to withdraw under sub-paragraph 10(5) (a) of this Order or who are suspended from the service of the House under sub-paragraphs 10(b) (c) or (d) of this Order,

shall forthwith withdraw from the precincts of the House and shall be excluded there from for the remainder of the sitting or for the period of their suspension as the case may be.

(6) Not more than one Member shall be named at the same time, unless two or more Members, present together, have jointly disregarded the authority of the Chair.

(7) If a Member, or two or more Members acting jointly, who have been suspended under this Order from the service of the House, shall refuse to obey the direction of the Speaker to withdraw, when severally summoned under the Speaker's orders by the Sergeant-at-Arms to obey such direction, the Speaker shall call the attention of the House to the fact that recourse to force is necessary in order to compel obedience to his direction. When the Member or Members named by him as having refused to obey his direction have been removed from the House, they shall thereupon, without any further question put, be suspended from the service of the House during the remainder of the Session.

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

(9) In the case of grave disorder arising when the House is in Committee of the whole House the Chair shall forthwith suspend the proceedings of the Committee and report the circumstances to the House, whereupon the Speaker shall proceed as if the disorder had arisen in the House.

(10) Nothing in this Order shall be taken to deprive the House of the power of proceeding against any Member according to any resolution of the House.

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11. MEMBERS' CONDUCT

11. (1) The Speaker shall preserve order and decorum and shall decide questions of order.

(2) Members shall preserve the decorum of the House by observing the following:

(i) No Member shall pass between the Chair and any Member who is speaking.

(ii) Members shall not use laptop computers, electronic devices nor read newspapers, books, letters or other documents, except as they may be directly connected with Parliamentary business and as provided for under these Standing Orders.

(iii) While a Member is speaking, all other Members shall be silent or shall confer only in undertones, and shall not make unseemly interruptions.

(3) When a Member is speaking, no other Member shall interrupt him or her, except:

(a) on a point of order in which case the Member shall resume his or her seat and the Member raising the point shall simply state what breach of order he or she believes has occurred and submit it to the Speaker (or Chair) for decision;

(b) on a point of clarification or elucidation in which case the Member raising the point shall first request that the Member speaking consent to give way and if so the Member wishing to interrupt is then called on by the Speaker (or Chair); or

(c) by rising to claim closure.

(4) With the prior leave of the Speaker, any Member may make a personal explanation although there is no question before the House; but no controversial matter may be brought forward nor may debate arise upon the explanation.

(5) Every Member is bound to attend the meetings of the House and its committees, unless notice of leave of absence has been given, in advance and in writing, to the Speaker.

(i) If without the written leave of the Speaker any Member is absent from the House for an entire session; that Member shall, subject to sub- paragraph 11(5) (iii) of this Order, vacate his/her seat in the House pursuant to section 31(1) (d) of the Bermuda Constitution Order.

(ii) Where a Member:

(a) fails to obtain due leave of absence; and

(b) within fifteen days after the Session on which the Member was absent as aforesaid satisfies the Speaker in writing that such failure was unavoidable, sub-paragraph 11(5)(ii) of this Order shall not apply to that Member.

(6) Members shall remain in their places and refrain from interrupting the Speaker or Chair when he or she has risen to speak, to make a ruling or to put a question to the House.

(7) No Member of the House shall appear before the House (or any Committee thereof) as counsel or solicitor for any party or in any capacity for which he or she is to receive a fee or reward.

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12. VISITORS

12. (1) Visitors may be permitted in the Public Gallery or in a place set apart for them under such Orders as the House may make from time to time for that purpose and the Speaker or Member presiding may order the withdrawal of visitors at his or her own discretion.

(2) If at any sitting any Member moves "That visitors be ordered to withdraw", the Speaker or Member presiding shall put the question immediately and without debate or amendment.

(3) The Speaker or Member presiding may, whenever he or she thinks fit, order the withdrawal of visitors from the precincts of the House or any part thereof.

(4) Any visitor admitted to any part of the Gallery or Chamber who misconducts him or herself, or who does not withdraw when visitors are directed to withdraw by the Speaker (or Member presiding) may be expelled from the precincts of the House by the Sergeant-at-Arms or anyone acting under the direction of the Sergeant-at-Arms.

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13. PRIVILEGE

13. (1) Privileges are the rights enjoyed by the House collectively and by the Members of the House individually conferred by the Bermuda Constitution Order 1968, the Parliament Act 1957 and other statutes, or by practice, precedent, usage and custom.

(2) Any Member proposing to raise a point of privilege, other than one arising out of proceedings in the Chamber during the course of a sitting day, shall give to the Speaker a written statement of the point at least one (1) hour prior to raising the question in the House.

(3) In the case of an alleged breach of privilege –

(a) The Member must first make a complaint to the Speaker that there has been a breach of privilege and then declare that he intends to propose a motion to that effect.

(b) The motion must set out the accusation in explicit but moderate terms, together with the facts of the case. It must propose that the House come to a decision on the alleged breach after consideration by the House or after considering a report from the Rules and Privileges Committee following an inquiry by the Committee as of right. The motion is not susceptible to amendment or division.

(c) The mover and the Member whose conduct is impugned may speak for twenty minutes each. When they have concluded, the matter shall either be considered by the House or a Select Committee appointed to investigate the matter. In addition to its finding, the Committee may include recommendations in its report.

(d) The House shall concur in or reject the report of the Committee within fifteen days after it is tabled. The findings of the report are not amendable by the House.

(e) If the House concurs with the report of the Committee, the House shall then decide on the penalty taking into account the recommendation from the Committee if any.

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

(5) Nothing in this Order shall be taken to deprive the House of the power of proceeding against any Member according to any resolution of the House.

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14. ORDER OF BUSINESS

14. (1) Unless the House otherwise directs, the business of each sitting day shall be transacted in the following order:-

(a) Formal entry of the Speaker, or in the Speaker's absence, the Deputy Speaker.

(b) In the absence of both the Speaker and the Deputy Speaker, election of a Member to preside.

(c) Prayers.

(d) Oath or affirmation of new Member.

(e) Confirmation of Minutes.

(f) Messages from the Governor.

(g) Announcements by the Speaker or Member presiding.

(h) Messages from the Senate.

(i) Papers and other communications to the House.

(j) Petitions.

(k) Statements by Ministers and Junior Ministers.

(l) Reports of Committees.

(m) Question Period.

(n) Congratulatory and/or Obituary speeches.

(o) Matters of Privilege.

(p) Personal explanations.

(q) Notice of motions for the Adjournment of the House on matters of urgent public importance.

(r) Introduction of Bills.
    (i) Government Bills.
    (ii) Opposition Bills.
    (iii) Private Members' Bills.

(s) Notices of Motions.

(t) Orders of the Day:-
    (a) Orders other than Private Bills and Petitions –

(i) Government Business (Bills and Motions);
(ii) Opposition Business (Bills and Motions);
(iii) Private Members' Business (Bills and Motions);

(b) Private Bills and Petitions.

(2) An Order Paper shall be prepared by the Clerk for each sitting day showing the business to be placed before the House and the order in which it is to be taken.

(3) Government business shall be set down on the Order Paper in such order as the Government shall in writing direct the Clerk.

(4) Opposition business shall be set down on the Order Paper in such order as the Opposition Leader shall in writing direct the Clerk.

(5) A Government Bill or motion is a Public Bill or motion introduced or moved by or on behalf of a Minister.

(6) An Opposition Bill or motion is a Public Bill or motion introduced or moved by or on behalf of the Opposition Leader.

(7) A Private Member's Bill is a Public Bill or motion not introduced or moved by or on behalf of a Minister or the Opposition Leader.

(8) Notwithstanding the provisions of sub-paragraph (1) of this Standing Order –

(a) Whenever any message shall be received from the Governor or the Senate, such message shall be read from the Chair as soon as the business or order (if any) under consideration at the time of the receipt of such message shall be disposed of;

(b) A motion that the House at its rising do adjourn to some future time or day other than the next regular ordinary sitting time and day may be made by a Minister at any time when the House is not actually engaged on any other business.

(9) Prayers, (with responses by Members) in a form approved by the Speaker, shall be read by the Speaker or by the Clerk as the Speaker may direct.

(10) With respect to the Minutes of the House, the Speaker shall put the question that "The Minutes as circulated be confirmed." No debate shall be allowed thereupon except as to any proposed amendments, or as to the accuracy of the Minutes.

(11) No Member shall speak for more than three minutes in making a congratulatory or obituary speech.

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15. PETITIONS

15. (1) A Petition may only be presented to the House by a Member.

(2) A Member presenting a Petition shall confine himself or herself to a brief statement of the parties from whom it comes, the number of signatures attached to it and a summary of the material allegations contained in it, and to reading the prayer of the Petition.

(3) In the case of a Petition complaining of some personal grievance for which there may be an urgent necessity for providing an immediate remedy, the matter contained in the Petition may be brought into discussion on a motion following the presentation thereof.

(4) All other Petitions shall, subject to Standing Order 33, be put without question to lie upon the Table.

(5) No Member may present to the House a Petition of which he is a signatory.

(6) No Petition shall be presented to the House unless it shall have been endorsed by the Clerk as being in accordance with the following rules:

(a) Every Petition shall be properly addressed to the House, shall be respectful, decorous and temperate in its language, and shall conclude with a prayer setting forth the general object of the Petition.

(b) Every Petition shall be written, typewritten, printed or lithographed and signed on the last sheet.

(c) Every Petition shall be in English language, or be accompanied by an English translation certified to be correct to the best of the knowledge and belief of the Member presenting it.

(7) (a) A signatory of a Petition shall not be taken into account unless -

(i) If a natural person, he or she writes his or her personal signature or makes his or her mark (such mark being

authenticated), and such signature or mark is followed by the person's name (in block capitals) and address; or

(ii) If a corporation, its common seal is affixed and duly authenticated.

(b) No signature or mark which is pasted or otherwise attached to the Petition shall be taken into account.

(8) No Petition shall be received which requests that provision be made for imposing or increasing any tax, for imposing or increasing any charge on the revenue or other funds of the Government of Bermuda, or for compounding or remitting any debt due to the Government of Bermuda:

Provided that Petitions may be presented for legislation for any such purposes.

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16. PAPERS

16. (1) A paper may only be presented by a Minister or by a Junior Minister and its presentation shall be recorded in the Minutes.

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

(3) All papers presented to the House shall be ordered to lie upon the Table without question put and shall be printed, unless the House on motion (the question on which shall be put without amendment or debate) decides otherwise.

(4) All statutory instruments which do not require the approval of the House shall be laid on the table as soon as possible after being made, provided that any Member may at a subsequent meeting ask questions relating to the instrument so laid.

(5) Within twenty-one (21) days of the return to Bermuda of an officially recognized parliamentary delegation composed in any part of Members of the House of Assembly, the head of the delegation, or a Member acting on his behalf, shall present a report to the House on the activities of the delegation if the House is in Session or as soon as practicable.

[S.O. 16 (5) Amended 3 November 2017]

17. QUESTIONS

(See also Appendix A and B)

17. (1) (a) Written questions may be put to a Minister or Junior Minister relating to any subject or department with the responsibility for which he or she has been charged.

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

(2) A question shall not be asked without notice, unless it is of an urgent character or relates to matters arising out of Ministerial Statements, and the Member has obtained the leave of the Speaker to ask it.

(3) Save as provided for in 17(9), notice of a question shall be in writing and signed by the Member concerned and shall be received by the Clerk by 12:00 noon not less than nine clear days before the day (which shall be specified in the notice) on which the answer is required.

(4) A Member who desires an oral answer to a question shall mark his or her notice with an asterisk. If a Member does not so mark the question with an asterisk, or if he or she is not present in the House to ask it and has not requested another Member to ask it, the Minister or Junior Minister to whom it has been addressed shall cause a written answer to be supplied to the Clerk who shall provide a copy to the Member who asked the question as well as cause the answer to be incorporated into the Minutes.

(5) The Speaker shall be the sole judge as to whether a question meets the required conditions and no question shall be accepted unless it shall have been endorsed by the Clerk as meeting the following general conditions:

(a) The proper object of question is to obtain information on a question of fact within the official cognizance of the Minister or Junior Minister to whom it is addressed, or to ask for official action;

(b) A question shall not include the names of persons, in any statements of fact, unless they are necessary to render the question intelligible;

(c) If a question contains a statement of fact, the Member 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) A Member shall not address the House 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, and/or tendentious and/or ironical or offensive expressions;

(g) A question shall not be asked:

(i) which raises an issue already decided in the House or which has been answered fully during the current session, or to which an answer has been refused during the current session;

(ii) seeking information about matters which are in their nature secret;

(iii) regarding proceedings in a Committee which have not been placed before the House by a report from the Committee;

(iv) which deals with matters referred to a Commission of Inquiry or within the jurisdiction of the Chair of a Select Committee;

(v) as to the character or conduct of any person except in his official or public capacity;

(vi) reflecting on the decisions of a court of law or being likely to prejudice a matter which is under trial and therefore sub judice;

(vii) reflecting on the character or conduct of any person whose conduct can only be challenged by a substantive motion under Standing Order 19 (11) (h);

(viii) inquiring 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;

(x) referring discourteously to, or seeking information about the internal affairs of any territory within the Commonwealth or of a friendly foreign country;

(xi) dealing with the action of a Minister for which he or she is not responsible to Parliament;

(xii) seeking, for purposes of argument, information on matters of past history;

(xiii) raising questions of policy too comprehensive to be dealt within the limits of an answer to a question;

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

(6) If the Speaker is of the opinion that any question of which a Member has given notice to the Clerk infringes the provisions of this or any Standing Order or is in any way an abuse of the right of questioning, he may direct:

(a) that the Member concerned be informed that the question is out of order; and

(b) that the question be printed or asked with such alterations as the Speaker may direct.

(7) Not more than three questions requiring an answer shall appear on the Order Paper in the name of the same Member for the same day.

(8) **Question Period** shall be limited to 60 minutes, including written questions and answers, supplementary questions and points of order.

(9) Members may ask questions without notice in the following cases:

(a) As a result of a Ministerial Statement. [**Statements must be given to the Speaker by 5 p.m. the day before the House meeting and distributed to Members at the time the Minister rises to speak**.]

(i) Members should notify the Speaker/Clerk as early as possible that he or she intends to ask such questions.

(ii) The question must arise directly from the contents of the Ministerial Statement and be directed to the Minister concerned.

(iii) Questions must be short, to the point and framed in the following terms:

e.g. "With respect to the matter raised by the Minister in his/her Statement [*the member may quote the relevant portions*], would the

Honourable Minister please (inform/tell/clarify) for this Honourable House etc." or other acceptable variations thereon.

(iv) Any member who asks a question is permitted two follow-up supplementary questions.

(v) At the discretion of the Speaker other members may be permitted follow up questions on the same subject.

(vi) Ministers should not be expected to provide information of a factual nature without notice and if the Speaker so determines that this is the case, then any such Question(s) will be subject to the Notice provisions.

(vii) Any Minister who, with the concurrence of the Speaker on the grounds that he or she needs to consult and obtain the necessary factual information, defers answering a Question will be expected to provide such information during the next Question Period.

(viii) The Minister or Junior Minister may take an oral question as notice to be answered orally at the next day of meeting, but where any reserved answer requires a lengthy statement, the statement shall be given under Statements by the Minister or Junior Minister at the next day of meeting.

(b) On matters of 'Urgent Public Importance'. Determining what qualifies as a matter of 'urgent public importance' is at the discretion of the Speaker.

(i) Any such Question allowed under this Guideline must be framed (or aimed) at determining Government's position or policy in respect of the matter concerned; and be directed at the Minister [or Junior Minister] under whose portfolio responsibility for the matter(s) lies.

(ii) Any member who asks a question is permitted two follow-up supplementary questions.

(iii) At the discretion of the Speaker other members may be permitted follow up questions on the same subject.

(10) No question shall be asked after the expiration of Question Time including any question which the Speaker has allowed to be asked without notice under Standing Order 17 (9).

(11) (i) During the second sitting of each month that the House is in session, there shall be a Premier's Question Period at the time designated in the Order of Business. (To be inserted after "Reports of Committees".) Premier's question time shall not exceed thirty (30) minutes.

(ii) During Premier's question time, questions may be put to the Premier relative to current matters of national importance or on the general performance of Government Ministries and Government Agencies; including a routine question about the Premier's engagements.

(iii) The Leader of the Opposition may ask three (3) questions. Other Members may ask one (1) question only. Only Members asking questions will be afforded two (2) supplemental questions.

[S.O. 17 (11) (i) (ii) (iii) Amended 3 November 2017]

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18. MANNER OF ASKING AND ANSWERING QUESTIONS

18. (1) At Question Period the Speaker shall call in turn upon each Member in whose name a question stands upon the Order Paper, in the order in which the questions are printed, or in any such other order as the Speaker may on any particular occasion (by leave of the House) determine. Each Member so called shall rise in his place and ask the question by reference to its number on the Order Paper and the Minister questioned shall give his reply.

(2) After the answer to a question has been given supplementary questions may, at the discretion of the Speaker, be put for the purpose of elucidating the answer given orally, but the Speaker may refuse any such question which in his opinion introduces matters not relevant to the original question, or which infringes any of the provisions of Standing Order 17.

(3) When all the questions for which an oral answer is required have been called, the Speaker if time permits shall call again any question which has not been asked by reason of the absence of the Member in whose

name it stands; in which case another Member may, if deputised by the absent Member, either ask the question or request its postponement. The Speaker shall also call again any questions which have not been answered by reason of the absence of the Minister to who it is addressed.

(4) A Minister may with the leave of the House defer answering a question.

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

(6) A Minister may, notwithstanding Standing Order 17 (4) with the consent of the Speaker and of the Member asking the question, reply earlier than the day for which the question has been put down.

(7) Questions which have not received an oral answer at the expiration of one hour from the commencement of Question Period shall be answered in writing by the Minister to whom the question was addressed and copies of the answer shall be given to the Clerk, who shall provide a copy to the Member in whose name the Question stood, unless before the end of Question Period a Member having a question on the Order Paper but whose name has not yet been called by the Speaker signifies to the Speaker his desire to postpone the question to a later sitting or to withdraw it.

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19. RULES OF DEBATE

19. (1) A Member desiring to speak shall first rise in his or her place and if called upon shall address the Chair. No Member shall speak unless called upon by the Speaker or Chair.

(2) If two or more Members rise at the same time, the Speaker or Chair shall call upon the Member who first catches his or her eye.

(3) Subject to sub-paragraph (4) of this Standing Order, no Member shall speak more than once on any question except:-

(a) in explanation, as prescribed in sub-paragraph (5) of this Standing Order;

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

(c) to a point of order;

Provided that any Member may, without prejudice to his or her right to speak at a later period in the debate, second a motion or amendment.

(4) In Committee, a Member may speak more than once on any question, but the Chair shall have discretion to regulate debate, in the exercise of which the Chair shall be guided by the Standing Order relating to debate in the House; and their rulings on the termination of speeches shall be final.

(5) A Member who has spoken on a question may, with the Speaker's permission, again be heard to offer explanation of some material part of his or her speech which he or she claims has been misrepresented, but the Member shall not introduce new matter. The Member must offer the explanation immediately at the conclusion of the speech which calls for it.

(6) A Member who has spoken may speak again when a new question has been proposed by the Speaker or Chair, such as a proposed amendment or a motion for the adjournment of the debate.

(7) Except for the statement in support of the Estimates of Revenues and Expenditure, the statement in reply thereto and any statement made under Standing Order 14 (1) (k), a Member shall not read his or her speech; but with the consent of the Speaker or Chair he or she may read extracts from written or printed papers in support of his or her argument, and may refresh his or her memory by reference to notes. In any case, where statements are read as aforesaid, copies of such statements shall be provided to all Members at the time of reading.

(8) No Member may speak on any question after it has been fully put to the vote by the Speaker or Chair, that is, after the voices of the Ayes and Nays have been collected.

(9) The mover of a motion may reply after all the other Members present have had an opportunity of addressing the House and before the question is put; and after such reply no other Member may speak except as provided for in sub-paragraph (10) of this Standing Order.

(10) A Minister, with the consent of the Speaker, 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 public officer.

(11) (a) Debate upon any Motion, Bill or Amendment shall be relevant to such Motion, Bill or Amendment and a Member shall confine his or her observations to the subject under discussion.

(b) 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.

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

(d) It shall be out of order to use offensive and insulting, or disrespectful language about Members of the House or which tends to bring the House of Assembly into disrepute.

(e) Ministers shall be referred to by the designation of their office, other Members shall be referred to by the name of the constituency which they represent, Senators (other than Ministers) shall be referred to by name.

(f) No Member shall impute improper motives to any Member of the House or indulge in personalities, except on a substantive motion moved for that purpose.

(g) The names of Her Majesty the Queen, His Excellency the Governor and the Speaker of the House shall not be used to influence the House.

(h) The conduct of Her Majesty the Queen, Members of the Royal Family, His Excellency the Governor, Members of either House of the Legislature, Judges and the performance of judicial functions by other persons shall not be raised, except upon a substantive motion moved for that purpose.

(i) No Member shall allude to any debate of the Senate.

(j) No Member shall allude to any debate of the same session upon a question or Bill not being then under discussion, except by indulgence of the House, for personal explanation.

(12) Debate upon any motion "That the debate be now adjourned", or that "This House do now adjourn", if moved during the debate, or in Committee upon any motion "That the Chair report progress and ask leave to sit again", shall be confined to the matter of such motion and a Member who has made such a motion shall not be entitled to move any similar motion during the same debate.

(13) (i) After a question has been proposed, any Member may at any time during the course of debate rise in his or her place and move "That the question be now put", and unless it appears to the Chair that the motion is an abuse of the Standing Orders, or an infringement of the rights of the minority, the question "That the question be now

put" shall be put forthwith. No debate on that motion shall be allowed; and if the motion is carried, the debate then before the House shall cease and the question before the House shall be put forthwith.

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

(14) (1) Except where otherwise expressly provided by the Rules or by leave of the House, no member shall speak in the House for more than 30 minutes.

(2) Notwithstanding clause (1), the first speaker for any recognized Party in the House may not speak for more than 60 minutes in the following circumstances:

(i) debate on second reading of a Government Bill;

(ii) debate on third reading of a Government Bill;

(iii) debate on any other motion.

(3) Notwithstanding clause (1) no Member shall speak for more than 20 minutes after 7 hours of debate on second or third reading of a Government Bill or any other Motion except for the right of reply which shall be 30 minutes.

[S.O. 19 (14) (3) Amended 13 March 2020]

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20. ANTICIPATION

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

(2) It shall be out of order to anticipate a Bill or a notice of Motion or a reply to a question by discussion upon (a) an amendment or (b) a motion for the adjournment of the House.

(3) In determining whether a discussion is out of order on the grounds of

anticipation, regard shall be had by the Chair to the probability of the matter anticipated being brought before the House within a reasonable time.

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21. MOTIONS

21. (1) Unless these Standing Orders otherwise direct, notice shall be given of any motion which it is proposed to move with the exception of the following:-

(a) a motion that the House resolve itself into committee;

(b) a motion for the adjournment of the House or of any debate, provided that such motion contains no ancillary provisions;

(c) a motion for leave to introduce and read for the first time a Bill by its title;

(d) a motion made in Committee of the whole House other than Committee of Supply;

(e) a motion allocating time for the consideration of any order of the day;

(f) a motion for the withdrawal of visitors;

(g) a motion for the suspension of a Member;

(h) a motion for the recommittal or withdrawal of a Bill;

(i) a motion relating to a matter of privilege;

(j) a motion in respect of which notice has been dispensed with under Standing Order 22**;**

(k) a motion for the suspension of the Standing Orders, put with the leave of the Speaker of the House;

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

(m) a motion for the election of a temporary presiding officer pursuant to Standing Order 6;

(n) a motion for the adoption or amendment of the minutes of the proceedings of the House; or for the adoption or amendment of the report of any committee of the House;

(o) a motion that the question now be put;

(p) a motion to refer any matter to a Committee; and/or a motion that a report of a Select Committee be referred to a Committee of the whole House, or be printed;

(q) a motion arising out of any item of business made immediately after that business has been disposed of and before the next item of business is entered upon;

(r) any motion for which notice has been dispensed with by any other Standing Order;

(s) any other motion that is of a routine nature, made for the purpose of ordering House or Committee business; maintaining order or decorum in the House; or for the dispersal of papers, reports and other related documents.

(2) (a) Subject to the Bermuda Constitution Order 1968 and these Standing Orders, any Member may propose a motion for consideration by the House;

(b) On motion being made and, where necessary seconded, the Speaker shall propose the question to the House and after debate, if any, shall then put the question for the decision of the House;

(c) No motion shall be moved which is substantially the same as any motion that has been decided upon in the last six months or in the same session, whichever is longer.

(d) If a motion embodies two or more separate but related propositions, the propositions may be proposed as separate questions.

(3) Any motion made for the House to resolve itself into a Committee of the whole House shall not be debated but shall be voted upon forthwith on the question being put by the Chair.

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22. DISPENSING WITH NOTICE

22. Notice shall not be dispensed with in the case of a motion or in respect of any other proceeding for which notice is required except with the consent of the Speaker and the agreement of the majority of Members present at the time.

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23. MANNER OF GIVING NOTICE

23. (1) No Member shall move a motion unless notice has been given in writing to the Clerk.

(2) All notices required by these Standing Orders shall be signed by the Member concerned and delivered to the Clerk by hand, or sent, or left at the Clerk's office. Every Member in giving notice of a motion shall do so by handing a written or typed copy of such motion signed by himself to the Clerk or, when the House is not sitting, shall forward the same to the Clerk electronically.

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

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

(5) Motions or amendments to Bills sent to the Clerk shall be printed and circulated by him or her.

(6) If the Speaker is of the opinion that any notice of motion which has been received by the Clerk is contrary to the Standing Orders of the House, he may direct:-

(a) that the Member concerned be informed that the notice of motion is out of order; or
(b) that the notice of motion be entered on the Order Paper with such alterations as the Speaker may direct.

(7) No motion shall be moved which is substantially the same as any motion that has been decided upon in the last six months or in the same session whichever is the longer.

(8) Save as provided in Standing Orders 4 and 5, no motion shall need to be seconded before the question thereon is proposed from the Chair;

(9) (a) Except as otherwise provided in these Standing Orders, notice of a Government motion shall appear on the Orders of the Day at least twice before it may be moved; except that

(b) With the consent of the Speaker, a Government motion may be moved after it has appeared once on the Orders of the Day;

(c) Except as otherwise provided in these Standing Orders, notice of a Private Member's motion must appear on the Orders of the Day twice before it may be moved.

24. AMENDMENTS

24. (1) When any motion or Bill is under consideration in the House or in Committee, an amendment may be proposed without notice if it is relevant to the question or matter then under discussion:

Provided that no amendment may be made in the first part of a question, after the latter part has been amended, or has been proposed to be amended, if a question has been proposed from the Chair upon such amendment.

(2) The Speaker or Chair may require the mover of an amendment to put the amendment in writing and deliver it to the Clerk.

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

(4) An amendment must not raise any question which can be raised only by a distinct motion after notice.

(5) An amendment to a question must not be substantially identical to an amendment moved by another Member.

(6) An amendment to a question must not be inconsistent with a previous decision on the same question given at the same stage of any matter.

(7) An amendment must not substantially be a direct negative of the original proposition or of any amendment thereto.

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

(9) 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.

(10) Save as provided in Standing Orders 4 and 5 no amendment shall need to be seconded before the question thereon is proposed.

(11) When an amendment has been moved, the question put thereon shall be, "That the amendment be made", except that, when the question is that a Bill be now read the second time or the third time and an amendment has been moved to leave out the word "now", the question put shall be, "That the word 'now' stand part of the question."

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25. WITHDRAWAL OF MOTIONS OR ADMENDMENTS

25. (1) A motion or amendment to a Bill may be withdrawn, at the request of the mover, by leave of the House or Committee before the question is fully put thereon, provided that there is no dissentient voice. A motion or an amendment to a Bill so withdrawn may be proposed again provided that, in the case of a motion, notice as required by these Standing Orders is given.

(2) If the question has been proposed on an amendment to a motion or to an amendment to a Bill, the original motion or amendment to a Bill may not be withdrawn until the amendment thereto has been disposed of.

(3) If an interval of three calendar months has elapsed after notice of a motion has been given without further action having been taken on the motion, the notice shall be deemed to have been withdrawn unless the House otherwise orders.

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26. VOTING

26. (1) Save as otherwise provided in the Bermuda Constitution Order 1968 or in these Standing Orders, all questions shall be determined by a majority of votes of the Members present and voting; however a Member may abstain from voting by so declaring to the Speaker, or when the House is in Committee, to the Chair.

(2) (i) A Member shall not vote on any subject in which he or she has a direct personal or pecuniary interest, peculiar to such Member as distinguished from the public at large, and if the right of any such Member to vote shall be challenged by any other Member on this ground such Member shall not be entitled to vote if the Speaker shall determine that the Member whose right to vote is in question is disqualified by this Rule from voting.

(ii) After a vote on any question has been taken no Member may challenge, whether by substantive motion or otherwise, the right of any other Member to vote on that question, save and except as set out herein.

(iii) A motion to disallow a Member's vote on the ground that he or she has a direct personal or pecuniary interest may be made but only as soon as the numbers of the Members voting on the Question have been declared. If the motion for the disallowance of a Member's vote is agreed to, the Speaker, or in Committee the Chair, shall direct the Clerk to correct the numbers voting in the division accordingly.

(iv) In deciding whether a motion for the disallowance of a Member's vote is to be proposed, the Speaker, or in any Committee of the whole House the Chair, shall have regard to the character of the Question upon which the division was taken and to the consideration whether the interest therein of the Member whose vote is challenged is direct and pecuniary and not an interest in common with the rest of the public at large.

(3) The Speaker, or in Committee the Chair, shall not vote on any question unless the votes are equally divided, in which case the Speaker or Chair as the case may be shall have (and exercise) a casting vote.

(4) (a) At the conclusion of a debate on any question, the Speaker, (or Chair if in Committee) shall put the question for the decision of the House (or Committee).

(b) If there is no objection voiced to the question, the Speaker (a Chair) shall declare it carried. If an objection is voiced, the Speaker (Chair) shall collect the voices of the "Ayes" and the "Nays" and offer an opinion of the voice vote by stating: "In my opinion the 'Ayes'/or the 'Nays' have it."

(c) When a voice vote has been taken, any three Members may challenge the opinion of the voice vote by standing in their places and requesting a recorded division.

(5) No Member may speak to any question after the same has been fully put from the Chair. A question is fully put when the Chair has taken the collective voice vote of both the "Ayes" and the "Nays".

(6) Where a division is claimed under paragraph (4) (c), the Speaker, or if in Committee the Chair, shall cause a warning bell to be sounded and the voting shall not take place until two minutes thereafter.

(i) Names shall be taken by the Clerk asking each Member separately how he or she desires to vote and the votes shall be recorded accordingly.

(ii) When a Member's name is called by the Clerk at a taking of names, the Member shall answer either by voting for the "Ayes" or for the "Nays" or shall declare that he or she abstains from voting.

(iii) As soon as the Clerk has collected the votes, the Chair shall state the numbers voting for the "Ayes" and for the "Nays" respectively and shall then declare the result of the division; or give his or her casting vote if warranted.

(7) On any vote taken under sub-paragraph (6) of this Standing Order, the names of Members respectively voting for and against the motion shall be entered in the minutes.

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27. CIRCULATION OF BILLS

27. (1) The Clerk shall be responsible for the circulation of Bills on behalf of the Minister or Member in charge.

(2) As soon as possible after the receipt of a Bill the Clerk shall circulate a copy to every Member. Every Bill shall be accompanied by a short explanatory statement of its objects, and if it involves expenditure, a financial memorandum indicating the estimated annual recurrent cost and any capital cost.

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28. INTRODUCTION AND FIRST READING OF BILLS

28. (1) Except as provided in sub-paragraph (5) of this Rule and subject to the provisions of Standing Order 33 in the case of a Private Bill, any Member may move for leave to introduce and read a Bill for the first time by its title, which motion shall be put forthwith and decided without amendment or debate.

(2) Every Bill shall be read the first time immediately after leave has been given.

(3) An interval of not less than seven days shall elapse between the first and second reading of a Bill, unless the House on motion made and

question put agrees to proceed with the Bill at an earlier date, or forthwith.

(4) (a) A Government Bill does not require leave of the House for introduction and may be presented to the House after notice;

(b) A notice of the presentation of a Government Bill may be entered on the Order Paper for the day following the day on which it was received by the Clerk.

(5) Except on the recommendation of a Minister, neither the House nor any Committee of the whole House shall:-

(a) proceed upon any Bill (including any amendment to a Bill) that in the opinion of the Speaker or the Chair makes provision for any of the following purposes:-

(i) the imposition of taxation or the alteration of taxation otherwise than by reduction;

(ii) the imposition of any charge upon the Consolidated Fund or any other public fund of Bermuda or the alteration of any such charge otherwise than by reduction;

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

(iv) the composition or remission of any debt due to the Government; or

(b) proceed upon any motion (including any amendment to a motion) the effect of which, in the opinion of the Speaker or the Chair, would be to make provision for any of those purposes.

(6) The mover of a Bill may make a brief explanation of its purpose.

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29. SECOND READING OF BILLS

29. (1) A Bill shall not be called for a second reading until it has been printed and distributed and not earlier than seven (7) days following its introduction.

(2) When a Bill has been read the second time it shall stand committed to a Committee of the whole House, unless the House on motion commits it to a Select Committee or unless these Standing Orders otherwise provide. A motion for committal to a Select Committee shall not require notice, must be made immediately after the Bill has been read the second time and may be proposed by any Member.

(3) On the order for the second reading of a Bill, "that the Bill be now read for a second time", the mover shall more fully explain the purpose of the Bill. Debate at this stage may cover the general merits and principles of the Bill.

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

(5) On the second reading of a Bill, an amendment to the question "That the Bill be now read the second time", may be proposed to delete the word "now" and to add at the end of the question the words "upon this day six months hence"; or an amendment may be moved to delete all the words after the word "That" in order to substitute words stating the object and motive on which opposition to the Bill is based, however the words so substituted must be strictly relevant to the principle of the Bill and not deal with its details.

(6) If the decision on an amendment made under sub-section (5) above is defeated, the Speaker shall forthwith declare the Bill to be read for the second time.

(7) Once the second reading of any Bill has been decided, no question shall be proposed during the same session, or within 6 months (whichever is longer), for the second reading of any other bill containing substantially the same provisions.

(8) At the conclusion of Committee consideration of a Bill, the Member in charge may move "That the Bill (or, Bill as amended) be reported to the House" and the question shall be put without amendment or debate.

(9) When a Bill has been reported from the Committee of the Whole House, it shall be ordered referred for Third Reading.

(10) If any Member desires to amend a Bill further once it has been reported from the Committee of the Whole House, he or she may at any time before the Motion for Third Reading is moved, move that the Bill (in whole, or in part) be recommitted.

(11) (a) When a Bill has been recommitted, the Committee shall consider the Bill clause by clause; unless the Bill has been recommitted only in respect of some particular part (or parts), in which case the Committee shall consider only the matter so recommitted.

(b) When the Committee has concluded its proceedings according to sub-paragraph 11(a) above, it shall report the Bill to the House and the Bill shall be ordered for Third Reading.

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30. THIRD READING OF BILLS

30. (1) When a Bill has been reported from any committee of the whole House it shall on motion "*That the Bill be now read a third time and passed,*" be ordered to be read the third time by its title.

(2) On the third reading of a Bill an amendment may be proposed to delete the word "now" and add the words at the end of the question "six months hence"; or an amendment may be moved to delete all the words after the word "that" in order to add words stating the reason for opposing its passage, but such motion must be strictly relevant to the bill and not deal with its details.

(3) On the third reading of a Bill, amendments for the correction of errors or oversights may, with the Speaker's permission, be made before the question for Third Reading of the Bill is put, but no amendments of a material nature shall be made.

(4) A Bill read a third time and passed shall be signed by the Speaker and by the Clerk.

(5) The Clerk may make, without motion, consequential amendments to the numbering and lettering of any Bill when it has been amended.

(6) A Bill may be withdrawn by leave of the House, or as the case may be, of the Committee, either:

(a) before the commencement of the Orders of the Day; or
(b) at any stage in the Order of the Day if the mover requests it before the question is fully put.

(7) When a Bill originating in the Senate has been read a third time and passed, a printed and signed copy shall be forwarded to the House with a message seeking its concurrence.

(8) When a Bill, originating in the House, has been read a third time and passed by the Senate with an amendment, or amendments, the Clerk of the Senate shall cause such amendments to be entered into the original copy of the Bill received from the House, which copy, properly signed, shall then be returned to the House together with a message seeking its concurrence to the amendment or amendments.

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31. BILLS RECEIVED FROM THE SENATE

31. (1) Proceedings on Bills received from the Senate shall be as provided in Standing Orders 28 through 31 inclusive**.**

(2) When a Bill has been returned from the Senate with a list of the Senate's amendments, the Member in charge of the Bill may without notice move for the consideration of the said amendments forthwith or on a future date, and such a motion shall be decided without amendment or debate.

(3) Upon consideration of the amendments, the House may agree, disagree or make amendments thereto, or may propose amendments in lieu thereof or consequent thereto.

(4) If such a Bill has been agreed to by this House without amendment, a Message to that effect shall be carried to the Senate by the Clerk and the Bill shall be signed by the Speaker.

(5) If such a Bill has been passed by the House with amendments, the Bill shall be signed by the Speaker and returned to the Senate by the Clerk with a list of the amendments, and a Message desiring the concurrence of the Senate to those amendments.

(6) When a Bill, originating in the Senate, to which amendments have been made by the House, is again received from the Senate with a list of amendments to or in lieu of the amendments made by the House, the proceedings upon the Senate's amendments shall be as provided in sub-paragraphs 31 (2) and (3) herein.

(7) If the Senate has assigned reasons for disagreeing to any of the House's amendments, the reasons shall be considered forthwith or upon a future date as the Member in charge of the Bill shall appoint,

and upon their consideration the question shall be proposed in respect of each amendment disagreed to by the Senate that the House insists or does not insist upon its amendments.

(8) Upon the conclusion of proceedings under sub-paragraphs 31(6) and (7) above, if the Bill has been agreed to by the Senate and the House, as amended by one or both Chambers, or if the Bill has been passed by both without amendment, the Speaker shall sign the Bill.

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32. PROCEDURE IN COMMITTEE OF THE WHOLE HOUSE ON BILLS

32. (1) Instructions to the Committee of the Whole House may be included in the motion for committal, but shall not be moved by way of amendment; provided that no instruction shall be moved to order the Committee to make a provision, if it already has power to make such provision.

(2) Any Committee of the Whole House to which a Bill is committed shall not discuss the principle of the Bill, but only its details.

(3) Subject to Standing Order 24, the Committee shall have power to make such amendments as it thinks fit.

(4) In Committee of the Whole House the Member in charge shall move each clause in succession, provided that he or she may, at their own discretion, move groups of consecutive clauses, unless any other Member objects thereto.

If no amendment is proposed thereto, or when all proposed amendments have been disposed of and debate thereon has concluded, the Chair shall proceed to put the question.

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

(6) No amendment shall be moved which is inconsistent with any clause already agreed upon or any decision already come to by the Committee, and the Chair may, at any time during the discussion of a proposed amendment, withdraw it from the consideration of the

Committee if in the Chair's opinion the discussion has shown that the amendment contravenes the provisions of this Standing Order.

(7) Consideration of a clause may be postponed, unless a decision has already been taken upon an amendment thereto and postponed clauses shall be considered when all remaining clauses have been considered and before any new clauses are considered.

(8) Any proposed new clause may be considered either after the clauses of the Bill have been disposed of, and before consideration of the schedule, or at the appropriate place in the Bill as the Chair may determine.

(9) A motion to include a new clause shall be the subject of debate, and when all amendments (if any) proposed thereto have been disposed of and debate thereon has concluded the Chair shall proceed to put the question.

(10) Schedules shall be disposed of in the same way as clauses.

(11) When every clause and schedule and every proposed new clause or new schedule has been dealt with, the Preamble shall be considered and the question put "That this Preamble (or this Preamble as amended) be the Preamble to the Bill". No amendment to the Preamble shall be considered unless it has been made necessary by a previous amendment to the Bill.

(12) If any amendment to the title of the Bill is made necessary by an amendment to the Bill, it shall be made at the conclusion of the proceedings as detailed in this Standing Order, but no question shall be put that the title (or the title as amended) stands part of the Bill.

(13) At the conclusion of the proceedings, the Chair shall put the question "That the Bill (or the Bill as amended) be reported to the House", which shall be decided without amendment or debate.

(14) When the Speaker puts the question that the report of the Committee of the Whole House be adopted no amendment or debate thereon shall be permitted.

(15) If any Member, before the conclusion of proceedings on a Bill, moves to report progress and such motion is carried; or if the proceedings in Committee have not been finished at the conclusion of a sitting, the Chair shall rise and report progress to the House and shall ask leave to sit again.

33. PRIVATE BILLS

33. (1) Every Bill that is intended to benefit a particular person, association, or corporate body and is not a Government measure shall be introduced as a Private Bill under this Standing Order.

(2) Every 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.

(3) (a) No Private Bill shall be brought in except upon leave given on a Petition from the promoters.

(b) Every Petition for the passing of a Private Bill shall be accompanied by seventy-five printed copies of the Bill which the promoters desire to have passed.

(4) Printed copies of every Private Bill shall be circulated to Members as soon as practicable after the presentation of the relevant Petition.

(5) Whenever a Petition for the passing of a Private Bill for:-

(a) the incorporation of a company or other body corporate, or;

(b) the amendment of any Private Act under which a company or other body corporate has been or may be incorporate;

has been presented, the Speaker shall, without motion or question put, refer such Petition to the Joint Select Committee on Private Bills for consideration and report.

(6) A Private Bill shall not be read for the first time until:-

(a) the Clerk shall have certified in writing to the Speaker that notice of the general nature and objects of the Bill and of the intention to introduce the same has been published in some local newspaper which newspaper is published not less frequently than weekly; and

(b) not less than ten days have elapsed after such publication.

(7) The subsequent procedure with regard to Private Bills shall be the same as that with regard to other Bills except that:-

(a) After a Private Bill for the incorporation of a Company or other body corporate or the amendment of any Private Act under which a company or other body corporate has been or may be

incorporated has been introduced the Member in charge may without notice move that the remaining stages be taken forthwith;

(b) A Private Bill such as is described in sub-paragraph (7) (a) above shall, unless the House otherwise orders, be dealt with at the second reading without being committed, but shall be deemed not to have passed the second reading until all the clauses of the Bill, in their original or amended form, shall have been agreed;

(c) At any time during the proceedings on the second reading of a Private Bill such as is described in sub-paragraph (7) (a) above any Member may (notwithstanding that he may have spoken) interrupt the proceedings and move without notice that the Bill be committed to the House in Committee of the whole House for consideration, which motion shall be put without amendment or debate;

(d) If a motion for committal of a Private Bill made pursuant to sub-paragraph (7) (c) above be adopted, all proceedings in the House with respect to such Bill subsequent to the adoption of the motion for the second reading thereof and prior to the adoption of the motion for committal shall be void and the Bill shall stand committed.

(8) Unless the House otherwise orders, no Petition for the passing of a Private Bill shall be considered during the period, in any year, beginning on the first day of June and ending on the day on which Parliament is prorogued for the Summer Recess.

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34. COMMITTEES

34. (1) There shall be the following Standing Committees:

(a) The Private Bills Committee;
(b) The Public Accounts Committee;
(c) Committee on the Office of the Auditor
(d) Committee on Register of Members' Interests
(e) Parliamentary Oversight Committees

(2) (a) **The Private Bills Committee** shall be a Joint Select Committee with five Members appointed by the Speaker (who may also discharge and replace them) to sit with Members of the Senate for the duration of the life of Parliament.

(b) The Private Bills Committee shall have the duty of examining, considering and reporting on:-

(i) all Petitions and Private Bills referred to it pursuant to Standing Order 33; and

(ii) all other Petitions and matters referred to it by either House of the Legislature.

(3) (a) **The Public Accounts Committee** shall consist of seven Members appointed by the Speaker, inclusive of the Chair, for the duration of the life of Parliament; however any Member may be discharged from serving as a Member of the Committee by the Speaker and replaced.

(b) The Chair of the Public Accounts Committee shall be a Member of Her Majesty's Loyal Opposition.

(c) The Public Accounts Committee shall have the duty of examining, considering and reporting on:-

(i) the accounts showing the appropriation of the sums granted by the Legislature to meet the public expenditure of Bermuda;

(ii) such accounts as may be referred to the Committee by the House; and

(iii) the report of the Auditor for any such accounts.

(4) The **Committee on the Office of the Auditor** shall be appointed for the duration of the life of Parliament. It shall consist of five Members, inclusive of the Chair, appointed by the Speaker, who may discharge and replace any Member. The Committee shall have the duty:-

(a) of reviewing annual and any supplementary estimates requested by the Auditor and of making recommendations thereon to the Minister of Finance;

(b) of reviewing the establishment including both numbers and trading of posts comprising the Office of the Auditor and any changes proposed by the Auditor and of making recommendations thereon to the Minister responsible for Management Services;

(c) of reporting to the House of Assembly the potential effects on the Auditor's ability to carry out his functions in a timely manner of any changes to either estimates, including

supplementary estimates, or establishment of the Office of the Auditor from those recommended by the Committee;

(d) of reviewing General Orders, Financial Instructions or other directions so far as they may impinge on the independence of the Auditor and his ability to carry out his functions and of recommending how those directions might be amended in their application to the Auditor;

(e) of recommending to the Minister of Finance the basis and circumstances in which the Auditor should levy fees as income to the Consolidated Fund;

(f) where the Auditor is requested to carry out duties in addition to the functions set out in the Audit Act, 1990 *[title 14, item 4]* then of recommending to the Minister of Finance the additional resources required to undertake those duties;

(g) of establishing the dates by which the Auditor must present his reports to the Speaker of the House of Assembly if, in the opinion of the Committee, the submission times set by the Act cannot be met for good reason;

(h) of recommending to the Minister of Finance the auditor who will audit the revenues and expenses of the Office of the Auditor;

(i) of receiving and considering in consultation with the Auditor the reports of any practice reviews performed on the Office of the Auditor, such reports to remain confidential to the Auditor and Members of the Committee.

(5) The **Committee on Register of Members' Interests** shall be a Joint Select Committee with five Members appointed by the Speaker (who may also discharge and replace them) to sit with Members of the Senate for a total of seven Members inclusive of the Chair, appointed for the duration of the life of Parliament.

There shall be a Register of Members' Interest, to provide information of any pecuniary interest or other material benefit which a Member of Parliament may receive which may be thought to affect his or her conduct or influence his or her actions, speeches or votes, and the Clerk of the Legislature shall act as the Registrar.

The Committee on shall have the duty:-

(a) of examining the arrangements made for the compilation, maintenance and accessibility of the Register of Members' Interests;

(b) to consider any proposals made by Members or others as to the rules, form and content of the Register;

(c) to consider any specific complaints or disputes made in relation to the registering or declaring of interests;

(d) to report on these and any other matters relating to Members' interests; and

(e) to exercise a general oversight of the procedures for the registering and declaring of interests and make recommendations for changes therein and from time to time report to the House its interpretation of the scope of the various classes of pecuniary interests.

(6) (a) A **Parliamentary Oversight Committee** shall be a Joint Select Committee with five (5) Members appointed by the Speaker (who may also discharge and replace them) to sit with Members of the Senate for a total of seven (7) members inclusive of the Chair (appointed by the Speaker):-

(i) the Committees shall number no less than three (3) and no more than five (5);

(ii) each of the committees will bear names reflective of the Ministries under their purview and such names shall change in accordance with composition as a result of Portfolios assigned by the Premier.

(iii) the Speaker, in consultation with the Standing Orders Committee, shall assign any new Ministry to an existing committee or establish and name a new committee, whichever is more practicable.

(b) A Parliamentary Oversight Committee shall each have the duty of examining, considering and reporting to the House on:-

(i) any inquiry into assigned agencies and department identifying deficiencies in their administration and operation;

(ii) any recommendation to improve governance, reduce waste and increase efficiency of the operation of assigned agencies and departments;

(iii) any bill to be examined, referred to it pursuant to Standing Order 29(2).

[S.O. 34 (1) (e) and 34 (6) Amended 3 November 2017]

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35. SESSIONAL SELECT COMMITTEES

35. (1) Members of the House appointed to Sessional Select Committees shall be chosen by the Speaker as soon as may be after the beginning of each Session.

(2) There shall be the following Sessional Select Committees:-

(a) The Standing Orders Committee
(b) The House & Grounds Committee
(c) The Regulations Committee

(3) The Standing Orders Committee shall consist of the Speaker (who shall be the Chair thereof) and five other Members. It shall have the duty of considering and reporting on:

(a) such matters relating to the Standing Orders as may be referred to it by the House;

(b) such matters which appear to affect the powers and privileges of the House as may be referred to it by the House; and

(c) such matters relating to the Standing Orders or appearing to affect the powers and privileges of the House as the Committee may deem to require consideration.

(4) The House & Grounds Committee shall consist of the Deputy Speaker (who shall be the Chair thereof) and four other Members. It shall have the duty of considering and advising the Speaker on all matters connected with the comfort and convenience of Members, including the maintenance and repair of the facilities of the House and its precincts and, from time to time, reporting to the House its Minutes of Proceedings.

(5) The Regulations Committee shall consist of five Members inclusive of the Chair thereof. It shall have the duty of considering all such statutory instruments (as defined by the Interpretation Act for the time being in force) as under the authority of any Act are laid before the House, and to bring to the special attention of the House any regulations –

(a) which involves the expenditure of public monies or imposes or fixes fees for licenses or for services;

(b) the making of which appears to constitute an unusual or unexpected use of the powers conferred by the Act under which it was made;

(c) which purports to have retroactive effect;

(d) the publication or laying before the House of which appears to have been unduly delayed; or

(e) the purport or form of which appears to require elucidation;

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

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36. OTHER SELECT COMMITTEES

36. (1) A Select Committee, other than a Standing Select Committee, shall be appointed by order of the House, which shall specify the terms of reference of the Committee.

(2) It shall consist of as many Members as the House may nominate.

(3) The quorum of a Select Committee shall be such as specified in the order of the House.

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

(5) Where a Member of a Select Committee dies, or for any other reason his or her seat becomes vacant, then subject to the preceding sub-paragraph, the House shall nominate another Member in replacement. Subject to the wishes of the House, the proceedings of a Committee shall not be invalidated on the ground of a vacancy in the membership of the Committee so occurring.

(6) Except as otherwise provided in these Orders, or by special direction of the House, a Select Committee may elect a Chair from among its Members.

37. JOINT SELECT COMMITTEES

37. (1) The Speaker may for the purposes of any Joint Select Committee (other than the Public Accounts Committee) appoint not more than seven Members to sit with Members of the Senate as a Joint Select Committee.

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

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

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

38. PROCEDURE OF COMMITTEES

38. (1) Except as otherwise provided in these Orders, this order shall apply to all Select Committees.

(2) If the Chair of any Select Committee shall be absent from any meeting, the Committee shall elect another member to serve as Chair for that meeting only.

(3) Unless the House otherwise directs, except for the Standing Orders Committee and the House and Grounds Committee, all other Select Committees shall have the power to send for persons, papers and records.

(4) Unless the House otherwise orders, a simple majority of the Members of the Committee shall be a quorum.

(5) The first meeting of a Select Committee shall be held at such time and place as the Chair [in the case of a Standing Select Committee], or the Speaker [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 fails to do so, the Chair shall, in consultation with the Clerk of the Committee, appoint such time and place.

(6) The deliberations of a Select Committee shall be confined to the matter referred to it by the House and any extension or limitation thereof made by the House.

(7) A Select Committee shall not have the power to delegate any of its functions to the Chair.

(8) Subject to any order of the House or resolution of the Committee, the sittings of a Select Committee shall be private.

(9) A Select Committee may:-

(a) sit at any time when the House is adjourned;

(b) except by leave of the Speaker not sit while the House is sitting.

(10) Every Select Committee shall, before the end of a Session, make a report to the House upon matters referred to it; but where a Committee finds itself unable to conclude its investigations before the end of the Session it may so report to the House.

(11) A Report of a Select Committee may contain the opinions and the observations of the Committee and may be accompanied by any Minutes of evidence taken before the Committee.

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

(13) (a) The Chair of a Select Committee shall prepare a draft report and submit it for the consideration of the Committee; but alternative drafts may be submitted for consideration by any other Member of the Committee;

(b) The report finally to be adopted shall be such as is agreed to with amendments, if any, by all the Members of the Committee or, failing unanimous agreement by a majority of the Members;

(c) Any Member dissenting from the report of a majority of the Committee may by leave of the Committee put in a concise

written statement of his reasons for such dissent, and such statement shall be appended to the report.

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

(15) A report or special report together with a copy of the Minutes of proceedings of a Select Committee and a copy of the Minutes of any evidence given before that Committee shall:

(a) be presented to the House by the Chair or other Member deputised by the Committee; and

(b) shall without question put be ordered to lie upon the table and the report shall be ordered to be printed.

(16) The minutes of proceedings of a Committee shall record:

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

(b) the names of the witnesses examined;

(c) in the event of a division taking place, the question proposed, the name of the proposer and the respective votes thereon of the members present;

(d) a copy of the draft report and any alternative draft, and any amendments thereto.

(17) The report of a Select Committee may be taken into consideration by the House on a motion "That the Report of the Select Committee on _____be adopted" and such a motion may be moved by any Member.

(18) In any Select Committee, the Standing Orders of the House shall be observed so far as may be applicable, except the Order limiting the number of times of speaking. Unless provided by unanimous consent, no Member shall speak for more than 20 minutes at any one time.

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39. ESTIMATES OF EXPENDITURE

39. (1) The Minister responsible for Finance shall cause to be prepared and laid before the House as soon as practicable before the commencement of each financial year Estimates of the revenues and expenditure for

that year; or any supplementary estimates and shall immediately thereafter move a resolution: "That this House approves the Estimates of Expenditure for the year _____", or "That this House approve the supplementary estimates" as the case may be.

Provided that, if the Legislature is dissolved less than three calendar months before the commencement of any financial year, the estimates for that year may be laid before the House as soon as practicable after the commencement of that year.

(2) After the motion for the approval of the Estimates of Expenditure for the financial year, or for the approval of the Supplementary Estimates has been made, the Minister responsible for Finance shall in the case of the Estimates of Expenditure make the annual financial statement or budget speech; or in the case of the supplementary estimates, a financial statement.

(3) (a) In the case of the motion for approval of the Estimates of Expenditure for the financial year, no other Member shall speak after the Minister in charge has spoken; and

(b) The debate on the resolution shall be adjourned to a date, being a day not earlier than five clear days after the day on which the motion was moved, to be named by the Minister responsible for finance.

(4) The debate when resumed shall be confined to the financial and economic state of Bermuda and the general principles of Government policy and administration as indicated in the budget speech and the Estimates.

(5) After Members have spoken and the Minister in charge has replied, the debate in the House shall be concluded without question put and the Estimates referred to a Committee of the Whole House which shall be called the Committee of Supply of the Whole House.

40. COMMITTEE OF SUPPLY

40. (1) There shall be a Committee of the whole House to be called "the Committee of Supply."

(2) It shall be the duty of the Committee of Supply to consider the Estimates of revenues and expenditure and any supplementary Estimates.

(3) Unless the House otherwise decides, a maximum of fifty-six hours shall be allowed for the consideration of the Estimates in the Committee of Supply. Standing Order 19 (14) does not apply in this instance.

(4) In the case of debate on the Estimates of Expenditure, the Opposition shall have the right to determine the order in which the heads of expenditure shall be considered by notifying the Speaker and the Government in writing thereof not less than two clear days before the day named by the Member in charge under Standing Order 39 (3) (b) for resumption of debate on the motion for the approval of the Estimates of expenditure:

Provided that in the event of failure of the Opposition to exercise the right conferred under this paragraph the Government shall have the right to determine such order.

(5) Upon any day allotted under sub-paragraph 4 of this Order, no motion shall be moved except by a Minister upon any proceedings upon the Estimates, and such proceedings shall not be interrupted or postponed under any Standing Order.

(6) The Chair may name the hour upon any day allotted under sub-paragraph (4) of this Order at which proceedings upon any head of expenditure in the Estimates shall be concluded.

(7) If in case of any head of expenditure in the Estimates the hour so named is reached before the business concerned is disposed of, the Chair shall forthwith put any question necessary to dispose of that business.

(8) If in the case of any head of expenditure in the Estimates the proceedings thereon are concluded before the hour named, the next head may be entered upon forthwith.

(9) (a) On consideration of the Estimates (or Supplementary Estimates) each head of expenditure shall be considered. The Member in charge shall move each head of expenditure in the order determined under sub-paragraph (4) of this Order.

(b) A debate may take place on that motion or on any motion in respect of any amendment moved under the provisions of Standing Order 41**.** The debate must be relevant to the head or programme under consideration or to any amendment proposed thereto.

(10) Any reference in these Standing Orders to a programme means a programme within any head of expenditure then under consideration.

(11) The Chair shall call the title of each head of expenditure in turn, and shall propose the question, "That the sum of $_____ for Head _____ stand part of the Estimates," unless an amendment is proposed under Order 41. The debate on that question may include any detail under that Head, provided that any such debate shall be confined to the policy of the service for which the money is to be provided and shall not deal with the details of revenues or funds for which that service is not responsible.

(12) When the question upon every head of expenditure has been decided, the Chairperson shall put the question that the Estimates (as amended, if amended) be reported to the House, which question shall be decided upon without amendment or debate. Upon such question being agreed to, the House shall resume, and the Chairman shall report the Estimates to the House.

(13) At the conclusion of consideration of the Estimates in Committee of Supply, the House shall resume without question put and the Chairperson shall report to the House.

(14) As soon as the Estimates have been reported to the House, the Speaker shall put the question to the House, which question shall be decided without amendment or debate.

41. AMENDMENTS TO HEADS OF ESTIMATES IN COMMITTEE OF SUPPLY

41. (1) Any proposed amendment to the estimates shall be in writing.

(2) An amendment to any head of expenditure to increase the sum allotted thereto in respect of any item or subhead or of the head itself may only be moved by a Minister who shall signify to the Committee the consent of the Cabinet to the increase. Every such amendment shall take the form of a motion "that item or sub-head or head (as the case may be) …."

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

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

(5) An amendment to reduce a head in respect of any subhead, or by leaving out a subhead, shall only be in order if the subhead is not itemised.

(6) An amendment to reduce a head, without reference to a subhead therein, shall only be in order if the head is not divided into subheads.

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

(8) In the case of each head, amendments in respect of items or subheads shall be considered in the order in which the items, or subheads, are printed in the Estimates.

(9) When notice has been given of two or more amendments to reduce the same item, subhead, or head, they shall be considered in the order of

the magnitude of the reductions proposed, the amendment proposing the largest reduction being placed first in each case.

(10) Debate on every amendment shall be confined to the item, subhead, or head to which the amendment refers, and after an amendment to an item or subhead has been disposed of, no amendment or debate on a previous item or subhead of that head shall be permitted.

(11) When all amendments in respect of any particular head of expenditure have been disposed of the Chair shall again propose the question "That the sum of $ _____ for head _____ stand part of the estimates", or shall propose the amended question, "That the (increased) (reduced) sum of $ _____ for the head _____ stand part of the estimates", as the case may require. The debate on any such question shall be subject to the same limitations that apply to a debate arising under clause (11) of Standing Order 40.

(12) When the estimates of expenditure have been approved by the House, the Minister responsible for finance shall introduce in the House a Bill known as the Appropriation Bill which shall provide for the issue from the Consolidated Fund of the sums required in the estimates of expenditure.

42. APPROPRIATION BILL

42. (1) After the Appropriation Bill has been introduced and read a first time, the motion for the second reading shall be proposed forthwith and the question thereon shall be decided without debate.

(2) No debate shall take place on the motions for the second or third reading of the Appropriation Bill, and the Bill shall not be committed.

(3) The question for the second and third reading shall be put without amendment or debate.

43. SUPPLEMENTARY ESTIMATES

43. (1) If in respect of any financial year it is found:-

(a) that the amount appropriated by the Appropriation Act to any purpose is insufficient or that a need has arisen for expenditure for a purpose to which no amount has been appropriated by law; or

(b) that any moneys have been expended for any purpose in excess of the amount appropriated for that purpose by an Appropriation Act or for a purpose to which no amount has been appropriated by such an Act;

the Minister responsible for Finance shall cause to be prepared and laid before the House supplementary estimates, showing the sum or sums required or spent.

(2) Subject to sub-paragraph (3) of this Order, the Minister presenting the supplementary estimates may name the day for consideration of such Estimates.

(3) The motions for the approval of the supplementary estimates shall not be considered at any sitting earlier than the day following the presentation thereof.

(4) On consideration of the Supplementary Estimates the Minister in charge shall after signifying the consent of the Cabinet move the motion for the approval of the estimates. No other Member may then speak on the motion.

(5) The House shall, without question put, resolve itself into the Committee of Supply to consider the supplementary estimates.

(6) The procedure for consideration of the supplementary estimates in the Committee of Supply shall be as provided for in Orders 39, 40 and 41.

(7) At the conclusion of consideration of the supplementary estimates, the House shall resume without question put and the Chair shall report to the House.

(8) The motion for approval of the supplementary estimates shall be put, without further debate as moved, or as amended, as the case may be.

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44. SUPPLEMENTARY APPROPRIATION BILLS

44. If at any time a supplementary Appropriation Bill is presented to the House to provide for the appropriation of amounts contained in any supplementary

estimates already approved by the House, then the procedure for the consideration of any such Bill shall be the same as the procedure for the consideration of the Appropriation Bill.

45. DELIVERY OF COMMUNICATIONS

45. (1) All communications to the House shall be delivered to the Clerk.

(2) Unless the House otherwise orders, all communications from the House shall be delivered by the Clerk.

(3) The House may on motion without notice, which shall be decided without amendment and without debate, order that any message to the Governor shall be delivered to him personally by two Members to be nominated by the Speaker.

(4) All communications to the Governor, other than those delivered pursuant to an order made under sub-paragraph (3) of this Order, shall be delivered to the Deputy Governor for the Governor.

46. METHOD OF CIRCULATION

46. Whenever in these Orders any Bill or other document is required to be circulated to Members the same shall be circulated electronically or by placing a copy thereof on each Member's desk.

47. TEMPORARY LAWS

47. The precise duration of every temporary law or enactment shall be expressed in a distinct clause or subsection at the end of the Bill or enactment.

48. WITHDRAWAL OF BILLS

48. At any stage of a Bill, at the appropriate time in the Orders of the Day, the Member in charge of a Bill may move that the order be discharged and the Bill be withdrawn.

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49. BILLS CONTAINING SUBSTANTIALLY THE SAME PROVISIONS

49. When once the second reading of any Public Bill has been agreed to or negated, no question shall be proposed during the same session for the second reading of any other Public Bill containing substantially the same provisions. On an Order of the Day relating to such a Bill being called, the Speaker shall direct that the Bill be withdrawn.

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50. RULES IN CASES NOT PROVIDED FOR

50. In any matter not provided for in these Orders, resort shall be made to the usage and practice of the House of Commons of the Parliament of Great Britain and Northern Ireland, which shall be followed as far as the same may be applicable to this House and not inconsistent with these Orders, nor with the practice of this House.

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51. RECALL OF HOUSE BY SPEAKER

51. If during an adjournment of the House, it is represented to the Speaker by the Government, or the Speaker is of the opinion that the public interest requires that the House should meet on an earlier day than that to which the House is adjourned, he may give notice accordingly, such notice to be given as required in sub-paragraphs (7) (8) (9) and (10) of Standing Order 7.

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52. SUSPENSION OF RULES

52. Any one or more of these Rules may after notice, or with the leave of the Speaker or Member presiding, be suspended on a motion made by a Member at any sitting.

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53. PROCEDURAL IRREGULARITIES

53. A decision, order, or resolution of the House shall not be rendered invalid by reason only of the subsequent discovery of any irregularity or failure to comply with the provisions of these Orders in making such decision, order or resolution.

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54. MEDIA

54. The Speaker may grant general permission to the representative of any bona fide media organisation to attend sittings of the House under such rules as he or she may from time to time make for that purpose.

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55. HANSARD

55. (1) An official record of all speeches made in the House shall be prepared under the supervision of the Clerk, acting under such instruction as the Speaker may give.

(2) The record shall be published in such form as the Speaker may direct and a copy thereof shall be sent to each Member as soon as practicable.

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56. PARLIAMENT EMAIL

56. (1) This facility is being provided to each Member for the purposes of assisting Members to fulfill their duties as Members of the Legislature and to assist in their communication with members of the public whom they serve.

(2) The Speaker reserves the right to impose disciplinary action on any member who violates the Legislature's Email Policy. Such disciplinary action can take the form of the following:

(a) Temporary suspension of email by means of:

(i) Account disabled for a period of thirty day;

(ii) Account disabled for a period of ninety days;

(iii) Email privileges revoked for a full Parliamentary year; or

(b) Termination of email account and privileges.

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57. CLERK OF THE HOUSE

57. (1) (a) The Clerk shall be the Procedural Officer for the House and shall be responsible for keeping the Minutes of Proceedings of the House and of Committees of the Whole House, which Minutes shall record the names of Members attending, all decisions taken and the details of every division held.

(b) The Clerk shall submit the Minutes of Proceedings for each meeting to the Speaker for signature, and shall then circulate copies thereof to Members before the next meeting and at the end of each Session approved Minutes shall be bound in volumes.

(c) The Clerk shall be responsible for the day-to-day keeping of 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 open for Members inspection at all reasonable hours.

(d) The Clerk shall be responsible for preparing for each meeting an Order Paper containing the business for that meeting – copies of which shall be dispatched not less than two days before the House meets.

(e) Provided that where the House has been adjourned to a specified date, it shall not be necessary to dispatch a further Order Paper.

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

(g) The Clerk shall send to each Member a written notice directing attention to the Proclamation summoning the House.

(h) The Clerk shall be responsible for providing every Select Committee of the House with a clerk.

(2) At the end of each Session, the Clerk shall cause to be prepared and placed in the Records of the House:-

(a) A bound volume containing the Minutes of the Proceedings with Index;
(b) A bound volume of the Hansard of the Proceedings of that Session.

(3) The Clerk shall be responsible for the safe keeping of all the papers and records of the House and shall have direction and control of all the clerks and other employees of the House, subject to such orders as he or she may from time to time receive from the Speaker of the House.

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58. SERGEANT-AT-ARMS

58. (1) It shall be the duty of the Sergeant-at-Arms to:

(a) attend the Speaker with the Mace on entering, or leaving, the Chamber;

(b) remove, or cause, or ensure the removal of persons directed to withdraw from the Chamber;

(c) maintain, or cause to be maintained, order in the lobby, passages and precincts of the House;

(d) distribute to Members statements, reports, legislation or other statutory documents which have been tabled in the House; and,

(e) perform any other duties assigned by the Speaker or the Clerk acting on the Speaker's behalf.

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59. POWER TO EXEMPT

59. The Speaker has the power in his or her discretion to make such exemptions to these Standing Orders as may be necessary and appropriate so as to accommodate Members or visitors who may be physically challenged whether temporarily or permanently and to promulgate any rules required to give effect thereto.

Appendix A

GUIDELINES FOR QUESTION PERIOD

Under the new Standing Orders, Members may ask questions without notice in the following two cases:

1. Where the questions arise out of Ministerial Statements; and
2. Where the questions are on matters of "urgent public importance".

Members who wish to ask questions on these grounds should notify the Speaker/Clerk as early as possible that he or she intends to seek to ask such questions.

Ministers should not be expected to provide information of a factual nature without notice and if the Speaker so determines that this is the case, then any such Question(s) will be subject to the Notice provisions.

Any Minister who, with the concurrence of the Speaker on the grounds that he or she needs to consult and obtain the necessary factual information, defers answering a Question will be expected to provide such information during the next Question Period.

1. (a) The question must arise directly from the contents of the Ministerial Statement and be directed to the Minister concerned.

1. (b) Statements must be given to the Speaker by 5 p.m. the day before the meeting and distributed to Members at the time the Minister rises to speak.

1. (c) Questions must be short and to the point and framed in the following terms:
e.g. "With respect to the matter raised by the Minister in his/her Statement [the member may quote the relevant portions], would the Honourable Minister please (inform/tell/clarify) for this Honourable House etc." or other acceptable variations thereon.

1. (d) Any member who asks a question is permitted two follow-up supplementary questions.

{The question of other members being permitted follow up Questions on the same subject will be in the discretion of the Speaker}.

2. (a) What qualifies as a matter of "urgent public importance" is at the discretion of the Speaker.

2. (b) Any such Question allowed under this Guideline must be framed (or aimed) at determining Government's position or policy in respect of the matter concerned; and

2. (c) Be directed at the Minister [or Junior Minister] under whose portfolio responsibility for the matter(s) lies.

2. (d) Any member who asks a question is permitted two follow-up supplementary questions.

{The question of other members being permitted follow up Questions on the same subject

will be at the discretion of the Speaker}.

Over time, based on the Questions that arise and the Decisions that are made, a body of precedent will emerge that will help to shape and refine these and future guidelines.

Appendix B

GUIDELINES FOR PREMIER'S QUESTIONS

1. A question to the Premier shall be asked without argument or opinion and shall not address more than one matter of general government policy.

2. Members wishing to ask questions should inform the Speaker before the sitting begins.

3. The Speaker will compile a list of Members wanting to ask questions.

4. The Speaker will extend courtesy to the Leader of the Opposition to put his/her questions first.

5. The Opposition Leader may ask three (3) questions only and is permitted two (2) follow-up supplementary questions for each question.

6. Alternatively, Members of the Government and Opposition may ask one (1) question and be permitted two (2) follow-up supplementary questions.

7. Responses to questions shall not exceed three (3) minutes.

8. Premier's Question Time shall not exceed thirty (30) minutes and shall be separate and apart from the sixty (60) minute Question Time.

[Appendix B 1-4 Amended 3 November 2017; Appendix B 5-8 Amended 13 March 2020]