



Members' Parliamentary Guide

House of Assembly - Newfoundland & Labrador

FEBRUARY 2021

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Members' Role in the House of Assembly

The role of Members in the House of Assembly is of great importance because the laws they pass affect the lives of every citizen of Newfoundland and Labrador.

Members of the House of Assembly:

- Participate in debates in the House of Assembly, and vote on Bills and other matters presented to the House. When considering legislation, Members often draw on: their own life experience and any expertise they may have in a given field; consultation with experts; opinions of constituents; and research in the given area;
- Make statements and present petitions in the House of Assembly about issues important to their constituency or the province; and
- Sit on committees of the House of Assembly, as appointed.

In carrying out their parliamentary role, Members are guided by the *House of Assembly Act*, the *House of Assembly Accountability, Integrity and Administration Act*, the *Standing Orders* and traditions and conventions consistent with Westminster-style Parliaments.

The House of Assembly and its Members have certain protections that are not available to the general public, referred to as *parliamentary privilege*. These protections



have existed and evolved to allow Parliaments and Members to carry out the work of the people. Additional information on parliamentary privilege can be found further in this guide.

Structure of Legislature

The House of Assembly is the elected body which approves legislation and holds oversight of the government within the provincial jurisdiction in accordance with the constitution of Canada.

The Legislature of Newfoundland and Labrador is a single legislative chamber (unicameral), which comprises the House of Assembly and the Lieutenant Governor. Prior to Confederation, Newfoundland's Parliament included an appointed upper house known as the Legislative Council. The *Newfoundland Act*, which gave effect to the Terms of Union of Newfoundland with Canada, provided that the Legislative Council be discontinued. Newfoundland and Labrador now has a representative Legislature similar to those of the other Canadian provinces and territories.

The Lieutenant Governor, appointed by the Governor General of Canada on the advice of the Prime Minister, serves as the representative of the Sovereign in Newfoundland and Labrador in the discharge of certain functions. The Lieutenant Governor summons, prorogues and dissolves the House of Assembly; approves orders-in-council; and gives Royal Assent to legislation.



A Government is formed from the Members of the political group that returns the majority in a general election. The Official Opposition comprises the Members of the political group having the second largest representation in the House.

The composition of the House of Assembly is outlined in the [House of Assembly Act](#). It is currently made up of 40 seats (36 on the island portion of the province, and 4 in Labrador).

Standing Orders

The [Standing Orders](#) are the permanent written rules adopted by the House to govern its proceedings. They can be viewed on the House of Assembly website under “House Business.”

General Assembly

The *Constitution Act, 1867* sets the maximum life of a Parliament at 5 years, but a General Assembly typically lasts 4 years. The province has had fixed-date election legislation since 2004, which is found in the [House of Assembly Act](#). This legislation indicates that a general election is usually held on the second Tuesday in October, the fourth calendar year after the most recently held general election. However, in accordance with constitutional convention, the Lieutenant Governor may dissolve the House of Assembly at any time upon the advice of the Premier. Circumstances where this may occur include a situation where a government, whether



in majority or minority, no longer commands the confidence of the House of Assembly.

Session

Each General Assembly or Parliament comprises one or more periods known as sessions, typically one session per year. General Assemblies generally comprise 4 sessions. After a general election, on the advice of the Premier, the Lieutenant Governor summons Members of the House to meet for its first session. A session begins with a Speech from the Throne, outlining government's plan for that session. A session ends with a short speech announcing the session's prorogation.

Sitting

A sitting is technically the period between when the Speaker assumes the Chair to the adjournment. However, traditionally the period of time the House sits in the March-June time frame is referred to as the winter-spring sitting. Similarly, the period of time the House sits in November-December is traditionally referred to as the fall sitting. Should the House be summoned outside of these times, it is referred to as an extraordinary sitting.

Parliamentary Calendar

The Newfoundland and Labrador House of Assembly has a set Parliamentary Calendar. Unless otherwise ordered, the House of Assembly meets each year for the winter-spring sitting, commencing not later than the first Monday in March and concluding not later than the first Thursday in June; and



for the fall sitting, commencing not later than the first Monday in November and concluding not later than the first Thursday in December.

The House does not meet on days that are paid government holidays. There is one constituency week for every three sitting weeks unless varied by the calendar, and there is a break commencing after the end of the sitting day on Maundy Thursday until the third Monday following that date.

Annual [Parliamentary Calendars](#) can be viewed on the House of Assembly website under “House Business.”

Daily Sitzings

A daily sitting starts with the Speaker calling the House to order and ends with an adjournment. At the beginning of the daily sitting, the Sergeant-at-Arms places the Mace – the symbol of the authority of the House – on brackets at the end of the Table. The presence of the Mace on the Table with the Speaker in the Chair indicates that the House is in session.

The House sits on Monday, Tuesday and Thursday from 1:30 to 5:30 p.m., and on Wednesday from 10:00 a.m. to 12:30 p.m. and 2:00 to 5:00 p.m. The House may sit longer if at least one day’s notice is given and the Assembly votes in favour of the motion to extend the sitting.

Recess

The Speaker or presiding Officer may recess the House for a short period to consider a point of order or a point of



privilege, to address disorder in the Public Galleries or otherwise, as determined by the Speaker. On Wednesdays, the House of Assembly recesses between the morning and afternoon sittings.

Quorum

In order for the House to meet, there must be 10 Members present, including the Speaker. If there is no quorum present, the Speaker adjourns the House. The House then convenes on the next parliamentary day.

Adjournment (Sitting)

The adjournment of the House is the termination by the House of its own sitting, either by motion or pursuant to a Standing or Special Order, for any period of time within a session. The House may adjourn for a few minutes, or for several months.

Prorogation

Prorogation is the act by which the Lieutenant Governor brings a session of the Legislative Assembly to an end. Any motion or Bill still on the Assembly's agenda "dies on the Order Paper"; that is, it is no longer before the Assembly and must be reintroduced at the next session if it is to be considered. The prorogation of a session also refers to the period during which a session stands prorogued.



Dissolution

Dissolution brings the General Assembly to an end either at the conclusion of its four-year term, or by proclamation of the Lieutenant Governor at the Premier's request by issuance of a writ of election. It is followed by a general election. All business of the House dies at dissolution.

Attendance at Sittings

In accordance with [Section 13](#) of the *House of Assembly Accountability, Integrity and Administration Act*, a Member is required to attend the House of Assembly when it is sitting. By January 31 of each year, a Member must file with the Clerk a declaration under oath or affirmation of the Member's attendance while the House of Assembly was sitting in the previous calendar year. This declaration must include dates of absences and provide an explanation for these absences.

The following are acceptable reasons for Members to be absent from the House (as outlined in Section 13):

- i. Personal illness;
- ii. Adoption, pregnancy or parental leave;
- iii. Serious illness of a family member;
- iv. Bereavement;
- v. House of Assembly Committee meeting/Management Commission meeting;



- vi. Duties as caucus member (within House of Assembly precincts);
- vii. Ministerial duties;
- viii. Constituency business (within the House of Assembly precincts);
- ix. Constituency business within the constituency (with prior approval of the Speaker);
- x. Other circumstances (with approval of the Speaker).

If a Member files a declaration of attendance disclosing an absence for reasons other than the above, an amount of \$200 will be deducted from the Member's salary for each day of the absence.

If a Member does not file the declaration by the required filing date, the Member's salary can be withheld.

A copy of the *Declaration of Attendance* form can be found on the House of Assembly intranet homepage under "Forms."

Presiding Officers

The presiding Officers of the House of Assembly are the Speaker, the Deputy Speaker/Chair of Committees and the Deputy Chair of Committees.

Speaker

The Speaker presides over the proceedings of the House and is elected by secret ballot. In particular, the Speaker is responsible for maintaining order and decorum. The key



characteristics of the Speakership are authority and impartiality. The House grants the Speaker the authority to direct its proceedings, and the Speaker does so by serving all Members equally regardless of their party affiliation.

In the Chamber, the Speaker:

- Ensures that all Members follow parliamentary rules as they ask or answer questions, debate or vote;
- Gives all Members a fair chance to speak;
- Ensures that the special rights and privileges of Members and the House are protected; and
- Does not take part in debate, ask or answer questions during Oral Questions, or vote, except to break a tie.

As the Speaker is the representative of the House, Members must show the Speaker the same respect they would show the House. In the Chamber, a Member:

- Does not enter or leave the Chamber while the Speaker is standing;
- Does not interrupt the Speaker;
- Addresses all comments to the Speaker;
- Does not walk between the Speaker and a Member who is speaking; and
- Does not question the Speaker's rulings on parliamentary procedure, except by a formal motion of non-confidence, although they may ask for an explanation of a ruling.



The Speaker is the head of the House of Assembly Service, which provides a range of services to Members. The Speaker is also the Chair of the House of Assembly Management Commission, which oversees the administration of the House and related offices. The Speaker represents the House as spokesperson in dealings with other bodies, and carries out ceremonial and diplomatic functions.

Deputy Speaker/Chair of Committees

The Standing Orders require that a Deputy Speaker and Chair of Committees be appointed at the commencement of every General Assembly, immediately following the election of the Speaker. The Deputy Speaker is vested with all the powers of the Speaker when the Speaker is absent from the House, presides over the proceedings of the House and is responsible for chairing the Committee of the Whole House. The Deputy Speaker may attend meetings of the House of Assembly Management Commission as a non-voting Member, but may not participate in debate unless acting as the Chair, which occurs in the absence of the Speaker.

Deputy Chair of Committees

The Deputy Chair of Committees supports the Speaker and the Deputy Speaker as a presiding Officer. In the absence of the Deputy Speaker, the Deputy Chair of Committees may take the Chair when the House sits as a Committee of the Whole.



In the absence of the Deputy Speaker and Deputy Chair of Committees, the Speaker may appoint any Member the Chair of a Committee of the Whole House.

Parliamentary Officials

Table Officers

The officials seated at the centre table when the House is sitting are referred to as the Table Officers or Clerks-at-the-Table. They include the Clerk, Clerk Assistant and the Law Clerk.

Clerk

The Clerk is appointed by the Lieutenant Governor in Council upon resolution of the House, and is the non-partisan chief permanent Officer of the House of Assembly. In that capacity, the Clerk exercises responsibilities as Chief Parliamentary Advisor and Chief Administrative Officer.

As Chief Parliamentary Advisor, the Clerk interprets the Standing Orders, conventions, precedents and usages of the House to advise the Speaker and Members on parliamentary procedure. The Clerk is also responsible for the preparation of the Order Paper and the minutes of the proceedings of the House (Journals), and for ensuring the safekeeping of papers and records of the House of Assembly. Additionally, the Clerk is the secretary to the House of Assembly Management Commission, the non-partisan body which oversees the



financial and administrative operations of the House of Assembly.

The Office of the Clerk is responsible for the support of parliamentary operations. It coordinates House of Assembly support services and ensures that all forms of business pass through each of the required procedural steps. The office prepares, processes and maintains all legislative records and documents of the Assembly. It ensures the accuracy and composition of the Votes and Proceedings, the Order Paper and the minutes, and reports of the various legislative Committees.

The office coordinates the operation of and provides support service to Standing and Select Committees of the House of Assembly. This includes managing logistical requirements of Committees, as well as advising on procedural and legislative matters.

Clerk Assistant

The Clerk Assistant is appointed in the same manner as the Clerk, and works with the Clerk and Committees of the House in advising the Speaker and Members on parliamentary procedure. In the absence of the Clerk, the Clerk Assistant is secretary to the Management Commission. The Clerk Assistant also serves as secretary to the Audit Committee, a committee of the Management Commission, and clerks the Standing and special Committees. The Clerk Assistant performs the parliamentary and procedural duties of the



Clerk whenever the Clerk is absent or unable to act, or whenever the Office of the Clerk is vacant.

Law Clerk

The Law Clerk is appointed by the Lieutenant Governor in Council upon resolution of the House, and offers legal and procedural advice, as follows:

1. Parliamentary legal advice to the Speaker and the Clerk, particularly as it relates to parliamentary privilege;
2. Parliamentary legal advice to all Members of the House regardless of party affiliation. This includes vetting and drafting of amendments to Bills and resolutions, and assisting Members in the preparation of private Members' motions and amendments; and
3. Legal advice as corporate counsel to Speaker, Clerk, Management Commission and House of Assembly Service.

Sergeant-at-Arms

The Sergeant-at-Arms is appointed upon resolution of the House of Assembly. The individual preserves order and maintains security in the galleries, corridors and the Chamber. The Sergeant-at-Arms is responsible for safekeeping of the Mace, and leads the Speaker's Parade, which signifies the ceremonial opening of each sitting day.



The Sergeant-at-Arms is supported by Commissionaires and sessional security staff to maintain security within the Parliamentary Precinct when the House is in session.

Pages

Pages are post-secondary students hired to provide assistance to Members, Table Officers and staff of the Legislature when the House of Assembly is in session.

Pages perform such duties as:

- Distributing documents (Order Papers, Members'/ministerial statements, reports, Bills, Hansards and etc.);
- Delivering books and documents to the House on behalf of the Speaker and Table Officers;
- Responding to requests from Members; and
- Carrying out other duties in the House as necessary during Notices of Motion, Tabling of Documents, Division and etc.

Other Parliamentary Positions

House Leader

A House Leader is the member of a caucus responsible for its management in the House. House Leaders act as spokespersons for their respective parliamentary groups and make submissions to the Speaker on questions of procedure, which arise from time to time in the course of debate. The



Government House Leader establishes a schedule for House business through consultation with the House Leaders of the other recognized parties.

Whip

A whip is a Member charged with keeping other Members of the same caucus informed about House business and ensuring their presence in the House, especially when a vote is anticipated. Members are expected to advise their whip if they must be absent from the House.

Committee Chair

A Committee Chair is elected by a Committee to preside at meetings, keep order, establish the agenda in consultation with the Members of the Committee and generally help expedite the work of the Committee. The Chair reports on the work of the Committee to the House of Assembly.

Parliamentary Procedures & Authorities

Parliamentary procedure refers to the manner in which the House of Assembly conducts its business based on the Standing Orders, statutes, regulations, authoritative procedural works, precedents and traditions.

Procedure in the House is similar in principle to the rules by which most meetings are conducted. It is designed to ensure that all who wish to speak have the opportunity to do so in such a way as to make the most efficient use of the time



available. In a Legislative Assembly, the Speaker must always keep in mind the balance that must be struck between the right of the minority to be heard and the right of the majority to govern.

In the conduct of its business, the House is governed first by the Standing Orders; then by its usages, customs and precedents; and then by the customs and usages of the House of Commons, Canada and other Canadian jurisdictions. If none of these is useful in a particular case, the House looks to the usages, customs and precedents of the House of Commons, Westminster.

Some parliamentary authorities to which the House of Assembly refers are:

- Bosc and Gagnon, *House of Commons Procedure and Practice*, 2017;
- MacMinn, *Parliamentary Practice in British Columbia*;
- Maingot, *Parliamentary Privilege in Canada*; and,
- Campion, *An Introduction to the Procedure of the House of Commons (UK)*; and
- Sir Erskine May, *Parliamentary Practice (UK)*.

Unanimous Consent

At times, the House may choose to depart from, vary or abridge the rules it has made for itself. These changes to procedures or practices may be made by way of a motion, with notice, or on an *ad hoc* basis. They are often made by obtaining the consent of all Members present in the House at



the time the departure from the rules or practices is proposed. This is accomplished by unanimous consent. The Speaker or presiding Officer takes care to make sure that no voice is raised in opposition. If there is a single dissenting voice, there is no unanimous consent and the departure from the rules cannot occur.

Order & Decorum

Entering/Exiting the Chamber

When entering and leaving the Chamber or crossing the centre point, it is customary for Members and staff to bow to the Speaker.

When the House adjourns, the Standing Orders state that Members are to stay in their seats until the Speaker has left the Chair.

Rules of Debate/Decorum

- Language in the House must be temperate, and respect the dignity and decorum of the institution;
- Members must stand when the Speaker enters the Chamber;
- Members must sit down when the Speaker rises;
- The Member recognized to speak must address remarks to the Speaker/Chair;
- No Member is to cross between the Chair and the Member who is addressing the Chair;



- Nothing should come between the Speaker and the Mace (the symbol of authority). No Member should pass between the Chair and the Table, or between the Chair and the Mace, when the Mace is being taken off the Table by the Sergeant-at-Arms;
- Members must be at their own places to be recognized. In order to be recognized to speak, a Member merely stands in their place and catches the Speaker's eye. The Speaker usually recognizes the first Member standing, alternating between the two sides of the House. The Speaker has complete discretion in respect to recognition of Members wishing to speak. On the occasion of a Member's first speech in the House, the Speaker may recognize the Member in preference to others who rise at the same time;
- Members must be in their seats to vote;
- A Member who adjourns debate on a motion is entitled to speak first when the motion is next called for debate;
- A Member may speak only once to a question in the House, except for the proponent of a motion who may speak a second time to close debate. However, in Committees of the Whole and Standing Committees, Members may speak as often as they wish;
- When speaking in debate, Members address their remarks to the Speaker and refer to each other in the third person by the names of their districts or, in the case of ministers, by their portfolios. Leaders and House Leaders of caucuses are referred to by their titles;



- Notice must be given of substantive motions at a sitting prior to the day on which debate is to take place;
- Members may not use displays or props to illustrate their remarks;
- Incidental interruptions (such as applause, shouts of approval or disapproval, or heckling, which sometimes punctuate speeches) may be tolerated by the Speaker as long as disorder does not arise. Excessive interruptions are swiftly curtailed, particularly when the Member speaking requests the assistance or protection of the Chair;
- Loud private conversations in the Chamber are discouraged. The Speaker will request that private conversations be carried outside the Chamber;
- Members may not engage with visitors in the galleries (Speaker's, Public or Press Galleries);
- Business attire is considered appropriate for House of Assembly sittings. The Speaker may choose not to recognize Members who are deemed to be inappropriately dressed; and
- Water is provided to Members. **Other beverages or food are not permitted in the Chamber.**

Seating in the Chamber

The overall seating arrangement in the House of Assembly is determined by the Speaker, and the specifics are decided within the caucuses.



The Government sits to the left of the Speaker, while the Opposition sits to the right. The crown of the Mace points to the Government side, and the Premier and the Leader of the Official Opposition traditionally sit across from each other.

The [Seating Plan](#) is updated at the beginning of a sitting, and is posted on the House of Assembly website under House Business. If the seating arrangement is altered during a sitting, caucus employees are responsible for moving desk items for their Members.

Electronic Devices

The use of electronic devices (mobile phones, tablets, laptops and etc.) by Members is permitted in the House of Assembly Chamber with certain restrictions to ensure that order and decorum are preserved. Members must also ensure their use does not interfere with the Member who has the floor.

The following restrictions have been put in place for the use of electronic devices in the Chamber:

- Devices must be in silent mode **at all times**;
- **Camera, video and audio recording functions must be disabled at all times** in the Chamber. **Photographing or recording yourself or other Members** in the Chamber **would be a serious breach of privilege**, which may result in severe sanctions;
- Devices must not be used for consultation purposes while speaking in debate or on any other occasion when a Member is in possession of the floor;



- Devices must not be used during Routine Proceedings, including laptops, which must remain shut down;
- Devices must not be used during points of order, points of privilege, Speaker rulings, votes and Division;
- Devices must not be used during ceremonial occasions, such as the Speech from the Throne, Budget Address or any other time when the Lieutenant Governor occupies the Chair; and
- Laptops used in the Chamber must have a privacy filter screen.

Points of Order

If a Member perceives a breach of order in the House, the Member must immediately call the attention of the Speaker to the incident by raising a point of order. In raising a point of order, the Member must cite the Standing Order or parliamentary convention under which the breach of order occurs. Points of order may not be raised while a vote or a division is being conducted or during Oral Questions. They cannot concern hypotheticals, legal or constitutional questions, or be used to question a ruling on privilege.

The Speaker may intervene of their own initiative when an irregularity is observed without waiting for a Member to raise a point of order. The Speaker may allow some commentary or brief debate, but does not have to; and the Speaker's rulings are not appealable.



Manner of Meetings

Standing Order 9.1 provides that the House may meet in hybrid of virtual and in-person proceedings if the Speaker determines it is required following consultation with the House leaders and appropriate officials. Standing Order 67.1 provides that a Committee may meet in a virtual manner or a hybrid of virtual and in-person, whether those meetings are public or *in camera*. The manner of the meeting is determined by the chair of the Committee in consultation with the Committee clerk.

Code of Conduct

The Code of Conduct is the standard by which all Members agree to govern themselves in carrying out their responsibilities as elected officials. As a part of the Oath of Office, all Members agree to follow this Code of Conduct before being permitted to take their seat.

A Code of Conduct for Members of the House of Assembly was developed by the Standing Committee on Privileges and Elections as directed by [Section 35](#) of the *House of Assembly Accountability, Integrity and Administration Act*, and passed by a resolution of the House on May 26, 2008.

To view the [Code of Conduct](#) principles and related provisions, see the House of Assembly website under Members. Questions regarding the Code of Conduct should be posed to the Commissioner for Legislative Standards.



Live Broadcasts

All proceedings of the House of Assembly and all public meetings of the Management Commission are broadcast live on the House of Assembly television channel and on the House of Assembly website.

The Chamber

The Chamber is equipped with five cameras on robotic heads which are mounted into recessed openings of the walls; two cameras on either side of the House and one above the main entrance. Each Member's desk is equipped with a microphone, a tally light, a speaker and a headphone jack with volume control. All cameras and microphones are remotely operated from the Broadcast Control Room.

Member Recognized to Speak

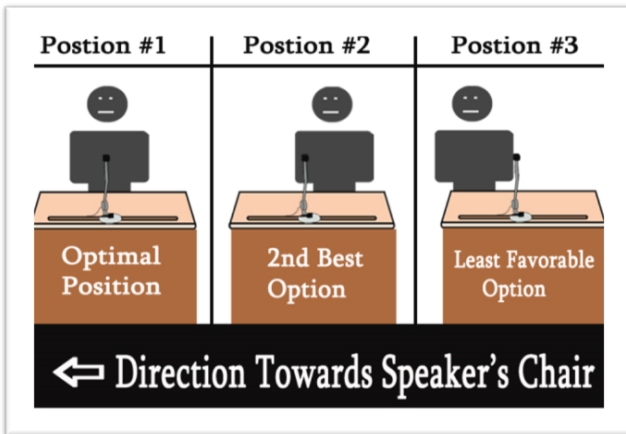
When the Speaker of the House recognizes a Member, Broadcast Services turns on that Member's microphone, indicated by a red tally light, and a camera is positioned to show them on screen. When the Member is finished speaking, the microphone is switched off and the camera moves to the next Member who is recognized to speak. If the Speaker stands during a Member's speech, the Member's microphone is immediately switched off and the camera is turned to show the Speaker. While the Speaker is standing, their microphone is the only one turned on in the Chamber.

Members should adopt the following practices when speaking



in the House of Assembly Chamber:

- Be aware of the microphone—if a Member is not heard clearly, they cannot be recorded properly in Hansard (the verbatim transcript of the House). Optimum sound is obtained by speaking directly into the microphone. If the Member is not speaking directly into/toward the microphone or is speaking softly, the audio level drops. Adjustments initiated by Broadcast Services staff may result in a tinny sound and/or feedback;
- When facing the Speaker, taking a step may be necessary to ensure the microphone is in front of you (not perpendicular to or behind you). Never turn away from the microphone;



- To ensure all comments are recorded, please wait until the red tally light is on before speaking. For technical reasons (feedback, poor quality sound) it is possible that a



microphone adjacent to the Member recognized to speak may be switched on by Broadcast Services staff. If this occurs, please continue speaking;

- **Do not move or detach microphones from the desk.** Doing so may result in the microphone being placed/replaced in the wrong position, causing feedback or poor sound quality. It may also damage the microphone;
- Earpieces may cause feedback if they are placed close to the microphone. Do not lay the earpiece on the desk near the microphone or hold it in your hand while you are speaking. Members are reminded to store earpieces in the desk drawer when not in use;
- Refrain from holding paper directly in front of the microphone. If holding a paper is necessary while addressing the House, refrain from rolling, crumpling or tapping the paper—the sounds generated will compete with your voice; and
- Avoid fidgeting or pacing as much as possible while speaking.

All Members will be seen on camera at some point during the proceedings. It is likely that Members in front of, behind or adjacent to the Member recognized to speak will also be seen on camera. Members should therefore be conscious of their on-camera conduct, and refrain from using smartphones, reading newspapers or magazines and etc. Also, if a Member



is seated or standing near a live microphone, they should be aware that incidental remarks or conversations may be recorded.

Attire

In choosing appropriate business attire, Members should avoid wearing clothing with busy patterns, or closely patterned stripes or prints. Bright colors affect the visual look of the broadcast and may be distracting to the viewer. Avoid plain white blouses or shirts unless worn under a jacket.

Legislative Documents

Order Paper

The Order Paper is the official agenda of the House. Prepared by the Clerk for each sitting day, the Order Paper is published by the Queen's Printer under the authority of the Speaker and provides a comprehensive overview of the status of business before the House. The Order Paper comprises the list of Routine Proceedings followed by the legislation and resolutions that may be debated, and includes the status of each piece of legislation. Questions submitted in writing to a minister also appear on the Order Paper.

Votes & Proceedings (Journals of the House)

The Votes and Proceedings of the House are the official record of the Assembly's daily business. They are similar to



minutes in that they are a record of what was done rather than what was said.

The Journals of the House are the complete, official record of a session. The Journals are compiled from the daily Votes and Proceedings of a session, incorporating any corrections and published in bound form under the authority of the Speaker.

Sessional Paper

A sessional paper is any document tabled in the House or filed with the Clerk during a session. All such documents are available to the public.

Tabled Documents

Tabled documents include information required to be presented in the House, including responses to written questions previously accepted by ministers; documents required to be tabled by statute or order of the House; and documents voluntarily tabled by private Members with the unanimous agreement of the House. Once documents are tabled, they are available to the public and are provided electronically on the House of Assembly website under "House Business."

Reports by Standing & Select Committees

Reports by Standing and Select Committees include reports tabled by the Committees of the House. They are presented to the House of Assembly during Routine Proceedings.



Daily Procedure

Speaker's Parade

The Speaker's Parade marks the opening of the House of Assembly on each sitting day. The Parade includes the Table Officers, the Sergeant-at-Arms and the Pages, who escort the Speaker and the ceremonial Mace (carried by the Sergeant-at-Arms) into the Chamber. The Speaker's Parade leaves the Office of the Speaker at approximately 1:27 p.m. (9:57 a.m. on Wednesdays), continues down the east hallway adjacent to the entrance of the Government Members' Caucus Room and into the Chamber through the main doors.

During the Speaker's Parade, the east hallway should remain clear to allow the Parade to pass without interruption. Typically, a security representative will be positioned just inside the door at the entrance of the hallway asking people to remain by the East Block Security Desk until the Speaker's Parade continues into the House. Once the hallway is clear, individuals may proceed.

If Members or staff are in the east hallway during the procession of the Speaker's Parade, they must stop, move to the far right, and allow the Parade to pass before proceeding. This demonstrates the respect that must be shown to the Speaker and the institution of the House.



Private Session

Occasionally, the Speaker may have cause to speak to Members *in camera*, which will occur immediately before visitors are admitted to the Chamber. These sessions are brief, typically less than 5 minutes, and are not recorded or televised.

Admittance of Strangers

Strangers in the parliamentary context means anyone who is not a Member, an official of the House of Assembly or an infant in the care of their parent who is a Member. It includes members of the public, media and departmental officials. Strangers are admitted to the galleries on the direction of the Speaker, and may be expelled if there is a disturbance or if the House orders. When the Speaker gives the direction to "Admit strangers," Commissionaires open the doors and permit guests to enter the Public and Speaker's Galleries. At that time, media personnel are also permitted to enter the Press Gallery.

Routine Proceedings

The following proceedings occur every day in the same order when the House is in session (except for special ceremonies/proceedings). No notice is required of these proceedings.



1. Statements by Members

This proceeding affords private Members the opportunity to make a non-partisan statement, often concerning matters of significance in their district. The word count on these statements is limited to 200 words. They must be submitted to the Speaker for review by 10 a.m. on the day they are being delivered.

2. Statements by Ministers

Ministerial statements usually concern governmental or departmental policy, but there are no rules governing the content of these statements. No debate is permitted, but the Official Opposition may respond using half the time used by the Minister. The Third Party may respond using half the time allocated to the Official Opposition.

3. Oral Questions

Question period is a 30-minute segment during which Members may question Ministers of the Crown. Following a general election, the allocation of time in Oral Questions to opposition caucuses and unaffiliated Members is determined by the Speaker.

While Members usually direct their questions to a particular minister, any minister may answer. The Member who first catches the Speaker's eye is recognized to speak. The Speaker usually recognizes the Leader of the Official Opposition first. The recognition of Members to speak is entirely within the



discretion of the Speaker. The Speaker's rulings respecting Oral Questions are not subject to appeal.

Questions are meant to elicit information and should be brief and to the point, as should answers, in order to allow the maximum number of questions to be asked.

Guidelines established for Oral Questions include the following:

- They should not express or seek an opinion;
- They should not be argumentative;
- They must relate to matters within the competence of the Government;
- They should not refer to a matter that is before the Courts;
- They must not be prefaced by reading from a document; and
- They should be of some urgency.

4. Presenting Reports by Standing & Select Committees

The Chair of a Committee which must report to the House would table its report at this point. While no debate is permitted, leave is usually given for the Member submitting the report to make a brief statement.

5. Tabling of Documents

This proceeding allows for the tabling of documents other than Committee reports. Generally, only ministers and the



Speaker may table documents, however private Members may do so with the consent of the House.

6. Notices of Motion

A substantive motion which is to be debated in the House requires notice to the House. This notice must be at least one sitting day, and is called a notice of motion.

7. Answers to Questions for which Notice has been Given

During this proceeding, ministers may answer questions which have been placed on the Order Paper; or which a minister or the Speaker has decided should be tabled because of their complexity or length.

8. Petitions

The presentation of petitions is a tradition of the House of Assembly. Members may speak for three minutes in presenting a petition. Petitions must be addressed to the House of Assembly, not to the Government, and should be submitted to a Table Officer for vetting before being presented in the House.

A minister may reply to a petition, and may speak for no more than 90 seconds in so doing. A minister's response may be given on the day the petition is presented or the next sitting day only.

Additional information on [petitions](#) and their format can be found on the House of Assembly website under House Business.



Orders of the Day

Government Business

Orders of the Day, listed in the second part of the Order Paper, are the matters that have been appointed by an order of the House at an earlier sitting to be dealt with at a subsequent sitting. They include the Address in Reply; Committee of Supply; Committee of Ways and Means; the various stages of Bills which have been introduced; motions of which notice has been given of Bills and resolutions; and questions submitted for inclusion on the Order Paper. Government business has priority on Monday, Tuesday, Wednesday morning and Thursday.

Private Members' Business

Private Members' Day is Wednesday afternoon, when private Members' business has priority. Private Members' resolutions, which have been given notice of on the preceding Monday, appear on the Order Paper on Wednesday afternoon, and are called in the order decided by each caucus. Private Members' business alternates weekly between the two sides of the House; the first following a general election belongs to the Official Opposition. A private Members' resolution must be reviewed by the Law Clerk, including any amendments.

Progress of a Bill

The process of a Bill becoming law comprises the following steps:



1. Notice

Once a draft Bill has been finalized, the sponsoring minister must give notice of their intention to introduce the Bill. Notice may be given on any day during Routine Proceedings and no debate occurs at this stage. The title of the Bill and the name of the sponsoring minister are subsequently published in the Order Paper, and the Bill may be introduced on any day during Government Business.

2. First Reading

At this stage, the minister introduces the Bill to the House of Assembly on motion "that a Bill entitled be now read a first time." No debate or amendment is permitted at this stage.

When a Bill is read a first time, it stands ordered for second reading at a subsequent sitting of the House. The Bill cannot be read a second time until it has been printed and copies have been provided to the Clerk of the House for distribution to all Members who can then acquaint themselves with its contents.

3. Second Reading

Second reading is considered the most important stage in the passage of a Bill. The minister introducing the Bill may give a brief explanation on its provisions. At this stage, the principle and object of the Bill are debated and either accepted or rejected. Debate is general and addresses the Bill as a whole. Members, including the minister, **must refrain from**



discussing the individual clauses of a Bill during the second reading debate. No amendments to the text of a Bill are permissible at second reading. The only amendments permissible at second reading are those which would delay passage of the Bill including reasoned amendments, hoist amendments and the referral of the subject matter to a Committee.

If a Bill passes second reading in the House, it is referred for a more detailed study to the Committee of the Whole House, and may be referred to another Standing or Select Committee.

4. Committee

When a Bill is referred to a Committee of the Whole, the House itself is the Committee. When the House resolves itself into a Committee of the Whole, the Speaker leaves the Chair and the Deputy Speaker or Deputy Chair of Committees acts as Chairperson. The minister responsible for the Bill is the witness, and they will answer any questions on the details of the Bill.

Members can speak on any clause of the Bill being studied, ask any number of questions and can propose amendments to any clauses of the Bill. Amendments in Committee must be in keeping with the principle of the Bill, as agreed to during second reading. After the Committee of the Whole has completed its consideration of the Bill, it orders that the Bill be reported to the House.



If the Bill is referred to a Standing or Select Committee of the House, the Committee can hold hearings or special meetings where people inside and outside government can make comments about the Bill. The Committee can also invite government officials and experts or witnesses to answer questions. The Committee can suggest changes or amendments to the Bill when it gives its report to the House. Once a Committee reports the Bill back to the House, all Members can debate it. Those who were not part of the Committee that studied the Bill may also suggest changes at this point.

5. Third Reading

Debate may occur again on the Bill at this stage, but only occasionally does. The motion at this stage is "that the Bill be now read a third time." As in second reading, the debate is confined to the contents of the Bill as a whole during third reading. Amendments permissible during second reading are also allowable at this stage.

When a Bill has been read a third time, the further question is then put by the Speaker: "This Bill having had three separate readings, is it the pleasure of the House that it does now pass?" This is carried, and the Bill is then ready for Royal Assent.

6. Royal Assent

At this stage, the Bill is given to the Lieutenant Governor (or an appointed representative) for final approval. Normally, a



Bill comes into force on the day of Assent unless otherwise provided in the Bill itself. Provision is sometimes made for the Bill to come into force on a certain day or a day to be fixed by Proclamation.

Process of Debate

Motion

A motion is a proposal moved by a Member for the House to do something, to order something to be done or to express an opinion. In order to be placed before the House, a motion must be duly moved and seconded. Once adopted it becomes an order or a resolution.

Notice of a motion must be given at least one day before the motion is moved.

Proposing the Question

The proposing of the question is the formal reading to the House or Committee of the text of the motion to be debated. Until a question is proposed it cannot be debated, amended or voted upon.

Amendments

An amendment is an alteration proposed to a motion as an alternative or improved version of the original proposal. Amendments may be amended in the same way as an original question. That is, an amendment may be modified by



moving a sub-amendment to the proposed amendments. All amendments must be reviewed by the Law Clerk.

Adjournment (Debate)

Adjournment of debate is the termination by the House of the discussion of a question to another day or time. The Member who moves adjournment is entitled to speak first the next time the matter is called, if any of their speaking time remains.

Putting the Question & Division

Once the debate, if any, on a motion is finished, the Speaker or Chair ascertains the sense of the House or Committee on the matter with a voice vote. The Speaker “collects the voices” or “puts the question” by asking those in favour and those against to signify their opinion by saying “aye” or “nay.”

A Division or standing vote occurs when Members wish to have a recorded vote, or if the Speaker’s opinion of the outcome of a vote is challenged. If three or more Members stand after the Speaker announces the results of a voice vote, the Members are asked to declare with the “ayes” or “nays” to establish a record of the vote. Bells will then ring to summon Members to the Chamber. **No Members are admitted once the bells have stopped.** During a Division, Members are called by their names and voting results are reported.



Speaking Times

SECOND & THIRD READING	
Leader of the Government in the House	60 minutes
Leader of the Official Opposition	60 minutes
Minister moving Government Order	60 minutes
Member speaking immediately after Minister (critic)	60 minutes
All other Members	20 minutes (Member can only speak once)
COMMITTEE OF THE WHOLE	
Member who makes opening statement	15 minutes
Member who replies immediately after opening statement	15 minutes
All other Members	10 minutes (No limit on number of times a Member can speak, provided there is an intervening speaker)
PRIVATE MEMBERS' RESOLUTION	
All Members	15 minutes
PETITIONS	
Member presenting petition	3 minutes
Minister responding to petition	90 seconds
MEMBERS' STATEMENTS	
Member presenting Members' Statement	200 words or less



MOTION OF NON-CONFIDENCE	
Leader of the Official Opposition (moving motion, except Budget and Address in Reply)	Unlimited
Leader of the Government in the House (responding to motion, except Budget and Address in Reply)	Unlimited
Member moving motion	60 minutes
Minister responding to motion	60 minutes
BUDGET	
Member speaking immediately after Budget Speech	Twice the time for the Budget Speech, or 3 hours (whichever is greater)
Leader of the Government in the House	60 minutes
Leader of the Official Opposition	60 minutes
All other Members – Budget Debate	20 minutes
First Member speaking to Budget amendment	60 minutes
Minister responding to Budget amendment	60 minutes
All other Members debating Budget amendment or sub-amendment	20 minutes

Parliamentary Privilege

The House of Assembly and its Members have certain protections that are not available to the general public. These



protections have existed and evolved over the past few centuries to allow Parliaments and Members to carry out the work of the people.

The classic definition of parliamentary privilege taken from Sir Erskine May's *Treatise on The Law, Privileges, Proceedings and Usage of Parliament*, reads:

“Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively ... and by Members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals. Thus privilege, though part of the law of the land, is to a certain extent an exemption from the general law.”

Privilege or “peculiar rights” can be divided into two categories:

1. Rights extended to Members individually; and
2. Rights extended to the House collectively.

Privileges of Individual Members

- *Freedom of speech*: A Member has the right to speak freely during debate in the House, subject to the rules governing debate. Freedom of speech does not apply to statements made outside the Legislature – ordinary laws of defamation and libel would apply;
- *Freedom from arrest in civil actions*: This freedom recognizes that the Legislature has a priority to the



service of its Members. This freedom must relate to the performance of a Member's legislative duties and not to a Member in their personal capacity. There is no such freedom from arrest in criminal proceedings;

- *Exemption from jury duty:* This exists so that Members can attend to their legislative duties;
- *Exemption from being subpoenaed to attend as a witness in court when the Legislature is in session and for 40 days before and after:* If a Member chooses to attend court as a witness, the Member forfeits this privilege; and
- *Freedom from obstruction, interference, intimidation and molestation in carrying out their legislative duties:* There must be a real threat or interference with legislative duties, thereby giving rise to a claim that a Member's privilege has been violated.

Privileges of the House Collectively

- *Right to regulate its own internal affairs:* The House of Assembly has absolute control over its own agenda, debates and proceedings. It can manage its own internal affairs without outside interference. Its decisions are not subject to review by the courts;
- *Right to administer its own Precinct:* An outside party is admitted to the Parliamentary Precinct under the authority of the Speaker. Anyone wishing to issue a subpoena within the Precinct, carry out a search warrant or arrest a person in the Precinct cannot enter for that purpose without the permission of the Speaker;



- *Right to require and ensure the attendance and service of its Members to carry out the business of the people:* This underpins the privilege of a Member not to be called as a witness or for jury duty, or to be arrested in civil matters;
- *Power to discipline its own Members and punish them for misconduct:*
 - Members may be named and forced to leave the House as directed by the Speaker;
 - Members who fail to properly carry out their roles as elected representatives can be expelled. Disobedience of a direct order of the House, voicing threats, taking bribes and other similarly bad behavior may lead the House to expel a Member and declare their seat to be vacant;
- *Power to punish a person for interfering with the conduct of the business of the House:* For visitors, this may mean being removed from the gallery. Individuals may also be summoned before the Bar of the House for reprimand or other direction;
- *Right to establish Committees and other bodies to conduct inquiries:* It can compel the attendance of witnesses and order the production of documents, and may administer oaths and examine individuals under oath; and
- *Right to publish:* The House of Assembly and Committees acting under the authority of the House may publish papers without action in the courts as to their content.



Breach of Privilege

A breach of privilege occurs when one of the privileges of the House or of a Member is violated. The key element to these affronts is that they interfere with the ability of the Legislature, or its Members or Officers, to carry out their parliamentary duties. Examples include disobedience to an order of the House and interfering with a Member's ability to attend a sitting of the House.

Contempt

Some interference with the Legislature and Member parliamentary duties do not fall within the enumerated privilege violations. Many of these interferences are a challenge to the authority and dignity of the House, or bring the House or Member(s) into disrepute. These actions are considered to be breaches, which are instances of contempt of the House.

Addressing Breaches of Privilege/Contempt

There are five stages to addressing breaches of privilege or contempt:

1. Raising the issue;
2. Determining *prima facie*;
3. Decision of the Speaker;
4. Debate; and
5. Outcome



1. Raising the Issue

Both breaches of privilege and contempt are raised as a question of privilege. An issue regarding a Member must relate to their role as a Member, not as a minister, party leader, whip or parliamentary secretary. Obstruction of a Member must show that a Member was obstructed in their work related to a proceeding in Parliament, and not simply while performing representative duties (i.e., caucus).

The cited facts may be claimed as:

- Both a breach of privilege and a contempt;
- A breach of privilege that is a contempt; or
- A breach of privilege.

If the matter occurs in the House, a point of privilege should be raised at the earliest opportunity during the course of debate. [*Standing Order 34*](#) requires a question of privilege to be considered immediately. If the matter occurs outside a daily sitting of the House or when the House is adjourned, the Speaker must be given notice of a point of privilege before it can be raised. This must be done at least one hour before the sitting time for the House on the day on which the matter is to be raised. Notice should be given in writing.

When a Member raises a possible breach of privilege, he or she must concisely lay out the facts constituting the claimed breach.



When a matter of privilege against another Member is raised, the parliamentary convention is that the matter is resolved should the Member in question apologize to the House.

2. Determining *Prima Facie*

Prima facie simply means “apparent on its face.” At this point, the Member who purportedly caused the breach as well as other involved Members may speak to the facts, and the Speaker makes a decision based upon these facts as to whether or not there is a *prima facie* breach of privilege.

The Speaker may permit others who are directly implicated to speak to the facts raised, and if an implicated Member is absent, the Speaker may postpone the matter until the Member is present. This also applies to others who may be able to add direct evidence as to the facts. The Speaker has the discretion to seek the advice of other MHAs to help determine if there is a *prima facie* case to warrant priority over other House business. The Speaker must be satisfied that, on its face, a breach has occurred and that the question of privilege was raised at its earliest opportunity.

3. Decision of the Speaker

When the Speaker is satisfied that sufficient information as to the facts has been given, the discussion ends. The Speaker's decision as to whether or not there is a *prima facie* case is taken under advisement to permit a considered judgment in all but the clearest of cases.



If a *prima facie* breach is not found, the matter is over. It is not uncommon for Speakers to lecture as to the prudence of the conduct of a Member even where no *prima facie* breach of privilege is found. If a *prima facie* breach is found, the Member who raised the issue moves a motion that the matter be referred to the Committee on Privileges and Elections for consideration or immediately to the House for debate. Any proposed discipline must also be included in the motion moved by that Member.

4. Debate

Once the motion is proposed, the debate is on the question of referring the matter to the Committee unless an immediate consideration of the facts, breach and remedy is undertaken in the House. If the motion touches on the conduct of a Member, they may make a statement but should then withdraw from the Chamber. Should the House vote to refer the matter to the Committee on Privileges and Elections, the Committee investigates and reports to the House on its findings and recommendations as to a course of action (i.e., no breach, reprimand, suspension and/or etc.).

Once the Committee reports, a motion can be proposed to accept the report. Debate occurs and the House votes whether to accept the motion. Presumably, an amendment can be proposed to vary the recommendations in some way.

Only the House can actually find a breach of privilege or contempt, and only the House can vote on an actual action or



remedy (punishment) for the breach of privilege or contempt.

5. Outcome

The discipline, remedy or response to a finding of a breach of privilege or contempt lies with the House. This is not within the authority of the Speaker. Although the Speaker makes a decision based upon the facts to allow a motion with respect to the apparent breach, the Committee on Privileges and Elections investigates and recommends, or the House immediately decides upon the matter.

True breaches are rare. It is far more common for a Member to be chastised by either the Speaker or the Committee for imprudent behavior than it is for the House to find a true breach of privilege or contempt.

Examples of contempt which have occurred in the House of Assembly are assaults on Members by other Members and the disclosure of the contents of a Committee report before the Committee had submitted its findings to the House.

Speech from the Throne

The Speech from the Throne is delivered at the beginning of each new General Assembly, and at the start of each new session after a prorogation. It is written by the Government and sets out the Government's agenda in very general terms. The Speech from the Throne is delivered by the Lieutenant Governor in a ceremonial opening of the House.



Address in Reply

This is an address or formal message to the Crown expressing the Legislature's thanks to the Lieutenant Governor (the Sovereign's representative) for the Throne Speech delivered. After the Throne Speech, when the Lieutenant Governor has been led from the Chamber, a Member (typically a Government private Member) moves that a Committee be struck to draft an address of thanks to be presented to the Lieutenant Governor in reply to the Throne Speech. The motion is seconded by another Government private Member.

The Committee traditionally consists of the mover and seconder, as well as one Opposition Member. The Leader of the Government in the House, the Leader of the Official Opposition and the Leader of the Third Party speak to the motion, which is then voted on.

Later in the session, or as early as the next sitting day, the Committee reports that it has drafted its address. The debate which follows, known as the Address in Reply debate, is a debate on the motion that the report of the Committee be adopted.

Maiden Speech

The maiden speech is the first formal speech by a newly elected Member in the House of Assembly, during which they are traditionally heard without interruption. Unlike other debate in the House, the rule of relevance is relaxed.



Members are also permitted to place the wooden lectern on their desk from which a prepared speech can be read. The only other time this occurs is for the reading of the Budget Speech by the Minister of Finance.

Members may speak to any topic they wish during their maiden speech. Typically, Members use the opportunity to promote their district, thank constituents or speak to matters important to their district or the entire province. Members who stand to give their maiden speech are traditionally given precedence.

Members requiring further information or assistance regarding their maiden speech should contact the Legislative Library.

Budget & Related Proceedings

The spring sitting of the House is devoted largely to the Budget and its related proceedings.

Interim Supply

If the Main Supply Bill for the upcoming fiscal year has not been passed before April 1, the House must pass an Interim Supply Bill to enable government to meet its financial commitments between the beginning of the new fiscal year and the passage of the Main Supply Bill. The Interim Supply Bill authorizes an advance of approximately one-quarter of the amount of funding contained in the main Estimates. This funding permits government to cover the needs of the public



service from the end of the fiscal year until the end of June, or until the Main Supply Bill is passed.

Budget Day

Shortly after the opening of a new session of the House of Assembly, the Minister of Finance delivers the Budget Speech and presents Estimates for the coming fiscal year.

On Budget Day, the Minister of Finance, having given notice at a previous sitting, moves the following motion: "That this House approves in general the budgetary policies of the Government."

Once the motion is moved, the Minister delivers the Budget Speech, and in doing so is the first speaker to this motion in what is referred to as the budget debate. While the budget debate continues for the next several weeks, the Minister of Finance is the only speaker to the motion on Budget Day. When the Budget Speech concludes, the Minister moves adjournment of the debate.

Budget Debate

When the budget debate continues on a subsequent day, an Opposition Member (often the Finance critic) has the floor. The *Standing Orders* allow the person responding to speak for twice the period of time used by the Minister of Finance in the Budget Speech, or three hours (whichever is greater).

Unlike other jurisdictions, there is no time limit on the budget debate in the Newfoundland and Labrador Legislature. The



length of debate is limited only by the number of speakers who wish to participate, subject to the *Standing Orders* respecting speaking times (see previous section).

Members have the opportunity to speak once to the main motion. If there is an amendment to the main motion, Members have a second opportunity to speak. If there is a sub-amendment, Members have a third opportunity to speak.

When there are no further speakers to the motion and the budget debate concludes, the motion as moved by the Minister of Finance comes to a vote.

The budget debate is a separate and distinct proceeding from the proceedings of the Estimates and the Main Supply Bill. Approval of the budget motion expresses the general confidence of the House in the Government's financial plan for the fiscal year; it does not result in any specific measures.

Estimates

Following the Budget Speech on Budget Day, the Minister of Finance refers the estimates of expenditure for the coming fiscal year to a Committee of Supply. The Committee meets briefly on that day, then rises and reports having made progress and asks leave to sit again.

On the same day, or shortly thereafter, the Government House Leader refers all or some of the Heads of Expenditure in the Estimates, except for those of the Legislature, to three Standing Committees which meet during subsequent weeks



(15 sitting days) to review these proposed expenditures. At the end of this period, they report having approved, or otherwise, the Heads of Expenditure referred to them. While Committees tend to sit for up to three hours per head of expenditure, they are free to hold multiple meetings on a given head within the 15 sitting days. The Estimates of the Legislature are debated in the Committee of the Whole.

When all the Committees have reported, the House debates their reports and concurs in, or otherwise, their decisions. The time limit on each of these Concurrence debates is three hours.

In total, 75 hours are allocated for these debates in Committee of Supply in the House; in the Standing Committees; on the Concurrence Motions in the House; and in the debate on the Interim Supply Bill.

Once the three Concurrence Motions and the Legislature Estimates reviewed in Committee of the Whole have been passed, the Main Supply Bill is introduced with a resolution.

Further information on the [Budget and related proceedings](#) can be referenced on the House of Assembly website under "House Business." For additional detail, contact the Clerk's Office.



Committees

Committees of the House of Assembly derive their authority from the House and enjoy the privileges that apply to the Parliament from which they were appointed.

Striking Committee

At the beginning of each General Assembly, a Striking Committee is formed, led by the Government House Leader, to establish the Standing Committees of the House.

Standing Committees

Standing Committees are struck at the beginning of a General Assembly and continue for the duration of that Assembly. These Committees examine and report on matters referred to them by the House, or on matters traditionally considered within their mandate. They may be asked to review draft legislation before its introduction in the House, and Bills which have received second reading. These Committees continue for the life of the Parliament. They establish their own meeting schedules, which do not conflict with the sitting hours of the House.

In Newfoundland and Labrador, the Standing Orders provide for seven Standing Committees.

1. Government Services Committee:

The Government Services Committee may be asked to review any matter the House wishes to refer to it, typically of the



departments and agencies that are included in the general government sector as laid out in the Estimates. This Committee also reviews the annual Estimates of these departments and agencies.

2. Social Services Committee:

The Social Services Committee may be asked to review any matter the House refers to it, typically of the departments and agencies that are included in the social sector as laid out in the Estimates. This Committee also reviews the annual Estimates of these departments and agencies.

3. Resource Committee:

The Resource Committee may be asked to review any matter the House refers to it, typically of the departments and agencies that are included in the resource sector as laid out in the Estimates. This Committee also reviews the annual Estimates of these departments and agencies.

4. Public Accounts Committee:

The Public Accounts Committee traditionally reviews the annual report of the Auditor General, selecting matters from the report on which to hold hearings. This Committee also reviews the audited accounts of the House of Assembly; reviews the Clerk's role as accounting Officer of the House; conducts inquiries into other matters it may decide on that relate to the Public Accounts of the Province; and can request the Auditor General to review any matter (in accordance with



the *Auditor General Act*). The Chair of the Public Accounts Committee is traditionally an Opposition Member.

5. Privileges and Elections Committee:

The Privileges and Elections Committee deals with matters of privilege referred to it by the House. If the Speaker determines there is a *prima facie* case that a breach of privilege has occurred, a motion may be made to refer it to this Committee. The Committee also reviews the Code of Conduct for Members, and has responsibilities under the Harassment-Free Workplace Policy Applicable to Complaints Against MHAs (effective April 1, 2020).

6. Standing Orders Committee:

The Standing Orders Committee reviews and makes recommendations to the House on amendments to the Standing Orders.

7. Miscellaneous and Private Bills Committee:

The Miscellaneous and Private Bills Committee deals with private bills that confer particular powers or benefits on any person or body of persons, including individuals and private corporations. Such bills are rare in Newfoundland and Labrador.

Select Committees

Select Committees are struck for a particular purpose such as the review of a specific matter of importance to government. Once they have reported, the Committee ceases to exist.



Breaches of Privilege in Committees

A Committee Chair must report to the Speaker any alleged breach of privilege. A Member may then raise the matter as a question of privilege in the House, and the Speaker must decide if there is a *prima facie* breach. If the Speaker rules to that effect, the Member who raised the matter moves the appropriate motion. The process continues in the same manner as a breach occurring in the House.

Committee of the Whole House

A Committee of the Whole House, or a Committee of the Whole House on Supply or Ways and Means, is a meeting of all the Members of the House sitting in the Chamber as a Committee. Presided over by a Chair rather than the Speaker, Committees of the Whole review the details of legislation and any other matters which might be referred to them.

If a Bill is a Supply Bill, imposes or increases a tax, or is a loan bill, it is called a money Bill. Money Bills are debated in Committee of Supply or the Committee of Ways and Means, which is still a meeting of all Members of the House sitting in the Chamber. It is the practice of the House of Assembly that the rules of relevance and repetition do not apply in the debate of a money Bill.

During Committee of the Whole, the Mace is removed from the Table, as the Speaker is not in the Chair. In a Committee of the Whole, a Member may speak for 10 minutes as many



times as they wish, as long as there is an intervening speaker. This allows for more suitable discussions on the details of proposed legislation.

Parliamentary Resources

Broadcast Services

Broadcast Services is responsible for recording and broadcasting all proceedings of the House of Assembly and Management Commission, and recording the audio of Committees of the House.

Live Broadcasts

The House of Assembly proceedings and Management Commission meetings are broadcast live on the House of Assembly television channel and online via the [House of Assembly website](#) under Watch Us Live. The audio of Committee meetings is streamed live on the House of Assembly website.

Rebroadcasts & Archived Broadcasts

The proceedings for a normal sitting day are typically rebroadcast on the House of Assembly channel at 8 p.m. on evenings when the House adjourns at its normal time (5 p.m. or 5:30 p.m.). If the House sits into the evening, the live broadcast will continue.

The entire recording of any House proceeding or Management Commission meeting is usually archived on the



House of Assembly website within 45 minutes of the end of the live broadcast. Audio recordings of Committee meetings are archived on the website within 24 hours.

Broadcast & Audio Copies

Copies of all broadcasts or audio recordings are available upon request by contacting Broadcast Services at hoadubs@gov.nl.ca. Copies can be provided in a variety of formats for use on websites, on social media, in presentations and etc. Use of these copies is governed by [copyright](#). All newly elected Members will be provided with a copy of their introductory (maiden) speech.

Broadcast Services may be able to provide video production services such as recording non-political video messages for Members.

Broadcast Services is located on the ground floor (East Block), and can be reached at 729-7448.

Legislative Library

Established in 1836, the [Legislative Library](#) serves the Members and staff of the House of Assembly by supporting the research, development and oversight of legislation and government policy, as well as research related to parliamentary procedure and practice. The Library is also responsible for creating and maintaining the House of Assembly website and intranet, and for indexing the Hansard.



Reference Services

Questions posed to the Legislative Library often involve cross-jurisdictional scans, legislative and policy histories, media searches, compilations of facts and figures, and the investigation of current events. The Library has several research tools which facilitate access to all manner of information. Research and reference services are confidentially provided to all clients on a first-come, first-served basis.

Collection

The Legislative Library has a diverse collection with materials dating from the 18th century to present day, including government documents, topical books and relevant periodicals. Some items in the collection may circulate; other items must be used in the Library. The Library is the official depository of publicly released Newfoundland and Labrador government documents (The *Rooms Act*).

The Legislative Library is located on the 3rd Floor (East Block) adjacent to the entrance to the Public Gallery, and can be reached at 729-3604.

Hansard

Hansard is the official transcript and complete report of debates and proceedings of the House of Assembly, its Committees and the public meetings of the House of Assembly Management Commission.



Regular Sittings of the House of Assembly

The transcription of a sitting day begins approximately five minutes after the start of the proceedings. In an afternoon sitting of the House, a partially edited transcript of Question Period is the priority and **posted to the House of Assembly website, as well as emailed to Members.** The document is updated as more of it is completed. It is replaced by the complete, edited Hansard of the sitting as soon as it is available. A PDF version is also emailed directly to Members at this time.

Evening Sittings of the House of Assembly

The Hansards for evening sittings are completed when the House of Assembly is not in session (usually during the winter or summer adjournments). These Hansards are posted on the House of Assembly website as they are completed. If required, Members may request that a short segment of an evening sitting be transcribed and it will be completed as quickly as possible. The [archived webcast](#) of the evening sitting is available on the House of Assembly website under "House Business" shortly after the sitting's end.

Committees of the House of Assembly

Hansards of public Committee meetings are completed when the House is not in session (usually during the winter or summer adjournments). These Hansards are posted on the House of Assembly website as they are completed. If required, Members may request a short segment of a



Committee meeting be transcribed and it will be completed as quickly as possible. The archived audio recording of Committee meetings is available on the House of Assembly website under “Committees” within 24 hours of the meeting’s end.

House of Assembly Management Commission

Hansards of meetings of the Management Commission are usually completed within five days of the meeting. These Hansards are posted on the House of Assembly website under “Management Commission” as they are completed. The archived webcast of the meeting is available on the House of Assembly website (under “[Management Commission](#)”) within 24 hours of the meeting’s end.

Editing & Other Standards

The Hansard is a near-verbatim transcript, with editing standards governed by the *Hansard Style & Procedure Guide*. Editing is limited to ensuring proper grammar, spelling and punctuation, accuracy, observing parliamentary forms and minimizing repetition and redundancy.

Typically, only those interjections responded to by the Member who has the floor at that time, or that are otherwise referenced by the Speaker or Chair, are included in Hansard. From time-to-time, this rule is varied if exceptional circumstances warrant or it is required for context.

Hansard is located on the 3rd Floor (East Block) North Wing, and can be reached at 729-0960.



Parliamentary Precinct

The Parliamentary Precinct for the Newfoundland and Labrador Legislature is located within Confederation Building Complex (East Block). It is the space that is managed and controlled by the Speaker as custodian of the rights and privileges of the House of Assembly. The Precinct currently includes the following areas of the Confederation Building Complex (East Block):

- North Wing – Main and 3rd floors;
- 5th floor – East and West Wings (Note: Law Library of the Department of Justice and Public Safety occupies the centre area of the 5th floor - it is not part of the Precinct);
- Legislative Library on 3rd floor – East Wing;
- Broadcast Centre on ground floor – West Wing;
- Vault space on ground floor – East Wing; and
- Members' parking spaces.

The Legislature works cooperatively with the Department of Transportation and Infrastructure in maintaining the Precinct.

Visitors to Public Gallery

Visitors who intend to view proceedings of the House from the Public Gallery are required to sign in at the main lobby security desk and obtain the appropriate visitor pass. Individuals will be directed to the entrance of the Gallery on the 3rd floor where additional security screening will take place prior to admittance. Visitors must comply with certain



customs (posted at the entrance) to ensure that proceedings take place without disturbances.

Visitors planning to go to another area of the Confederation Building Complex (including another area in the Parliamentary Precinct) after leaving the Public Gallery must return to the security desk on the main floor to obtain the appropriate visitor pass for access.

Visitors to Speaker's Gallery

Admittance to the Speaker's Gallery on the floor of the House of Assembly Chamber is at the discretion of the Speaker and an appropriate pass must be obtained from the Speaker's Office. Visitors are required to sign in with security in the main lobby prior to being escorted to the appropriate area.

Parliamentary Organizations

Commonwealth Parliamentary Association (CPA)

The Commonwealth Parliamentary Association (CPA) is composed of over 180 branches formed in Legislatures (at national and state level) in Commonwealth countries which subscribe to parliamentary democracy. As articulated in its "Statement of Purpose," the CPA connects, develops, promotes and supports Parliamentarians and their staff to identify benchmarks of good governance and the implementation of the enduring values of the Commonwealth. The Dominion of Newfoundland was an inaugural member of the CPA when it was founded in 1911,



including Australia, Canada, New Zealand, South Africa and the United Kingdom. Currently the CPA regions are: Canada; Africa; Asia; Australia; British Islands and Mediterranean (BIM); Caribbean, Americas and Atlantic (CAA); India; Pacific; and South-East Asia.

Each province, territory and the federal Parliament are considered branches of the Canadian Region of CPA. The Speaker, by virtue of the position, is the branch president; the Clerk, by virtue of the position, is the branch secretary; and all MHAs are members. Administration for the Canadian Region is handled by the International and Interparliamentary Affairs Branch of the federal Parliament.

The CPA Canadian Region holds various seminars and conferences each year, which are typically attended by the Speaker, Deputy Speaker, Table Officers and Members (as selected by the Speaker).

Commonwealth Women Parliamentarians (CWP)

The Commonwealth Women Parliamentarians (CWP) was founded by women delegates at the 1989 CPA conference so women at future conferences could discuss ways to increase female representation in Parliament, and work towards the mainstreaming of gender considerations in all CPA activities and programs. In 2004, the group was formally recognized in the CPA Constitution, and in 2005 the first CWP Conference for the Canadian Region was held in Newfoundland and Labrador.



As with the CPA, the federal Parliament and Senate and each provincial and territorial Legislature are branches within the CWP Canadian Region. All female members of a Legislature are members of that jurisdiction's branch of the CWP. Each jurisdiction appoints one of its members to serve on the CWP Steering Committee.



Glossary

A

Act: A Bill that has passed third reading and received Royal Assent.

Address in Reply to the Speech from the Throne: A formal message to the Lieutenant Governor from the House expressing the thanks of the House for the Throne Speech which was delivered on the day a session is opened.

Adjournment of Debate: The termination of a debate which has not concluded. A debate may be adjourned to later the same day or to another day. The Member who moves the adjournment of debate has the right to speak first to continue their speech, subject to time remaining, the next time the debate on that subject is called.

Adjournment of House: The end of a sitting within a session. Adjournment also refers to the period between the end of one sitting and the beginning of the next. At the end of each sitting day, the House of Assembly is adjourned to the next day or another day as stated in the adjournment motion. The House may also adjourn to the call of the Chair. In the latter case, the Speaker recalls the House at the request of the Government. As long as the House is in session, its Members determine when it sits.

Administrator: The Chief Justice of Newfoundland and Labrador or designate who assumes the powers of the



Lieutenant Governor in the event of the latter's death, incapacity or absence from the province. The Administrator may read the Throne Speech and signify Royal Assent to Bills.

Amendment: An alteration proposed to a motion, a clause of a Bill, or a Committee report, which may attempt to present a different formulation of, or alternative to, the proposition under consideration.

Answers to Questions for which Notice has been Given: A heading under Routine Proceedings during which the Government may respond to written questions printed on the Order Paper or to questions taken under advisement during Oral Questions. Answers may be given orally or in writing.

Appropriation: A sum of money allocated by the Legislature for a specific purpose outlined in the government's spending Estimates.

B

Backbencher (Private Member): A Member who is not in Cabinet, so called because backbenchers usually sit in the back rows of the House.

Bicameral: A two-Chamber system of government. Canada's Parliament is bicameral, consisting of the House of Commons and the Senate. Each of Canada's provincial Legislatures is unicameral, having only one Legislative Chamber.



Bill: A proposed law. To become law, a Bill must pass three readings, Committee of the Whole and receive Royal Assent. A Bill may propose an entirely new law, or it may appeal or amend an existing law.

Blues: The unofficial transcript of the proceedings of the House or one of its Committees. The House of Assembly Hansard Office produces an unofficial transcript of Oral Questions only. The Blues are so called because they were formerly printed on blue paper.

Budget: Government's estimated income and expenses for the fiscal year. In Newfoundland and Labrador, the fiscal year runs from April 1 to March 31.

Budget Speech: The address of the Finance Minister to the House in which Government's fiscal plans for the coming year are introduced. There is no legislative requirement for government to introduce the budget in this way, but it is traditionally done in all Canadian jurisdictions.

By-Election: An election held to fill a vacancy which occurs during the life of an Assembly.

Breach of Privilege: An infringement of one of the specific rights or immunities that attach to the House or its Members which prevents them from carrying out their functions. The House is asked to deal with an alleged breach of privilege only when it appears to the Speaker to be evident (*prima facie*).



Business of Supply: The process by which the Government submits its projected annual expenditures to the House of Assembly for approval. The process includes consideration of the Interim, Main and Supplementary Supply Bills, and associated Estimates.

Business of the House: Any question, motion, Bill or matter placed for the House for its consideration.

Business of Ways and Means: The process by which government obtains the necessary resources to meet its expenses, specifically the budget presentation and the motions and debate relating to loan and tax Bills.

C

Cabinet: The Executive Branch of government consisting of those Members appointed by the Lieutenant Governor on the advice of the Premier. The Cabinet is responsible for the administration of government and the establishment of its policy.

Cabinet Minister: A Member of the Executive appointed by the Lieutenant Governor on the advice of the Premier. Ministers are responsible to the House of Assembly for their official actions and those of their departments. Cabinet ministers are given the title “Honourable” for the duration of their membership in the Cabinet.



Casting Vote: The deciding vote accorded to the Speaker or Chair of Committee in the event of a tie. The Speaker or Chair votes only in the case of a deadlock.

Caucus: A group composed of all Members of a given party.

Censure Motion: A motion condemning the Government, a minister, the Speaker or a private Member for some opinion which they have expressed, or for something they have done or failed to do relating to their responsibilities.

Chair (1): The presiding Officer at a meeting of the House or a Committee.

Chair (2): The seat in which the Speaker sits as presiding Officer of the House. The Speaker's Chair was a gift from the Province of Ontario at the time of Confederation with Canada.

Chamber: The room in Confederation Building in which the House of Assembly meets to conduct business. It is also used for some Committee meetings.

Chair of Committees of the Whole: The Member appointed at the beginning of each General Assembly to preside over Committees of the Whole. This Officer serves also as Deputy Speaker.

Clause (of a Bill): A division of a Bill consisting of an individual sentence or statement. Once a Bill becomes law, its clauses are referred to as sections.



Clause-by-Clause Review: The detailed study of the provisions of a Bill carried out in a Committee of the Whole.

Clerk of the House of Assembly: The chief permanent Officer of the House of Assembly, who has responsibility for keeping the Assembly's records, and providing procedural advice and administrative support to the Speaker and Members. The Clerk is also the chief administrative officer of the Legislature, and is a non-voting member of, and secretary to, the House of Assembly Management Commission.

Clerk Assistant: The Table Officer who assists the Clerk of the House in providing procedural advice to the Speaker and Members, taking notes and keeping minutes. The Clerk Assistant also assists Committees as clerk and procedural adviser, and performs the duties of the Clerk in their absence.

Closure: A procedure which may be used to terminate debate on a motion by requiring that the motion be put to a vote at the end of the sitting at which it is invoked.

Code of Conduct: A document setting out the principles, values, standards and rules of behaviour applicable to Members and staff of the House of Assembly. The obligation to follow the Code of Conduct is an element of Members' Oath of Office.

Commissioner for Legislative Standards: A Statutory Officer of the House of Assembly, appointed by the Lieutenant Governor in Council, upon resolution of the House, who is responsible for monitoring, investigating and reporting on



the compliance of Members of the House of Assembly with the Conflict of Interest legislation. In Newfoundland and Labrador, the Chief Electoral Officer has traditionally been appointed as the Commissioner for Legislative Standards.

Committee: A body of Members selected to consider such matters as the House may refer to it or empower it to examine. There are three types of Committees: Standing Committees, Select Committees and Committees of the Whole.

Committee of Supply: A Committee of the Whole House that examines estimates and appropriation Bills, which give effect to government's spending plans.

Consolidated Revenue Fund: The government account, which is drawn upon whenever an appropriation is approved by the House, and replenished through the collection of taxes and royalties.

Cross the Floor: To change political allegiance in the House of Assembly. A Member usually crosses the floor to take a seat as an unaffiliated/independent, or among Members of another party.

Crown (1): Her Majesty the Queen in Her role as head of state, represented in Newfoundland and Labrador by the Lieutenant Governor.

Crown (2): The Executive Branch of government, the Queen acting through Her agents (Cabinet).



Committee of the Whole (House): All the Members of the House sitting in the Chamber as a Committee, presided over by the Chair of Committees rather than the Speaker. This Committee examines the details of Bills.

Constituency: Electoral district.

Concurrence (in a report): Agreement with a Committee report arrived at by the adoption of a motion, usually following a debate.

D

Debate: The discussion which takes place in the House when a motion has been made and a question has been proposed from the Chair.

Decision: A ruling of the Speaker or Chair of a Committee on the procedural acceptability of some matter before the House or a Committee. Rulings of the Speaker may not be debated or appealed. Rulings of the Chair of a Committee may be appealed to the Committee or, if in Committee of the Whole, to the Speaker once the Committee rises.

Die on the Order Paper: To remain on the Order Paper at the end of a session without a final decision having been made.

Dilatory Motion: A motion designed to dispose of the original question either for the time being or permanently. A motion



to adjourn the debate and a motion to adjourn the House are examples of dilatory motions.

Dissolution: The bringing to an end of a General Assembly, either at the conclusion of its four-year term or by proclamation by the Lieutenant Governor.

Division: A standing vote occurring in the Assembly or in the Committees of the Whole when the Speaker's opinion of the outcome of a voice vote is challenged. If three or more Members stand after the Speaker announces the results of a voice vote, the Members are asked to declare with the yeas or nays to establish a record of the vote.

E

Enacting Clause: The part of a Bill giving the appropriate authorities the power to bring the provisions of the Bill into force.

Erskine May (Sir Erskine May's Treatise on the Law, Privileges, Proceedings and Usage of Parliament): A procedural authority providing a complete description of the rules, practices and precedents in the United Kingdom's House of Commons at Westminster.

Estimates: The proposed expenditures for government departments and agencies, as well as the Legislature, for the upcoming fiscal year. Estimates are tabled as part of the annual budget process.



Executive Council: The members of the Executive Council, headed by the Premier, are chosen from among elected Members of the party holding the majority of the seats in the House of Assembly. The Executive Council is responsible for the administration of the government and the establishment of its policy. Also known as the Cabinet.

F

Filibuster: An obstructive tactic consisting of the use of either numerous or excessively long speeches to delay the business of the House or of a Committee.

First Reading: The first stage in the passage of a bill. This is a purely formal stage at which no debate is allowed.

G

Galleries: The areas of the House set aside for the general public, the press and distinguished visitors.

Gazette (Newfoundland and Labrador Gazette): A periodical publication of the government of the province in which public notices and subordinate legislation (regulations) are published.

General Assembly: A period of time during which the legislative body exercises its powers. In Newfoundland and Labrador, each General Assembly generally has a lifespan of



four years, however the Constitution sets the maximum lifespan of a Parliament at five years.

General Election: An election, following dissolution of the Assembly, in which Members are selected for every electoral district.

Government: In the parliamentary sense, the Cabinet, or Executive Council, headed by the Premier. Informally, the term is often used to refer collectively to the Members of the governing party.

Government Bills: Bills proposing laws which, if passed, will govern certain areas of our society. Before they are introduced, these Bills are approved by Cabinet. Although they are sometimes amended, they nearly always pass because they are supported by the caucus with the majority of Members in the Assembly.

Government House Leader: The Government Member responsible for managing the government's business in the House, including the negotiation of scheduling with the House Leaders of the Opposition caucuses.

H

Hansard: The official, substantially verbatim record of parliamentary debates and proceedings. Hansard is the name of the British family originally responsible for publishing the proceedings of the House of Commons in the United



Kingdom. Most Commonwealth jurisdictions produce a Hansard.

Hoist Amendment: An amendment that defers second or third reading of a Bill for a specified period of time, usually six months.

House of Assembly Management Commission: The statutory, all-party body appointed pursuant to the *House of Assembly Accountability, Integrity and Administration Act* charged with fiduciary responsibility for the financial stewardship and administration of House of Assembly and related offices.

House Leader: The Member of a party responsible for the management of its activities in the House.

I

In camera Meeting: A meeting from which the public are excluded. Committees sometimes meet this way to deal with administrative matters and consider draft reports, and when sensitive personnel matters are being discussed. The House begins each sitting day *in camera* at which time it may deal with housekeeping and other matters before the doors are opened.

Independent Member: See *Unaffiliated Member*.

Instruction to a Committee: A direction of the House to a Committee which has already received an order of reference



further defining its course of action or empowering it to do something.

Introduction of Visitors: A prerogative of the Speaker – the welcoming to the House of Assembly of diplomats, parliamentarians, representatives of organizations and groups of citizens.

J

Journals: The Journals of the House are the complete, official record of a session. They are similar to minutes in that they are a record of what was done rather than what was said. The Journals are compiled from the daily Votes and Proceedings of a session, incorporating any corrections and published in bound form under the authority of the Speaker.

L

Law (Act, Statute): A Bill that has passed three readings and Committee study, and has received Royal Assent.

Law Clerk: An official of the House of Assembly, appointed by the Lieutenant Governor in Council upon resolution of the House, who offers legal and procedural advice to the Speaker, the House of Assembly Management Commission, and Members of the House. The Law Clerk assists Members in the preparation of private Members' motions and



amendments, and acts as corporate counsel to the House of Assembly.

Leader of the Government in the House: The Premier, or where the Premier is not an elected Member, the Deputy Premier or another Minister of the Crown designated by the Government caucus as the Leader of the Government in the House.

Leave of the House: See *Unanimous Consent*.

Legislative Counsel Office: The division of the Department of Justice and Public Safety, comprising of lawyers with specialized legislative drafting skills, which is responsible for drafting government legislation.

Legislature: The law-making branch of government consisting of the Lieutenant Governor and the House of Assembly. Each general election results in a new Legislature.

Lieutenant Governor: The provincial representative of the monarch and the head of state, a largely ceremonial position. The Lieutenant Governor is appointed by the Prime Minister for a five-year term and summons Members to open an Assembly, delivers the Speech from the Throne, grants Royal Assent to Bills and approves orders-in-council.

Lieutenant Governor in Council: The Lieutenant Governor acting by and with the advice and consent of the Executive Council (Cabinet).



Long Title (of a Bill): The title of a Bill that sets out in general terms the purposes of the Bill.

M

Mace: The large and richly ornamented ceremonial staff carried into the Assembly each day by the Sergeant-at-Arms at the beginning of a sitting. It is the symbol of the authority of the House of Assembly to make laws on behalf of the people. When the Assembly is sitting, the Sergeant-at-Arms places the Mace on the Table with the orb and cross facing the government side of the Chamber. When the Speaker leaves the Chair and the Assembly sits as a Committee of the Whole House, the Mace is moved to brackets on the underside of the Table. The Mace was a gift from the Province of British Columbia at the time of Confederation with Canada.

Maiden Speech: The first speech made in the House by a Member. By tradition, the Speaker recognizes a Member rising to make such a speech in preference to others, and the Member may read from notes and use a lectern on this occasion.

Main Estimates: A series of government documents providing a breakdown of the planned spending for the coming fiscal year.



Main Motion: The principal question before the House or a Committee. A proposed modification (amendment) to it, or an attempt to supersede it, is considered a subsidiary or secondary motion.

Majority Government: A government formed by the party or coalition of parties holding more seats in the House than any other group.

Members' Statements: See *Statements by Members*.

Ministers' Statements: See *Statements by Members*.

Motion: A proposal made to the House by a Member that the House do something, order something or express an opinion regarding some matter. A motion must be duly moved and seconded except in Committee where seconding is not required. Once adopted, a motion becomes an order or a resolution.

N

Naming of a Member: A disciplinary procedure used by the Speaker to maintain order in the House. In naming a Member for persistently disregarding the authority of the Chair, the Speaker addresses the Member using their given name rather than the name of their district, after which the Member is usually suspended for the rest the sitting day.



Non-Confidence Motion: A motion which, if adopted, signifies that the government has lost the confidence of the House and must resign or request that the Lieutenant Governor dissolve the House. Votes on the Speech from the Throne and the budget are traditionally considered confidence motions.

Notices of Motion: The routine proceeding during which Members announce their intention to present a proposal to the House. Motions must be given notice of at a prior sitting of the House.

O

Oath/Affirmation of Allegiance: The oath or affirmation of loyalty to the Sovereign required by the *Constitution Act, 1867* and the *House of Assembly Accountability, Integrity and Administration Act*. This must be completed by a Member before taking their seat in the House of Assembly.

Oath/Affirmation of Office: The oath or affirmation taken by Members before they take their seat in the House in which they swear/affirm that they are qualified to take office, will faithfully perform their duties, and will not be influenced in carrying out their public responsibilities directly or indirectly by monetary or other personal or private interests.

Officers of the House: Officials responsible to the House for the carrying out of duties assigned by statute or by Standing



or Special Order. The Clerk, Clerk Assistant, Sergeant-at-Arms and Law Clerk are Officers of the House.

Officers of the House (Statutory): Officials who are responsible to the House of Assembly for the carrying out of duties assigned to them by Statute. This designation applies to the Chief Electoral Officer, Commissioner for Legislative Standards, Information and Privacy Commissioner, Citizens' Representative, Child and Youth Advocate, Seniors' Advocate and Auditor General.

Official Opposition: The party having the second-largest number of seats in the House of Assembly. It receives financial and procedural advantages over other opposition parties.

On Division: If a Member wishes the record to show that there is opposition to any question without precipitating a recorded vote, they may register such opposition by using the phrase "on Division" when the Speaker has declared their opinion of the result of the vote.

Oral Questions: A daily 30-minute period during which Members may ask ministers questions about the responsibilities of their current portfolio.

Order-in-Council: An order issued by the Lieutenant Governor in Council usually dealing with the administration of the Government or appointments to office.



Order of Reference: An order of the House to a Committee instructing it to consider some matter or defining the scope of its deliberations.

Order Paper: The official agenda of the House of Assembly published for each sitting day listing all the items that may be brought forward on a particular day.

P

Page: A post-secondary student hired by the House of Assembly to deliver messages, House documents and other material to Members in the Chamber during a sitting, and to carry out other House-related duties, as required.

Parent Act: In relation to a bill, the statutory law(s) the Bill is amending.

Parliamentary Calendar: A calendar which presents a fixed timetable of sittings and adjournments for a given year.

Parliamentary Procedure: The rules by which the House conducts its business based on statute, the Standing Orders, authoritative procedural works, precedents and tradition.

Parliamentary Assistant: A Member of the Government party named to assist the Premier as the Premier directs.

Parliamentary Secretary: A Member of the Government party named to assist a minister as the minister directs.



Passage of a Bill: The process by which a Bill becomes law. The principal steps in the passage of a Bill are introduction, first reading, second reading, Committee of the Whole, third reading and Royal Assent.

Point of Order: A question raised by a Member with respect to any departure from the Standing Orders or customary procedures in the conduct of House business.

Portfolio: The responsibilities of a Cabinet minister, especially the subject matter or government department the minister is charged with administering.

Prayer (of a petition): That part of a petition through which the petitioners present their request for action in relation to an alleged grievance. The prayer should be factual, temperate and respectful.

Preamble: The part of some Bills preceding the main text that states the reasons for its introduction.

Precedent: A Speaker's ruling or a practice of the House taken as guidance for subsequent cases of a similar nature. Not all decisions and practices constitute precedents.

Previous Question: A debatable motion used to prevent any further debate or amendment to a motion before the House. If the previous question motion is carried, the original question is put forth immediately to the House.

Prima facie: Latin for "apparent on its face" or "from a first impression." When the Speaker must rule on an alleged



breach of privilege, their role is only to determine whether it appears *prima facie* that there has been a breach.

Principle (of a Bill): The object which a Bill seeks to achieve. The principle of a Bill is debated at second reading.

Private Member: Generally, a Member who is not a minister or the Speaker.

Private Members' Business: Motions sponsored by private Members. This category of proceeding provides a forum in which the Assembly may debate issues of importance to a private Member or that Member's constituents. Private Members' business is scheduled for Wednesday afternoon after Routine Proceedings.

Privilege: Those rights and immunities enjoyed by the House collectively and by each Member individually, without which the Members could not carry out their duties and the House could not fulfill its functions. The privilege of freedom of speech protects Members and witnesses before the House or Committees from legal sanction or prosecution for what they say in the Assembly.

Procedural Authority: A text dealing with the procedure and practices of the House which may be referred to for guidance in resolving points of order and questions of privilege. The most frequently cited works are those of Bosc and Gagnon, Beauchesne, Bourinot and Erskine May.



Proclamation: An official notice or order issued by the Crown. A General Assembly is begun and ended by a Proclamation.

Proclamation Clause: A clause in a Bill specifying when the Bill or certain of its provisions shall come into force. A proclamation clause may provide for the coming into force of a Bill, or certain of its provisions, on another specific date or on a date to be fixed by order-in-council. Otherwise, the Bill will come into force when it is given Royal Assent.

Pro forma Bill: A Bill which is introduced immediately before consideration of the Speech from the Throne at the opening of a session. *Pro forma* Bills in other Legislatures are often incomplete pieces of legislation which merely symbolize the authority of Parliament to carry out its own business before that of the Crown. In Newfoundland and Labrador, however, this right is traditionally asserted by means of an actual, substantive Bill numbered as 1.

Propose the Question: The formal reading of a motion from the Chair which places the issue before the House. Until the question is proposed by the Chair, it cannot be debated, amended or voted upon.

Prorogation: The ending of a session of the Assembly, announced by the Lieutenant Governor in a Speech to the House; also the period of time during which the House of Assembly stands prorogued.



Public Accounts: A report on the annual financial transactions of the government prepared by the Comptroller General of Finance.

Put the Question: To read the motion under consideration to the House immediately prior to the vote. At this point, no further debate or amendment is possible.

Q

Quaerite prime Regnum Dei (“Seek ye first the Kingdom of God”): The Latin motto of the province which appears on the Coat of Arms above the Speaker’s Chair in the House. The plaque was a gift from the Province of Alberta at the time of Confederation with Canada.

Question: The matter before the House or a Committee concerning which it is called to make a decision.

Quorum: The number of Members, including the Speaker, necessary to constitute a meeting of the House for the exercise of its powers; 10 Members are required. The quorum in a Committee is a simple majority.

Quorum Call: The act of drawing the attention of the House to the absence of a quorum.



R

Reading of Bill: One of the stages of the passage of a Bill.

Reasoned Amendment: An amendment expressing specific reasons for opposing second or third reading of a Bill which is intended to prevent further progress of the Bill.

Recall of the House: The notification of the Speaker to the Members during a period of adjournment that the House will meet prior to the date at which it was scheduled to reconvene.

Recess: The period between prorogation and the beginning of the next session of the House. The Speaker or presiding Officer may also recess the House for a short period to consider a point of order or point of privilege, to address disorder in the Public Galleries or otherwise as determined by the Speaker. On Wednesdays, the House of Assembly recesses between the morning and afternoon sittings.

Recommittal (of a Bill): The referral of a Bill back to a Committee for further reconsideration or amendment.

Recorded Division: A vote during which the names of Members voting for and against a motion are registered in the official record of the House or one of its Committees.

Reduced Quorum: The number of Members of a Committee authorized by the Committee to meet for the sole purpose of hearing witnesses.



Report Progress: To advise the House that a Committee of the Whole has not concluded its deliberations on a specific matter. Such a report – and a request for leave to sit again – is necessary because a Committee of the Whole has no power to adjourn its own sitting or to adjourn consideration of a matter to a future sitting.

Representative Government: Representative government is a system with a law-making body that is at least partly elected by the people. It is a principle in governments following the English model that only an elected Assembly could make laws (legislate) and institute taxes. Newfoundland gained representative government in 1832 with an elected Assembly, although it also had an appointed Legislative Council.

Resolution: A motion adopted by the House in order to make a declaration of opinion or purpose. A resolution does not require that action be taken.

Responsible Government: The principle that ministers are collectively responsible and accountable to the Legislature. It is by virtue of this principle that the legislative branch of government exercises control over the Executive Branch.

Return: A document required to be laid before the Assembly, usually in response to a written question or motion for a return.



Right of Reply: The right of the mover of a substantive motion or motion for second reading of a Bill to speak a second time in debate.

Roll of Members: A large parchment-like document inscribed by a calligrapher after an election with the names of Members elected and their districts. Members sign the Roll in the presence of the Lieutenant Governor and House Officers, who also sign the document.

Routine Motion: A motion required for the observance of the proprieties of the House, the maintenance of its authority, the management of its business, the arrangement of its proceedings, the correctness of its records, the fixing of its sitting days and the times of its meeting and adjournment.

Routine Proceedings: Daily business of a basic nature comprising Statements by Members, Statements by Ministers, Oral Questions, Presenting Reports by Standing and Select Committees, Tabling of Documents, Notices of Motion, Answers to Questions for which Notice has been Given and Petitions.

Royal Assent: The approval by a representative of the Crown, usually the Lieutenant Governor, of a Bill passed by the House of Assembly upon which it becomes law.

Royal Recommendation: A message from the Lieutenant Governor required for any measure of law appropriating public revenue. Only a minister can obtain such a recommendation.



S

Schedule: An appendix to a Bill that contains matters of detail not suitable for inclusion in the body of the bill. Schedules form part of a Bill and are subject to amendment.

Second Reading: The stage in the passage of a Bill at which the principle is either accepted or rejected. It is not in order to discuss the individual clauses of the Bill at this stage.

Sergeant-at-Arms: An Officer of the House appointed by the Lieutenant Governor in Council upon nomination by the House. The Sergeant-at-Arms is the guardian of the Mace which is the symbol of parliamentary authority. The Sergeant-at-Arms assists the Speaker in maintaining order in the Chamber and has a number of ceremonial functions which include leading the Speaker's procession into the Chamber at the start of each day's sitting, and preceding the Speaker as they leave the Chamber at a recess or adjournment of the Assembly. The Sergeant-at-Arms also announces and escorts the Lieutenant Governor into and out of the Chamber.

Session: A series of meetings of the Legislative Assembly opened by Royal Proclamation and a Speech from the Throne and closed by prorogation of the House or dissolution of the General Assembly. Sessions traditionally last about one calendar year, starting in the spring.



Sessional Paper: Any document tabled in the House or filed with the Clerk during a given session. All such documents are public.

Short Title (of a Bill): The title of a proposed act used for purposes of citation.

Sitting: A meeting of the House within a session. Although usually one calendar day, a sitting may last only a matter of minutes or may extend over several days.

Speaker: The Member elected by the House through secret ballot to preside over its proceedings.

Select Committee: A group of Members appointed to study a particular matter. Once it has made its final report, the Committee ceases to exist.

Speech from the Throne: Usually, the address delivered by the Lieutenant Governor which opens each new session, outlining the Government's legislative plans for the session. A short Speech from the Throne is also delivered upon prorogation of the House, which typically summarizes the achievements of that session.

Standing Committee: A permanent Committee of the House struck at the beginning of each General Assembly which studies matters within its area of responsibility or which have been referred to it by the House.

Standing Orders: The permanent written rules adopted by the House to govern its proceedings.



Statements by Members: The order of business during which brief statements are made by up to five private Members on matters of concern to their constituents or themselves. Ministers must have leave to make a statement under this proceeding.

Statements by Ministers: A daily proceeding during which ministers may make an announcement or statement of government policy. Opposition spokespersons are given an opportunity to respond to the Statements.

Statutory Expenditures: Expenditures authorized by the House outside the annual Supply process. Acts authorizing statutory expenditures give the government the authority to withdraw funds from the Consolidated Revenue Fund for one or more years without the annual approval of the House of Assembly.

Statutory Instruments: Regulations, orders or other instruments issued by virtue of power conferred by an Act of the House of Assembly or by the Lieutenant Governor in Council.

Statutory Item: An item included in the Estimates for information purposes only, which does not have to be voted on during the Estimates review process.

Stranger: Anyone who is not a Member of the House of Assembly or an official of the House. Strangers are admitted to the House, but may be ejected if there is a disturbance or



if the House so orders. To “spy strangers” is to draw attention to strangers with a view to having them excluded.

Striking Committee: A Committee charged at the beginning of each General Assembly with preparing a list of Members to serve on the Standing Committees of the House.

Sub judice Convention: A voluntary restraint imposed by the House upon itself whereby a Member is expected to refrain from referring to a matter, especially criminal cases, pending in a court or before a judge for judicial determination.

Sub-Amendment: An amendment to an amendment.

Subsidiary Motion: A motion which is procedural in nature, dependent on an order already made by the House, and used to move forward a question before the House. Motions for the second and third reading of Bills are subsidiary motions.

Superseding Motion: A motion moved for the purpose of supplanting or replacing the question before the House by way of a dilatory motion or a motion for the previous question.

Supplementary Question: A question seeking clarification or further information following a minister’s response to a question during Oral Questions. Supplementaries are permitted at the discretion of the Speaker.

Supply: Revenue authorized by the Legislature to be provided to the government.



Supply Bill: Legislation authorizing government to withdraw funds from the Consolidated Revenue Fund.

T

Table (1): The Table in front of the Speaker's Chair at which the Clerk and the other Table Officers sit. The Table of the House was a gift to Newfoundland from the Province of Quebec at the time of Confederation with Canada.

Table (2): To place a document before the House or a Committee for consideration or consultation.

Table Officers: The Clerks who provide procedural advice during sittings of the House, record the votes and keep the minutes of proceedings.

U

Unaffiliated Member: A Member who is not a Member of a recognized political party. The person may be elected as an unaffiliated Member, or may leave or be expelled from a party during the course of an Assembly to sit as an unaffiliated Member. Also referred to as independent Member.

Unanimous Consent: The consent of all Members present in the Chamber, which is required when the House wishes to set aside its rules or usual practices without notice. Actions



taken by unanimous consent do not constitute precedents. Also referred to as leave (of the House).

Unparliamentary Language: Words or expressions contrary to the proprieties of the House. A Member who refuses to withdraw unparliamentary language when directed to do so by the Speaker may be named.

V

Voice vote: An oral vote held without the recording of individual Members' votes or the numbers of votes for and against the question.

Vote (1): The formal expression of opinion for the purpose of reaching a decision. In the House, votes are given either orally or by Members standing in their places to have their names recorded on the record.

Vote (2): An individual item in the Estimates indicating the amount of money required by the government for a particular purpose.

W

Ways and Means: See *Business of Ways and Means*.

Ways and Means Motion: A motion proposing to introduce a new tax, to increase an existing tax, to continue an expiring



tax or to extend the application of a tax. If adopted, it becomes an order that a Bill or Bills based on its provisions be brought in.

Whip: A Member charged with keeping other Members of the same parliamentary group informed about House business, and ensuring their attendance in the House or a Committee when a vote is anticipated.

Witness: A person invited to appear before a Committee to present an opinion or provide technical advice about a Bill or other matter. While testifying, witnesses enjoy the same privilege of freedom of speech as Members.

Writ of Election: A document issued by the Chief Electoral Officer in order to initiate an election in a specific electoral district. For General Elections, writs are issued for all 40 districts. Following the election, the name of the elected candidate is recorded on the writ by the Returning Officer who signs and returns it to the Chief Electoral Officer.