

**LEGISLATIVE ASSEMBLY OF THE  
NORTHWEST TERRITORIES  
6<sup>TH</sup> COUNCIL, 38<sup>TH</sup> SESSION**

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REPORT ON AN AMENDMENT TO THE RULES OF COUNCIL

The Council at its 36th Session adopted a motion that Rule 15 of the Rules of Council be amended to permit a Member to introduce new material in replying to points raised in debate by other Members.

I have examined the Rules of Council, and I recommend that Rule 15 of the Rules of Council be revoked, and Section 36 of the Rules be revised to follow Rule 37 of the House of Commons. The reason is that the two rules, Nos. 15 and 36, cover substantially the same subject matter and therefore should be corrected.

Rule 15 reads as follows:

"No Member may speak twice to an item in the Orders of the Day except in explanation of a material part of his speech which may have been misquoted or misunderstood but then he shall not introduce any new matter, and no debate shall be allowed upon such explanation"

It is noted that Rule 15 refers to an "item in the Orders of the Day". My opinion is that this can only mean a motion in Council. This being so, Rule 36 should be revised to follow Rule 37 of the House of Commons.

Rule 36 reads as follows:

"36(1) Every member has the right to speak once to a motion except the mover of the motion who has the right to the last reply.

(2) Notwithstanding sub-rule (1), the mover of an amendment to a motion has no right to the last reply.

(3) In all cases the Commissioner shall inform the Council that the reply of the mover of a motion closes the debate."

Rule 37 of the House of Commons Rules of Debate (Standing Orders) reads as follows:

"37(1) No member may speak twice to a question except in explanation of a material part of his speech which may

have been misquoted or misunderstood, but then he is not to introduce any new matter, and no debate shall be allowed such explanation.

(2) A reply shall be 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) In all cases Mr. Speaker shall inform the House that the reply of the mover of the original motion closes the debate.

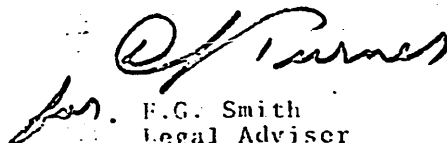
The question of new material being introduced by the mover of the original motion in his reply troubled me so I spoke by telephone to Mr. P.M. Ollivier, Parliamentary Counsel to the House of Commons. He informed me that the mover's reply is limited only by the rule that the reply must be relevant to the motion (the relevancy rule). The custom is that if new material is introduced, members often brave the wrath of Mr. Speaker and rise on a question of privilege or sometimes on a point of order to comment on what is being said in the reply. In this way the question is satisfactorily explored.

I therefore recommend the revocation of Rules 15 and 36 and in substitution a new Rule 36 be established to read as follows:

"36(1) No member may speak twice to a motion except in explanation of a material part of his speech which may have been misquoted or misunderstood but then he is not to introduce any new matter and no debate shall be allowed upon such explanation.

(2) A reply shall be allowed to a member who has moved a motion but not to the mover of an amendment.

(3) In all cases the Commissioner shall inform the Council that the reply of the mover of the original motion closes the debate."

  
for. F.G. Smith  
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