

NISGA'A LISIMS GOVERNMENT

WILP SI'AYUUKHL NISGA'A

RULES OF PROCEDURE

Amended March 26, 2025

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PART 1 – INTERPRETATION AND APPLICATION

Definitions

1. In these Rules:

“aboriginal government organization” includes

- (a) a band or council of a band within the meaning of the *Indian Act* (Canada),
- (b) a tribal council,
- (c) a national, provincial, territorial or regional organization that comprises aboriginal persons, bands, tribal councils or their respective representatives, and that performs governmental functions, or
- (d) any similar organization that performs governmental functions in respect of a group of aboriginal people;

“by-election” means a by-election as defined in the *Nisga’a Elections Act*;

“motion requiring notice” means a motion that under these Rules may not be moved at a sitting unless a member of the House gives a written notice of the motion to the Law Clerk or another person by a specified number of days before the start of the sitting;

“point of order” means a matter or statement by a member that a rule has been violated, including, but not limited to, a statement that is not related to the motion on the floor.

“question of privilege” means a matter relating to the rights or privileges of the House or a member of the House;

“register of members” means the register referred to in Rule 7;

“regular election” means a regular election as defined in the *Nisga’a Elections Act*;

“rules of debate” means the rules of extended debate, the rules of limited debate or the rules of ordinary debate;

“rules of extended debate” means the rules set out in Rule 59;

“rules of limited debate” means the rules set out in Rule 56;

“rules of ordinary debate” means the rules set out in Rule 57;

“session of the House” means a calendar year;

“table” means, in relation to a document,

- (a) provide the document to the Law Clerk at a sitting, and
- (b) on the call of the Speaker at the sitting, describe the content of the document for the House;

“the Act” means the *Nisga’a Government Act*;

“Unforeseen circumstances” means a circumstance not predicted or expected such as the death of an immediate family member, specialized medical appointments or medical emergencies.

“visitor” means a person present in the chamber who is not a member of the House.

Definitions from *Nisga’a Government Act* apply

2. The words and expressions defined in section 1 of the Act have the same meanings in these Rules.

Nisga’a Interpretation Act applies

3. The provisions of the *Nisga’a Interpretation Act* apply to these Rules as if the Rules were a Nisga’a enactment.

Relationship to Nisga’a Lisims enactments

4. These Rules are subject to Nisga’a Lisims enactments.

PART 2 - OATH OF OFFICE AND REGISTER OF MEMBERS

Members to take oath and sign register

5. (1) Before assuming office after a regular election, each person elected as a member of the House in that election must take the oath of office
 - (a) at the first sitting after the election in accordance with Rule 6, or

- (b) if an elected person is unable to attend the first sitting after the election, as soon as practicable afterwards at one of the following events attended by both that person and either the Chairperson of the Council of Elders or the Deputy Chairperson of the Council:
 - (i) a subsequent sitting;
 - (ii) a meeting of a Nisga'a Village Government;
 - (iii) a meeting of the Executive.
- (2) Before assuming office after a by-election, each person elected to office as a member of the House in that election must take the oath of office as soon as practicable at one of the following events attended by both that person and either the Chairperson of the Council of Elders or the Deputy Chairperson of the Council:
 - (a) a sitting;
 - (b) a meeting of a Nisga'a Village Government;
 - (c) a meeting of the Executive.
- (3) Each member of the House must sign the register of members on the same day on which the member takes the oath of office.

Taking of oath at first sitting after regular election

- 6. (1) At the first sitting after a regular election, the newly elected members of the House present in the chamber must take the oath of office as follows:
 - (a) the Law Clerk must announce the name and office of each newly elected member;
 - (b) a member of the Council of Elders, assisted by four Simgigat, one representing each of the Nisga'a tribes of Laxsgiik, Ganada, Laxgibuu and Gisk'aast, must administer the oath of office in the following order:
 - (i) the newly elected President, Chairperson, Secretary-Treasurer and Chairperson of the Council of Elders must take the oath individually and in that order;

(ii) the newly elected Chief Councillors and Village Councillors from the Nisga'a Village Governments must take the oath in four groups, in the following order:

- (A) Gingolx;
- (B) Laxgalt'sap;
- (C) Gitwinksihlkw;
- (D) New Aiyansh;

(iii) The newly elected Nisga'a Urban Local Representatives from the Nisga'a Urban Locals must take the oath in the following order:

- (A) Gitlaxdax Nisga'a Society
- (B) Gitmaxmak'ay Nisga'a Society
- (C) Ts'amiks Vancouver Society

(2) Each member of the House taking the oath of office must place a hand on Ganim Siwilyeenskwa during the taking of the oath.

Register of members

7. The Law Clerk must

- (a) keep a permanent register of all persons who take the oath of office as members of the House, and
- (b) enter in that register, for each person who takes the oath of office as a member,
 - (i) the name of the person,
 - (ii) the office held by the person entitling the person to be a member,
 - (iii) the date on which the person takes the oath of office for that office, and
 - (iv) the date on which the person ceases to hold the office, through expiry of their term of office or otherwise.

PART 3 - SITTINGS

Place and times of sittings

8. (1) Unless the Speaker orders otherwise, each sitting must be held at the Nisga'a Lisims Government Administration Building.
- (2) On each day of a sitting until the conclusion of the sitting,
 - (a) unless the Speaker orders otherwise,
 - (i) the sitting is to be called to order by the Speaker at 9:00 a.m.,
 - (ii) the sitting is to be adjourned by the Speaker at 12:00 noon for one hour, and
 - (iii) the sitting is to be adjourned by the Speaker at 5:00 p.m. until the next day of the sitting, and
 - (b) the Speaker may adjourn the sitting for additional morning and afternoon recesses.
- (3) On any day of a sitting the Speaker may by order
 - (a) delay the call to order until after the scheduled time,
 - (b) change the time or length of the scheduled midday adjournment of the sitting, or
 - (c) change the time of the scheduled evening adjournment of the sitting for that or any subsequent day of the sitting.

Motions to change times of sittings

9. (1) On any day of a sitting a member of the House may without notice move a motion
 - (a) to delay the call to order for the next day of the sitting until after the scheduled time,
 - (b) to change the time or length of the scheduled midday adjournment for that day of the sitting, or

- (c) to change the time of the scheduled evening adjournment for that day of the sitting.
- (2) The Speaker must, by order, delay the scheduled call to order, change the time or length of the scheduled midday adjournment or change the time of the scheduled evening adjournment in accordance with a motion under subsection (1) passed by the House.

Motions to adjourn sittings

- 10.** (1) Subject to section 3(4) of the Act, at any time during a sitting a member of the House may without notice move a motion to adjourn the sitting.
- (2) The Speaker must, by order, adjourn a sitting in accordance with a motion under subsection (1) passed by the House.

Quorum at call to order of sittings

- 11.** (1) If on any day of a sitting there is no quorum at the time scheduled for the call to order, the Speaker may by order,
 - (a) delay the call to order under Rule 8(3), or
 - (b) subject to section 3(4) of the Act, adjourn the sitting until a subsequent day.
- (2) Subject to subsection (3), by raising a point of order a member of the House may challenge the Speaker's call to order at a sitting on the grounds that there was no quorum at the time order was called.
- (3) A point of order under subsection (2) may not be raised
 - (a) on the first day of a sitting, after the House has adopted the agenda for the sitting, or
 - (b) on the second or any subsequent day of a sitting, after the first member of the House to make a statement under Rule 26 has completed their statement.
- (4) If a point of order is raised under subsection (2), the Speaker must request the Law Clerk to call the roll, and if a quorum is not present when the roll is called, the call to order is a nullity.

Attendance of members at sittings

- 12.** (1) Except as otherwise provided in this Rule, to attend a sitting a member of the House must be present in the chamber and in their assigned seat.
- (2) Subject to subsection (3), a member of the House may attend a sitting by electronic communications facility if
- (a) it is impossible for the member to be present in the chamber at the sitting because of unforeseen circumstances, or dangerous driving weather conditions.
 - (b)
 - (c) the member submits a request to the Law Clerk for attendance by electronic facility,
 - (d) the Law Clerk determines that the member can practicably be connected to the chamber by electronic facility in a manner that should permit the member to hear and be heard in the chamber, and
 - (e) once the member has been connected to the chamber by electronic facility, the Speaker confirms that the member can hear and be heard in the chamber.
- (3) If the Speaker determines that the electronic attendance at a sitting by a member of the House under subsection (2) causes undue confusion in or disruption of the sitting, the Speaker may order the termination of the member's electronic attendance at the sitting.
- (4) If the Speaker determines that the electronic attendance at a sitting by a member of the House is permitted, the member(s) must be in attendance only at a Village Government Office or Urban Local Office buildings in a secured room with no one other than the elected member(s) in the room.

Order of business at sittings

- 13.** At each sitting other than the first sitting after a regular election, the order of business of the House is the following:
- (a) call to order;
 - (b) opening prayer;
 - (c) on the first day of the sitting,

- (i) adoption of the agenda for the sitting,
- (ii) President's comments,
- (ii.i) designated member's presentation under Rule 25.1,
- (iii) any matters under Rule 76(6),
- (iv) any matters under Rule 18,
- (v) any matters under section 22 of the Code, and
- (vi) any petitions under Rule 28;
- (d) matters on the agenda for the sitting;
- (f) members' statements under Rule 26;
- (g) question period under Rule 27;
- (h) any motions under Rule 72;
- (i) any urgent matters under Rule 29;
- (j) on the last day of the sitting, unless the sitting is the last sitting before a regular election, any motions under Rule 42;
- (k) closing prayer.

Agendas for sittings

- 14.**
- (1) On the first day of a sitting other than the first sitting after a regular election, the Speaker must request a motion to adopt the proposed agenda for the sitting.
 - (2) No notice is required for a motion under subsection (1).
 - (3) Subject to these Rules, during the debate on a motion requested under subsection (1) a member of the House may without notice move a motion that

- (a) a matter not included in the proposed agenda be added to the agenda, or
 - (b) the order of items on the proposed agenda be altered.
- (4) Unless otherwise provided in a motion under subsection (3)(b) passed by the House, items to be included in the agenda for a sitting must be arranged in the following order:
- (a) the giving of any oral reports or the tabling of any written reports or other documents by the Executive, House committees, the Chief Executive Officer, Nisga'a Lisims Government Directors, the chairperson of the Administrative Decisions Review Board, or the Nisga'a Elections Officer;
 - (b) the giving of any oral reports or the tabling of any written reports or other documents not referred to in paragraph (a);
 - (c) any motions, other than in respect of proposed legislation, carried over from a previous sitting;
 - (d) any new motions for which notice has been given, other than in respect of proposed legislation;
 - (e) any motions, debates or votes in respect of proposed legislation;
 - (f) any other items not referred to in paragraphs (a) to (e).
- (5) Unless the Speaker orders otherwise, all matters on the agenda for a sitting must be taken up in their order on the agenda.

Public observation of sittings

- 15.** (1) Except as otherwise ordered by the Speaker under this Rule or Rule 77, members of the public may observe sittings from the public gallery of the chamber.
- (2) At any time after approval of the agenda for a sitting, a member of the House may move a motion that a particular item on the agenda or otherwise on the order of business for the sitting, other than a proceeding in respect of proposed legislation, be considered in camera.
- (3) A motion under subsection (2)
- (a) may be made without notice, and

- (b) is subject to the rules of limited debate.
- (4) If a motion under subsection (2) passes, the Speaker
 - (a) must decide the time during the sitting at which the House will consider the item specified in the motion,
 - (b) must announce to the House that the House will sit in camera while that item is considered,
 - (c) must order that visitors other than persons referred to in Rule 21(1) leave the chamber while the House considers the item, and
 - (d) may order that any or all persons referred to in Rule 21(1) leave the chamber while the House considers the item.
- (5) While the House sits in camera by order of the Speaker under this Rule, the House may not take any proceedings in respect of proposed legislation.

PART 4 - OPENING AND CLOSING CEREMONIES

Presentation of Ganim Siwilyeenskw

- 16.** At the first sitting after a regular election, Ganim Siwilyeenskw must be presented to the newly elected House as follows:
 - (a) Simgigat, Sigidimhaanak and other respected Nisga'a elders must enter the chamber, carrying Ganim Siwilyeenskw, and present it to the Chairperson-elect;
 - (b) following the opening prayer, the Chairperson-elect must pass Ganim Siwilyeenskw to another newly elected member of the House, who must pass it to another, and so on, until each newly elected member present in the chamber has held Ganim Siwilyeenskw, and it is returned to the Chairperson-elect.

Retirement of Ganim Siwilyeenskw

- 17.** At the last sitting before a regular election, the Chairperson of the Council of Elders, and any Simgigat, Sigidamhaanak and other respected Nisga'a elders who are present, must receive Ganim Siwilyeenskw from the Speaker as follows:

- (a) the elders must enter the chamber, led by the Chairperson of the Council of Elders;
- (b) the Speaker must deliver Ganim Siwilyeenskwa to the Chairperson of the Council of Elders;
- (c) the elders must leave the chamber, led by the Chairperson of the Council of Elders.

PART 5 - ELECTION OF SPEAKER AND DEPUTY SPEAKER

Election of Speaker and Deputy Speaker

- 18.**
- (1) If both the Speaker and Deputy Speaker are to be elected at the same sitting, the election of the Speaker must be conducted and the results announced before the election of the Deputy Speaker is conducted.
 - (2) The person presiding over a sitting at the time of an election of the Speaker or Deputy Speaker must call for the nomination of candidates.
 - (3) Any member of the House, other than a member of the Executive, may be nominated for the office of Speaker or Deputy Speaker.
 - (4) A member of the House is nominated for the office of Speaker or Deputy Speaker when one member moves the nomination and another member seconds it.
 - (5) A member of the House may not nominate, or second the nomination of, more than one person for the office of Speaker or Deputy Speaker.
 - (6) The person presiding over the sitting must announce the names of the members of the House who are nominated for the office of Speaker or Deputy Speaker, and request each nominee to indicate whether they accept the nomination, but may not permit any debate concerning those nominations.
 - (7) If only one member of the House is nominated for the office of Speaker or Deputy Speaker, the person presiding must declare that candidate elected by acclamation.

- (8) If more than one member of the House is nominated for the office of Speaker or Deputy Speaker, members of the House must vote to elect the Speaker or Deputy Speaker as follows:
- (a) the vote must be by secret ballot;
 - (b) the person presiding must cast a ballot ranking every candidate in descending order of preference;
 - (c) each other member
 - (i) may cast a ballot only if the member is present in the chamber, and
 - (ii) may vote for only one candidate;
 - (d) the Law Clerk must act as returning officer for the election;
 - (e) the Law Clerk must count the votes in the ballots cast under paragraph (c), and
 - (i) if one candidate alone receives the highest number of votes cast in those ballots, must report the results to the person presiding, or
 - (ii) if two or more candidates are tied with the highest number of votes cast in those ballots, must count an additional vote for whichever of the tied candidates is ranked highest in the ballot cast under paragraph (b) and then report the results to the person presiding;
 - (f) the person presiding must declare elected the candidate with the highest number of votes, as reported by the Law Clerk under paragraph (e).
- (9) Following an election of the Speaker at a sitting, the Speaker must assume the chair and preside over the rest of the sitting.
- (10) Following an election of the Speaker or Deputy Speaker, the Law Clerk must destroy the ballots cast in the election.
- (11) An election of the Speaker or Deputy Speaker must not be interrupted for any debate or other business and, if necessary, the House must continue to sit beyond the ordinary hour of adjournment, until the Speaker or Deputy Speaker is elected.

PART 6 - SPEAKING AT SITTINGS

Members' right to speak

- 19.** (1) A member of the House may speak at a sitting only after being recognized by the Speaker.
- (2) A member of the House wishing to speak on a matter at a sitting must indicate to the Speaker their wish to be recognized.
- (3) The Speaker must keep a list of members of the House wishing to be recognized on a matter at a sitting and, subject to Rule 20 and the rules of debate, must call members to speak on the matter in the order in which they appear on the list.
- (4) Every member of the House must address the Speaker when speaking at a sitting, and may speak in Nisga'a or English.
- (5) A member of the House must stop speaking on a matter at a sitting when the period of time that these Rules or the Speaker allow to the member for speaking on the matter at the sitting comes to an end.
- (6) Every member of the House must stand while addressing the Speaker when speaking at the sitting, unless given permission from the Speaker to remain seated.

Members not to speak more than once to a matter

- 20.** (1) Except as otherwise allowed under these Rules or by the Speaker, no member of the House may speak more than once to a matter at a sitting.
- (2) A member of the House who moves a motion at a sitting
- (a) may speak first in support of the motion, and
- (b) subject to subsection (3), has a right to final reply in the debate on the motion.
- (3) The mover of a motion at a sitting to amend a primary motion has no right to final reply in the debate on the amending motion.
- (4) If a member of the House makes a request the Speaker may allow the member to speak to the matter in question for a second time

- (a) only if the Speaker believes that part of the member's original speech may have been misquoted or misunderstood, and
- (b) in that case, only to the extent required to clarify that misquotation or misunderstanding.
- (c) must not introduce any new matter.

Inviting other persons to speak

- 21.** (1) The Speaker may invite any of the following persons to give an oral report, table a written report or other document, or otherwise address the House at any time at a sitting:
- (a) the Law Clerk;
 - (b) the Chief Executive Officer;
 - (c) a Nisga'a Lisims Government Director;
 - (d) legal counsel;
 - (e) a member of the Council of Elders, or a sim'oogit or sigidimnak;
 - (f) the Nisga'a Elections Officer;
 - (g) the chairperson of the Nisga'a Administrative Decisions Review Board;
 - (h) a representative designated by
 - (i) any of the bodies named or referred to in section 46 of the *Nisga'a Constitution*, or
 - (ii) a Nisga'a Public Institution;
 - (i) any other person whose participation, in the opinion of the Speaker, may assist the House.
- (2) Except as provided in this Rule and Rule 22, the Speaker may not invite a person who is not a member of the House to speak at a sitting.

- (3) A person invited to address the House under this Rule does not enjoy the rights and privileges of a member of the House and, in particular, may not move or vote on any motion at a sitting.

Addresses by visiting dignitaries

- 22. (1) During a sitting, a member of the Executive may move a motion that the Speaker invite a visiting dignitary to address the House.
 - (2) A motion under subsection (1)
 - (a) may be made without notice at any time during a sitting, and
 - (b) is not debatable.
 - (3) If a motion under subsection (1) passes, the Speaker must issue an invitation in accordance with the motion.
 - (4) During an address by a visiting dignitary, members of the House present in the chamber must show respect by remaining seated, and refraining from talking, making any other noise or causing any disturbance.
 - (5) Following an address by a visiting dignitary, the Speaker may call on any member of the Executive to express appreciation for and respond to the address.

PART 7 - POINTS OF ORDER AND QUESTIONS OF PRIVILEGE

Points of order

- 23. Subject to these Rules, if a member of the House indicates to the Speaker at a sitting that the member wishes to raise a point of order, the Speaker must allow the member to raise the point immediately.

Questions of privilege

- 24. Subject to these Rules, if a member of the House indicates to the Speaker at a sitting that the member wishes to raise a question of privilege, the Speaker must allow the member to raise the question immediately.

Points of order and questions of privilege not debatable

- 25.** A point of order or question of privilege raised by a member of the House at a sitting is not debatable.

PART 8 - MEMBERS' STATEMENTS, QUESTION PERIOD, PETITIONS AND URGENT MATTERS

Designated member's presentation

- 25.1** (1) After the Speaker issues a notice of a sitting under section 7 of the Act, the Speaker may invite a member of the House designated by the Speaker to make a presentation to the House on the first day of the sitting on a matter determined by the Speaker, in consultation with at least two Officers of Nisga'a Lisims Government and the Chief Executive Officer.
- (2) The period for a presentation referred to in subsection (1) is limited to 15 minutes, and may be shortened or cancelled on a particular day at the discretion of the Speaker.
- (3) A member of the House may table a written document to accompany a presentation made at a sitting under this Rule.

Members' statements

- 26.** (1) The period for members' statements is limited to 90 minutes and may be shortened or cancelled at the discretion of the Speaker.
- (2) A statement by a member of the House under this Rule is limited to five minutes, and no member may make more than one statement under this Rule.
- (3) Subject to subsection (1), under this Rule any member of the House may make a statement at a sitting on a subject of the member's choosing, provided that the subject
- (a) relates to a matter within the responsibility of Nisga'a Lisims Government, and
 - (b) does not relate to a matter pending
 - (i) in a court or before a judge, or
 - (ii) before any quasi-judicial or investigative body constituted by a Nisga'a Lisims enactment or the House.

- (4) A member of the House may table a written document to accompany a statement made at a sitting under this Rule.

Question period

- 27. (1) Question period is limited to 60 minutes and may be shortened or cancelled at the discretion of the Speaker.
- (2) Question period consists of oral or written questions posed by members of the House at a sitting.
- (3) A member of the House who wishes to pose a written question during question period must deliver it to the Law Clerk at least 24 hours before the time that the member proposes to pose the question.
- (4) No notice is required to pose an oral question during question period but, as a matter of courtesy, a member of the House may advise a person referred to in subsection (11) of an oral question the member intends to pose.
- (5) Subject to subsection (1), under this Rule any member of the House may pose a question during question period at a sitting.
- (6) A member of the House who has posed a question during question period at a sitting may not pose another question during question period at the same sitting until every other member has had an opportunity to pose a question.
- (7) Despite subsection (6), during question period the Speaker may allow a member of the House to pose one or more additional questions that are supplementary to a first question posed by the member.
- (8) A supplementary question posed by a member of the House under subsection (7) may only request clarification of the answer to the member's first question and may not introduce any new matter.
- (9) A question posed during question period must
 - (a) be brief and concise,
 - (b) ask a question, and

- (c) relate to a matter within the responsibility of Nisga'a Lisims Government.
- (10) A question posed during question period must not
- (a) be a statement of an argument or opinion,
 - (b) seek an opinion or information that is confidential, or
 - (c) relate to a matter pending
 - (i) in a court or before a judge, or
 - (ii) before any quasi-judicial or investigative body constituted by a Nisga'a Lisims enactment or the House.
- (11) A member of the House must address a question posed during question period to
- (a) an Officer of Nisga'a Lisims Government,
 - (b) a member of the Executive,
 - (c) another member of the House,
 - (d) the Law Clerk,
 - (e) the Chief Executive Officer, or
 - (f) a Nisga'a Lisims Government Director.
- (12) An answer to a question posed during question period must be brief and concise.
- (13) An answer to a question posed during question period must not
- (a) reveal information that is confidential, or
 - (b) relate to any matter pending
 - (i) in a court or before a judge, or

- (ii) before any quasi-judicial or investigative body constituted by a Nisga'a Lisims enactment or the House.
- (14) A person to whom a question is addressed during question period at a sitting may
 - (a) answer the question,
 - (b) defer their answer to question period on a subsequent day of the same sitting,
 - (c) undertake to provide a written answer to all members of the House during or after the sitting, or
 - (d) refer the question to another person listed in subsection (11).
- (15) Unless the Speaker orders otherwise, if the answer to a question posed during question period on one day of a sitting is deferred to a subsequent day of the sitting, the answer to that question must be given during question period on that subsequent day before any new questions may be asked.

Petitions

- 28.**
- (1) The period for presenting petitions is limited to 15 minutes at each sitting and may be shortened or cancelled at the discretion of the Speaker.
 - (2) Subject to subsection (1), under this Rule any member of the House may present a petition to the House at a sitting, but no member may present more than one petition at one sitting.
 - (3) A petition under this Rule must
 - (a) be dated,
 - (b) be addressed to the House,
 - (c) briefly describe the factual background to the petition,
 - (d) contain a clear and concise request of the House,

- (e) contain the original signatures of at least 50 petitioners who are Nisga'a citizens, on a document setting out the description referred to in paragraph (c) and the request referred to in paragraph (d),
 - (f) be signed by the member of the House proposing to present the petition, and
 - (g) not request the expenditure of public funds.
- (4) Before a petition can be presented to the House under this Rule, the Law Clerk must review the petition and certify that the petition, on its face, meets the requirements of subsection (3).
- (5) A member of the House presenting a petition to the House under this Rule must
- (a) briefly explain the contents of the petition to the House,
 - (b) read the request made of the House in the petition, and
 - (c) report to the House the number of signatures attached to the petition.
- (6) No debate is permitted in respect of a petition presented to the House under this Rule.

Matters of urgent public importance

- 29.** (1) When the Speaker calls for any matters of urgent public importance at a sitting, a member of the House may, without a motion or notice, request that the House debate a matter of urgent public importance at the sitting.
- (2) When making a request for a debate under subsection (1), a member of the House must briefly describe the matter of urgent public importance proposed to be debated.
- (3) The Speaker may grant a request from a member of the House under subsection (1) only if the request is for discussion of a single, specific matter that
- (a) has not already been considered in the same session of the House,
 - (b) has not already been made the subject of a motion to be considered at the same sitting or an upcoming sitting, and
 - (c) in the judgment of the Speaker is of urgent public importance.

- (4) For the purposes of this Rule, a matter may be considered of urgent public importance only if the circumstances involved
 - (a) could not practicably have been brought before the House by a notice of motion,
 - (b) threaten the well-being of the Nisga'a Nation as a whole, or a community of Nisga'a citizens collectively, and
 - (c) are so grave that it would be imprudent or impractical to defer debate on the matter until it could be brought before the House by a notice of motion.
- (5) A request made under subsection (1) is not debatable, and is not subject to a vote.
- (6) If the Speaker grants a request made under subsection (1), the ensuing debate is subject to the rules of extended debate.
- (7) During debate on a matter of urgent public importance under this Rule, a member of the House may without notice move a motion calling for action on the matter under debate.
- (8) If a motion under subsection (7) is moved and seconded, the Speaker must call the motion for a vote without further debate.
- (9) Unless the Speaker otherwise orders, a debate on a matter of urgent public importance under this Rule cannot be interrupted for any business other than a point of order or question of privilege.

PART 9 - MOTIONS IN GENERAL

Motions must be moved and seconded

- 30.** Every motion must be moved and seconded before it can be considered by the House at a sitting.

Notices of motion required

- 31.** Except as otherwise provided in the Act or these Rules, a member of the House may not move a motion at a sitting unless the member gives the Law Clerk notice of the motion and all supporting documentation fourteen (14) days before the start of the sitting.

Advance distribution of motions

- 31.1** The Law Clerk may, in advance of the first day of a sitting, provide to the members of the House copies of any motions included on the proposed agenda for the sitting.

Motions requiring notice

- 32.** (1) Except as provided in subsection (2)(a)(ii), a motion requiring notice may be moved at a sitting only by the member of the House who has given the notice of the motion required under these Rules.
- (2) When the Speaker calls a motion requiring notice at a sitting,
- (a) if the member of the House who has given the required notice of the motion is in attendance,
 - (i) that member and only that member may request that consideration of the motion be postponed until a later time in the sitting, and
 - (ii) despite any other provision of these Rules, if the member refuses to move the motion or request that consideration of the motion be postponed, any other member in attendance may move the motion,
 - (b) if the member of the House who has given the required notice of the motion is not in attendance, any member in attendance may request that consideration of the motion be postponed until a later time in the sitting,
 - (c) if a member of the House requests under paragraph (a)(i) or (b) that consideration of the motion be postponed, the Speaker must postpone consideration of the motion until a later time in the sitting, and
 - (d) if
 - (i) the motion is not moved under this Rule and seconded, or
 - (ii) consideration of the motion is not postponed under this Rule until a later time in the sitting, the motion is a nullity.

Motions out of order

- 33.** (1) Despite any other provision of these Rules,

- (a) the Speaker may rule a motion out of order at a sitting if
 - (i) the motion calls for adjournment of the sitting, postponement of a matter until a later time in the sitting, or carrying a matter over to a subsequent sitting and, in the opinion of the Speaker,
 - (A) the motion is substantially the same as a motion that was previously moved at the sitting, and
 - (B) since that previous motion was moved, no intervening proceedings have taken place at the sitting, or
 - (ii) the motion is not a motion referred to in subparagraph (i) and, in the opinion of the Speaker,
 - (A) the motion is substantially the same as a motion that was previously voted on by the House in the same session of the House, and
 - (B) since that previous vote of the House, no new circumstances have arisen to justify the House's reconsideration of the matter, and
 - (b) the Speaker must rule a motion out of order at a sitting if in the opinion of the Speaker the motion is contrary to the Act or these Rules.
- (2) For the purposes of subsection (1), in order to reach an opinion in respect of a motion moved at a sitting, the Speaker may postpone consideration of the motion until a later time in the sitting and do any or all of the following:
- (a) review the Act and these Rules;
 - (b) review the record of proceedings of the House;
 - (c) review previous rulings of the Speaker;
 - (d) consult any other Parliamentary authority;
 - (e) invite submissions from members of the House.

- (3) Before the end of a sitting at which the Speaker has postponed consideration of a motion under subsection (2), the Speaker must either rule the motion out of order or allow it to proceed.
- (4) A motion that the Speaker rules out of order under this Rule is a nullity.

Speaker may propose modification of motions

- 34.** (1) If a member of the House moves a motion at a sitting in language that, in the opinion of the Speaker, does not conform to the practice and usage of the House or the traditions of the Nisga'a Nation concerning respectful public discourse, the Speaker may, before putting the motion to the House, propose a modification of the motion to the extent the Speaker believes necessary to conform to that practice and usage or those traditions.
- (2) If, after the Speaker has made a proposal under subsection (1),
 - (a) the mover accepts the proposal, the Speaker must order the Law Clerk to modify the motion in accordance with the proposal, or
 - (b) the mover rejects the proposal, the Speaker may rule the motion out of order or make a further proposal under subsection (1).
- (3) If the Speaker rules a motion out of order under subsection (2)(b), the motion is a nullity.

Correcting technical errors in motions

- 35.** (1) At any time during a debate on a motion at a sitting, by raising a question of privilege a member of the House may draw the Speaker's attention to an apparent grammatical, typographical or similar technical error in the wording of the motion.
- (2) If a question of privilege is raised under subsection (1), the Speaker must
 - (a) consult the mover of the motion under debate to confirm whether an error exists in the motion, and
 - (b) if the mover confirms that an error exists, order the Law Clerk to modify the wording of the motion to correct the error.

Motions under section 18(3) of the Act

- 36.** Under section 18(3) of the Act, at any time during a sitting a member of the House may without notice move a motion to adjourn debate or the calling of a vote on a matter on the grounds that the Nisga'a Nation is insufficiently represented with respect to that matter at the sitting.

Motions to refer to House committees

- 37.** (1) Subject to Part 11, a member of the House may at any time during debate on a motion at a sitting move a motion without notice that the primary motion under debate be referred to a House committee for consideration.
- (2) A motion under subsection (1) to refer a primary motion to a House committee takes precedence over any motion to amend the primary motion that is before the House at the time the motion to refer is moved.

Amending motions

- 38.** (1) Subject to Part 11, at any time during debate on a motion at a sitting, any member of the House may without notice move a motion to amend the primary motion under debate.
- (2) A motion to amend a primary motion under subsection (1)
- (a) may propose an alteration or addition to, or deletion from, either the premises or objects of the primary motion, but
 - (b) may not add any new matter unrelated to the subject of the primary motion.
- (3) A motion to amend a primary motion under subsection (1) may propose to consolidate the primary motion with a second motion remaining on the agenda of the sitting, if
- (a) the Speaker rules that the two motions proposed to be consolidated are on related subjects, and
 - (b) the member of the House moving that second motion consents to the consolidation and to the Speaker removing the second motion from the agenda.
- (4) When a member of the House moves a motion to amend a primary motion under subsection (1),
- (a) the Speaker must ask the mover of the primary motion whether they accept the

proposed amendment as a friendly amendment, and

- (b) if the mover of the primary motion
 - (i) accepts the proposed amendment as a friendly amendment, the primary motion is amended without debate, or
 - (ii) does not accept the proposed amendment as a friendly amendment, the Speaker must call for debate on the amending motion under the rules of limited debate.

Withdrawing motions

- 39. (1) At any time during debate on a motion at a sitting, by raising a question of privilege the mover of the motion may request the withdrawal of that motion.
- (2) The Speaker may permit the withdrawal of a motion under this Rule if in the opinion of the Speaker it is in the interest of the House to do so.
- (3) A motion that is withdrawn under this Rule is a nullity.

Postponing debate on motions

- 40. (1) A member of the House may at any time during debate on a motion or other matter at a sitting move a motion without notice that the debate on the primary motion or other matter be postponed until a later time in the sitting.
- (2) A motion to postpone under subsection (1) is not debatable.

Carrying motions over

- 41. (1) Subject to subsection (2), a member of the House may at any time during debate on a motion or other matter at a sitting move a motion without notice that the primary motion or other matter under debate be carried over to the agenda of a subsequent sitting.
- (2) A member of the House may not under subsection (1) move a motion at a sitting to carry over a primary motion or other matter if that primary motion or other matter has been previously carried over to that sitting under this Rule or Rule 42.
- (3) A motion to carry over under subsection (1) is not debatable.

- (4) If at a sitting the House passes a motion to carry over under subsection (1), the primary motion or other matter carried over
 - (a) must not be considered further by the House at that sitting, and
 - (b) must be included in the order of business or agenda for the applicable subsequent sitting.
- (5) Despite subsections (1) to (4), a motion or other matter may not be carried over from a sitting before a regular election to a sitting after that regular election.

Unfinished business at end of sittings

- 42. (1) In this Rule, “unfinished business” has the same meaning as in section 23 of the Act.
- (2) Before the closing prayer on the last day of a sitting, except at the first sitting after a regular election and the last sitting before a regular election, the Speaker must call for any motions from members of the House to carry over unfinished business from that sitting to a subsequent sitting.
- (3) Subject to subsection (4), on the call of the Speaker at a sitting under subsection (2) a member of the House may without notice move a motion that specified unfinished business at that sitting be carried over to a subsequent sitting.
- (4) A member of the House may not under subsection (3) move a motion at a sitting to carry over specified unfinished business if that unfinished business has been previously carried over to that sitting under this Rule or Rule 41.
- (5) A motion to carry over under subsection (3) is not debatable.
- (6) If the House passes a motion under subsection (3) at a sitting, the unfinished business specified in the motion must be included in the order of business or agenda for the applicable subsequent sitting.

PART 10 - MOTIONS ON SPECIFIC SUBJECTS

Motions for administrative review

- 43.** (1) A member of the House may not move a motion at a sitting to require the Executive to conduct an administrative review as referred to in section 42 of the Act unless
- (a) the member gives the Law Clerk and the Chairperson a written notice of the motion at least 30 days before the start of the sitting, and
 - (b) in the six-month period before the start of the sitting,
 - (i) a member of the Executive has moved a substantially similar motion at a meeting of the Executive, and
 - (ii) the Executive has not taken steps to conduct the administrative review.
- (2) A motion referred to in subsection (1) is debatable under the rules of limited debate.
- (3) If the House passes a motion referred to in subsection (1), the Speaker must deliver a copy of the resolution to the Chairperson as soon as practicable.

Motions on financial matters

- 44.** A member of the House may not move a motion referred to in section 20(4) of the Act at a sitting unless the member gives the Law Clerk and the Secretary-Treasurer a written notice of the motion at least 30 days before the start of the sitting.

Motions to remove Speaker or Deputy Speaker

- 45.** A member of the House may not move a motion at a sitting to remove the Speaker or Deputy Speaker unless at least 30 days before the start of the sitting the member gives the Law Clerk, the Speaker and the Deputy Speaker
- (a) a written notice of the motion,
 - (b) a brief written statement of the member's reasons for moving the motion, and
 - (c) any document that the member proposes to table at the sitting in support of the motion.

Motions to change, dissolve or establish Nisga’a Urban Locals

- 46.** A member of the House may move a motion at a sitting to change, dissolve or establish a Nisga’a Urban Local only in accordance with a recommendation to the House from the Executive that the House change, dissolve or establish that Nisga’a Urban Local.

PART 11 - LEGISLATION

Introduction of proposed legislation

- 47.** (1) A motion to enact proposed legislation at a sitting
- (a) must specify the title of the proposed legislation,
 - (b) must have the proposed legislation attached to the motion in complete form, and
 - (c) may be accompanied by an additional motion proposing that the House consider the proposed legislation by
 - (i) expedited procedure, as referred to in section 22(3) of the Act,
 - (ii) committee procedure, as referred to in section 61(a) of the Act, or
 - (iii) Executive procedure, as referred to in section 61(b) of the Act.
- (2) When a motion to enact proposed legislation has been moved and seconded at a sitting, the Speaker must put the following question to a vote of the House without amendment or debate:
- “That this proposed legislation be now accepted for introduction in the House”.
- (3) If on a vote under subsection (2) the House does not accept proposed legislation for introduction, the proposed legislation is defeated.
- (4) If on a vote under subsection (2) the House accepts proposed legislation for introduction, and the motion to enact the proposed legislation is accompanied by a motion referred to in subsection (1)(c), the Speaker must call for the House to debate and vote on that accompanying motion.

- (5) If on a vote under subsection (2) the House accepts proposed legislation for introduction, and the motion to enact the proposed legislation is not accompanied by a motion under subsection (1)(c),
 - (a) a member of the House other than the mover of the motion to enact the proposed legislation may, without notice, move a motion that the House consider the proposed legislation by one of the procedures referred to in subsection (1)(c), and
 - (b) the Speaker must call for the House to debate and vote on a motion moved under paragraph (a).
- (6) If a motion moved under subsection (1)(c) or (5) is defeated by the House,
 - (a) a member of the House other than the mover of the motion to enact the proposed legislation or a mover of a motion under subsection (5) may, without notice, move a motion that the House consider the proposed legislation by a procedure referred to in subsection (1)(c) other than the procedure proposed in the defeated motion, and
 - (b) the Speaker must call for the House to debate and vote on a motion moved under paragraph (a).
- (7) If a motion moved under subsection (6) is defeated by the House,
 - (a) a member of the House other than the mover of the motion to enact the proposed legislation, a mover of a motion under subsection (5) or the mover of the motion under subsection (6) may, without notice, move a motion that the House consider the proposed legislation by the procedure referred to in subsection (1)(c) that the House has not voted on, and
 - (b) the Speaker must call for the House to debate and vote on a motion moved under paragraph (a).
- (8) If the House passes a motion moved under subsection (1)(c), (5), (6) or (7), the House must consider the proposed legislation by the procedure specified in the motion.
- (9) If no motion is moved under subsection (1)(c), (5), (6) or (7), or if the House defeats all motions moved under those subsections, the House must consider the proposed legislation by ordinary procedure.
- (10) A motion moved under subsection (1)(c), (5), (6) or (7) may not be amended.

Two-thirds majority required for expedited procedure

- 48.** In accordance with section 22(3) of the Act, a motion under Rule 47 proposing that the House consider proposed legislation by expedited procedure passes only if it is supported by at least two-thirds of the members of the House voting on the motion.

Determination of procedure final

- 49.** After the procedure to be followed by the House in considering proposed legislation is determined under Rule 47, no further motion may be introduced to alter that procedure.

Ordinary, expedited, committee and Executive procedures

- 50.** If as determined under Rule 47 the House considers proposed legislation
- (a) by ordinary procedure, in accordance with section 22(2) of the Act the House may not vote to approve the proposed legislation in a third and final vote on the same day that the House votes to accept the proposed legislation for introduction,
 - (b) by expedited procedure, in accordance with section 22(3) of the Act the House may vote to approve the proposed legislation in a third and final vote on the same day that the House votes to accept the proposed legislation for introduction,
 - (c) by committee procedure,
 - (i) the Speaker must invite a motion under section 24(6) of the Act to strike a House special committee to which the proposed legislation will be referred,
 - (ii) on the striking of the House special committee referred to in subparagraph (i), the Speaker must invite the Striking Committee to appoint the members, chair, and deputy chair, if any, of the House special committee, and
 - (iii) the House may not consider the proposed legislation or vote to approve it in a second vote until the House special committee referred to in subparagraph (i) has reported back to the House in accordance with its terms of reference, or

- (d) by Executive procedure, the House may not consider the proposed legislation or vote to approve it in a second vote until the Executive has reported back to the House in respect of the proposed legislation.

Consideration of and second vote on proposed legislation

- 51.**
- (1) When the Speaker calls proposed legislation before the House for consideration in accordance with the procedure determined under Rule 47, the Speaker must invite debate on the merits of the proposed legislation.
 - (2) During a debate on the merits of proposed legislation invited under subsection (1), a member of the House may without notice move a motion
 - (a) to amend the proposed legislation,
 - (b) to postpone debate on the proposed legislation until a later time in the sitting, or
 - (c) to carry debate on the proposed legislation over to the agenda of the next sitting.
 - (3) A motion under subsection (2) is debatable under the rules of limited debate.
 - (4) A motion to amend proposed legislation under subsection (2)(a) must be in writing and must specify the precise amendment proposed.
 - (5) If a member of the House moves a motion to amend proposed legislation under subsection (2)(a), the Speaker may, at the request of the mover of the motion to enact the proposed legislation,
 - (a) postpone debate on the amendment and the proposed legislation until a later time in the sitting, or
 - (b) carry debate on the amendment and the proposed legislation over to the next sitting in order to enable the Law Clerk to ascertain and inform the House whether the proposed amendment, if passed, would necessitate any additional amendments to the proposed legislation.
 - (6) When the Speaker decides that members of the House have had a reasonable opportunity to debate the merits of proposed legislation and to move any motions in respect of the proposed legislation under subsection (2), the Speaker must put the following question to the House without motion or debate:

“That the House, having considered this proposed legislation, approves it in its present form in a second vote.”

- (7) If on a vote under subsection (6) the House approves proposed legislation, subject to Rule 50(b) the Speaker may call the proposed legislation before the House for a third and final vote in accordance with Rule 52.

Third and final vote on proposed legislation

- 52. (1) When the Speaker calls proposed legislation before the House for a third and final vote, the Speaker must invite motions to amend the proposed legislation.
- (2) On the invitation of the Speaker under subsection (1) a member of the House may without notice move a motion to amend the proposed legislation before the House.
- (3) A motion under subsection (2) is debatable under the rules of limited debate.
- (4) A motion under subsection (2) must be in writing and must specify the precise amendment proposed.
- (5) If a member of the House moves a motion to amend proposed legislation under subsection (2), the Speaker may, at the request of the mover of the motion to enact the proposed legislation,
 - (a) postpone debate on the amendment and the proposed legislation until a later time in the sitting, or
 - (b) carry debate on the amendment and the proposed legislation over to the next sitting in order to enable the Law Clerk to ascertain and inform the House whether the proposed amendment, if passed, would necessitate any additional amendments to the proposed legislation.
- (6) When the Speaker decides that members of the House have had a reasonable opportunity to move any motions in respect of proposed legislation under subsection (2), the Speaker must put the following question to the House without motion or debate:

“That the House approves this proposed legislation in its present form in a third and final vote.”

- (7) If on a vote under subsection (6) the House approves proposed legislation, the Law Clerk must submit the proposed legislation to the President for signing in accordance with Rule 53.
- (8) If on vote under subsection (6) the House does not approve proposed legislation, the proposed legislation is defeated.

Signing by President

- 53.** (1) As soon as practicable after proposed legislation is approved by the House in a third and final vote under Rule 52, the Law Clerk must submit the proposed legislation to the President for signing into law.
- (2) If proposed legislation approved by the House in a third and final vote has been amended under Rule 51 or 52 before that third and final vote, the Law Clerk must submit that proposed legislation to the President for signing into law in the form of a single document that incorporates any such amendment.

Certification by Law Clerk

- 54.** The Law Clerk must certify and attach to each motion proposing legislation that comes before the House an appendix setting out
 - (a) the date and result of the vote of the House on whether to accept the proposed legislation for introduction,
 - (b) the date and result of any vote of the House on a motion that the House consider the proposed legislation by a specified procedure,
 - (c) any motion to amend the proposed legislation made prior to a second vote and the date and result of any vote of the House on that motion,
 - (d) the date and result of any vote of the House on whether to approve the proposed legislation in a second vote,
 - (e) any motion to amend the proposed legislation made prior to a third and final vote and the date and result of any vote of the House on that motion, and
 - (f) the date and result of any vote of the House on whether to approve the proposed legislation in a third and final vote.

PART 12 - RULES OF DEBATE

General rules of debate on motions

55. (1) Unless otherwise provided in these Rules or by resolution of the House,
- (a) a motion moved by a member of the House at a sitting is debatable, and
 - (b) debate on a motion moved by a member of the House at a sitting takes place under the rules of ordinary debate.
- (2) Debate on a motion at a sitting begins when the motion has been moved and seconded.
- (3) Subject to these Rules, when a motion is under debate at a sitting, the only motions that may be moved are the following:
- (a) a motion to amend the primary motion under debate;
 - (b) a motion to postpone the debate on the primary motion under debate until a later time in the sitting;
 - (c) a motion to carry over the debate on the primary motion under debate until the next sitting;
 - (d) a motion to extend the debate on the primary motion under debate, as permitted under the applicable rules of debate;
 - (e) a motion to adjourn the sitting.
- (4) During debate on a motion at a sitting, a member of the House
- (a) may not speak to a matter other than
 - (i) the motion under debate, or
 - (ii) a point of order or question of privilege,
 - (b) may not call into question the result of a previous vote of the House, and
 - (c) may not refer to any matter pending

- (i) in a court or before a judge, or
- (ii) before any quasi-judicial or investigative body constituted by a Nisga'a Lisims enactment or the House.

Rules of limited debate

- 56.** (1) At a sitting, when a motion is called for debate under the rules of limited debate, the Speaker must
- (a) specify an amount of time of up to one hour to be allowed for debate on that motion,
 - (b) specify an amount of time of up to five minutes to be allowed for participation in the debate by each member of the House participating in the debate, and
 - (c) despite any other provision of these Rules, permit only Officers of Nisga'a Lisims Government and one member from each Nisga'a Village Government and Nisga'a Urban Local to participate in the debate.
- (2) During a debate under the rules of limited debate, the Speaker must ensure a fair opportunity for participation by Officers of Nisga'a Lisims Government and a member of the House from each Nisga'a Village Government and Nisga'a Urban Local and, in order to achieve that result, may extend the time allowed for the debate.

Rules of ordinary debate

- 57.** (1) At a sitting, when a motion is called for debate under the rules of ordinary debate, the Speaker must specify
- (a) an amount of time of up to two hours to be allowed for debate on that motion, and
 - (b) an amount of time of up to five minutes to be allowed for participation in the debate by each member of the House participating in the debate.
- (2) During a debate under the rules of ordinary debate, the Speaker must ensure a fair opportunity for participation by Officers of Nisga'a Lisims Government and members of the House from each Nisga'a Village Government and Nisga'a Urban Local and, in order to achieve that result,

- (a) the Speaker must not call for a second speaker from a Nisga'a Village Government or Nisga'a Urban Local until one member from each Nisga'a Village Government and Nisga'a Urban Local has had an opportunity to participate in the debate, and
 - (b) subject to paragraph (a), the Speaker may determine the order of participation among members of the House wishing to participate in the debate.
- (3) After at least one half of the time allowed for a debate on a motion under subsection (1) has elapsed, a member of the House may without notice move a motion to extend the debate on the primary motion.
 - (4) A member of the House who moves to extend a debate under subsection (3) may speak briefly to the motion, but the motion is not otherwise debatable.
 - (5) If a motion to extend a debate under subsection (3) is passed by the House, the Speaker must extend the time allowed for the debate by a fixed period of no more than one hour.
 - (6) Under this Rule, the time allowed for a debate may not be extended more than once.

Motions subject to rules of extended debate

- 58.** (1) Debate on the following motions takes place under the rules of extended debate:
- (a) a motion to ratify an agreement with another government or an aboriginal government organization;
 - (b) a motion to propose an amendment to the *Nisga'a Constitution*;
 - (c) a motion to adopt a budget under the *Nisga'a Financial Administration Act*;
 - (d) a motion which the House determines to be subject to the rules of extended debate under subsection (2).
- (2) If debate on a motion at a sitting would otherwise take place under the rules of ordinary debate, a member of the House may, at any time before debate commences on that primary motion, without notice move a motion that the primary motion be subject to the rules of extended debate.

Rules of extended debate

- 59.** (1) At a sitting, when a motion is called for debate under the rules of extended debate, the Speaker must specify
- (a) an amount of time of up to three hours to be allowed for debate on that motion, and
 - (b) an amount of time up to 10 minutes, to be allowed for participation in the debate by each member of the House participating in the debate.
- (2) During a debate under the rules of extended debate, the Speaker must ensure a fair opportunity for participation by Officers of Nisga'a Lisims Government and members of the House from each Nisga'a Village Government and Nisga'a Urban Local and, in order to achieve that result, may determine the order of participation among members of the House wishing to participate in the debate.
- (3) After at least one half of the time allowed for a debate on a motion under subsection (1) or (5) has elapsed, a member of the House may without notice move a motion to extend the debate on the primary motion.
- (4) A member of the House who moves to extend a debate under subsection (3) may speak briefly to the motion, but the motion is not otherwise debatable.
- (5) If a motion to extend a debate under subsection (3) is passed by the House, the Speaker must extend the time allowed for the debate by a fixed period that the Speaker determines to be appropriate.

When debate on a motion concludes

- 60.** (1) At a sitting, debate on a motion concludes when
- (a) each member of the House entitled to speak under the applicable rules of debate has had the opportunity to speak to the motion, including any amendments moved to the motion, or
 - (b) the time allowed by the Speaker for the debate, including any extension, has elapsed, whichever occurs first.
- (2) When debate on a motion concludes as set out in subsection (1), the Speaker must call for a vote on the motion as it stands at that time.

No debate after the call to vote

- 61.** At a sitting, after the Speaker calls for a vote on a motion, no further debate on the motion is permitted.

PART 13 - VOTING

Challenge to call for vote

- 62.** (1) When the Speaker calls for a vote of the House at a sitting, by raising a point of order a member of the House may challenge the call to vote on the grounds that too few members of the House were in attendance at the time the vote was called, contrary to the requirement of section 18(2) of the Act.
- (2) A point of order under subsection (1) may not be raised after the Speaker has announced the outcome of a vote.
- (3) If a point of order is raised under subsection (1), the Speaker
- (a) must direct the Law Clerk to call the roll, and
 - (b) once the roll call is complete, the Speaker must declare, based on the requirement of section 18(2) of the Act and the number of members of the House answering the roll call, whether or not the vote may proceed.
- (4) If a challenge under subsection (1) is successful, the call to vote is a nullity.

Voting procedures

- 63.** (1) Except as otherwise provided in a Nisga'a Lisims enactment or these Rules, a vote of the House at a sitting is conducted as follows:
- (a) the Speaker calls for the vote of the House;
 - (b) on the call for a vote under paragraph (a), by raising a question of privilege a member of the House may request that the Speaker conduct a recorded vote;
 - (c) if a member requests a recorded vote under paragraph (b),

- (i) the Speaker calls the names of the members present in the chamber successively from the Speaker's left, along the outside ring of seats, followed by the inside ring of seats,
 - (ii) each member referred to in subparagraph (i) stands in turn and states whether the member votes in the affirmative, votes in the negative or abstains from the vote,
 - (iii) the Speaker calls the names of any members attending the sitting by telephone or other electronic facility,
 - (iv) any members referred to in subparagraph (iii) state in turn whether they vote in the affirmative, vote in the negative or abstain from the vote, and
 - (v) the Law Clerk records the name of each member who responds to the Speaker's call under subparagraph (i) or (iii) and whether the member votes in the affirmative, votes in the negative or abstains from the vote;
 - (d) if no member requests a recorded vote under paragraph (b),
 - (i) the Speaker conducts the vote
 - (A) by requesting the members present in the chamber to indicate collectively by show of hands whether the members vote in the affirmative, vote in the negative or abstain from the vote, and
 - (B) by requesting any members attending the sitting by telephone or other electronic facility to state in turn whether they vote in the affirmative, vote in the negative or abstain from the vote, and
 - (ii) the Law Clerk records the total number of votes in the affirmative, the total number of votes in the negative and the total number of abstentions from the vote.
- (2) After a vote is conducted under paragraph (c) or (d), the Speaker announces to the House the result of the vote, declaring separately the number of votes cast in the affirmative, the number of votes cast in the negative and the number of abstentions.

Announced results final

- 64.** The result of a vote of the House announced by the Speaker under Rule 63(2) is the decision of the House on the matter of the vote.

Abstention not vote

- 65.** If a member of the House indicates that the member abstains when a vote of the House on a matter is conducted at a sitting, the member is considered to have not voted on the matter of the vote.

Voting by ballot restricted to members in chamber

- 66.** A member of the House attending a sitting by telephone or other electronic facility may not participate in any vote of the House conducted at the sitting by means of ballot under a Nisga'a Lisims enactment or these Rules.

PART 14 - HOUSE COMMITTEES

House committees

- 67.**
- (1) Whenever the chair of a House committee is in attendance at a meeting of the committee, the chair presides over the meeting.
 - (2) If the chair of a House committee is absent at a meeting of the committee, the meeting is presided over by
 - (a) the deputy chair of the committee, if any, or
 - (b) another member of the committee chosen by the members in attendance at the meeting.
 - (3) The member of a House committee who presides over a meeting of the committee may vote at and otherwise take part in all proceedings of the committee at the meeting.
 - (4) A House committee must
 - (a) take its decisions by majority vote, and
 - (b) keep a summary of its proceedings.

- (5) Subject to the Act and these Rules, a House committee may determine its own procedures.

PART 15 - REPORTS AND TABLING OF DOCUMENTS

Reports from Nisga'a public officers

- 68.** (1) The Speaker may request that each of
- (a) the Nisga'a Elections Officer, and
 - (b) the chairperson of the Nisga'a Administrative Decisions Review Board
- table a report on the work of their office.
- (2) A member of the House may move a motion at a sitting that the Speaker request that the Nisga'a Elections Officer or the chairperson of the Nisga'a Administrative Decisions Review Board
- (a) table a report on the work of their office at the next following sitting, and
 - (b) that the report address a specified matter relating to the work of their office.
- (3) A motion under subsection (2) is debatable under the rules of limited debate.
- (4) The Speaker must give the Nisga'a Elections Officer or the chairperson of the Nisga'a Administrative Decisions Review Board, as the case may be, at least 30 days notice of a sitting at which they are requested to table a report under this Rule.

Reports from Rules Committee

- 69.** The Speaker may table a report of the Rules Committee at any time at a sitting.

Tabling of documents

- 70.** (1) A member of the House may table a document at a sitting if

- (a) the member, or a House committee that the member represents, is required or permitted under these Rules, a Nisga'a Lisims enactment or a resolution of the House to table the document or report to the House on the subject matter of the document at the sitting,
 - (b) the member is the designated Executive member assigned responsibility for the subject matter of the document, or
 - (c) the member is a member of the Executive and there is no designated Executive member assigned responsibility for the subject matter of the document.
- (2) A member of the House may, without notice, move a motion at a sitting that the member be permitted to table a report to the House.
 - (3) A motion under subsection (2) is not debatable.
 - (4) Unless otherwise provided in a Nisga'a Lisims enactment or these Rules, no notice is required to table a document at a sitting.
 - (5) A document tabled at a sitting is part of the official record of proceedings of the House at the sitting.

Members' access to documents

- 71.** (1) The Law Clerk must take steps to ensure that each member of the House present in the chamber at a sitting is provided with a copy of any written motion moved at the sitting.
- (2) If a member of the House present in the chamber at a sitting has not been provided with a copy of a written motion moved at the sitting by the time the motion is called for debate, by raising a question of privilege the member may request that the Speaker postpone debate on the motion until the member receives a copy of the motion.
- (3) A member of the House present in the chamber at a sitting may request that the Law Clerk
 - (a) afford the member an opportunity to examine, or
 - (b) provide the member with a copy of any written document tabled at the sitting.

- (4) The Law Clerk must respond to a request made by a member of the House under subsection (3) as soon as reasonably practicable.

PART 16 - AMENDMENT AND SUSPENSION OF RULES

Amendment of Rules

- 72.** (1) A member of the House may
- (a) submit a proposal to amend these Rules to the Rules Committee, or
 - (b) subject to subsection (3), move a motion at a sitting to amend these Rules.
- (2) Subject to subsection (3), on behalf of the Rules Committee a member of the Committee may move a motion at a sitting to amend these Rules
- (a) in response to a proposal submitted by a member of the House under subsection (1)(a), or
 - (b) at the Committee's own initiative.
- (3) A member of the House may not move a motion at a sitting under subsection (1)(b) or (2) unless the member gives the Law Clerk a written notice of the motion at least 30 days before the start of the sitting.
- (4) A motion under subsection (1)(b) or (2) must specify the precise amendment proposed.
- (5) If the House passes a motion amending these Rules, the amendment takes effect
- (a) immediately after the motion is passed, unless the motion specifies that the amendment takes effect at a later time, or
 - (b) at any later time specified in the motion.

Suspension of Rules

- 73.** (1) During a sitting, a member of the House may move a motion to suspend one or more provisions of these Rules during all or part of that sitting.
- (2) A motion under subsection (1)

- (a) may be made at any time during a sitting,
 - (b) does not require a notice of motion,
 - (c) is debatable under the rules of limited debate, and
 - (d) passes if it is supported by every member of the House voting on the motion.
- (3) If the House passes a motion under subsection (1) at a sitting, the provision or provisions of these Rules specified in the motion are suspended in accordance with the motion.

PART 17 - MAINTENANCE OF ORDER AT SITTINGS

Members' conduct

74. (1) Every member of the House must adhere to a standard of dress that is appropriate to the business of the House.
- (1.1) A member of the House must take reasonable steps to minimize the wearing of perfumes, colognes while in the chamber.
- (2) A member of the House must not use a cellular phone, electronic pager or similar device in the chamber, or allow such a device to ring aloud in the chamber.
- (3) A member of the House must not use a recording device or artificial intelligence programs or applications in the chamber.
- (4) A member of the House must not use a cellular phone, electronic pager or similar device, recording device, artificial intelligence programs or applications, or a computer in the chamber during “in camera” sittings.
- (5) When the Speaker is addressing the House, members of the House must show respect by remaining seated, and refraining from talking, making any other noise or causing any disturbance.
- (6) Except on a point of order or question of privilege, a member of the House must not interrupt while another member is speaking.
- (7) A member of the House must not use unseemly, abusive or insulting language in the House, including language that
- (a) is of a nature likely to create disorder,
 - (b) is profane,
 - (c) charges another member with uttering a deliberate falsehood,
 - (d) imputes false or hidden motives to another member, or
 - (e) is disrespectful of the House, the Speaker, any Nisga’a Institution, Village Government or Urban Local, or the Ayuuk.

- (8) Each member of the House must adhere to a standard of behaviour that demonstrates respect for all other members.

Order

- 75. (1) The Speaker may call to order any member of the House whose conduct in the House contravenes these Rules.
- (2) Every member of the House must comply with the Speaker's orders during a sitting.

Suspension of a member

- 76. (1) The Speaker may, refer a member of the House to the Council of Elders for cultural guidance on their behaviour, or suspend a member of the House who, during a sitting, in the opinion of the Speaker,
 - (a) disregards the authority of the Speaker,
 - (b) refuses to comply with an order of the Speaker,
 - (c) persistently and willfully obstructs the business of the House, or
 - (d) otherwise abuses these Rules.
- (2) If the Speaker suspends a member of the House under subsection (1),
 - (a) that member
 - (i) if present in the chamber,
 - (A) must leave the chamber immediately, and
 - (B) may be removed from the chamber on the order of the Speaker if the member does not leave the chamber immediately,
 - (ii) is suspended for the period determined under subsections (3) to (6),
 - (iii) must not attend or participate in any proceedings of the House or of a House committee during the period of the suspension,

- (iv) must not re-enter the chamber during the period of the suspension, and
 - (v) must apologize to the House forthwith upon re-entering the chamber after the period of suspension, and
 - (b) the Speaker must as soon as practicable give written notice to the Executive, each Nisga'a Village Government, each Nisga'a Urban Local and the Council of Elders of the member's suspension and the reason for the member's suspension.
- (3) A member of the House suspended under this Rule for the first time in one session of the House is suspended for the remainder of the day on which the suspension is imposed.
- (4) A member of the House suspended under this Rule for the second time in one session of the House is suspended for the remainder of the sitting at which the suspension is imposed.
- (5) If a member of the House is suspended under this Rule for the third or any additional time in one session of the House,
- (a) the member is suspended
 - (i) for the remainder of the sitting at which the suspension is imposed, and
 - (ii) until a date no earlier than the date on which the Speaker makes an order in respect of the member's suspension under subsection (6),
 - (b) the Speaker must as soon as practicable make a written request for a recommendation from the Council of Elders as to whether the member's suspension should be extended for a further specified period,
 - (c) the member must appear before the Council of Elders as directed by the Council,
 - (d) within three weeks after the Speaker makes a request under paragraph (b), the Council of Elders must deliver a written recommendation to the Speaker as to whether the member's suspension should be extended for a further specified period, and
 - (e) the Speaker must consider but is not bound by the recommendation of the Council of Elders delivered under paragraph (d).

- (6) At the next sitting after the Speaker receives a recommendation from the Council of Elders under subsection (5)(d) in respect of the suspension of a member of the House, the Speaker must
 - (a) table the recommendation after the President's comments on the first day of the sitting, and
 - (b) order that
 - (i) the member's suspension is completed, or
 - (ii) the member's suspension is continued for a further specified period.
- (7) The payments and benefits received by a member of the House suspended under this Rule are reduced in accordance with the applicable policy established by the Executive under section 27 of the Act.

Discretion to exclude visitors

77. (1) If, in the judgment of the Speaker, a visitor is disrupting a sitting, the Speaker may
- (a) order the visitor to withdraw from the chamber, or
 - (b) order the public gallery of the chamber to be cleared.
- (2) If a member of the House believes that a visitor is disrupting the proceedings of the House, that member may move a motion that the Speaker
- (a) order the visitor to withdraw from the chamber, or
 - (b) order the public gallery of the chamber to be cleared.
- (3) A motion under subsection (2)
- (a) may be moved without notice at any time during a sitting,
 - (b) is debatable under the rules of limited debate, and
 - (c) passes only if it is supported by at least two-thirds of the members of the House voting on the motion.

- (4) If the House passes a motion under subsection (2) at a sitting, the Speaker must make an order in accordance with the motion.
- (5) The House may not take any proceedings relating to the enactment of legislation while the public gallery of the chamber remains cleared by order of the Speaker under this Rule.

Suspension of a sitting

- 78.** If serious disorder arises in the chamber during any day of a sitting, the Speaker may by order
- (a) adjourn the sitting until a later time during the same day, or
 - (b) subject to section 3(4) of the Act, adjourn the sitting to a subsequent day.

Security

- 79.** (1) The Speaker may appoint a person to act as Sergeant-at-arms.
- (2) The Sergeant-at-arms appointed under subsection (1) is responsible to enforce the Speaker's orders concerning order and decorum in the chamber, and may call on the assistance of a peace officer for that purpose, if required.

PART 18 - MISCELLANEOUS

Potential conflicts of interest

- 80.** At any time during a sitting, by raising a point of order a member of the House may
- (a) declare a possible conflict of interest as required by section 11(3) of the Code, or
 - (b) request that the Speaker call on members to consider whether they have a conflict of interest, as contemplated in section 11(5) of the Code.

Rulings by Speaker

- 81.** (1) In making a ruling on a question of order or practice of the House at a sitting, the Speaker may consider any previous rulings by the Speaker.
- (2) The Speaker may give oral or written reasons for a ruling.
- (3) The Speaker's rulings are final and are not subject to debate or appeal.

Form of documents

- 82.** (1) The Speaker, by order tabled at a sitting, may prescribe the form of any document to be used in connection with these Rules.
- (2) Any document permitted or required by these Rules may be in Nisga'a, but must also be in English.

Record of proceedings

- 83.** For each sitting, the Law Clerk must keep an official record of the following:
- (a) members of the House in attendance or absent;
 - (b) agenda adopted;
 - (c) motions moved;
 - (d) votes conducted;
 - (e) documents tabled.