

J  
103  
H7  
1968/69  
S4  
A12

APPENDIX  
(See p. 636.)

RULES OF THE SENATE

FOURTH REPORT OF THE SPECIAL COMMITTEE OF THE SENATE  
ON THE RULES OF THE SENATE

Thursday, November 28, 1968.

The Special Committee of the Senate on the Rules of the Senate makes its Fourth Report as follows:

1. Under authority of the Resolution passed by the Senate at its sitting Thursday, September 19th, 1968, reading as follows:

"The Honourable Senator Martin, P.C., moved, seconded by the Honourable Senator McDonald:

That a Special Committee of the Senate be appointed to examine the Rules of the Senate, and to recommend to the Senate any changes therein considered by the Committee to be either necessary or desirable; and

That the Committee have power to call for persons, papers and records, to examine witnesses, to report from time to time, to print such papers and evidence from day to day as may be ordered by the Committee and to sit during sittings and adjournments of the Senate."

a Special Committee composed of the following:

- |                         |               |
|-------------------------|---------------|
| The Honourable Senators |               |
| Aird                    | Macdonald     |
| Choquette               | (Cape Breton) |
| Connolly                | Martin        |
| (Ottawa West)           | McDonald      |
| Desruisseux             | Molson        |
| Everett                 | (Chairman)    |
| Flynn                   | Phillips      |
| Haig                    | (Rigaud)      |
| Lang                    | Stanbury      |
| (Vice Chairman)         | Thorvaldson   |
| Langlois                | White         |
| Leonard                 |               |

has met and now submits its Report.

2. A proper understanding of the Rules of the Senate required a study of the constitutional background of these Rules. Your Committee therefore examined the British North America Act and the statutes listed in Appendix "A" to this report. In addition the Rules of the House of Lords, of the Senate of the

United States of America, and previous debates of the Senate of Canada on this subject, were considered.

3. Throughout its study, your Committee was aware of the need to accelerate the legislative process, and the widespread public criticism of the whole parliamentary process as it exists in Canada today. Your Committee has therefore satisfied itself that the Rules recommended to the Senate will permit the Senate to assume greater legislative responsibility without sacrificing its customary scrutiny of the legislation itself. In addition, in recommending the amendments set forth as a Schedule to this report, your Committee also recommends that the Committee on Standing Rules and Orders be instructed to keep under constant study the Rules and to recommend periodic revisions thereto. Your Committee further recommends that the proposed Rules, as adopted by the Senate, be printed in the English and French languages in conformity with the arrangement, style, numbering, and lettering used in the Statutes of Canada, with a detailed index, an appendix showing a bibliography of related statutes, and an appendix of relevant forms of proceedings, the responsibility therefor to be entrusted to the Clerk of the Senate, the Law Clerk, and Legal Counsel of your Committee.

4. In the course of study, however, it became apparent that amendments to the Rules would not be sufficient to enable the Senate to carry out effectively its role as one of the three vital parts of the Parliament of Canada in accordance with the terms of Section 17 of the B.N.A. Act:

"There shall be one Parliament for Canada, consisting of the Queen, an Upper House styled the Senate, and the House of Commons."

Fully aware that the underlying reason for the establishment of your Committee was the desire of the members that the Senate continue to make its maximum contribution to the welfare of the Canadian People, your Committee soon realized that revision of the Rules

J  
103  
H7  
1968/69  
S4  
A12



only could not accomplish this purpose. There emerged the clear necessity for constitutional and statutory changes beyond the terms of reference of the Committee in order to reach the objective of a modern and streamlined Parliament.

5. Such basic reform is not a new idea. Over the years, the Senate itself has struggled with this problem. One can recall the motion placed before this Chamber in 1951 by the Hon. Wishart McL. Robertson, then Government Leader in the Senate,

“that a Special Committee of the Senate be appointed to inquire into, and report upon, whatever action in its opinion may be necessary or expedient to enable the Senate to make its maximum contribution to the welfare of the Canadian people.”

But today the problem is more urgent because of the rapid social change during the last two decades. Parliamentary reform is now a public issue which must be resolved with dispatch in accordance with the requirements of modern society.

6. The British North America Act, 1867, contemplated a primary role for the Senate which has changed substantially over the years. Originally it was envisaged that all legislation would originate in the House of Commons and that the function of the Senate would be to re-examine the Bills passed by the House and referred to the Senate. It was to be a Chamber for review and “sober second thought”.

7. With the passage of time this function has changed. In the first place many private bills have been introduced in the Senate, particularly of course divorce bills. It appears generally agreed that all private bills ought to be introduced in the Senate, whereas for special reasons a few private bills are still being introduced in the House of Commons. That conclusion was implicit in the decision taken in 1932 to increase the parliamentary fee to \$500 if a private bill were introduced in the Commons while it was left at the less realistic figure of \$200 if introduced in the Senate. A provision to the effect that all private bills shall originate in the Senate would be beyond the competence of the Senate acting unilaterally. It is recommended therefore that discussions be initiated with the House of Commons to the end that such a provision be made either by a change in the rules of the House of Commons or by statute. If that change is made, presumably the parliamentary fee in the Senate should be raised too. In addition,

it has become the practice to introduce a limited number of government bills—those with no money context—in the Senate. This practice, which is a very welcome one, has enabled the Senate to carry part of the legislative load in recent years, as the following data reveals:

Year	Government Bills initiated in the Senate	Government Bills initiated in the Commons	Percentage of Total initiated in the Senate
1957-58	3	28	10%
1958	4	41	9
1959	12	44	21
1960	13	37	26
1960-61	6	58	9
1962	1	26	4
1962-63	1	18	5
1963	8	48	14
1964-65	19	44	30
1965	5	13	28
1966-67	22	81	21
1967-68	19	26	42

8. When it is borne in mind that all money bills are included in the figures of Bills initiated in the Commons, it becomes apparent that the Senate can carry a not inconsequential share of the legislation when the Government of the day directs Bills to it for introduction. It might be added that during the last ten years 233 Private Bills, other than Divorce Bills, have been initiated in the Senate, while only 4, initiated in the House of Commons, have been received by the Senate.

9. Another innovation, the function of investigation, has been most effectively carried out by special committees of the Senate, and often at a fraction of the cost that would have been incurred by a Royal Commission. More and more the work of Parliament has to be done in Committees. This is true also in other countries with democratic forms of government, including the United Kingdom and the United States. Over and above its deliberative functions the Senate, in carrying out its primary responsibility as a legislative body, must do an increasing amount of investigatory and research work. Examples of this are to be found in recent years in the work of the Special Committees such as those on (1) Inflation, (2) Manpower and Employment, (3) Land Use in Canada, (4) Aging, (5) The Joint Committee on Consumer Credit and (6) The Joint Committee on Divorce, and the current intensive study being made by the Special Committee on Science Policy. Such studies



and investigations in depth have been and will continue to be the bases for sound constructive legislation. The Economic Council of Canada recognized this in its Fifth Annual Review which says at page 136:

"The Senate of Canada might consider the advisability of creating a committee to enquire into the problem of poverty in Canada. An earlier Senate inquiry into the problems of land use in Canada helped to bring about the Agricultural Rehabilitation and Development Act (AR-DA) in 1961. The enquiry we propose would deal with all aspects of poverty, urban and rural. Many excellent witnesses, both Canadian and foreign, would be available to appear before the committee, whose work could also be aided by a small but competent research staff. The work of such a committee could do much to define and elucidate the problem of poverty in Canada, and to build public support for a more effective structure of remedial measures."

There is, indeed, a need for permanent research assistants on the staff of the Senate to ensure that this important Senate responsibility need not depend to the extent it has in the past upon temporary and comparatively costly expert staff.

10. As a result, it seems to have become accepted that the role of the Senate is no longer confined, in these days of rapid change and instant communication, to that of "sober second thoughts" on legislation emanating from the House of Commons. Without the Senate abandoning this responsibility it now seems essential that the work of Parliament itself should be more balanced by the introduction in the Senate of more legislation than heretofore, and that the work of inquiry carried on through the means of special committees should be expanded. For the complexity of modern life requires a greater co-operation between the two Houses in order to ensure that legislation keeps pace with progress in human affairs: the great advances in science and human knowledge; the increasingly repeated and more efficient means of communication and transport; the wealth of new instruments and synthetic materials; the rationalized methods of production; in general, the world-wide reorientation which heralds a new era for man, provided that man organizes and directs these developments under the rule of law.

11. Understandably, there is a feeling of disquiet and unrest in the face of all these

triumphs of science and technology. It is an experience of individuals and nations alike. Our age, like all times of transition, is one of unrest. The era we now live in reveals a great deal of public discussion and considerable evidence of the danger of parliamentary democracy deteriorating into an authoritarian executive supported by a strong and experienced bureaucracy, with Parliament itself relegated to the role of a debating society. When the growing demands, increasing complexity and almost instantaneous communication of problems presented to Governments are considered, these fears appear to be not unreasonable.

12. To preserve the vital democratic responsibility of examination and thorough study in depth of legislation presented to Parliament, an impartial and independent Senate, comprising the ablest talent which can be attracted to it, is of paramount importance to our system and, consequently, to the Canadian public. This emphasizes not only the continuing and perhaps increasing need for our Chamber but, also, the importance of its composition as well as its procedures for ensuring a full and fair examination of public issues with as little distortion as possible by the crisis atmosphere of the daily political scene.

13. The experience of 100 years now indicates that there is some reason for the Senate to approach its task with full impartiality and independence. To this end it may be desirable that there should be a constitutional change widening the base on which senators are appointed. It is apparent that when appointments are confined almost exclusively to those who have faithfully served the party in power, there is a modifying influence imposed on their conduct by the natural loyalty to that party. This is not to suggest that either political experience or party affiliation by themselves should be a deterrent to an otherwise suitable appointment, but that if the Senate were more detached from the political party process it would have an immediate and beneficial effect on its conduct and on its image. In the words of John Stuart Mill,

"If one House represents popular feeling, the other should represent personal merit, tested and guaranteed by actual public service, and fortified by practical experience. If one is the People's Chamber, the other should be the Chamber of Statesmen; a council composed of all living public men who have passed through important political offices or employments.



Such a chamber would be fitted for much more than to be a merely moderating body. It would not be exclusively a check, but also an impelling force. In its hands the power of holding the people back would be vested in those most competent, and who would generally be most inclined, to lead them forward in any right course. The council to whom the task would be entrusted of rectifying the people's mistakes would not represent a class believed to be opposed to their interest, but would consist of their own natural leaders in the path of progress. The best constitution of a Second Chamber is that which embodies the greatest number of elements exempt from the class interests and prejudices of the majority, but having in themselves nothing offensive to democratic feeling."

14. In similar context it has frequently been suggested that general participation by Senators in House of Commons caucuses has not proven helpful to Senators in the impartial consideration of legislation in the Chamber. It might be suggested that if the practice were adopted of the Leader, Deputy Leader, and the Whip, only, of each party, attending caucus and then accepting the responsibility of passing on to their Members the information on policy and other matters, as necessary, it might preserve the political connection without affecting the impartiality of the Senate. In order to weigh legislation in the light of only what is best for the country, it is obviously difficult for members of the Senate to be subject to the direction of the same person who leads their party in the House of Commons.

15. A reform that is within the competence of the Government of the day, and badly needed to enable the Senate to serve a more valuable and, it is submitted, its proper purpose in Parliament, is a change in the concept of a "money bill". Debates and opinions on this matter go back for some three hundred years or more in parliamentary history, but your Committee is convinced that a different application of the definition is now needed, and they believe that there are good grounds, based on historical opinions, to exclude from the definition of "money bill" a Bill introduced, not for the purpose of imposing taxation or for the purpose of spending public funds, but for another purpose which has only some consequential cost of administration or other very secondary financial aspect.

16. There are also conditions or requirements imposed in the past by statute which, in the modern world, may be anachronisms. Among these worthy of re-examination are the property requirements for appointment to the Senate dating from an age of class distinctions and coloured by the character of landowner of Members of the House of Lords and, in particular, those applying to Senators from Quebec; the time consuming and sometimes disruptive procedure for Royal Assent in the Senate Chamber; the fact that deductions are made from the Sessional Allowance for absences from the Chamber while no credit is given for committee attendance even during adjournments showing the lack of recognition of the importance of Senators' attendance at Committees both during the session and adjournments relative to sittings in the Chamber.

17. In matters of procedure there is also room for improvement in the performance of the Senate. This has been suggested in part by the proposed amendment in the number, composition and functions of standing committees contained in the Third Report of your Committee adopted by the Senate on November 19th. This basic restructuring of the Standing Committees has reduced the number of committees from 19 to 11, now strengthened and empowered to call for persons, papers, and records, whenever required, with areas of direct concern such as foreign affairs, national finance, legal and constitutional affairs, banking, trade and commerce, health, welfare, science and transport and communications. In addition, bills of major public interest should be considered in the Chamber in the Committee of the Whole. Further, from time to time, select committees of the Senate should hold committee meetings in the Senate Chamber itself. In this way the public would have an opportunity to see the Senate performing what is undoubtedly one of its most useful roles—the examination in depth of the legislation submitted to it. This is suggested with the thought of enabling more people to appreciate where and how the Senate makes its vital contribution in Parliament. Public opinion properly informed would soon realize that the debates which are listened to from the Gallery in the normal course of our sittings are those dealing with matters of principle only, and in no way encompass the full consideration and careful treatment given to bills that come before our Chamber.

18. Your Committee also gave some consideration to the present status and functioning of the Standing Joint Committees of the

1. That the Commission on the  
 2. ...  
 3. ...  
 4. ...  
 5. ...  
 6. ...  
 7. ...  
 8. ...  
 9. ...  
 10. ...  
 11. ...  
 12. ...  
 13. ...  
 14. ...  
 15. ...  
 16. ...  
 17. ...  
 18. ...  
 19. ...  
 20. ...

21. ...  
 22. ...  
 23. ...  
 24. ...  
 25. ...  
 26. ...  
 27. ...  
 28. ...  
 29. ...  
 30. ...  
 31. ...  
 32. ...  
 33. ...  
 34. ...  
 35. ...  
 36. ...  
 37. ...  
 38. ...  
 39. ...  
 40. ...

41. ...  
 42. ...  
 43. ...  
 44. ...  
 45. ...  
 46. ...  
 47. ...  
 48. ...  
 49. ...  
 50. ...  
 51. ...  
 52. ...  
 53. ...  
 54. ...  
 55. ...  
 56. ...  
 57. ...  
 58. ...  
 59. ...  
 60. ...

61. ...  
 62. ...  
 63. ...  
 64. ...  
 65. ...  
 66. ...  
 67. ...  
 68. ...  
 69. ...  
 70. ...  
 71. ...  
 72. ...  
 73. ...  
 74. ...  
 75. ...  
 76. ...  
 77. ...  
 78. ...  
 79. ...  
 80. ...

81. ...  
 82. ...  
 83. ...  
 84. ...  
 85. ...  
 86. ...  
 87. ...  
 88. ...  
 89. ...  
 90. ...  
 91. ...  
 92. ...  
 93. ...  
 94. ...  
 95. ...  
 96. ...  
 97. ...  
 98. ...  
 99. ...  
 100. ...

101. ...  
 102. ...  
 103. ...  
 104. ...  
 105. ...  
 106. ...  
 107. ...  
 108. ...  
 109. ...  
 110. ...  
 111. ...  
 112. ...  
 113. ...  
 114. ...  
 115. ...  
 116. ...  
 117. ...  
 118. ...  
 119. ...  
 120. ...



Senate and House of Commons. The former rules concerning such Committees were left unchanged in the proposed new rules, since neither the Committee nor the Senate, acting unilaterally, could properly change them. It is nevertheless considered that the status and functioning of such Joint Committees should be studied jointly by the two Houses with a view to ensuring that any necessary changes are made. In addition, your Committee considers that there is much doubt existing as to the proper functioning of Special Joint Committees: there is no clear guide for example, as to the procedure to be followed by such Joint Committees, as to which House should bear the expenses incurred, or as to whether such expenses should be apportioned. A study of these matters could be undertaken as part of the joint study, recommended above, of the Standing Joint Committees.

19. Experience dictates that parliamentary reform should be undertaken only if wide public demand for it is in evidence. There is considerable evidence that there would be public support for Senate reform. Your committee recognizes that this situation is partly the result of lack of public knowledge and understanding of the responsibilities and performance of the Senate, but acknowledges that there is a substantial feeling among Senators themselves that change is as essential here as it is in life itself.

20. Having examined and discussed at length the root causes of its inability to render Senate procedures completely modern by changes to the rules; being fully convinced of the supreme importance of the parliamentary process in the conduct of national affairs in our democracy; being persuaded that a system devised 100 years ago and scarcely modified since is no longer adequate to cope with conditions of this age; and being of the opinion that the Senate can and should participate to a greater degree in the ever increasing load placed on Parliament, your Committee in making its report therefore recommends that the Senate instigate an examination of the constitution of the Senate with a view to recommending changes which would enable it to carry out more fully the purpose which was intended in making it one of the three essential parts of Parliament.

21. This could be accomplished by introducing for debate in the Senate a motion setting out the terms of reference of such a study, which if adopted could be carried out by the recently established Standing Committee on Legal and Constitutional Affairs. Such a debate, ranging over all aspects of the Consti-

tution with regard to the Senate, would be useful in developing recommendations which would meet with public approval and set the course for the Senate's second century.

22. In closing, the Chairman would like to record the interest, co-operation and diligence of the Law Clerk, the Chief Clerk of Committees, the Clerk of the Committee, the members of the Committee and its Legal Counsel, Mr. David Dehler. That it was able to complete its task in a reasonable time is due only to those qualities so cheerfully apparent during its intense activity over these last weeks.

All which is respectfully submitted.

H. de M. Molson,  
Chairman.

#### APPENDIX "A"

##### SOME STATUTES AND OTHER MATTER RELATING TO THE SENATE

1. *British North America Act, 1867-1964.*
2. *Senate and House of Commons Act, R.S., c. 249.*
3. *Speaker of the Senate Act, R.S., c. 255.*
4. *Supreme Court Act, R.S., c. 259, s. 56.*
5. *Members of Parliament Retiring Allowances Act, R.S., c. 329.*
6. *Retirement of Members of the Senate Act, 1965, c. 4.*
7. *Criminal Code, e.g. sections on perjury in committees.*
8. *Interpretation Act, 1967-68, c. 7, section 19, Reports to Parliament; section 18, oaths in Senate or Commons.*
9. *Canadian Bill of Rights, 1960, c. 44, s. 3. Senate Bill examined by Minister of Justice for violations of Act.*
10. *War Measures Act, R.S., c. 288, s. 6, motion in Senate for repeal of proclamation of war, &c.*
11. *Publication of Statutes Act, R.S., c. 230. Sections re the Clerk of the Parliaments, distribution of statutes to senators, and payment for printing of private bills under Senate Rules.*
12. *Financial Administration Act, R.S., c. 116. Section 21 where Senate by resolution or rule authorizes refund; section 65(1) where Auditor General removable on address of Senate and Commons.*
13. *Representation Commissioner Act, 1963, c. 40. Sections 3 and 4. Appointed by Commons, removable on Senate and Commons address.*

...in the ... would be ...

...the ... would be ...

H. M. ...

APPENDIX A

SENATE STATUTES AND OTHER MATTER

- 1. ...
- 2. ...
- 3. ...
- 4. ...
- 5. ...
- 6. ...
- 7. ...
- 8. ...
- 9. ...
- 10. ...
- 11. ...
- 12. ...
- 13. ...
- 14. ...
- 15. ...

...the ... would be ...

...the ... would be ...

...the ... would be ...

...the ... would be ...

14. *Canada Elections Act*, 1960, c. 39. Section 4 where Chief Electoral Officer removable on Senate and Commons address.

15. *Library of Parliament Act*, R.S., c. 166.

16. *Bank of Canada Act*, R.S., c. 13, s. 6. Senator disqualified as Director, Deputy or Assistant Deputy.

17. *Appropriation Act*, No. 1, 1960, c. 3, "Legislation, Senate, Vote 616 re: transportation and living expenses".

18. *Senate Journals*, 1867. Officers of Senate, other than Crown appointees, in the appointment and control of the Senate.

19. *The Post Office Act*, R.S., c. 212, ss. 17, 18 and 19.

In all cases not provided for hereafter, or by Sessional or other Orders, the Standing Orders, Rules, Usages and Forms of Proceedings of the Lower House of the Imperial Parliament in force for the time being, shall be followed, so far as they can be applied to the proceedings of the Senate or any committee thereof.

In all cases not provided for hereafter, or by Sessional or other Orders, the Standing Orders, Rules, Usages and Forms of Proceedings of the Lower House of the Imperial Parliament in force for the time being, shall be followed, so far as they can be applied to the proceedings of the Senate or any committee thereof.

Explanatory Note:

This revision does not preclude reference to the great Parliamentary authorities such as Broom's, May's or Blackstone's. The Senate is master of its own House, and with the Canadian experience of over 100 years, there is no mistake in referring to the Lower House of the Imperial Parliament.

1. No change.

Except so far as is expressly provided, these Rules shall in no way restrict the mode in which the Senate may regulate and control its proceedings.

1A. Any rule, or part thereof, may be suspended without notice by the unanimous consent of the Senate, the rule or part thereof proposed to be suspended being distinctly stated.

Explanatory Note:

Rule 1A is the revised paragraph of existing Rule 60 which for clarity of presentation becomes 1A.

3. All existing Rules and Standing Orders of the Senate are repealed.

5. All existing Rules and Standing Orders of the Senate are repealed, except as otherwise ordered by the Senate.

Explanatory Note:

The words "except as otherwise ordered by the Senate" are deleted because they are deemed superfluous.

- 14. Canada's position has been...  
 15. The...  
 16. The...  
 17. The...  
 18. The...  
 19. The...

## SCHEDULE

## SENATE RULES

PROPOSED

1. In all cases not provided for hereinafter, or by Sessional or other Orders, the Standing Orders, Rules, Usages and Forms of Proceeding of the Parliament of Canada in force up to the adoption of the present Rules, shall be followed so far as they can be applied to the proceedings of the Senate or any committee thereof.

Explanatory Note:

This revision does not preclude reference to the great Parliamentary authorities such as Bourinot, May, or Beauchesne. The Senate is master of its own House, and with the Canadian experience of over 100 years, there is no usefulness in referring to the Lords House of the Imperial Parliament.

2. No change.

- 2A. Any rule, or part thereof, may be suspended without notice by the unanimous consent of the Senate, the rule or part thereof proposed to be suspended being distinctly stated.

Explanatory Note:

Rule 2A is the second paragraph of existing Rule 30 which for clarity of presentation becomes 2A.

3. All existing Rules and Standing Orders of the Senate are repealed.

Explanatory Note:

The words "except as otherwise ordered by the Senate" are deleted because they are deemed superfluous.

EXISTING

1. In all cases not provided for hereinafter, or by Sessional or other Orders, the Standing Orders, Rules, Usages and Forms of Proceeding of the Lords House of the Imperial Parliament, in force for the time being, shall be followed, so far as they can be applied to the proceedings of the Senate or any committee thereof.  
B. 201.

2. Except so far as is expressly provided, these Rules shall in no way restrict the mode in which the Senate may exercise and uphold its powers, privileges and immunities.

3. All existing Rules and Standing Orders of the Senate are repealed; except as otherwise ordered by the Senate.

STANDING ORDER  
SENATE RULES

EXISTING

In all cases not provided for hereafter, or by Standing Order, the Standing Order shall apply to the Senate in the same manner as it applies to the House of Commons. The Senate shall have the same powers and privileges as the House of Commons. The Senate shall have the same authority as the House of Commons in the exercise of its powers. The Senate shall have the same jurisdiction as the House of Commons in the exercise of its jurisdiction. The Senate shall have the same authority as the House of Commons in the exercise of its authority. The Senate shall have the same jurisdiction as the House of Commons in the exercise of its jurisdiction.

PROPOSED

In all cases not provided for hereafter, or by Standing Order, the Standing Order shall apply to the Senate in the same manner as it applies to the House of Commons. The Senate shall have the same powers and privileges as the House of Commons. The Senate shall have the same authority as the House of Commons in the exercise of its powers. The Senate shall have the same jurisdiction as the House of Commons in the exercise of its jurisdiction. The Senate shall have the same authority as the House of Commons in the exercise of its authority. The Senate shall have the same jurisdiction as the House of Commons in the exercise of its jurisdiction.

Explanatory Note

This revision does not provide reference to the great Parliamentary authorities such as the House of Commons, the House of Lords, the House of Burgesses and the House of Commons. It is intended to provide a reference to the House of Commons in the exercise of its powers and jurisdiction.

1. Except so far as it is expressly provided, these Rules shall not apply to the Senate in the exercise of its powers and jurisdiction.

1. No change.

2. Any rule or part thereof may be amended without notice by the Senate in the exercise of its powers and jurisdiction. The Senate shall have the same authority as the House of Commons in the exercise of its authority. The Senate shall have the same jurisdiction as the House of Commons in the exercise of its jurisdiction.

Explanatory Note

This is the second paragraph of existing Rule 10 which provides for the exercise of its powers and jurisdiction.

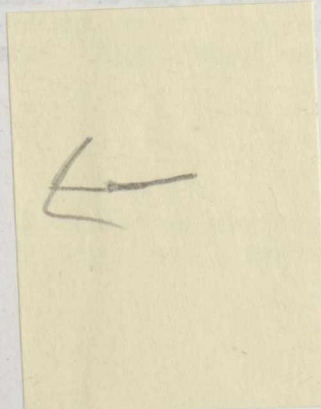
3. All existing Rules and Standing Orders of the Senate are repealed, except as otherwise ordered by the Senate.

3. All existing Rules and Standing Orders of the Senate are repealed.

Explanatory Note

The words "except as otherwise ordered by the Senate" are deleted because they are deemed superfluous.

4. In these Rules, unless the context otherwise requires,
- (a) "bill" means a draft Act of Parliament and includes both private and public bills.
  - (b) "committee" means a committee of the whole, a select committee, whether standing or special, and a joint committee.
  - (c) "committee of the whole" means a committee composed of the whole body of senators.
  - (d) "inquiry" means either a written inquiry of the government or a written notice that a senator will draw to the attention of the Senate any particular matter, by way of information or otherwise, but does not include a mere interrogation.
  - (e) "joint committee" means a committee composed of members of the Senate and the House of Commons.
  - (f) "leave of the senate" means leave granted without a dissentient voice.
  - (g) "motion" means a proposal made by a senator that the Senate or a committee thereof do something, order something to be done, or express an opinion concerning some matter.
  - (h) "one day's notice" means a notice given on any sitting day for a motion or inquiry to be made on the next succeeding sitting day.
  - (i) "petition" means a written prayer presented to the Senate and includes all petitions whether relating to public measures and matters of general policy or to redress of local or personal grievances.
  - (j) "previous question" means a motion 'that the original question be now put'.
  - (k) "person" or any word or expression descriptive of a person, includes any body corporate and politic, and the heirs, executors, administrators or legal representative of such person, and words importing male persons include female persons.
  - (l) "question" means a proposal presented to the Senate or a committee thereof by the Speaker or chairman for consideration and disposal in some manner.
4. Unless the context precludes such construction, the words and phrases following have and include in these Rules and all other rules and orders of the Senate the meanings hereby respectively assigned to them, that is to say:
- (a) "Question"—A motion moved and proposed from the Chair.
  - (b) "Substantive motion"—A motion not incidental to a proceeding before the Senate, nor relating to and arising out of an Order of the Day.
  - (c) "Incidental Questions"—Such questions as arise out of other questions, and are to be decided before those which give rise to them.
  - (d) "Subsidiary Questions"—Questions which relate to a principal motion, and are made use of to enable the Senate to dispose of it in the most appropriate manner.
  - (e) "Leave of the Senate"—Leave granted without a dissentient voice.
  - (f) "Select Committee"—A committee embracing less than the whole number of senators.
  - (g) "Standing Committee"—A select committee appointed for the session.
  - (h) "Special Committee"—A select committee other than a standing committee.
  - (i) "Written"—Written by hand, typewritten or printed, or partly the one and partly one or both of the others.
  - (j) "Two days' notice"—A notice where a sitting day intervenes between the day on which the notice is given and the day on which the motion or inquiry is made.
  - (k) "One day's Notice"—A notice given any sitting day for a motion or inquiry to be made on the next succeeding sitting day.



- (a) "In this House" means the Senate sitting in session, unless the context otherwise requires.
- (b) "Bill" means a draft of a bill introduced and referred to a committee.
- (c) "Committee" means a committee of the whole or a select committee, whether permanent or special, and its subcommittees.
- (d) "Committee of the whole" means a committee composed of the Senate as a body.
- (e) "Motion" means either a motion in the Senate or a motion in a committee of the whole or a select committee, but does not include a motion in a committee of the whole.
- (f) "Joint conference" means a conference of the Senate and the House of Representatives to consider a bill.
- (g) "Leave of the Senate" means a leave granted without a dissenting vote by majority, except a yeas and nays vote.
- (h) "Motion" means a proposal made by a Senator that the Senate do or do not do a certain thing, or that a certain thing be done or not done, or that a certain thing be done or not done, or that a certain thing be done or not done.
- (i) "Order" means a resolution, motion, or other order of the Senate, or a resolution, motion, or other order of the Senate, or a resolution, motion, or other order of the Senate.
- (j) "Roll call" means a roll call taken by the Senate or by a committee of the whole or by a select committee.
- (k) "Two days' notice" means a notice given by a Senator to another Senator, or by a Senator to a committee of the whole or to a select committee, at least two days before the day on which the notice is given, and which is made.
- (l) "One day's notice" means a notice given by a Senator to another Senator, or by a Senator to a committee of the whole or to a select committee, at least one day before the day on which the notice is given, and which is made.

- (m) "Notice" means a notice given by a Senator to another Senator, or by a Senator to a committee of the whole or to a select committee, at least one day before the day on which the notice is given, and which is made.
- (n) "Notice" means a notice given by a Senator to another Senator, or by a Senator to a committee of the whole or to a select committee, at least one day before the day on which the notice is given, and which is made.
- (o) "Notice" means a notice given by a Senator to another Senator, or by a Senator to a committee of the whole or to a select committee, at least one day before the day on which the notice is given, and which is made.
- (p) "Notice" means a notice given by a Senator to another Senator, or by a Senator to a committee of the whole or to a select committee, at least one day before the day on which the notice is given, and which is made.
- (q) "Notice" means a notice given by a Senator to another Senator, or by a Senator to a committee of the whole or to a select committee, at least one day before the day on which the notice is given, and which is made.
- (r) "Notice" means a notice given by a Senator to another Senator, or by a Senator to a committee of the whole or to a select committee, at least one day before the day on which the notice is given, and which is made.
- (s) "Notice" means a notice given by a Senator to another Senator, or by a Senator to a committee of the whole or to a select committee, at least one day before the day on which the notice is given, and which is made.
- (t) "Notice" means a notice given by a Senator to another Senator, or by a Senator to a committee of the whole or to a select committee, at least one day before the day on which the notice is given, and which is made.
- (u) "Notice" means a notice given by a Senator to another Senator, or by a Senator to a committee of the whole or to a select committee, at least one day before the day on which the notice is given, and which is made.
- (v) "Notice" means a notice given by a Senator to another Senator, or by a Senator to a committee of the whole or to a select committee, at least one day before the day on which the notice is given, and which is made.
- (w) "Notice" means a notice given by a Senator to another Senator, or by a Senator to a committee of the whole or to a select committee, at least one day before the day on which the notice is given, and which is made.
- (x) "Notice" means a notice given by a Senator to another Senator, or by a Senator to a committee of the whole or to a select committee, at least one day before the day on which the notice is given, and which is made.
- (y) "Notice" means a notice given by a Senator to another Senator, or by a Senator to a committee of the whole or to a select committee, at least one day before the day on which the notice is given, and which is made.
- (z) "Notice" means a notice given by a Senator to another Senator, or by a Senator to a committee of the whole or to a select committee, at least one day before the day on which the notice is given, and which is made.



- (m) "rule" means any standing rule or standing order of the Senate.
- (n) "select committee" means a committee composed of less than the whole body of senators and includes both a standing committee and a special committee.
- (o) "shall" is to be construed as imperative, and "may" as permissive.
- (p) "special committee" means a select committee other than a standing committee appointed to consider certain matters and to report thereon to the Senate.
- (q) "standing committee" means a select committee appointed to consider and to report thereon to the Senate matters falling within the duties specifically assigned to it by these Rules, and on other matters that may from time to time be referred to it by the Senate.
- (r) "substantive motion" means an independent motion not incidental or relating to a proceeding or Order of the Day already before the Senate.
- (s) "two days' notice" means a notice where a sitting day intervenes between the day on which the notice is given and the day on which the motion or inquiry is made.
- (t) "writing", "written" or any term of like import includes words printed, painted, engraved, lithographed, photographed, or represented or reproduced by any mode of representing or reproducing words in a visible form.

Explanatory Note:

Definitions of "incidental questions", "subsidiary questions" have been repealed because superfluous. Definitions of "question", "substantive motion", "select committee", "standing committee", "special committee", and "written" have been redrafted for sake of clarity. Definitions of "leave of the Senate", "two days' notice" and "one day's notice" have been retained. Definitions of "bill", "committee", "committee of the whole", "inquiry", "joint committee", "motion", "petition", "previous question", "person", "rule", "shall" and "may", have been added for sake of clarity.

5. Except as otherwise ordered by the Senate, these Rules shall go into operation

5. Except as otherwise ordered by the Senate, these Standing Rules and Orders

and "the" means any reporting unit or standing committee of the Senate.

(a) "report" means any report or report made by a standing committee of the Senate or by any subcommittee thereof or by any member of the Senate or by any officer or employee of the Senate.

(b) "committee" means any committee or subcommittee of the Senate or any standing committee of the Senate or any subcommittee thereof or any member of the Senate or any officer or employee of the Senate.

(c) "member" means any member of the Senate or any officer or employee of the Senate.

(d) "officer" means any officer or employee of the Senate.

(e) "employee" means any officer or employee of the Senate.

(f) "Senate" means the Senate of the United States.

(g) "United States" means the United States of America.

(h) "this Act" means this Act.

(i) "this title" means this title.

(j) "this chapter" means this chapter.

(k) "this section" means this section.

(l) "this subsection" means this subsection.

(m) "this paragraph" means this paragraph.

(n) "this sentence" means this sentence.

(o) "this word" means this word.

(p) "this phrase" means this phrase.

(q) "this clause" means this clause.

(r) "this item" means this item.

(s) "this list" means this list.

(t) "this table" means this table.

(u) "this figure" means this figure.

(v) "this map" means this map.

(w) "this drawing" means this drawing.

(x) "this photograph" means this photograph.

(y) "this sound recording" means this sound recording.

(z) "this copy" means this copy.

Section 101. (a) The words "this Act" and "this title" shall be construed to mean this Act and this title, respectively.

(b) The words "this chapter" and "this section" shall be construed to mean this chapter and this section, respectively.

(c) The words "this subsection" and "this paragraph" shall be construed to mean this subsection and this paragraph, respectively.

(d) The words "this sentence" and "this word" shall be construed to mean this sentence and this word, respectively.

(e) The words "this phrase" and "this clause" shall be construed to mean this phrase and this clause, respectively.

(f) The words "this item" and "this list" shall be construed to mean this item and this list, respectively.

(g) The words "this table" and "this figure" shall be construed to mean this table and this figure, respectively.

(h) The words "this map" and "this drawing" shall be construed to mean this map and this drawing, respectively.

(i) The words "this photograph" and "this sound recording" shall be construed to mean this photograph and this sound recording, respectively.

(j) The words "this copy" shall be construed to mean this copy.

Section 102. (a) Except as otherwise provided by this Act, the provisions of this Act shall apply to the Senate and to any officer or employee of the Senate.

(b) The provisions of this Act shall not apply to any officer or employee of the Senate who is not a member of the Senate.

on a day to be fixed by resolution of the Senate.

shall go into operation immediately upon the Prorogation of the present Session of Parliament, being that convened on the eighth day of March, in the year of Our Lord one thousand nine hundred and six.

Explanatory Note:

It is the opinion of the Committee that the Rules should commence operation on a day to be fixed by resolution of the Senate.

6. On the first day of the first session of a new Parliament, or of any subsequent session when the House of Commons have no Speaker, the Senate meets at thirty minutes before the hour named for the opening of the session: Prayers are said; and new senators, if any, are introduced, and take the oath of allegiance and their seats. His Excellency the Governor General or his Deputy being seated, the Commons attend in response to a message to that effect conveyed by the Gentleman Usher of the Black Rod, and are directed to choose a Speaker.

His Excellency or his Deputy, as the case may be, retires; and the Senate adjourns to a time thirty minutes before that fixed for the delivery of the Governor General's speech.

His Excellency opens the Session by a Speech to both Houses; and, Prayers being said, a Bill is read pro forma; the Speech from the Throne is reported by the Speaker, and a Committee of Privileges, consisting of all the senators present during the session, is appointed.

6. On the first day of the first session of a new Parliament, or of any subsequent session when the House of Commons have no Speaker, the Senate meets at thirty minutes before the hour named for the opening of the session: prayers are said; and new senators, if any, are introduced, and take the oath of allegiance and their seats. His Excellency the Governor General or his Deputy being seated, the Commons attend in response to a message to that effect conveyed by the Gentleman Usher of the Black Rod, and are directed to choose a Speaker.

His Excellency or his Deputy, as the case may be, retires; and the Senate adjourns to a time thirty minutes before that fixed for the delivery of the Governor General's speech. B. 83

On the second day of any such session as aforesaid or on the first day of any other session, His Excellency opens the Session by a gracious Speech to both Houses; and, prayers being said, a Bill is read pro forma; the Speech from the Throne is reported by the Speaker, and a Committee of Privileges, consisting of all the senators present during the session, is appointed. M. 283-294: B. 83-85.

Explanatory Note:

The words "On the second day of any such session as aforesaid or on the first day of any other session" are deleted because of modern-day practice of only one day opening of Parliament.

7. No Change.

7. The Senate meets for the transaction of business at three of the clock in the afternoon of each sitting day; unless otherwise previously ordered. M. 320-321: B. 208.

shall be this day of the month of January, 1955. The Commission of the Senate shall be composed of the following members: The President, the Vice President, the Chief Justice of the United States, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Minority Leader of the Senate, and the Secretary of the Senate.

on a day to be fixed by resolution of the Senate.

It is the opinion of the Commission that the House should convene on a day to be fixed by resolution of the Senate.

On the first day of the first session of a new Congress, or on any subsequent session when the House of Representatives is in session, the Speaker shall call the members of the Senate to the Senate Chamber for the opening of the session. The Speaker shall also call the members of the Senate to the Senate Chamber for the opening of the session on any day after the first day of the session. The Speaker shall also call the members of the Senate to the Senate Chamber for the opening of the session on any day after the first day of the session.

On the first day of the first session of a new Congress, or on any subsequent session when the House of Representatives is in session, the Speaker shall call the members of the Senate to the Senate Chamber for the opening of the session. The Speaker shall also call the members of the Senate to the Senate Chamber for the opening of the session on any day after the first day of the session. The Speaker shall also call the members of the Senate to the Senate Chamber for the opening of the session on any day after the first day of the session.

The Secretary of the Senate shall be the person who is elected by the Senate to be the Secretary of the Senate. The Secretary of the Senate shall be elected for a term of four years.

The Secretary of the Senate shall be the person who is elected by the Senate to be the Secretary of the Senate. The Secretary of the Senate shall be elected for a term of four years.

On the second day of the first session of a new Congress, or on any subsequent session when the House of Representatives is in session, the Speaker shall call the members of the Senate to the Senate Chamber for the opening of the session. The Speaker shall also call the members of the Senate to the Senate Chamber for the opening of the session on any day after the first day of the session. The Speaker shall also call the members of the Senate to the Senate Chamber for the opening of the session on any day after the first day of the session.

On the second day of the first session of a new Congress, or on any subsequent session when the House of Representatives is in session, the Speaker shall call the members of the Senate to the Senate Chamber for the opening of the session. The Speaker shall also call the members of the Senate to the Senate Chamber for the opening of the session on any day after the first day of the session. The Speaker shall also call the members of the Senate to the Senate Chamber for the opening of the session on any day after the first day of the session.

The Secretary of the Senate shall be the person who is elected by the Senate to be the Secretary of the Senate. The Secretary of the Senate shall be elected for a term of four years.

The Secretary of the Senate shall be the person who is elected by the Senate to be the Secretary of the Senate. The Secretary of the Senate shall be elected for a term of four years.

The Senate shall have the honor of the President of the United States. The Senate shall have the honor of the President of the United States. The Senate shall have the honor of the President of the United States.

The Senate shall have the honor of the President of the United States. The Senate shall have the honor of the President of the United States. The Senate shall have the honor of the President of the United States.

8. Repealed.

8. If, thirty minutes after the time of meeting, fifteen senators, including the Speaker are not present the Speaker takes the Chair and adjourns the Senate until the next sitting day, the names of the senators present being taken down by the Clerk. M. 321: B. 217.

Explanatory Note:

Not in accordance with practice. Combined with Rule 9.

9. When it appears, on notice being taken at the commencement of or during a sitting of the Senate, that fifteen senators, including the Speaker, are not present, the senators who may be in the adjoining rooms having been previously summoned, the Speaker adjourns the Senate until the next sitting day, without question put.

9. When it appears, on notice being taken, during a sitting of the Senate, that fifteen senators, including the Speaker, are not present, the senators who may be in the adjoining rooms being previously summoned, the Speaker adjourns the Senate as above, without a question first put. M. 321: B. 217.

Explanatory Note:

The purpose of Rules 8 and 9 are best achieved with such a revision.

10. No change.

10. Whenever the Speaker, from illness or other cause, finds it necessary to leave the Chair during any part of the sitting on any day, he may call upon any senator to take the Chair and preside as Speaker, during the remainder of such day, or until the Speaker himself resumes the Chair before the end of the sitting for that day.

11. No change.

11. Whenever the Senate is informed by the Clerk at the Table of the unavoidable absence of the Speaker, the Senate may choose any senator to preside as Speaker during such absence; and such senator shall thereupon have and execute all the powers, privileges and duties of Speaker, until the Speaker himself resumes the Chair, or another Speaker is appointed by the Governor General. B. 164-5.

12. No change.

12. Every act done by any senator, acting as aforesaid, shall have the same effect and validity as if the act were done by the Speaker himself. B. 165.

Explanatory Note:

Rules 10, 11 and 12 are reproduced verbatim from the Speaker of the Senate Act.

10. When it appears on notice being taken at the commencement of the session of the Senate that there is a possibility of a quorum being present at the time of the opening of the session, the Senate shall proceed to the opening of the session and shall not adjourn until the first meeting day, the Senate of which the first meeting day is the day of the opening of the session being taken down by the Clerk at 12:15 P. M.

10. No change

Not in accordance with practice. Combined with rule 7

Explanatory Note

11. When it appears on notice being taken at the commencement of the session of the Senate that there is a possibility of a quorum being present at the time of the opening of the session, the Senate shall proceed to the opening of the session and shall not adjourn until the first meeting day, the Senate of which the first meeting day is the day of the opening of the session being taken down by the Clerk at 12:15 P. M.

11. When it appears on notice being taken at the commencement of the session of the Senate that there is a possibility of a quorum being present at the time of the opening of the session, the Senate shall proceed to the opening of the session and shall not adjourn until the first meeting day, the Senate of which the first meeting day is the day of the opening of the session being taken down by the Clerk at 12:15 P. M.

The purpose of rule 8 and 9 are best achieved with such a revision.

Explanatory Note

12. Whenever the Senate is adjourned for any reason, the Senate shall not adjourn until the first meeting day, the Senate of which the first meeting day is the day of the opening of the session being taken down by the Clerk at 12:15 P. M.

12. No change

13. Whenever the Senate is adjourned for any reason, the Senate shall not adjourn until the first meeting day, the Senate of which the first meeting day is the day of the opening of the session being taken down by the Clerk at 12:15 P. M.

13. No change

14. Whenever the Senate is adjourned for any reason, the Senate shall not adjourn until the first meeting day, the Senate of which the first meeting day is the day of the opening of the session being taken down by the Clerk at 12:15 P. M.

14. No change

When rule 1 and 2 are reproduced together from the Senate Act

Explanatory Note

13. If, at six o'clock in the afternoon, the business be not concluded, the Speaker or the Chairman of the Committee may leave the Chair until eight o'clock; the Mace being left on or under the table, as the case may be: Provided that, if at the said time, a division has been ordered, the Speaker or the Chairman shall not leave the Chair until such division has been taken and any formal business immediately consequent thereon has been completed.

13. If, at six of the clock in the afternoon, the business be not concluded, the Speaker or the Chairman of the Committee of the Whole leaves the Chair until half-past seven of the clock; the Mace being left on or under the table, as the case may be. B. 214.

Provided that, if at the said time, a division has been ordered, the Speaker or the Chairman shall not leave the Chair until such division has been taken and any formal business immediately consequent thereon has been completed. M. 327.

Explanatory Note:

The word "may" is added in order to clarify the permissiveness of leaving the Chair and to accord with practice. Time changed from half-past seven to eight o'clock to accord with practice.

14. No change.

14. When the Senate adjourns on Friday, unless otherwise ordered, it stands adjourned until the Monday following. M. 320.

15. No change.

15. When the Senate adjourns, senators keep their places until the Speaker has left the Chair. B. 333.

16. No change.

16. The Speaker preserves order and decorum, and decides questions of order, subject to an appeal to the Senate. In explaining a point of order or practice he states the rule or authority applicable to the case. M. 242-243, 464: B. 166, 360, 366.

17. No change.

17. Senators may not pass between the Chair and the Table. When entering, leaving, or crossing the Senate Chamber, they bow to the Chair. If they have occasion, when the Senate is sitting, to speak together, they go below the Bar; otherwise the Speaker stops the business under discussion. M. 462: B. 332.

18. No change.

18. If at any sitting of the Senate, or in Committee of the Whole, any senator shall take notice that strangers are present, the Speaker or the Chairman (as the case may be) shall forthwith put the question, "That strangers be ordered to withdraw", without permitting any debate or amendment: Provided, that the Speaker or the Chairman may, whenever he may think fit, order the withdrawal of strangers from any part of the Senate. M. 240-241: B. 194, 343.

12. If at six o'clock in the afternoon, the business has not concluded, the Speaker or the Chairman of the Committee may leave the Chamber until eight o'clock, the same being left on or under the table, as the case may be. Provided that if in the case of a division has been ordered, the Speaker or the Chairman shall not leave the Chamber until such division has been taken and any formal business immediately consequent thereon has been completed.

13. If at six o'clock in the afternoon, the business has not concluded, the Speaker or the Chairman of the Chamber may leave the Chamber until eight o'clock, the same being left on or under the table, as the case may be. Provided that if in the case of a division has been ordered, the Speaker or the Chairman shall not leave the Chamber until such division has been taken and any formal business immediately consequent thereon has been completed.

Parliamentary Order

The word "may" is added in order to clarify the provisions of leaving the Chair and to accord with practice. Time changed from half-past seven to eight o'clock to accord with practice.

14. No change.

14. When the Senate adjourns on Friday unless otherwise ordered, it stands adjourned until the Monday following.

15. No change.

15. When the Senate adjourns on any day other than Friday, it stands adjourned until the Monday following.

16. No change.

16. The Speaker presides over the Senate and holds the position of chief officer of the Senate. He is subject to an appeal in order of precedence a list of order of precedence in which the name of the Speaker is placed first.

17. No change.

17. The Speaker presides over the Senate and holds the position of chief officer of the Senate. He is subject to an appeal in order of precedence a list of order of precedence in which the name of the Speaker is placed first.

18. No change.

18. If at any time of the Senate or in Committee of the Whole, any member shall leave the Chamber, the Speaker or the Chairman of the Chamber shall not leave the Chamber until such division has been taken and any formal business immediately consequent thereon has been completed.



18A. When a Bill or other matter relating to any subject administered by a department of the Government of Canada is being considered by the Senate or in Committee of the Whole, a Minister representing the Department, not being a member of the Senate, may on invitation from the Senate enter the Senate Chamber, and, subject to the Rules, Orders, Forms of Proceedings, and usages of the Senate, take part in the debate.

18A. When a Bill or other matter relating to any subject administered by a department of the Government of Canada has originated in and is being considered by the Senate or in Committee of the Whole, a Minister representing the Department, not being a Member of the Senate, may enter the Senate Chamber, and, subject to the Rules, Orders, Forms of Proceedings, and usages of the Senate, take part in the debate.

Explanatory Note:

The words "has originated in and" are deleted, and the words "on invitation from the Senate" are added to broaden the Senate's right to invite a Minister relating to any matter.

19. At each daily sitting of the Senate, the Speaker shall call for, in the following order:

1. Presentation of Petitions:
2. Reading of Petitions:
3. Reports of Committees:
4. Notices of Inquiries:
5. Notices of Motions:
6. Inquiries:
7. Motions:
8. Question Period:
9. Orders of the Day.

19. At each daily sitting of the Senate, the Speaker shall call for, in the following order,—

1. Presentation of Petitions:
2. Reading of Petitions:
3. Reports of Committees:
4. Notices of Inquiries and of Motions:
5. Inquiries:
6. Motions:
7. Orders of the Day. B. 218.

19A. When the Speaker calls the question period, senators may ask any questions of the Leader of the Government in the Senate relating to matters of urgency or importance to the nation or the Senate. No notice of such questions is required. Supplementary questions may be asked.

Explanatory Note:

The order of business is changed by adding as No. 8, between Motions and Orders of the Day, the Question Period. This incorporates a long standing tradition and practice which should be spelled out in the order of business. Notices of Inquiries and of Motions should be split. No. 4 should be Notices of Inquiries. No. 5 should be Notices of Motions. The remainder to be renumbered accordingly. Rule 19A is added in the same connection as No. 8.

20. No change.

20. Unless the Senate direct otherwise, Orders of the Day take precedence according to priority as follows:

1. Orders of the Day for the third reading of Bills.

SENATE DEBATES

November 24, 1913

104. When a bill or other matter relating to any subject administered by a department of the Government of Canada has been introduced in one of the Houses of the Senate or the House of Commons, a member representing the Government may at any time, by leave of the Senate, call upon the Senate to consider the bill or other matter in the House of Commons, and may, at any time, call upon the Senate to consider the bill or other matter in the Senate.

105. When a bill or other matter relating to any subject administered by a department of the Government of Canada is being considered by the Senate or by the Committee of the Senate, the Government may, by leave of the Senate, call upon the Senate to consider the bill or other matter in the House of Commons, and may, at any time, call upon the Senate to consider the bill or other matter in the Senate.

The words "in one of the Houses" and the words "in the House of Commons" are intended to mean the House of Commons and the House of Commons respectively, and the words "in the Senate" are intended to mean the Senate.

- 10. At each daily sitting of the Senate, the Speaker shall call on in the following order:—
- 1. Presentation of Petitions.
- 2. Reading of Petitions.
- 3. Report of Committees.
- 4. Motion of Adjournment and of Business.
- 5. Questions.
- 6. Orders.
- 7. Orders of the Day.

- 11. At each daily sitting of the Senate, the Speaker shall call on in the following order:—
- 1. Presentation of Petitions.
- 2. Reading of Petitions.
- 3. Report of Committees.
- 4. Motion of Adjournment.
- 5. Motion of Business.
- 6. Questions.
- 7. Orders.
- 8. Orders of the Day.

106. When the Speaker calls the attention of the Senate to any question arising in the course of the proceedings of the Senate, the Government may, by leave of the Senate, call upon the Senate to consider the question in the House of Commons, and may, at any time, call upon the Senate to consider the question in the Senate.

107. The order of business is changed by adjournment. The order of business is changed by adjournment. The order of business is changed by adjournment.

- 12. Unless the Senate direct otherwise, the Order of the Day shall be read in the following order:—
- 1. Orders of the Day for the next day.
- 2. Orders of the Day for the next day.

13. The order...

21. No change.

22. No change

23. Two days' notice must be given of a motion for any of the following purposes:

- (a) To make a new rule or standing order, or to repeal or amend an existing rule or standing order;
- (b) For an Address to His Excellency the Governor General, not merely formal in its character;
- (c) For an Order of the Senate for any papers or documents not relating to a Bill or other matter appearing among the Orders of the Day, or on the notice paper;
- (d) For the appointment of a special committee;
- (e) For the adoption of the report of any such special committee;
- (f) For the second reading of a Bill;
- (g) A like notice is required of any inquiry, not relating to a Bill or other matter appearing among the Orders of the Day, or on the notice paper.

2. An Order of the Day which, at the time of adjournment was under consideration.

3. Orders of the Day which at the time of adjournment had not been reached.

4. Remaining Orders of the Day.

M. 337-345: B. 218.

21. When a senator wishes to give notice of an inquiry or motion, he reduces the notice to writing, signs it, reads it from his place during a sitting of the Senate, and hands it in at the Clerk's table. B. 292.

This Rule does not apply to motions with respect to Bills, nor to motions dealing with reports of committees, nor to formal, routine, subsidiary or incidental motions, notice of which, when necessary, may be given by word of mouth, or by any means which places such motions among the Orders or on the notice paper for any day.

22. A senator, on being duly requested, may give notice for any other senator not then present, by putting the name of such senator on the notice, in addition to his own. B. 293.

23. Two days' notice must be given of a motion for any of the following purposes:

- (a) To make a new rule or standing order, or to repeal or amend an existing rule or standing order;
- (b) For an Address to His Excellency the Governor General, not merely formal in its character;
- (c) For an Order of the Senate for any papers or documents not relating to a Bill or other matter appearing among the Orders of the Day, or on the notice paper;
- (d) For the appointment of a special committee;
- (e) For the adoption of the report of any such special committee;
- (f) For the second reading of a Bill;
- (ff) For the adoption of a resolution of the Senate dissolving or annulling a marriage pursuant to the *Dissolution and Annulment Marriages Act*;
- (g) A like notice is required of any inquiry, not relating to a Bill or other matter appearing among the Orders

3. An Order of the Council shall be issued upon receipt of the report of the Commission.

4. The Council shall have the right to request the Commission to carry out a study or to commission a study.

5. The Council shall have the right to request the Commission to carry out a study or to commission a study.

6. The Council shall have the right to request the Commission to carry out a study or to commission a study.

7. The Council shall have the right to request the Commission to carry out a study or to commission a study.

8. The Council shall have the right to request the Commission to carry out a study or to commission a study.

9. The Council shall have the right to request the Commission to carry out a study or to commission a study.

10. The Council shall have the right to request the Commission to carry out a study or to commission a study.

11. The Council shall have the right to request the Commission to carry out a study or to commission a study.

12. The Council shall have the right to request the Commission to carry out a study or to commission a study.

13. The Council shall have the right to request the Commission to carry out a study or to commission a study.

14. The Council shall have the right to request the Commission to carry out a study or to commission a study.

15. The Council shall have the right to request the Commission to carry out a study or to commission a study.

16. The Council shall have the right to request the Commission to carry out a study or to commission a study.

17. The Council shall have the right to request the Commission to carry out a study or to commission a study.

18. The Council shall have the right to request the Commission to carry out a study or to commission a study.

19. The Council shall have the right to request the Commission to carry out a study or to commission a study.

20. The Council shall have the right to request the Commission to carry out a study or to commission a study.

21. The Council shall have the right to request the Commission to carry out a study or to commission a study.

22. The Council shall have the right to request the Commission to carry out a study or to commission a study.

23. The Council shall have the right to request the Commission to carry out a study or to commission a study.

24. The Council shall have the right to request the Commission to carry out a study or to commission a study.

25. The Council shall have the right to request the Commission to carry out a study or to commission a study.

26. The Council shall have the right to request the Commission to carry out a study or to commission a study.

27. No change

28. No change

29. Two days' notice must be given of a meeting for any of the following purposes:

(a) To invite a new candidate to stand for election or to request or accept an election of a new candidate.

(b) For an address to the Council by the Governor (General), his deputy or his successor.

(c) For an Order of the Council for any purpose or for a resolution or motion to be carried by the Council or for any other matter relating to a bill or other motion presented to the Council or the House of Representatives or the other House.

(d) For the appointment of a special committee.

(e) For the submission of the report of any such special committee.

(f) For the annual meeting of a bill.

(g) A bill which is required to be introduced and carried by a bill or other motion presented to the Council or the House of Representatives or the other House of the Parliament or the other House of the Parliament.

of the Day, or on the notice paper, B. 293.

**Explanatory Note:**

Consequential repeal of paragraph (ff) following repeal of rules relating to dissolution and annulment.

24. One day's notice must be given of any of the following motions:

- (a) To suspend any rule or standing order, or any part thereof;
- (b) For the third reading of a Bill;
- (c) For any substantial amendment to a Private or a Public Bill reported by the Committee of the Whole or by a Select Committee;
- (d) Repealed;
- (e) Repealed;
- (f) For the appointment of a Standing Committee;
- (g) For an instruction to a committee;
- (h) For the adoption of a report, not merely formal in its character, from any standing Committee;
- (i) For an adjournment of the Senate, other than the ordinary daily adjournment or that under Rule 14, 25 or 44;
- (j) For any purpose to which neither Rule 23 nor Rule 25 applies.
- (k) Repealed.

**Explanatory Note:**

Paragraph (c) redrafted to accord with existing practice. Paragraph (d) repealed because repetitious of same matter covered by paragraph (c). Paragraph (e) repealed to reflect existing practice, namely, that the Senate may resolve itself into a Committee of the Whole without notice. See amendment to Rule 25(p) and explanatory note relating thereto. Paragraph (j) redrafted for sake of clarity. Paragraph (k) repealed because repetitious of same matter covered by paragraph (j).

25. No notice is required of the following motions:

- (a) By way of amendment to a question;
- (b) For the referral of the question to a committee;

24. One day's notice must be given of any of the following motions:

- (a) To suspend any rule or standing order, or any part thereof;
- (b) For the third reading of a Bill;
- (c) For any substantial amendment to a Private Bill;
- (d) For the consideration of substantial amendments made in a Public Bill by a Committee of the Whole;
- (e) That the Senate resolve itself forthwith into a Committee of the Whole;
- (f) For the appointment of a Standing Committee;
- (g) For an instruction to a committee;
- (h) For the adoption of a report, not merely formal in its character, from any Standing Committee;
- (i) For an adjournment of the Senate, other than the ordinary daily adjournment or that under Rule 14, 25 or 44;
- (j) For any purpose to which neither the next preceding nor the next succeeding rule applies; and—
- (k) A like notice is required of any inquiry relating to a Bill or other matter appearing among the Orders of the Day or on the notice paper.

25. No notice is required for any of the following motions:

- (a) By way of amendment to a question;
- (b) For the committal of the question;

of the Day or of the next day.  
E. 121

Management report of the following kind of rules relating to discipline and punishment.

- 21. One day's notice must be given of any of the following matters:
  - (a) To suspend any rule or standing order or any part thereof;
  - (b) To vary the terms of a Bill;
  - (c) To vary any standing order relating to a Bill or Bill;
  - (d) To vary the standing order relating to the order of business in a Committee by a Committee of the House;
  - (e) To vary the standing order relating to the order of business in a Committee by a Committee of the House;
  - (f) For the appointment of a Standing Committee;
  - (g) For an instruction to a committee;
  - (h) For the adjournment of a House, and generally in all matters of a general nature relating to the House;
  - (i) For an amendment of the House's order of business, other than the order of business relating to the order of business in a Committee by a Committee of the House;
  - (j) For any proposal to which notice is required by the House's order of business, and
  - (k) For any proposal to which notice is required by the House's order of business, and

- 22. One day's notice must be given of any of the following matters:
  - (a) To suspend any rule or standing order or any part thereof;
  - (b) To vary the terms of a Bill;
  - (c) To vary any standing order relating to a Bill or a Bill;
  - (d) To vary the standing order relating to the order of business in a Committee by a Committee of the House;
  - (e) To vary the standing order relating to the order of business in a Committee by a Committee of the House;
  - (f) For the appointment of a Standing Committee;
  - (g) For an instruction to a committee;
  - (h) For the adjournment of a House, and generally in all matters of a general nature relating to the House;
  - (i) For an amendment of the House's order of business, other than the order of business relating to the order of business in a Committee by a Committee of the House;
  - (j) For any proposal to which notice is required by the House's order of business, and
  - (k) For any proposal to which notice is required by the House's order of business, and

Management report of the following kind of rules relating to discipline and punishment.

- 23. No notice is required in any of the following matters:
  - (a) For the appointment of a committee;
  - (b) For the adjournment of a House, and generally in all matters of a general nature relating to the House;

- 24. No notice is required of the following matters:
  - (a) For the appointment of a committee;
  - (b) For the adjournment of a House, and generally in all matters of a general nature relating to the House;

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>(c) For its postponement to a certain day;</li> <li>(d) For the previous question;</li> <li>(e) For reading the Orders of the Day;</li> <li>(f) For the adjournment of the Senate, while a question is under discussion;</li> <li>(g) For the adjournment of the Senate for the purpose of bringing up a question of urgent public importance (which the mover shall state on rising to speak) before the House proceeds to the Orders of the Day;</li> <li>(h) For the adjournment of the debate;</li> <li>(i) For the consideration of Commons' amendments to a public Bill forthwith, or on a future day;</li> <li>(j) For the appointment of a Committee to prepare reasons for disagreeing with a Commons' amendment;</li> <li>(k) Raising a question of privilege;</li> <li>(l) For the first reading of a Bill;</li> <li>(m) For the postponement, discharge or revival of an Order of the Day;</li> <li>(n) For dealing on a future day with any matter which is on the Table of the Senate;</li> <li>(o) For the reconsideration, while in the Committee of the Whole, of any clause of a Bill already agreed to;</li> <li>(p) That the Senate resolve itself into a Committee of the Whole;</li> <li>(q) <u>By the recognized Leader of the Government in the Senate or by a minister for the immediate presentation of papers;</u></li> <li>(r) For the ordinary adjournment of the Senate, at the close of the business of the day;</li> <li>(s) Other motions of a merely formal or uncontentious character;</li> <li>(t) Where notice is dispensed with by the unanimous consent of the Senate.</li> </ul> | <ul style="list-style-type: none"> <li>(c) For its postponement to a certain day;</li> <li>(d) For the previous question;</li> <li>(e) For reading the Orders of the Day;</li> <li>(f) For the adjournment of the Senate, while a question is under discussion;</li> <li>(g) For the adjournment of the Senate for the purpose of bringing up a question of urgent public importance (which the mover shall state on rising to speak) before the House proceeds to the Orders of the Day;</li> <li>(h) For the adjournment of the debate;</li> <li>(i) For the consideration of Commons' amendments to a public Bill forthwith, or on a future day;</li> <li>(j) For the appointment of a Committee to prepare reasons for disagreeing with a Commons' amendment;</li> <li>(k) Raising a question of privilege;</li> <li>(l) For the first reading of a Bill;</li> <li>(m) For the postponement, discharge or revival of an Order of the Day;</li> <li>(n) For dealing on a future day with any matter which is on the Table of the Senate;</li> <li>(o) For the reconsideration, while in the Committee of the Whole, of any clause of a Bill already agreed to;</li> <li>(p) That the Senate resolve itself into a Committee of the Whole on a future day;</li> <li>(q) By a minister for the immediate presentation of papers;</li> <li>(r) For the ordinary adjournment of the Senate, at the close of the business of the day;</li> <li>(s) Other motions of a merely formal or uncontentious character;</li> <li>(t) Where notice is dispensed with by the unanimous consent of the Senate. M. 398: B. 298, 302, 527.</li> </ul> |
|---|--|

Explanatory Note:

Paragraph (b) redrafted for sake of clarity. Paragraph (p) is amended by deleting the words "on a future day". This amendment together with the repeal of paragraph (e) of Rule 24 is intended to accord with existing practice. Paragraph (q) amended for sake of clarity.

25A. No change.

25A. No question or amendment shall be proposed which is the same in substance as any question or amendment which,

- (a) For the postponement to a certain day?
- (b) For the previous question?
- (c) For reading the Order of the Day?
- (d) For the adjournment of the Senate with a question in order before next day?
- (e) For the adjournment of the Senate for the purpose of bringing up a question of urgent public importance before the Senate shall state as much to great details the House records to the Order of the Day?
- (f) For the adjournment of the Senate?
- (g) For the adjournment of the Senate with or on a future day?
- (h) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (i) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (j) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (k) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (l) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (m) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (n) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (o) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (p) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (q) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (r) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (s) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (t) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (u) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (v) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (w) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (x) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (y) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (z) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?

- (a) For the adjournment of the Senate for the purpose of bringing up a question of urgent public importance before the Senate shall state as much to great details the House records to the Order of the Day?
- (b) For the adjournment of the Senate?
- (c) For the adjournment of the Senate with or on a future day?
- (d) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (e) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (f) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (g) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (h) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (i) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (j) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (k) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (l) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (m) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (n) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (o) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (p) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (q) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (r) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (s) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (t) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (u) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (v) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (w) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (x) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (y) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?
- (z) For the adjournment of a Committee to report reasons for disagreeing with a Committee's amendment?

Paragraph (a) is amended by deleting the words "on a future day" and inserting in lieu thereof the words "intended to occur with all the practice Paragraph (a) intended for the sake of clarity."

22A No change.

22A No change.



during the same session, has been resolved in the affirmative or negative, unless the order, resolution or vote on such question or amendment has been rescinded.

25B. No change.

25B. An order, resolution or other vote of the Senate may be rescinded; but no such order, resolution or other vote may be rescinded unless five days' notice be given and at least two-thirds of the senators present vote in favour of its rescission: Provided that, to correct irregularities or mistakes, one day's notice only shall be sufficient.

26. Any notice containing unbecoming expressions, or which offends against any rule or order of the Senate, shall not be allowed by the Speaker to appear on the notice paper.

26. Any notice containing unbecoming expressions, or which offends against any rule or order of the Senate, if not amended by the senator giving the same, is not allowed by the Speaker to appear on the notice paper. M. 404-405: B. 295-297.

Explanatory Note:

Words "if not amended by the senator giving the same" deleted because superfluous. Words "is not" replaced by words "shall not be".

27. A motion prefaced by a written preamble is not received by the Senate.

27. No motion prefaced by a written preamble is received by the Senate.

28. No change.

28. Any senator who has made a motion may withdraw or modify the same by leave of the Senate. M. 407: B. 295.

29. Repealed.

29. No motion for making a standing rule or order can be adopted, unless two days' notice in writing has been given thereof, and the senators in attendance on the session have been summoned to consider the same. B. 295.

Explanatory Note:

Repealed because repetitious of matter covered by Rule 23(a).

30. Repealed.

30. No motion to suspend any rule or standing order, or any part of a rule, or order, may be made, except on one day's notice, specifying the rule or order or part

during the same session has been re-  
ferred in the affirmative or negative  
under the order resolution to vote on  
that resolution or amendment has been  
passed.

255. An order resolution or other vote of  
the Senate may be rescinded, but no  
such order, resolution or other vote may  
be rescinded unless the date, notice be  
given and in that resolution of the  
Senate is provided that in favor of the  
rescission. It is provided that in favor of  
rescission or otherwise, one day's notice  
shall be required.

256. Any notice containing information re-  
ferred to in this article against any  
person or with a reference to any  
vote or order of the Senate, if not  
made by the speaker giving the notice,  
is not allowed by the Speaker to appear  
on the notice paper. H. Res. 256, S. Res.  
257.

257. Any notice containing information re-  
ferred to in this article against any  
person or with a reference to any  
vote or order of the Senate, shall not be  
allowed by the Speaker to appear on the  
notice paper.

Explanatory Note

Words "if not rescinded by the speaker giving the notice" should be inserted in the  
"is not" replaced by words "shall not be".

258. No notice referred to in this article  
shall be received by the Senate.

259. Any person who has given a notice  
under this article shall be liable to  
the same as the Speaker. H. Res. 258, S. Res.  
259.

260. No notice referred to in this article  
or other notice shall be received by the  
Senate in writing and the Speaker shall  
and the Speaker is authorized to certify  
notice have been received in writing  
the same. H. Res. 260, S. Res. 260.

Explanatory Note

Repealed language in this article should be replaced by the following:

261. No notice referred to in this article  
shall be received by the Senate, or any  
other order or any part of a vote, or  
may be made except on one day's notice  
specifying the date of order or part

261. Repealed.

thereof proposed to be suspended, and the purpose of such suspension. B. 295.

Any rule or order, or part thereof, may be suspended without notice by the unanimous consent of the Senate, the rule or order, or part thereof, proposed to be suspended being distinctly stated.

Explanatory Note:

First paragraph repealed because repetitious of matter covered by Rule 24(a). Second paragraph repealed here but has been retained as new Rule 2A.

31. No change.

31. A motion or amendment not seconded cannot be debated or put from the Chair. B. 295 sqq.

32. A senator desiring to speak in the Senate shall rise in his place and address himself to the rest of the senators. In a Committee, the senator shall address the Chair.

32. A senator desiring to speak is to rise in his place uncovered and address himself to the rest of the senators. B. 332.

Explanatory Note:

The words "In a Committee, the senator shall address the Chair" added to clarify distinction between speaking in Senate and in a Committee. Delete "uncovered" because superfluous.

33. No change.

33. When two or more senators rise to speak, the Speaker calls upon the senator who, in his opinion, first rose in his place; but a motion may be made that any senator who has risen "be now heard" or "do now speak". M. 446: B. 334.

34. A senator may speak to any question before the Senate, a question of privilege, or upon a point of order, or upon a motion or an inquiry, or in making a mere interrogation, but not otherwise without the consent of a majority of the Senate, which shall be determined without debate.

34. A senator may speak to any question before the Senate; or upon a motion, or an amendment to be proposed by himself; or upon a question or order arising out of the debate; but not otherwise, without the consent of a majority of the Senate, which shall be determined without debate. B. 343.

Explanatory Note:

Redrafted for sake of clarity. Words "or in making a mere interrogation" added to remove apparent conflict with Rule 39.

35. No senator may speak twice to a question before the Senate, except in explanation of a material part of his speech, in which he may have been

35. No senator may speak twice to a question before the Senate, except in explanation of a material part of his speech, in which he may have been

...not proposed to be suspended and  
the nature of such suspension is...

Any rule or order of procedure shall  
be suspended without notice by the  
unanimous consent of the Senate, and  
this on order of any Senator, provided  
to be suspended being therein stated.

Amendment

First paragraph amended by Senate, Second  
paragraph amended by Senate and has been retained as now.

31. A motion or amendment not recorded  
shall be deemed to be from the Chair.  
S. 150 add.

32. A Senator wishing to speak in the Sen-  
ate shall rise in his place and address  
himself to the seat of the Speaker. In  
the case of the Senator, S. 151

33. A Senator desiring to speak in the Sen-  
ate shall rise in his place and address  
himself to the seat of the Speaker. In  
the case of the Senator, the Senator shall address  
the Chair.

Amendment

The words "in a Committee, the Senator shall address the Chair" added to clarify the  
provision regarding in debate and in a Committee, Debate "Senator" because of the  
provision regarding in debate and in a Committee, Debate "Senator" because of the

34. When two or more Senators rise to  
speak, the Speaker shall call upon the Senator  
who rises first. The Senator who rises first  
shall have the floor. The Senator who rises  
second shall have the floor. The Senator who  
rises third shall have the floor. The Senator  
who rises fourth shall have the floor. The  
Senator who rises fifth shall have the floor.  
S. 152

35. A Senator who speaks in any session  
shall be deemed to have spoken. A Senator  
who speaks in any session shall be deemed to  
have spoken. A Senator who speaks in any  
session shall be deemed to have spoken. A  
Senator who speaks in any session shall be  
deemed to have spoken. A Senator who  
speaks in any session shall be deemed to  
have spoken. S. 153

36. A Senator may speak in any session  
without the consent of the Speaker. A  
Senator may speak in any session without  
the consent of the Speaker. A Senator may  
speak in any session without the consent of  
the Speaker. A Senator may speak in any  
session without the consent of the Speaker.  
S. 154

Amendment

Amendment for vote of chair. Words "or in making a more intelligent" added to remove  
ambiguity existing with rule 33.

37. No Senator may speak twice in a ses-  
sion unless the Senate vote to ex-  
ception of a Senator part of his  
speech in which he may have been  
interrupted.

38. No Senator may speak twice in a ses-  
sion unless the Senate vote to ex-  
ception of a Senator part of his  
speech in which he may have been  
interrupted.

misunderstood, and then he is not to introduce new matter.

misconceived, and then he is not to introduce new matter. M. 447: B. 334.

Explanatory Note:

Word "misconceived" deleted and word "misunderstood" substituted therefor.

36. A senator who has moved the second reading of a bill or made a substantive motion shall have a right of reply, but not otherwise.

36. A reply is allowed to a senator who has moved the second reading of a Bill, or made a substantive motion, but not to one who has moved an amendment, the previous question, an adjournment during a debate, a motion on the consideration of Commons' amendments, or an instruction to a committee. M. 449: B. 344.

Explanatory Note:

Redrafted for sake of clarity.

37. In all cases, the final reply of the mover of the original question closes the debate. It is the duty of the Speaker to ensure that every senator wishing to speak has the opportunity to do so before the final reply.

37. In all cases, the reply of the mover of the original question closes the debate. It is the duty of the Speaker to see that every senator wishing to speak has the opportunity to do so before the final reply.

Explanatory Note:

The word "final" is added in the first sentence to qualify the word reply. The expression "final reply" is intended to ensure that replies to oral questions, queries, or interrogations made during the course of debate shall not be construed as "the reply of the mover" which closes the debate. The "reply of the mover" is the "final reply".

38. No change.

38. It shall be competent to a senator, when he seconds a motion or amendment, or moves an order of the day, without speaking to it, to address the Senate on the subject of such motion, amendment or order of the day, at any subsequent period of the debate. M. 449: B. 345.

39. No debate is in order on a mere interrogation; but brief explanatory remarks may be made by the senator making the interrogation and by the senator

39. No debate is in order on a mere inquiry; but explanatory remarks may be made by the senator making the inquiry, and by the minister or other senator answering the same. Observa-

introduction, and then in a separate  
motion now under H. R. 121.

introduction, and then in a separate  
motion now under

Explanatory Note

Word "introduction" deleted and word "introduction" substituted therein.

26. A motion is allowed to a member who has  
moved the second reading of a Bill or  
made a substantive motion, but not to  
one who has moved an amendment,  
for previous question, an adjournment  
motion or a motion for a reference to the  
committee of conference, amendments  
or a reference to a committee. M.  
1954, p. 107.

26. A member who has moved the second  
reading of a Bill or made a substantive  
motion shall have a right of reply, but  
not otherwise.

Explanatory Note

Repealed the word "introduction"

27. In all cases the right of reply of the mover of  
the original motion shall be the  
same as in the case of the mover of  
the motion. The mover of the motion  
shall have the opportunity to do so before  
the final vote.

27. In all cases the right of reply of the mover  
of the original motion shall be the  
same as in the case of the mover of  
the motion. The mover of the motion  
shall have the opportunity to do so before  
the final vote.

Explanatory Note

The word "reply" is added in the first sentence to clarify the word "reply". The expression  
"final reply" is inserted in clause (b) to clarify that replies to the mover of a motion, which  
may be made during the course of debate shall not be considered as "final replies" which  
close the debate. The "right of the mover" is the "final reply".

28. It shall be competent to a member who  
has moved a motion or amendment, at  
any time before the day on which the  
motion is to be taken, to move the  
previous question, an adjournment  
motion or a motion for a reference to the  
committee of conference, amendments  
or a reference to a committee. M.  
1954, p. 107.

28. No change

29. The debate is to take place on a vote on  
the Bill, but explanatory remarks may be  
made by the mover, or by the mover,  
before the vote, and by the mover, or  
another member, after the vote. M.  
1954, p. 107.

29. No debate is to take place on a vote on  
the Bill, but explanatory remarks  
may be made by the mover, or by the mover,  
before the vote, and by the mover, or  
another member, after the vote.

answering the same. Observations upon any such answer are not allowed.

tions upon any such answer are not allowed. B. 310.

Explanatory Note:

Redrafted in order to clarify ambiguity that might arise with the use of the word "inquiry", and to accord with the definition of "inquiry" in Rule 4.

40. When it is intended to make a statement or raise a discussion, the senator having such intention, as part of the notice under Rule 21, gives notice that he will call attention to the matter inquired into.

40. When it is intended to make a statement or raise a discussion on asking a question, the senator having such intention, as part of the notice under Rule 21, gives notice that he will call attention to the matter inquired into. B. 310, sq.

Explanatory Note:

The words "on asking a question" are deleted for sake of clarity.

41. No change.

41. Whenever a matter or question directly concerning the privileges of the Senate or of any committee or member thereof, has arisen, a motion calling upon the Senate to take action thereon may be moved, without notice, and shall, until decided, unless the debate be adjourned, suspend the consideration of other motions as well as Orders of the Day. M. 382, 397: B. 302, sq.

42. Any senator complaining to the Senate of a statement in a newspaper, magazine, periodical, on radio or television or any form of public news media, as a breach of privilege, shall specify the matter complained of, the source, and the nature of the breach of privilege.

42. Any senator complaining to the Senate of a statement in a newspaper as a breach of privilege, shall produce a copy of the paper containing the statement in question. M. 135: B. 63.

Explanatory Note:

Amended to extend to all forms of public news media and to simplify the manner of complaining to the Senate.

43. No change.

43. Any senator may require the question under discussion to be read at any time during the debate, but not so as to interrupt any other senator while speaking. B. 353.

answering the same. Questions arise  
any such change are not allowed  
allowed in 1932.

Explanatory Note

Indicated in order to clarify matters that might arise with the use of the word "party,"  
and to accord with the definition of "party" in Rule 4.

60. When it is intended to make a charge  
against or raise a discussion, the speaker  
having such intention, at the time of the  
action under Rule 42, gives notice that  
he will call attention to the matter to  
be charged.

61. When it is intended to make a charge  
against or raise a discussion, the speaker  
having such intention, at the time of the  
action under Rule 42, gives notice that  
he will call attention to the matter to  
be charged.

Explanatory Note

The words "to make a charge" are defined for the sake of clarity.

62. No change.

63. Whenever a matter of general interest  
concerning the activities of the Society  
or its members or members thereof  
or has arisen, a motion calling upon  
the Society to take action thereon may  
be moved without a charge, and shall  
be in order unless the motion is  
precluded, upon the constitution of  
the Society as well as Order of the  
Society. Rule 42, Sec. 1, 1932 ed.

64. Any matter concerning the Society  
in a statement in a newspaper,  
magazine, pamphlet or book of any  
kind or any form of public opinion,  
shall be a breach of privilege, when  
specifically the matter contained in the  
statement and the notice in the notice of  
privilege.

Explanatory Note

Amended to extend to all forms of public news media and to specify the manner of  
conforming to the Rules.

65. Any matter concerning the Society  
in a statement in a newspaper,  
magazine, pamphlet or book of any  
kind or any form of public opinion,  
shall be a breach of privilege, when  
specifically the matter contained in the  
statement and the notice in the notice of  
privilege.

66. No change.

67. Any matter concerning the Society  
in a statement in a newspaper,  
magazine, pamphlet or book of any  
kind or any form of public opinion,  
shall be a breach of privilege, when  
specifically the matter contained in the  
statement and the notice in the notice of  
privilege.



44. (1) When a question is under debate, no motion is received, unless to amend it; to refer it to a committee; to postpone it to a certain day; for the previous question; or for the adjournment of the Senate.

(2) The previous question refers to a motion "that the original question be now put". Such a motion may be made on a main motion, or on a main motion as amended, but not on a motion for an amendment. When such a motion is put by the Speaker no motion to amend it is in order. It is debatable and Senators who have spoken on the main motion or on the main motion as amended may speak again to the previous question but may not move or second it. If the motion for the previous question carries, the Speaker must immediately put the original question without further debate: if it is defeated, the main motion is dropped from the Orders of the Day. The previous question may not be moved in Committee of the Whole or in any select committee.

44. When a question is under debate, no motion is received, unless to amend it; to commit it; to postpone it to a certain day; for the previous question; for reading the Orders of the Day, or for the adjournment of the Senate. B. 316, sqq. 322, sqq., 324, sq. 326.

Explanatory Note:

The words "commit it" are deleted and the words "refer it to a committee" are substituted therefor for sake of clarity and consistency with amendment to Rule 25(b). The words "for reading the Orders of the Day" are deleted because superfluous. Paragraph 2 is added to clarify the meaning of "previous question" and to detail the procedural implications of such a motion.

45. No change.

46. No change.

47. No change.

48. No change.

45. Any senator called to order shall sit down and shall not proceed, pending the decision of the question of order. B. 366.

46. All personal, sharp or taxing speeches are forbidden. M. 459: B. 360, sq.

47. Any senator conceiving himself offended, or injured in the Senate, in a committee room, or any of the rooms belonging to the Senate, is to appeal to the Senate for redress. M. 459: B. 360.

48. If a senator be called to order, for words spoken in debate; upon the demand of the senator so called to order, or of any other senator, the exceptionable words shall be taken down in writing by the Clerk at the Table. And any senator who has used exceptionable words, and does not explain or retract the same, or offer apologies therefor to the satis-



49. The Senate may interfere to prevent the prosecution of any dispute between senators arising out of a debate or proceeding of the Senate, or any committee thereof.

faction of the Senate, will be censured or otherwise dealt with as the Senate may think fit. M. 459: B. 360-369, sqq.

49. The Senate may interfere to prevent the prosecution of any quarrel between senators arising out of a debate or proceeding of the Senate, or any committee thereof. M. 459: B. 360 sq.

Explanatory Note:

Word "quarrel" deleted and word "dispute" substituted therefor.

50. The Speaker stands uncovered when speaking to the Senate; and, if he proposes to address the House on any question other than a point of order or question of privilege, leaves the Chair.

50. The Speaker stands uncovered when speaking to the Senate; and, if he proposes to address the House on any question other than one of order, leaves the Chair. M. 242: B. 165, sq.

Explanatory Note:

Redrafted for sake of clarity.

51. (1) Voting in the Senate shall be as follows: the Speaker shall call for the "yeas" and "nays" and shall thereupon decide whether the motion has carried. In the absence of a request for a standing vote, his decision shall be final. Upon the request of any two senators before the Senate takes up other business, the Speaker shall call for a standing vote and the "yeas" shall first rise in their places, then the "nays". Each senator shall vote on the question openly and without debate unless for special reasons he be excused by the Senate; provided that

51. In voting, the "Contents" first rise in their places, then the "Non-contents". M. 412: B. 379.

(a) the Speaker may vote but shall not be obliged to vote;

(b) a senator shall not be entitled to vote upon any question in which he has any pecuniary interest whatsoever, not held in common with the rest of the Canadian subjects of the Crown, and the vote of any senator so interested shall be disallowed;

(c) a senator who declines to vote shall assign his reasons therefor, following which the Speaker shall submit to the Senate the question; "Shall the Senator, for the reasons assigned

action of the Senate will be required or otherwise shall be the Senate may think fit. S. Res. 100-102, sec. 10.

49. The Senate may determine the position of any question between the Senate and the House or any committee of the House or any committee of the Senate. S. Res. 100-102, sec. 10.

50. The Senate may determine the position of any question between the Senate and the House or any committee of the House or any committee of the Senate. S. Res. 100-102, sec. 10.

Legislative Privilege

Words "question" defined and word "dignity" defined.

51. The Senate may determine the position of any question between the Senate and the House or any committee of the House or any committee of the Senate. S. Res. 100-102, sec. 10.

52. The Senate may determine the position of any question between the Senate and the House or any committee of the House or any committee of the Senate. S. Res. 100-102, sec. 10.

Legislative Privilege

Defined for use of clause.

53. In voting the "yeas" and "nays" shall be taken in the following order: "yeas," "nays," and "yeas."

54. (1) Voting in the Senate shall be as follows: The speaker shall call for the "yeas" and "nays" and shall determine whether the motion has been made in the absence of a request for a standing vote. His decision shall be final. Upon the request of any two senators before the yeas are taken up other than the speaker shall call for a standing vote and the "yeas" shall then be taken. Each senator shall vote on the question orally and without debate unless the speaker shall be moved by the Senate to receive the vote.

(2) The speaker may vote and shall not be obliged to vote.

(3) A senator shall not be entitled to vote upon any question in which he has any pecuniary interest unless he has first taken the oath of office and the oath of the Canadian sovereign of the Crown, and the vote of any senator so interested shall be disallowed.

(4) A senator who declines to vote shall signify his reasons together with the reasons which the speaker shall announce to the Senate. The speaker shall be the judge for the reasons assigned.

by him, be excused from voting?" which shall be decided without debate.

(2) Questions arising in the Senate shall be decided by a majority of voices, and when the voices are equal the decision shall be deemed to be in the negative.

Explanatory Note:

Rules 51, 52, 53 and 54 inclusive, are redrafted in this new rule for sake of clarity and greater detail as to procedure. The words "Contents" and "Non-contents" are deleted and the words "yeas" and "nays" are substituted therefor to accord with modern practice. Paragraph (a) is intended to emphasize that the Speaker is not obliged to vote. Paragraph (b) is substantially the same as existing Rule 53. Paragraph (c) is substantially the same as existing Rule 54. Paragraph (2) added for sake of clarity.

52. Repealed.

52. If two senators require it, the "Contents" and "Non-contents" are entered upon the minutes: Provided the Senate shall not have taken up other business; and each senator shall vote on the question, openly and without debate; unless for special reasons he be excused by the Senate. M. 430: B. 378.

53. Repealed.

53. No senator is entitled to vote upon any question in which he has any pecuniary interest whatsoever, not held in common with the rest of the Canadian subjects of the Crown; and the vote of any senator so interested will be disallowed. M. 439: B. 385, sqq.

54. Repealed.

54. A senator, declining to vote, shall assign reasons therefor; and the Speaker shall submit to the Senate the question,— "Shall the Senator, for the reasons assigned by him, be excused from voting?" B. 381, sq.

Explanatory Note:

Rules 52, 53 and 54 are combined with new Rule 51.

55. No change.

55. A senator will not be permitted to vote on any question, unless he is within the Bar when the question is put; and, no senator may speak to a question after the order has been given to call in the members to vote thereon, unless with the unanimous consent of the Senate; and, with the like consent, a senator may, for special reasons assigned by him, withdraw or change his vote, im-

by him, he cannot be held liable for any action which he may take in the future.

(3) Questions arising in the Senate shall be decided by a majority of votes and when the votes are equal the President shall be deemed to be in the negative.

Explanation

Under the proposed amendment, the words "and the Senate" are deleted and the words "and the Senate" are substituted therefor to give the Senate the same power as the House in the case of a tie vote. It is respectfully suggested that the Senate be empowered to decide the case in the event of a tie vote.

22. If two Senators are elected to the same office, the Senate shall not have power to elect either Senator and each Senator shall vote on the question as if he were a Senator at large.

22. Reported

23. No Senator is entitled to vote upon any question in which he has any pecuniary interest, and no Senator shall be deemed to have an interest in any question in which he has an interest in the Senate or in the Senate or in the Senate.

23. Reported

24. A Senator electing to vote shall retain his right to vote in the Senate and the Senate shall have the right to elect a Senator in the event of a vacancy in the Senate.

24. Reported

Explanation

Under the proposed amendment, the words "and the Senate" are deleted and the words "and the Senate" are substituted therefor to give the Senate the same power as the House in the case of a tie vote.

25. A Senator will not be permitted to vote on any question which he is within the Senate and the Senate shall have the right to elect a Senator in the event of a vacancy in the Senate.

25. Reported

mediately after the announcement of the division. M. 434: B. 378.

56. Repealed.

56. Any senator entering his protest or dissent to any vote of the Senate, with or without his reasons, must enter and sign the same in the Clerk's book, on the next sitting day, before the rising of the Senate. M. 428: B. 385.

Explanatory Note:

Repealed because not in accordance with existing practice.

57. Repealed.

57. Every protest is subject to the control of the Senate, and may neither be altered nor withdrawn without the consent of the Senate; nor can a senator absent when the question is put, be admitted to protest. M. 428, sq.: B. 385.

Explanatory Note:

Repealed because not in accordance with existing practice. Consequential repeal.

58. A petition shall be clearly written or printed, and signed by the petitioner.

58. Every petition is to be fairly written or printed, and signed on the sheet containing the prayer of the petition; and if there be more than three petitioners, the additional signatures may be affixed to the sheets attached to the petition. M. 838: B. 232, 583.

Explanatory Note:

Redrafted for sake of brevity and clarity.

59. No petition is received from any corporation unless it be duly authenticated and under the seal of such corporation.

59. No petition is received from any corporation aggregate, unless it be duly authenticated by the seal of such corporation. M.838: B. 232, 236, 583.

Explanatory Note:

Words "aggregate" and "by" are deleted and the expression "and under" substituted for the word "by".

60. No change.

60. Petitions signed by persons purporting to represent public meetings, can only be received as the petitions of the per-

SENATE REPORT

Medically, also, the Commission of the Division, M. 1952, 13.

32. Any person entering the precinct or the seat to the vote of the State, with or without the consent, shall be liable for the same in the State's Court of the laws, although, before the time of the passage, M. 1952, 13.

33. Reported.

Explanatory Note

Reported because not in accordance with existing law.

34. Every person is subject to the laws of the State, and any person who is found in violation thereof shall be liable for the same in the State's Court of the laws, although, before the time of the passage, M. 1952, 13.

35. Reported.

Explanatory Note

Reported because not in accordance with existing law.

36. Every person is to be liable with or without regard to the time of the passage, M. 1952, 13.

37. A person shall be liable with or without regard to the time of the passage, M. 1952, 13.

Explanatory Note

Reported because not in accordance with existing law.

38. The person is reported to be liable with or without regard to the time of the passage, M. 1952, 13.

39. The person is reported to be liable with or without regard to the time of the passage, M. 1952, 13.

Explanatory Note

Words "and" and "or" are deleted and the expression "and" substituted for the word "or".

40. Persons agreed by persons purporting to represent public meeting can not be treated as the persons of the law.

41. No report.



- 60A. (1) All Bills introduced in the Senate shall be in the English and French languages.
- (2) In the preparation of a Bill amending any Statute or part thereof, the amendments shall be made by clauses which re-enact the section, subsection or other minor division as it is amended and shall not be made by clauses which add or leave out words or substitute words for others.
- (3) The text of the Bill shall indicate a comparative print of that part of the Bill making the amendment and of the Statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the Bill if enacted as proposed.
- (4) A memorandum by the draftsman explaining briefly the reasons for each amendment shall accompany the Bill. Whenever practicable the memorandum shall be printed on the right hand page of the Bill in paragraphs opposite the amendments referred to and numbered correspondingly.
- (5) This rule shall as far as practicable apply to the reprinting of Bills.

Explanatory Note:

Redrafted to accord with the intent of the recent amendments to the Publication of Statutes Act. Section 11 of the Publication of Statutes Act now reads: "11. The Statutes shall be printed in the English and French languages in such form, on such paper and in such type and shall be bound in such manner as the Governor in Council may prescribe by regulation." The proposed draft of Rule 60A is intended to stand until and subject to the regulations by the Governor in Council relating to the publication of statutes. At that time, Rule 60A should be revised, if necessary, by the Committee on Standing Rules and Orders.

61. No change.

62. No change.

63. Repealed.

sons whose names are affixed thereto.  
B. 236.

- 60A. (1) In the preparation of Bills amending existing enactments the amendments shall not ordinarily be made by clauses which add or leave out words or substitute words for others, but by clauses which re-enact the section, subsection or other minor division, as it is amended.
- (2) In the text of the Bill, on the left hand page, new matter shall be indicated by such typographical means as may best suit the varying circumstances of each case, such as brackets, italics, underlining, asterisks, etc. Opposite each clause, on the right hand page, the enactment amended thereby, or so much thereof as is essential, shall be printed with the proposed changes to be made therein similarly indicated.
- (3) When a clause repeals an existing section, subsection or other minor division of a section, that section, subsection or division, or so much thereof as is essential, shall be printed opposite the clause.
- (4) A memorandum by the draftsman explaining briefly the reasons for each clause, shall be appended to the Bill, or distributed therewith. Whenever practicable the memorandum shall be printed on the right hand page of the Bill, in paragraphs opposite the clauses referred to and numbered correspondingly.
- (5) The above rules shall also as far as practicable apply to the reprinting of Bills.

61. It is the right of every senator to bring in a Bill. M. 343: B. 494.

62. Immediately after a Bill is presented, it is read a first time and ordered to be printed. M. 343, 495: B. 494.

63. No Bill shall be read twice the same day; no Committee of the Whole House shall proceed on any Bill the same day the Bill is read a second time; and no Bill

and other things and which shall be...

(1) In the preparation of this amendment...

(2) In the event of the bill as amended...

(3) When a bill is passed...

(4) A bill which is passed...

(5) The same rules shall apply...

It is the intent of the Senate...

It is the intent of the Senate...

It is the intent of the Senate...

It is the intent of the Senate...

(6) All bills introduced in the Senate...

(7) In the preparation of a bill...

(8) The text of the Bill shall include...

(9) A committee of the Senate...

(10) This rule shall apply...

Amendment

It is the intent of the Senate...

No change

No change

Repealed

shall be read the third time the same day that the Bill is reported from the Committee. M. 497: B. 531, sq.

Explanatory Note:

Repealed because not in accordance with the existing practice. Repetitious of matters already covered by Rules 23(f), 24(b) and 25(p).

- |  |  |
|--|--|
| <p>64. (1) The principle of a Bill is debated at its second reading.</p> <p>(2) When a Bill is read a third time it shall be deemed to have been passed by the Senate and there shall be no further debate or amendment.</p> | <p>64. The principle of a Bill is usually debated at its second reading. M. 497: B. 509.</p> |
|--|--|

Explanatory Note:

Word "usually" is deleted in para. (1). Para. (2) added to simplify procedure.

- |                       |   |
|-----------------------|---|
| <p>65. No change.</p> | <p>65. A senator may, at any time before a Bill is passed, move for the reconsideration of any clause thereof, already passed. B. 526.</p>  |
| <p>66. No change.</p> | <p>66. In any case where a Bill originating in the Senate and amended in the Commons, is returned to the House of Commons with any of the amendments made by the Commons disagreed to, or where a Bill originating in the Commons has been amended in the Senate, and has been returned to the Senate with any of the Senate amendments disagreed to, and the Senate decides to insist on such amendments, or any of them, and returns the Bill to the Commons, the message accompanying such Bill shall also contain reasons for the Senate not agreeing to the amendments proposed by the House of Commons, or for the Senate insisting on its own amendments, as the case may be; and such reasons shall be drawn up by a committee of three senators, to be appointed for the purpose when the Senate decides to disagree to, or insist on, as the case may be, the amendments in question. M. 509, 580-591: B. 275, 534, sq.</p> |
| <p>67. No change.</p> | <p>67. In cases in which the Commons disagree to any amendments made by the Senate, or insist upon any amendments to which the Senate has disagreed, the Senate is willing to receive the reasons of the</p>  |

that the bill is reported from the Committee and the third time the same day.

Parliamentary Notes

Resolved, That in accordance with the existing practice, the bill shall be reported from the Committee on the day it is reported from the Committee.

- 84. (1) The principle of a bill is detailed in the second reading.
- (2) When a bill is read a third time it shall be deemed to have been passed by the Senate and there shall be no further debate thereon.

Parliamentary Notes

When a bill is reported from the Committee it shall be reported to the Senate on the day it is reported from the Committee.

- 85. No change.
- 86. A Senator may, at any time before a bill is passed, move for the resolution of any clause thereof, already passed or to be passed.

- 87. No change.
- 88. In any case where a bill originating in the Senate and amended in the House of Commons is referred to the House of Commons by the Government, the Government may, at any time before the bill is reported to the House of Commons, move for the bill to be reported to the House of Commons with any amendments which the Government may think fit to propose. The Government may also move for the bill to be reported to the House of Commons with any amendments which the Government may think fit to propose, and the House of Commons may, at any time before the bill is reported to the House of Commons, move for the bill to be reported to the House of Commons with any amendments which the House of Commons may think fit to propose. The House of Commons may also move for the bill to be reported to the House of Commons with any amendments which the House of Commons may think fit to propose, and the House of Commons may, at any time before the bill is reported to the House of Commons, move for the bill to be reported to the House of Commons with any amendments which the House of Commons may think fit to propose.

- 89. In cases in which the Government propose to amend any bill, the Government may, at any time before the bill is reported to the House of Commons, move for the bill to be reported to the House of Commons with any amendments which the Government may think fit to propose. The Government may also move for the bill to be reported to the House of Commons with any amendments which the Government may think fit to propose, and the House of Commons may, at any time before the bill is reported to the House of Commons, move for the bill to be reported to the House of Commons with any amendments which the House of Commons may think fit to propose.

Commons for their disagreeing or insisting (as the case may be) by Message, without a conference; unless at any time the Commons should desire to communicate the same at a conference. M. 509, 580-591: B. 275, 534, sq. Any conference between the Houses may be a free conference. M. 590, sq.: B. 275.

68. Repealed.

68. Orders of the Day for the third reading of Bills take precedence of all others, except orders to which the Senate may have previously given priority.

Explanatory Note:

Repetitious of matter already covered by Rule 20.

69. No change.

69. When a Bill originating in the Senate, has passed through its final stage therein, no new Bill for the same object can afterwards be originated in the Senate during the same session. M. 521: B. 328, 329, 546, sqq.

70. No change.

70. The Senate will not proceed upon a Bill appropriating public money, that shall not, within the knowledge of the Senate, have been recommended by the Queen's representative. M. 804: B. 413.

71. No change.

71. To annex any clause to a Bill of Aid or Supply, the matter of which is foreign to, and different from the matter of the Bill, is unparliamentary. M. 812: B. 290, 443.

72. No change.

72. When the Senate is put into Committee every senator is to sit in his place. B. 392.

73. (1) The Rules of the Senate shall apply in Committee of the Whole with the following exceptions:

- (a) The Rules limiting the number of times of speaking shall not apply;
- (b) A motion for the previous question or for an adjournment shall not be received;
- (c) Arguments against the principle of the bill shall not be admitted;

(2) A senator may at any time move "that the Chairman leave the Chair" or "that the Chairman report progress and ask leave to sit again." Either motion shall be decided forthwith without debate and if resolved in the negative the motion shall not be re-introduced unless

73. The rules of the Senate are observed in a Committee of the Whole, except the rules limiting the number of times of speaking; and no motion for the previous question, or for an adjournment, can be received; but a senator may at any time move that the Chairman leave the Chair, or report progress and ask leave to sit again. M. 606-610: B. 392, sq.



some intermediate proceeding has taken place. If the motion "that the Chairman leave the Chair" is resolved in the affirmative, the Chairman shall at once leave the Chair, make no report to the Senate, and the bill or other matter referred to the Committee shall be removed from the order paper.

Explanatory Note:

Existing Rules 73, 74 and 75 are included under the proposed new Rule 73.

74. Repealed.

74. No arguments are admitted against the principle of a Bill in a Committee of the Whole. M. 607: B. 392, 521.

75. Repealed.

75. When the Senate is put into a Committee of the Whole, the sitting of the Senate is not resumed without the unanimous consent of the Committee, unless upon a question put by the senator who is in the Chair of such Committee. M. 506: B. 393.

Explanatory Note:

Rules 74 and 75 repealed and combined with proposed new Rule 73.

76. No change.

76. The proceedings of the Committee are entered in the Journals of the Senate. M. 610: B. 393.

77. (1) At the commencement of each Parliament, a Committee of Selection consisting of nine senators named by the Senate shall be appointed whose duty it shall be to nominate the Senators to serve on the several Standing Committees.

77. At the commencement of each Session a Committee of Selection, consisting of nine senators named by the Senate, shall be appointed, whose duty it shall be to nominate the senators to serve on the several Standing Committees.

(2) Unless and until otherwise ordered by the Senate, the Senators so nominated shall serve for the duration of that Parliament.

(3) Unless and until otherwise ordered by the Senate, the Senators serving on the several Standing Committees on the coming into force of these Rules shall serve for the balance of the twenty-eighth Parliament.

Explanatory Note:

It is recommended that Standing Committees be appointed for the duration of a Parliament rather than the duration of a Session only.

some other time involving his taking place if the matter with the Chairman leaves the floor, as provided in the alternative, the Chairman shall at once refer the matter to the committee. If the Chairman has no report to the Senate and the bill or other matter referred to the committee shall be removed from the order paper.

Explanatory Note:

Articles 14, 15 and 16 are included under the proposed new rule 13.

- 14. No committee or subcommittee shall be created by a bill or a resolution of the Senate. M. 501, 502, 503.
- 15. When the Senate is in a committee of the whole the chair of the Senate shall not remain within the chamber and shall not be present when the committee is in session. M. 504, 505, 506.

14. Repealed.

15. Repealed.

Explanatory Note:

Articles 17 and 18 repealed and combined with proposed new rule 13.

- 17. The members of the committee or subcommittee shall be appointed by the Senate. M. 507, 508.
- 18. At the commencement of each session a committee of selection consisting of the members of the Senate shall be appointed to select the members of the several standing committees.

16. No change.

- 17. (1) At the commencement of each session a committee of selection consisting of the members of the Senate shall be appointed to select the members of the several standing committees. (2) There shall be no change in the number of members of the committee of selection until otherwise ordered by the Senate. (3) Unless and until otherwise ordered by the Senate the Senate shall continue into force at their places all committees of the Senate.

Explanatory Note:

It is suggested that the Senate Committee be appointed for the duration of a session and that the number of members be fixed.



Rules 78 to 82 have already been dealt with by the Senate in the Third Report of your Committee adopted by the Senate on November 19th, 1968. The following further amendment only is recommended:

- |   |   |
|---|---|
| <p>78. (1) The Standing Committees shall be as follows:</p> <p>4. The Committee on Standing Rules and Orders, composed of twenty members, five of whom shall constitute a quorum, <u>which is empowered on its own initiative to propose to the Senate amendments to the Rules from time to time.</u></p> | <p>78. The Standing Committees shall be as follows:</p> <p>4. The Committee on Standing Rules and Orders, composed of twenty members, five of whom shall constitute a quorum.</p> |
|---|---|

Explanatory Note:

The words "which is empowered on its own initiative to propose to the Senate amendments to the Rules from time to time" are added to conform with the recommendation of your Committee that the Committee on Standing Rules and Orders keep under constant study the Rules and recommend periodic revisions thereto without the necessity of special reference by the Senate.

83. No change.

83. The senators to serve on a Special Committee may be nominated by the mover; but, if three senators so demand, they shall be selected as follows: Each senator shall vote openly for one senator to serve as a member of such Committee, and those senators for whom the largest number of votes are given shall constitute the Committee. M. 612: B. 459.

84. A senator who has any pecuniary interest whatsoever, not held in common with the rest of the Canadian subjects of the Crown, in the matter referred to any Select Committee, shall not sit on such Committee and any question of interest arising in the Committee may be determined by the Committee, subject to an appeal to the Senate.

84. No senator who has any pecuniary interest whatsoever, not held in common with the rest of the Canadian subjects of the Crown, in the inquiry to be entrusted to any Select Committee, shall sit on such Committee, and any question of interest arising in the Committee may be determined by the Committee, subject to an appeal to the Senate. M. 439: B. 389.

Explanatory Note:

The words "in the inquiry to be entrusted to" are deleted and the words "in the matter referred to" are substituted therefor for the sake of clarity. The word "inquiry" is too restrictive.

85. No change.

85. A select committee may adjourn from time to time, and, by order of the Senate from place to place, and, where the Senate adjourns for less than a week,

...to be held... by the Senate in the United States of America... Committee... on November 1953... The following... shall be as follows:

- 18. The Senate Committee shall be as follows:
  - A. The Committee on Senate Rules and Order, composed of twenty-four members of whom shall constitute a majority of the Senate.

The Senate Committee shall be as follows: The Senate Committee on Senate Rules and Order, composed of twenty-four members of whom shall constitute a majority of the Senate.

- 19. The Senate Committee shall be as follows:
  - A. The Committee on Senate Rules and Order, composed of twenty-four members of whom shall constitute a majority of the Senate.

- 20. A Senator who has not previously been elected... shall be elected to the Senate... by the Senate... on November 1953...

The Senate Committee shall be as follows: The Senate Committee on Senate Rules and Order, composed of twenty-four members of whom shall constitute a majority of the Senate.

- 21. No change.

may sit on those days over which the Senate is adjourned; provided that, in the last case, notice of the intention to meet during the adjournment of the Senate has been given to the members of the committee one day before such adjournment.

By order of the Senate any select committee may meet during an adjournment of the House which exceeds a week. M. 618, 622: B. 467.

86. A select committee shall not sit during a sitting of the Senate.

86. No select committee may sit during a sitting of the Senate. M. 622: B. 466.

Explanatory Note:

Reworded for sake of clarity.

86A. All questions before select committees shall be decided by majority vote including the vote of the Chairman; and whenever the votes are equal, the decision shall be deemed to be in the negative.

86B. A report of any select committee shall contain the conclusions agreed to by the majority, and shall not reflect minority or individual opinions.

86C. A motion made in any select committee shall not require a seconder.

86D. A select committee may appoint from among its members such subcommittees as it may deem desirable which shall report back to the committee. The rules applicable in the committee shall apply, *mutatis mutandis*, in the subcommittee.

Explanatory Note:

86A, 86B, 86C and 86D are new Rules added for the sake of clarity.

87. (1) A report from a select committee shall be presented by the Chairman of the Committee or by a senator designated by the Chairman.

(2) When a report is presented to the Senate it shall be received without debate.

(3) When the report by its own terms is for the information only of the Senate, it may on motion be placed on the

87. Upon the presentation of a report no discussion takes place; but the report may be ordered to be printed, with the documents accompanying it; or it may be placed on the Orders of the Day for future consideration, or laid on the Table. M. 638: B. 476, sq.

This rule does not necessarily apply to the reports of Select Standing Committees upon Private Bills referred to them

that all the bills have been passed by the Senate and the House and that the President has signed them.

By order of the Senate and subject to the approval of the President, the following bills are hereby approved and shall have the force and effect of laws.

80. The Senate has passed the following bills: (a) The bill to amend the act to provide for the relief of the estate of the late M. M. M. M.

80. A report committee shall not sit during a recess of the Senate.

Resolutions  
Resolved, That...

805. All questions before select committees shall be decided by majority vote in the Senate and the House and the vote of the majority shall be the vote of the committee.

806. A report of any select committee shall contain the reasons therefor and shall be referred to the Senate and the House.

807. A motion made in any select committee shall not require a second.

808. A select committee may, at any time, report its findings and recommendations to the Senate and the House.

Resolutions  
Resolved, That...

81. Upon the presentation of a report on the part of the Senate and the House, the President shall sign the bill unless he returns it with objections.

The bill does not have the force and effect of law until it is signed by the President.

82. A report from a select committee shall be referred to the Senate and the House.

83. When a report is presented to the Senate it shall be referred to the appropriate committee.

84. When the report of the committee is received, the Senate shall vote thereon.

Orders of the Day for future consideration or laid on the Table.

(4) When the report is on a Bill without amendment, it shall stand adopted without any motion, and the senator in charge of the Bill shall move that it be read a third time on a future day.

(5) When the report recommends amendments to a Bill or recommends proposals which require legislative implementation by the Senate, a motion to adopt the report shall be in order: Provided that, where the recommended amendments or proposals which require legislative implementation are substantial, consideration of the report shall be postponed to a future day.

in the ordinary course of business. B. 476, 614.

Explanatory Note:

Redrafted for greater detail and for sake of clarity.

88. No change.

89. On every report of amendments to a Bill made from a committee, the senator presenting the report shall explain to the Senate the basis for and the effect of each amendment.

88. Subject to the provision of Rule 84, a senator on whose motion any Bill, Petition or question is referred to a Special Committee, shall, if he so desire, be one of the Committee. M. 466: B. 459.

89. On every report, made from a committee, of amendments to a Bill, the senator presenting the report is to explain to the Senate the effect of each amendment. B. 476.

Explanatory Note:

Reworded for sake of clarity with the following words added in the last sentence "the basis for and" to read in the last line "the basis for and the effect of each amendment".

90. Repealed.

Explanatory Note:

Repealed because unnecessary with modern forms of communication and practice.

91. The Clerk of the Senate is authorized to pay every witness invited or summoned to attend before a select com-

90. It is the duty of the Clerk to cause to be posted up in some conspicuous part of the Senate a list of the several Standing and Special Committees appointed during the session. B. 463.

91. The Clerk of the Senate is authorized to pay every witness summoned to attend before a committee, a reasonable

in the ordinary course of business. If  
478 479

Director of the law in future considera-  
tion of the bill on the 1962...  
14. When the report is on a bill which  
our amendment is still being debated  
without any motion, and the report is  
change of the bill which would be to be  
made a first step on a later day.  
15. When the report is on a bill which  
is to be amended, the report should  
include a list of amendments to be  
made which require separate reports  
submitted by the Senate. A reference  
to the report shall be made in order to  
indicate that where the amendments  
submitted on reports which require  
separate consideration are not  
submitted, consideration of the report  
shall be postponed to a later day.

Revisory Note

Reference for greater detail and for copy of clarity.

48. Subject to the provision of Rule 48, a  
motion on which motion may be made  
and on which a motion is referred to a Special  
Committee shall, if so desired, be one  
of the Committee. H. 488, P. 483

49. To change

49. On every report made from a committee  
and on amendments to a bill, the  
report shall include the report is to explain  
and describe the effect of each amend-  
ment. H. 478

50. On every report of amendments to a  
bill made from a committee, the report  
shall include the report shall explain to  
the Senate the basis for and the effect  
of each amendment.

Revisory Note

Reference for copy of clarity with the following words added in the last sentence "the basis  
for and" to read in the full law "the basis for and the effect of each amendment."

50. In the duty of the Clerk to cause to  
be posted up in some conspicuous part  
of the Senate a list of the several Stand-  
ing and Special Committees appointed  
during the session. H. 483

50. Renacted

Revisory Note

Reference because unnecessary with motion forms of amendments and parties

51. The Clerk of the Senate is authorized  
to pay every witness summoned to ap-  
pear before a committee, a reasonable

51. The Clerk of the Senate is authorized  
to pay every witness summoned to ap-  
pear before a committee a reasonable

mittee a reasonable sum for his living and travelling expenses, upon the certificate of the Clerk of the Committee attesting to the fact of the witness' attendance before the Committee by invitation or summons.

sum for his living and travelling expenses, upon the certificate or order of the chairman of the committee before which he shall have been summoned; and no witness shall be so summoned and paid, unless a certificate shall first have been filed with the chairman by a member of the committee stating that the evidence of such witness is, in his opinion, material and important; and no witness residing at the seat of Government shall be paid for his attendance. M. 675: B. 483.

Explanatory Note:

Redrafted for simplicity and to create a more effective procedure. The committee summons or invites the presence of a witness. The Clerk of the Committee and not the Chairman should certify to the Clerk of the Senate the fact of the witness' attendance before the committee by invitation or summons.

91.A Within sixty days following its report to the Senate, a select committee shall report to the Senate with reasonable detail the expenses incurred by that committee in its work.

Explanatory Note:

It is recommended that a select committee report to the Senate the expenses it incurs in carrying out its work. The sixty-day period is to permit the committee to make its report without being delayed by the report of expenses. This is a new Rule.

92. The Clerk of the Senate shall arrange for the transmission of messages from the Senate to the House of Commons and for the reception by the Senate of messages from the House of Commons.

92. One of the Clerks of either House may be bearer of messages from one House to the other. M. 834: B. 272.

Explanatory Note:

Redrafted for the sake of clarity. This proposed Rule combines the existing Rules 92 and 93.

93. Repealed.

93. Messages so sent are received at the Bar by one of the Clerks of the House to which they are sent, at any time whilst the House is sitting, or in Committee, without interrupting the business then proceeding. M. 834: B. 272.

Explanatory Note:

Combined with proposed Rule 92.

...for the House and traveling ex-  
 penses upon the receipt of order of  
 the Chairman of the Committee before  
 which he shall have been summoned,  
 and no witness shall be so summoned  
 and paid unless a certificate shall first  
 have been filed with the Chairman by  
 a member of the committee stating that  
 the evidence of such witness is in his  
 opinion material and important and no  
 witness residing at the seat of Govern-  
 ment shall be paid for his attendance.  
 H. R. 422

...and traveling expenses upon the re-  
 ceipt of the Chair of the Committee  
 stating to the fact of his witness, al-  
 though before the Committee by in-  
 vitation or subpoena.

Explanatory Note

Referred in the Senate and to create a more effective procedure for the committee  
 or under the process of a witness. The Chair of the Committee and the Chairman should  
 certify to the Chair of the Senate the fact of the witness' attendance before the committee by  
 invitation or subpoena.

H. A. White says that following his report  
 to the Senate a select committee shall  
 report to the Senate with recommendations  
 detail the expenses incurred by the  
 committee in its work.

Explanatory Note

It is recommended that a select committee report to the Senate the expenses it incurs in  
 carrying out its work. The select committee is to report the committee to create its report  
 without being delayed by the report of expenses. This is a new bill.

21. One of the Chair of either House may  
 be written or messenger from one House  
 to the other. H. R. 422

22. The Chair of the Senate shall arrange  
 for the transmission of messages from  
 the Senate to the House of Congress  
 and for the response by the Senate of  
 messages from the House of Congress.

Explanatory Note

Referred for the sake of clarity. This proposed bill combines the existing Rules 22 and 23.

23. Messages so sent and received at the  
 seat of one of the Houses of the House  
 in which they are sent, at any time  
 when the House is sitting or in Com-  
 mittee without interrupting the business  
 then proceeding. H. R. 422

23. Repealed.

Explanatory Note

Combined with proposed Rule 22



94. No change.
94. When the attendance of a senator, or any of the officers, clerks or servants of the Senate is desired, to be examined by the Commons, or to appear before any committee thereof, a message is sent by the Commons, to request that the Senate will give leave to such senator, officer, clerk or servant to attend; and if the Senate grant leave to such senator, he may go, if he think fit; but it is not optional for such officer, clerk or servant to refuse. Without such leave, no senator, officer, clerk or servant of the Senate shall, on any account, under penalty of being committed to the Black Rod or to prison during the pleasure of the Senate, go down to the House of Commons, or send his answer in writing, or appear by counsel to answer any accusation there. B. 273, 481.
95. A senator shall not speak at a Conference with the House of Commons unless he is one of the Committee.
95. None are to speak at a Conference with the House of Commons, but those that are of the Committee; and when anything from such Conference is reported, the senators of the Committee are to stand up. B. 279.

**Explanatory Note:**

Reworded for sake of clarity and the following words are deleted "and when anything from such Conference is reported, the senators of the Committee are to stand up". This requirement is outdated.

96. The Journals of the Senate may be searched by the House of Commons, as the Journals of that House may be searched by the Senate.
96. The Journals of the Senate, according to Parliamentary usage, may be searched by the House of Commons, as the Journals of that House may be searched by the Senate. M. 264: B. 187.

**Explanatory Note:**

The words "according to Parliamentary usage" are deleted because superfluous.

97. No change.
97. Seats are reserved without the Bar of the Senate Chamber, for Members of the House of Commons who may be desirous of hearing the debates.
98. No change.
98. A copy of the Minutes of Proceedings, certified by the Clerk, is to be transmitted daily to the Governor General. B. 170.
99. No change.
99. The Journals are to be bound in annual volumes with full indexes, as soon as may be after each session. B. 170.

84. When the attendance of a senator is not ascertained, it is assumed that he is present unless he is absent by the Commission or he appears before any committee through a message or letter by the Commission to report that the senator will give leave to any senator, a deputy, clerk or servant to attend and if the Senate grant leave to such senator, he may go, if he is not a deputy, clerk or servant for such other duty as may be assigned. Without such leave, no deputy, clerk or servant of the Senate shall, on any account, under penalty of being committed to the State Prison, be absent during the absence of the senator, or absent from the House of Commons, or send his name in writing, or appear by proxy to attend any session of the Senate.

85. When a senator is absent at a Conference with the House of Commons, and when any act of the Commission and when any report from the House of Commons is reported, the records of the Commission are to stand as if he were present.

86. A senator shall not speak at a Conference with the House of Commons unless he is present at the Conference.

87. The words "according to Parliamentary usage" are defined as follows:

88. The Journals of the Senate may be printed by the House of Commons, as the Senate or their agents may be authorized by the Senate.

89. A copy of the Journals of Proceedings of the Senate shall be printed and printed daily by the Government Printer.

90. The Journals are to be printed in French and English.

91. The Journals are to be printed in French and English.

92. The Journals are to be printed in French and English.

93. The Journals are to be printed in French and English.

- |  |   |
|--|---|
| 100. The printing or publishing of anything relating to the proceedings of the Senate shall be as ordered by the Senate. | 100. All papers laid on the Table, stand referred to the Joint Committee on Printing, who decide and report whether they are to be printed. B. 254. |
|--|---|

Explanatory Note:

This Rule is intended to eliminate all doubts concerning the printing of documents as appendices to our Debates and Journals. This Rule would equally apply to documents that may concern both Houses of Parliament.

- |   |   |
|---|---|
| 101. No change.   | 101. Accounts and papers may be ordered to be laid on the Table, and the Clerk shall communicate to the senator having the conduct of government business all orders for papers made by the Senate; and such papers when returned shall be laid on the Table. B. 242, sq.   |
| 102. No change.   | 102. When the Royal Prerogative is concerned in any account or paper, an Address is presented to the Governor General praying that the same may be laid before the Senate. B. 245, sq.  |
| 103. The Clerk shall lay before the Senate on or before the thirty-first day of May, or if the Senate is not sitting within fifteen days after the recommencement of the next sitting, a detailed statement of his receipts and disbursements for each fiscal year. | 103. At the beginning of every session, the Clerk is to lay before the Senate, on the day following the appointment of the Committee on Internal Economy and Contingent Accounts, and as often thereafter as he may be required to do so, a detailed statement of his receipts and disbursements, since the last audit, with vouchers in support thereof. |

Explanatory Note:

Redrafted to accord with modern practice since the Treasury Office and the Auditor General both perform an audit on Senate accounts. It seems unnecessary to have this function repeated by the Senate.

- |                 |   |
|-----------------|---|
| 104. No change. | 104. If for two consecutive Sessions of Parliament, any senator has failed to give his attendance in the Senate, it shall be the duty of the Clerk to report the same to the Senate; and the question of the vacancy arising thereupon, shall with all convenient speed be heard and determined by the Senate. B. 109, 111. |
| 105. No change. | 105. Within the first twenty days of the first session of each Parliament, every member of the Senate shall make and file with the Clerk, a renewed declaration of "Property Qualification," in the form prescribed in the fifth Schedule annexed   |



106. The Clerk of the Senate shall, during each recess of parliament, publish weekly in the *Canada Gazette*, the following rules respecting notices of intended applications for Private Bills; and the substance thereof in the official gazette of each province.

106. The Clerk of the Senate shall, during each recess of parliament, publish weekly in the *Canada Gazette*, the following rules respecting notices of intended applications for Private Bills; and the substance thereof in the official Gazette of each province. The Clerk shall also announce, by notices affixed in the committee rooms and lobbies of the Senate, by the first day of every session, the times limited for receiving Petitions for Private Bills and Private Bills, and reports thereon. B. 591, sq.

Explanatory Note:

Second sentence deleted. Superfluous in view of amendments to subsequent Rules.

107. (1) All applications to parliament for Private Bills of any nature whatsoever, shall be advertised by notice published in the *Canada Gazette*. Such notice shall clearly and distinctly state the nature and objects of the application, and shall be signed by or on behalf of the applicants, with the address of the party signing the same; and, when the application is for an Act of Incorporation, the name of the proposed company shall be stated in the notice.

107. All applications to parliament for Private Bills of any nature whatsoever, shall be advertised by notice published in the *Canada Gazette*. Such notice shall clearly and distinctly state the nature and objects of the application, and shall be signed by or on behalf of the applicants, with the address of the party signing the same; and, when the application is for an Act of Incorporation, the name of the proposed company shall be stated in the notice.

(2) In addition to the notice in the *Canada Gazette* aforesaid,

In addition to the notice in the *Canada Gazette* aforesaid a similar notice shall be given as follows:—

- (a) where the application is for an Act
- (i) to incorporate a company or to amend an existing Act relating to a company whose objects relate to transport and communications generally, including airlines, pipelines, telecommunications, railways, or canals, or whose objects relate to the construction of any works;
  - (ii) to obtain any exclusive rights or privileges; or
  - (iii) to extend the powers of a company or to increase or reduce the capital stock, or to alter bonding or other borrowing powers, or to make any amend-

A. When the application is for an Act to incorporate,

1. A Railway or Canal Company,—In some leading newspaper published in the principal city, town or village in each county or district through which the proposed railway or canal is to be constructed.

2. A Telegraph or Telephone Company,—In a leading newspaper in the principal city or town in each province or territory in which the company proposes to operate.

3. A company for the construction of any works which in their construction or



ments which would in any way affect the rights or interests of the shareholders or bond-holders or creditors of the company;

a similar notice shall be given in a leading news publication with substantial circulation in the area concerned and in the official Gazette of the province concerned; and

- (b) if the works or the objects of any such company are to be declared to be for the general advantage of Canada, such intention shall be specifically mentioned in the notice by registered mail to the departments of government concerned, whether federal, provincial or municipal, not less than two weeks before the consideration of the petition by the Committee on Standing Rules and Orders.

(3) The notices required by this Rule to be published in the Canada Gazette, the official Gazette of the province concerned, and in a leading news publication, shall be published at least once a week for a period of four weeks and shall be in the English and French languages when reasonably required in accordance with the population composition of the area or province concerned.

operation might specially affect a particular locality, or for obtaining any exclusive rights or privileges, or for doing any matter or thing which in its operation would affect the rights or property of others,—In a leading newspaper in the particular locality or localities which may be affected by the proposed Act.

4. A Banking Company; an Insurance Company; a Trust Company; a Loan Company, or an Industrial Company, without any exclusive powers,—In the Canada Gazette only.

5. And, if the works of any company (incorporated or to be incorporated) are to be declared to be for the general advantage of Canada, such intention shall be specifically mentioned in the notice; and the applicants shall cause a copy of such notice to be sent by registered letter to the clerk of each county council and of each municipal corporation which may be specially affected by the construction or operation of such works, and also, to the secretary of the province in which such works are, or may be located; and proof of compliance with this requirement by the applicants shall be established by statutory declaration.

B. When the application is for the purpose of amending an existing Act,

1. For an extension of any line of railway, or of any canal; or for the construction of branches thereto,—the same *mutatis mutandis* as for an Act to incorporate a railway or canal company.

2. For an extension of the time for the construction or completion of any line of railway, or of any canal, or of any telegraph or telephone line, or of any other works already authorized,—In a principal newspaper in the place where the head office of the company is, or is authorized to be.

3. For the extension of the powers of a company (when not involving the granting of any exclusive rights) or for the increase or reduction of the capital stock of any company; or for increasing or altering its bonding or other borrowing powers; or for any amendment which would in any way affect the rights or interests of the shareholders or bond holders or creditors of the company,—In a principal newspaper in the place

operation might specially affect a particular locality or for obtaining any other information or for the purpose of the general or special law in its application. The Commission shall have the right to require the production of any books, papers, or documents in its possession or control, or to require the production of any books, papers, or documents in the possession or control of any person who is or has been in the employment of the company.

4. A Director, Commissioner or Inspector, or any other person, shall not be liable for any act done in good faith in the exercise of his powers or for any neglect or default in the exercise of his powers.

5. Any person who contravenes any provision of these regulations shall be liable to a fine not exceeding five hundred dollars or to imprisonment not exceeding six months, or to both such fine and imprisonment, at the discretion of the court.

6. Where the Commission is of the opinion that it is necessary to do so, it may cause to be made a special investigation into the affairs of any company.

7. For an extension of any part of this Act or for any amendment of the provisions of this Act, the Commission may cause to be made a special investigation into the affairs of any company.

8. For an extension of the time for the completion or completion of any part of any business or for the extension of any other business or for the extension of any other business, the Commission may cause to be made a special investigation into the affairs of any company.

9. For the extension of the powers of a company (when not exercising the powers of any exclusive right) or for the extension of the powers of any other person, the Commission may cause to be made a special investigation into the affairs of any company.

10. The Commission may cause to be made a special investigation into the affairs of any company.

11. The Commission may cause to be made a special investigation into the affairs of any company.

12. The Commission may cause to be made a special investigation into the affairs of any company.

13. The Commission may cause to be made a special investigation into the affairs of any company.

14. The Commission may cause to be made a special investigation into the affairs of any company.



where the head office of the company is situated.

C. All such notices, whether inserted in the Canada Gazette or in a newspaper, shall be published at least once a week for a period of four consecutive weeks; and when published in the Provinces of Quebec and Manitoba shall be in both the English and French languages; and marked copies of each issue of all newspapers containing any such notice shall be sent to the Clerk of the Senate, endorsed "Private Bill Notice"; or, a statutory declaration as to due publication may be sent in lieu thereof.

Every notice by registered letter shall be mailed in time to reach the secretary of the province and the clerk of each county council and municipal corporation not less than two weeks before the consideration of the petition by the Committee on Standing Orders; and a statutory declaration establishing the fact of such mailing shall be sent to the Clerk of the Senate. B. 589, sqq.

107. (4) The applicants shall prove compliance with this Rule by statutory declaration filed with the Clerk of the Senate.

Explanatory Note:

Redrafted for sake of clarity and to accord with modern practice.

108. Repealed.

108. No petition praying for the incorporation of a railway company, or of a canal company, or for an extension of the line of any existing or authorized railway or canal, shall be considered by the Standing Orders Committee, until there has been filed with the Committee a map or plan, showing the proposed location of the works, and each county, township, district or municipality through which the proposed railway or canal, or any branch or extension thereof, is to be constructed. B. 598.

Explanatory Note:

Repealed because obsolete.

before the fact office of the company is adjusted.

C. All such matters, whether arising in the Canada Pacific or in a successor, shall be adjusted at least once a week for a period of four consecutive weeks and when notified to the Receiver, the Receiver and the Board shall be in full possession of all the facts and circumstances relating to such matters, and shall report thereon to the Board at the next meeting of the Board of the company, or a special meeting thereof, as the case may be, and shall be held in New York.

Every notice so required shall be mailed to the Board at least ten days before the meeting and the fact of such mailing shall be certified by the Receiver and the Board at such meeting. The Receiver and the Board shall also certify at such meeting the fact of their compliance with the provisions of this article, and a copy of such certificate shall be sent to the Board of the Board of the company.

104. The Receiver shall have authority to issue such orders as may be necessary to carry out the provisions of this article.

105. The Receiver shall have authority to issue such orders as may be necessary to carry out the provisions of this article.

The Receiver

106. The Receiver shall have authority to issue such orders as may be necessary to carry out the provisions of this article.

The Receiver

109. Repealed.

109. In the event of promoters not being ready to proceed with their measures when the same have been twice called on two separate occasions for consideration by the Committee, such measures shall be reported back to the Senate forthwith, together with a statement of the facts and the recommendation of the Committee.

Explanatory Note:

Repealed because obsolete.

110. Repealed.

110. Petitions for private bills shall only be received by the Senate if filed with the Clerk of the Senate within the first six weeks of the Session, and every private bill originating in the Senate shall be presented to the Senate within two weeks after the petition therefor has been favourably reported upon by the Examiner of Petitions or by the Committee on Standing Orders, and no motion for the suspension of this standing order shall be entertained unless a report has been first made by the Committee on Standing Orders recommending such suspension.

This Rule, Rule 107, and Rules 111 to 122, both included, do not apply to Bills of Divorce or to Petitions for such Bills, except in cases where no special provision is hereafter made, and which fall under Rule 151.

Explanatory Note:

Repealed because obsolete.

111. (1) The Chief Clerk of Committees shall be the Examiner of Petitions for private bills.

(2) Petitions for private bills when received by the Senate shall be considered by the examiner. When a petition is without defect, the examiner shall so report to the Senate. When a petition is defective, the examiner shall so report to the Committee on Standing Rules and Orders stating that in his opinion the petition is defective and specifying the nature of such defects which shall be taken into consideration,

111. (1) The Chief Clerk of Committees shall be the Examiner of Petitions for private bills.

(2) Petitions for private bills (other than petitions for Bills of Divorce), when received by the Senate, are to be taken into consideration by the examiner who shall report to the Senate in each case the extent to which the requirements of the standing orders regarding notice have been complied with; and in every case where the notice is reported by the examiner to have been insufficient or otherwise defective, or if he

109. In the event of emergency not being found to proceed with their business under the same date as was called for by the Committee, the members of the Senate shall be notified by the Committee of the date and the recommendation of the Committee.

109. Reported

Explanatory Note:  
Reported by the Senate

110. Petitions for private bills shall only be referred to the Senate if they are referred to the Senate by the House of Representatives and every petition referred to the Senate shall be referred to the Senate within two weeks after the date of its receipt by the Senate. The Senate shall have the right to refer any petition referred to it to the Committee on Privileges and Elections and to report thereon at any time. The Senate shall have the right to refer any petition referred to it to the Committee on Privileges and Elections and to report thereon at any time. The Senate shall have the right to refer any petition referred to it to the Committee on Privileges and Elections and to report thereon at any time.

110. Reported

Explanatory Note:  
Reported by the Senate

This Bill, House Bill 101, and House Bill 102 are reported to the Senate by the House of Representatives. The Senate shall have the right to refer any petition referred to it to the Committee on Privileges and Elections and to report thereon at any time.

111. (1) The Senate shall have the right to refer any petition referred to it to the Committee on Privileges and Elections and to report thereon at any time. The Senate shall have the right to refer any petition referred to it to the Committee on Privileges and Elections and to report thereon at any time. The Senate shall have the right to refer any petition referred to it to the Committee on Privileges and Elections and to report thereon at any time.

(2) The Senate shall have the right to refer any petition referred to it to the Committee on Privileges and Elections and to report thereon at any time. The Senate shall have the right to refer any petition referred to it to the Committee on Privileges and Elections and to report thereon at any time. The Senate shall have the right to refer any petition referred to it to the Committee on Privileges and Elections and to report thereon at any time.

without special reference, by the Committee on Standing Rules and Orders. The said Committee shall study the report of the examiner and report thereon to the Senate and shall recommend to the Senate the course to be taken in consequence of any defect.

reports that there is any doubt as to the sufficiency of the notice as published, the petition, together with the report of the examiner thereon, shall be taken into consideration, without special reference, by the Committee on Standing Orders, which shall report to the Senate as to the sufficiency or insufficiency of the notice, and where the notice is deemed insufficient or otherwise defective, shall recommend to the Senate the course to be taken in consequence of such deficiency or other defect. B. 588.

Explanatory Note:

Redrafted to conform with modern practice and for sake of clarity.

112. No Change.

112. No motion for the suspension of the rules upon any Petition for a Private Bill is in order, unless such suspension has been recommended by the Committee on Standing Orders. B. 586.

113. No change.

113. Every Private Bill is introduced on Petition, and presented to the Senate after the Petition has been favourably reported on by the Committee on Standing Orders, or the Examiner of Petitions.

114. Any person seeking to obtain a Private Bill shall deposit with the Clerk of the Senate, if it is intended that the Bill shall originate in the Senate, a copy of such Bill in the English or French language, with a sum sufficient to pay for the translation of the same by the officers of the Senate, and the printing of 800 copies in English and 300 in French. The applicants shall also pay the Clerk of the Senate, immediately after the second reading and before the consideration of the Bill by the Committee to which it is referred, a sum of \$200, with the cost of printing the Act in the Statutes, and lodge the receipt for the same with the Clerk of such Committee.

114. Any person seeking to obtain a Private Bill shall deposit with the Clerk of the Senate, if it is intended that the Bill shall originate in the Senate, a copy of such Bill in the English or French language, with a sum sufficient to pay for the translation of the same by the officers of the Senate, and the printing of 600 copies in English and 200 in French. The applicants shall also pay the Clerk of the Senate, immediately after the second reading and before the consideration of the Bill by the Committee to which it is referred, a sum of \$200, with the cost of printing the Act in the Statutes, and lodge the receipt for the same with the Clerk of such Committee. B. 585, 602.

The fee payable on the second reading of any Private Bill is paid only in the House in which it is introduced.

Explanatory Note:

The number of copies to be printed in English and French is increased from 600 and 200 to 800 and 300 respectively to accord with existing practice. This Rule, however, is to be revised, if necessary, after consultation with House of Commons concerning cost to applicant for Bill and desirability that all private Bills originate in the Senate.



115. Any Private Bill shall, if demanded by two senators, when read the first time, be referred to the Senate Committee on Legal and Constitutional Affairs to ascertain and report whether or not the said Bill comes within the classes of subjects assigned exclusively to the legislatures of the provinces.
115. Any Private Bill shall, if it be demanded by two senators, when read the first time, be referred to the Committee on Standing Orders, to ascertain and report whether or not the said Bill comes within the classes of subjects assigned exclusively to the legislatures of the provinces. B. 571.

Explanatory Note:

Redrafted to accord with new committee structure.

116. No change.
116. At any time before the final passing of any Private Bill, the same may, if the Senate think fit, be referred to the Supreme Court for examination and report, as to any point or matter in connection with such Bill expressed in the Order of Reference. B. 570, 600.
117. Every Private Bill, after its second reading, shall be referred to a committee; and any representations before the Senate for or against such Bill stand referred to such committee.
117. Every Private Bill, after its second reading, is referred to one of the Standing Committees on Private Bills; and all petitions before the Senate, for or against such Bill, are considered as referred to such Committee. B. 588, 600, 606.

Explanatory Note:

Reworded for sake of clarity. Words "on Private Bills" deleted because superfluous. Words "all petitions" deleted and substituted by "any representations" for sake of clarity. Words "are considered as" deleted and the word "stand" is substituted therefor for sake of clarity.

118. Any Private Bill from the House of Commons for which no petition has been received by the Senate, shall be taken into consideration and reported on by the Committee on Standing Rules and Orders in like manner as a petition, after the first reading of such Bill, and before its consideration by any other Standing Committee. B. 620.
118. Any Private Bill from the House of Commons for which no petition has been received by the Senate, shall be taken into consideration and reported on by the Committee on Standing Orders in like manner as a petition, after the first reading of such Bill, and before its consideration by any other Standing Committee. B. 620.

Explanatory Note:

Words "Rules and" added so that expression "Standing Orders" shall read "Standing Rules and Orders".

119. A Committee on any Private Bill originating in the Senate (of which notice is
119. No Committee on any Private Bill originating in the Senate (of which notice





required to be given) shall not consider the same until after one week from the date of referral to such committee; nor, in the case of any such Bill originating in the House of Commons, until after twenty-four hours.

is required to be given), is to consider the same until after one week's notice of the sitting of such Committee has been posted up in the lobby; nor, in the case of any such Bill originating in the House of Commons, until after twenty-four hours' like notice. B. 605.

Explanatory Note:

Redrafted in a positive way for sake of clarity and to accord with modern practice. Expression "has been posted up in the lobby" deleted accordingly.

120. A "Private Bill Register" shall be kept, in which shall be entered the names, descriptions and places of residence of the parties applying for Bills, or of their agents, and all the proceedings thereon, from the receipt of the Petition to the passing of each Bill; such entry to specify briefly each proceeding in the Senate, or in any Committee to which the Bill or Petition may be referred, and the day on which the Committee is appointed to sit. Such register shall be open to public inspection, daily during office hours.

120. A book, to be called the "Private Bill Register", shall be kept, in which book shall be entered by a clerk selected for the purpose, the names, descriptions and places of residence of the parties applying for Bills, or of their agents, and all the proceedings thereon, from the receipt of the Petition to the passing of each Bill; such entry to specify briefly each proceeding in the Senate, or in any Committee to which the Bill or Petition may be referred, and the day on which the Committee is appointed to sit. Such book shall be open to public inspection, daily during office hours. B. 601.

Explanatory Note:

Redrafted to accord with modern practice.

121. The Clerk shall cause lists of all Private Bills to be prepared daily by the clerks of the committees to which the same are respectively referred; and the time and place of each committee meeting shall be specified in such lists which shall be posted in the lobby.

121. The Clerk shall cause lists of all Private Bills, and Petitions relating thereto, to be prepared daily by the clerks of the committees to which the same are respectively referred; and the time when and the room wherein each committee is to meet shall be specified in such lists, which shall be hung up in the lobby. B. 605, sq.

Explanatory Note:

The expression "and Petitions relating thereto" is deleted because not in accordance with existing practice. The words "hung up" are deleted and the word "posted" substituted therefor. Otherwise redrafted for simplicity.

122. Any person whose interests may be affected by a Private Bill  
(a) may appear before the Select Committee to which such Bill has been

122. All persons whose interests or property may be affected by any Private Bill, shall, when required to do so, appear before the Select Committee to which



- referred, or may make comments to the Committee in writing and
- (b) if required to do so by the Committee, shall appear before the Committee.

such Bill is referred, touching their consent, or may send such consent in writing, proof of which may be required by the Committee. And in every case the Committee upon any Bill for incorporating a company may require proof that the persons whose names appear in the Bill, as composing the company, are of full age, and in a position to effect the objects contemplated, and have consented to become incorporated. B. 607.

Explanatory Note:

Redrafted for sake of clarity.

123. Repealed.

123. All questions before Committees on Private Bills are decided by a majority of voices, including the voice of the chairman; and whenever the voices are equal, the decision shall be deemed to be in the negative. B. 606.

Explanatory Note:

Repealed because superfluous as this Rule covers matters already covered by new Rule 86A.

124. Repealed.

124. It is the duty of the Committee to which any Private Bill has been referred by the Senate, to call the attention of the Senate specially to any provision inserted in such Bill, which does not appear to have been contemplated in the notice for the same as reported upon by the Committee on Standing Orders, or the Examiner of Petitions.

It is the duty of the Law Clerk to report, for the information of the Committee, on any such provision.

Explanatory Note:

Repealed because the current practice of examination of petitions by the Chief Clerk of Committees and the Law Clerk of the Senate covers all situations. Therefore Rule 124 should not be the obligation of a committee reporting to the Senate.

125. The Committee to which a Private Bill has been referred shall report the same to the Senate, in every case; and when any amendment has been made in the Bill, such amendment shall be stated in the Report.

125. The Committee to which a Private Bill has been referred shall report the same to the Senate, in every case; and when any material alteration has been made in the Preamble of the Bill, such alteration and the reasons for the same are to be stated in the Report. B. 614.

Explanatory Note:

Words "Preamble of the" are deleted because superfluous and not in accordance with existing practice. Words "and the reasons for the same" deleted because superfluous. Words "are to" are deleted and the word "shall" substituted therefor. Word "amendment" replaces "material alteration".



126. When a Committee to which a Bill has been referred considers that the Bill should not be proceeded with further in the Senate, it shall so report to the Senate, stating its reasons; and if the motion for the adoption of the Report is carried, the Bill shall be removed from the order paper.
126. When the Committee on any Private Bill report to the Senate that the Preamble of such Bill has not been proved to their satisfaction, they must also state the grounds on which they have arrived at such decision; and no Bill so reported on shall be placed on the Orders of the Day, unless by special order of the Senate. B. 609.

Explanatory Note:

Consequential amendment in accordance with practice and following amendment to Rule 125.

127. The Chairman of the Committee shall sign or initial, a printed copy of the Bill on which the amendments are clearly written, and shall also sign or initial, the several amendments made and clauses added in Committee, to be attached to the Report; and another copy of the Bill, with the amendments written thereon, shall be prepared by the Clerk of the Committee, and filed.
127. The Chairman of the Committee shall sign with his name at length, a printed copy of the Bill, on which the amendments are fairly written, and shall also sign with the initials of his name, the several amendments made and clauses added in Committee, to be attached to the Report; and another copy of the Bill, with the amendments written thereon, shall be prepared by the Clerk of the Committee, and filed. B. 608, sq.

Explanatory Note:

Rule reworded to permit initialling instead of signing.

128. A Private Bill reported from a Select Committee shall not be referred to a Committee of the Whole, unless the Senate otherwise orders.
128. Unless the Senate otherwise orders, a Private Bill reported from a Standing or Special Committee is not committed to a Committee of the Whole. B. 615.

Explanatory Note:

Redrafted for the sake of clarity.

129. A Private Bill shall not be read a third time the same day on which it is reported from a Committee.
129. No Private Bill shall be read a third time the same day on which it is reported from a Committee. B. 616.

Explanatory Note:

Redrafted in a positive way.

130. An important amendment may not be proposed to any Private Bill in a Committee of the Whole or at the third
130. No important amendment may be proposed to any Private Bill, in a Committee of the Whole, or at the Third Read-



reading of the Bill unless notice of the same shall have been given on a previous day.

ing of the Bill, unless notice of the same shall have been given on a previous day. B. 618.

Explanatory Note:

Reworded in a positive way.

131. When a Private Bill is returned from the House of Commons with important amendments, such amendments shall be, previous to their consideration by the Senate, referred to a Committee of the Whole, or to the Select Committee to which such Bill was originally referred.

131. When any Private Bill is returned from the House of Commons with amendments, the same not being merely verbal or unimportant, such amendments are, previous to their second reading, referred to a Committee of the Whole, or to the Select Committee to which such Bill was originally referred. B. 618, 623.

Explanatory Note:

Reworded for sake of clarity and to conform to existing practice.

132. No change.

132. Except as herein otherwise provided, the rules relating to Public Bills apply to Private Bills.

---







BIBLIOTHEQUE DU PARLEMENT  
LIBRARY OF PARLIAMENT



3 2354 00449 987 0