

LEGISLATIVE ASSEMBLY OF THE
NORTHWEST TERRITORIES
7TH COUNCIL, 48TH SESSION

TABLED DOCUMENT NO. 16-48

TABLED ON JANUARY 29, 1973



T. D. 16-48

tabled on Jan 29, 1973

RULES OF THE COUNCIL

OF THE

NORTHWEST TERRITORIES

PROPOSED AMENDMENTS

RULES OF THE COUNCIL OF THE NORTHWEST TERRITORIES

1. Rule 1 is repealed and the following substituted therefor:

Council Rules

"1. (1) The proceedings in the Council of the Northwest Territories and in all Committees of the Council shall be conducted according to these Rules.

Contingencies
unprovided for

(2) In all contingencies not provided for the question shall be decided by the Commissioner, and in making his ruling the Commissioner shall base his decision on the usages and precedents of this Council and Parliamentary tradition.

Varying of Rules

(3) The Rules may with the unanimous consent of the Council be varied at any time without notice.

Definitions

(4) In these Rules:-

- (a) "Clerk" means the Clerk of the Council; (see Rule 82)
- (b) "Council" means the Council of the Northwest Territories;
- (c) "Debates" means the edited official record of Council proceedings;
- (d) "Information Item" means a document bearing that title produced by the Administration to inform Council on a specific subject;
- (e) "Legal Advisor" means the Legal Advisor to Council; (see Rule 84);
- (f) "Member" means a Member of the Council;
- (g) "Private Bills" means those Bills relating to private or local matters or for the particular interest or benefit of any person, corporation or municipality;
- (h) "Private Members' Bills" are Bills introduced by Members relating to matters of administration or public policy of general application within the Territories and which do not

Clause 1: To provide a more flexible reference base than the Standing Orders of the House of Commons.

Present Rule 1 reads:

"1. (1) Except as provided in these rules, sessional or other orders or the usages and customs of this Council, the usages and customs of the House of Commons of Canada shall be followed by this Council so far as they are applicable."

(2) New Ontario S.O. 1(b).

Present subrule 2(b) reads:

"(2) The rules of *this Council* may be varied at any time without notice with the unanimous consent of the Council.

(4) New.

*Mr Smith to
redraft*

- (i) "Public Bills" are Bills introduced by the Administration to matters of administration, or public policy of general application within the Territories;
- (j) "Recommendation to Council" means a document bearing that title produced by the Administration for consideration by Council;
- (k) "Rules" means the Rules of Council;
- (i) "Transcript" means the unedited record of Council proceedings.

2. Rules 2 and 3 are repealed and the following are substituted therefor:

Monday, Tuesday and Friday sittings

"2. (1) The Council shall meet on Mondays, Tuesdays, Thursdays and Fridays from 9:30 a.m. to 1:00 p.m. and from 2:30 p.m. to 5:30 p.m.

Wednesday sittings

(2) On Wednesdays the Council shall meet from 2:30 p.m. to 5:30 p.m. and from 7:30 p.m. to 10:00 p.m.

Friday adjournment

(3) When the Council rises on Friday it stands adjourned until the following Monday unless otherwise ordered.

Evening adjournment

3. At 5:30 p.m. on Mondays, Tuesdays, Thursdays and Fridays and at 10:00 p.m. on Wednesdays the proceedings of the Council shall be interrupted by the Commissioner or if the Council is in Committee of the Whole by the Chairman thereof who shall rise and report progress, and the Commissioner shall adjourn the Council without question put; and all business

Clause 2:

To provide Council Members with one free morning each week on which to consult Government Officials.

Present Rule 2 reads:

"2. (1) The Council shall meet from 10:00 o'clock in the morning to 1:00 o'clock in the afternoon, and from 2:30 o'clock in the afternoon to 5:30 o'clock in the afternoon daily except Saturday and Sunday."

(2) New.

(3) Present subrule (2).

Present Rule 3 reads:

"3. At 5:30 o'clock in the afternoon the proceedings of Council shall be interrupted by the Commissioner, or by the Chairman if the Council is in committee who shall rise and report progress, and the Commissioner shall adjourn the Council without question put; and all business not disposed of at the termination of the sitting shall stand over until the next sitting day when it shall be taken up at the same stage when its progress was interrupted."

not disposed of at the termination of the sitting shall stand over until the next sitting day when it shall be taken up at the stage where its progress was interrupted."

✓ 3. The following new Rule is added immediately after new Rule 3.

Quorum

"4. The presence of at least four Members is necessary to constitute a meeting of the Council for the exercise of its powers as provided in the Northwest Territories Act."

✓ 4. Renumber Rule 4 to Rule 5 and add the following:

Motion to continue or extend sitting

"6. Notwithstanding Rules 3 and 41, a Member may present a motion without notice in the Council or in the Committee of the Whole to continue a sitting beyond the hour of daily adjournment for the purpose of continuing consideration of a specified item of business, subject to the following conditions:

- (a) the motion must relate to the business then being considered,
- (b) the motion must be proposed in the hour preceding the time when the business under consideration should be interrupted by the ordinary time of daily adjournment, and
- (c) the motion shall not be subject to debate or amendment."

Clause 3: To include as an explanatory item only, the Quorum provided for in the N.W.T. Act.

4. New - N.W.T. Act

Clause 4: To renumber present Rule 4 and to provide a means to extend the sitting hours without unanimous consent to continue consideration of a specific item of business beyond alternate A-the normal adjournment hour or alternate B-the normal lunch, dinner or adjournment hour.

6. New - House of Commons S.O. 6 (5) (a) - Alternate A

✓ 5. Rule 5 is repealed and the following substituted therefor:

Recording divisions

"7. (1) The names of the Members voting on each side of the question shall not be recorded in the Debates unless requested by a Member.

Members present must vote

(2) When a recorded vote is called no further debate is permitted and every Member present must record his vote.

Voting

(3) The Commissioner shall call upon those voting in the affirmative and in the negative to rise successively and their names shall be recorded in the Debates."

✓ 6. Renumber Rule 6 to Rule 8.

✓ 7. Rule 7 is repealed and the following substituted therefor:

Commissioner to preserve order

"9. (1) The Commissioner shall preserve order and decorum and decide questions of order, subject to an appeal to the Council which shall not be subject to debate.

Deputy Commissioner shall act for Commissioner

(2) The Deputy Commissioner shall perform the functions of the Commissioner under these Rules in the absence or illness of the Commissioner.

Commissioner or Chairman to recognize visitors

10. If it appears appropriate, only the Commissioner or, if the Council is sitting in Committee of the Whole, the Chairman thereof, may recognize the presence of distinguished visitors in the galleries."

Clause 5: To clarify the existing provisions regarding divisions, to add the requirement that all Members present stand to have their vote recorded - Provincial practice.

Present Rule 5 reads:

"5. Upon a division, the yeas and nays shall not be entered in the Debates unless requested by a Member."

(2) New - General Provincial Practice.

(3) New - N.B. subrule 41(3) as adapted.

Clause 6: Renumbered.

Clause 7: 9 (1) Provincial and Federal practice
(2) Present subrule 7(2)

Present Rule 7 reads:

"7. (1) The Commissioner shall preserve order and decorum and decide questions of order. "

Present subrule 7(2).

10. New. - To authorize the presiding officer only to recognize distinguished visitors.

8. Rules 8 to 19 and the Heading preceding them are repealed and the following substituted therefor:

"Conduct of Members

Decorum when Member enters or leaving Chamber

11. (1) Whenever the Mace is on the table, Members shall bow to the Chair upon entering, leaving or crossing the Council Chamber.

Decorum when question put

(2) When the Mace is on the table, no person shall pass between the Mace and the Chair.

Decorum in Chamber

(3) When the Commissioner is putting a question no Member shall walk out of or cross the Council Chamber or make any noise or disturbance.

Member not to interrupt

(4) No Member shall interrupt the business of the Council by engaging in private conversation or otherwise.

Referring to other members

(5) Members shall refer to each other by ^{his} name or as "The Honourable Member for (name of constituency)" or as "The Honourable Member".

Attire in Council

✓ 12. When in Council every Member shall be attired in a manner appropriate to the dignity of the Council.

Pecuniary interest

✓ 13. (1) No Member having a direct pecuniary interest in any question is entitled to vote on that question and the vote of any Member so interested shall be disallowed.

Clause 8: To establish a separate portion relating to "Conduct of Members", to clarify one existing provision and to provide for the style in which one Member should refer to another.

11. (1) Present subrule 10(2).

(2) Present subrule 10(4) reads:

"(4). *When the Mace is up, no person shall pass between the Mace and the Council Table.*

(3) Present subrule 10(3) reads:

(4) Present subrule 10(5).

(5) New.

12. New.

13.(1) Present subrule 19(1) reads:

"19.(1) No Member is entitled to vote upon any question in which he has a direct pecuniary interest and the vote of any Member so intereste shall be disallowed."

Solicitor or partner

(2) No Member shall himself be engaged as a solicitor or counsel in promoting or opposing any Bill, matter or proceeding before the Council for pecuniary or other fee or reward, and any Member whose partner is so engaged shall disclose such fact to the Council and shall not vote or in any way participate in the deliberations of the Council or any Committee with respect to such Bill, matter or proceeding.

Time limit for correcting transcript

✓ 14. Every Member has until 10:00 a.m. of the day following the receipt of the Transcript of the previous day within which to correct it as to grammar and other mistakes in form, but not so as affect the substance, after which the Clerk shall order the printing of the Debates.

Decorum on Adjournment

15. When the Council adjourns the Members shall remain in their places until the Commissioner has left the Chamber."

Referring to other Members

9. The following new Heading and Rules are added immediately after Rule 15.

"Rules of Debate

Members to rise

✓ 16. Every Member desiring to speak in the Council shall rise in his or her place and address the Commissioner.

Time limit on speeches

✓ 17. No Member shall speak for more than fifteen minutes at any time in debate, but this limitation does not apply to replies to the Commissioner's

(2) Present subrule 19(2).

14. Present subrule 26(3) reads:

"3. Every Member has until 10:00 a.m. of the day following the receipt of the transcript within which to correct the *Debates* as to grammar and other mistakes in form, but not so as to affect the substance, after which the Clerk shall order the printing of the Debates."

15. New - Provincial Rules.

Clause 9: To establish a separate portion covering "Rules of Debate" and to incorporate new provisions in effect in most Provinces.

16. Present Rule 11 reads:

"11. Every Member desiring to speak in Council shall rise in his place and address *himself* to the Commissioner."

17. Present Rule 14 reads:

"14. No Member shall speak for more than *twenty* minutes at any time in any debate but this limitation does not apply to replies to the Commissioner's *Opening Address*."

When Commissioner rises

✓ 18. Whenever the Commissioner rises any Member then speaking shall sit down and the Commissioner shall be heard without interruption.

Matters out of order in Debate

✓ 19. In debate a Member will be called to order by the Commissioner if he or she

(a) sneaks twice to a question, except in explanation of a material part of his or her speech which may have been misunderstood, in which case new matter may not be introduced;

(b) sneaks to matters other than

(i) the question under discussion,

(ii) a motion or amendment he or she intends to move, or

(iii) a point of order;

(c) persists in needless repetition or raises matters which have been decided during the current session;

(d) in the opinion of the Commissioner, refers at length to debates of the current Session or reads unnecessarily from the Debates,

or any other document, except

to complain of something said or to

reply to an alleged misrepresentation, in

which case relevant passages necessary for

such purposes may be quoted;

(e) interrupts another Member except to raise a point of order or privilege;

18. Present subrule 10(1).

19. To state clearly the reasons why a speaker may be called to order - Ontario S.O. 16

(a) Now covered by Rule 15.

(b) Now covered by Rule 12.

(c) New.

(d) New.

(e) New.

- (f) anticipates any matter already on the Orders of the Day for consideration;
- (g) reflects upon any previous vote of the Council except for the purpose of moving that it be rescinded;
- (h) refers to any matter
 - (i) that is pending in a court or before a judge for judicial determination, or
 - (ii) that is before any quasi-judicial, administrative or investigative body constituted by the Council or by or under the authority of an Ordinance of the Council where any person may be prejudiced in such matter by the reference;
- (i) makes allegations against another Member, an official or a witness;
- (j) imputes false or unavowed motives to another Member;
- (k) charges another Member with uttering a deliberate falsehood;
- (l) uses abusive or insulting language of a nature likely to create disorder;
- (m) speaks disrespectfully of Her Majesty, any member of the Royal Family, His Excellency the Governor General or uses language or words reflecting disrespect towards the Commissioner, the Council or any of its Members; or

(f) New.

(q) New.

(h) New

(i) New.

(j) New.

(k) New.

(l) New.

(m) Now covered by Rule 16.

(n) introduces any matter in debate that in the opinion of the Commissioner offends the practices and precedents of the Council.

Point of Order

✓ 20. (1) Where the Commissioner calls a Member to order or if a Member rises on a point of order the Commissioner shall decide the question of order giving his reasons therefor subject to appeal to the Council.

Debate permitted on Point of Order

(2) The Commissioner shall permit debate on a point of order raised by a Member before giving his decision, but the debate must be relevant strictly to the point of order taken.

Censuring of Member for using exceptionable words

✓ 21. If a Member is called to order for words spoken in debate, the exceptionable words shall be recorded by the Clerk upon the request of the Member called to order or of any other Member, and any Member who has used exceptionable words and does not explain or retract them or offer apologies to the satisfaction of the Council, may be censured or otherwise dealt with as the Council thinks fit.

Naming a Member

✓ 22. (1) The Commissioner or the Chairman, after having called the attention of the Council or of the Committee of the Whole, as the case may be, to the conduct of a Member who persists in irrelevance or repetition, may direct the Member to dis-

(n) New.

20. Present Rule 8.

21. Present Rule 9.

22. Present Rule 18.

Subrule 18 (1) reads:

"18. (1) The Commissioner or the Chairman, after having called the attention of the Council or of the Committee, as the case may be, to the conduct of a Member who persists in irrelevance or repetition, may direct him to discontinue speaking, and if the Member continues to speak the Commissioner shall name *him* or if in the Committee, the Chairman shall report *him* to the Council."

continue sneaking, and if the Member continues to speak the Commissioner shall name the Member, or if in the Committee of the Whole the Chairman shall report the Member to the Council.

Suspension
of Member

(2) When a Member is named by the Commissioner for disregarding the authority of the Chair or abusing the Rules by persistently and wilfully obstructing the business thereof or otherwise the Commissioner shall forthwith put the question on a motion that the Member be suspended from the service of the Council for a period set by the Commissioner not exceeding one week.

Offence in
Committee of
the Whole

(3) Where an offence to which subrule (2) applies is committed in the Committee of the Whole the Chairman shall forthwith suspend proceedings of the Committee of the Whole, and shall report the circumstances to the Council and the Commissioner shall put the question stated in subrule (2) as if the offence had been committed in the Council."

✓ 10. Renumber Rule 20 to Rule 23.

✓ 11. Rule 21 is repealed and the following substituted therefor:

(2) Present subrule 18(2).

Present subrule 18 (3) reads:

"18. (3) *When* an offence to which sub-rule (2) applies is committed in Committee, the Chairman shall forthwith suspend proceedings of the Committee and shall report the circumstances to the Council and the Commissioner shall put the question stated in subrule (2) as if the offence had been committed in the Council."

Clause 10: Renumbered.

Clause 11: Consequential.

Withdrawal of Strangers

"24. The Commissioner or the Chairman of the Committee of the Whole, as the case may be, may at any time order the withdrawal of strangers."

✓ 12. Renumber Rules 22 to 24 to Rules 25 to 27.

✓ 13. Renumber subrule 25(1) to 28(1), repeal sub-rules 25(2), (3) and (4) and substitute the following therefor:

Daily routine of business

"28. (2) the daily routine of business in Council shall be:

Questions and Returns

Oral Questions

Presenting Petitions

Reports of Standing and Special Committees

Notices of Motions

Motions

Tabling of Documents

Order of Business

(3) The order of business for the consideration of the Council day by day after the daily routine shall be:

Introduction of Bills for First Reading

Second Reading of Bills

Consideration in Committee of the Whole of Bills, Recommendations to Council, Information Items and other matters

Third Reading of Bills

Assent to Bills."

Present Rule 21 reads:

"21. The Commissioner or the Chairman of a Committee, as the case may be, may at any time order the withdrawal of strangers."

Clause 12: Renumbered.

Clause 13: To clarify the order of business - Provincial Rules.

Present subrule 25(2) reads:

"25. (2) The order of business in Council shall be as follows:

1. Commissioner's Address.
2. Notices of Motion to introduce Bills.
3. Replies to Commissioner's Address.
4. Questions and Returns.
5. Oral Questions.
6. Presenting Petitions.
7. Notices of Motion.
8. Motions.
9. Tabling of Documents.
10. Introduction of Bills for first reading.
11. Consideration in Committee of Recommendations to Council.
12. Reports of Special Committees.
13. Second Reading of Bills.
14. Consideration in Committee of the Whole of Bills after second reading and reports thereon.
15. Third Reading of Bills.
16. Assent to Bills.
17. Other Business.
18. Prorogation."

14. Rules 26 and 27 are repealed and the following substituted therefor:

Information
Items

✓29. Where a written request is given to the Clerk by two or more Members, the Clerk shall place an Information Item, identified by number and title, on the Orders of the Day for consideration in Committee of the Whole at a subsequent sitting.

Order of
precedence

✓30. The order of business for the consideration of the Council shall be taken up day by day, after the daily routine of business according to the precedence assigned in the Orders of the Day by the Commissioner.

One Days bus-
iness on Orders
of the Day

✓31. (1) The Orders of the Day for each day of the session shall include only those items that may be reasonably expected to be dealt with on that particular day.

Announcing
Orders of
the Day

(2) Immediately prior to adjournment on each sitting day the Deputy Commissioner or the Clerk of the Council shall announce the Orders of the Day for the next sitting day.

Items not
taken up

✓32. All items in the Orders of the Day not taken up at the adjournment of the Council shall be placed on the Orders of the Day for the next day.

Time Limit
on debate on
Commissioner's
Address

✓33. The debate of the motion on the Commissioner's Address shall not extend beyond the first four sitting days of a session.

Clause 24: To rearrange the provisions relating to the business of Council, to provide for handling Information Items, to limit the time available for the Commissioner's Address and Replies thereto and to provide for adjournment motions.

Subrule 26(2) now included as Rule 79(f).

Subrule 26(3) now included as Rule 14.

29. New.

30. Replaces present subrule 26(1) which reads:

"26. (1) The Business of Council shall be taken up according to the precedence assigned in the Orders of the Day by the Clerk on the instructions of the Commissioner or Deputy Commissioner."

31. (1) Present subrule 25(4),

(2) Replaces present subrule 25(3) which reads:

"25. (3) The Orders of the Day shall be announced by the Commissioner or Deputy Commissioner prior to adjournment of Council on the previous day."

32. Present Rule 27.

33. New - Provincial Rules

Motion to adjourn always in order

✓ 34. A motion to adjourn shall always be in order, but no second motion to the same effect shall be made until some intermediate proceeding has taken place."

✓ 15. Renumber Rules 28 to 30 and subrule 31(1) to Rules 35 to 38(1).

✓ 16. Subrules 31(2) and 31(3) are repealed and the following substituted therefor:

Questions to be in writing

"38(2) Subject to Rule 39 all questions shall be in writing and filed with the Clerk who shall endorse the date of filing thereon and forthwith provide copies to the Commissioner and all Members.

Replies to questions

(3) Where any question is directed to the Commissioner or the Deputy Commissioner pursuant to subrule (1), the Commissioner or the Deputy Commissioner, as the case may be, shall without any unnecessary delay read his reply in the Council to the Member who submitted the question and file his reply with the Clerk, who shall endorse the date of filing thereon and transmit copies to all Members."

✓ 17. Renumber Rule 32 to Rule 39.

✓ 18. Paragraph 32 (3)(d) is repealed.

✓ 19. Subrule 33(1) is repealed and the following substituted therefor:

34. New - House of Commons S.O. 25.

Clause 15: Renumbered.

Clause 16: To revise Rules to reflect procedures now in use.

Present subrules 31(2) and 31(3) read:

"(2) Subject to Rule 32 all questions shall be in writing and filed with the Clerk who shall endorse the date of filing thereon and forthwith *transmit one copy to the Commissioner or Deputy Commissioner, as the case may be, and shall return one copy to the Member filing the question.*

(3) Where any question is directed to the Commissioner or the Deputy Commissioner pursuant to subrule (1) the Commissioner or the Deputy Commissioner, as the case may be, shall without any unnecessary delay, read his reply in Council to the Member who submitted the question and file copies of his reply with the Clerk, who shall endorse the date of filing thereon and transmit *a copy to the Member.*"

Clause 17: Renumbered.

Clause 18: Present paragraph 32(3)(d) reads:

(3) The Commissioner or Deputy Commissioner, as the case may be, may

(d) *decline to answer.*

Clause 19: Consequential

Members to
endorse
petition

"40. (1) A Member desiring to present a petition shall endorse his name thereon and present the same to the Council during the daily routine of business, confining himself to a statement of the parties from whom it comes, the number of signatures attached to it, the material allegations it contains and to reading the prayer of the petition."

✓ 20. Subrules 33(2) to 33(5) are renumbered to subrules 40(2) to 40(5)

✓ 21. Subrules 33(6) to 33(8) are repealed and the following substituted therefor:

No debate
allowed

"40.(6) Subject to subrule (7) on the presentation of a petition no debate thereon or in relation thereto shall be allowed.

Petition
to be
read by
Clerk

(7) If required by a Member a petition may be read by the Clerk, or if the petition complains of some personal grievance requiring an immediate remedy, the matter contained therein may be brought into immediate discussion.

Referral
to Com-
mittee of
the Whole

(8) A Member may, after notice, move that a petition be referred to a Standing or Special Committee which shall report thereon to the Council recommending whatever action is required.

Present subrule 33(1) reads:

"33. (1) A Member desiring to present a petition shall endorse his name thereon and present the same to the Council during routine *proceedings* confining himself to a statement of the parties from whom it comes, the number of signatures attached to it, the material allegations it contains and to reading the prayer of the petition."

Clause 20: Renumbered.

Clause 27: Consequential and to clarify the Rule.

Present subrules 33(6) to 33(9) inclusive read:

"(6) Subject to subrule (7) on the presentation of a petition no debate *on* or in relation to the same shall be allowed.

(7) If required by a Member a petition may be read by the Clerk *at the Table* or if it complains of some personal grievance requiring an immediate remedy, the matter contained therein may be brought into immediate discussion.

(8) A Member may, after notice move that a petition be referred to a Special Committee and the Committee to which a petition is referred shall report thereon to the Council recommending whatever action is required.

22. Rule 34 is repealed and the following substituted therefor:

Notice to Council

"41.(1) One days notice shall be given of a motion

(a) for leave to present a Bill or resolution;

(b) for the appointment of any Committee; or

(c) for the putting of a question.

Exception

(2) Subrule (1) does not apply to motions

(a) relating to Bills after their introduction,

(b) for consideration in Committee of the Whole of recommendations to Council or information items, and

(c) to proceed to the Orders of the Day.

Member to specify day which motion is to be moved

(3) A Member giving a notice shall specify the day on which the motion is to be moved and shall deliver at the Table a written copy thereof.

Notice to appear in Debates

(4) The notice referred to in subrule (1) shall be included in the Debates of that day.

23. The following new Rule is added immediately after new Rule 41:

Only two notices on Orders of the Day

"42. No Member shall ^{give} have more than two notices of motion standing on ~~the Orders of the~~ Day at any one time."

any

Clause 22: Consequential.

Present Rule 34 reads:

"34. (1) One day's notice shall be given of a motion for leave to present a Bill or Resolution, for the appointment of any committee or for the putting of a question.

- (2) Subrule (1) does not apply to motions
- (a) relating to Bills after their introduction.
 - (b) for consideration in committee of recommendations to Council, other sessional papers and replies to the Commissioner's Address, and
 - (c) to proceed to the Orders of the Day.

(3) A Member giving notice shall specify the day on which *he proposes to move the same* and shall deliver at the table a written copy thereof.

(4) The notice referred to in subrule (1) shall be included in the Debates of that day."

Clause 23: In line with Federal and Provincial parliamentary practice to limit the number of motions which a member may introduce on any one sitting day. This procedure would permit up to 28 motions being placed on the Order Paper for each sitting day.

✓ 24. Renumber Rules 35 to 38 to Rules 43 to 46.

✓ 25. Rule 39 is repealed and the following substituted therefor:

Withdrawal of motion

"47. A Member who has moved a motion may withdraw the same with the consent of the seconder."

✓ 26. Renumber Rules 40 to 42 and subrule 43(1) to Rules 48 to 51(1).

✓ 27. Subrule 43(2) is repealed and the following substituted therefor:

Subjects not limited

"51.(2) the debate on the motion referred to in subrule (1) shall not be limited to discussion of the subjects mentioned in the Commissioner's Address.

✓ 28. The Heading preceding present Rule 44 is repealed and the following is substituted therefor:

PUBLIC BILLS

✓ 29. The following new Rule is added immediately after new Rule 51:

Referral of legislation prior to introduction

Exception

"52.(1) Subject to subrule (2) proposed legislation may be referred, prior to being introduced to the Council, to the Standing Committee on Legislation.

Referral to Standing Committee concerned

(2) No bill that falls in the area of responsibility of another Standing Committee or of a Special Committee shall be considered by

Clause 24: Renumbered.

Clause 25: To simplify the procedure for withdrawing a motion - Ontario S.O. 35 as adapted.

Present Rule 39 reads:

"39. A Member who has made a motion may withdraw the same by unanimous leave of the Council."

Clause 26: Renumbered.

Clause 27: To clarify the Rule.

Present subrule 43(2) reads:

"(2) In the debate on such motion, Members shall not be limited to discussion of the subjects mentioned in the Address."

Clause 28: New - Consequential.

Clause 29: New - to provide for the referral of legislation to Standing Committees.

the Standing Committee on Legislation."

✓ 30. Renumber Rule 44 to Rule 53.

✓ 31. Rule 45 is repealed.

✓ 32. Rule 46 is repealed and the following is substituted therefor:

Three readings

"54.(1) Every Bill shall receive three separate Readings, on different days, before being passed.

Urgent cases

(2) A Bill may be read twice or thrice, or advanced two or more stages in one day, unless such action is opposed by two or more Members.

✓ 33. Renumber Rules 47 to 50 to Rules 55 to 58.

✓ 34. Rule 51 is repealed and the following substituted therefor:

Procedure for Bill in Committee of the Whole

"59. Where a Bill is considered in the Committee of the Whole the preamble, if any, and the title are first postponed and then every clause considered by the Committee in its proper order and the preamble and the title shall be considered last."

Clause 30: Renumbered

Clause 31: Similar provisions are included under the heading "Officers of the Council".

Present Rule 45 reads:

"45. The Legal Adviser shall examine and revise as to form if necessary all Bills before they are presented to Council."

Clause 32: To clarify and to permit accelerated passage of legislation in urgent cases.

Present Rule 46 reads:

"46. Every Bill shall receive three readings on different days *previous to* being passed."

(2) New - Provincial Rules.

Clause 33: Renumbered.

Clause 34: To delete unnecessary words.

Present Rule 51 reads:

"51. Where a Bill is considered in a Committee of the Whole *after second reading* the preamble, if any, and the title are first postponed and then every clause considered by the Committee in its proper order and the preamble and the title shall be considered last."

35. ✓ Subrule 52(1) is repealed and the following substituted therefor:

Recommended amendments

"60. (1) Any amendment or amendments that are recommended in the Committee of the Whole shall be reported by the Chairman to the Council at the appropriate time.

Motion for adoption of report

(2) When the Chairman of the Committee of the Whole has presented the report of the Committee he shall move that the report be adopted by Council and shall file with the Clerk a signed copy of the Bill as reported."

36. ✓ Subrule 52(2) is repealed.

37. ✓ Rule 53 is repealed and the following substituted therefor:

No referral back to Committee on third reading

"61. On third reading a Bill may be debated or amended but may not be referred back to Committee of the Whole."

38. The following new Heading and Rules are added immediately after new Rule 61.

"Private Bills

Filing of Bill registration fee

✓ 62. (1) Subject to subrule (2), a person applying for a Private Bill shall file with the Clerk at least ^{3 months} ~~six weeks~~ before the next session of the Council, a copy of such Bill and shall deposit

Clause 55: To remove unnecessary words defining a procedure which is not used. New Subrule 60(2) provides for acceptance of the Report of the Committee of the Whole.

Present subrule 52(1) reads:

"52. (1) Any amendment or amendments that are recommended in Committee shall be reported by the Chairman to the Council and the report shall be received *and the motion for acceptance of the report with or without amendment shall forthwith be put by the Commissioner without debate.*"

Clause 36: Incorporated in new Rule 60(2) - subrule 52(2) reads:

"(2) *The Chairman shall, at the time he reports the Bill, file with the Clerk a signed copy of the Bill as reported.*"

Clause 37: Consequential.

Present Rule 53 reads:

"53. On third reading a Bill may be debated or amended but may not be referred back to committee."

Clause 38: To provide a procedure for handling Private Bills in line with Provincial and Federal practice.

with the Clerk a registration fee of \$150.00, and in the case of a Bill for the incorporation of a company, the statutory fees for incorporating a company.

Period may
be reduced

(2) Where the Commissioner deems it appropriate he may reduce the period referred to in subrule (1).

Referral of
Private Bill

63. Every application for a Private Bill received by the Clerk shall be referred to the Commissioner, and where the Commissioner approves the application the Bill shall be sent to the Standing Committee on Legislation.

Publication
of Notice

64. (1) When an application for a Private Bill has been approved by the Commissioner pursuant to Rule 63 the Clerk shall publish a notice of the application in the Northwest Territories Gazette stating the date upon which such Bill will be considered by the Standing Committee on Legislation and inviting representations regarding such Bill from the public.

Content of
Notice

(2) The notice referred to in subrule (1) shall clearly specify the purpose and object of the Private Bill and shall name the applicant.

63. New - Provincial Rules

64. New - Provincial Rules

Report to
Council

65. The Standing Committee on Legislation, after due enquiry and after hearing representations, if any from the public regarding such Bill, shall report to the Council whether or not it is reasonable that the Bill should pass and what, if any, alterations should be made in the Bill.

Introduction
for First
Reading

66. Every Private Bill shall be introduced for first reading after the application for such Bill has been favourably reported by the Standing Committee on Legislation.

Interested or
affected persons
to appear

67. Any person whose interest or property may be affected by a Private Bill shall when required appear before the Standing Committee on Legislation to express their consent or objection, or may consent in writing, proof of which may be demanded by the Committee and filed with the Clerk."

39. The Heading preceding Rule 54 is repealed and the following substituted therefor:

"Committee of the Whole"

40. Rule 54 is repealed and the following substituted therefor:

Rules to
apply in
Committee
of the Whole

68. The Rules shall be observed in Committee of the Whole in so far as they are applicable except that the Rules for seconding of motions and limiting the number of times of speaking do not apply; but, subject to the discretion of the Chairman, no Member may speak

65. New - Provincial Rules

66. New - Provincial Rules

67. New - Provincial Rules

Clause 39: To establish a separate portion dealing with Committees of the Whole". The Heading preceding present rule 54 now reads:

"Committees"

Clause 40: To confine the application of the Rule to Committees of the Whole.

Present Rule 54 reads:

"54. The rules of the Council shall be observed in Committees in so far as they are applicable except that the rules as the seconding of motions and limiting the number of times of speaking; but subject to the discretion of the Chairman no Member may speak more than once on the matter under discussion until every Member wishing to speak has spoken."

more than once on the matter under discussion until every Member wishing to speak has spoken."

✓ 41. Renumber Rule 55 to Rule 69.

✓ 42. Subrule 56(1) is repealed.

43. Subrule 56(2) and Rules 57 to 59 are repealed and the following substituted therefor:

Persons ineligible to act as Chairman

"70. Where a matter considered by a Special or Standing Committee is under discussion in the Committee of the Whole the Chairman of the Special or Standing Committee which dealt with the subject under discussion shall not be designated to chair the Committee of the Whole.

Chairman to maintain order

71. The Chairman of the Committee of the Whole shall maintain order therein and shall decide all questions of order subject to an appeal to the Commissioner; but disorder in the Committee of the Whole may only be censured by the Council upon receiving a report thereof.

Chairman to cast deciding vote

72. The Chairman of the Committee of the Whole shall not vote except where there is an equality of votes upon a division, in which case he shall cast the deciding vote.

Clause 41: Renumbered

Clause 42 : Included in new Rule 72 dealing with Standing and Special Committees, see clause 42:

Clause 43: Consequential and to clarify the Rule.

Present subrule 56(2) and Rules 57 to 59 inclusive read:

"56.(2) Where a matter considered by a special or regular committee is under discussion in the Committee of the Whole the Chairman of the special or regular committee shall not be selected to chair the Committee of the Whole.

"57. The Chairman of the Committee of the Whole shall maintain order therein and shall decide all questions of order subject to an appeal to the Commissioner; but disorder in the Council may be only censured by the Council upon receiving a report thereof.

58. Where there is equality of votes upon a division in a Committee of the Whole the Chairman shall cast the deciding vote.

Motion to report progress always in order

73: A motion that the Chairman leave the Chair and report progress is always in order and shall be decided forthwith without debate, but no second motion to the same effect shall be made until after some intermediate proceeding has taken place."

44. The following new Heading and Rules are added immediately after new Rule 73.

"Standing and Special Committees

Standing Committees to be appointed

74. (1) The Commissioner, ^{as with the consent} in consultation with the Council, shall appoint the Chairman and Members of the following Standing Committees:
on Legislation,
on Finance,
on Development and Ecology,
on Rules and Procedure,
on Indemnities and Allowances,
and such other Standing or Special Committees as may from time to time be agreed to.

Clerk to distribute list of Committees

(2) The Clerk shall at the beginning of each year distribute to Council Members a list of the several Standing and Special Committees appointed for that year."

Quorum in Committees

75. Unless otherwise specified a majority of the Members of a Standing or Special Committee shall constitute a quorum.

59. A motion that the Chairman leave the chair and report progress is always in order and shall be decided forthwith without debate, but no second motion to the same effect shall be made until after some intermediate proceeding has *been had*."

Clause 44: To establish a separate portion dealing with "Standing and Special Committees".

Present subrule 56(1) reads:

"56. (1) The Commissioner may appoint special committees or substitute Members thereof; and the first Member named shall be the Chairman but another Chairman may be appointed by the Committee at its first meeting.

(2) New. - Provincial Rules.

75. New. - Provincial Rules.

Members may attend meetings

76. (1) Subject to subrule (2), a Member who is not a member of a Committee may, during Council Sessions, attend meetings and may, if permitted by the Chairman, address the Committee.

Idem

(2) When the Council is not in session, a Member may attend Committee Meetings if invited in writing by the Chairman and may, if so invited, be considered to be an *ex officio* Member of the Committee.

Only members to vote

(2) Only members of a Committee shall vote on any question to be decided by the Committee.

Reports of Committees

77. (1) Every report of a Standing or Special Committee shall be in writing and signed by the Chairman, and such report shall be presented by the Chairman or a Member of the Committee under the appropriate item in the daily routine of business of the Council.

Adoption

(2) The Member presenting the report, shall move that the report be adopted by Council.

Disposition of report

(3) A report from a Standing or Special Committee may be adopted by the Council or it may be referred to the Committee of the Whole or back to the Committee which presented it."

45. The following new Heading is added immediately after new Rule 77.

76. New. - N.B. Rule 123 as adapted.

77. New. - P.E.I. Rule 91.

Clause 45: To provide for the establishment of a separate portion dealing with "Witnesses".

"Witnesses".

46. ✓ Renumber Rule 60 to Rule 78 and add the following new Rules immediately thereafter.

Appearances
of Witnesses -
Committee of
the Whole

Chairman
shall rule
out of
order

"79. (1) Witnesses may with the agreement of the Committee of the Whole be requested to appear before it.

(2) Any question directed to a witness and the reply shall be made through the Chairman who shall rule out of order

(a) any question which intimidates or embarrasses the witness; or

(b) which constitutes a personal allegation against the witness.

(3) Only government officials shall appear as witnesses before a Committee of the Whole unless in the opinion of the Chairman, the appearance of witnesses, other than government officials, is essential to the conduct of the business under consideration.

Witnesses

Witnesses
may appear
before
Committees

80. Witnesses may be invited to appear before any Standing or Special Committee at the discretion of the Chairman.

47. Rules 61 to 63 are repealed and the following substituted therefor:

Officers

"81. The Officers of the Council are

(a) the Clerk of the Council;

(b) the Clerk Assistant; and

(c) the Legal Advisor.

Clause 46: To provide for the establishment of a separate portion dealing with "Witnesses".

79. New.

80. New.

Clause 47: To expand the existing Rules dealing with the "Officers of the Council" in line with provincial practice.

Present Rules 61 to 63 inclusive read:

"61. The Officers of the Council are the Legal Adviser and the Clerk.

Clerk of
the Council

82. The Clerk shall

- (a) be responsible for the safekeeping of the records and documents of the Council;
- (b) have direction over the Clerk Assistant and such clerks, stenographers, and pages as may be employed in connection with Council Sessions;
- (c) be present at the Table in the Council Chamber during the sittings of Council;
- (d) ensure that the Transcript is distributed only to the Commissioner, the Members and Officers of Council;
- (e) ensure that the Debates are printed clearly in final form and distributed within five days of the day of recording;
- (f) cause a copy of the Transcript for the preceding day and a copy of the Orders of the Day to be placed as soon as printed, on the Commissioner's table and on each Member's desk; and
- (g) arrange for the assignment of a secretary to each Standing and Special Committee.

Clerk
Assistant

83. The Clerk Assistant shall assist the Clerk of the Council in his duties at the Table and elsewhere as may be directed by the Clerk.

82. Ontario S.O. 93(a).
Present subrule 62 reads:

62. (1) *The Clerk is responsible for the safekeeping of all the papers and records of the Council.*

(2) *The Clerk shall ensure that the Debates are printed clearly in final form and distributed to Members within three days from the day of recording.*

(3) *The Clerk shall supervise the typewriting or printing and arrangements of the Ordinances as they are issued at the close of each Session of Council.*

(4) *The Clerk shall ensure that the distribution of the uncorrected copies of the Debates are restricted to the Commissioner, the Members of the Council and its Officers."*

83. New.

Legal
Advisor

84. The Legal Advisor shall

- (a) advise upon legislation and draft Bills as required by the Commissioner;
- (b) assist Members in drafting Private Member's Bills;
- (c) put explanatory notes and marginal notes upon all Bills;
- (d) cause all Bills to be printed before each session;
- (e) revise before third reading all amendments made to Bills in Committee;
- (f) direct the printing and distribution of the Ordinances following the close of each Council Session; and
- (g) advise the Chairman of any Committee, upon request, whether any provisions in Private Bills are at variance with general Acts or Ordinances.

48. Renumber Rule 64 to Rule 85.

84. Present Rule 63 reads:

63. The Legal Adviser shall:

(a) assist Members in drafting Bills;

(b) *revise, draft* the explanatory notes and put marginal notes upon all Ordinances; and

(c) *advise on the drafting of all amendments made by Council.*

Clause 48: Renumbered