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STANDING ORDERS AND RULES
OF THE
LEGISLATIVE COUNCIL
OF HONG KONG

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STANDING ORDERS AND RULES
OF THE
LEGISLATIVE COUNCIL
OF HONGKONG.

MEETINGS.

- Ordinary meetings.* 1.—The ordinary meetings of the Legislative Council shall be held on each Wednesday during the Session, at 4 P.M.; but this shall not prevent the adjournment of the Council to any other day or hour.
- Special meetings.* 2.—Special meetings of the Council shall be held when summoned by order of the Governor.
- Notice of special meetings.* 3.—Notice of a special meeting shall be given by the Clerk to each Member of the Council, at least two clear days before the day of meeting; except in case of emergency, when as long notice as possible shall be given.
- Quorum.* 4.—If in addition to the Governor or Member presiding, five Members be not present at 4.30 P.M., the Council shall stand adjourned until the next ordinary day of meeting.
- Adjournments.* 5.—At any time during a meeting, the Council may on motion to that effect being carried, adjourn to any other hour or day; and, should the adjournment be to another day, notice of such adjournment shall be given to the Members by the Clerk.
- Suspension or adjournment of meeting.* 6.—The President may at any time suspend, or adjourn any meeting.
- Confirmation of Minutes.* 7.—When a quorum has been formed, the minutes of the previous meeting shall be read, and the question of their confirmation shall be put; but no debate shall be allowed thereupon, except as to the accuracy of the minutes.
- Order of business.* 8.—The minutes having been confirmed, the order of business shall be as follows:—
- a.* Messages or Minutes of the Governor;
 - b.* Reports from Committees;
 - c.* Petitions and written observations;
 - d.* Notices;
 - e.* Questions.

After which the orders of the day shall be read by the Clerk, and business shall be proceeded with accordingly.

Petitions.

9.—Petitions addressed to the Council may be sent to the Clerk of the Council, or they may be presented by any Member of the Council.

No Petition shall be received which is not properly and respectfully worded, or which does not relate to matters of Legislation.

It shall be the duty of the Clerk of the Council, or of the Member presenting a Petition, to inform the Council if there be any doubt as to a Petition coming under these prohibitions.

Petitions not coming within the above prohibitions shall be received as of course without question.

Petitions relating to any Bills before a Committee shall be referred by the Clerk on receipt to the Committee, by whom they will be presented to the Council with their Report. Other Petitions after being received, if it be so resolved, may be read, or may be printed, or may be referred to a Committee for consideration and report.

Governor's Messages or Minutes.

10.—Messages or Minutes of the Governor may be read at any time during a meeting.

Notice of motion at meeting.

11.—A Member may give notice of motion, during a meeting, mentioning the day or the meeting on which it is intended to bring forward the motion.

Notice of motion not given at a meeting.

12.—Notice of motion, if not given at a meeting, must be sent in writing to the Clerk of the Council at least three days before the meeting at which the motion is intended to be brought forward.

Motions without notice.

13.—The following motions may be made without notice :—

- a. Any motion for the confirmation of the minutes of the Council, or for the adoption, modification, or rejection of the report of any Committee.
- b. Any motion that a petition, or other paper, do lie on the table, or be printed.
- c. Any motion for the adjournment of the Council, or of a debate.
- d. Any motion for the suspension of the Standing Orders.
- e. Any motion for the reference of any matter to a Committee.
- f. Any motion for the withdrawal of Strangers.
- g. Any motion made when the Council is in Committee.
- h. Any motion the urgency of which is admitted by the President and two-thirds of the Members present.

Notice of Question.

14.—Notice of intention to ask a question of any Member, if not given at a meeting, must, at least three clear days before the meeting of the Council at which such question is to be asked, be sent in writing to the Clerk ; who shall communicate the same to the President and to the Member of whom the question is to be asked two clear days before the question is asked.

RULES OF DEBATE.

Members speaking to address President.

15.—Every Member shall speak standing, and shall address himself to the President.

No Member to be referred to by name.

16.—No Member shall refer to any other Member by name.

Interruptions.

17.—No Member shall interrupt another when speaking, except by *rising to order*. A Member *rising to order* shall simply direct attention to the point he desires to bring to notice, and submit it to the decision of the President.

Precedence when two Members rise together. 18.—If two Members rise to speak at the same time, the President shall call upon one of them to address the Council first.

Speech not to be read. A member may not read his speech, but he may read extracts from written or printed papers in support of his argument.

President's authority. 19.—It shall be the duty of the President on his own authority to enforce all these Rules: and when the President rises, any member speaking shall immediately resume his seat.

Speech on petition. 20.—No speech shall be made on presenting a petition, beyond such as may be necessary to explain its nature and object.

No debate on question answered. 21.—When a question has been asked and answered, no further debate thereon shall be permitted.

How often Members may speak. 22.—No Member may speak more than once on any question, except when the Council is in Committee.

The Mover of any motion may, however, reply at the close of a debate; and any Member may explain himself if he has been misapprehended in any essential argument.

Motion or amendment should be seconded. 23.—The Mover of any motion or amendment may speak in support thereof; but no further debate shall be allowed, whether the Council be in Committee or not, until the motion or amendment be duly seconded.

Order in which amendments should be entertained. 24.—If any amendment be proposed and seconded, it shall be considered before the original question.

If an amendment of a proposed amendment be moved and duly seconded, it shall be considered as if such previous amendment were an original question.

Proposed amendments to be committed to writing. 25.—Any Amendment moved and seconded may be required by the President to be committed to writing by the mover and delivered to the Clerk.

Clauses of Bills. 26.—When a Bill is in Committee each Clause shall be read by the Clerk and shall then be put from the Chair, without Motion, by this Question:—"That this Clause shall stand part of the Bill," and the Clause shall be treated as a Motion, except that a Clause may be amended portion by portion, the earlier Amendments having precedence of the later.

A decision on an earlier portion of the Clause shall not bar an Amendment of a later portion, but a decision on a later portion of the Clause shall bar all Amendments of an earlier portion.

And if an Amendment of a later portion of a Clause inconsistent with any decision come to upon any earlier portion of the Clause, be proposed, such an Amendment cannot be put.

And no Amendment of a later Clause in a Bill can be put which may be inconsistent with any earlier Clause as it has been passed.

And if by inadvertency any such inconsistent Amendment be put and carried, it shall at any time be struck out by the President when discovered and brought to the notice of the Chair.

Filling Blanks. 27.—In filling up blanks in Bills, and in putting Questions of Amendment respecting Amounts of Money, or Periods of Time, the Question of the lowest Amount of Money or shortest Period of Time proposed shall be first put.

- Manner of voting. 28.—On a division, the votes shall be taken by the Clerk.
- The roll of Members present shall be read by the Clerk, beginning with the Junior Member.
- Each Member shall in his turn declare whether he is *for* or *against* the motion made.
- The Clerk shall then read out the result, mentioning the total number of votes *for*, and *against* respectively.
- Dissent. 29.—If any Member dissenting from the opinion of the majority wish to have his dissent recorded, he shall state so forthwith; and the reasons of his dissent may be laid on the table either at the same or at the following ordinary meeting.
- No discussion after question put. 30.—After a question has been put by the President no further discussion thereupon shall be allowed.
- Suspension of Standing Orders. 31.—The Standing Orders of the Council may be suspended by the consent of the President and three fourths of the Members present.
- Business not disposed of. 32.—The matter under discussion and any business not disposed of at the time of any adjournment shall stand as *An Order of the Day* for the next meeting of the Council.
- Strangers. 33.—Strangers may be present in the Council Chamber during debates; but must withdraw when called upon to do so by any Member.
- Any stranger expressing approbation or disapprobation shall be immediately required to withdraw.

ORDINANCES.

- Bills to be sent to Members. 34.—A printed copy of every Bill shall if possible be sent to each Member by the Clerk at least two clear days before it is read a first time.
- Publication after first reading. 35.—After having been read a first time, every Bill shall be published in the *Government Gazette* for general information.
- Council to go into Committee after second reading. 36.—When a Bill has been read a second time, the Council shall resolve itself into Committee to consider it clause by clause, and amend it as deemed necessary.
- Third reading. 37.—If no alteration be made in any Bill so committed, it may be read a third time, and passed, at the same meeting, if no Member object; but, if any alteration be made, or any Member object to proceed immediately with the third reading, it shall be postponed till the next ensuing meeting.
- Recommittal on third reading. 38.—If, on the third reading, any Member desire to omit or amend any provision contained in the Bill, or to introduce any fresh provision thereinto, he may move that the Bill be recommitted; and, if the motion be carried, marginal notes of the different clauses of the Bill shall be read *seriatim* by the Clerk, and any alteration proposed shall be discussed in its proper place; after which the Council shall resume, and the third reading may be moved.
- Reference of Bill to a Committee. 39.—A Bill may be referred either to a Special Committee, or to a Standing Committee at any stage of its progress.
- Passing of Bills. 40.—When a Bill has been read a third time, the question “that this Bill do pass” shall immediately be put.

COMMITTEES.

- Nomination of Special Committees. 41.—The Members of Special Committees shall be chosen by the Council.
- Number of Members. 42.—Every Special Committee shall consist of at least three Members.
- Nomination of Standing Committees. 43.—At the opening of every Session, the President shall appoint the following Standing Committees :—
- a. A FINANCE COMMITTEE—consisting of the Colonial Secretary (Chairman), the other Members of Council except the Governor.
 - b. A LAW COMMITTEE—consisting of the Attorney General (Chairman), and four other Members.
 - c. A PUBLIC WORKS COMMITTEE—consisting of the Surveyor General (Chairman), and four other Members.
- Power of voting in Committees. 44.—The Standing Committees of Council shall be open to all Members.
- Quorum of Special and Standing Committees. 45.—No Special or Standing Committees shall be competent to act unless at least three of its Members be present.
- Report by whom to be signed. 46.—The report of every Committee shall be signed by the Chairman, or, in his absence, by the Senior Member present.

PRIVATE RIGHTS.

- Petition to be heard. 47.—In any case where individual rights or interests of property may be peculiarly affected by any proposed Bill, all parties interested may, upon petition for that purpose, and on motion made, seconded, and carried, be heard before the Council, or any Committee thereof, either in person, or by Counsel.
- Examination of Witnesses. 48.—When it is intended to examine any Witnesses, the Member, or the Petitioner, requiring such Witnesses, shall deliver to the Clerk a list containing the names and residences of such Witnesses, at least two days before the day appointed for their examination. The evidence of every such witness shall be taken down by the Clerk and be signed by the Witness.
- Notification of Private Bill in the Gazette. 49. Before any Private Bill, whereby the property of any private person may be affected, is introduced, Notification of the intention of the parties to apply for such Private Bill shall be given by the parties, by advertisements in the Gazette, and by publication of the proposed Bill, once at least in the Gazette.

CLERK OF THE COUNCIL

- Order book. 50.—The Clerk of the Council shall keep an Order Book, in which he shall enter and number in succession the subjects intended to be brought under discussion at each meeting.
- Minutes of proceedings. 51.—The Clerk of the Council shall also keep Minutes of the proceedings of the Council; and shall two clear days at least before each meeting, send a copy of the Minutes of the previous meeting to each Member.
- Order of the day. 52.—The Clerk shall also send to each Member, two clear days at least before each meeting, a copy of the *Orders of the Day* for such meetings.
- Attendance on Committees. 53.—The Clerk of the Council shall attend upon any Special or Standing Committee if required to do so.