

**Legislative Assembly of Manitoba**  
**Summary of Rule Changes – November 2021**

The Legislative Assembly of Manitoba adopted a number of changes to its *Rules, Orders and Forms of Proceedings* in October 2021. These changes take effect at the commencement of the fourth session of the 42<sup>nd</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 12<sup>th</sup>, 2021](#).

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**1) Introducing Gender Neutral Language throughout the Rules**

*What has changed?*

This is a simple change to replace all gender specific language in the Rule Book with gender neutral language. There are multiple instances of “his or her”, “he or she” and “himself or herself” that will be replaced with “their”, “they” and “themselves” respectively. This brings the language used in the Rule Book in line with the other documents created by Branches within the Assembly.

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**2) New definitions for “Committee of the Whole” and “Critic”**  
**Sub-rule 1(3)**

*What has changed?*

Definitions contained within 1(3) are used to clarify terminology used throughout the Rule Book and replaces the need to do an explanation numerous times throughout the Rules. Two new definitions have been added to define “Committee of the Whole House” and “Critic”. Committee of the Whole House refers to a Committee comprising of all MLAs. There are two Committees of the Whole House: the Committee of the Whole (for example when considering Committee Stage of Legislation in the House) and the Committee of Supply (when the House is dealing with the Budget Day Procedure and Estimates). Manitoba has a long standing practice of using the word “critic”. This definition further explains that a Critic must be a Member of a Recognized Party designated by that party to a specific government department or specific area.

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**3) Ensuring there are enough sitting days for Designated Bills in the Fall**  
**Sub-rule 2(1) paragraph 4**

*What has changed?*

Depending on the calendar year, the Sessional Calendar provisions for the completion of Designated Bills may not allow sufficient time for completion of the remaining stages of these Bills. The Rules previously allowed for the House to extend daily sittings until 10 p.m., with each extended sitting day counting as two days. However there was no automatic trigger for this and it would also require unanimous consent. This Rule creates an automatic trigger that kicks in when the Fall sitting has less than 17 sitting days. When this happens the House will begin the session a week earlier on the last Wednesday in September.

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**4) Word revision for consistency when dealing with Specified Bills**  
**Sub-rule 2(8)**

*What has changed?*

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This is a simple wording revision which adds the words “identified as” before “specified” to be consistent with the wording used in rule 2(11).

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**5) Updating the list of voting deferral exceptions**  
**Sub-rule 14(4)**

*What has changed?*

In Manitoba, a recorded vote (Division) can be deferred by the Speaker after consultation with the Whips of recognized parties. Sub-Rule 14(4) contained a growing number of exceptions to this that can all be found throughout Rule Book. Rather than continue to have an ever growing list, the new wording for this Sub-Rule simplifies this and ensures that any other exceptions added in the future will be noted directly within the applicable rule.

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**6) Clarification of the process for Naming a Member**  
**Sub-rule 18(1)**

*What has changed?*

This change reflects the Manitoba rule provisions that decisions on matter of order cannot be appealed. It had previously been identified that other instances of matters of order were not subject to appeal, and for the sake of consistency this is also being applied to matters of order in relation to the process for naming a Member. The new wording is also in plain language.

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**7) Deferring all Divisions during Private Members’ Business and limiting Division Bells**  
**Sub-rule 23(7) & 23(8)**

*What has changed?*

Previously, if a Division was requested at the end of the hour allocated to Private Members’ Bills on a Thursday, it was possible that almost all of the hour allocated to Private Members’ Resolutions could be taken up by the bells ringing. The new wording for this Sub-Rule means all Divisions will take place from 11:55 a.m. on a Thursday and limits the bells to no more than five minutes.

If there are multiple deferred divisions, Sub-Rule 23(8) provides that they shall be called in the following order:

1. Divisions deferred from Tuesday PMB (in the order they were called)
  2. Divisions deferred from Thursday PMB (in the order they were called)
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**8) Members no longer need to seek leave to include names in Hansard during Members’ Statements**  
**Sub-rule 27(2)**

*What has changed?*

There has been a long standing practice for Members to seek leave to have names referenced in a Members’ statement included in Hansard after they have finished speaking. This new provision allows that if a Member provides a list of the names referenced in the statement to Hansard, those names would automatically be included in the daily transcript without needing to ask for leave.

**9) Updating references that use the outdated term “Government Orders”**  
**New Sub-rules 31(1) and 31(2)**

*What has changed?*

This is a simple change to update some archaic language that still exists within the Rules. The terms “Government Order” and “Private Members’ Order” are not used or commonly referred to, so this provision changes them to “Government Business” and “Private Members’ Business”, as they are listed on the Order Paper

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**10) Budget debate speaking time exceptions**  
**Sub-rule 34(9)**

*What has changed?*

Another change to amend the Rules to reflect long standing Manitoba practice. This provision adds the Minister of Finance to the exemption to the 20 minute speaking time when the Minister is delivering the Budget Speech. The new wording also adds clarification for designating a leader’s unlimited speaking time, in that if the leader designates that time limit to another Member, the Leader is then restricted to a speaking time of 20 minute..

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**11) Clarifying the exceptions to the 30 minute speaking time limit exceptions**  
**Sub-rule 44(1) and 44(2)**

*What has changed?*

As with proposal 9, this change removes the archaic term “Government Order” and also simplifies the wording defining the 30 minute speaking time limit.

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**12) Procedural exceptions provided for in the Committee of the Whole House**  
**Sub-rule 75(1)**

*What has changed?*

A minor change to clarify the terminology and also to remove the requirement for Members to rise in their place to speak to reflect Manitoba practice.

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**13) Speaking time in Committee of the Whole**  
**Sub-rule 75(3)**

*What has changed?*

Similar to the previous proposal this is also a clarification of terminology and improving the wording of the rule. This states that all speeches in the Committee of the Whole shall not exceed five minutes.

**14) The Rulings of Supply Chairs are not subject to Challenge**  
**Sub-rule 75(4)**

*What has changed?*

This sub-rule has been added to provide consistency about rules on matters of order not being subject to appeal. Challenges to a ruling by a Chairperson in Committee of Supply are not allowed and this is now reflected in the Rule Book. Also, the new wording cross references Sub-Rule 18(2) which governs what happens if there is disorder in Committee and the process that should be followed.

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**15) Allowing Opposition staff to sit in the Chamber section of Supply**  
**Sub-rule 75(5)**

*What has changed?*

Unlike sections of the Committee Supply meeting in Committee rooms where staff from the Opposition and Government can sit near their Members, in the Chamber section of Supply leave needed to be provided for Opposition staff to sit near their Members. This revision to Sub-Rule 75(5) would permanently eliminate the need to seek leave at the start of each session for Opposition staff sitting in the Chamber, and further clarifies that staff are only allowed in the Chamber for Estimates debates and that they must leave during the consideration of the Minister's salary.

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**16) Motions to reduce line items in the Committee of Supply**  
**Sub-rule 76(1)**

*What has changed?*

This Rule change is a necessary one to reflect what can and cannot be changed by motion in Supply. 76(1)(b) originally stated that a motion to vary or delete a line item would be found in order, however this is not the case. Motions cannot be used to delete a line item. The new wording reflects the practice of using a motion to "reduce" a line item, specifically when dealing with the Minister's salary.

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**17) Expiration of the 100 hours in Committee of Supply**  
**Sub-rule 76(5)**

*What has changed?*

This is a correction to refer to the proper title for those individuals who are appointed to act as Chairpersons in the Committee of Supply – the proper title is Chairpersons and Deputy Chairpersons of the Committee of the Whole House.

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**18) Clarification of speaking times in Committee of Supply**  
**Sub-rules 77(1) and 77(2)**

*What has changed?*

Yet another minor clarification of terminology to refer to speeches rather than to Members speaking.

**19) Allowing Members to sit in the front row in the Chamber section of Committee of Supply during Estimates**  
**Sub-rule 77(3)**

*What has changed?*

The original Sub-Rule allowed for the Critic from the Official Opposition to sit and ask questions from the front row of benches in the Chamber during consideration of Departmental Estimates. If another Member of the Opposition wished to ask a question during the debate they would have to be in their assigned seat to be recognized. The new wording for this Sub-Rule now allows for any Member from a Recognized Party to sit in the front row of benches and, in the case of the Official Opposition, to also ask questions without having to return to their assigned seat.

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**20) Making changes to the Estimates Sequence**  
**Sub-rule 77(9)**

*What has changed?*

The current process for changing the Estimates Sequence is either by substantive motion, or for the Government House Leader to table the new sequence by leave. Both methods require the House to be sitting. This means that changes cannot be made whilst the House is resolved in to Committee of Supply. The new wording for the Sub-Rule now allows the Estimates sequence to be amended by written agreement of the House Leaders of Recognized Parties, which is then either tabled in the House or in a section of Supply. If it is tabled in a section of Supply, the Chairperson from that Section must report this to the House on the next sitting day.

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**21) Voting on a Friday in Committee of Supply**  
**Sub-rule 77(13)**

*What has changed?*

Originally, if there was a vote in a section of Committee of Supply considering Department Estimates on a Friday morning and there was a dissenting vote on the final resolution, that Section of Supply would have to rise as it would be unable to start consideration of the next Department listed on the Estimates sequence. The Rule also mentioned challenges to a ruling of the Chairperson and this is no longer allowed in Manitoba.

The new wording for this Sub-Rule is a plain language update and also amends it to allow a voice vote. Only a request for a recorded vote will cause that section to rise. Importantly, it also provides instruction for when a motion for the “committee to rise” is moved on a Friday. Because of the unique nature of the motion it may now only be decided upon by a voice vote. The Chairperson will rule based on the result of this and a request for a recorded vote will not be entertained.

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**22) Proceeding with a Global debate in Department Estimates**  
**Sub-rule 77(16)**

*What has changed?*

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Manitoba practice used to be when starting a new Department in a Section of Supply to ask if they wished to proceed in a chronological or global debate. For the last 20 years Critics have requested that the debate proceed globally and consider the Resolutions for that department all together. This amended Sub-Rule now reflects this practice and sets out the process for completing consideration of the Resolutions.

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**23) Adding the Capital Supply Resolution from the Main and Capital Procedure to the Estimates Consideration List**  
**Sub-rule 78(1)**

*What has changed?*

Historically the Capital Supply resolution has been considered by the Committee of Supply as part of the Main and Capital process. In order to streamline the Main and Capital process, this Sub-Rule is now including the Capital Supply Resolution to be considered along with all of the other departmental Estimates resolutions. This would be shown on the Estimates Sequence tabled by the House Leaders as a standalone item.

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**24) Motion to leave the chair**  
**Sub-rule 80(1) - repealed**

*What has changed?*

The motion referred to in this Rule relates to how the House used to resolve into Committee many, many years ago and accordingly it should be removed. The Speaker now just declares that the House is resolving in to Committee either at the request of the Government House Leader or as required by the Rules (depending on the circumstance).

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**25) Presenting Petitions**  
**Sub-rule 133(4)**

*What has changed?*

Minor change to reflect the fact it is the Clerk's office that vets petitions and not the Speaker's office.

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**26) Deferral of Report Stage Amendments**  
**Sub-rule 139(7) - repealed**

*What has changed?*

The original Rule was outdated and redundant and not in line with our practices. In the past, Report Stage Amendments used to be considered on the same afternoon when distributed in the House and this rule allowed for a deferment to provide more time consider the RSAs. Our current practice, Report Stage Amendments are distributed one day and appear on the OP the following day.

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**27) Leaders of Recognized Party speaking time on Report Stage Amendments**  
**Sub-rule 139(10)**

*What has changed?*

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This change indicates that Leaders of all Recognized Parties can to speak to a Report Stage Amendment for 30 minutes, rather than just the Leader of the Official Opposition as it was previously worded.

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**28) Grouping Report Stage Amendments**  
**Sub-rule 139(11)**

*What has changed?*

This amended Sub-Rule puts in to the Rules the authority for a Member to request that the Speaker group Report Stage Amendments moved by that Member. This has occasionally been used in the House over recent years.

The process would be as follows:

- A Member files multiple RSAs which then go on Notice
- If the Member wishes, they can send a letter to the Speaker requesting that the Speaker select and group similar Amendments according to the following criteria (note – this ONLY happens upon the request of the Amendment sponsor):
  - The content of the Amendments makes similar changes throughout the Bill
  - The Amendments relate to the same clause or clauses
- When Report Stage Amendments are called in the House, the Member will move each Amendment in the group consecutively
- Once all the grouped Amendments have been moved, the debate opens (starting with the Sponsor)
- Once debate is concluded, the Speaker will put the question on the whole group of amendments “Is it the pleasure of the House to adopt the Amendments?”
- If a recorded vote is requested it applies to the whole group of Amendments

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**29) APPENDIX D – amended the heading**  
**APPENDIX D**

*What has changed?*

Small changes to reflect that it is the Budget Day Procedure and add in gender neutral language when referring to the Lieutenant Governor.

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**30) Amendments to the Budget Day Process (Main and Capital)**  
**APPENDIX D**

*What has changed?*

The changes made to APPENDIX D are to reduce the number of steps that the House needs to complete for Main and Capital:

- Steps 1 – 3 have been removed due to the changes made in item 23 of this list.
- Steps 9-14 have been re-ordered so that both Second Reading Motions for the Loans Act and Appropriations Act are moved concurrently and then the House resolves in to Committee of the Whole to consider them.

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There was also a minor terminology update, removing references to the “Capital Supply Bill” and “Main Supply Bill”.

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**31) Updating the Speaking Times list**

**APPENDIX E**

*What has changed?*

Updating the Speaking Times list to reflect the changes to speaking times and updates to terminology contained in this Rules update.