

**Legislative Assembly of Manitoba**  
**Summary of Rule Changes – November 2018**

The Legislative Assembly of Manitoba adopted a number of changes to its *Rules, Orders and Forms of Proceedings* in October 2018. These changes take effect on November 20, 2018, at the commencement of the fourth session of the 41<sup>st</sup> Legislature. This document provides concise explanations of these changes. To see a complete description of these Rule changes, please refer to [the Hansard transcript of the meeting of the Standing Committee on the Rules of the House from October 3<sup>rd</sup>, 2018](#).

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**1) Definition of the Leader of the Official Opposition**

**Sub-rule 1(3)(g)**

*What has changed?*

This is a very simple change to recognize correct terminology. Previously the Rules contained a definition for the “Leader of the Opposition”. This has been changed to the “Leader of the Official Opposition”, recognizing that there can be more than one Recognized Opposition Party in the House. The change also corrects the reference to *The Legislative Assembly Act*, as some years ago the relevant section in the Act was changed from 61 to 52.16. This Rule has now been updated to reflect that change.

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**2) Details added for concluding the “Business of Supply”**

**New Sub-rule 2(24)\***

*What has changed?*

Previously the Rules contained a provision stating that the “Business of Supply” (which includes the Budget debate, consideration of Departmental Estimates and the Budget Implementation and Tax Statutes Amendment Act) must conclude by the end of the Fall Sitting period, but the Rule provided no specific enforcement procedures. This has been addressed with the inclusion of specific provisions in Sub-rule 2(24) to direct the conclusion of consideration of the Business of Supply. These provisions mirror the steps described in the Rules to direct the completion of Designated and Specified Bills in Sub-rules 2(15) & 2(21).

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**3) Timing of Second Reading question period on Specified Bill deadline days**

**New Sub-rule 2(10)**

*What has changed?*

The 2016 Rule changes included a provision for a question period on the deadline days for the Second Reading of Specified Government Bills. This provision had the eligible Members speaking in turn, followed by the question period. This was the opposite of the process for Government and Private Members’ Bills outside of the deadline days, when the question period immediately follows the Sponsor’s speech. The revised Sub-rule 2(10) changes the timing of question periods on deadline days so that these question periods occur immediately following the Sponsor’s speech. Additionally this revised Sub-rule also clarifies two provisions which had been followed in practice but had not yet been codified in the Rule Book:

- Following the assigned speeches on Second Reading deadline day for Specified Bills, the debate is considered concluded, pending Second Reading Completion Day.
- Identifying that, on a deadline day, for each Specified Bill which has been called for debate previously, any eligible Member who has not yet spoken to the Bill would still have an opportunity to speak before the question is put at Second Reading.

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\* For reference purposes, during the discussions at the Standing Committee on Rules of the House on October 3, 2018 Sub-rule 2(24) was referred to as Sub-rule 2(23.1), and was renumbered during the process of updating the Rule Book.

**4) Clarification of timing for interruptions on Specified Bill deadline days**  
**Sub-rule 2(15)**

*What has changed?*

The previous version of this Rule indicated that by 3:30 p.m. and 4:00 p.m. on a deadline day the Speaker is directed to interrupt proceedings to take certain actions. For greater clarity, this has been changed to 90 minutes and 60 minutes prior to adjournment. Additionally, in the event that a deadline day falls on a Friday (when the House rises at 12:30 p.m.), rather than acting at 90 minutes prior adjournment, the Speaker would terminate Routine Proceedings immediately on the conclusion of Oral Questions (ensuring that Oral Questions would be completed prior to subsequent actions taking place). This revised Rule also addresses a contradiction between 2(15)(c) and 2(10) and 2(14), clarifying that debate is allowed on a deadline day under certain conditions.

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**5) Timing of Second Reading Question Period on Designated Bill deadline days**  
**Sub-rule 2(17)**

*What has changed?*

The 2016 Rule changes included a provision for a question period on the deadline days for the Second Reading of Designated Government Bills. This provision had the eligible Members speaking in turn, followed by the question period. This was the opposite of the process for Government and Private Members' Bills outside of the deadline days, when the question period immediately follows the Sponsor's speech. The revised Sub-rule 2(17) changes the timing of question periods on deadline days so that they occur immediately following the Sponsor's speech. Additionally this revised Sub-rule clarifies that, on a deadline day, for each Designated Bill which has already been called for debate previously any eligible Member who has not yet spoken to the Bill would still have an opportunity to speak before the question on Second Reading is put.

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**6) Clarification of timing for interruptions on Designated Bill deadline days**  
**Sub-rule 2(21)**

*What has changed?*

The previous version of this Rule indicated that by 3:30 p.m. and 4:00 p.m. on a deadline day the Speaker is directed to interrupt proceedings to take certain actions. For greater clarity, this has been changed to 90 minutes and 60 minutes prior to adjournment. Additionally, this revised Rule also addresses a contradiction between 2(21)(c) and 2(17) and 2(20), clarifying that debate is allowed on a deadline day under certain conditions.

**7) Authorizing House Leaders to call Private Members' Bills for debate**  
**Sub-rule 23(6)†**

*What has changed?*

This change addresses a long-standing eccentricity of Private Members' Business. The Rules never contained a means to call Private Members' Bills for debate. Accordingly, a practice evolved whereby in the first hour of PMB at 10 o'clock a House leader (or any MLA) would stand up to ask for leave of the House to consider a certain Bill. Usually that would work, but on occasion leave was denied, resulting in an hour-long recess when the House could conduct no business. This has been addressed by granting authority to House Leaders of Recognized Parties to call Private Members' Bills sponsored by Members of their own caucuses. Further, House Leaders now have the ability to allocate time within that hour between multiple Bills.

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**8) Clarification of process following divisions during Private Members' Business**  
**Sub-rule 23(7)**

*What has changed?*

Sub-rule 23(7) has been deleted. This Rule stated that during Private Members' Business, after the House voted on a question, or if a question was deferred for a division at a later time, the House could only move on to another item of business with the unanimous consent of all Members. This Rule was never used, and would now be inconsistent with the changes noted above granting authority to House Leaders to call Private Members' Bills for debate.

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**9) Clarification of scheduling process for Independent Member Selected Bills**  
**New Sub-rule 24(4)**

*What has changed?*

Previously the Rules contained no specific process governing the scheduling of votes for Independent Member Selected Bills. There was a provision saying that this should happen, but no explanation of how it should unfold. New Sub-rule 24(4) addresses this problem by obligating Independent Members and the Government House Leader to agree on a date and time for the debate and question put on a Selected Bill. In the event of an impasse, the Speaker is required to make a determination as to the scheduling of these debates. This process is exactly what had been happening by practice since 2016, but it is now codified in the Rules.

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† For reference purposes, during the discussions at the Standing Committee on Rules of the House on October 3, 2018 Sub-rule 23(6) was referred to as Sub-rule 23(4.2), and was renumbered during the process of updating the Rule Book.

**10) Clarification of process for votes on the Budget Motion and amendments**  
**Sub-rules 34(7) & 34(10)**

*What has changed?*

Changes to these Rules codify the long-standing practice that the House shall not rise on the last day of the budget debate until all questions relating to the sub-amendment, amendment and main motion have been put. This is the same type of wording used for sessional calendar deadlines.

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**11) Challenges to Rulings on Matters of Privilege**  
**Sub-rule 36(3)**

*What has changed?*

This change incorporates into the Rule Book an existing practice by stating that challenges to Speaker's Rulings on Matters of Privilege require the support of at least four Members.

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**12) Clarification of process for votes on the Address in Reply to the Speech from the Throne and amendments**  
**Sub-rules 47(3) & 47(6)**

*What has changed?*

Changes to these Rules codify the long-standing practice that the House shall not rise on the last day of the debate on the Address in Reply to the Throne Speech until all questions relating to the sub-amendment, amendment and main motion have been put. This is the same type of wording used for sessional calendar deadlines.

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**13) Standing Committee Membership**  
**Sub-rule 83(1)**

*What has changed?*

Previously the Rules contained no provision to address changes in House composition and Committee Membership between general elections. Also, there was no provision to address a change in House and Committee composition intersessionally. This change to Sub-rule 83(1) deletes the previous Committee of Seven model and instead assigns determination of Standing Committee membership composition to the House Leaders, in cooperation with the Speaker. This new provisions reflects modern practice going back many decades.