

Sessional Order – 43rd Legislature

MOVED BY: Hon. Min. FONTAINE

SECONDED BY:

THAT the following Sessional Order applies for the duration of the Forty-Third Legislature, despite any other Rule or practice of this House.

Ethics Report Motions

1. Ethics Commissioner Reports dealing with a request for an opinion from the Ethics Commissioner (hereafter referred to as a "request") regarding another Member (or former Member) under Section 44(1) of *The Conflict of Interest (Members and Ministers) Act*, shall be considered by the Assembly through debate on an Ethics Report Motion.
2. In accordance with Section 51(1) of *The Conflict of Interest (Members and Ministers) Act*, Ethics Report Motions must be considered by the Assembly within 10 sitting days after the report is tabled.
3. The tabling of a report from the Ethics Commissioner by the Speaker shall serve as notice of the Ethics Report Motion, which shall then appear on the *Order Paper* the next sitting day under the heading "Ethics Report Motions" and shall be listed without referencing a sponsoring Member.
4. On the tenth sitting day after an Ethics Commissioner Report has been tabled (hereafter referred to as a "Deadline Day"):
 - a) The Speaker shall call for debate any Ethics Report Motion that must be considered that day in accordance with *The Conflict of Interest (Members and Ministers) Act* (hereafter referred to as an "outstanding Ethics Report Motion"), with multiple outstanding Ethics Report Motions called in the order those motions are listed on the *Order Paper*; and
 - b) If Routine Proceedings has not concluded 60 minutes prior to the usual adjournment hour, the Speaker must terminate Routine Proceedings and proceed to Orders of the Day; and
 - c) The House shall not adjourn until the questions have been put on all outstanding Ethics Report Motions.
5. If an Ethics Commissioner Report contains recommendations regarding two or more Members (or former Members):
 - a) A separate Ethics Report Motion will be required to consider the recommendation for each Member (or former Member), and all motions must be considered by the Deadline Day.
 - b) Ethics Report Motions originating from the same report may be considered on separate sitting days.
6. An Ethics Report Motion shall be considered as the first item of business under Orders of the Day – Government Business, with the following exceptions:
 - a) Consideration of an Opposition Day Motion shall take precedence and be considered as the first item of business under Orders of the Day.
 - b) If the consideration of an Opposition Day Motion is scheduled for a Deadline Day, consideration of any outstanding Ethics Report Motion(s) shall commence as soon as the question has been put on the Opposition Day Motion, and the House shall not adjourn until the question(s) have been put on the outstanding Ethics Report Motion(s).
 - c) If a Deadline Day falls on a sitting day scheduled for the consideration of:
 - i. the motion for an Address in Reply to the Speech from the Throne;
 - ii. the motion to approve in general the budgetary policy of the Government; or
 - iii. a Constitutional Amendment Motion;

those matters shall be considered until the usual hour of adjournment, at which point the House will consider the outstanding Ethics Report Motion(s) and not adjourn until the questions have been put on all of those motions.

In accordance with Rules 35(6) and 47(2), the Government House Leader may also interrupt debate on the Budget motion or the Address in Reply to the Speech from the Throne for the consideration of an outstanding Ethics Report Motion, if both interruption days have not been used.

7. If a Deadline Day coincides with any of the completion days in Rule 2 related to Specified Bills, Designated Bills, or the Business of Supply set out in sub-rule 76(1), including *The Appropriation Act* and *The Budget Implementation and Tax Statutes Amendment Act*, consideration of the outstanding Ethics Report Motion will take precedence and must be concluded before the House proceeds with other business. The House shall not adjourn until the questions have been put on the outstanding Ethics Report Motion(s) and any relevant completion day items referenced in Rule 2.
8. Debate on an Ethics Report Motion shall proceed as follows:
 - a) Debate shall be limited to one sitting day. The House shall not adjourn until all Members have had an opportunity to speak to the motion. When there are no further speakers in the debate, the Speaker shall put the question.
 - b) The Speaker shall read the motion to the House to open the floor for debate.
 - c) The motion cannot be amended.
 - d) No Member shall speak longer than 10 minutes.
 - e) Members may speak to the motion in the following sequence:
 - i. the subject of the request, or a Member from their Party;
 - ii. the Member who made the request, or a Member from their Party;
 - iii. a Member from another Recognized Party;
 - iv. a Member from the subject of the request's Party;
 - v. a Member from the party of the Member who made the request;
 - vi. an Independent Member;
 - vii. a rotation of Members from Recognized Parties, followed by an Independent Member.

GENERAL PROVISIONS

Amendments

9. After adoption by the House, this Sessional Order may be amended only by:
 - a) unanimous consent of the House;
 - b) passage of a subsequent Sessional Order by the House; or
 - c) written agreement of all House Leaders if the House is not sitting.