
RULES OF THE HOUSE OF ASSEMBLY

TABLE OF CONTENTS

1. Meetings.
2. Quorum.
3. Absence without leave.
4. Temporary suspension of business.
5. Power of the Speaker to adjourn House or suspend sitting.
6. Adjournment.

*Rules relating to Order of Business, Order of Debate,
Order in Debate, etc.*
7. Order of business.
8. Order of debate.
9. Order in debate.
10. Limit of individual speeches.
11. Irrelevance or repetition
12. Adjournment of debate.

*Rules relating to Entering of Motions, Notices, Bills
and Resolutions*
13. Entering of motions.
14. Notice of Bills and resolutions.
15. Private Bills.
16. Presentation of Bills.
17. Amendment to Bills.
18. Reading of Bills.
19. Notice of money votes.
20. Notice for Committee of whole House.
21. Resolution not to be altered.

Rules relating to Chairman and Committees
22. Chairman of Committee and House.
23. Members of Committees.
24. Public Accounts Committee.
25. Committees not to sit while House sits.
26. Quorum of select committee.
27. Reports of committees.

*Rules relating to Messages to Governor-General and the
Senate and other matters relating to the Senate*

- 28. Messages to Governor-General.
- 29. Messages to the Senate.
- 30. Communications with the Senate.

*Rules relating to Grants of Money, Accounts and
Disqualification for Voting*

- 31. Grants of money.
- 32. Accounts to be certified.
- 33. Petitions from Public Officers.
- 34. Reports on public establishments.
- 35. Rejected claims.
- 36. Disqualification for voting.

Rules relating to Maintenance of Order

- 37. Disorderly conduct.
- 38. Suspension of Member.
- 39. Withdrawal of Members.

*Rules relating to Privilege and Protection of Members
and Admission and Conduct of Strangers*

- 40. Admission of strangers.
- 41. Conduct of strangers.

*Miscellaneous Rules relating to Minutes, Entering
Division Lists, Recording Questions, Journals and
Papers and Proceedings*

- 42. Revision of Minutes.
- 43. Divisions.
- 44. Yeas and nays.
- 45. Recording questions.
- 46. Journals and papers.
- 47. Publishing proceedings.
- 48. Dress.
- 49. Practice of Parliament.

² RULES OF THE HOUSE OF ASSEMBLY

E.L.A.O., 1974

(SECTION 32)

1. That the regular days of meetings of the House shall be Mondays, Tuesdays, Wednesdays and Thursdays as the business of the House may require; except in case of emergency, the House shall not meet on a Friday or a Saturday unless ordered by resolution of the House.

Meetings.

2. (1) That ten Members including the Speaker or other Member presiding be deemed a House to act as if all Members were present and to proceed to business.

Quorum.

(2) If a House shall not be formed within twenty minutes of the hour appointed for the meeting, the Speaker or in his absence the Deputy Speaker, or in their absence the Chief Clerk may cause an entry to be inserted in the journals of the House that the business appointed for that meeting stands adjourned until the next regular day of meeting.

(3) The Speaker or Member presiding at a sitting of the House shall adjourn the House without question but if there is no quorum five minutes after a Member has drawn the attention of the Speaker or the Member presiding to the absence of a quorum, and the House shall then stand adjourned until the next regular day of meeting.

3. That if any Member shall go off these Islands while the House is sitting, and shall be absent therefrom more than sixty days without the consent of the House, his seat shall be deemed vacated. If any Member shall go off these Islands while the House is not sitting, and shall be absent therefrom more than six months without, at the expiration of that time, any reasonable prospect of his return, his seat shall be deemed vacated. If any Member, having obtained leave of absence from the House, shall be absent from these Islands more than twelve months, his seat shall be deemed vacated, unless the House shall think fit to extend that leave at its next meeting.

Absence without leave.

² Originally contained in the Schedule to the House of Assembly (Powers and Privileges) Act (No. 12 of 1962). See Chapter 8, s.32.

Temporary suspension of business.

4. That notwithstanding the provisions of Rule 9, if the business of the House is not concluded by one o'clock in the afternoon a motion for the suspension of business to a time named later that day may be moved, notwithstanding that some other measure may then be under debate. The question must be put forthwith, no debate or amendment being allowed. That if the business of the House is not concluded by seven o'clock in the evening a like motion may be moved, under the same terms, to suspend business to a time named on another day.

During the suspension of a sitting, the Speaker, the mace being left upon the Table, shall retire from the House, and return at the appointed hour, when business is resumed without counting the House.

Power of the Speaker to adjourn House or suspend sitting.

5. That in the case of grave disorder arising in the House the Speaker may, if he thinks it necessary to do so, adjourn the House without putting any question, or suspend the sitting for a time to be named by him.

Adjournment.

6. That the House at its rising each day shall, except when otherwise resolved adjourn to the hour of ten-thirty o'clock on the morning of the day appointed for its next meeting.

Rules relating to Order of Business, Order of Debate, Order in Debate, etc.

Order of business.

7. That unless the House orders otherwise the business of each sitting shall be disposed of in the following order —

1. Prayers.
2. Reading of Roll of Members.
3. Communications by Mr. Speaker.
4. Introduction and swearing in of Members.
5. Communications by Minister.
6. Communications by Members.
7. Communications by Chief Clerk.
8. Messages from Governor-General.
9. Messages from the Senate.
10. Questions.
11. Motions for leave of absence, leave to resign seat and new writs.

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12. Presentation of petitions.
 13. Appointment of select committees.
 14. Instructions to select committees.
 15. Presentation of reports from select committees.
 16. Adoption of reports from select committees.
 17. Discharge of select committees.
 18. Committees of whole House.
 19. First reading of Bills.
 20. Second reading and committal of Bills.
 21. Third reading and passing of Bills.
 22. Consideration of Senate's amendments.
 23. Resolutions.
 24. Notices for subsequent meetings.

8. That the Member who first rises to speak be heard first; and if two or more rise at the same time to speak the Speaker or chairman shall determine which shall speak first. Order of debate.

9. That no Member be interrupted while speaking, and that no Member speak while sitting, also that no Member speak more than once to any point in debate, without leave of the House or Committee of the whole House. The mover of any substantive motion shall have the right of reply, but not the mover of an amendment to a substantive motion, or the previous question, or an instruction to a Committee: Provided that if the mover of a substantive motion fails to address the house on making the motion, he shall not reply until all who desire to speak have had an opportunity of doing so. Order in debate.

10. That the mover of a substantive motion may not speak more than thirty minutes. The seconder of a motion may not speak more than fifteen minutes. No other Member may speak more than fifteen minutes. The mover of the substantive motion shall have the right of reply and may not speak for more than fifteen minutes: Provided that any Member may speak for such longer time as he may be granted leave by the house. Limit of individual speeches.

11. That the Speaker, or in his absence the Deputy Speaker, or the chairman, after having called the attention of the House, or of the Committee, to the conduct of a Member who persists in irrelevance or tedious repetition Irrelevance or repetition

either of his own arguments, or of arguments used by other Members in debate, may direct him to discontinue his speech.

Adjournment of
debate.

12. That when a motion is made for the adjournment of a debate, or of the House during any debate, or that the chairman of a committee do report progress, or do leave the chair, the debate thereupon shall be confined to the matter of such motion; and no Member, having moved or seconded any such motion, shall be entitled to move, or second, any similar motion during the same debate.

Rules relating to Entering of Motions, Notices, Bills and Resolutions

Entering of
motions.

13. That when a motion has been made and seconded it shall be entered by the Clerk, and no other motion shall be made (except for an amendment, which must be written and presented to the Speaker, or the previous question) until the first motion shall have been put to the vote. Motions not seconded are not entered by the Clerk.

Notice of Bills
and resolutions.

14. That, unless with the unanimous consent of the House, no stage of any Bill (except introduction and first reading) shall be moved, nor any Resolution adopted, nor any Rule suspended without notice of at least one day being given, and that a list of such notices stating the day appointed for discussing any Bill or Resolution be affixed to the Notice Board of the House.

Private Bills.

15. That a Bill of a private nature shall not be introduced in the House except upon petition from the party or parties desiring such Bill or until a report has been made by a committee appointed to enquire into the allegations of such petition. Evidence of advertisement of the petitioner's intention in at least two newspapers in The Bahamas shall be required by the Chair at the time of the introduction of the Bill.

Presentation of
Bills.

16. That when any Bill shall be presented by a Member, in pursuance of an order of the House, or shall be brought from the Senate, the question "That this Bill be now read a first time" shall be decided without amendment or debate.

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- 17.** That all amendments to a Bill offered either in the House or in a committee of the whole House shall be relevant to the subject matter of the Bill. Amendment to Bills.
- 18.** That no Bill pass the House until it has had three readings; and that no Bill be read more than twice in one day. Reading of Bills.
- 19.** That the House will not agree to any motion for the granting of money until notice of such motion has been given for three days: and that before any Vote of Indemnity for the payment of money shall be passed by the House, the same shall have been thrice read and agreed to at three sittings of the House, notice of the second and third readings being given one day previous. Notice of money votes.
- 20.** That when a motion has been made for the appointment of a Select Committee to consider a matter, an amendment for the House to resolve itself into a committee of the whole House will not be entertained without the unanimous consent of the House or without notice of at least one day being given. Notice for Committee of whole House.
- 21.** That a resolution being taken on any matter under the consideration of the House, in the House, such resolution shall not be altered during the same session. Resolution not to be altered.

Rules relating to Chairman and Committees

- 22.** That when the Deputy Speaker is unavoidably absent or is in the Chair of the House, the House upon going into a committee of the whole House shall select a Member to take the Chair of such committee. The Speaker may at any time ask the Deputy Speaker or in his absence another Member to take the Chair temporarily: Provided that while the Chair is so occupied the Speaker shall not take any part in the business of the House. Chairman of Committee and House.

That the House, upon going into a committee of the whole House on any matter reported from a select committee of which the Deputy Speaker is chairman, or upon any other motion for which the Deputy Speaker would normally be responsible, shall select some other person to take the Chair of the committee.

Members of
Committees.

23. That the Speaker shall nominate and appoint Members for committees and messages, and any Member so appointed shall not be excused unless he has the consent of the House. The seconder of a motion for the appointment of a select committee shall not be appointed as a member of the select committee if the committee consist of less than five members.

Public Accounts
Committee.

24. That at the commencement of each new session of the House the Speaker shall nominate and appoint a Select Committee to be called The Public Accounts Committee. Such Committee shall consist of five members and must make at least one report to the House during the Session. not later than sixty days after the commencement of the Session.

Committees not
to sit while
House sits.

25. That no committee shall sit while the House is sitting without the consent of the House provided that any committee may sit while the business of the House is suspended.

Quorum of select
committees.

26. That in all select committees a majority of the members shall be a quorum.

Reports of
committees.

27. That the House will not agree to the report of any committee until such report has been made one day.

Rules relating to Messages to Governor-General and the Senate and other matters relating to the Senate

Messages to
Governor-
General.
E.L.A.O., 1974.

28. That unless otherwise ordered, all messages sent to the Governor-General shall be carried by a committee consisting of not less than four members attended by the Third Clerk. The members of such committee shall meet in the Committee Room and proceed thence to Government House: Provided that if the House so orders, one Member of the House, being a member of the Cabinet, may be appointed to carry a message to the Governor-General.

Messages to the
Senate.

29. That all messages sent to the Senate shall be carried by the Chief Clerk attended by the Third Clerk.

Communications
with the Senate.

30. That whenever a disagreement shall take place between the Senate and the House on the subject matter of any Bill or proposed amendment thereto, the reasons of the Senate shall be received, and those of the House

delivered by Message, without a conference, unless otherwise desired by the Senate or specially ordered by the House.

Rules relating to Grants of Money, Accounts and Disqualification for Voting

- 31.** That the House will not entertain any motion for a grant of money, except upon the recommendation or with the consent of the Governor-General signified by a Minister. Grants of money.
- 32.** That the House will not pass any account presented to the House by any individual unless such account be duly certified by some competent authority. Accounts to be certified.
- 33.** That the House will not entertain any petition or similar application from a Public Officer for increasing the salary of or otherwise remunerating a Public Officer: Similarly, the House will not entertain any petition or similar application from a Public Officer for a special pension until such Public Officer has retired, unless such petition or application is recommended by the Governor-General signified by a Minister. Petitions from Public Officers.
- 34.** That the House will not grant any sum of money for the use or support of any public establishment in The Bahamas until a statement of expenditure made up to such date as the House may require, showing the balance, if any, in hand, be laid before the House. Reports on public establishments.
- 35.** That if any petition, account or other claim for money be rejected in the committee of the whole House on the Estimates, Petitions and Accounts, and such rejection be afterwards affirmed by the House on the bringing up of the report of such committee, no motion for inserting in the Appropriation Bill any grant of money for the service, claim or demand set forth in such petition, account or other claim, shall be entertained at any stage of such Bill. Rejected claims.
- 36.** That upon any question of a grant of money to any Member of the House or in which any Member or Members may have direct and personal interest such Member or Members shall withdraw from the House or committee when the Speaker or Chairman is about to put the question to the vote. Disqualification for voting.

*Rules relating to Maintenance of Order*Disorderly
conduct.

37. That the Speaker or the Chairman shall order Members whose conduct is grossly disorderly to withdraw immediately from the House during the remainder of the day's sitting; and should such Member fail or refuse to withdraw when so ordered the Speaker or Chairman may name such Member or Members in which event the procedure prescribed in Rule 38 shall be followed.

Suspension of
Member.

38. (1) That whenever a Member shall have been named by the Speaker or by the chairman, immediately after the commission of the offence of disregarding the authority of the Chair, or of persistently and wilfully obstructing the business of the House by abusing the Rules of the House, or otherwise, then if the offence has been committed by such Member in the House, the Speaker shall forthwith put the question, on a motion being made, no amendment, motion for adjournment, or debate being allowed, "That such Member be suspended from the service of the House", and, if the offence has been committed in a committee of the whole House, the chairman shall forthwith suspend the proceedings of the committee and report the circumstances to the House; and the Speaker shall on a motion being made forthwith put the same question, no amendment, motion for adjournment, or debate being allowed, as if the offence had been committed in the House itself.

(2) If any Member be suspended under this Rule, the suspension on the first occasion shall be for the remainder of the day's sitting then in progress, and on the second occasion for a period of eight days, and on the third or any subsequent occasion for a period of one month.

(3) Not more than one Member shall be named at the same time, unless two or more Members, present together, have jointly disregarded the authority of the Chair.

(4) If a Member having abused a Rule of the House is not present in the House when the matter is brought to the attention of the Speaker or Chairman, then the procedure as set out in the foregoing subsections of this Rule will be followed at the first meeting thereafter at which the offending Member or Members are present in the House.

Rules relating to Privilege and Protection of Members and Admission and Conduct of Strangers

39. That when anything shall come into question touching the matter of privilege of any Member, he shall be entitled to remain in the Chamber of the House until the Speaker is about putting the question on such matter of privilege from the Chair, when he shall withdraw from the Chamber of the House.

Withdrawal of Members.

40. That the members of the Senate shall be allowed to sit within the Bar of the Chamber of the House, as well as any person who shall present a card of invitation signed by the Speaker; and other persons shall be allowed to sit without the Bar of the Chamber whenever seating accommodation is available subject to the provisions of the Rules.

Admission of strangers.

41. That strangers visiting the House shall not be allowed to express in any way either approval or disapproval of any speech, debate, or other proceeding of the House, and that on occasion arising, the Speaker, or in his absence the Deputy Speaker, may, if he thinks fit, order the withdrawal of strangers from the precincts of the House.

Conduct of strangers.

Miscellaneous Rules relating to Minutes, Entering Division Lists, Recording Questions, Journals and Papers and Proceedings

42. That the Speaker, or in his absence the Deputy Speaker, shall revise the minutes of each meeting prior to the next meeting. The minutes shall be taken as read unless the House directs that they or some part of them be read *in extenso*.

Revision of Minutes.

43. After the question is put and before a division takes place the Prime Minister or the Leader of the Opposition or any three Members may demand that all Members within the precincts of the House be notified that a division is about to be taken and such division shall not be taken for a period of two minutes after an officer of the House reports to the Speaker or Chairman that the Members have been so notified.

Divisions.

Yeas and nays.

44. That in questions where a division takes place the Prime Minister or the Leader of the Opposition or any three Members may demand the yeas and nays to be entered on the minutes.

Recording questions.

45. That it shall be the duty of the Clerk to record on the Minutes of the proceedings of the House all questions that may be asked in writing of any Minister and all replies that may be given thereto.

Journals and papers.

46. That the Clerk shall deliver certified copies of all Bills passed by the House to the Cabinet Secretary. He shall not, without the particular leave of the House, deliver extracts from or copies of the journal or other papers belonging to the House to any person whatever except to Members of the House, who may at any time peruse the proceedings or papers and have copies thereof.

Publishing proceedings.

47. That the conductors of the several public journals of The Bahamas be allowed to publish the proceedings of the House.

Dress.

48. (1) The dress of the Speaker and Officers of the House should be similar to that of the Speaker and officers of the House of Commons at ordinary sittings.

(2) The dress of Members of the House should on ordinary morning meetings be striped trousers and a short black or charcoal grey jacket. The vest is optional. The Deputy Speaker, however, shall at all morning meetings wear full morning dress.

(3) The dress of the Members of the House for meetings commencing after 5 p.m. shall be dinner jacket or white mess jacket. The Deputy Speaker on these occasions shall wear full evening dress.

(4) On ceremonial occasions all Members shall wear full morning dress with the exception of the Officers of the House who shall wear dress similar to that of the Officers of the House of Commons.

Practice of Parliament.

49. That in cases of doubt these Rules shall be interpreted in the light of the relevant practice of the Commons House of Parliament of Great Britain and Northern Ireland. In any matter for which these Rules do not provide the said practice shall be followed, but no

restrictions which the House of Commons has introduced by Standing Order shall be deemed to extend to the House or its Members until the House has provided a Rule for such restriction.