

# **RULES OF ORDER**

**A SIMPLIFIED GUIDE TO  
PARLIAMENTARY PROCEDURE  
ADOPTED FOR USE BY THE  
NATIVE COUNCIL  
OF PRINCE EDWARD ISLAND**

Ratified September 27<sup>th</sup>, 2009

## INTRODUCTION

Any business meeting of the Native Council of Prince Edward Island (NCPEI) must proceed in an orderly way if it is to bring satisfactory results. There are certain widely accepted rules of conducting such meetings. These “Rules of Order” are a part of that large body of practices which are grouped under the term “parliamentary procedure.”

Besides making for orderliness of procedure, parliamentary rules are intended to protect the rights of the individual participant and of minorities at a meeting. At the same time, they are also intended to enable the majority to get things accomplished without reasonable delay. The parliamentary rules of particular importance are easy to understand.

For purposes of clarity, the “Chair” could be the NCPEI Executive, Board of Director, Local Executive or someone selected for the position by the membership at the assembly.

## CONSTITUTION AND RULES OF ORDER

The constitution normally provides for and includes such matters as meetings, voting, finances, awards, duties of members and provisions for amendments and additions. Rules of Order shall not conflict with the provisions of the Constitution.

## FUNCTION OF THE CHAIR

In the NCPEI, the Chair of any meeting at which business is to be transacted must be a member of the NCPEI (with the exception of at the Annual General Assembly where the chair is nominated to this position). As a member, the Chair has the right to vote. But as Chair of the meeting, the Chair has certain responsibilities beyond those of the ordinary member. The Chair is expected to act as a moderator and coordinator rather than a partisan. The Chair is not supposed to speak for or against a motion while in the chair. If the Chair wants to take part in the debate, ask another member to act as the Chair temporarily, so that the impartiality of the chair will be preserved. Resumptions of the chair can be taken when ready to avoid taking sides on this issue.

It is up to the Chair of a meeting to see to it that the rules of order are applied democratically, without favoritism, so that all important matters may receive adequate discussion and the decisions made by the meeting shall reflect the careful judgment of the voting majority. The Chair must also be familiar with all sections of the constitution and the standing rules that deal in any way with the holding of meetings, the voting rules and the duties and rights of the membership. Otherwise, there is danger that actions taken at a meeting may be in conflict with the constitution.

In addition to knowing the rules of order and the constitution and being willing to apply them impartially, a Chair should also be an energetic leader who can keep the business of the meeting moving along without dragging. The Chair cannot make a motion, but can suggest someone else do so. Whenever discussion has reached the point when a motion seems in order but no one

volunteers to make it, the Chair may state: “The Chair is ready to entertain a motion that . . . (whatever the occasion calls for).” If someone trying to make a motion finds difficulty in putting it into suitable words, the Chair may make suggestions, but cannot change the form of the motion without the maker’s approval.

## COMMON SENSE RULES

**Fair Play** – The Chair should be a fair-minded moderator, not a dictator.

**Avoid Confusion** – Preserve order. Do not let more than one person talk at a time. The Chair decides who is to have the floor.

**Talking to the Point** – The Chair should insist that members be brief and talk to the point.

**Talking Loud Enough** – It is necessary for everyone (including the Chair) to speak loud enough for the entire meeting to hear what is being said. If a person cannot be heard by everyone, the Chair should repeat the gist of what was said.

**Avoid Hasty Action** – Decisions on important matters should be made only after all the facts are known and have been considered fairly. It is safer in most instances to delay action than to act in ignorance of the facts. However, it is usually possible to have a committee look into any particular matter of importance in advance of the meeting, so that facts can be put before the meeting and intelligent action taken.

## GENERAL RULES

**Quorum** – A quorum of fifty percent plus one (50% + 1), as required by the constitution, must be present at a meeting before business can be transacted.

**Start of Meeting** – The meeting should be called to order at the hour set in the notice, or as soon thereafter as a quorum is assembled.

**Adjournment for Lack of Quorum** – If no quorum can be assembled, those present must adjourn the meeting without transacting any business except that they may set a date of the reconvening of the adjourned meeting.

**Agenda / Order of Business** – At every meeting there should be a list of the matters to be acted on, arranged in the order in which they are to be taken up. This list should be prepared in advance by the Chair in consultation with the secretary. Additional matters may be brought up at the meeting, except matters which, according to the constitution, require advance notice.

## PRESENTATION OF MOTIONS

A motion is a formal statement of a proposal or question to an assembly for consideration and action. Any member entitled to a vote may present a motion. The Chair may rule a motion temporarily out of order if it does not conform to the order of business. A motion may also be out of order for certain other reasons which will be discussed later. To reach a decision on any matter to be decided by vote, a definite procedure must be followed. Briefly, this consists of three main steps, the making of a motion, discussion and the voting itself.

**Main Motion** – The main motion is the foundation of the conduct of business. Its purpose is to bring proposal before the meeting for consideration and action. The member desiring to make a motion gets the Chair’s attention by raising the hand and addressing the Chair. When given the

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floor, begin: “I move that . . . “ and state the proposal as simply and clearly as possible. If the motion is in order, the Chair asks: “Is there a second to this motion?” and gives the floor to the first member indicating a wish to do so. This member says: “I second the motion.”

If no one is willing to second the motion, the Chair declares that “the motion is lost for want of a second” and proceeds with the next order of business. If the motion is seconded, it enters the discussion stage.

**Discussion** – After a motion has been made and seconded, the Chair should say: “It has been moved and seconded that . . . (repeat the motion so that everyone can hear it distinctly) . . . Is there any discussion on the motion?” Allow enough time for an adequate discussion of the question.

**Voting Definition** – A majority is a number that is more than half of any given total. Unless defined otherwise in the constitution, a majority vote means a majority of the votes cast, ignoring blanks, at a legal meeting, a quorum being present.

**Voting** – There are two ways of bringing a motion to a vote. Normally the Chair waits until there is no further discussion and then calls for the vote. But if a discussion drags out too long and it seems that no new facts or opinions will be brought out by further discussion, any member may “move to close debate and vote on the question.” This motion of Previous Question, if properly seconded, is not debatable and the Chair must at once let the meeting decide by voice vote or show of hands, whether or not the discussion shall be allowed to continue. If a majority of fifty percent plus one (50% + 1) of the voting members vote for the motion (are opposed to further discussion), then the Chair must call for a vote on the motion under discussion.

In certain cases, such as the election or removal of officers, the constitution usually provide that the voting must be done by ballot, which means a secret ballot. This is for the purpose of permitting each member to vote according to their best judgment, without exposing themselves to the ill will of the rejected candidate.

Any member may also request a vote by ballot on any motion or resolution even if the standing rules do not require it. If this motion is seconded, the Chair must, without any further debate, let the members decide, by voice or by show of hands, whether or not they prefer to vote by ballot on the particular matter. A majority vote is sufficient for such a decision.

Whenever voting by ballot is not required, the usual method of voting is by voice. When the Chair is ready to put the motion to vote, repeat the motion or have the secretary read it aloud, so that it is clear to everyone. Then say: “All in favor of the motion, please say ‘I’ (or ‘yes’).” After those in favor have voted, say: “All opposed to the motion please say ‘no’.” Then announce the result by saying: “The motion is carried” or “The motion is lost”, as the case may be.

If there is the least doubt as to whether the motion was carried or lost, take the vote again, but this time by a show of hands. If the vote is still uncertain, ask the secretary and another officer to count the hands raised for and against. In case of a tie vote, the motion is lost.

**Subsidiary Motions** – A motion that concerns the main motion on the floor is known as a subsidiary motion. Its intention may be to amend the main motion, or to have the matter proposed in the main motion referred to a committee, or to postpone or stop action on the main motion. It is obvious that such a motion is secondary and must be disposed of before the main motion is voted on.

**Motion to Amend** – If any member likes the general idea expressed in the main motion up for discussion, but wants the wording changed or added to, the member can “move to amend the motion by (adding, taking out, etc.) the words . . .” If such a motion to amend is seconded, it is then open for discussion and must be voted on before the main motion is again taken up. When the Chair calls for the vote on a “motion to amend,” make it clear that the vote will not yet be on the acceptance or rejection of the main motion. The vote will only be on whether the members want the wording of the main motion changed. If the amendment is accepted, then discussion may resume on the main motion, as amended, or if the amendment is rejected, then discussion may resume on the main motion as originally worded.

An amendment to a motion may itself be amended. In such case the motion to amend the amendment is discussed and voted on first. If it is defeated, discussion is again on the original amendment. If the amendment to the amendment is adopted, it becomes a part of the original amendment, and discussion is then opened on the revised amendment to the main motion.

**Limited or Extending Debate** – Although full discussion on a motion is desirable, it may sometimes be found necessary to limit debate in order to allow time to take up all the items on the agenda or to complete action on some important business before late hours draw away voting members and leave the meeting without a quorum for further business. If it becomes necessary to limit debate, someone may “Move to debate on this motion be limited to . . . minutes.” If the motion is passed and it is found desirable later to extend debate a little longer, this can be done by another motion.

**Motion to Refer** – If any member thinks that the meeting does not possess enough facts or information concerning the subject of the main motion to be able to vote intelligently on it, the member may “move that this question be referred to . . ., with instructions to report at the next meeting.” This motion should state the person or committee, and, if a special committee, whether it is to be appointed by the Chair or by the board. A motion to refer can be applied only to the main motion under discussion. It is in order practically at any time before the vote is taken on the main motion itself. It requires a second and may be debated. If it is passed, the main motion is put aside but is made the first item of unfinished business at the next meeting.

**Motion to Table** – The motion to table is one of three means to delay action on a motion; the others being motion to postpone definitely, and motion to postpone indefinitely.

The motion to table ranks above all other subsidiary motions, which means that it can be introduced even when another subsidiary motion is being considered. “To table” means to put the main motion aside without taking any action on it. This motion requires a second and it is

not debatable but must be voted on at once. A main motion which has been tabled may again be brought up for consideration later in the same meeting or not later than the next regular meeting of the body, but only at a time when no other motion is being considered. This can be done by a motion to “Take from the table the motion that...”

**Motion to Postpone Definitely** – A motion to postpone definitely defers consideration of a main motion to a later time and also fixes definite date for its consideration. The motion would take the form: “I move to postpone the motion until ... (the afternoon session, the October meeting, etc.)” Debate is limited to discussion of the time or reason for postponement and, once passed, may be reconsidered. It is therefore more flexible than a motion to table.

**Motion to Postpone Indefinitely** – This motion takes the form: “I move to postpone the motion indefinitely.” It is fully debatable and also opens the main question to debate. Although called a motion to “postpone”, it actually has the effect of killing the pending main motion for the current meeting. At a later meeting, the motion which was postponed indefinitely can come up, but only as a new main motion.

**Incidental Motions** – Incidental motions arise incidentally out of the business before the assembly. They do not relate directly to the main motion but usually relate to matters that are incidental to the conduct of the meeting. Some incidental motions do not take the form of a motion but are actually requests directed to and decided by the Chair.

**Request for Information** – Any member who wants an answer to a specific question about a motion on the floor may, if necessary, interrupt whoever is speaking by rising and saying “I rise for a point of information.” The Chair must immediately ask, “what is your question?” If the request is reasonable and pertinent to the motion on the floor, the Chair answers it or asks someone else to do so.

**Point of Order** – If a member is convinced that the “Rules of Order”, Constitution or Bylaws are being disregarded, the member may interrupt, regardless of who is speaking, by rising and saying: “I rise for a point of order.” No second is required. The Chair must immediately ask “State your point of order.” The member must then give a brief explanation of what is out of order and why. If satisfied that the member is right, the Chair says: “Your point is well taken.” and does whatever is necessary to correct the error. If the Chair considered the member wrong, say: “Your point is not well taken.” and drops the matter. If the Chair is not certain, the question can be referred to someone better acquainted with the Constitution, Bylaws or Rules of Order, or can ask the meeting to vote on the matter.

**Motion to Appeal** – If the member is convinced that the Chair’s decision is wrong, the member can say immediately after the Chair has announced the decision: “I appeal from the decision of the Chair.” If the appeal is seconded by another member, the Chair then states the reasons for the decision. After discussion, the vote is taken, not on the appeal, but on the sustaining or overruling the Chair’s decision. The Chair’s decision is sustained by a majority or tie vote.

**To Withdraw a Motion** – The maker of a motion may become convinced that the action proposed is really unnecessary or undesirable, or that it has become so confused or twisted by the addition of an amendment that the intended purpose will not be served. It is the member’s

privilege, at any time before the final vote on the main motion is taken, to address the Chair and say “I desire to withdraw my motion.” If no one objects, the Chair declares the motion withdrawn. If any member objects, the Chair put the question on granting the request to the members or, a motion may be made to grant it. This request/motion is not debatable. If a majority is in favor, the main motion is withdrawn.

**Motion to Rescind** – It may happen that an action agreed upon at a meeting is later found to be undesirable. If it is a matter than can still be remedied by reversing the action, the way to accomplish this is by a motion “to rescind (or repeal) the formerly approved motion that . . . (state the action which is to be rescinded).” Such a motion can be made at any later meeting by any member entitled to vote at the meeting. It requires a second and it may be debated. To carry, a majority of those voting is all that is necessary.

**Motion to Reconsider** – A motion carried (or lost) may be reopened for further discussion and consideration by a vote “to reconsider,” if this is done at the same meeting in which the original vote was taken. Reconsideration may be particularly advisable if the original vote was nearly equally divided and it is felt that further discussion might result in greater unanimity of decision. Any member who originally voted with the prevailing side has the right to make a motion for reconsideration. Adoption of a “motion to reconsider” means that the original motion is again before the meeting just as if it had never been voted on.

**Division of Questions** – It is possible to divide for separate consideration the parts of a complicated main motion which has been put on the floor. This is done by a motion calling for a division of the question. If the subjects in the motion are clearly unrelated no second is required for a motion for division of a question. The motion is not debatable. It can be amended, but not reconsidered.

**Privileged Motions** – Privileged motions have no direct connection with the main motion. They are emergency motions of such urgency that they are entitled to immediate considerations. They relate to the members and to the organization rather than to particular items of business.

**Motion to Recess** – A motion to recess for a short designated time often helps to rest fatigued participants in a long or controversial meeting. The motion may be worded: “I move we recess for \_\_\_ minutes” or “I move we recess for lunch and reconvene at \_\_\_\_ o’clock.” The motion requires a second. It is not debatable, but may be amended. A recess may be taken while a main motion remains on the floor. In this case, debate on the motion is resumed following the recess.

**Motion to Adjourn** – This is another undebatable motion. It requires a second and the affirmative vote of the majority of the members present.

## NOMINATIONS

The Constitution may provide for nominations not only by committee or by petition but also from the floor in electing Executive. When the Chair declares that nominations are open, any member may, when recognized by the Chair, nominate a candidate. No second is needed for

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nominations.

To close nominations after ample opportunity has been given for the presentation of candidates the Chair may say, “Are there further nominations?” Wait a few seconds then state: “If there are no further nominations, I declare nominations closed.”

Nominations may be closed by a motion from the floor, but the Chair should recognize such a motion only after it is apparent that there are not more nominations forthcoming or that there are enough nominations on the floor to provide adequate competition. A motion to close nomination must be seconded and requires a majority vote. After nominations are closed they may be reopened by a motion from the floor; if seconded, and passed by a majority vote. Motions to close or to reopen nominations are not debatable.

### A GENERAL SUGGESTION

While the foregoing Rules of Order are provided for the purpose of conducting business in an orderly manner, there are occasions when informality can reach the same results. Quite often the decision of the meeting can be reached by merely asking “Is there any objection to . . . (state what the proposed action is).” If there is no objection; the Chair can rule that “It is unanimous that . . . (again, state what the unanimous decision was).” The Secretary will then record the matter accordingly.

In addition to this document, the Chair should have available at each meeting a copy of Robert’s Rules of Order in case a more detailed reference is required. The NCPEI Constitution should also be available.

### SUMMARY OF MOTIONS

Type of Motion	Second	Debatable	Amend	Vote
Adjourn	Yes	No	No	Majority
Recess	Yes	Yes	Yes	Majority
To table	Yes	No	No	Majority
Previous question	Yes	No	No	Majority
Limit or extend Debate	Yes	No	Yes	Majority

<b>Postpone Definitely</b>	Yes	Yes	Yes	Majority
<b>Refer (commit)</b>	Yes	Yes	Yes	Majority
<b>Amend</b>	Yes	Yes	Yes	Majority
<b>Postpone Indefinitely</b>	Yes	Yes	No	Majority
<b>Reconsider (the vote)</b>	Yes	Yes	No	Majority
<b>Rescind (repeal)</b>	Yes	Yes	Yes	Majority
<b>Take from the Table</b>	Yes	No	No	Majority
<b>Point of Order</b>	No	No	No	Chair
<b>Parliamentary Inquiry</b>	No	No	No	Chair
<b>Misc. Information Request</b>	No	No	No	Chair
<b>Withdraw a Motion</b>	No	No	No	Chair
<b>Withdraw a Second</b>	No	No	No	Chair
<b>Question Quorum</b>	No	No	No	Chair
<b>Appeal Decision of Chair</b>	Yes	Yes	No	Majority
<b>Suspend Rules</b>	Yes	No	No	Majority
<b>Close Nominations</b>	Yes	No	Yes	Majority
<b>Reopen Nominations</b>	Yes	No	Yes	Majority
<b>Division of Question or Motion</b>	Yes	No	Yes	Majority

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