

Province of Manitoba

RULES, ORDERS  
AND  
FORMS OF PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY OF MANITOBA

Adopted April 10, 1980  
As amended March 4, 1981  
As amended April 28, 1982  
As amended June 1, 1984  
As amended July 11, 1985  
As amended August 20, 1986  
As amended March, 26, 1987  
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As amended June 26, 1997  
As amended April 29, 1999  
As amended April 23, 2002  
As amended April 30, 2002  
As amended August 8, 2002  
As amended December 4, 2002  
As amended June 16, 2005  
As amended November 2, 2005  
As amended December 7, 2005

WINNIPEG, MANITOBA

## GENERAL RULE

### Procedure Generally

**1(1)** Proceedings in the House and in Committees are to be conducted in accordance with these Rules and with the sessional and other orders of the Assembly.

### Procedure in unprovided cases

**1(2)** In cases not provided for in these Rules or the orders of the Assembly, the Speaker or Chairperson is to be guided by the usages and customs of the Assembly or, if there are none, by the parliamentary traditions of the House of Commons and any other Legislative Assembly in Canada, to the extent they apply to this Assembly.

### Definitions

**1(3)** In these Rules, Orders and Forms of Proceedings of the Legislative Assembly:

- (a) **“the Assembly”** means the Legislative Assembly of Manitoba;
- (b) **“the Clerk”** means the Clerk of the Legislative Assembly (see Rule 143);
- (c) **“the House”** means the Legislative Assembly while in session;
- (d) **“the Law Officer”** means the Law Officer of the Legislative Assembly; (see Rule 150);
- (e) **“the Rules”** means these Rules, Orders and Forms of Proceeding of the Legislative Assembly;
- (f) **“the Official Opposition”** means the political party represented in the Legislature by the second largest number of Members;
- (g) **“the Leader of the Opposition”** means the Member recognized by the Speaker as occupying the position of Leader of the Official Opposition, pursuant to section 61 of The Legislative Assembly Act;
- (h) **“a Recognized Opposition Party”** means a party, other than the Official Opposition, represented in the Legislative Assembly by four or more Members;
- (i) **“the Leader of a Recognized Party”** means the Member recognized by the Speaker as occupying the position of leader of that party; and
- (j) **“supply Bill”** means a Bill relating to interim, main, capital or supplementary supply, such as an Appropriation Act or a Loan Act.

**CHAPTER I**  
**REGULATION AND MANAGEMENT OF THE HOUSE**  
**SESSIONAL CALENDAR**

**Sessional Calendar**

**2(1)** During a Legislature, the House may meet at any time:

- (a) from the first Monday in February to Thursday of the second full week in June, except during the week designated under The Public Schools Act as a spring break or vacation; and
- (b) from the first Monday after Labour Day to Thursday of the first full week of December.

Within these periods, the House is to begin to meet on a day fixed by the Speaker at the government's request and, unless adjourned earlier by order of the House, is to be adjourned by the Speaker, without a motion for adjournment, on the applicable Thursday. The House then stands adjourned to the call of the Speaker.

**Recall of House**

**2(2)** If the government advises the Speaker that the public interest requires the House to meet at any other time because of an emergency or extraordinary circumstances, the Speaker must advise the Members that the House is to meet at the time specified by the government. The House must begin to meet at the specified time.

**If no Speaker**

**2(3)** If there is no Speaker, the Clerk is to act in the Speaker's place under this rule.

**SITTINGS**

**Daily Sittings**

**3** The House is to meet on Mondays, Tuesdays, Wednesdays and Thursdays, unless otherwise ordered. But it is not to meet on a day designated as a holiday under *The Civil Service Act*.

**Hours of Sitting**

**4(1)** The time for the daily sittings of the House shall be 1:30 p.m. on Mondays, Tuesdays, Wednesdays and Thursdays unless otherwise ordered.

### **Friday Sittings**

**4(2)** During the debates on the motions for an Address in Reply to the Speech from the Throne and the Budget the House shall sit on Fridays from 10:00 a.m. to 12:30 p.m.

### **Tuesday and Thursday Morning Sittings**

**4(3)** Except during the debates on the motion for an Address in Reply to the Speech from the Throne and the Budget the House shall also sit on Tuesdays and Thursdays at 10:00 a.m., to consider Private Members' Business, and on these days the Speaker shall leave the Chair at 12:00 noon until 1:30 p.m.

### **Usual adjournment hour**

**4(4)** The Speaker must adjourn the House to the next sitting day, without a motion for adjournment,

(a) at 5:00 p.m. on Mondays, Tuesdays Wednesdays and Thursdays; and

(b) at 12:30 p.m. on Fridays during debates on the motions for an Address in Reply to the Speech from the Throne and the Budget.

### **Thursday adjournment during Committee of Supply**

**4(5)** Once consideration of departmental estimates has begun, the Speaker must adjourn the Thursday sitting on Friday at 12:30 p.m. to permit the Committee of Supply to sit on Friday morning from 10:00 a.m. to 12:30 p.m.

### **Intersessional Committee Meetings**

**4(6)** During intersessional periods, any day on which meetings of Standing or Special Committees are held shall be considered to be a sitting day of the Legislature, and the Speaker shall record the number of sitting days which are Committee days. Despite rule 92(8), ten calendar days notice are required for intersessional committee meetings.

## **QUORUM**

### **Quorum**

**5(1)** Except during Tuesday morning sittings for Private Members Business, the presence of at least 10 Members of the House, including the Speaker, is necessary to constitute a meeting of the House, for the exercise of its powers, but if there is not a quorum, the Speaker may take the Chair and adjourn the House.

### **Quorum Bell**

**5(2)** If, during a sitting of the House, a quorum count is requested, the division bells shall ring for one minute. While the division bells are ringing, the doors shall remain open and Members may enter the Chamber, but once the bells stop, no further Members may enter the Chamber. If a quorum is not then present, the Speaker will adjourn the House without question put. Quorum counts are to be conducted by counting the number of Members present.

## **THE SPEAKER**

### **Election of Speaker first order of business**

**6(1)** At the opening of the first session of a Legislature, and at any other time as determined pursuant to sub-rule (2), the election of a Speaker shall be the first order of business and shall not be interrupted by any other proceeding.

### **Election of Speaker in case of vacancy**

**6(2)** If the office of Speaker becomes vacant for any reason, the House must proceed to elect one of its Members as Speaker.

If the vacancy arises between sessions or while the House is adjourned, the Clerk must immediately notify all Members of the vacancy and inform them that the first order of business when the House next meets will be the election of a Speaker.

### **No Minister or leader of recognized party eligible for election**

**6(3)** No Minister of the Crown, or leader of a recognized political party, shall be eligible for election to the Office of Speaker.

### **Election of Speaker takes precedence over all other business**

**6(4)** The election of a Speaker shall take precedence over all other business and the House shall continue to sit, if necessary, beyond its usual adjournment hour, until a Speaker is elected and is installed in the chair and if the House has continued to sit beyond its usual hour of daily adjournment, the Speaker shall thereupon adjourn the House until the next sitting day.

### **Clerk to administer election of Speaker**

**7(1)** For the purpose of electing a Speaker, the Clerk, or in the absence of the Clerk another Clerk at the Table, shall administer the election process and shall preside during the election of a Speaker.

### **Question of privilege or point of order not permitted**

**7(2)** During the election of a Speaker, the Clerk shall not be permitted to entertain any question of privilege or point of order.

### **No debate or motions during election of Speaker**

**7(3)** During the election of a Speaker there shall be no debate and no adjournment motion nor motion of any other kind shall be accepted for consideration.

### **Not a question of confidence**

**7(4)** The election of a Speaker shall not be considered a question of confidence in the government.

### **Election of Speaker by secret ballot**

**8(1)** The election of a Speaker shall be conducted by secret ballot as follows:

### **Members wishing to stand for election to inform Clerk**

**8(1)(a)** After a general election, or at any other time when there is a vacancy in the Office of Speaker, any Member who wishes to stand for election to the Office of Speaker shall, not later than 4:30 p.m. on the working day preceding the day on which the election of a Speaker is expected to take place, in writing in the prescribed form, to inform the Clerk who shall prepare, in alphabetical order, a list of the given names and surnames of those Members who wish to stand as candidates for election to the Office of Speaker.

### **Clerk to distribute list of candidates**

(b) After the closing days and times referred to in sub-rule (1) (a), the Clerk shall affix a copy of the list of candidates provided for in sub-rule (1) (a) in a conspicuous place in or near the Legislative Chamber, and shall provide copies of that list to the caucus office of each recognized political party and to each independent Member.

### **Clerk to declare sole candidate as Speaker**

**8(2)** If only one Member stands for election to the Office of Speaker, or at any stage a withdrawal, pursuant to sub-rule (13), leaves only one candidate remaining, the Clerk shall announce in the Chamber that candidate's name and without any vote declare that Member to be elected Speaker.

### **Ballot papers to be provided by Clerk**

**8(3)** If there are two or more candidates for election to the Office of Speaker, ballot papers shall be provided to Members present in the Chamber by the Clerk, prior to the taking of the ballot.

### **List of candidates distributed in Chamber**

**8(4)** Before the taking of the first ballot, the Clerk shall distribute the list of candidates to Members present in the Chamber.

### **Marking the ballot paper**

**8(5)(a)** Each Member present in the Legislative Chamber who wishes to indicate his or her choice for the Office of Speaker, shall proceed to one of the voting booths at the Table and print or write legibly on the ballot paper the surname of a candidate whose name appears on the list distributed pursuant to sub-rule (4).

### **Candidates having the same surname**

**8(5)** (b) Notwithstanding paragraph (a), when two or more candidates, whose names appear on the list distributed pursuant to sub-rule (4), have identical surnames, each Member who wishes to indicate his or her choice for one of these candidates shall print or write legibly on the ballot paper the given name and the surname of the candidate of his or her choice.

### **Deposit of ballot papers**

**8(6)** Members shall deposit their completed ballot papers in a box provided for that purpose on the Table.

### **Counting of ballot papers**

**8(7)** Once all Members wishing to do so have deposited their ballot papers, the Clerks at the Table shall retire from the Legislative Chamber with the ballot box and shall count the vote and the Clerk, being satisfied as to the accuracy of the count, shall destroy the ballots together with all records of the number of ballots cast for any candidate.

### **Clerk to declare candidate with majority**

**8(8)** If one candidate receives a majority of the votes cast, the Clerk shall announce the name of that Member as the Speaker.

### **Subsequent ballots to exclude lowest candidate**

**8(9)** If no candidate receives a majority of the votes cast, the name of the candidate, or in the event of a tie the candidates, having the lowest number of votes cast, shall be excluded from subsequent ballots.

### **Equality of Votes**

**8(10)** If every candidate receives the same number of votes, no names shall be excluded from the next ballot.

### **List of candidates for subsequent ballots**

**8(11)** For each subsequent ballot, the Clerk shall prepare a list of candidates and distribute it to Members present in the Chamber.

### **Subsequent ballots**

**8(12)** Subsequent ballots shall be conducted in the manner prescribed in sub-rules (3) through (13) and the balloting shall continue, in a like manner, until such times as a candidate is elected Speaker upon having received a majority of the votes cast.

### **Withdrawal of candidate from election**

**8(13)** At any time after the result of the first ballot has been declared, but before the commencement of a second or subsequent ballot, a candidate may withdraw from the election by rising in his or her place in the House and stating that he or she is withdrawing, and the election shall then proceed as if the Member had not become a candidate.

**Clerk to prescribe forms, etc.**

**8(14)** The Clerk shall prescribe the following:

- (a) Member's notice of intent to seek election to the Office of Speaker;
- (b) The form of the ballot paper; and
- (c) Such other forms and information as may be required.

**The Speaker's duties**

**9(1)** The Speaker shall preserve order and decorum and enforce the Rules, and shall decide all questions of order, subject to appeal to the House.

**Ruling on points of order**

**9(2)** In explaining a point of order, the Speaker shall state the rule or authority applicable to the case.

**Ruling on motion deemed out of order**

**10** When the Speaker is of the opinion that a motion offered to the House is contrary to the Rules or is a violation of the privileges of the Assembly, or both, the House shall be so advised immediately but the Speaker may reserve a decision and subsequently state the reasons therefore before putting the question.

**Not to join in debate**

**11(1)** The Speaker shall not take part in any debate before the House.

**Casting Vote**

**11(2)** In the case of an equality of votes, the Speaker shall cast the deciding vote; and any reasons stated by the Speaker shall be entered in the Votes and Proceedings.

**Report laid on table**

**12** Within two weeks after the opening of each session, the Speaker shall cause to be tabled a report of the proceedings for the preceding year of The Board of Internal Economy Commissioners.

**DEPUTY SPEAKER  
CHAIRPERSON, DEPUTY CHAIRPERSONS  
OF  
COMMITTEES OF THE WHOLE HOUSE**

**Deputy Speaker, Chairperson of Committees**

**13(1)** A Deputy Speaker of the House, who shall also be Chairperson of the Committees of the Whole House, shall be elected from among the Members at the commencement of the first session of each Legislature; and the Member so elected shall, if present, take the Chair of each Committee of the Whole House.

**Term of Office**

**13(2)** The Member elected to serve as Deputy Speaker and Chairperson of the Committees of the Whole House shall continue to act in that capacity until the end of the Legislature for which he or she is elected, and, in the case of a vacancy by death, resignation or otherwise, the House shall forthwith elect a successor.

**Deputy Chairpersons of Committees**

**13(3)** At the commencement of every Legislature or from time to time as the necessity may arise, the House shall appoint two Deputy Chairpersons of the Committees of the Whole House.

**Deputy Chairperson to act as Chairperson**

**13(4)** If, at any meeting of a Committee of the Whole House, or any section thereof, the Chairperson of the Committees of the Whole House is not present, a Deputy Chairperson shall act in the place and stead of the Chairperson.

**When Speaker is absent**

**13(5)** If the Speaker is absent from a meeting of the House, the Deputy Speaker must act in his or her place. If the Deputy Speaker is also absent, one of the Deputy Chairpersons may act in his or her place.

**Appointment of Acting Chairperson**

**13(6)** In the absence of the Deputy Speaker, and both Deputy Chairpersons, or any one of them the Speaker may, in forming a Committee of the Whole House, before leaving the Chair, appoint any Member or Members to be Chairperson of the Committee or of any section thereof.

**DIVISIONS**

**Termination of debate before division**

**14(1)** When Members have been called in, preparatory to a division, no further debate shall be permitted.

### **Entering and leaving during divisions**

**14(2)** No Member shall enter or leave the House during the stating of the question, or leave the House after the final statement of the question until the division has been fully taken and the result of the vote announced.

### **Time limit on division bells**

**14(3)** Not more than one hour after directing that the Members be called in, the Speaker shall order that the division bells be turned off and shall again state the question and shall immediately order the recording of the division.

### **Deferral**

**14(4)** Notwithstanding sub-rule (3), the Speaker, after consultation with the Government Whip and Official Opposition Whip, may direct that the division be deferred to a specific time set by the Speaker for the exclusive purpose of permitting absent Members, who may do so within a reasonable length of time, to travel to the Legislative Building to attend the service of the House.

### **Limitations on deferral**

**14(5)** When pursuant to sub-rule (4), the Speaker has directed that the division be deferred:

- (a) the time for the division once set shall not be altered;
- (b) no further deferral shall be granted in respect of that division; and
- (c) no such deferral shall exceed 72 hours.

### **Business to be continued**

**14(6)** When a division is deferred pursuant to sub-rule (4), the House shall continue with the business before it, pursuant to sub-rule 23(2).

### **Voting Compulsory**

**14(7)** Every Member present and in his or her seat shall vote.

### **Recording of “Yeas” and “Nays”**

**14(8)** Upon a division, the “Yeas” and “Nays” shall not be entered in the Votes and Proceedings unless demanded by not less than four Members.

## **CONDUCT OF MEMBERS**

### **Attendance required**

**15** Every Member shall attend the service of the House, and of each Committee thereof of which he or she is a Member, unless leave of absence has been given to the Member by the House.

### **Member having pecuniary interest not to vote**

**16** A Member shall not vote upon any question in which the Member has a direct pecuniary interest; and the votes of any Member so interested shall be disallowed.

### **Withdrawal of Members**

**17** Where a question arises touching the conduct of any Member or any Member's election, or the Member's right to hold his or her seat, the Member may make a statement, and shall withdraw during the time the matter is in debate.

### **Naming of a Member for an offence in the House**

**18(1)(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 resorting to a motion, ordering a withdrawal for the remainder of the sitting, despite Rule 15. The decision of the Speaker is subject to appeal.

**18(1)(b)** In the event of a Member disregarding an order of the Chair made pursuant to sub-rule (a), the Speaker shall order the Sergeant-at-Arms to escort the Member out of the Chamber.

### **Offence in Committee**

**18(2)** When an offence to which sub-rule (1) applies is committed in a Committee, the Chairperson thereof shall forthwith suspend the proceedings of the Committee and report the circumstances to the House; and the Speaker shall have the discretion to determine if disciplinary action will be applied to the Member in accordance with sub-rule 18(1).

### **Term of suspension**

**18(3)** A suspension under sub-rule (1) or (2) shall be decided by the Speaker but shall not exceed two weeks.

### **Suspension from Service of House for Session**

**18(4)** If a Member refuses to obey the Speaker's order to accompany the Sergeant-at-Arms out of the Chamber, the Speaker must then advise the House that force is required to implement the order. Any Member removed from the Chamber by force is then suspended from all sittings of the House for the remainder of the session.

### **Decorum on adjournment**

**19(1)** When the House adjourns, the Members shall remain in their places until the Speaker has left the Chamber.

### **Bowing to the Chair**

**19(2)** Members must bow to the Chair when entering, leaving or crossing the Legislative Chamber if the Mace is in the Chamber.

### **Crossing the Chamber**

**19(3)** Members may not cross the Legislative Chamber between the Chair and the Mace, or between the Chair and a Member who is speaking.

### **Use of computers and other electronic devices**

**19(4)** Except during Question Period, Members may use laptop computers and other electronic devices in the House and in Committee in a silent mode.

### **Telephone conversations**

**19(5)** Members may not have telephone conversations in the House or in Committee.

## **CONDUCT OF STRANGERS**

### **Strangers**

**20** Strangers may be admitted to the galleries and to such other parts of the Legislative Chamber as are set apart for that purpose by the Speaker.

### **Conduct of Strangers**

**21** A stranger admitted to the Legislative Chamber or galleries, who misconducts himself or herself or does not withdraw when strangers are directed to withdraw, shall be taken into custody or ejected from the Legislative Chamber or galleries by the Sergeant-at-Arms, as the Speaker may order; and no person so taken into custody shall be discharged without the order of the House.

## **CHAPTER II**

### **BUSINESS OF THE HOUSE**

#### **ROUTINE BUSINESS**

### **Prayers**

**22** The Speaker shall read prayers every day at the meeting of the House before any business is entered upon.

### **Daily Routine**

**23(1)** The daily routine of business in the House at 1:30 p.m., and at 10:00 a.m. when it sits on a Friday, is as follows, unless the House orders otherwise:

- Introduction of Bills
- Petitions
- Committee Reports
- Tabling of Reports
- Ministerial Statements
- Oral Questions
- Members' Statements
- Grievances

### **Order after daily routine**

**23(2)** After the daily routine of business, the Orders of the Day shall be considered as follows, subject to rule 29:

- Orders for Returns and Addresses for Papers
- Committee of the Whole House, for considering Bills
- Committee of Supply
- Report Stage, Bills reported from Committees
- Government Bills – Concurrence and Third Readings, Second Readings
- Government Motions
- Opposition Day Motions

### **Private Members' Business**

**23(3)** Subject to sub-rule 4(3), Private Members' Business shall be considered as follows when the House sits on Tuesdays and Thursdays:

#### **Tuesday:**

**10:00 a.m. to 11:00 a.m.** (Private Members' Hour)

- Private Bills
- Public Bills
- Orders for Return and Addresses for Papers
- Private Members' Resolutions
- Motions

**11:00 a.m. to 12:00 noon** (Private Members' Hour)

- Private Members' Resolutions
- Orders for Return and Addresses for Papers
- Motions
- Public Bills
- Private Bills

#### **Thursday:**

**10:00 a.m. to 11:00 a.m.** (Private Members' Hour)

- Public Bills
- Private Bills
- Orders for Return and Addresses for Papers
- Private Members' Resolutions
- Motions

**11:00 a.m. to 12:00 noon** (Private Members' Hour)

- Private Members' Resolutions
- Orders for Return and Addresses for Papers
- Motions
- Private Bills
- Public Bills
- Deferred votes from previous Tuesday Private Members' Business at 11:55 a.m.

Private Members' Private Bills and Private Members' Public Bills shall be called in the order as listed on the Order Paper. For the purpose of listing Bills on the Order Paper during Private Members' Business, Concurrence and Third Readings shall precede Debate on Concurrence and Third Readings, while Second Readings shall precede Debate on Second Reading. When a Private Member's Public Bill or Private Bill is called for debate on the Order Paper and is not disposed of within that hour, it shall be placed on the bottom of the list of bills of that type.

### **Divisions during Private Members' Business**

**23(4)** A division requested during a Private Members' Hour on Tuesday must be deferred to the Private Members' Hour the following Thursday. The deferred vote shall take place at 11:55 a.m. on Thursday, and despite rule 14(4) shall not be further deferred.

**23(4.1)** A division requested during a Private Members' Hour on Thursday takes place immediately.

**23(4.2)** In the case of a division occurring pursuant to 23(4.1), after the division is requested or after the vote is recorded on a division, the House shall consider the next item of business only with leave or if at least 30 minutes remain in that Private Members' Hour.

### **Resolving into Committee of the Whole or of Supply**

**23(5)** Whenever the Order of the Day is called for "Committee of the Whole House, for considering Bills" or for "Committee of Supply", the Speaker is to leave the Chair and the House is to resolve itself into the Committee.

### **Question Period**

**23(6)** The time allowed for question period shall not exceed 40 minutes.

## **TABLING DOCUMENTS**

### **Tabling documents**

**24(1)** A Member presenting a report or other document to the House must state that he or she is "tabling" the document.

### **Intersessional deposit with the Clerk**

**24(2)** If the House has been adjourned for more than 10 days, any report or other document required to be laid before the House in accordance with an Act, the Rules, or a resolution or order of the House may instead be deposited with the Clerk. Such a report or document is to be considered for all purposes to have been laid before the House on the first sitting day after the adjournment.

### **Recorded in Votes**

**24(3)** A record of any report or document deposited with the Clerk must be entered in the Votes and Proceedings.

## STATEMENTS BY MINISTERS

### Statements by Ministers

**25(1)** When the time comes for Ministerial Statements in the daily routine of business, a Minister of the Crown may make a statement or announcement of government policy.

### Copies

**25(2)** The Minister making the statement or announcement must give the Clerk 14 copies to distribute to the Speaker, each Leader of a Recognized Party and each Member designated by a Leader as the critic for the area of government policy to which the announcement or statement relates. The copies are to be distributed before the announcement or statement is made.

### Comment by Opposition Party

**25(3)** A spokesperson for each Recognized Opposition Party may make a brief comment about the Minister's announcement or statement. The spokesperson may speak for no longer than the Minister spoke.

## MEMBERS' STATEMENTS

### Members' Statements - Limitations

**26(1)(a)** On each sitting day, up to five Members may be recognized to make a Members' Statement on any matter;

(b) Each statement shall be no more than two minutes in duration.

### Restrictions on Scope

**26(2)** A Minister of the Crown may not use the time allotted for Members' Statements to comment on government policy or ministerial or departmental action.

## GRIEVANCES

### Grievance – Member to Speak Only Once

**27(1)(a)** A Member may not raise or speak to a grievance on more than one occasion during a session of the Assembly;

(b) Grievances shall not be considered while the motion for an Address in Reply to the Speech from the Throne or the motion for approval by the House in general of the budgetary policy of the government are on the Orders of the Day for consideration by the House.

## **Grievances**

**27(2)(a)** Each Member is entitled to speak for no longer than 10 minutes on a grievance;

(b) There shall be no restriction on the subject matter raised in a grievance.

## **No Limit on Number**

**27(3)** There is no restriction on the number of grievances that may be raised on any given day.

## **Terminated same day**

**27(4)** Any grievance is terminated when the House adjourns and shall not be continued or resumed at the next or any subsequent sitting of the House.

## **OPPOSITION DAY MOTIONS**

### **Number of Opposition Days**

**28(1)** In each session there shall be up to three sitting days to be known as Opposition Days.

### **Distribution of Opposition Days**

**28(2)** The Official Opposition shall be entitled to not less than two Opposition Days in each session and the second largest Recognized Opposition Party shall be entitled to one Opposition Day in each session.

### **Government House Leader to announce**

**28(3)** After consultation with the Recognized Opposition Parties, the Government House Leader shall announce the date or dates which are to be designated Opposition Days, which date or dates shall not be more than 10 sitting days after publication of Notice of an Opposition Day Motion or Motions.

### **Days during Throne and Budget Debates not included**

**28(4)** Sitting days on which the motions for an Address in Reply to the Speech from the Throne and the Budget are debated shall not be included in calculating the 10-day period referred to in sub-rule (3).

### **Two sitting days notice**

**28(5)** Two sitting days notice of an Opposition Day Motion, filed with the Clerk by a Member of a Recognized Opposition Party, shall be printed in the Order Paper.

### **If more than one notice**

**28(6)** If more than one notice of an Opposition Day Motion is received, the Speaker shall select one for debate, taking into consideration the order in which they were received.

**Time Limit**

**28(7)** During debate of an Opposition Day Motion, no Member shall speak longer than 10 minutes.

**Not for Second or Concurrence and Third Reading**

**28(8)** No motion under this Rule shall be for Second or Concurrence and Third Reading of a Bill.

**Not a non-confidence motion**

**28(9)** No motion under this Rule shall be a motion of non-confidence in the government.

**Jurisdictional limit**

**28(10)** A motion under this Rule may only concern a matter that comes within the administrative responsibilities of the government.

**Not during Throne Speech or Budget Debates**

**28(11)** No sitting day shall be designated an Opposition Day during consideration of the motion for an Address in Reply to the Speech from the Throne or the motion to approve in general the budgetary policy of the government.

**One only per week**

**28(12)** Only one Opposition Day may be designated during any week the House meets.

**First item of business**

**28(13)** A motion to be debated on an Opposition Day shall be considered as the first item of business under Orders of the Day.

**Debate limited to one sitting day**

**28(14)** Debate on an Opposition Day Motion is to be limited to one sitting day. The Speaker must interrupt the proceedings and put the question 30 minutes before the usual adjournment hour.

**Amendments not allowed**

**28(15)** A motion under this Rule cannot be amended.

## ORDER OF PRECEDENCE

**Precedence generally**

**29(1)** All items standing on the Orders of the Day (except Government Orders) shall be taken up according to the precedence assigned to each on the Order Paper.

**Precedence of Government Orders**

**29(2)** When Government Business has precedence, the Government Orders and Private Members' Orders may be called in such sequence as the government determines.

### **Orders not taken up**

**30(1)** Subject to sub-rules 23(3), 31(5) and 31(10, 11 & 12), questions, notices of motions by Members, and orders not taken up or proceeded with when called, may be allowed to stand and retain their precedence; otherwise they shall be removed from the Order Paper.

### **Precedence of business under consideration at adjournment**

**30(2)** Where a motion on the Order Paper is under consideration when the House adjourns for the day, that question shall, without a motion to that effect, be first on the Order Paper of the next sitting day in its proper section after Orders to which special precedence has been assigned.

## **PRIVATE MEMBERS' RESOLUTIONS**

### **Definition of "resolution"**

**31(1)** In this Rule, "resolution" means a vote, motion, resolution or address, but does not include a motion for the first, second or concurrence and third reading of the Bill, or a motion to refer a Bill to a Committee.

### **Submitting a resolution**

**31(2)** Within 14 days after the Throne Speech is read, each Private Member may submit one resolution to the Clerk, who is to determine if it is procedurally correct.

### **Committee to prioritize resolutions**

**31(3)** Within a further seven days, a Committee consisting of the House Leaders, and other Members selected by the House Leaders, must meet to decide whether any of the resolutions submitted should be prioritized for a vote, and the order in which they are to be voted.

The Committee may make minor wording changes to a Member's resolution, but only with the Member's consent.

### **Order of prioritized resolutions**

**31(4)** The resolutions prioritized for a vote are to be considered filed and are to be listed on the Notice Paper in the order determined by the Committee.

### **Prioritized resolutions to retain place**

**31(5)** When a resolution prioritized for a vote is debated for the first time, it retains its place on the Order Paper until disposed of.

### **Prioritized resolution cannot be amended**

**31(6)** A resolution prioritized for a vote cannot be amended.

**Time limit of debate**

**31(7)** Each resolution is to be considered for no more than three hours. At the end of the three hours of debate, or if there are no more Members wishing to speak, the Speaker must put the question.

**Tuesdays – Government House Leader calls Resolutions**

**31(8)** The Government House Leader or designate shall announce in the House on the previous Tuesday which resolutions will be debated during Private Members Business on the following Tuesday morning. The group of Independent Members will have the opportunity to introduce one resolution during a session on a Tuesday.

**Thursdays – Opposition House Leader calls Resolutions**

**31(9)** The Official Opposition House Leader or designate shall announce in the House on the previous Thursday which resolutions will be debated during Private Members Business on the following Thursday morning.

**Resolutions not prioritized for a vote**

**31(10)** When a resolution not prioritized for a vote (other than a resolution for an order for return or an address for papers) is called for the first time by a House Leader of a recognized party during a Private Members' Hour, and

(a) the resolution is not disposed of within that hour, or

(b) the Member is not present or does not proceed with the resolution at that time;

the resolution is to be placed on the Order Paper at the bottom of the list of resolutions not prioritized for a vote.

A House Leader, or designate, may not call a resolution for a second time until all resolutions have been called once.

**Resolutions not prioritized for a vote not proceeded with second time**

**31(11)** When a resolution not prioritized for a vote (other than a resolution for an order for return or an address for papers) is reached for the second time on the Order Paper for introduction, if the Member is not present or does not proceed with the resolution at that time, it is to be removed from the Order Paper.

**Request to “stand” or “adjourn” matters**

**31(12)** During Private Members' Hour, no Member may ask that a matter be allowed to “stand” and no motion to “adjourn” can be made respecting a resolution.

## BUDGET SPEECH DEBATE

### **Presentation of Budget**

**32(1)** The Budget shall not be presented until the debate on the motion for an Address in Reply to the Speech from the Throne is concluded.

### **Motion for Budget Address**

**32(2)** The Address on the Budget shall be preceded by the following motion “THAT this House approves in general the budgetary policy of the government”.

### **Limitation on debate**

**32(3)** The debate on the motion for approval by the House in general of the budgetary policy of the government, and any amendments thereto, shall not exceed eight sitting days, including the day of the presentation of the Budget.

### **Precedence on Order Paper**

**32(4)** The Order of the Day for resuming debate on the motion for approval by the House in general of the budgetary policy of the government, and any amendments thereto, shall take precedence over all other motions for the same day.

### **Interrupting debate**

**32(5)** Despite sub-rule (4), the Government House Leader may interrupt the debate on as many as three sitting days to call government business.

Any day on which the debate is interrupted for more than 30 minutes in total does not count as one of the eight days allowed for the debate under sub-rule (3).

### **Disposal of questions**

**32(6)** On the eighth of the eight days, at 30 minutes before the ordinary time of daily adjournment, unless debate has previously been concluded, the Speaker shall interrupt the proceedings and forthwith put every question necessary to dispose of the main motion, and any amendments thereto.

## GENERAL

### **Reading Orders of the Day**

**33** A motion for reading the Orders of the Day has precedence over any motion before the House.

### **Privilege**

**34** When a matter of privilege arises, it shall be taken into consideration immediately. (See Beauchesne’s Sixth Edition, Citation 114, Page 29)

### **Adjournment of debate**

**35(1)** A motion to adjourn a debate is always in order.

### **Adjournment of the House**

**35(2)** A motion to adjourn the House shall not be made until the Orders of the Day have been entered upon.

## **MATTERS OF URGENT PUBLIC IMPORTANCE**

### **Setting aside regularly scheduled business of the House**

**36(1)** After Members' Statements in the routine business of the House, any Member may move to set aside the regularly scheduled business of the House to discuss a matter of urgent public importance, of which the Member has given prior notice to the Speaker not less than 90 minutes prior to the start of Routine Proceedings.

### **Explanation of motion**

**36(2)** A Member making a motion under sub-rule (1) may explain arguments in favour of the Member's motion in not more than 10 minutes, and one Member from each of the other recognized parties in the House may state the position of their party with respect to the motion in not more than 10 minutes.

### **Procedure on motion**

**36(3)** After any explanation made under sub-rule (2), the Speaker shall rule on whether or not the motion under sub-rule (1) is in order and of urgent public importance, and if the Speaker rules in favour of the motion, the Speaker will then put the question "Shall the debate proceed?" to a vote of the House. Notwithstanding sub-rule 9(1), the ruling of the Chair shall not be subject to appeal.

### **Idem**

**36(4)** If the House determines by its vote to set aside the regularly scheduled business of the House to debate a matter of urgent public importance, each Member who wishes to speak in the debate shall be limited to 10 minutes. The debate on the matter of urgent public importance shall not exceed two hours in duration. On conclusion of the debate the House shall proceed to Orders of the Day.

### **Restriction on motion**

**36(5)** The right to move to set aside the regularly scheduled business of the House for the purpose mentioned in sub-rule (1) is subject to the following restrictions:

- (a) Not more than one such motion may be made at the same sitting;
- (b) Not more than one matter may be discussed on the same motion;

- (c) The motion shall not revive discussion on a matter that has been decided in the same session;
- (d) The motion shall not anticipate a matter that has previously been appointed for consideration by the House, or with reference to which a notice of motion has previously been given and not withdrawn;
- (e) The motion shall not raise a question of privilege; and
- (f) The discussion under the motion may not raise any question that, according to the Rules, may be debated only on a distinct motion under notice.

**Business not to stand over**

**36(6)** Any debate on a motion made under sub-rule (1) is terminated when the time allotted for the debate has expired, or when the House adjourns on the day of the debate prior to the expiration of the two-hour time limit, and shall not be continued or resumed at the next or any subsequent sitting of the House.

## CHAPTER III

### RULES OF DEBATE

#### MEMBER SPEAKING

**Order in addressing the Chair**

**37** Every Member desiring to speak shall rise in his or her place and address himself or herself to the Speaker.

**Speech not to be read**

**38** A Member addressing the House shall not read from a written previously prepared speech except in the case of:

- (a) a Minister of the Crown making a statement of policy; or
- (b) the Leader of the Opposition or a Leader of a Recognized Opposition Party making a statement of policy.

**Tabling letters**

**39** Where in a debate a Member quotes from a private letter, any other Member may require the Member who quoted from the letter to table the letter from which the Member quoted but this rule does not alter any rule or practice of the House relating to the tabling of documents other than private letters.

### **Relevancy**

**40** Speeches shall be directed to the question under consideration or to a motion or amendment that the Member speaking intends to move, or to a point of order.

### **Questions not to be revived or anticipated**

**41** No Member shall revive a debate already concluded during the session or anticipate a matter appointed for consideration of which notice has been given.

## **MEMBERS RISING SIMULTANEOUSLY**

### **Precedence when two Members rise to speak**

**42** When two or more Members rise to speak, the Speaker shall call upon the Member who first rose in his or her place; but a motion may be made that any Member who has risen “be now heard” or “do now speak”, and the motion shall forthwith be put without debate.

## **SPEECHES LIMITED TO 30 MINUTES**

### **30-minute limit**

**43(1)** No Member may speak for more than 30 minutes in any debate.

### **Exceptions**

**43(2)** The 30-minute limit does not apply to:

- (a) the Leader of the Government, of the Official Opposition, or of a Recognized Opposition Party;
- (b) a Minister moving a Government Order; or
- (c) a Member making a motion of “no confidence in the Government”, or the Minister replying to the motion.

A Leader who has not spoken for more than 30 minutes in a debate may, by giving written notice to the Speaker, designate one Member who may speak in the debate for as long as the Member wishes. If the Member then speaks in the debate, the 30-minute limit applies to the Leader.

### **10-minute limit during Private Members’ Hour**

**43(3)** No Member may speak for more than 10 minutes

- (a) during a Private Members’ Hour; or

(b) in a debate on an item of Private Members' business called by the government outside a Private Members' Hour.

#### **Questions by unanimous consent**

**43(4)** After a Member has used up his or her speaking time in a debate, a question may be put to the Member only with the unanimous consent of the House.

#### **General rule on rotation**

**43(5)** When a Member speaks in a debate, the Speaker must not recognize another Member from the same party to speak until an opportunity has been provided for a Member from another party who is standing in his or her place to speak.

#### **Exception: splitting 30-minute limit**

**43(6)** Except during the debate on the motions for an Address in Reply to the Speech from the Throne and the Budget, on being recognized to speak, a Member may inform the Speaker that he or she is dividing the 30-minute limit equally with another Member of the same party. Such speeches must be given consecutively without rotation among the parties. A Member who speaks within that 30-minute limit may not speak again in the debate except as permitted by Rule 58 (Member may explain speech if misquoted or misunderstood).

## **THRONE SPEECH DEBATE**

#### **Limitation of debate on Address in Reply to Throne Speech**

**44** The proceedings on the Order of the Day for presenting and debating the motion for an Address in Reply to the Speech from the Throne, and on any amendments proposed thereto, shall not exceed eight sitting days.

#### **Precedence on Order Paper**

**45(1)** The Order of the Day for resuming debate on the motion for an Address in Reply to the Speech from the Throne shall take precedence over all other motions for the same day.

#### **Interrupting debate for government business**

**45(2)** Despite sub-rule (1), the Government House Leader may interrupt the debate on as many as three sitting days to call government business.

Any day on which the debate is interrupted for more than 30 minutes in total does not count as one of the eight days allowed for the debate under Rule 44.

#### **Disposal of sub-amendments**

**45(3)** On the fifth of the eight days, if a sub-amendment is under consideration at 30 minutes before the ordinary time of daily adjournment, the Speaker shall interrupt the proceedings and forthwith put the question on the sub-amendment.

### **Disposal of amendments**

**45(4)** On the seventh of the eight days, if an amendment is under consideration at 30 minutes before the ordinary time of daily adjournment, the Speaker shall interrupt the proceedings and forthwith put the question on any amendment or amendments then before the House.

### **Disposal of all questions**

**45(5)** On the eighth of the eight days, at 30 minutes before the ordinary time of daily adjournment, unless the debate has previously been concluded, the Speaker shall interrupt the proceedings and forthwith put every question necessary to dispose of the main motion.

### **Engrossed and presented**

**45(6)** If the motion for an Address in Reply to the Speech from the Throne is carried, the address shall be engrossed and presented to the Lieutenant Governor, by the First Minister or some other Member of the Executive Council on his or her behalf and the mover and seconder of the motion.

## **DEBATABLE MOTIONS**

### **Debatable Motions**

**46(1)** The following motions are debatable, that is to say, every motion:

- (a) standing on the Orders of the Day;
- (b) for the concurrence in a report of a Standing or Special Committee;
- (c) in the Committee of Supply for concurrence in the supply resolutions as provided for by sub-rule 78(1);
- (d) for the Previous Question, subject to sub-rule 77(15);
- (e) for the Second Reading of a Bill;
- (f) for the Concurrence and Third Reading of a Bill;
- (g) for the setting aside of the ordinary business of the House when made for the purpose of discussing a definite matter of urgent public importance;
- (h) for the adoption in Committee of Supply, or in any other Committee of the Whole House, of the resolution, clause, section, preamble or title under consideration;
- (i) for the appointment of a Committee;
- (j) for the reference to a Committee of a report or any return tabled in the House; and

(k) for the suspension of any rule of the House;

and any other motion made upon routine proceedings as may be required for the observance of the proprieties of the House, the maintenance of its authority, the appointment or conduct of its officers, the management of its business, the arrangement of its proceedings, the correctness of its records, the fixing of its sitting days or the times of its meeting or adjournment.

### **Non-debatable Motions**

**46(2)** All other motions, including adjournment motions, shall be decided without debate or amendment.

### **Constitutional Amendment Motion**

**47(1)** Debate on a government motion proposing amendment to the Constitution Act of Canada pursuant to Part V of that Act, and on any amendments proposed to that motion, shall take precedence over all other business for 10 sitting days unless debate has been concluded previously.

### **Referral to Committee**

**47(2)** Prior to the sixth day of debate on such a motion, that motion shall be referred to a Standing or Special Committee of the House ordered to receive submissions from the general public and to report back to the House.

### **Not to be moved during Throne Speech Debate**

**47(3)** No such motion shall be introduced while the motion for an Address in Reply to the Speech from the Throne is on the Orders of the Day for consideration by the House.

### **Not to be moved during Budget Speech Debate**

**47(4)** No such motion shall be introduced while the motion for approval by the House in general of the budgetary policy of the government is on the Orders of the Day for consideration by the House.

## **TIME ALLOCATION FOR BILLS AND MOTIONS**

### **Time allocation for Bills and motions**

**48(1)** During Orders of the Day, the Government House Leader may propose a time allocation motion allotting a specified number of hours to consider and dispose of the proceedings on a government Bill or government motion.

If the Government House Leader is absent, another Minister may propose the motion.

**Reasons for motion**

**48(2)** The Government House Leader or other Minister proposing the motion may state the reasons for a time allocation motion, and one Member of each Recognized Opposition Party may respond. No speech may exceed 10 minutes.

**No amendment or debate**

**48(3)** A time allocation motion cannot be amended, and cannot be debated except as described in sub-rule (2).

**Vote cannot be deferred**

**48(4)** A vote on a time allocation motion cannot be deferred despite Rule 14.

**When notice can be given**

**48(5)** Notice of a time allocation motion cannot be given:

- (a) for proceedings on a Bill, until two weeks have elapsed since the Bill was distributed in the House, and the Speaker has called the Bill for debate at least three times; and
- (b) for any other government motion, unless debate on the motion has begun.

**Exception for supply Bill**

**48(6)** Sub-rule (5) does not apply to a supply Bill or a Bill to implement the budget.

**May cover one or more stages of a Bill**

**48(7)** A time allocation motion for a Bill may cover the proceedings at one or more stages of the Bill's consideration. A motion covering more than one stage must specify the time allocated to each of them.

**No time allocation for certain Bills**

**48(8)** A time allocation motion cannot be made for a Bill that:

- (a) provides for privatizing a Crown corporation; or
- (b) amends, repeals or overrides the referendum requirements of The Balanced Budget, Debt Repayment and Taxpayer Accountability Act or The Manitoba Hydro Act, or any Act that requires a referendum before a Crown corporation is privatized.

**100 hours of estimates not affected**

**48(9)** A time allocation motion cannot have the effect of reducing the 100 hours allowed under Rule 76 for considering estimates and supply Bills.

## CLOSURE OF DEBATE

### Closure of debate

**49(1)** Immediately before the Order of the Day for resuming an adjourned debate is called, or if the House is in Committee of Supply or any other Committee of the Whole House, a Minister of the Crown who standing in their place has given notice at a previous sitting of their intention to do so, may move that the debate shall not be further adjourned, or that further consideration of any resolutions, clauses, sections, preambles or titles shall be the first business of the Committee and shall not be further postponed. In either case the question shall be decided without debate or adjournment.

### Effect of adoption of closure motion

**49(2)** Where the motion for closure is resolved in the affirmative, no Member shall thereafter speak more than once, or longer than 30 minutes in any such adjourned debate; or, if in Committee, on any such resolution, clause, section or preamble; and if the adjourned debate or postponed consideration has not been resumed or concluded before 2:00 a.m., no Member shall rise to speak after that hour, but all such questions as must be decided in order to conclude the adjourned debate or postponed consideration shall be decided forthwith.

### Limitation

**49(3)** This rule does not apply to a debate on a motion:

- (a) for an Address in Reply to the Speech from the Throne; or
- (b) to approve in general the budgetary policy of the government.

## QUESTIONS OF ORDER DURING DEBATE

### Procedure on point of order

**50(1)** A Member addressing the House, if called to order by either the Speaker or on a point raised by another Member, shall sit down while the point is being stated, after which the Member may explain.

### Debate

**50(2)** The Speaker may permit debate on the point of order before giving a decision, but the debate must be strictly relevant to the point of order.

### Decision

**50(3)** The Speaker shall decide the point of order and the Speaker's decision shall be subject to appeal to the House, but without debate.

### Finality

**50(4)** If no appeal is made, the decision of the Speaker is final and concludes the matter.

### **Irrelevance and repetition in debate**

**51** The Speaker or the Chairperson of any Committee, after having called the attention of the House, or of the Committee, to the conduct of a Member who persists in irrelevance or repetition, may direct the Member to discontinue speaking; and if the Member still continues to speak, if in the House, the Speaker shall name the Member, and, if in Committee, the Chairperson shall report the matter to the House.

## **DECORUM IN DEBATE**

### **Conduct during putting of question**

**52(1)** When the Speaker is putting a question, no Member shall enter, walk out of, or across, the House, or make any noise or disturbance.

### **Disrespectful or offensive language**

**52(2)** No Member shall speak disrespectfully of the reigning monarch or any other Member of the Royal Family, or of the Governor-General, or of the Lieutenant Governor or the person administering the Government of Manitoba, or use offensive words against the House, or against any Member thereof.

### **Aspersions on votes of House**

**53** No Member shall reflect upon any vote of the House except for the purpose of moving that the vote be rescinded.

### **No interruption except on point of order**

**54** When a Member is speaking, no Member shall interrupt, except to raise a point of order or a matter of privilege.

### **Maintenance of order**

**55(1)** When any matter is being debated, if a Member rises to speak on a subject not at the time under discussion, or interrupts a Member while speaking, except to raise a question of order or privilege, or transgresses any of the Rules, any Member may, and the Speaker shall, call the Member to order.

### **Unanimous consent**

**55(2)** Unanimous consent of the House shall be considered to be given only after the Speaker has put the question to that effect and which has received the unanimous affirmative vote of all the Members present at the time when the question was put.

### **Private conversations**

**56** No Member shall engage in private conversation in such a manner as to interrupt the business of the House.

## READING THE QUESTION

### Reading the question

**57** When the question under discussion does not appear on the Order Paper, or has not been printed and distributed, any Member may require it to be read at any time of the debate, but not so as to interrupt a Member while speaking.

## MEMBERS NOT TO SPEAK TWICE, REPLY

### No Member to speak twice

**58** No Member may speak twice to a question except in explanation of a material part of the Member's speech in which the Member may have been misquoted or misunderstood, but the Member shall not then introduce any new matter, and no debate shall be allowed upon the explanation.

### Replies

**59(1)** Subject to sub-rule (2), a Member who has moved a substantive motion or the Second Reading of a Bill may reply but not a Member who has moved an Order of the Day (not being the Second Reading of a Bill), an amendment, the previous question, an adjournment during a debate, or an instruction to a Committee.

### Reply where debate adjourned

**59(2)** Subject to Rule 49, the mover of a substantive motion may reply although the debate thereon, by being adjourned, becomes an Order of the Day.

### Reply closing debate

**59(3)** The reply of the mover of the original motion closes the debate, but the Speaker shall see that every Member wishing to speak has the opportunity to do so before the final reply.

## CHAPTER IV

### QUESTIONS

#### Questions

**60(1)** Questions may be placed on the Order Paper seeking information from Ministers of the Crown relating to public affairs; and from other Members relating to any Bill, motion or other public matter connected with the business of the House, in which the other Members may be concerned, but, in putting any such question, or replying to it, no argument or opinion shall be offered or any facts stated, except so far as may be necessary to explain it.

**Written questions listed**

**60(2)** Written questions that remain unanswered will be listed on the Order Paper once every two weeks.

**Delivery and printing of answer**

**60(3)** A Minister to whom a question is addressed shall hand the answer to the Clerk who shall cause it to be printed in the Votes and Proceedings.

**Questions to stand as notice**

**60(4)** Where, in the opinion of the Speaker, a question on the Order Paper put to a Minister of the Crown is of such a nature as to require a lengthy reply, the Speaker may, upon the request of a Minister of the Crown, direct the question to stand as notice of motion, and to be transferred to its proper place as such upon the Order Paper and may authorize the Clerk to amend the question as to matters of form.

**Questions made Order for Return**

**60(5)** Where a question is of such nature that, in the opinion of the Minister of the Crown who will reply thereto, the reply should be in the form of a Return and the Minister indicates no objection to tabling such a Return, the Minister's statement shall be deemed an Order of the House to that effect, and shall be entered in the Votes and Proceedings as such.

## CHAPTER V

### ADDRESSES FOR PAPERS

### ORDERS FOR RETURNS

**Debate on Order for Return**

**61(1)** Where a debate arises on a motion for an Order for Return or an Address for Papers, the motion shall be transferred by the Clerk to the items of Orders for Returns and Addresses for Papers on the subsequent Order Papers for debate at the next sitting at which the item 'Orders for Returns, Addresses for Papers, referred for debate' under Private Member's Business is reached.

**Definition of debate**

**61(2)** For the purpose of sub-rule (1), an indication by a Minister that the government:

- (a) accepts an Order for Return or an Address for Papers;
- (b) accepts an Order for Return or an Address for Papers, subject to conditions; or
- (c) does not accept an Order for Return or an Address for Papers;

shall be deemed not to be a debate of the motion for the Order for Return or Address for Papers.

**Motion accepted not debatable**

**61(3)** If the government accepts a motion for an Address for Papers, or an Order for Return the motion is not debatable.

**Motion not subject to amendment**

**61(4)** A motion for an Address for Papers, or an Order for Return, is not subject to amendment.

**Unanswered orders**

**61(5)** Addresses for Papers, and Orders for Returns, that remain unanswered shall be listed at the end of the Order Paper, once every two weeks.

**Order not nullified by prorogation**

**62** A prorogation of the House shall not have the effect of nullifying an Order or Address of the House for Returns or Papers, but all Papers and Returns ordered at one session of the House, if not complied with during the session, shall be brought down during the following session, without renewal of the order.

## CHAPTER VI

### NOTICES AND UNANIMOUS CONSENT

**One-day notice of motion**

**63(1)** One day's notice must be given of a motion:

- (a) to introduce a public Bill other than a supply Bill;
- (b) under Rule 48(1) (time allocation motion);
- (c) to present a resolution or address;
- (d) to appoint a Committee; or
- (e) to place a written question on the Order Paper.

**Notice during sessional period**

**63(2)** A notice under sub-rule (1) that is filed during a sessional period must

- (a) be filed with the Clerk on a sitting day before the House adjourns, or before the usual adjournment hour, whichever is later; and

(b) be printed in the Notice Paper for the next sitting day and placed on the Order Paper for the next sitting day after that.

### **Notice between sessional periods**

**63(3)** Between sessional periods, the notice must be filed with the Clerk before 12:00 noon on the last working day before the sessional period begins.

If the House is being recalled under sub-rule 2(2), the notice must be placed on the Order Paper for the first sitting day. In any other case, the notice must be printed in the Notice Paper:

(a) for the first sitting day, in the case of a session being re-convened;

(b) for the second sitting day, in the case of a Second Session or a later session of the Legislature; and

(c) for the third sitting day, in the case of a First Session of the Legislature;

and must be placed on the Order Paper for the next sitting day after that.

### **Motion without notice by leave**

**64** A motion may, in the case of urgent and pressing necessity previously explained by the mover, be made by unanimous consent of the House without notice having been given under Rule 63.

## **CHAPTER VII**

### **MOTIONS: AMENDMENTS**

#### **THE PREVIOUS QUESTION**

### **Motion imposing public aid or charge**

**65** Any vote, resolution, address or Bill introduced in the House for the appropriation of any part of the public revenue, or of any tax or impost to any purpose whatsoever, or to impose any new or additional charge upon the public revenue or upon the people, or to release or compound any sum of money due to the Crown, or to grant any property of the Crown, or to authorize any loan or any charge upon the credit of Her Majesty in right of the Province, shall be recommended to the House by a message from the Lieutenant Governor before it is considered by the House.

### **Abstract motion**

**66(1)** A resolution may be moved contemplating a possible future grant without being recommended to the House by a message from the Lieutenant Governor, if it is couched in such general terms or language as merely to express an abstract opinion and is not binding upon the House.

### **Decrease in expenditure or removal or reduction in exception from a tax**

**66(2)** No Member, who is not a Minister of the Crown shall move any amendment to a Bill or to estimates that increases any expenditure or varies a tax or a rate of tax or provides an exemption or increases an exemption from a tax or a proposed tax, but a Member who is not a Minister of the Crown may move an amendment to a Bill that decreases an expenditure or that removes or reduces an exemption from a tax or a proposed tax.

### **Motions to be in writing**

**67(1)** All motions, except motions to adjourn a debate, shall be in writing.

### **If filed with the Clerk**

**67(2)** A motion requiring notice must be filed with the Clerk. If the Speaker approves it, the notice is to be reproduced on the Notice Paper and placed on the Order Paper as described in Rule 63.

### **Amendments**

**67(3)** A motion to amend a motion shall be delivered to the Speaker at the time it is moved.

### **Motion moved and seconded**

**68(1)** Motions shall be moved and seconded before being debated.

### **Motion put before debate**

**68(2)** Motions shall be put from the Chair before being debated.

### **Same question not to be put twice**

**69** A motion shall not be made if the subject matter thereof has been decided by the House during the same session.

### **Motions during a debate**

**70** When a question is under debate, no motion shall be made except:

- (a) to amend it;
- (b) to postpone it to a day certain;
- (c) for the previous question;
- (d) for reading the Orders of the Day;
- (e) for proceeding to another Order;
- (f) to adjourn the debate; or
- (g) to adjourn the House.

### **Withdrawing motions**

**71** A Member who had made a motion may withdraw it with the unanimous consent of the House.

### **Amendments to motions to leave Chair and for Budget Address**

**72** Only one amendment and one sub-amendment may be accepted to a motion for the Speaker to leave the Chair for the House to go into Committee of Supply or the motion for approval by the House, in general, of the budgetary policy of the government.

### **Motion to commit Bill, etc.**

**73** A motion to refer a Bill, resolution, or question to a Committee, until decided, precludes amendment of the main question.

## **THE PREVIOUS QUESTION**

### **Form of the previous question**

**74(1)** The previous question, until it is decided, precludes all amendments of the main question, and shall be in the following words: "That this question be now put".

### **Procedure where affirmed**

**74(2)** Where the previous question is resolved in the affirmative, the original question shall be put forthwith without any amendment or debate.

## **CHAPTER VIII**

### **COMMITTEE OF THE WHOLE**

#### **COMMITTEE OF SUPPLY**

### **Rules observed in Committee of the Whole**

**75(1)** The Rules shall be observed in a Committee of the Whole House, insofar as they are applicable, except the Rules requiring seconding of motions, limiting the number of times of speaking, and, in the case of the Committee of Supply, requiring Members to rise to speak. The speaking time limit in Committee of the Whole is 10 minutes.

### **Quorum**

**75(2)** The quorum for a Committee of the Whole House is 10 Members.

### **Speeches in Committees of the Whole**

**75(3)** Speeches in a Committee of the Whole House must be strictly relevant to the item or clause under discussion.

### **Order in Committees**

**75(4)** The Chairperson of a Committee of the Whole House shall maintain order and decide all questions of order, subject, except in the case of the Committee of Supply, to an appeal to the Whole House and, in the case of the Committee of Supply, to an appeal to the Committee but disorder in a Committee of the Whole House can only be censured by the House on receiving a report thereof.

### **Government officials in Committee**

**75(5)** In a Committee of the Whole House, such officials of the government as are required by a Minister may be admitted to the Legislative Chamber, and shall be permitted to sit at the table placed on the floor of the House in front of the Minister, but this rule does not apply during the debate on a Minister's salary in Committee of Supply.

### **Business of supply**

**76(1)** The business of supply for a fiscal year consists of:

- (a) motions to concur in interim supply, main and capital estimates and supplementary or final estimates;
- (b) motions to vary, delete, restore or reinstate any item in the estimates; and
- (c) motions to introduce supply Bills or to pass them at any stage.

### **Estimates referred to Committee of Supply**

**76(2)** When the estimates and the accompanying messages from the Lieutenant Governor are tabled in the House, they stand referred to the Committee of Supply.

### **100-hour limit for business of supply**

**76(3)** In each session, no more than 100 hours in total are to be allowed for consideration of the business of supply, other than:

- (a) the concurrence motion under Rule 78;
- (b) the motion for Second Reading of a supply Bill; or
- (c) the motion of Concurrence and Third Reading of a supply Bill.

### **Record of time remaining**

**76(4)** The Clerk shall print in the Order Paper for each sitting day the number of hours and minutes remaining under sub-rule (3).

### **When time limit expires**

**76(5)** If the business of supply to which the 100-hour limit applies has not been completed when that limit expires, the Chairpersons of the Committees of Supply and of the Whole House shall immediately put all questions necessary to dispose of the remaining matters. These questions are not subject to debate, amendment or adjournment.

### **Speeches – 10 minutes**

**77(1)** All speeches in Committee of Supply, including those of the Ministers, shall be restricted to 10 minutes.

### **Minister's opening address**

**77(2)** The address of a Minister introducing the estimates of a department shall be restricted to 10 minutes.

### **Minister's and Critic's seats in Committee of Supply**

**77(3)** While in Committee of Supply the Minister presenting his or her estimates and the critic or critics of that Minister's department shall be permitted to speak from a place in the front row of the benches in the Chamber.

### **Sittings outside Chamber**

**77(4)** The Committee of Supply is authorized to meet outside the Chamber to consider the estimates of government departments.

### **Concurrent sittings**

**77(5)** The Committee of Supply shall, unless otherwise ordered, sit in three separate sections concurrently, one section in the Chamber and two sections outside the Chamber, to consider the estimates of separate government departments.

### **No sitting while House in Session**

**77(6)** Neither the Committee of Supply, nor any section of the Committee of Supply, is authorized to sit to consider estimates while the House is in session.

### **Sequence for consideration of estimates**

**77(7)** The sequence in which the estimates of the various government departments are to be considered by the Committee of Supply will be established by the Official Opposition House Leader selecting the departments whose estimates will be considered first in each section of the Committee, by the Government House Leader selecting the departments whose estimates will be considered second in each section of the Committee and thereafter by the Official Opposition House Leader and the Government House Leader selecting, in rotation, the succeeding departments until all departments have been assigned a place in the sequence for estimate consideration.

### **Tabling of sequence**

**77(8)** When the Official Opposition House Leader and the Government House Leader have assigned places in the sequence for the consideration of the estimates of all government departments, the Government House Leader shall forthwith table in the House a written statement of that sequence.

### **Changes to sequence**

**77(9)** Once the sequence for estimate consideration is established in accordance with sub-rule (7) that sequence may be changed by substantive motion with required notice given, or by unanimous consent.

### **Formal Vote in Committees**

**77(10)** Where, immediately following the taking of a voice-vote, two Members demand that a formal vote be taken, the Members shall be called in, all sections of the Committee of Supply shall meet together and a count-out vote shall be taken.

### **All sections of the Committee of Supply to meet**

**77(11)** For the purposes of taking a count-out vote pursuant to sub-rule (10) all sections of the Committee of Supply may meet together in or outside the Chamber.

### **“Count-out” vote**

**77(12)** For the purposes of sub-rules (10) and (11) “count-out vote” means the counting aloud by the Clerk of the Committee of the Members rising to vote for and against the question when a formal vote has been demanded.

### **Committee of Supply sitting on Fridays**

**77(13)** When the Committee of Supply, or a section of it, sits on a Friday, no quorum is required, and the Chairperson or Deputy Chairperson of the Committee can accept a vote on a question only if it is unanimous. If a vote is not unanimous,

- (a) the question must be put again, without further debate, as the first item of business at the next sitting of the Committee of Supply that is not on a Friday; and
- (b) the Committee continues with the next item for consideration, unless the question pertains to the last item of supply for a government department.

Any challenge to a ruling of the Chairperson must be deferred to the next sitting of the Committee of Supply that is not on a Friday.

After the Committee rises on a Friday, the only motion that may be made in the House is a motion for adjournment.

### **Reports of Committee of Supply**

**77(14)** The Chairperson of the Committee of Supply shall report to the House items passed during the consideration of interim, main and capital supply, and shall also report at the conclusion of the estimates process, all resolutions passed and the concurrence motion. The Chairperson shall report matters of privilege referred by the Committee as well as incidents of grave disorder.

### **“Previous Question” in Committee**

**77(15)** Where the motion for the “previous question” is moved in Committee of Supply, or in a section of the Committee of Supply, the motion is not debatable.

### **Considering departmental estimates**

**77(16)** During consideration of departmental estimates, line items need not be passed, but they may be called for the purpose of asking questions or moving amendments. Departmental resolutions must be voted on separately.

**No debate on report from supply**

**77(17)** The report on the resolutions considered in the Committee of Supply and on the concurrence motion pursuant to sub-rule 78(1) shall be received by the House without debate.

**Concurrence motion in Committee of Supply**

**78(1)** After all supply resolutions have been considered, a concurrence motion must be moved in the Committee of Supply sitting as a full Committee in the Chamber.

**Text of motion**

**78(2)** The concurrence motion is to be in the following form:

“THAT the Committee of Supply concur in all supply resolutions relating to the Estimates of Expenditure for the fiscal year ending March 31, (year) which have been adopted at this session, whether by a section of the Committee of Supply or by the full Committee.”

**No time limit**

**78(3)** Subject to Rule 48(1), there is no time limit on the debate on the concurrence motion.

**Notice before questioning of Ministers**

**78(4)** The Official Opposition House Leader must, by 4:00 p.m. on the previous sitting day, table in the House a list of Ministers of the Crown who may be called for questioning in the debate on the concurrence motion. This list is to be in effect until a new list is tabled.

**Notification if Ministers are to be questioned concurrently or sequentially**

**78(4.1)** More than one Minister can be questioned at the same time on similar or related subject matter; however notice of this arrangement must be provided by the Official Opposition House Leader when tabling the list of Ministers on a previous sitting day. It is to be clearly identified whether Ministers are being questioned concurrently or questioned sequentially.

**Committee recess to allow Ministers to attend**

**78(4.2)** Ministers appearing on the list after the first name listed are not required to be in the Chamber; however the Committee will recess for five minutes to allow the Ministers to attend once their place in the sequence is reached.

**Limits on number of times Ministers can be called**

**78(4.3)** The First Minister is only eligible to be called once on the concurrence list, while the other Ministers of the Crown can be called a maximum of three times.

**Critic to indicate if questioning is concluded or is to continue**

**78(4.4)** By the end of each sitting to consider concurrence, the critic conducting the questioning must indicate whether questioning of the current Minister is concluded or is to continue at the next sitting of the committee.

### **Concurrence motion in the House**

**79(1)** On receipt of a report from the Committee of Supply respecting consideration of a concurrence motion pursuant to sub-rule 78(1) a concurrence motion shall be moved in the House forthwith without notice.

### **Non-debatable**

**79(2)** A motion pursuant to sub-rule (1) shall not be subject to debate, amendment or adjournment.

### **Motion to leave the Chair**

**80(1)** A motion that the Chairperson of a Committee of the Whole House leave the Chair is always in order, takes precedence over any other motion and is not debatable.

### **Renewal of Motion**

**80(2)** Such a motion, if rejected, cannot be renewed unless some intermediate proceeding has taken place.

### **Reference of Bills to Committee of the Whole**

**81** Bills that are on the Orders of the Day for consideration in Committee on the same day may be referred together to a Committee of the Whole House, which may consider all the Bills so referred to it without the Chairperson leaving the Chair on each separate Bill.

### **Amendments to be reported**

**82** All amendments made in a Committee of the Whole House shall be reported by the Chairperson to the House, which shall receive the report forthwith.

## **CHAPTER IX**

### **STANDING AND SPECIAL COMMITTEES WITNESSES**

#### **Standing Committees**

**83(1)** At the beginning of the first session of each Legislature, a Special Committee of seven Members must be appointed to prepare and report, without delay, the proportional representation of Members by party to serve on the following Standing Committees of the House:

Agriculture and Food  
Crown Corporations  
Human Resources  
Intergovernmental Affairs  
Justice  
Legislative Affairs  
Private Bills  
Public Accounts  
Rules of the House  
Social and Economic Development  
Statutory Regulations and Orders

### **Membership**

**83(2)** No Standing or Special Committee may consist of more than 11 Members.

### **Changes in Membership**

**83(3)** The report of the Special Committee of Seven Members sets out the proportional representation of Members by party to sit on Standing Committees. The names of specific Members to serve on the Committees shall be provided by the Whip or Whip's designate in accordance with Rule 85(2).

### **Chairperson and Vice-Chairperson**

**83(4)** Each Standing or Special Committee shall elect a permanent Chairperson and a permanent Vice-Chairperson at its first meeting in each Legislature, and in the case of a vacancy of either the Chairperson or Vice-Chairperson by reason of the incumbent dying, resigning his or her seat in the Assembly, becoming disqualified from sitting or voting in the Assembly, or resigning from the Committee, the Committee shall forthwith elect a successor.

### **Vice-Chairperson to act**

**83(5)** If at any meeting of the Committee, the Chairperson is not present, the Vice-Chairperson shall act in the place of the Chairperson.

### **Examination of Regulations**

**84(1)** All Regulations that, under The Regulations Act, stand permanently referred to the Standing Committee on Statutory Regulations and Orders, shall be examined by that Committee.

### **Principles for consideration of regulations**

**84(2)** The Committee shall, in examining Regulations and Orders submitted to it, be governed by the following principles:

- (a) The Regulations should not contain substantive legislation that should be enacted by the Legislature, but should be confined to administrative matters;
- (b) The Regulations should be in strict accord with the statute conferring the power and, unless so authorized by the statute, should not have any retroactive effect;

- (c) The Regulations should not exclude the jurisdiction of the courts;
- (d) The Regulations should not impose a fine, imprisonment, or other penalty, or shift the onus of proof of innocence onto a person accused of an offence;
- (e) A Regulation in respect of personal liberties should be strictly confined to things authorized by statute;
- (f) The Regulations should not impose anything in the way of a tax (as distinct from the fixing of the amount of a license fee or the like);
- (g) The Regulations should not make any unusual or unexpected use of the delegated power; and
- (h) The Regulations should be precise and unambiguous in all parts.

#### **Rules referred**

**84(3)** The Rules, Orders and Forms of Proceeding of the Legislative Assembly stand permanently referred to the Standing Committee on the Rules of the House and shall be examined from time to time by that Committee.

#### **Speaker to be Chairperson**

**84(4)** The Speaker shall be a Member and Chairperson of the Standing Committee on the Rules of the House.

#### **Quorum**

**85(1)** Of the number of Members appointed to compose a Committee, a majority of them are a quorum, unless the House otherwise orders.

#### **Committee Membership Lists**

**85(2)** At the start of each committee meeting, the Whip or the Whip's designate must provide in writing to the Committee Clerk the membership list of Members to serve on the committee for that particular meeting. Changes can also be made during the meeting by the Whip or Whip's designate providing written notification to the Chairperson.

#### **Notice of Committee Meetings**

**85(3)** Notice of Committee Meetings shall be provided to the Whip of each caucus.

#### **Right of addressing Committee or putting questions**

**86** A Member who is not a Member of a Committee may attend for the purpose of addressing the Committee, or of putting questions to witnesses, but shall not be permitted to vote.

#### **Order in Committee and speaking times**

**87(1)** The Chairperson of a Standing or Special Committee of the House, shall maintain order and shall decide all questions of order subject to an appeal to the Committee.

**87(2)** No MLA attending a Standing or Special Committee meeting may speak for more than 10 minutes at one time in any debate, however there is no limit on the number of times a Member can speak, unless otherwise agreed to by the Committee, subject to rule 92(2).

### **Voting in Committees**

**88** All questions before a Committee shall be decided by a majority of votes excluding the vote of the Chairperson of the Committee and when the votes on a question are equal the Chairperson shall cast a deciding vote.

### **Reports, how made**

**89(1)** A report from a Standing or a Special Committee shall be presented by a Member standing in his or her place, and shall be read by the Clerk at the Table.

### **Concurrence**

**89(2)** Concurrence in a report of a Committee may be moved subsequently after the usual notice has been given.

### **Idem**

**89(3)** Concurrence moved by the government shall be debated under "Government Motions".

### **Idem**

**89(4)** Concurrence moved by a Private Member will be debated during Private Members' Business.

### **Signing of report**

**90** The report of a Committee shall be signed by the Chairperson only.

### **Reports not to be amended**

**91** A report from a Standing or Special Committee shall not be amended by the House, but it may be referred back to the Committee.

### **Regulations re representations**

**92(1)** Committees may make regulations governing representation to be made by the general public at Committee meetings, and the regulations shall conform with the general guidelines established for the House.

**NOTE:** It is suggested that such regulations should be read aloud by the Chairperson of the Committee at the commencement of each meeting so that all concerned may be fully aware of any restrictions which are to be placed upon representations by the public.

### **Hearing presentations**

**92(2)** When persons are registered to make presentations to a Standing or Special Committee considering a Bill, the Committee must allow each presenter a maximum of 10 minutes to make a presentation, and an additional five minutes to respond to questions from Members of the Committee. As an exception, the Chairperson may, with the unanimous consent of the Committee, allow a presenter who has spoken for 10 minutes more time to present and to respond to questions.

### **If presenter not in attendance**

**92(3)** Except with the unanimous consent of the Committee, if a presenter registered to speak is not present when called to make their presentation, the presenter's name is to be dropped to the bottom of the list. If the presenter is not in attendance when called a second time, the presenter's name is to be removed from the list.

### **Evening Meetings to begin at 6:00 p.m.**

**92(4)** A Standing or Special Committee that meets in the evening to consider a Bill must meet at 6:00 p.m. As an exception, if a Committee considering a Bill in the afternoon has not finished hearing presenters at 6:00 p.m., it may recess and reconvene at 7:00 p.m.

### **Sitting past midnight**

**92(5)** Except with the unanimous consent of the Committee, a Standing or Special Committee that meets to consider a Bill in the evening must not sit past midnight to hear committee presentations unless:

- (a) the Committee has already heard presentations on two previous evenings; or
- (b) fewer than 20 presenters are registered to speak to all Bills being considered when the Committee meets at 6:00 p.m.

After hearing presentations, the Committee may sit past midnight to consider the Bill clause by clause.

### **Midnight of the third evening**

**92(6)** At midnight on the third or any subsequent evening that a Standing or Special Committee meets to consider a Bill, the Chairperson is to decide, without debate, whether the Committee is to sit past midnight and, if so, for how long.

### **No presenters may register past midnight on the third evening**

**92(7)** After midnight on the third evening that a Standing or Special Committee meets to consider a Bill, no presenter can be registered to make a presentation.

### **Two days notice of meeting**

**92(8)** Two days notice must be given in the House of the first meeting of a Standing or Special Committee considering Bills, if presenters are registered to speak when the meeting is set.

### **Payment of per diem allowances and expenses to witnesses**

**93** Subject to Rules 94 and 95, a witness summoned to attend before a Committee of the House, except in the case of a Committee considering a Private Bill, shall be paid in respect of each day of attendance, a reasonable sum per diem as determined by the Speaker and a reasonable allowance for traveling expenses.

### **Requirements before payment**

**94** No witness shall be paid unless:

- (a) a Member of the Committee before which the witness is attending has filed with the Chairperson thereof a certificate stating that the evidence to be given by the witness is, in the opinion of the Member, material and important;
- (b) in the case of an allowance for expenses, the Chairperson of the Committee has certified to the Speaker that the amount to be so paid is just and reasonable; and
- (c) in each case, payment is made on the authority of the Speaker signified by the Speaker's endorsement of the Speaker's approval and of the amount approved, on the certificate to which clause (a) of this Rule applies.

### **Attendance for more than three days**

**95** Where a witness has been in attendance during three days, if the presence of the witness is still required, payment shall be made to the witness, in respect of following days, only upon further certification by the Chairperson of the Committee and the further authority of the Speaker as provided in clauses (b) and (c) of Rule 94 and so on, in respect of every succeeding period of three days, or fractions thereof.

## **CHAPTER X**

### **PROCEDURAL GUIDELINES FOR THE STANDING COMMITTEE ON PUBLIC ACCOUNTS**

#### **Mandate of Committee**

**96** The mandate of the Standing Committee on Public Accounts Committee (PAC) is to:

- (a) examine the financial administration of public assets and spending of public funds (including crowns, agencies, recipients of public money);
- (b) review amendments to legislation dealing with the responsibilities of the Auditor General after second reading and before report stage; and
- (c) review and make recommendations to the House on the functioning of the Committee and its Rules.

**97** The PAC shall not concern itself with policies of the Government or with the rationale of Government programs. The PAC shall focus on administration of Government Policy and ensure that public money for the policies and programs of government is expended in an efficient and economical manner.

### **Scope of Activities**

**98** To fulfill its mandate the PAC is entitled to examine:

- (a) the Public Accounts;
- (b) the financial statements of crowns, agencies and recipients of public money; and
- (c) reports issued by the Auditor General of Manitoba.

**99** In examining the documents set out in Rule 98, the PAC may review and evaluate any of the following:

- (a) the reliability and appropriateness of information in the Public Accounts to provide a full and fair accounting of operations and financial transactions;
- (b) the collection of and proper accounting for revenues;
- (c) the maintenance of expenditures within the limits and for the purposes authorized by the House;
- (d) the adequacy of safeguards to protect assets from loss, waste and misappropriation;
- (e) the regard for economy in the acquisition of goods and services;
- (f) the regard for efficiency in operations respecting the expenditure of public money;
- (g) any financial management reforms in Government to determine whether due regard is given to maintaining legislative accountability; and
- (h) any matter reported in the Auditor General's reports.

**100** The reviews and evaluations of the PAC may relate to past, current and committed expenditures as referred by the Government House Leader.

**101** The PAC shall also examine any other matter that the House refers to it concerning the financial integrity of the administration.

### **Size and Composition of Committee**

**102** The PAC shall consist of all recognized parties proportionally represented in relation to the number of seats that each party has in the Legislative Assembly.

**103** Cabinet Ministers and Leaders of a Recognized Party in the Legislative Assembly shall be ineligible as Members of the PAC, with the exception of the Minister of Finance.

**104(1)** Members on the PAC shall serve for a term that is equal to the duration of the Legislature.

104(2) Despite Rules 85(2) and 104(1) each caucus may make up to two membership substitutions per meeting.

**105** The Committee's Chairperson shall be a Member of the Official Opposition and shall be elected by the Committee Members at their first meeting after the commencement of a new Legislature.

**106** The Vice-Chairperson shall be a Member of the Government Party and shall be elected by the Members at their first meeting after the commencement of a new Legislature. The Minister of Finance is ineligible for the position of Vice-Chairperson of the PAC.

**107** Any MLA may participate in the PAC's deliberations, but such Members may not vote, move motions or be part of any quorum.

#### **Role of Chairperson**

**108** The Chair shall play a lead role in all aspects of Committee work and shall be the spokesperson for the Committee. The Chair:

- (a) shall preside over all meetings;
- (b) may propose procedures that will facilitate the operation of the PAC;
- (c) shall decide questions of order and procedure;
- (d) shall maintain decorum;
- (e) may participate in the questioning of witnesses and in other Committee deliberations;  
and
- (f) shall ensure that political partisanship is minimal.

#### **Role of Vice-Chairperson**

**109** The Vice-Chairperson shall assume the Chair in the absence of the Chairperson and shall exercise all the rights and privileges of the Chairperson in that person's absence.

**110** The Vice-Chairperson shall assist the Chairperson in the performance of duties.

## **Meetings and Hearings**

**111(1)** After consulting with the PAC Chairperson and Vice-Chairperson, the Government House Leader shall call from six to eight meetings of the PAC per year. To the extent practicable, the meetings shall be held at regular intervals.

**111(2)** The Chairperson and Vice-Chairperson must set the agenda for a meeting and provide a copy of the agenda to the Government House Leader before the meeting is called.

**112** The PAC may meet when the Legislative Assembly is in session, recessed or prorogued but shall not schedule any meetings during hours when the House is sitting.

**113** The Committee may decide to meet outside the Legislative Building on a motion of the House or at the Government House Leader's discretion.

**114** The Auditor General should be in attendance at all PAC meetings to provide advice and opinions and answer questions on matters of accounting, administration and reports issued by the Auditor General, except where the Committee feels the circumstances do not require such attendance.

**115** In the spirit of a non-partisan approach, Committee Members should strive to reach a consensus in their deliberations.

## **In camera Meetings and Hearings**

**116** Notwithstanding Rule 117, all meetings of the PAC are open to the public.

**117** In camera meetings may be held.

**118** The Auditor General shall at the discretion of the Committee, attend all meetings of the Committee that are held in camera.

## **Minister and Deputy Minister may be called as witnesses**

**118.1(1)** If an Auditor General's report relates to a government department or agency, the PAC may call as a witness the minister currently responsible for that department or agency.

**118.1(2)** If an Auditor General's report makes a recommendation relating to a government department, the PAC may call as an additional witness the current deputy minister for that department, to appear with the minister. The deputy minister may be questioned on matters related to the Auditor General's report recommendations and related matters of administration within the department. Questions of policy must be directed to the minister.

**118.1(3)** If an Auditor General's report makes a recommendation relating to a Crown corporation whose annual report stands permanently referred to the Standing Committee on Crown Corporations, the PAC may call as an additional witness the chief executive officer of the corporation, to appear with the minister responsible for the corporation. The officer may be questioned on matters related to the Auditor General's report recommendations and related matters of administration within the corporation. Questions of policy must be directed to the minister.

**118.1(4)** Despite subrule (1), if the report makes recommendations affecting more than one government department or agency, the chair and vice-chair, on the advice of PAC, may designate the current minister responsible for any of the affected department or agency as the lead minister. If there are areas not yet addressed by the lead minister or deputy minister, the chair and vice-chair, on the advice of PAC, may call as witnesses, to deal with matters not yet addressed,

(a) the minister of any other department affected by the recommendations and, under subrule(2), the deputy minister of that department; or

(b) in the case of a Crown corporation referred to in subrule (3), the minister responsible for the corporation and, under that subrule, the chief executive officer of the corporation.

**118.1(5)** The minister and deputy minister may bring to the PAC one or more members of their staff, selected by the minister or deputy minister, to provide advice to the minister or deputy minister on questions posed by committee members.

**118.1(6)** The minister responsible for a Crown corporation referred to in subrule (3) and the chief executive officer of the corporation may bring to the PAC one or more members of the minister's or corporation's staff, selected by the minister or the officer, as the case may be, to provide advice to the minister or the officer on questions posed by committee members.

### **Requesting Documents**

**119** The PAC shall have the ability to access all financial information and other documents as it determines necessary for its reviews and evaluations according to The Freedom of Information and Protection of Privacy Act.

### **Requests for Review by The Auditor General**

**120** The PAC may request the Auditor General to perform specific reviews or tasks.

**121** Requests to the Auditor General for reviews or special tasks shall be passed as a motion by the whole Committee and terms of reference should be provided to the Auditor General in writing.

### **Reports to the Legislative Assembly**

**122** Names of individuals shall not be included in the Committee's report unless the Committee agrees that the circumstances warrant it.

**123** The Committee may refer to any reviews of confidential evidence which it has conducted but shall not include the content of such evidence in its report.

**124** The Chairperson shall table reports in the House.

**125** The Chairperson may make a short statement on the report to the House, using wording approved by the Committee, when the report is tabled.

**126** The report of the PAC may, on motion, be the subject of debate in the House after it is tabled.

**127** The Clerk of the PAC shall, on the Committee's request, send copies of its report to:

- (a) Members of the Legislative Assembly;
- (b) the administrative head of each entity that was the subject of a review by the Committee;
- (c) the media;
- (d) the Auditor General of Manitoba; and
- (e) such other persons or organizations as the Committee deems appropriate.

#### **Follow-up on Recommendations**

**128** The PAC may systematically review Government actions and responses to the Committee's recommendations, in order to complete the accountability cycle.

**129** The PAC may keep the House informed on the status of its recommendations through its reports to the House.

#### **Professional Development**

**130** Meetings of the Committee may be held from time to time for professional development purposes at the call of the Government House Leader.

#### **Resources**

**131** The Committee may endeavour to obtain all necessary resources, including research support to efficiently fulfill its mandate in an effective manner.

## CHAPTER XI

### PETITIONS

#### **Petition filed with Clerk**

**132(1)** A Member wishing to present a petition to the House must file it with the Clerk at least 24 hours before presenting it.

#### **Form of Petition**

**132(2)** A petition must be in the form set out in Appendix A and must be signed by at least 15 petitioners. The names and addresses of 15 petitioners must be legible. If more than one page is required for the signature of petitions, the subject matter of the petition must be indicated on each page. The reverse side of petitions can be used for signatures, provided that the action the Legislative Assembly is being asked to take or not take appears on the top of the reverse side of the page. The signature of the Member must also appear at the top of the original petition. Check marks, ditto marks or similar wording are acceptable for address designations.

#### **Petition for expenditure not admissible**

**132(3)** A petition is not in order if it requests an expenditure, grant or charge on the public revenue, whether out of the Consolidated Fund or out of money provided by the Assembly.

#### **Petition to be examined**

**132(4)** The Speaker must examine each petition filed by a Member to ensure that it complies with these Rules and conforms to the practices and privileges of the House.

If the Speaker is satisfied that it does, the Member's name is to be printed on the next day's Order Paper under "Petitions". If the Speaker is not satisfied, the petition is to be returned to the Member.

#### **Presenting petition**

**132(5)** When the Member's name appears on the Order Paper under "Petitions" and the Speaker calls that item during the daily routine of business, the Member may present the petition from his or her place in the House.

The Member must read the full text of the petition and the names of the first three petitioners.

#### **Petition received**

**132(6)** When the Member reads the petition, it is deemed to be received by the House.

#### **No debate on petition**

**132(7)** There is to be no debate on a petition.

#### **Only one petition per day**

**132(8)** A Member may present only one petition each day to the House.

### **Only Member may present petition**

**132(9)** A person wishing to have a petition presented to the House must do so through a Member.

## **CHAPTER XII**

### **PROCEEDINGS ON PUBLIC BILLS**

#### **Application of Chapter**

**133** Except where a provision of Chapter XV is inconsistent with a provision of this Chapter, this Chapter applies to all Bills, whether Public or Private.

#### **Motion for First Reading**

**134** Every Bill is to be introduced by a motion that specifies the title of the Bill. The motion must be decided without amendment or debate, but the mover may give a brief explanation of the purpose of the Bill.

#### **Bills validating letters patent, by-laws and agreements**

**135** Where a Bill for validating, ratifying or confirming any letters patent, by-law or agreement is presented to the House, a certified copy of the letters patent, by-law or agreement shall be attached to it.

#### **Second Reading after printing**

**136(1)** Unless otherwise specially ordered or allowed by the House, each Bill shall be printed and distributed in the House before Second Reading.

#### **Bills must be distributed before Second Reading**

**136(2)** A Bill must be printed and distributed in the House at least one day before Second Reading.

#### **Bills amended in Committee may be reprinted**

**136(3)** Where a Bill has been amended in a Committee or at Report Stage, it may be reprinted as amended in the discretion of the Committee or the House, and when the Bill has been sent to be reprinted, it shall be marked on the Orders of the Day "Reprinting Pending" and shall not be further proceeded with until that mark has been removed and the word "Reprinted" substituted, signifying that a Bill has been reprinted and distributed.

#### **Reprinted Bills to be indicated**

**136(4)** Where a Bill is sent to be reprinted, the word "REPRINTED" shall be printed in large type on the face of the reprinted version.

#### **Three readings before passing**

**137(1)** Every Bill shall receive three several readings, on different days, before being passed.

### **Urgent cases**

**137(2)** By leave of the House, a Bill may be read twice or thrice, or advanced two or more stages in one day.

### **Two readings before committal**

**137(3)** Every Bill shall be read twice in the House before being referred to a Committee or amended.

### **Committal to Committee**

**137(4)** Every Bill, after having been read a second time, shall stand referred to a Committee and all petitions before the House, for or against the Bill, shall stand referred to that Committee.

### **Order of consideration of a Bill**

**138(1)** In considering a Bill in any Committee of the House, whether Standing, Special or of the Whole House, consideration of the title, the preamble and the first clause, if it contains only a short title, shall be postponed and after every other clause is considered by the Committee in its proper order, the first clause, if it contains only a short title, the preamble and the title shall be considered last.

### **Chairperson to sign Bill**

**138(2)** The Chairperson of a Committee to which a Bill is referred, shall sign with his or her full signature the House copy of each Bill reported by the Committee on which the amendments and corrections to the Bill, if any, are fairly inserted and shall also initial the several amendments or corrections made and the clauses added by Committee.

### **Report on Bills**

**138(3)** All amendments made to a Bill in any Committee shall be reported to the House on the sitting day following the conclusion of the Bill's review by the committee, and every Bill reported from any Committee, whether amended or not, shall be received by the House on report thereof.

### **Report Stage**

**138(4)** The Report Stage of a Bill reported from a Standing or Special Committee must not begin until the second sitting day after the Bill is reported, unless the House orders otherwise.

### **Report from Committee of the Whole**

**138(5)** Notwithstanding sub-rule (4), a Bill reported from a Committee of the Whole House shall be received and forthwith disposed of, without amendment.

### **Notice of Report Stage amendment**

**138(6)** To amend a Bill at Report Stage, notice of the motion to amend must be filed with the Clerk before the House adjourns or before the usual adjournment hour, whichever is later, on the day the Bill is reported to the House by the Committee that considered it. Copies of the motion must be distributed in the House on the next sitting day.

### **Request for 24 hours deferment for amendment**

**138(7)** Despite sub-rule (6), where a written notice of a motion to amend, delete, insert or restore any clause or provision in a Bill is given prior to the consideration of the Report Stage of the Bill, and the Order of the Day for consideration of the Report Stage of the Bill is called before the end of the first sitting of the House after the notice is given, any Member may request that the consideration of the Report Stage of the Bill be deferred until after the end of the first sitting of the House after the notice is given and, unless the House by a vote, unanimous except for that Member, refuses the request, the consideration of the Report Stage of the Bill shall be deferred until after the end of the first sitting of the House after the notice is given; but, if the consideration of the Report Stage of the Bill is deferred once under this Rule, the consideration of the Report stage shall not again be deferred, except by resolution of the House.

### **Amendment without notice**

**138(8)** An amendment in relation to form only in a Government Bill may be proposed by a Minister of the Crown without notice, but debate thereon may not be extended beyond the provisions of the clause or clauses to be amended.

**NOTE:** The purpose of this sub-rule is to facilitate the incorporation into a Bill of amendments of a strictly consequential nature flowing from the acceptance of other amendments. No waiver of notice would be permitted in relation to any amendment which would change the intent of the Bill, no matter how slightly beyond the effect of the initial amendment.

### **Restrictions on Amendments**

**138(9)(a)** No motion to amend a Report Stage Amendment shall be accepted except by unanimous consent.

**138(9)(b)** No amendment to a Bill moved in committee may be moved as a Report Stage Amendment.

### **Limitation on Debate**

**138(10)** Members are limited to 10 minute speeches when considering Report Stage, except that the Premier or the Leader of the Official Opposition may speak for 30 minutes.

### **Combining the amendments**

**138(11)** The Speaker may select or combine amendments or clauses to be proposed at the Report Stage.

### **Deferring recorded division**

**138(12)** When a recorded division has been demanded on any amendment proposed during the Report Stage of a Bill, the Speaker may defer the calling in of the Members for the purpose of recording the “yeas” and “nays” until any or all subsequent amendments proposed to that Bill have been considered. A recorded division may not be so deferred from sitting to sitting.

### **Concurrence and Third Reading**

**138(13)** If the Clerk does not receive notice under sub-rule (6) of a Report Stage amendment, the Bill must be listed for Concurrence and Third Reading on the Order Paper for the second sitting day after the Bill is reported to the House.

**138(14)** A Concurrence and Third Reading motion for a Bill may not be put until:

- (a) in the case of a Bill reported from a Committee of the Whole, the day it is reported;
- (b) in any other case,
  - (i) the Report Stage proceedings for the Bill have been concluded, or
  - (ii) the day the Bill is listed for Concurrence and Third Reading on the Order Paper.

### **Recommittal**

**139** Where the Order of the Day for the Concurrence and Third Reading of a Bill is read, any Member desiring to recommit the Bill shall move to discharge the Order and to recommit the Bill; and upon such a motion being resolved in the affirmative, the Member shall give notice of the instructions to be given, but those instructions shall not be taken into consideration before the next sitting of the House.

## **CHAPTER XIII**

### **OFFER OF MONEY TO MEMBERS**

#### **BRIBERY IN ELECTIONS**

#### **Offering money or advantages to Members**

**140** The offer of any money, or other advantages, to any Member of the Assembly for the promotion of any matter depending, or to be transacted in the House, is an offence against the privileges of the House and every Member thereof.

**NOTE:** See Section 42 of The Legislative Assembly Act and Section 100 of The Criminal Code (Canada.)

#### **Proceedings in case of bribery**

**141** Where it appears that any person has been elected and returned a Member of the Assembly, or has endeavoured so to be, by bribery or other corrupt practices, the House shall proceed with the utmost severity against the Member and all such other persons as have been wilfully concerned in the bribery or other corrupt practices.

## CHAPTER XIV

### OFFICERS OF THE ASSEMBLY

#### **Officers**

**142** The Officers of the Assembly are:

- (a) the Clerk of the Legislative Assembly, who may also be known and called the Clerk of the House;
- (b) the Clerk's Assistant;
- (c) the Law Officer of the Legislative Assembly;
- (d) the Deputy Law Officer of the Legislative Assembly; and
- (e) the Sergeant-at-Arms.

#### **Duties of the Clerk**

**143** Subject to the direction of the Speaker, or the House, the Clerk shall:

- (a) be responsible for the safekeeping of the records and documents of the House;
- (b) have direction over the Clerk's Assistant and such clerks, stenographers, messengers, ushers, and pages as may be employed in connection with the House;
- (c) be present at the Table in the Legislative Chamber during the sittings of the House;
- (d) assign a Clerk to each Standing and Special Committee;
- (e) prepare, and cause to be printed, the Votes and Proceedings and the Order Paper;
- (f) at the conclusion of each session of the Legislature, cause the Votes and Proceedings to be indexed and bound and published as the Journals of the Legislative Assembly of Manitoba;
- (g) at all reasonable times, make available the Sessional Papers for inspection;
- (h) perform such routine duties as are assigned by the Speaker; and
- (i) on the expiry of the time for filing petitions for Private Bills, report to the House whether the Rules relating to such petitions have been complied with.

### **Clerk to distribute list of Reports**

**144** The Clerk shall make and cause to be printed and delivered to each Member at the commencement of each session of the Legislature, a list of the reports, or other periodical statements, that it is the duty of any Minister of the Crown or officer of any department of the Executive Government, or of any corporate body, to make to the House, with reference to the Act or Resolution, and the section of the Act or the page of the volume of the Journals of the House, wherein the report or statement is ordered to be made, and shall place, under the name of each such Minister, officer or corporation, a list of reports or returns required to be made by them or it, and the time when the report or periodical statement may be expected.

### **Engagement of extra employees**

**145** With the approval of the Speaker, the Clerk shall engage, at the outset of each session, such extra employees as may be necessary, and shall engage others as the public business may require.

### **Certifying of Bills**

**146** When a Bill is read in the House, the Clerk shall certify upon it the readings and dates thereof.

### **Votes and Proceedings delivered to the Lieutenant Governor**

**147** A copy of the Votes and Proceedings of the House, certified by the Clerk, shall be delivered each day to the Lieutenant Governor.

## **CLERK'S ASSISTANT**

### **Clerk's Assistant**

**148(1)** The Clerk's Assistant may be present at the Table in the Legislative Chamber during the sittings of the House and shall assist the Clerk in his or her duties.

### **Absence of Clerk**

**148(2)** In the absence of the Clerk, the Clerk's Assistant, or in his or her absence, such person as is appointed by the Speaker, shall perform the duties of the Clerk.

## **SERGEANT-AT-ARMS**

### **Sergeant-at-Arms**

**149** The Sergeant-at-Arms attending the House is responsible for the safekeeping of the Mace, furniture and fittings of the Assembly, and for the conduct of the messengers and attendants of the House, subject to the orders that the Sergeant-at-Arms may, from time to time, receive from the Speaker, or from the House.

## LAW OFFICER

### Law Officers

**150(1)** The Officers of the Department of the Attorney-General who are appointed as Legislative Counsel and Deputy Legislative Counsel are the Law Officer and the Deputy Law Officer respectively; and shall have charge of all the Bills.

### Duties of Law Officers

**150(2)** The Law Officer shall:

- (a) advise upon legislation and prepare and draft Bills as required by the Executive Council or a Member thereof;
- (b) render to the Private Members such assistance in the preparation of Bills as the time at his or her disposal permits;
- (c) revise and put notes on all Bills, including Private Bills, and cause them to be printed, and, where necessary, reprinted, and be responsible for the correctness of the Bills in their various stages;
- (d) report to the Executive Council, or a Member thereof, any provisions in Bills that are deserving of special attention or that appear to affect the public interest prejudicially or that require amendment;
- (e) as may be instructed by the Speaker, be present at the sittings of Committees at which Bills are being considered;
- (f) prepare the resolutions required in connection with measures to which Rule 65 applies; and
- (g) prepare and deliver to the Queen's Printer the copy for the volume of the statutes, including a Table of Contents and a comprehensive index, as soon after the closure of each session of the Legislature as is practicable.

## GENERAL

### Completion of the work at close of session

**151** The officers of the Assembly shall complete and finish the work remaining at the close of each session of the Legislature.

### **Hours of attendance**

**152** The hours of attendance of the respective officers of the Assembly and the extra clerks and other persons employed during each session of the Legislature shall be fixed, from time to time, by the Speaker.

### **Vacancies**

**153** The filing of any vacancy in the service of the Assembly shall be made by The Board of Internal Economy Commissioners on the representation of the Speaker, after inquiry touching the necessity for the continuance of the office.

## **CHAPTER XV**

### **PRIVATE BILLS**

#### **Deposit on filing petition for Private Act**

**154(1)** At the time of filing a petition for a Private Act, the petitioner shall deposit with the Clerk in cash or by cheque, draft, money order or other remittance, payable to the Minister of Finance of Manitoba, the sum of \$250.00 plus an additional sum of \$10.00 for every 450 words or fraction thereof contained in the Bill in excess of 4,500 words.

#### **Fees respecting Private Acts of incorporation**

**154(2)** Before a Private Bill for incorporating a joint stock company with proposed authorized capital of more than \$100,000.00 or for increasing the authorized capital of a joint stock company, is reported by the Committee to which it is referred, the petitioner shall deposit with the Clerk additional fees of \$25.00 for each \$100,000.00 or part thereof by which the authorized capital exceeds \$100,000.00 or is increased, as the case may be.

#### **Remittance for special petitioners**

**155(1)** Where the petitioner is an institution, organization or association with charitable, religious or benevolent purposes, and is not carrying on, or intending to carry on, business for gain, the deposit may, subject to sub-rules (2) and (3), be remitted to the petitioner.

#### **Limitation of remittance**

**155(2)** No remittance of any deposit or fees paid in connection with a Private Bill shall be made:

- (a) except upon the recommendation of the Committee to which the Bill has been referred; or
- (b) if the Assembly, by resolution, orders that no remittance be made to the petitioner.

#### **Maximum remittance**

**155(3)** The remittance of any deposit or fees paid in accordance with this Rule shall not exceed the amount of the deposit or fees, less the actual cost of printing the Bill.

### **Publication of notice by Clerk**

**156** The Clerk shall publish in the first issue of each month of the Manitoba Gazette a notice setting out sub-rule 157(1).

### **Notice of Application for Private Bill**

**157(1)** Every petitioner for a Private Bill shall publish, within twelve months prior to the presentation of the petition for the Private Bill:

(a) in one issue of the Manitoba Gazette; and

(b) at least once in each of two weeks during the twelve month period aforementioned in an issue of a newspaper having a general circulation in the area of the province in which the persons or a majority of the persons, who would be interested in or affected by the Private Bill reside;

a notice in English and French in the form set out in Appendix A-1, signed by or on behalf of the petitioner and clearly and distinctly specifying the nature and object of the petition and any exceptional provision proposed to be inserted in the Bill.

### **Where a Private Bill left on Order Paper at end of session**

**157(2)** Where a Private Bill remains on the Order Paper for First or Second Reading when the House is prorogued or dissolved, it may be introduced at the next session of the Legislature without publication of further notice under sub-rule (1).

### **Proof of publication**

**157(3)** Prior to the presentation of a petition in the House, the petitioner shall file with the Clerk a statutory declaration proving to the satisfaction of the Clerk, the due publication of the notices mentioned in sub-rule (1).

### **Report by Law Officer**

**158(1)** Before any Private Bill is considered by the Committee to which it is referred, a report shall first be submitted to the Committee by the Law Officer or the Deputy Law Officer stating that he or she has examined the Bill, and has noted by section in the report any exceptional powers sought and any other provision of the Bill requiring special consideration.

### **Bill for incorporation**

**158(2)** Every Private Bill for an Act of incorporation or an amendment of any such Act shall be in a form approved by the Law Officer.

### **Reference to applicable general Acts**

**158(3)** Every Private Bill for incorporating a corporation shall be so framed as to make any general Act relating to the details of the corporation applicable to the corporation except as provided in the Private Bill and special grounds shall be established for any proposed departure from the provisions of any general Act or for the introduction of other provisions respecting those details.

**Procedure where notice insufficient**

**159** Where a Committee finds that the notice published under Rule 157 is insufficient either as regards the petition as a whole or as to any matter therein that ought to have been specially mentioned in the notice, it shall recommend to the House the course to be taken with respect to the matter.

**Notice of sitting of Committee**

**160** Notice of any meeting for the consideration of a Private Bill by a Committee shall be published in the Notice Paper and posted at least two days before the meeting on the notice board for the House.

**Appearance of interested parties**

**161(1)** Every person whose interest or property may be affected by any Private Bill may and, when required to do so by the Committee shall, appear before the Standing Committee to which the Bill has been referred touching that person's consent or opposition to the Bill or may send consent in writing, proof of which may be demanded by the Committee.

**Where no consent of interested parties**

**161(2)** Where the consent of a person whose interest or property may be affected by a Private Bill is not produced to the Committee, the Committee may require the petitioner for the Private Bill to serve a copy of the proposed Bill on the person and notify the person of the time and place where the Committee will again consider the Private Bill.

**Proof of age**

**161(3)** The Committee to which a Private Bill incorporating a company has been referred may require proof that the persons whose names appear in the Bill as composing the company are of the full age of majority and in a position to effect the objects contemplated and have consented to becoming incorporated.

## APPENDICES

### POINT OF ORDER

Points of Order are questions raised with the view of calling attention to any departure from the Standing Orders or the customary modes of proceeding in debate or in the conduct of legislative business, and may be raised at any time by any Member, whether the Member has previously spoken or not.

(Beauchesne, 6 ed., p.96, citation 316.)

Unparliamentary words may be brought to the attention of the House either by the Speaker or by any Member. When the question is raised by a Member it must be as a point of order and not as a question of privilege.

(Beauchesne, 6 Ed., p.142, citation 485(1).)

If a Point of Order consists of putting a question to the Member speaking, if it is a mere interruption, or if it is defective for other reasons, the Speaker will rule it out. A Point or Order cannot be raised on a Point of Order.

(Beauchesne, 6 Ed., p.96, citation 318(1).)

Sub-rule 9(1) provides that the Speaker shall preserve order and decorum and enforce the Rules and shall decide all questions of order, subject to an appeal to the House. Sub-rule 9(2) states that – In explaining a Point of Order the Speaker shall state the Rule or authority applicable to the case. See also Rules 40, 50 and 51

### MATTER OF PRIVILEGE

Members sometimes raise so-called “questions of privilege” on matters which should be dealt with as a personal explanation or correction, either in the debates or the proceedings of the House.

A question of privilege ought rarely to come up in the Legislature. It should be dealt with by a motion giving the House power to impose a reparation or apply a remedy.

There are privileges of the House as well as of Members individually. Wilful disobedience to Orders and Rules of Parliament in the exercise of its constitutional functions; insults and obstructions during debate are breaches of the privileges of the House. Libels upon Members and aspersions upon them in relation to Parliament and interference of any kind with their official duties are breaches of the privileges of the Members.

But a dispute arising between two Members as to allegations of facts does not fulfill the conditions of parliamentary privilege.

Rule 33 provides that: A motion for reading the Orders of the Day has precedence over any motion before the House.

Rule 34 provides that: When a matter of privilege arises it shall be taken into consideration immediately. (Beauchesne, 6 Ed., p.29, citation 114.)

**APPENDIX A**

**MODEL PETITION**

**TO THE LEGISLATIVE ASSEMBLY OF MANITOBA:**

These are the reasons for this petition: (or: The background to this petition is as follows:)

*(Briefly summarize the problem or grievance and any necessary background information)*

We petition the Legislative Assembly of Manitoba as follows:

*(Set out the action the Legislative Assembly is being asked to take or not take)*



<b>Name (Please print)</b>	<b>Address</b>	<b>Signature</b>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**NOTE: A minimum of fifteen signatures is required for the completion of the petition.**

APPENDIX A-1

NOTICE OF A PETITION FOR A PRIVATE BILL

This is notice to the public that \_\_\_\_\_  
(name of the petitioner)

will present a petition for a private Bill to the Legislative Assembly at this or the next session of the Legislature.

The private Bill will do the following: (in the space below, describe the Bill, state what it is intended to do and specify any exceptional provisions that the petitioner proposes to include in the Bill)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of the Petitioner  
(or petitioner's lawyer)

\_\_\_\_\_  
Address of the Petitioner  
(or petitioner's lawyer)

## APPENDIX B

### NOTICE OF A VACANCY IN THE LEGISLATIVE ASSEMBLY

To the Lieutenant Governor in Council:

1. In accordance with section 25 of *The Legislative Assembly Act*, this is notice of a vacancy in the electoral division of \_\_\_\_\_  
(name of electoral division).
2. The Member who is vacating the seat is \_\_\_\_\_.
3. The reason for the vacancy is: \_\_\_\_\_  
\_\_\_\_\_.
4. We ask you to pass an Order-in-Council to fill the vacancy.

---

The two Members of the Legislative Assembly giving this notice are:

\_\_\_\_\_  
Signature of Member

\_\_\_\_\_  
Signature of Member

NOTE: Section 25 of *The Legislative Assembly Act* states:

**Notice of vacancy caused in any other way than by resignation**

25. Subject to section 71 of *The Controverted Elections Act*, in any case of a vacancy in the representation of an electoral division created in any other way than by resignation, any two Members of the Legislative Assembly may give notice of the vacancy to the Lieutenant Governor in Council and request the passing of an order in council for the filling of the vacancy under *The Election Act*.

## APPENDIX C

### RESIGNATION OF A MEMBER OF THE LEGISLATIVE ASSEMBLY

To the Speaker of the Legislative Assembly:

I, \_\_\_\_\_ (name of Member) intend to resign  
my seat in the Legislative Assembly for the electoral division of  
\_\_\_\_\_ (name of electoral division).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Member

Two witnesses are needed:

\_\_\_\_\_  
Signature of first witness

\_\_\_\_\_  
Signature of second witness

**Note:** Section 22 of *The Legislative Assembly Act* states:

#### Resignation of Member

22. Any Member of the Legislative Assembly may resign his seat,

- (a) by giving, in his place in the assembly, notice of his intention to resign, in which case, after the notice has been entered by the Clerk of the Assembly in the journals, the seat of the Member thereupon becomes vacant; or
- (b) by addressing and causing to be delivered to the Speaker a declaration of his intention to resign, made in writing under his hand before two witnesses, which declaration may be so made and delivered either before or during a session of the Legislature, or in the interval between two sessions, and upon receipt thereof by the Speaker the seat of the Member thereupon becomes vacant.

**APPENDIX D**  
**FINANCIAL PROCEDURE GUIDE**  
**BUDGET PROCEDURE**

1. **Finance Minister** (without notice or leave) moves Budget Motion.
2. **Page** picks up motion and delivers it to the Speaker.
3. **Speaker** proposes motion to the House.
4. **Finance Minister** presents Budget Address.
5. **Leader of the Official Opposition** adjourns debate.
6. **Finance Minister** advises the Speaker that there are two messages from His Honour, the Lieutenant Governor.
7. **Sergeant-at-Arms** picks up messages and delivers them to the Speaker.
8. **Speaker** reads messages. (all Members stand)
9. **Sergeant-at-Arms** delivers messages (when read) to the Clerk.
10. **Government House Leader** moves adjournment of the House.

**INTERIM SUPPLY PROCEDURE**  
**(WHEN INTERIM SUPPLY FOLLOWS THE BUDGET)**

1. **Speaker** announces that the House will resolve into Committee of Supply.
2. **Committee of Supply** considers resolutions respecting interim supply. (debatable)
3. **Chairperson of Committee of Supply** presents the report of the Committee to the House and moves that it be received. (non-debatable)
4. **The House** considers and adopts the motion regarding interim supply. (notice not required)
5. **Finance Minister** moves First Reading of the Interim Supply Bill. (may not be debated, amended or adjourned)

6. **House staff** distributes copies of Interim Supply Bill immediately after adoption of First Reading.
7. **Finance Minister** moves Second Reading of Interim Supply Bill and referral to Committee of the Whole. (debatable - may be agreed to without debate or adjourned)
8. **Speaker** announces that the House will resolve into Committee of the Whole to consider and report on Interim Supply Bill for Concurrence and Third Reading.
9. **Committee of the Whole** considers Interim Supply Bill. (debatable)
10. **Chairperson of the Committee of the Whole** presents report of the Committee to the House and moves that it be received. (non-debatable)
11. **Government House Leader** moves the Concurrence and Third Reading Motion. (debatable - may be agreed to without debate or adjourned)
12. **Lieutenant Governor** grants Royal Assent to Interim Supply Bill.

## MAIN AND CAPITAL SUPPLY PROCEDURE

1. **Speaker** announces that the House will resolve into Committee of Supply to consider the resolution respecting the Capital Supply Bill.
2. **Committee of Supply** considers the resolution respecting Capital Supply Bill – The Loan Act. (no debate if 100 hour time limit has expired)
3. **Chairperson of the Committee of Supply** presents the report of the Committee to the House and moves that it be received. (not debatable)
4. **Government House Leader** moves Concurrence Motion and Committee of Supply considers it. (debatable motion - 100 hour time limit does not apply)
5. **Chairperson of the Committee of Supply** presents the report of the Committee to the House and moves that it be received. (not debatable)
6. **Government House Leader** moves Concurrence Motion in the House. (cannot be debated, amended or adjourned)
7. **House** considers and adopts motion regarding Capital Supply Bill. (no notice required)
8. **House** considers and adopts motion regarding Main Supply Bill. (no notice required)
9. **Finance Minister** moves First Reading of Main Supply Bill – The Appropriation Act. (may not be debated, amended or adjourned)
10. **House staff** distributes copies of Main Supply Bill – The Appropriation Act immediately after adoption of First Reading Motion.
11. **Finance Minister** moves Second Reading of Main Supply Bill – The Appropriation Act, and referral to a Committee of this House. (debatable motion – may be agreed to without debate or adjourned)
12. **Finance Minister** moves First Reading of Capital Supply Bill – The Loan Act. (may not be debated, amended or adjourned)
13. **House staff** distributes copies of Capital Supply Bill – The Loan Act, immediately after adoption of the First Reading Motion.
14. **Finance Minister** moves Second Reading of Capital Supply Bill – The Loan Act, and referral to a Committee of this House. (debatable motion - may be agreed to without debate or adjourned)

15. **Speaker** announces that the House will resolve into Committee of the Whole to consider and report on Capital Supply Bill – The Loan Act, and Main Supply Bill – The Appropriation Act, for Concurrence and Third Reading.
16. **Committee of the Whole** considers Capital Supply Bill – The Loan Act, and Main Supply Bill – The Appropriation Act. (debatable matter, but no debate if 100 hour time limit has expired)
17. **Chairperson of the Committee of the Whole House** presents report of the Committee to the House and moves that it be received. (not debatable)
18. **Other Minister of the Crown**, usually **Government House Leader**, moves Concurrence and Third Reading of Capital Supply Bill – The Loan Act. (debatable motion – may be agreed to without debate or adjourned)
19. **Other Minister of the Crown**, usually the **Government House Leader**, moves Concurrence and Third Reading of Main Supply Bill – The Appropriation Act. (debatable motion – may be agreed to without debate or adjourned)
20. **Lieutenant Governor** gives Royal Assent to Capital Supply Bill – The Loan Act, and Main Supply Bill – The Appropriation Act.

## APPENDIX E

### SPEAKING TIMES

Rule	Debate	Speaking Time	Exceptions
43(1) 43(2)	Budget Debate	30 minutes	Unlimited speaking time for: <ul style="list-style-type: none"> <li>. Leaders of recognized parties (may be transferred)</li> <li>. Ministers moving Government Orders</li> <li>. Members making “no confidence” motions</li> <li>. Ministers replying to “no confidence” motions</li> </ul>
75(1)	Committee of the Whole	10 minutes	Members get to speak more than once
77(1)	Committee of Supply	10 minutes	Members get to speak more than once
77(2)	Minister’s Opening Statement	10 minutes	
27(2)(a)	Grievances	10 minutes	
36(2) 36(4)	Matters of Urgent Public Importance	10 minutes / 10 minutes	Member has 10 minutes to explain why MUPI debate should proceed. One member from each of the other recognized parties may respond for 10 minutes. If debate proceeds Members have 10 minutes. Total debate shall not exceed two hours.
26(1)(b)	Member’s Statements	2 minutes	
25(3)	Ministerial Statements	-	Time of Critic’s response must not exceed Minister’s Statement
28(7)	Opposition Day Motions	10 minutes	
43(3)	Private Member’s Business	10 minutes	

<b>Rule</b>	<b>Debate</b>	<b>Speaking Time</b>	<b>Exceptions</b>
138(10)	Report Stage Amendments	10 minutes	30 minutes for: <ul style="list-style-type: none"> <li>. Leaders of recognized parties (may be transferred)</li> </ul>
43(1) 43(2)	Second Reading of government bills	30 minutes	Unlimited speaking time for: <ul style="list-style-type: none"> <li>. Leaders of recognized parties (may be transferred)</li> <li>. Ministers moving Government Orders</li> <li>. Members making “no confidence” motions</li> <li>. Ministers replying to “no confidence” motions</li> </ul>
87(2)	Standing and Special Committees	10 minutes	Members may speak more than once
43(1) 43(2)	Concurrence and Third Reading of government bills	30 minutes	Unlimited speaking time for: <ul style="list-style-type: none"> <li>. Leaders of recognized parties (may be transferred)</li> <li>. Ministers moving Government Orders</li> <li>. Members making “no confidence” motions</li> <li>. Ministers replying to “no confidence” motions</li> </ul>
43(1) 43(2)	Throne Speech Debate	30 minutes	Unlimited speaking time for: <ul style="list-style-type: none"> <li>. Leaders of recognized parties (may be transferred)</li> <li>. Ministers moving Government Orders</li> <li>. Members making “no confidence” motions</li> <li>. Ministers replying to “no confidence” motions</li> </ul>
48(2)	Time Allocation Motions	10 minutes	