

APPENDIX 4 - RULES OF DEBATE



Rules of Debate

The Rules of Debate are designed to facilitate debate during Council in an organised and orderly manner.

1. Respect for Lord Mayor

- 1.1. A Councillor, when speaking, must stand and address the Lord Mayor and direct their speech to the question under discussion.
- 1.2. When the Lord Mayor rises during a debate any member then standing must immediately stop speaking and sit down.
- 1.3. If two or more Councillors rise the Lord Mayor shall call on one to speak.
- 1.4. The Lord Mayor shall decide all questions of order and their ruling upon all such questions or upon matters arising in debate shall be final and shall not be open to discussion.

2. Motion or Amendment – Procedure

What is a Motion?

- 2.1. A motion is a proposal at a meeting that certain action is taken or certain views about a subject are expressed by the Council.
- 2.2. The purpose of a motion is to introduce new business. A motion should be in positive language (ie that the Council does something, not that the Council refrains from doing something) to avoid confusion when voting.
 - Motions require a majority vote to be carried.
 - A motion cannot be proposed when another motion is under consideration.
 - Any motion requires a seconder, can be debated and can be amended.

What is an amendment?

- 2.3. The object of an amendment is to modify a motion in such a way as to increase its acceptability to the Council.
- 2.4. An amendment shall not be discussed unless it has been proposed and seconded by Councillors. Councillors wishing to move an amendment give notice immediately when called upon by the Lord Mayor. There is an expectation that written copies of the amendment, detailing the proposed changes are provided Democratic Support, at least one clear day ahead of the meeting.

- 2.5. Amendments moved without prior notice may require an adjournment of the meeting for the person presiding and Monitoring Officer to review the content of the amendment and if in order to make appropriate arrangements for circulation to Councillors prior to any debate.

Content of Amendment

- 2.6. An amendment must relate to the motion and either:

- Leave out words;
- Leave out words and insert or add others; or
- Insert or add words.

- 2.7. Any such amendment must not have the effect of negating the original motion.

Debate on amendments

- 2.8. If an amendment is carried, the amended motion replaces the original motion. Any further amendments will be to the amended motion.

- 2.9. If an amendment is not carried, any further amendments will be made to the original motion.

3. Closure Motions

- 3.1. A closure motion is intended to draw to a close the debate currently on the floor of the Chamber. Such motions may be moved without notice.

- 3.2. A councillor who has not already spoken in the debate may at the conclusion of a speech of another councillor move without comment: -

- that the Council move to the vote on the current debate (after the vote on the closure motion, but before the meeting moves to the vote on the motion or amendment the proposer will be given the opportunity to sum up.)
- that the Council refer the motion to a committee. (If carried the outcome of this motion is that the motion stands referred, the mover of the motion will not have the right of reply before this vote and there are no further votes on the motion.)

4. When a Councillor may speak again on a Motion

- 4.1. Councillor who has already spoken in a debate cannot speak again except to:

- exercise their right of reply
- make a point of order
- make a point of intervention
- speak on an amendment

- move a further amendment.

5. Length of Speech

5.1. No speech shall exceed five minutes, unless agreed by Council.

6. Right of reply

6.1. A Councillor who moves a motion has a right of reply (and may take up to five minutes) at the end of the debate immediately before the vote, unless the motion has been referred elsewhere.

6.2. If an amendment is moved, the Councillor who moved the amendment has the right to reply at the end of the debate but may not otherwise speak on the amendment.

7. Points of order

7.1. A Councillor can make a point of order at any time and the Lord Mayor will hear a point of order immediately.

7.2. A point of order must be about the law or Council procedures or rules being broken. The Councillor must say which law or procedures or rules are being broken and how.

7.3. The Lord Mayor will consider the Monitoring Officer's advice when deciding on a point of order and the Lord Mayor's decision will be final.

7.4. Any member making a point of order may not speak on the matter under discussion during the point of order.

8. Points of intervention

8.1. A member may ask a brief question in relation to the speaker's statement if the speaker agrees. No other members shall be allowed to speak. The question, if accepted, is not part of the speaker's time. The answer is part of the speaker's time. No supplementary questions are allowed.

9. Motions that can be moved during debate

9.1. When a motion is being debated, no other motions can be moved except for the following procedural motions:

- that the Council move to the vote on the current debate (if the Council is debating an amendment the Council will move to the vote on the amendment);
- that the Council refer the motion to another committee

- to hold a meeting in private (when allowed by the Access to Information Procedures – see Part F section)
- to suspend standing orders, with the exception of articles of the constitution.
- to limit or extend the debate (ie that the meeting continues beyond 7:30pm)

10. Motion to overturn a previous decision

- 10.1. A motion or amendment to overturn a decision made by a meeting of the Council within the past six months cannot be moved unless the motion on notice is signed by at least ten members.

11. Motion similar to one previously rejected

- 11.1. A motion or amendment similar to one that has been rejected by a meeting of the Council in the past six months cannot be moved unless the motion on notice or amendment is signed by at least ten members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.