

COUNCIL PROCEDURE RULE 13 – RULES OF DEBATE

13. *Rules of Debate*

13.1 No speeches until Motion seconded

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

13.2 Right to require Motion in writing

Unless notice of the motion has already been given, the Mayor may require it to be written down and handed to him/her before it is discussed.

13.3 Secunder's speech

When seconding a motion ~~or amendment~~, a Member may reserve his/her speech until ~~later in~~ the debate. When the Member wishes to speak, he/she must indicate to the Mayor.

13.4 Content and length of speeches

Speeches must be directed to the question under discussion or to a personal explanation or point or order. No speech may exceed four minutes without the consent of the Mayor.

13.5 When a Member may speak again

A Member who has spoken ~~on to~~ moved or seconded a motion may not speak again whilst it is the subject of debate, except:

- ~~(a) to speak once on an amendment moved by another Member;~~
- ~~(b) to move a further amendment if the motion has been amended since he/she last spoke;~~
- ~~(c) if his/her first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);~~
- (a) in exercise of a right of reply **pursuant to Council Procedure Rule 13.8;**
- (b) on a point or order; and
- (c) by way of personal explanation.

13.6 Amendments to Motions

- (a) All amendments to reports from Cabinet and the Council's committees (Council Procedure Rule 2[f]) and to a motion submitted under Council Procedure Rule 11 (other than those Motions which may be moved without notice under Council Procedure Rules 12 and 13.8) must be submitted in writing to the Monitoring Officer initially by 12 noon two clear working days before the meeting at which the motion is to be considered. Receipt of the amendment will be acknowledged by the Monitoring Officer.

The Member submitting the amendment must then confirm in writing to the Monitoring Officer by 12 noon one clear working day before the meeting whether the amendment is to go forward, or notify the Monitoring Officer of any changes to the amendment. If no withdrawal, confirmation or change is received by the Monitoring Officer, it will be assumed that the amendment is to be considered in its initial form.

- (b) An amendment to a motion must be relevant to the motion and will either be:
- (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (ii) to leave out words;
 - (iii) to leave out words and insert or add others; or
 - (iv) to insert or add words

as long as the effect of (ii) to (iv) is not to negate the motion.

- (c) All amendments submitted and having been moved and seconded **with no speeches**, will be offered by the Mayor to the mover of the motion for acceptance, **if accepted in whole or in part the amendment becomes part of the original motion which remains in the 'ownership' of the Member moving the original motion.**
- (d) If the mover of the motion agrees to accept the amendment, **or part of the amendment**, any Member of the Council may, at that point, call 'Object' which would require the amendment to be debated by the Council. ~~If an amendment is accepted, or carried after a Member of the Council objects to the mover of the motion accepting it, it will become part of the original motion.~~

- (e) All amendments, **or parts of an amendment** submitted, and not accepted by the mover of the motion, will be discussed by the Council together with the motion and voted on at the end of the debate in the order in which they were submitted to the Monitoring Officer.
- (f) If an amendment is carried, the motion as amended takes the place of the original motion and becomes in the 'ownership' of the Member moving the amendment. This becomes the substantive motion to which any further amendments are moved.

13.7 Withdrawal of Motion

A Member may withdraw a motion at the meeting with the consent of the meeting, or if he/she has moved the motion, with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

13.8 Right of Reply

The owner of the motion / substantive motion has the right to sum up at the close of the debate on the motion immediately before it is put to the vote.

~~(b) At the close of a debate on a motion and any proposed amendments:~~

~~(i) the mover of the original motion has the right to reply to the debate; and~~

~~(ii) the proposer of each amendment has the right to sum up the debate on their amendment in the order in which the amendments were proposed.~~

13.9 Motions which may be moved during debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- (a) to withdraw a motion;
- (b) to amend a motion (with the exception of reports from Cabinet and the Council's committees and to motions submitted under Council Procedure Rule 11 - 'Notice of Motion');

Note: Paragraphs (b), (c) and (e) of Council Procedure Rule 13.6 'Amendments to Motions' will apply to amendments moved under this Procedure Rule.

- (c) to proceed to the next business;

- (d) that the question be now put;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;
- (g) that the meeting continue beyond three hours in duration;
- (h) to exclude the public and press in accordance with the Access to Information Rules; and
- (i) to not hear further a Member named under Rule 19.2 or to exclude them from the meeting under Rule 19.3.

13.10 Closure Motions

- (a) At the conclusion of a speech of another Member, a Member who has not already participated in the debate may move without comment that:
 - (i) the debate be adjourned;
 - (ii) the meeting proceed to the next business;
 - (iii) the meeting be adjourned; or
 - (iv) the question be put.
- (b) If the motion to adjourn the debate, proceed to the next business or adjourn the meeting is seconded:
 - (i) the Mayor will put the closure motion to the vote without further discussion;
 - (ii) if the motion is carried, the debate will stand adjourned, the meeting will proceed to the next business or the meeting will stand adjourned;
 - (iii) if the motion is lost, the debate will resume.
- (c) If the motion that the question be put is seconded:
 - (i) the Mayor will consider whether the question before the meeting has been sufficiently discussed;
 - (ii) if the Mayor considers that it has not, the debate will continue until the Mayor considers that adequate debate has taken place, after which a vote on the closure motion will be taken;
 - (iii) if the Mayor considers that the matter has been sufficiently discussed, the Mayor will put the closure motion to the vote without further discussion; and
 - (iv) if the motion is carried, the Mayor will invite the mover of the original motion and the amendment, if

an amendment is under discussion, to reply, and put the question before the meeting to the vote.

13.11 Points of Order and Personal Explanation

- (a) A point of order is a request from a Member to the Mayor to rule on an alleged irregularity in the procedure of the meeting.
- (b) A personal explanation will be confined to some material part of an earlier speech by the Member and on which a misunderstanding has occurred.
- (c) A Member may raise a point of order or a point of personal explanation at any time and is entitled to address the Mayor on the matter immediately; but:
 - (i) the Member who raises a point of order must specify immediately how a Procedural Rule or statutory provision has been broken or infringed;
 - (ii) in either case, the Member's speech must be confined to the point of order or personal explanation.
- (d) The ruling of the Mayor on a point of order or a personal explanation is final.