



**RULES  
OF THE  
LEGISLATIVE ASSEMBLY  
OF PRINCE EDWARD ISLAND**

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#### EXPLANATORY NOTE

These rules and forms of proceeding are approved on a permanent basis for effect beginning September 1, 2016. All standing orders, rules, orders and forms of proceeding existing prior to September 1, 2016, are repealed.

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## **CHAPTER 1**

### **REGULATION AND MANAGEMENT OF THE HOUSE**

Proceedings conducted according to these rules

1. The proceedings in the Legislative Assembly of Prince Edward Island and in all committees of the House shall be conducted according to these rules.

Proceedings in unprovided cases

2. In all cases not provided for in these rules or by sessional or other orders, the usages and customs of the House of Commons of Canada in force at the time shall be followed so far as they are applicable to this House.

## **CHAPTER 2**

### **MEETINGS OF THE HOUSE**

Parliamentary calendar

3.
  - (1) During a General Assembly, the House shall open for the spring sitting during the first week of April each year.
  - (2) During a General Assembly, the House shall open for the fall sitting on the first sitting day following Remembrance Day each year.
  - (3) Sixty days' notice for the opening of each sitting shall be provided to the members by the Speaker of the Legislative Assembly or by Executive Council.
  - (4) During a General Assembly, in urgent or extraordinary circumstances, the requirements of sections (1), (2) and (3) may be waived at the discretion of the Speaker.

Times and days of sitting

4.
  - (1) The House shall meet on Tuesdays, Wednesdays and Thursdays at 2 pm; and on Fridays at 10 am.
  - (2) At 5 pm on Tuesdays and Thursdays, if the business of the day is not concluded, the Speaker shall leave the chair until 7 pm. If the House is in Committee of the Whole House, the Chair shall report progress. Evening sittings shall adjourn at 9 pm.

Times and days of sitting—*continued*

4. (3) At 5 pm on Wednesdays, if the business of the day is not concluded, the House shall stand adjourned. At 1 pm on Fridays, if the business of the day is not concluded, the House shall stand adjourned.
- (4) When the House rises on Tuesdays, Wednesdays, or Thursdays, it shall stand adjourned until the following day. When the House rises on Fridays, it shall stand adjourned until the following Tuesday.

### **CHAPTER 3 QUORUM**

Quorum is ten members, including Speaker

5. The presence of at least 10 members, including the Speaker, is necessary to constitute a quorum of the House for the exercise of its powers.

Procedure if no quorum present

6. Subject to Rule 8, if at the time of meeting a quorum is not present, the Speaker shall take the chair and, without question put, adjourn the House until enough members are present to form a quorum.

Names of those present entered in journal

7. When the Speaker adjourns the House for want of a quorum, the time of the adjournment and the names of members present shall be entered in the daily journal.

Speaker to admit Lieutenant Governor

8. The Speaker shall, whether or not a quorum is present, take the chair for the purpose of admitting the Lieutenant Governor for the giving of the Royal Assent or prorogation.

### **CHAPTER 4 PRESIDING OFFICERS—SPEAKER**

Secret ballot election of Speaker

9. (1) The House, on first assembling and within 60 days after declaration day following each general election, or when a vacancy in office occurs, shall conduct as its first order of business the secret ballot

Secret ballot election of Speaker—*continued*

9. election of a Speaker, which shall not be interrupted by any other proceeding.
  - (2) All members, except the Premier and other members of Executive Council, the Leader of the Opposition, and leaders of political parties in the House, are eligible for election as Speaker.
  - (3) The Clerk must notify all members in writing of the date and time for the election of Speaker. Any member who wishes to offer for election as Speaker must file written declaration with the Clerk of the Legislative Assembly no later than 5 pm two days prior to the day on which the secret ballot election is to be held.
  - (4) The Clerk shall not disclose the names of candidates for the speakership until after the day on which the declaration was to have been filed has passed.
  - (5) The vote shall be conducted by secret ballot with the Clerk presiding over the election.
  - (6) A candidate must receive the majority of votes cast to be elected.
  - (7) The Clerk shall have authority to prescribe any forms or information necessary to facilitate the conduct of the election.

Speaker to preserve order and decorum

10. The Speaker shall preserve order and decorum, enforce the rules and decide questions of order. In explaining a point of order or practice the Speaker shall state the rule or authority applicable to the case.

Speaker does not participate in debate; casting vote

11. The Speaker shall not take part in any debate before the House, except in Committee of the Whole House, and may not vote except as provided for in Rule 43.

Motion contrary to rules or privileges, role of the Speaker

12. Whenever the Speaker is of the opinion that a motion offered to the House is contrary to the rules or privileges of the Assembly, the Speaker shall apprise the House of it immediately, and may reserve his or her decision, and subsequently state the reasons before putting the question.

## **CHAPTER 5**

### **PRESIDING OFFICERS—DEPUTY SPEAKER AND ACTING SPEAKER**

Election of Deputy Speaker; Acting Speaker

13. (1) At the commencement of the first session of each General Assembly, or whenever a vacancy occurs, the House shall elect one of its members to be Deputy Speaker.
- (2) If, for any reason, neither the Speaker nor the Deputy Speaker is able to be present at a sitting or at sittings, the House shall elect one of its members as Acting Speaker for such period of time as may be necessary.

## **CHAPTER 6**

### **PRESIDING OFFICERS—CHAIR, COMMITTEE OF THE WHOLE HOUSE**

Chair, Committee of the Whole on supply

14. The Deputy Speaker shall be the Chair of Committee of the Whole House on supply; and shall take the chair in the House or in Committee of the Whole House whenever requested to do so by the Speaker.

Chair, Committee of the Whole on bills

15. When an order is read for consideration of a bill in Committee of the Whole House, the Speaker shall, before leaving the chair, appoint any member to be Chair of the committee.

Temporary absence of the Chair

16. When the House is in Committee of the Whole House any member may, at the request of the Chair, take the chair during any temporary absence of the Chair.

## **CHAPTER 7**

### **STRANGERS**

Strangers admitted to the galleries

17. Strangers may be admitted to the galleries or to such other parts of the House as the Speaker sets apart for this purpose.

Strangers ordered to withdraw

18. The Speaker or the Chair, as the case may be, may at any time order the withdrawal of strangers.

Member takes notice of strangers

19. (1) Subject to section (2) of this rule, if any member takes notice that strangers are present, the Speaker or the Chair shall immediately, without any amendment or debate, put the question that the strangers be ordered to withdraw.  
  
(2) During Committee of the Whole House consideration of the estimates or clause-by-clause consideration of legislation, a stranger, or strangers, may, on motion put which shall neither require notice nor be debated, be admitted to the floor of the House to assist the promoter of a bill or a minister.

Suspension of business until strangers withdraw

20. When strangers are ordered to withdraw, the business of the House shall be suspended until all strangers have withdrawn, and strangers shall not be admitted during the same day except upon motion which shall neither require notice nor be debated.

Strangers removed or taken into custody

21. A stranger admitted to any part of the House or galleries who misconducts himself or herself, or does not withdraw when strangers are ordered to withdraw while the House or any committee of the House is sitting, shall be removed from the Legislative Chamber or taken into custody by the Sergeant-at-Arms, as the Speaker may order. No person so taken into custody shall be discharged without the special order of the House.

## **CHAPTER 8**

### **BUSINESS OF THE HOUSE**

Ordinary Daily Routine and Order of Business

22. (1) The Ordinary Daily Routine of the House shall be:  
*(Behind Closed Doors)*
  - (a) Prayers

Ordinary Daily Routine and Order of Business—*continued*

22. (1) The Ordinary Daily Routine of the House shall be:  
*(Behind Closed Doors) - continued*

(b) Consideration of the daily journal for the penultimate sitting day

The Ordinary Daily Routine of the House shall be:  
*(With Doors Opened)*

(c) Matters of privilege and recognition of guests

(d) Statements by members

(e) Questions by members, commencing with ministerial responses to questions taken as notice

(f) Statements by ministers

(g) Presenting and receiving petitions

(h) Tabling of documents, including responses to written questions

(i) Reports by committees

(j) Introduction of government bills

(2) The Order of Business following the Ordinary Daily Routine shall be:

Tuesday afternoon, Wednesday, Thursday evening, and Friday

(k) Government motions

(l) Orders of the day (government)

Tuesday evening and Thursday afternoon

(m) Motions other than government

(n) Orders other than government

(o) Government motions

(p) Orders of the day (government)



Statements by members

23. A member may be recognized, under provisions of Rule 22(1)(d), to make a statement for not more than 90 seconds. Statements by members shall be held on each sitting day and shall last for not more than five minutes in total. The Speaker may order a member to resume his or her seat if, in the opinion of the Speaker, improper use is made of this rule.

Statements by ministers

24. (1) A minister of the Crown may, although there is no question before the House, make a brief statement or explanation of government policy or ministerial administration; but in doing so, shall not offer arguments or observations beyond the fair bounds of explanation.
- (2) No debate shall be permitted on such statement or explanation but one member from the official opposition may ask for explanation or comment for a period of time not to exceed the length of the ministerial statement. In addition, one member of each of the other recognized opposition parties in the House may ask for explanation or comment for a period of time not to exceed one-half of the length of the ministerial statement.

Address in reply to the speech from the throne, first order of the day

25. When debate arises on a motion for an address in reply to the speech from the throne, the further consideration of it shall be the first order of the day for the next day after the motion is made and for each succeeding day thereafter until the debate is concluded.

Budget not presented until debate concluded

26. 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.

Budget motion and debate, first order of the day

27. When the Minister of Finance presents the budget and a debate arises on his or her motion "that this House approves, in general, the budgetary policy of the government," the further consideration of it shall be the first order of the day for the next day after the motion has been made and for each succeeding day thereafter until the debate is concluded.

Reverting to any order of business

28. During any sitting, the Speaker may entertain a motion to revert to any order of business already disposed of for the purpose of allowing the introduction of new items of business.

## **CHAPTER 9**

### **CONDUCT OF MEMBERS AND RULES OF DEBATE**

Attendance of members is required

29. Every member is bound to attend the services of the House unless leave of absence has been given by the Speaker.

Decorum

30.
  - (1) When entering, leaving or crossing the chamber, members shall bow to the chair.
  - (2) When the Speaker rises at any time, any member speaking shall sit down and the Speaker shall be heard without interruption.
  - (3) When a member is speaking, no member shall pass between that member and the chair.
  - (4) When the House adjourns, the members shall keep their places until the Speaker has left the chamber.

Rising to speak

31. Every member desiring to speak shall rise in his or her place, head uncovered, and address the Speaker.

Order of speaking

32. When two or more members rise to speak, the Speaker shall call upon the member who first rose, but a motion may be made that any member "be now heard" or "do now speak."

Process of debate

33.
  - (1) No member may speak twice to a question except in explanation of a material part of his or her speech which may have been misquoted or misunderstood, but shall not then introduce any new matter, and no debate shall be allowed on the explanation.

Process of debate—*continued*

33. (2) A reply is allowed to a member who has moved a substantive motion, but not to the mover of an amendment, the previous question, or an instruction to a committee.
- (3) When the mover of the original motion rises to speak in reply, the Speaker shall inform the House that the reply closes the debate and any member who wishes to speak shall be allowed to do so before the reply.

Matters out of order in debate—disrespectful language

34. (1) No member shall speak disrespectfully of the Queen, any member of the Royal Family, the Governor General of Canada, the Lieutenant Governor or the Administrator of Prince Edward Island.
- (2) No member shall use language or words offensive toward the House or any member.

Matters out of order in debate—other

35. (1) No member shall speak beside the question in debate.
- (2) No member shall reflect upon any vote of the House.
- (3) When a member is speaking, no member shall interrupt except to raise a point of order or privilege.
- (4) When a matter is being debated, if a member rises to speak on a subject not at the time under discussion, or interrupts a member who is speaking except to raise a point of order or privilege, or transgresses any rule, any member may, and the Speaker shall, call that member to order.

Point of order procedure

36. A member addressing the House, if called to order either by the Speaker or on a point of order raised by another member, shall sit down while the point is being stated, after which that member may explain. 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 taken.

Repetition in debate; exceptional words spoken in debate

37. (1) The Speaker (or the Chair) after having called the attention of the House (or Committee of the Whole House) to the conduct of a member who persists in irrelevance or repetition, may direct the member to discontinue his or her speech. If the member continues to speak, the Speaker shall name the member. If in Committee of the Whole House, the Chair shall report the member to the House.
- (2) If a member is called to order for words spoken in debate, upon the demand of the member called to order, or of any other member, the exceptionable words shall be taken down in writing by the Clerk at the Table. Any member who has used exceptionable words and does not explain or retract the same, or offer an apology to the satisfaction of the House, may be censured or otherwise dealt with as the House thinks fit.

Suspension of a member

38. (1) When a member is named by the Speaker immediately after the commission of the offence of disregarding the authority of the chair or of abusing the rules of the House by persistently and wilfully obstructing its business or otherwise, the Speaker shall immediately put the question, on a motion being made “that the member be suspended from the services of the House” and no amendment, adjournment or debate shall be allowed.
- (2) When an offence to which section (1) applies is committed in a Committee of the Whole House, the Chair shall immediately suspend the proceedings of the committee and report the circumstances to the House and the Speaker shall put the question stated in section (1) without amendment, adjournment or debate as if the offence had been committed in the House.
- (3) A suspension under this rule shall be for such time as is stated in the motion but shall not exceed two weeks.

Conduct of member

39. When a question arises touching the conduct of any member, the member’s election or right to hold the seat, the member may make a statement and shall withdraw during the time the matter is in debate.

## CHAPTER 10

### VOICE VOTES AND RECORDED DIVISIONS

#### Majority of voices

40. All questions shall be decided by a majority of voices.

#### Opinion of Speaker

41. The Speaker shall, when the voices are heard, state whether in his or her opinion the Yeas or the Nays have it; and, unless the entering of names is demanded by any member, shall declare the motion carried or lost.

#### Procedure for recorded division

42. (1) When a division is called for, either before the question is put or after the voices have been given, the Speaker shall direct the Sergeant-at-Arms to call in the members.
- (2) No debate shall be permitted after the question has been put by the Speaker or after the Sergeant-at-Arms has been directed to call in the members.
- (3) The Speaker shall, no more than five minutes after directing that the members be called in, direct the Clerk to read the question and call upon those voting in the negative to rise, and their names shall be entered in the daily journal.
- (4) Then, the Speaker shall call upon those voting in the affirmative to rise and their names shall be entered in the daily journal.

#### Casting vote of Speaker

43. When there is an equality of votes upon a division, the Speaker shall cast the deciding vote and any reasons stated by the Speaker shall be entered in the daily journal.

## CHAPTER 11

### PRIVILEGE

#### Explanation of privileges

44. Privileges are the rights enjoyed by the House collectively and by the members of the House individually as conferred by the *Legislative Assembly Act* or other statutes or by practice, precedent, usage and custom. Matters concerning any departure from the rules, customary procedure in debate or in the conduct of legislative business are not matters of privilege and should be brought to the attention of the House as points of order.

#### Privilege procedure

45. (1) When a matter of privilege arises, it shall be taken into consideration immediately.
- (2) A member who raises a matter or question directly concerning the privileges of the House or of any committee or of any member shall do so by proposing a motion calling upon the House to take action on it or referring the same to the Standing Committee on Rules, Regulations, Private Bills and Privileges.
- (3) The Speaker shall not accept such a motion unless he or she is satisfied that there is a *prima facie* case that a breach of privilege has been committed and that the matter is being raised at the earliest opportunity. The Speaker's decision is not subject to appeal.

#### Privilege, media report

46. A member may complain to the House of a statement in a media report referring to the member personally and relating to some proceeding of the House, or a committee of the House, as a breach of privilege without proposing a motion but shall confine his or her remarks to explaining the matter and no debate shall be allowed.

## CHAPTER 12

### MOTIONS

Motion to adjourn always in order

47. A motion to adjourn the House or a debate is always in order but no second motion to that effect may be made until after some intermediate proceeding has been had.

Motions not requiring notice

48. No notice is required for any of the following motions:
- (a) by way of an amendment to a question;
  - (b) for the referral of any matter to Committee of the Whole House, or any standing or special committee;
  - (c) for the postponement of a question to a certain day;
  - (d) for the previous question;
  - (e) for reading the orders of the day;
  - (f) for leave to introduce a public bill;
  - (g) for any reading of a public bill, or for second and subsequent readings of a private member's bill or a private bill;
  - (h) for the adjournment of the House or a debate;
  - (i) for raising a question of privilege;
  - (j) for the reconsideration while in Committee of the Whole House of any clause of a bill already agreed to;
  - (k) for the placing on the order paper for consideration in Committee of the Whole House a bill which has not been favourably reported by a standing or special committee;
  - (l) for fixing a time of meeting or adjournment of the House;
  - (m) other motions of a merely formal or uncontentious nature;
  - (n) when notice is dispensed with by unanimous consent of the House.

Motions which require notice

49. One clear day's notice shall be given of a motion, which shall be debatable, for any of the following purposes:
- (a) to make, amend or repeal any rule;
  - (b) for an address to the Lieutenant Governor;
  - (c) for the production of papers;
  - (d) for the appointment of a special committee;
  - (e) for leave to introduce a private member's bill;
  - (f) for any purpose to which Rules 48 and 49 do not apply;
  - (g) to refer any matter to any committee of the House for consideration by the designated committee;
  - (h) a motion to be made in Committee of the Whole House for the purpose of proposing an important amendment to a private bill.

Meaning of "one clear day's notice"

50. In Rule 49 the words "one clear day's notice" shall mean that a copy of the notice has been on the desk of each member for one full sitting day before the motion may be considered by the House.

Method of giving notice

51. A member giving notice of motion shall specify the day on which the member proposes to move the same and shall deliver at the Table a written or typewritten copy of it.

Notice may be given for an absent member

52. A member may give notice of motion for an absent member and the notice shall be entered on the order paper in the name of the absent member.

Motions must be in writing and seconded

53. All motions, other than those of a formal character, shall be in writing and seconded before being put from the chair and debated.



Question read during debate

54. Any member may require a question under discussion to be read at any time during the debate, but not so as to interrupt a member while speaking.

Withdrawing a motion

55. A member who has made a motion may withdraw it with the unanimous consent of the House.

Previous question

56. (1) The previous question may be debated and, until it is decided, precludes all amendment of the main question, and shall be in the words, "that this question be now put."
- (2) If the previous question is resolved in the affirmative, the original question shall be put immediately without any amendment or debate.
- (3) If the previous question is negatived, the debate on the original question shall proceed until it is concluded or interrupted by some other motion.

Motions that may be moved during debate

57. When a question is under debate, no motion may be received unless:
- (a) to amend it;
  - (b) to postpone it to a certain day;
  - (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) for the adjournment of the House.

Reference to committee precludes amendment

58. A motion to refer any matter to Committee of the Whole House, or any standing or special committee, shall preclude all amendment to the main question and shall be decided without debate.

## CHAPTER 13

### QUESTIONS

#### Written and oral questions

59. Written questions may be placed on the order paper or oral questions may be asked seeking information from ministers of the Crown relating to public affairs, any bill, motion or other public matter connected with the business of the Assembly in which such members may be concerned; but in putting any such question or in replying to the same, no argument or opinion shall be offered, nor any facts stated, except so far as may be necessary to explain the same; and in answering any such question, the matter to which the same refers shall not be debated.

#### Answers to written questions

60. The minister to whom a written question is directed shall, without any unnecessary delay, file the answer in triplicate with the Clerk, who shall endorse the date of filing on it and immediately transmit a copy of it to the member who asked the question.

#### Oral question period limited to 40 minutes

61. The oral question period shall be limited to 40 minutes on each sitting day, not inclusive of any time required for ministerial responses to oral questions taken as notice.

#### Oral question period procedure

62. (1) Upon the order of business “questions by members” being called, oral questions of an urgent nature relating to public affairs may be put without notice to ministers of the Crown.
- (2) An oral question shall be concisely and clearly put and shall refer only to a matter which may reasonably be assumed to be within the present knowledge of the minister.
- (3) The minister to whom an oral question is directed may:
- (a) immediately answer the question, or
  - (b) state that he or she takes the question as notice and answer it orally on a subsequent day under the same order of business, or

Oral question period procedure—*continued*

62. (3) (c) state that in his or her opinion the question should be put in writing.

Supplementary questions

63. When a minister answers an oral question, at the discretion of the Speaker not more than two supplementary questions directly related to the same subject matter may be asked.

Questions requiring a lengthy reply

64. Where, in the opinion of the Speaker, a question put to a minister is of such a nature as to require a lengthy reply, the Speaker may, upon the request of the minister, direct the question to be put in writing, or to stand as notice and be transferred to the order paper.

## **CHAPTER 14**

### **BILLS**

Types of bills

65. (1) Bills shall be known and distinguished as public bills, private members' bills, and private bills.
- (2) Public bills are bills introduced by ministers of the Crown relating to matters of administration or public policy of general application within the province.
- (3) Private members' bills are bills introduced by members, other than ministers of the Crown, relating to matters of administration or public policy of general application within the province and which do not call for nor imply the expenditure of public funds or the imposition of any tax.
- (4) Private bills are those relating to private or local matters or for the particular interest or benefit of any person, corporation or municipality.

#### General procedure

66. (1) A bill may not be introduced either in blank or imperfect form.
- (2) A bill shall receive three separate readings on different days before being passed.
- (3) A bill must be read twice in the House before committal or amendment.
- (4) On urgent or extraordinary occasions a bill may, with the unanimous consent of the House, be read twice or thrice, or advanced two or more stages in one day.
- (5) The Clerk shall endorse on each bill the dates on which it receives its several readings and when it is passed shall certify the same, with the date, at the foot of the bill.

#### Introduction of a private member's bill

67. (1) A private member's bill is introduced upon motion for leave specifying the title of the bill.
- (2) A motion for leave to introduce a private member's bill may be made only after notice.
- (3) A motion for leave to introduce a private member's bill shall be decided without debate or amendment but the member seeking leave may give a succinct explanation of the provisions of the bill.
- (4) Upon leave being granted for the introduction of a private member's bill, it shall immediately be read a first time without further question put.

#### Following first reading

68. Subject to Rule 72, when a bill is read a first time it stands ordered for second reading of the House, but a bill shall not be read a second time until a copy has been on the desk of each member for 24 hours.

#### Following second reading

69. When a bill is read the second time it stands ordered for consideration in Committee of the Whole House.

Reports from Committee of the Whole House on bills

70. (1) Bills recommended from Committee of the Whole House stand ordered for third reading at the next sitting of the House.
- (2) All amendments made in Committee of the Whole House shall be reported by the Chair to the House and the report shall be received and the question for concurrence on it immediately put by the Speaker without debate.
- (3) When a committee of the House reports to the House that it does not recommend a bill that has been referred to it, the bill so reported shall not be placed on the order paper for consideration in Committee of the Whole House except upon motion which may be made without notice.

Recommitting the bill

71. (1) When the order for the third reading of a bill is read, a motion may be made to discharge the order and recommit the bill.
- (2) When a bill has received three readings and passed, a motion may be made to rescind the third reading and pass, and to recommit the bill.

## **CHAPTER 15 PRIVATE BILLS**

Petition is required

72. No private bill shall be brought into the House but upon a petition first presented, truly stating the case at the peril of the suitors for such bill, and such petition must be signed by the said parties.

Procedure for petition

73. (1) All petitions for private bills shall be presented within 14 days after the commencement of the session, exclusive of adjournment.
- (2) No petition for a private bill shall be presented unless two weeks' previous notice shall have been given:
- (a) by filing with the Clerk a copy of such petition and a draft of the bill proposed;

Procedure for petition—*continued*

73. (2) (b) by advertising in at least two issues of the *Royal Gazette* setting forth in general terms the scope of the proposed bill and the name of the corporation (if any) intended to be created or affected by it.

Referral to Standing Committee

74. All private bills shall be referred to the Standing Committee on Rules, Regulations, Private Bills and Privileges after first reading and no proceedings after first reading shall occur until such time as the committee has reported on them to the House.

Fees for a private bill

75. (1) The fees payable by a petitioner for a private bill are:
- (a) \$100 on an original bill of not more than one page ;
  - (b) \$60 on an amending bill of not more than one page;
  - (c) \$20 for each additional page or part of a page of any bill.
  - (d) A nominal fee at the discretion of the Standing Committee on Rules, Regulations, Private Bills and Privileges shall be recommended for all private bills governing incorporation of community organizations in cases where the fees set forth in subsections (a) to (c) would be onerous.
- (2) When a petition for a private bill is filed after the day mentioned in section (1) of Rule 73, or when any rule is suspended to permit the introduction of a private bill, the fees payable by the petitioner shall be double the amount fixed in section (1) of this rule.
- (3) A petitioner shall also pay with respect to any bill for the incorporation of a company with a stated capital, or for increasing the capital of a company, the same fee as would be payable in the case of an incorporation or increase of capital under the *Companies Act*.

Additional notice requirements

76. No bill having for its object the vesting in or conferring upon any person or persons, municipality or body corporate the title to any tract of land shall be received or read in the House unless, before the opening of the Legislative Assembly, at least four weeks' notice containing a full description of the land in question has been published in the *Royal Gazette* and one other newspaper in this province of the intention of such person or persons, municipality or body corporate to apply for such bill. A copy of this rule shall be published in the *Royal Gazette* and one other newspaper over the signature of the Clerk for four consecutive weeks in November and December of every year.

Ministers promoting private bills

77. A minister of the Crown shall not promote a private bill except those affecting municipalities.

## **CHAPTER 16**

### **PETITIONS**

Procedure for petitions

78. (1) A petition to the House may be presented by a member at any time during a sitting of the House by filing it with the Clerk of the House or from his or her place in the House during the appropriate ordinary daily routine.
- (2) On the presentation of a petition in the House, no debate on it, or in relation to it, shall be allowed.
- (3) No petition shall be received which prays for any expenditure, grant or charge on the public revenue whether payable out of the Consolidated Revenue Fund or out of the monies to be provided by the House.
- (4) Members presenting petitions shall be answerable that they do not contain impertinent or improper matter.

Procedure for petitions—*continued*

78. (5) Every member presenting a petition shall confine himself or herself to a statement of the parties from whom it comes, the number of signatures attached, the material allegations it contains, and to reading the prayer of the petition.
- (6) The petition may also be read by a Clerk at the Table, if requested.
- (7) On the next sitting day following the presentation of a petition, the Clerk of the House shall lay on the Table a report and such report shall be printed in the journal for that day. Petitions which do not contravene the requirements of section (3) of this rule, and Rules 72 through 77 (where applicable) shall be deemed to be read and received.
- (8) Petitions for private bills shall comply with the requirements of this rule in addition to the requirements of Rules 72 through 77.

## **CHAPTER 17**

### **OFFICERS AND SERVANTS OF THE HOUSE**

#### Officers of the House

79. The officers of the House are the Clerk, the Clerk Assistant, and the Sergeant-at-Arms.

#### Duties of the Clerk

80. Subject to the directions 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 Assistant, the Sergeant-at-Arms, committee clerks, Hansard staff, doorkeepers, messengers, pages and secretarial staff as may be employed in connection with the House, and is responsible for the safekeeping of the furnishings and fittings of the House;
  - (c) be present at the Table in the legislative chamber during sittings of the House;



Duties of the Clerk—continued

80. (d) prepare and cause to be distributed the daily journal and the order paper;
- (e) cause a copy of the daily journal for the preceding day and a copy of the order paper for the day to be placed each morning on the Speaker's table and on each member's desk;
- (f) cause a copy of the daily journal for the preceding day to be delivered to the office of the Lieutenant Governor each day;
- (g) when the standing committees have been appointed, cause a list of them to be printed and posted in a conspicuous place in the House;
- (h) at the conclusion of each session, cause the daily journals to be indexed, published, and bound;
- (i) perform such other duties as are assigned by the Speaker;
- (j) assure that a true copy of each bill, as reported from Committee of the Whole House, is available for third reading;
- (k) receive command documents during times when the House is not in session and cause same to be distributed to all members of the House.

Attendance

81. (1) The hours of attendance of the respective officers and servants of the House during the session shall be fixed from time to time by the Speaker.
- (2) The officers of the House shall complete any work remaining at the close of the session.

**CHAPTER 18**  
**COMMITTEE OF THE WHOLE HOUSE**

Speaker leaves the chair

82. When an order is called for the House to go into Committee of the Whole House consideration of the estimates or clause-by-clause consideration of legislation, the Speaker shall leave the chair without question put.

Rules observed in Committee of the Whole House

83. (1) The rules of the House shall be observed in Committee of the Whole House to the extent they are applicable, except the rules as to seconding of motions and limiting the number of times of speaking.
- (2) Speeches in Committee of the Whole House must be strictly relevant to the item or clause under consideration.
- (3) The Chair shall maintain order in Committee of the Whole House and decide all questions of order subject to an appeal to the House; but disorder in a committee may only be censured by the House on receiving a report about it.
- (4) Where there is an equality of votes upon a division in Committee of the Whole House, the Chair shall cast a deciding vote.
- (5) A motion that the Chair leave the chair is always in order and shall be decided immediately without debate, but no second motion to the same effect may be made until after some intermediate proceeding has been had.

Previous question may not be moved

84. The previous question may not be moved in Committee of the Whole House.

Committee of the Whole House on supply

85. In proceedings of Committee of the Whole House on supply (consideration of the estimates), motions may be introduced for the omission or reduction of a vote but the Chair shall not entertain a motion to increase, transfer, substitute, or attach a condition to a vote.

Committee of the Whole House on bills

86. In proceedings of Committee of the Whole House on bills, the preamble, if any, and title are first postponed and then every clause considered in its proper order, and the preamble and title shall be last considered.

## **CHAPTER 19**

### **STANDING AND SPECIAL COMMITTEES**

Rules observed in committees; exception

87. (1) Committees are regarded as creatures of the House and are governed, for the most part, in their proceedings by the same rules which prevail in the House with the exception as to the seconding of motions and limiting the number of times of speaking.
- (2) The previous question may not be moved in committee.
- (3) Committees receive their authority from the House itself and the authority of the House overrides that of any committee.
- (4) Committees should remain masters of their own procedure and the Speaker should not exercise procedural control over the committees.
- (5) Procedural difficulties which arise in committee ought to be settled in the committee and not brought to the House.

Proceedings in unprovided cases

88. In all cases not provided for in the rules or by sessional or other orders, the usages and customs of the House of Commons of Canada in force at the time shall be followed to the degree they are applicable to the functioning of the committees of this House.

Committee on Committees

89. (1) At the commencement of the first session of each General Assembly, a committee of five members (comprised of three members of the governing party and two other members of the Legislative Assembly) to be named by the mover shall be appointed, on motion of the leader or other member of the government, to nominate the members to serve on the several standing committees.
- (2) The committee referred to in section (1) of this rule shall be styled the Committee on Committees.

#### Committee membership

90. (1) The membership of the committees shall be allocated by the Committee on Committees in generally the same proportion as that of the recognized political parties in the House itself, if such approach is practicable.
- (2) Notwithstanding section (1) of this rule, in no case shall the Official Opposition have fewer than two members on any one committee, unless there are fewer than two members of the Official Opposition.
- (3) Membership on a standing committee shall not exceed eight members.

#### Ministers not eligible for appointment

91. Ministers of the Crown are not eligible for appointment to the Standing Committee on Public Accounts and may not attend its meetings other than as witnesses before the committee.

#### Changes in membership

92. Changes in the membership of any standing or special committee may be effected by a notification of them signed by the leader of the party concerned to be effective when filed with the Chair of the committee and the changes reported to the House at the earliest opportunity. Alternatively, the leader of the party concerned may make verbal announcement of the changes or substitutions during the daily routine of business, reports by committees.

#### Members may attend

93. (1) Members of the House who are not members of a particular committee are entitled to be present at the sitting of all committees; but they may not vote, move motions or be part of any quorum for committees of which they are not members. They may participate during committee examination of witnesses but they do so usually at the discretion of the committee through the Chair.

Members may attend—*continued*

93. (2) On the grounds of established usage and courtesy to the committee, they normally retire when the committee is about to deliberate upon its report. The committee, in case of refusal to retire, has no power to order them to withdraw as members cannot be excluded by the authority of the committee. In such circumstances, the committee should either adjourn or report the matter to the House.

Authority

94. (1) Committees shall be individually empowered to examine and inquire into all such matters and things that may be referred to them by the House; and, in addition, committees, by majority decision of their membership, may meet to examine and inquire into such matters and things as the committee deems appropriate (subject to Rule 95).
- (2) Committees shall report to the House from time to time their observations and opinions with power to send for persons, papers and records.

Standing committees listed

95. The standing committees shall be the:
- (1) (a) Standing Committee on Legislative Management to be composed of the Speaker as Chair; Deputy Speaker or designate; Government House Leader or designate; Government Caucus Chair or designate; Leader of the Official Opposition or designate; Opposition Caucus Chair or designate; and Leader of the Third Party or designate. All designates must be members of the Legislative Assembly.
- (b) The Standing Committee on Legislative Management is charged with matters as follows:
- (1) policies for the administration of the Legislative Assembly;
- (2) the provision of security, facilities and services, including allocation to party caucuses and individual members;

Standing committees listed—*continued*

95. (1) (b) *(continued)*
- (3) the appointment, supervision and management of the staff of the Legislative Assembly, other than the staff of party caucus offices and the office of the Leader of the Opposition;
  - (4) review of estimates of expenditure for the Legislative Assembly, including the forecasts and analysis of expenditures and financial commitments of the Legislative Assembly; and
  - (5) other matters necessary for the efficient and effective operation and management of the Legislative Assembly.
- (2) Standing Committee on Agriculture and Fisheries with said committee charged with matters concerning agriculture and fisheries.
- (3) Standing Committee on Communities, Land and Environment with said committee charged with municipal affairs and provincial planning, land and local governance, environment, water, forests, wildlife; justice and public safety, intergovernmental affairs, Aboriginal affairs, Acadian and Francophone affairs, Status of Women, the Prince Edward Island Human Rights Commission, charities and emergency measures.
- (4) Standing Committee on Education and Economic Development with said committee charged with matters concerning advanced and early learning, tourism and other industries, heritage and culture, immigration, multiculturalism, and rural development.
- (5) Standing Committee on Health and Wellness with said committee charged with health, social programs, seniors, health infrastructure (hospitals and manors), persons with disabilities, and sport.
- (6) Standing Committee on Infrastructure and Energy with said committee charged with transportation, infrastructure, energy policy and mineral resources development, telecommunications, internet and broadcasting.

Standing committees listed—*continued*

95. (7) Standing Committee on Public Accounts with said committee charged with matters concerning the public accounts of the province, the annual report of the Auditor General, and fiscal management.
- (8) Standing Committee on Rules, Regulations, Private Bills and Privileges with said committee charged with the rules and standing orders of the Legislative Assembly, scrutiny of regulations, private bills, and the privileges of individual members and the Legislative Assembly as a whole.

Other committees

96. Other committees, standing and special, may be appointed on motion.

First meeting and appointment of Chair

97. (1) The committee clerk shall, within six sitting days of the approval of the report of the Committee on Committees, call the first meeting of the committee.
- (2) At the first meeting of a committee, a Chair shall be appointed who shall act as Chair during the life of the committee.

Order and decorum

98. (1) The Chair is responsible for order and decorum in committee meetings.
- (2) Disobedience to the order of proceedings of a committee, provided those orders are within the scope of the committee's authority, is a contempt of the House.
- (3) A committee has no authority to punish one of its members or witnesses before it for an offense committed before it. The committee may only report any such offense to the House for its determination.

Appeal of Chair's decision

99. All decisions of the Chair may be appealed within the committee, but there is no appeal to the House from a Chair's ruling except by way of a report from the committee to the House.

#### Meeting notices

100. (1) Notice of the time and place of each meeting of a committee shall not less than 24 hours before the time of the meeting:
- (a) be given in writing to each member of the committee;
  - (b) be posted in the House precincts; and
  - (c) be posted for the information of the media representatives in the press gallery.
- (2) The Standing Committee on Legislative Management may determine the times for its meetings without the necessity of complying with section (1) of this rule.

#### May not meet while House is sitting

101. No standing or special committee shall, except by leave, sit during a sitting of the House.

#### Public meetings

102. Committee meetings, except those meetings convened to draft a committee's report, shall be held in public unless a motion is moved and carried to meet *in camera*.

#### Media coverage of public meetings

103. (1) For committee meetings held in public, audio and visual coverage of the proceedings by the media is permitted.
- (2) Audio and visual coverage of a committee's proceedings may be denied if, in the opinion of the committee, a witness or witnesses may feel uncomfortable with such coverage.

#### *In camera* meetings

104. (1) The purpose of an *in camera* meeting is to enable a committee to be free to discuss, deliberate, negotiate and, on occasion, compromise without the glare of publicity. *In camera* meetings are always held when a committee is drafting its report and, less frequently, by motion, when a committee may feel it appropriate to hear evidence in private.



*In camera* meetings—*continued*

104. (2) Meetings of the Standing Committee on Legislative Management shall be held *in camera*. Other committees may meet *in camera* provided that a motion is moved and carried to that effect.
- (3) When a committee sits *in camera*, its proceedings are protected by privilege. Any publication of its proceedings, either in written or verbal form, is an offense with which the House may deal.
- (4) The proceedings of an *in camera* meeting may, as a committee may determine, be recorded and transcribed. Any such recordings and transcriptions are to be considered and marked confidential, and there is to be no release of any tape or transcript beyond the membership of the committee.

Meetings recorded

105. The audio portion of committee meetings held in public shall be recorded and made publicly available. A transcript of the proceedings shall be produced.

Quorum

106. Unless otherwise ordered by the House, a majority of the members of a committee is a quorum.

Voting

107. (1) The decision of a committee shall be determined by the majority of those voting on the question. All questions before committees shall be decided by a majority of voices. In the event the voices are equal, the Chair has the deciding vote.
- (2) With the exception of proceedings on private bills, the Chair of a committee may vote only when there is an equality of votes. In giving a casting vote, the Chair is guided by the same principles as the Speaker in the House.
- (3) No member may raise a question of privilege or a point of order when a vote is being taken.

#### Witnesses

108. (1) The committee, by majority, decides which witnesses should be called, if any.
- (2) Every witness attending before any committee may claim the protection of the House in respect of the evidence called upon to give and may also ask leave to be assisted by (but not speak through) counsel.
- (3) When the committee decides that a certain person should appear as a witness, it may direct the committee clerk to invite that person to appear; or, if necessary, the committee may adopt a motion requesting that person to be summoned before the committee.
- (4) Witnesses are required to answer all questions put to them by the committee.
- (5) A witness summoned to attend before a committee of the House, except in the case of a committee considering a private bill, may be paid in respect of each day of his or her attendance a reasonable sum *per diem* as determined by the Speaker and a reasonable allowance for travelling expenses.

#### Expert assistance

109. Committees may, with the permission of the House, engage persons with expert knowledge to assist the committees in their deliberations.

#### Reports

110. (1) All reports of committees shall be in writing and signed by the committee Chair only.
- (2) A minority report shall not be appended nor received by the House.
- (3) All reports of the committee shall be presented by a member of the committee standing in his or her place.
- (4) The member presenting the report shall first move that the report of the committee be received and then, if received, that the report be adopted.

Reports—*continued*

110. (5) Following a motion that a committee report be received by the House, any member may move that the report be referred to a Committee of the Whole House for its consideration and report.
- (6) Following a motion that a committee report be received by the House, a motion may be moved that it be adopted, amended, rejected, or referred back to the committee for further examination and report.
- (7) The report of a standing or special committee is considered final only after adoption by the House because, until then, the House can refer it back to the committee with instruction to amend it in any particular.
- (8) Executive response to committee reports must be made in the House during the following session of the Legislative Assembly.
- (9) It is a breach of privilege for anyone to publish or make reference to the content of a committee report prior to its presentation in the House.

Dissolution

111. A committee is dissolved by dissolution of the House.

## **CHAPTER 20 OFFICIAL LANGUAGES**

English and French

112. English and French shall be considered official languages in debate.

## **CHAPTER 21 TECHNOLOGY**

Use of technology in the Chamber and in committee

113. Members are permitted to use electronic devices in the Legislative Chamber, and in committee, with the exception of formal occasions and other occasions deemed by the Speaker (or the Chair) to be inappropriate times for their use. Sound must be muted, and use of such devices must not interrupt the proceedings. Devices may not be used as a telephone, recording device, camera or pager.

## **CHAPTER 22 SUSPENSION AND REPEAL OF RULES**

Suspension of rules

114. The Assembly may, by unanimous consent, suspend its rules or waive procedural requirements and precedents.

All other rules repealed

115. These rules and forms of proceeding are approved on a permanent basis for effect beginning September 1, 2016. All standing orders, rules, orders and forms of proceeding existing prior to September 1, 2016, are repealed.

## CHAPTER 23

### COMMITTEE OF THE WHOLE HOUSE ON BILLS PROCEDURE

1. Chair:       *(rap gavel)* The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *(read title of bill)*. Is it the pleasure of the committee that the bill be now read clause by clause?
2. Promoter: *(commence with a general statement of the bill's intent)*
3. Chair:       *(read the bill clause by clause; after discussion of each clause is concluded say)* Shall it carry?  
  
                  *(after the final clause has been carried...)*
4. Promoter: I move the title.
5. Chair:       *(read the title of the bill)* Shall it carry? Carried.
6. Promoter: I move the enacting clause.
7. Chair:       *(read the enacting clause)* Shall it carry? Carried.
8. Promoter: *(read the appropriate motion)*
  - (a) I move the Speaker take the chair and the Chair report the bill agreed to without amendment. OR
  - (b) I move the Speaker take the chair and the Chair report the bill agreed to with amendment. OR
  - (c) I move the Speaker take the chair and the Chair report progress and beg leave to sit again. OR
  - (d) I move the Speaker take the chair and the Chair report the bill not recommended.
9. Chair:       Shall it carry? Carried.

## CHAPTER 23

### COMMITTEE OF THE WHOLE HOUSE ON BILLS PROCEDURE (*continued*)

10. Chair: (*read the appropriate report to the Speaker*):

Mr./Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intituled (*read title of bill*), I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move the report of the committee be adopted.

– or –

Mr./Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intituled (*read title of bill*), I beg leave to report that the committee has gone through the said bill and has agreed to same with amendment. I move the report of the committee be adopted.

– or –

Mr./Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intituled (*read title of bill*), I beg leave to report that the committee has made some progress and begs leave to sit again. I move the report of the committee be adopted.

– or –

Mr./Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intituled (*read title of bill*), I beg leave to report that the committee has gone through the said bill and does not recommend same to the Legislative Assembly. I move the report of the committee be adopted.

## CHAPTER 24

### COMMITTEE OF THE WHOLE HOUSE ON SUPPLY PROCEDURE

1. Chair: *(rap gavel)* The House is now in a Committee of the Whole House to further consider the grant of supply/supplementary supply/capital supply to Her Majesty.

*(after consideration of a portion of the estimates...)*

2. Minister: I move that the Speaker take the chair and the Chair report progress and beg leave to sit again.

3. Chair: Shall it carry? Carried.

Mr./Madam Speaker, as Chair of a Committee of the Whole House having under consideration the grant of supply/supplementary supply/capital supply to Her Majesty, I beg leave to report that the committee has made some progress and begs leave to sit again. I move that the report of the committee be adopted.

4. Speaker: Shall it carry? Carried.

*(after the final vote has been carried...)*

5. Minister: I move the Speaker take the chair and the Chair make report to Mr./Madam Speaker.

6. Chair: Shall it carry? Carried.

Mr./Madam Speaker, as Chair of a Committee of the Whole House, I wish to report that the committee has gone into supply/supplementary supply/capital supply to be granted to Her Majesty and has come to certain resolutions which I am pleased to report to the House whenever it should be pleased to receive same.

## CHAPTER 24

### COMMITTEE OF THE WHOLE HOUSE ON SUPPLY PROCEDURE (*continued*)

7. Minister: Mr./Madam Speaker, I move, seconded by (*refer to seconder by district or portfolio name*), that the report of the committee be now received.
8. Speaker: Shall it carry? Carried.
9. Chair: (*pass the estimates book to the Speaker*) Mr./Madam Speaker, I move that the report of the committee be now adopted.
10. Speaker: Shall it carry? Carried.



## CHAPTER 25

### PRIVATE BILLS PROCEDURE

#### **Presentation of Petition**

This step is not required if, in accordance with Rule 78(1), the promoting member has filed the petition with the Clerk of the House.

1. Speaker: Presenting and receiving petitions.
2. Promoter: Mr./Madam Speaker, pursuant to notice given, I beg leave to present a petition from (*give names of petitioners*) and others praying for an act (*read title of bill*) and I move, seconded by (*refer to seconder by district*), that the petition do now lie on the Table for the examination of the Clerk in accordance with Rule 78(7).
3. Speaker: Shall it carry? Carried.

#### **Receiving Petition, First Reading, and Referral to Standing Committee**

This step follows a report from the Clerk, pursuant to Rule 78(7), that the petition is acceptable as to its form and content and thus deemed to have been read and received.

1. Speaker: Presenting and receiving petitions.
2. Promoter: Mr./Madam Speaker, the Clerk having reported that the petition praying for (*title of the bill*) is in acceptable form, I move, seconded by (*refer to seconder by district*), that the said bill be now read a first time.
3. Speaker: Shall it carry? Carried.
4. Clerk: (*read title and number of the bill*), read a first time.

**CHAPTER 25**  
**PRIVATE BILLS PROCEDURE (*continued*)**

5. Promoter: Mr./Madam Speaker, I move, seconded by (*refer to seconder by district*), that the said bill be referred to the Standing Committee on Rules, Regulations, Private Bills and Privileges for its consideration and report.
6. Speaker: Shall it carry? Carried.

**Report of the Standing Committee on Rules, Regulations, Private Bills and Privileges**

This step follows review of the private bill by the Standing Committee on Rules, Regulations, Private Bills and Privileges.

1. Speaker: Reports by committees.
2. Chair: Mr./Madam Speaker, as Chair of the Standing Committee on Rules, Regulations, Private Bills and Privileges I beg leave to present a report of the said committee on private bills, and I move, seconded by (*refer to seconder by district*), that the same be now received and read.
3. Chair: (*hand the report to a page, who hands it to the Clerk*)
4. Speaker: Shall it carry? Carried.
5. Chair: (*read report from a copy and say*), Mr./Madam Speaker, I move, seconded by (*refer to seconder by district*), that the report of the committee be adopted and that consideration of the private bill be added to orders other than government of this House.
6. Speaker: Shall it carry? Carried.

**CHAPTER 25**  
**PRIVATE BILLS PROCEDURE (*continued*)**

**Second Reading**

1. Speaker: Orders other than government.
2. Promoter: Mr./Madam Speaker, I move, seconded by (*refer to seconder by district*), that the (*read ordinal number*) order of the day be now read.
3. Speaker: Shall it carry? Carried.
4. Clerk: (*read the requested order of the day*)
5. Promoter: Mr./Madam Speaker, I move, seconded by (*refer to seconder by district*), that the said bill be now read a second time.
6. Members: (*Debate on the principle of the bill is permitted at this stage. Following such debate, if any, )*
7. Speaker: Shall it carry? Carried.
8. Clerk: (*read title and number of the bill*), read a second time.

**Referral to Committee of the Whole House**

9. Promoter: Mr./Madam Speaker, I move, seconded by (*refer to seconder by district*), that this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill.
10. Speaker: Shall it carry? Carried.

**CHAPTER 25**  
**PRIVATE BILLS PROCEDURE (*continued*)**

**Third Reading and Pass**

1. Speaker: Orders other than government.
2. Promoter: Mr./Madam Speaker, I move, seconded by (*refer to seconder by district*), that (*read ordinal number*) order of the day be now read.
3. Speaker: Shall it carry? Carried.
4. Clerk: (*read requested order of the day*)
5. Promoter: Mr./Madam Speaker, I move, seconded by (*refer to seconder by district*), that the said bill be now read a third time.
6. Members: (*Although uncommon, debate is permitted on whether the bill should be adopted and become law. Following such debate, if any,*)
7. Speaker: Shall it carry? Carried.
8. Clerk: (*read title and number of the bill*), read a third time.
9. Promoter: Mr./Madam Speaker, I move, seconded by (*refer to seconder by district*), that the said bill do now pass.
10. Speaker: (*stand*) This is a bill introduced by leave of the House, read a first time, read a second time, committed to a Committee of the Whole House, reported agreed to (with or without) amendment, read a third time and it is now moved that the bill do pass.

All those in favour say “yea.” Contrary, “nay.”

## CHAPTER 26

### PRIVATE MEMBERS' BILLS PROCEDURE

#### **First Reading**

After the notice has been in members' books for at least one clear sitting day, the promoter proceeds after the Speaker calls for motions other than government.

1. Speaker: Motions other than government.
2. Promoter: Mr./Madam Speaker, pursuant to notice given, I beg leave to introduce a bill to be intituled (*read title of bill*), and I move, seconded by (*refer to seconder by district or portfolio*), that the same be now received and read a first time.
3. Speaker: Shall it carry? Carried.
4. Promoter: (*hand one copy of the bill to a page, who hands it to the Clerk*)
5. Clerk: (*read title and number of the bill*), read a first time.
6. Promoter: (*may then give a brief explanation of the intent of the bill*)

#### **Second Reading**

1. Speaker: Orders other than government.
2. Promoter: Mr./Madam Speaker, I move, seconded by (*refer to seconder by district or portfolio*), that the (*read ordinal number*) order of the day be now read.
3. Speaker: Shall it carry? Carried.
4. Clerk: (*read the requested order of the day*)
5. Promoter: Mr. /Madam Speaker, I move, seconded by (*refer to seconder by district or portfolio*) that the said bill be now read a second time.

**CHAPTER 26**  
**PRIVATE MEMBERS' BILLS PROCEDURE (*continued*)**

6. Members: *(Debate on the principle of the bill is permitted at this stage. Following such debate, if any,)*
7. Speaker: Shall it carry? Carried.
8. Clerk: *(read title and number of the bill)*, read a second time.

**Referral to Committee of the Whole House**

1. Promoter: Mr./Madam Speaker, I move, seconded by *(refer to seconder by district or portfolio)*, that this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill.
2. Speaker: Shall it carry? Carried.

**Third Reading and Pass**

1. Speaker: Orders other than government.
2. Promoter: Mr./Madam Speaker, I move, seconded by *(refer to seconder by district or portfolio)*, that the *(read ordinal number)* order of the day be now read.
3. Speaker: Shall it carry? Carried.
4. Clerk: *(read the requested order of the day)*
5. Promoter: Mr./Madam Speaker, I move, seconded by *(refer to seconder by district or portfolio)*, that the said bill be now read a third time.

**CHAPTER 26**  
**PRIVATE MEMBERS' BILLS PROCEDURE (*continued*)**

6. Members: *(Although uncommon, debate is permitted on whether the bill should be adopted and become law. Following such debate, if any,)*
7. Speaker: Shall it carry? Carried.
8. Clerk: *(read title and number of the bill)*, read a third time.
9. Promoter: Mr./Madam Speaker, I move, seconded by *(refer to seconder by district or portfolio)*, that the said bill do now pass.
10. Speaker: *(stand)* This is a bill introduced by leave of the House, read a first time, read a second time, committed to a Committee of the Whole House, reported agreed to (with or without) amendment, read a third time and it is now moved that the bill do pass.

All those in favour say "yea." Contrary, "nay."

## CHAPTER 27

### PUBLIC OR GOVERNMENT BILLS PROCEDURE

#### **First Reading**

1. Speaker: Introduction of government bills.
2. Promoter: Mr./Madam Speaker, I beg leave to introduce a bill to be intituled *(read title of bill)*, and I move, seconded by *(refer to seconder by district or portfolio)*, that the same be now received and read a first time.
3. Speaker: Shall it carry? Carried.
4. Promoter: *(hand one copy of the bill to a page, who hands it to the Clerk)*
5. Clerk: *(read title and number of the bill)*, read a first time.
6. Promoter: *(may then give a brief explanation of the intent of the bill)*

#### **Second Reading**

1. Speaker: Orders of the day government.
2. Promoter: Mr./Madam Speaker, I move, seconded by *(refer to seconder by district or portfolio)*, that the *(read ordinal number)* order of the day be now read.
3. Speaker: Shall it carry? Carried.
4. Clerk: *(read the requested order of the day)*
5. Promoter: Mr./ Madam Speaker, I move, seconded by *(refer to seconder by district or portfolio)* that the said bill be now read a second time.



**CHAPTER 27**  
**PUBLIC OR GOVERNMENT BILLS PROCEDURE (*continued*)**

6. Members: *(Debate on the principle of the bill is permitted at this stage. Following such debate, if any,)*
7. Speaker: Shall it carry? Carried.
8. Clerk: *(read title and number of the bill),* read a second time.

**Referral to Committee of the Whole House**

1. Promoter: Mr./Madam Speaker, I move, seconded by *(refer to seconder by district or portfolio)*, that this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill.
2. Speaker: Shall it carry? Carried.

**Third Reading and Pass**

1. Speaker: Orders of the day government.
2. Promoter: Mr./Madam Speaker, I move, seconded by *(refer to seconder by district or portfolio)*, that the *(read ordinal number)* order of the day be now read.
3. Speaker: Shall it carry? Carried.
4. Clerk: *(read the requested order of the day)*
5. Promoter: Mr./Madam Speaker, I move, seconded by *(refer to seconder by district or portfolio)*, that the said bill be now read a third time.

**CHAPTER 27**  
**PUBLIC OR GOVERNMENT BILLS PROCEDURE (*continued*)**

6. Members: *(Although uncommon, debate is permitted on whether the bill should be adopted and become law. Following such debate, if any,)*
7. Speaker: Shall it carry? Carried.
8. Clerk: *(read title and number of the bill)*, read a third time.
9. Promoter: Mr./Madam Speaker, I move, seconded by *(refer to seconder by district or portfolio)*, that the said bill do now pass.
10. Speaker: *(stand)* This is a bill introduced by leave of the House, read a first time, read a second time, committed to a Committee of the Whole House, reported agreed to (with or without) amendment, read a third time and it is now moved that the bill do pass.

All those in favour say “yea.” Contrary, “nay.”

## CHAPTER 28

### FORMS OF PROCEEDING

#### **1. Address for the production of papers**

That a humble address be presented to His/Her Excellency praying that he/she will cause to be laid before this House a copy of all .....

#### **2. Address in reply to the speech from the throne**

That the following address be presented to His/Her Honour the Lieutenant Governor, to offer the humble thanks of this House to His/Her Honour for the gracious speech he/she has been pleased to make to this House at the opening of the present session:

TO HIS/HER HONOUR THE HONOURABLE ...

Lieutenant Governor of the Province of Prince Edward Island,

We, Her Majesty's dutiful and loyal subjects of the Legislative Assembly at this time in session assembled, beg leave to offer our humble thanks to His/Her Honour for the gracious speech which His/Her Honour has been pleased to open the present session.

#### **3. Adjournment of debate**

That this debate be now adjourned.

#### **4. Adjournment of the House**

That this House do now adjourn.

#### **5. Amendment to address in reply to speech from the throne**

That the following be added to the address: .....

**6. Appointment of Committee on Committees**

That a special Committee on Committees be appointed, said committee to prepare and report back with all despatch, a list of honourable members to compose the standing committees ordered pursuant to the rules of the House and that the said Committee on Committees be composed of the following members:

**7. Breach of privilege relating to a media report**

Mr. /Madam Speaker, pursuant to Rule 46, I wish to correct a statement in a media report (*give details and correction. The matter must relate to the member personally and relating to some proceeding in the House or a committee*).

**8. Budget motion**

That this House approves, in general, the budgetary policy of the government.

**9. Correcting an entry in the journal**

That the entry in the daily journal of the sitting of (*date*) be corrected by striking out the words ....., or by inserting the words .....

**10. Member be now heard**

That the honourable member for (*name of district*) be now heard.

**11. Naming a member**

(*Name of member*), I have to name you for disregarding the authority of the chair.

**12. Petition**

This is a model petition:

TO THE LEGISLATIVE ASSEMBLY OF PRINCE EDWARD ISLAND:

These are the reasons for this petition: *(Briefly summarize the problem or grievance and any necessary background information)*

We petition the Legislative Assembly of Prince Edward Island as follows: *(Set out the action the Legislative Assembly is being asked to take or to not take.)*

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Name (please print)	Address	Signature
_____	_____	_____

**13. Point of order**

Mr. /Madam Speaker, I rise on a point of order *(quoting applicable rule, explain the departure from the rule)*.

**14. Prayers of the Legislative Assembly**

**(a) A Prayer for the Queen’s Majesty**

O Lord our Heavenly Father, high and mighty, King of kings, Lord of lords, the only Ruler of princes, who dost from thy throne behold all the dwellers upon earth: Most heartily we beseech thee with thy favour to behold our most gracious Sovereign, Queen Elizabeth; and so replenish her with the grace of thy Holy Spirit, that she may always incline to thy will, and walk in thy way; Endue her plenteously with heavenly gifts; grant her in health and wealth long to live; strengthen her that she may vanquish and overcome all her enemies; and finally, after this life, she may attain everlasting joy and felicity; through Jesus Christ our Lord. Amen.

**14. Prayers of the Legislative Assembly—*continued***

**(b) A Prayer for the Legislature**

Most gracious God, we humbly beseech thee, as for this Province in General, so especially for the Lieutenant Governor and the Legislative Assembly, under our most religious and gracious Queen at this time assembled: That thou wouldst be pleased to direct and prosper all their consultations to the advancement of thy glory, the safety, honour, and welfare of our Sovereign and this Province; that all things may be so ordered and settled by their endeavours, upon the best and surest foundations, that peace and happiness, truth and justice, religion and piety, may be established among us for all generations. These and all other necessaries for them, and for us, we humbly beg in the Name and Mediation of Jesus Christ our most blessed Saviour and Lord. Amen.

**(c) The Lord's Prayer**

Our Father, who art in heaven,  
Hallowed be thy Name.  
Thy Kingdom come,  
Thy will be done,  
On earth as it is in heaven.  
Give us this day our daily bread;  
And forgive us our trespasses,  
As we forgive those who trespass against us;  
And lead us not into temptation,  
But deliver us from evil.  
For thine is the kingdom, the power, and the glory,  
For ever and ever. Amen.

**15. Previous question**

That this question be now put.

**16. Proceeding to a motion**

That motion number (*insert motion number*) be now read.

**17. Proceeding to an order**

That order number (*insert order number*) be now called.

**18. Putting a question to the House**

Is the House ready for the question?

The question is as follows: .....

All those in favour of the motion will please say yea.

All opposed will please say nay.

In my opinion, the motion is carried (or lost).

*If any member requests a recorded division, sometimes called a standing vote, the Speaker says:*

Sergeant-at-Arms, ring the bells.

*After no more than 5 minutes, when the members are in, the Speaker says:*

All those opposed to the motion please rise.

*(and after the names have been recorded by the Clerk)*

All those in favour of the motion please rise.

I declare the motion carried (or lost).

**19. Question of privilege**

Mr./Madam Speaker, I rise today on a question of privilege (*explain the matter*).

**20. Recognition of guests (outside of item in ordinary daily routine)**

With your indulgence, Mr./Madam Speaker, I would like to recognize (*name of guests*) in the public gallery today.

**21. Rescinding a resolution or order**

That the resolution (or order) adopted by the House on *(date)* as follows ..... be rescinded.

**22. Resolving into Committee of the Whole House on bills**

That this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill.

**23. Resolving into Committee of the Whole House on capital supply (the capital estimates)**

That this House do now resolve itself into a Committee of the Whole House to take into consideration the grant of capital supply to Her Majesty.

**24. Resolving into Committee of the Whole House on supplementary supply (the supplementary estimates)**

That this House do now resolve itself into a Committee of the Whole House to take into consideration the grant of supplementary supply to Her Majesty.

**25. Resolving into Committee of the Whole House on supply (the estimates)**

That this House do now resolve itself into a Committee of the Whole House to take into consideration the grant of supply to Her Majesty.

**26. Reverting to an order of business**

That this House do now revert to *(a particular item)*.

**27. Suspension of a member**

That the member *(refer to member by district name or portfolio)* be suspended from the services of the House for *(time period not to exceed two weeks)*.



## **28. Tabling of documents**

### **(a) By Command of the Lieutenant Governor (by ministers)**

Speaker: Tabling of documents.

Minister: Mr./Madam Speaker, by Command of His/Her Honour the Lieutenant Governor, I beg leave to table *(give name of document and department or agency concerned)* for the period ending *(give date)* and I move, seconded by *(refer to seconder by district or portfolio)*, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

Minister: *(hand document to a page who hands it to the Clerk)*

### **(b) By Leave of the House (by any member)**

Speaker: Tabling of documents.

Member: Mr./Madam Speaker, by leave of the House, I beg leave to table *(give name of document and its authority, or whatever)* and I move, seconded by *(refer to seconder by district or portfolio)*, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

Member: *(hand document to a page who hands it to the Clerk)*

## **29. Withdrawal of strangers (clearing the galleries)**

That strangers be ordered to withdraw.

## CHAPTER 29

### MEMBERS OF THE LEGISLATIVE ASSEMBLY (Alphabetic by Members' Names)

Member	District Name	District No.
Alan McIsaac	Vernon River-Stratford	5
Allen Roach	Montague-Kilmuir	3
Brad Trivers	Rustico-Emerald	18
Buck Watts	Tracadie-Hillsborough Park	8
Bush Dumville	West Royalty-Springvale	15
Chris Palmer	Summerside-Wilmot	21
Colin LaVie	Souris-Elmira	1
Darlene Compton	Belfast-Murray River	4
Doug Currie	Charlottetown-Parkdale	11
H. Wade MacLauchlan	York-Oyster Bed	9
Hal Perry	Tignish-Palmer Road	27
Heath MacDonald	Cornwall-Meadowbank	16
James Aylward	Stratford-Kinlock	6
Jamie Fox	Borden-Kinkora	19
Jordan Brown	Charlottetown-Brighton	13
Kathleen Casey	Charlottetown-Lewis Point	14
Matthew MacKay	Kensington-Malpeque	20
Pat Murphy	Alberton-Roseville	26
Paula Biggar	Tyne Valley-Linkletter	23
Peter Bevan-Baker	Kellys Cross-Cumberland	17
Richard Brown	Charlottetown-Victoria Park	12
Robert Henderson	O'Leary-Inverness	25
Robert Mitchell	Charlottetown-Sherwood	10
Sidney MacEwen	Morell-Mermaid	7
Sonny Gallant	Evangeline-Miscouche	24
Steven Myers	Georgetown-St. Peters	2
Tina Mundy	Summerside-St. Eleanors	22

## CHAPTER 29

### MEMBERS OF THE LEGISLATIVE ASSEMBLY (Numeric by District)

District No.	District Name	Member
1	Souris-Elmira	Colin LaVie
2	Georgetown-St. Peters	Steven Myers
3	Montague-Kilmuir	Allen Roach
4	Belfast-Murray River	Darlene Compton
5	Vernon River-Stratford	Alan Mclsaac
6	Stratford-Kinlock	James Aylward
7	Morell-Mermaid	Sidney MacEwen
8	Tracadie-Hillsborough Park	Buck Watts
9	York-Oyster Bed	H. Wade MacLauchlan
10	Charlottetown-Sherwood	Robert Mitchell
11	Charlottetown-Parkdale	Doug Currie
12	Charlottetown-Victoria Park	Richard Brown
13	Charlottetown-Brighton	Jordan Brown
14	Charlottetown-Lewis Point	Kathleen Casey
15	West Royalty-Springvale	Bush Dumville
16	Cornwall-Meadowbank	Heath MacDonald
17	Kellys Cross-Cumberland	Peter Bevan-Baker
18	Rustico-Emerald	Brad Trivers
19	Borden-Kinkora	Jamie Fox
20	Kensington-Malpeque	Matthew MacKay
21	Summerside-Wilmot	Chris Palmer
22	Summerside-St. Eleanors	Tina Mundy
23	Tyne Valley-Linkletter	Paula Biggar
24	Evangeline-Miscouche	Sonny Gallant
25	O'Leary-Inverness	Robert Henderson
26	Alberton-Roseville	Pat Murphy
27	Tignish-Palmer Road	Hal Perry