



## INTRODUCTION TO THE STANDING SENATE COMMITTEE ON RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

### MANDATE

The Rules Committee is empowered to propose on its own authority amendments to the *Rules of the Senate*, which govern the operations of the Senate and its committees, and guide the conduct of parliamentary business. The committee may also consider, more broadly, the orders and practices of the Senate and the privileges of Parliament. In addition, this committee examines questions of privilege and other matters referred to it by the Senate.

### HISTORY

When the Senate met for the very first time on November 7, 1867, this committee was the first to be formed, as the Select Committee on Orders, Customs and Privileges. It was given the order of reference “to frame Rules, Orders and Regulations for the guidance and government of this House, and of several Officers and Servants connected therewith” (Journals, November 7, 1867, p. 60). The committee presented its first report, with the proposed Rules, Orders and Forms of Proceeding, on December 3, 1867. The Senate adopted these Rules on December 17, 1867. In sessions that followed, the Rules were again considered and amended by select committees at various times.

In 1968, the Senate appointed a Special Committee on the Rules of the Senate to examine the Rules and recommend major changes and improvements. In its third report, the committee recommended the establishment of the Standing Committee on Standing Rules and Orders.

The revision of the Rules in 1991 renamed the committee as the Standing Committee on Privileges, Standing Rules and Orders. It assumed the function of examining the orders, customs and privileges of the Senate, a function previously performed by a separate Committee on Privileges. In September 2001, the committee presented its fifth report, which recommended that the *Rules of the Senate* be amended by changing the committee’s name to the current one in order to better reflect its mandate and responsibilities.

### SELECTED STUDIES

In late 2011 the Rules Committee completed a comprehensive revision of the *Rules of the Senate*. One of the main objectives of this revision was to organize the Rules more logically. Another purpose was to make certain clarifications to the Rules while avoiding significant changes. Many amendments simply reflected current practice. An additional new feature of the revised Rules is the use of constitutional and statutory references as well as lists of exceptions to any particular rule. The committee’s proposals were adopted by the Senate, with amendment, in June 2012, and entered into force on September 17, 2012. Since then there have been a number of further amendments to the Rules, most of which were proposed by the committee.

In 2014 the committee established a Subcommittee on Parliamentary Privilege, which conducted a review of privilege in modern Canada. This was the first time a parliamentary body in Canada had ever completed a comprehensive study of parliamentary privilege. The subcommittee’s report, entitled *A Matter of Privilege: A Discussion Paper on Canadian Parliamentary Privilege in the 21<sup>st</sup> Century* was adopted by the committee and tabled in the Senate on June 2, 2015.

### SELECTED LEGISLATIVE WORK



Since the work of the Rules Committee is focussed on the Rules and practices of the Senate, it does not normally review legislation. However, during the 2<sup>nd</sup> session of the 41<sup>st</sup> Parliament it did review three bills – S-207, dealing with conflict of interest and gifts (not reported by the time of dissolution); C-586, dealing with candidacy and caucus reforms (reported without amendment); and C-518, dealing with the retiring allowances of parliamentarians (reported with amendments).

### **CURRENT WORK**

For information on the current work of the committee, you may wish to review the orders of reference the committee has received from the Senate, or review the committee proceedings. Detailed information on current work of the committee can be found on the parliamentary website at: <http://senate-senat.ca/rprd.asp>.