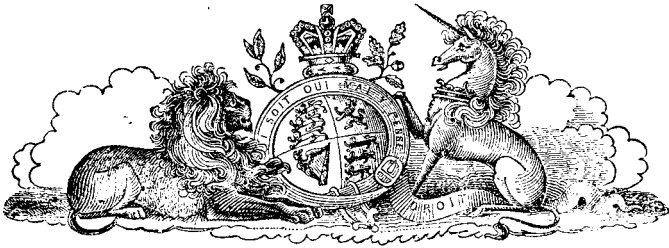


# New Zealand.

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THE  
STANDING RULES & ORDERS  
OF THE  
HOUSE OF REPRESENTATIVES.



AUCKLAND :

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1854.



STANDING  
**RULES AND ORDERS**

OF THE  
HOUSE OF REPRESENTATIVES.

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GENERAL CONDUCT OF BUSINESS.

1. That in all cases not hereinafter provided for, the Speaker shall decide, taking for his guide the rules, forms, and usages of the House of Commons, so far as the same can be applied to the proceedings of this House.

2. That the sitting days of this House be Tuesdays, Wednesdays, Thursdays, and Fridays, and that Government business take precedence on Tuesdays and Fridays, subject to alteration by resolution of the House.

3. That the Speaker shall take the Chair at 12 o'clock, noon, except on Wednesdays, when he shall take the Chair at 5 o'clock p.m., unless otherwise appointed, and if, at the hour appointed, there be not present fifteen Members, inclusive of the Speaker, the Speaker shall adjourn the House until the next sitting day.

4. That if at any time after the commencement of the business of the day, notice be taken that there are not present fifteen members inclusive of the Speaker, the Speaker shall by his own authority, adjourn the House until the next day of meeting.

5. That whenever the Speaker is obliged to adjourn the House for want of a quorum, the hour at which such adjournment is made, and the names of the Members then present shall be inserted in the journals of the House.

6. That no Order for a Call of the House shall be made for any day earlier than seven days from the date of such Order.

7. That whenever a division shall be demanded, the members present shall vote without discussion, upon the question for division put from the Chair; but the question of division shall not be put by the Speaker until the member then in possession of the House shall have concluded his address.

8. That if the question for division shall be carried, the motion previously under discussion shall be immediately put from the Chair, without any further discussion taking place upon it; but if the question for division be lost, the discussion on the motion shall be resumed where it was interrupted.

9. That on division the ayes shall pass to the right of the Chair, the noes pass to the left of the Chair, and the Speaker shall appoint tellers, one for either party, who shall make up their lists of the members voting, and having signed such lists, the tellers shall deliver them to the Clerk to be handed to the Speaker, who shall then declare the result of the division.

10. That previously to any Division, Strangers shall withdraw from the body of the House, and the doors be locked, but strangers may remain in the Gallery, unless otherwise ordered, and that on a division taking place, no Member shall enter or leave the House until the numbers are declared.

11. That an entry of the Division List be made by the Clerk in the Journals.

12. That all Addresses to the Governor shall be presented by the Speaker, unless otherwise ordered by the House.

13. That any Member may of right require the question or matter in discussion to be read for his information at any time during the Debate, but not so as to interrupt a Member speaking.

14. That no Member shall speak twice (except in Committees of the whole House) on the same question, unless in explanation on some material point of his speech, on which he had been misrepresented or misunderstood, and without introducing any new matter: Provided, however, that the mover of any question, not being an amendment, shall be allowed the liberty of reply, and that after such reply, it shall not be competent to any Member to speak to the subject in Debate: Provided also, that it shall be competent to a Member, when he seconds a Motion or Amendment before the House, without speaking to it, to address the House on the subject of such Motion or Amendment at any subsequent period of the Debate.

15. That every Member shall address the Chair when speaking.

16. That whenever any matter of privilege arises, it shall be immediately taken into consideration.

17. That all Motions, except the motion to divide, shall be duly seconded before being put from the Chair.

18. That after a motion has been moved and seconded, and the question thereupon put from the Chair, any question of order, or any matter of privilege which may arise, shall supersede the consideration of the original question, and must be first disposed of.

19. That the practice of the House of Commons with reference to motions to adjourn shall be followed.

20. That the Member, upon whose Motion any Debate shall be adjourned by the House, shall be entitled to pre-audience on the resumption of the Debate, unless he shall have previously spoken on the question.

21. That it shall be competent to any Member to divide the House on any question, both in full House and in Committees of the whole House.

22. That a Member called to order shall sit down unless permitted to explain.

23. That if in consequence of highly disorderly conduct, the Speaker shall call upon any Member by name, such Member shall withdraw as soon as he has been heard in explanation; and after such Member's withdrawal, the House shall at once take the case into consideration.

24. That in the case of a charge against a Member, for any breach of the Orders of the House, or from any matter that has arisen in debate, the charge shall be stated, and the question moved before the Member accused shall withdraw, he shall then be allowed the opportunity of explaining to the House the motives of his conduct in the matter alleged against him and after having so done, he shall withdraw.

25. That when the Speaker is putting a question, no Member shall walk out of, or across the House, nor when a Member is speaking, shall any Member hold discourse to interrupt him, except to order, nor pass between him and the Chair.

26. That on a motion made and passed, that the House be called over on any day therein named, the Speaker shall cause circular letters to be addressed to all the Members of the House, requiring their attendance on that day.

27. That all papers and documents laid upon the table of the House shall be considered public, and may be printed.

### MOTIONS.

28. That no Notice of Motion shall be received after the House shall have proceeded to the Orders of the Day.

29. That no Member shall make any motion initiating a subject for discussion, but in pursuance of notice given at a previous sitting of the House.

30. That it shall be in order on the presentation of any Document, except a Petition, to move without notice, that it be printed, and to appoint a day for its consideration.

31. That Motions shall take precedence of Orders of the Day, and be moved in the order in which they stand on the Notice Paper, and if not so moved, shall be expunged therefrom.

32. That after a Motion shall have been read by the Speaker, it shall be deemed to be in possession of the House, and shall not be withdrawn without leave upon Motion.

33. That if all Motions shall not have been disposed of at 3 o'clock, except on Wednesdays, and on that day at 8 o'clock, p.m., the Debate thereon shall be adjourned, and the Orders of the Day taken in rotation ; but if there should be no Order of the Day, the discussion on Motions may be continued. The Debate on Motions may be resumed after the Orders of the Day are disposed of on motion to that effect being put and carried.

34. Motions for the production of Despatches, or other correspondence, addressed to the Governor, Lieutenant-Governor, or Officer Administering the Government, or for any information emanating from His Excellency shall be in form, "That an address be presented to His Excellency" to that effect.

35. Motions for the production of Returns or other information from the several Departments of the Colonial Service shall be in form "That they be laid on the table."

### PUBLIC BILLS.

36. That every Public Bill, except such as are transmitted by the Governor in pursuance of the provisions of the Constitution Act shall be introduced either by a motion

for leave, specifying the title and object of the Bill, or by a motion to appoint a Committee to prepare and bring it in, or by an order of the House on the report of the Committee.

37. That the Member having leave to bring in a Bill, shall prepare the draft of such Bill with the necessary blanks to be filled up in Committee ; and shall, on an early day, present a fair copy thereof to the House.

38. That no clause shall be inserted in any Bill, which shall be foreign to what the title of such Bill imports : and that such matters as have no proper relation to each other shall not be inter-mixed in one and the same Bill.

39. That no perpetual clause shall be inserted in any Bill the provisions of which are intended to be temporary ; and that the temporary character of the Bill shall be declared in the title, and the precise duration mentioned in a distinct clause at the end thereof.

40. That at the first and second reading of any Bill, the title only shall be read by the Clerk ; and that the first reading shall take place without discussion.

41. That every Bill read a first time shall, on leave obtained, be printed with as little delay as possible, and that two copies shall be provided for each Member by the Clerk.

42. That after the first reading of a Bill, its second reading, shall be moved for some convenient future day.

43. That after a Bill shall have been read a second time, the House shall resolve itself into a Committee for the consideration of it in detail, unless it be deemed expedient by the House, that it should be referred to a Select Committee, in which case a Committee for that purpose shall be at once appointed with the requisite instructions.

44. That Bills in Committee of the whole House, shall be debated clause by clause, the question being put on each, leaving the preamble and title to be last considered.

45. That Amendments merely of a verbal or formal nature may be made on motion in any part of a Bill, at any time during its progress through the House or Committee.

46. That clerical and typographical errors may be corrected in any part of a Bill by the Chairman of Committees.

47. That when a Bill shall have been reported with amendments, it may be ordered to be printed as amended, and notice may be given of a Motion that it be read a third time on a convenient day ; and when the motion shall be made for the Bill being read a third time, it may, on Motion, without notice, be re-committed for further amendment, and when again reported with amendments, a day may be fixed on motion, without notice, for its being printed with amendments, and read a third time.

48. That before a Bill shall be read a third time, the Chairman of the Committee shall certify that the amended print is in accordance with the Bill as reported.

49. That on the third reading of the Bill the Speaker shall announce that the amended print has been so certified by the Chairman of the Committee, and the title only shall be read, unless on Motion, without notice, made and seconded that the Bill shall be read at length.

50. That no alteration or amendment shall be made in any Bill on the third reading, the question simply being that the Bill, in its then shape, be read a third time ; but that the addition of a clause may be made, such clause being already printed when presented to the House, and, if passed, it shall be added to the Bill.

51. That if the clause proposed to be added to the Bill has for its object to impose a pecuniary fine, the House shall not entertain it with the Speaker in the Chair. In order to fill up the blanks in such case, the clause must be read twice, and then committed to a Committee of the whole House, after which the Speaker shall resume the Chair, the clause shall be reported, read a third time, and passed with the Bill, if approved by the House.

52. That when a Bill shall have been read a third time, it shall be delivered by the Clerk to the Speaker, who shall put the question that "This Bill do now pass."

53. That when a Bill shall have passed the House, the Speaker shall sign the same, and the Clerk shall forthwith certify the date of its passing at the foot of the Bill.

54. That before a Bill shall be presented to the Governor for his assent, or transmitted to the Legislative Council, the Chairman of Committees shall certify that it is in accordance with the Bill as passed by the House.

55. That all Bills when passed shall be presented to the Governor for his assent by the Speaker, or transmitted to the Legislative Council, as the case may require.



56. That when a Bill or Motion shall have been rejected by the House, no Bill or Motion of the same argument and matter shall be brought forward during the same Session without leave.

### COMMITTEES OF THE WHOLE HOUSE.

57. That in Committees of the whole House, fifteen Members, inclusive of the Chairman, shall be a quorum.

58. That if, during the progress of business, notice be taken that there are not present fifteen members inclusive of the Chairman, the Chairman shall announce that there is not a quorum of Members present, he shall immediately leave the Chair, and the Speaker shall resume the Chair for the purpose of adjourning the House.

59. That when the Speaker shall have resumed the Chair, on the breaking up of the Committee, owing to the requisite number of Members not being present, the Chairman shall inform the Speaker thereof, but make no further report.

60. That the Rules of the House shall be observed in a Committee of the whole House, except the Rule limiting the number of times of speaking, and the Rule requiring that motions be seconded.

### LAPSED QUESTIONS.

61. That if a Debate on any Motion moved and seconded, be interrupted by the House being counted out, such Debate may be resumed at the point where it was so interrupted, on Motion upon notice.

62. That if a Debate on any Order of the Day be interrupted by the House being counted out, such Order may be restored to the Paper for a future day, on Motion upon notice, and then such Debate shall be resumed at the point where it was so interrupted.

63. That if a Debate on any Motion, or on any Order of the Day, be interrupted by adjournment of the House, such debate may, on Motion with notice, be resumed at the point where it was so interrupted.

64. That if the discussion on any question in a Committee of the whole House be similarly interrupted, the House may order the resumption of such Committee on a future day, on Motion with notice, and the discussion of such question shall then be resumed at the point where it was so interrupted.

65. That if by adjournment, or counting out of the House, Notices of Motions or Orders of the day become lapsed, they can only be again placed on the paper by Motion on Notice.

66. That every Notice of Motion and Order of the Day appearing on the Notice Paper, not disposed of on its proper day, shall be considered as lapsed, and shall not be brought forward again except by Motion on Notice.

### SELECT COMMITTEES.

67. That no Select Committee shall consist of less than five, or of more than ten Members, without leave from the House.

68. That it shall not be compulsory on the Speaker to serve on any Select Committee.

69. That every Member proposing a Select Committee, or introducing a Bill, Petition, or Motion, upon any subject which may be referred to a Select Committee, shall be one of the Committee without being named by the House.

70. That every Notice of Motion for the appointment of a Select Committee, shall contain the names of the Members proposed by the mover to serve on such Committee.

71. That upon Motion for a Select Committee, any Member of the House may require such Committee to be formed in the manner following, viz. :---Each Member shall give in to the Clerk a List of the Members proposed by him to serve on such Committee, not exceeding the number originally proposed, exclusive of the mover himself; and if any such list contain a larger number of names, it shall be rejected, and the Members reported by the Clerk to have the greatest number of votes, shall be declared by the Speaker to be, with the Mover, the Members of such Committee; and in case of two or more Members having an equality of votes, the Speaker shall decide by lot which shall serve on such Committee.

72. That any Notice of Motion for discharging, adding, or substituting Members of a Select Committee, shall contain the names of such Members.

73. That in all Select Committees, three shall be a quorum.

74. That every Select Committee, previously to the commencement of business, shall elect one of its Members to be the Chairman, who shall have an original as well as a casting vote.

75. That the examination of witnesses before every Select Committee shall be conducted as follows, viz. :---The Chairman shall first put to the witness, in uninterrupted Series, all such questions as he may deem essential, with reference either to the subject of inquiry, or to any branch thereof, according to the mode of procedure agreed on by the Committee. The Chairman shall then call upon the other Members severally by name, in the order of their sitting, to put other questions. All questions and replies shall be reduced to writing, and the name of every Member interrogating a witness shall be prefixed to the questions asked.

76. That every Report of a Select Committee shall be signed by the Chairman thereof.

77. That Lists shall be affixed in some conspicuous place in the Clerk's Office, and in the lobby of the House of all Members serving on each Select Committee.

78. That whenever it may be considered necessary to examine witnesses, special application shall be made to the House for power to call for papers, persons, and reports, and for leave to report the opinion of the Committee, from time to time.

79. That on the appointment of every Committee, a day shall be fixed for reporting their proceedings to the House; and on such day the final report of the Committee shall be brought up by the Chairman unless further time shall have been previously moved for and granted.

80. That upon the presentation of a Report, no discussion shall take place; but that the Report shall be laid on the table, and may, on question put and passed, be printed together with the appendix and reported evidence.

81. That if any measure or proceeding be necessary upon the Report of a Committee, such measure or proceeding shall be brought under the consideration of the House by a specific motion, of which notice must be given in the usual manner.

#### MESSAGES.

82. That whenever a Message from the Governor shall be

announced, the business before the House shall be immediately suspended, and the bearer of the Message introduced into the body of the House, to deliver the Message to the Speaker.

83. That the Speaker shall immediately read the Message to the House, and, if necessary, a day shall be fixed for taking the same into consideration.

84. That during the reading of a Message from the Governor, Members shall remain uncovered.

### PETITIONS.

85. That no Petitions shall be presented after the House shall have proceeded to the Orders of the Day.

86. That it shall be incumbent on every Member presenting a Petition, to acquaint himself with the contents thereof, and to ascertain that it does not contain language disrespectful to the House.

87. That every Member presenting a Petition to the House, shall affix his name at the beginning thereof.

88. That every Petition shall be in writing.

89. That every Petition shall contain, at the end thereof, the prayer of the Petitioners.

90. That every Petition shall be signed by at least one person on every skin or sheet on which the Petition is written.

91. That every Petition shall be written in the English or in the Maori languages; and should any Member require the translation of any such Petition into the other language, the same shall be done by an authorised translator, under the direction of the Clerk of the House.

92. That every Petition shall be signed by the petitioners themselves, except in cases of incapacity by illness.

93. That no letters, affidavits, or other documents, shall be attached to any Petition, except in the case of Private Bills, as hereinafter mentioned.

94. That no Petition shall make reference either to any Debate in the House, or to any intended Motion.

95. That no Petition shall pray for a grant of public money.

96. That a Member presenting a Petition to the House, not being a Petition for a Private Bill, or relating to a Private Bill before the House, shall confine himself to a statement of the description and number of the petitioners, and of the material allegations contained in the Petition, and to the reading of the prayer thereof ; and the only question which shall be entertained by the House, on the presentation of any Petition, shall be, " That the Petition be received."

97. That the Clerk of the House do weekly prepare, in a tabular form, an abstract of all Petitions received by the House, in which shall be set forth the place or places from whence they are severally presented, the number of signatures attached to each, the name of the Member presenting the same, the day on which presented, and a short abstract of the prayer thereof.

98. That all Petitions shall be received only as the Petitions of the parties signing the same.

#### PRIVATE BILLS.

99. That no Private Bill shall be brought into this House except upon petition first presented, with a printed copy of the proposed Bill annexed, and such Petition shall be signed by one or more of the parties applying for the Bill.

100. That all Petitions for Private Bills shall be presented to the House within thirty days from the commencement of the Session, except during the first Session.

101. That every Petition for a Private Bill shall commence by setting forth that, within three months previously to its presentation to the House, public notice of the intention to apply for the Bill has been given once a week for four consecutive weeks in one or more papers within the Province to which it applies, and once at least in the *General Government Gazette*, and shall also contain a true statement of the general object of the Bill, and the production of the numbers of such Gazette and Newspaper or Newspapers shall be sufficient proof of such notice.

102. That when the Petition shall have been received and the requisite notice proved, Notice of Motion for leave to bring in the Bill shall be given, as in the case of Public Bills.

103. That when leave to bring in a Private Bill shall have been obtained, and before it shall be read a first time, it shall be printed at the expense of the parties applying for it, in the same form as Public Bills, and a sufficient number of copies delivered to the Clerk for the use of the House.

104. That when a Private Bill shall have been read a first time, it shall be referred to a Select Committee, to be appointed on Motion upon Notice, and such Committee shall require proof of the allegations contained in the Preamble.

105. That every Petition against a Private Bill shall be referred to the Select Committee on such Bill, and shall distinctly specify the grounds on which the Petitioner objects thereto.

106. That every Select Committee on a Private Bill may hear Counsel, if desired, and may also take such oral or other evidence as they may deem requisite, and may decide on matters in issue between the persons conducting and opposing the Bill; after which the question shall be put from the Chair: "That this Preamble stand part of the Bill?" And if the Committee should be of opinion that the Preamble has not been satisfactorily proved, they shall direct the Chairman to that effect, which shall be fatal to the Bill; but if it be carried that the Preamble stand part of the Bill, the several clauses shall next be proceeded with, and the amendments, if any, noted for report to the House, care being taken that no clause be inserted or amendment made which shall be foreign to the import of the notice hereinbefore required.

107. That upon a Private Bill being brought up and reported by the Select Committee such Bill shall be proceeded with as in the case of Public Bills, a future day being appointed for the second reading.

#### COMMUNICATIONS WITH THE LEGISLATIVE COUNCIL.

108. That Bills and Messages from the Legislative Council shall be received in full House, through any member of the Council.

109. That on the arrival of any such Bill or Message, the sitting of any Committee shall be suspended, and the Speaker shall forthwith take the Chair; and that after receipt of such Bill or Message such Committee shall forthwith resume.

110. That bills and messages from the House of Representatives shall be transmitted to the Legislative Council through any

member appointed by the House for that purpose who may be attended by other members.

111. That a conference between both Houses may take place through a joint meeting of committees of either House. That the House may, upon motion, appoint a committee to manage any such conference in conjunction with a committee of the Legislative Council.

112. That the House may from time to time appoint members to deliver messages to the Legislative Council.

113. That a Standing Committee shall be appointed to consist of 5 members to confer with a Committee of the Legislative Council, with a view to arrangements for the joint comfort and convenience of members of both Houses.

114. That copies of all Returns made to the House shall, if required, be forthwith transmitted by the Speaker to the Speaker of the Legislative Council.

115. That members of the Legislative Council shall have access to the journals and proceedings of the House.

#### STRANGERS.

116. That Members of the Legislative Council shall be admitted to the body of the House, but that other Strangers shall be admitted only by the Speaker.

117. That on the request of any Member, or in his own discretion, the Speaker shall at any time order Strangers to withdraw, either from the body of the House or from the Gallery, and such Strangers shall immediately withdraw.

#### CONTEMPT.

118. That any Member not attending in compliance with an order for a Call of the House, without reasonable excuse, shall be held guilty of contempt.

119. That no Member shall absent himself for more than one week at a time, without leave; and any Member infringing this order shall be held guilty of contempt.

120. That any Member who shall wilfully disobey any order of the House, and any Member or other person who shall wilfully or vexatiously interrupt the orderly conduct of the business of the House, shall be guilty of contempt.

121. That any Member adjudged by the House for any of the causes hereinbefore mentioned, guilty of contempt, shall be fined in a penalty at the discretion of the House, not exceeding Twenty Pounds; and in default of immediate payment, shall be committed by the Warrant of the Speaker, to the custody of the Sergeant-at-Arms for a period not exceeding fourteen days; and it shall be lawful for the said Sergeant-at-Arms to detain the said Member in his custody for the period directed by the House, unless sooner discharged by order of the House, or unless the amount of fine imposed shall be sooner paid.

#### SUSPENSION OF STANDING RULES AND ORDERS.

122. That any Standing Order, or Orders of the House, may be suspended on motion duly seconded, made without notice, provided that two-thirds of the Members be present; but that notice shall always be given when practicable.

#### DURATION OF STANDING RULES AND ORDERS.

123. That the whole of these Standing Rules and Orders shall continue in force only until the expiration of one week after the opening of the first Parliament of New Zealand, which shall be convened after the dissolution or other termination of this Parliament of New Zealand.

CHARLES CLIFFORD,  
*Speaker.*

Passed the House of Representatives  
this ninth day of June, one  
thousand eight hundred and  
fifty-four.

JAMES COATES,  
*Clerk of the House of Representatives*

Approved.

R. H. WYNYARD,  
*The Officer Administering the Government.*