

SECOND SCHEDULE

CAUCUS PROCEDURES

As provided for by the Party Constitution at Section 11 there are the following
Caucus Groups;

1. The Parliamentary Caucus
2. The Extended Caucus
3. The Party Caucus

OBJECT OF CAUCUS

1. The objective of the Parliamentary Caucus is:-

To provide members of the Parliamentary Group and Caucus Members the opportunity to discuss pending legislation and strategy for debate in Parliament.

2. The object of the Extended Caucus is:-:-

To permit the full and open discussion of the following items by Members

1. Political Matters
2. Philosophical Matters
3. Position Papers
4. Future Policy

3. The objective of the Party Caucus is;-

To permit the full and open discussion of the following items by Members

1. Political Matters
2. Policy Matters
3. Party Matters
4. Such other items as the Party Leader may determine.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES

Minutes should be confirmed and any corrections noted in subsequent Minutes.

2. MATTERS ARISING

These are matters arising from the Minutes of previous meetings.

The Caucus Chairman or member of Caucus responsible will report on any matter arising.

The Chairman has the discretion to allow discussion of any matter arising at this state of the meeting or to set it down for discussion under Political Matters or to hold the matter over for discussion at the next or any subsequent meeting of Caucus.

3. STATEMENT OF MATTERS OF IMPORTANCE

These are statements by the Party Leader, Ministers/Party Spokespersons, whichever is applicable.

Matters of importance are defined as those matters of either national or political importance to the country or the party. This section of the Agenda will be limited to Statements only and members are requested to keep the Statements as brief as possible.

4. POLITICAL MATTERS

This section of the Agenda allows for the introduction of matters of a political or philosophical nature, to be tabled or discussed.

Total discussion not to be more than thirty minutes, each speaker to speak for no longer than three minutes.

The Chairman has the discretion to allow longer debates and/or permit any person to speak for more than three minutes, but in any event for not longer than five minutes.

5. ORDERS OF THE DAY

Orders of the Day – to be listed. This would only occur during a Parliamentary Caucus.

It would be during this section of the Parliamentary Caucus Agenda where House strategy would be outlined by the Parliamentary Caucus Strategy Committee, a committee comprised of the Party Leader, the person designated as House Leader, and Party Whip. This committee is totally in charge of the debate and any strategy involved.

6. ANY OTHER BUSINESS

This section may take the form of a short comment, to draw the Caucus' attention to a matter to which the individual raising the matter attaches some importance.

7. in the parliamentary caucus in the event of a vote except as provided in the second or third schedule of the constitution only the members of the caucus who are members of the House of Assembly or Senate shall have a vote.

GENERAL RULES

1. CAUCUS MEETINGS

Regular meetings of the Parliamentary Caucus shall be held on Thursdays at a time fixed from time to time by the Parliamentary Caucus in the Central Office Committee Room or at such time and place agreed by Caucus. Special meetings of Caucus may be called at any time by the Chairman of Caucus, the Party Leader, or any five Caucus Members by written request.

The other Caucus' shall meet as required.

2. CAUCUS MEMBERS

Caucus shall consist of the Members as provided in the Constitution at section 11.

The Speaker of the House if a Party member shall not be a Member of Caucus.

3. ATTENDANCE

All Parliamentary Members are expected to attend all Caucus, and Extended Caucus meetings unless excused by the Party Whip and to be present promptly at the opening of the meeting and to remain until all business has been completed.

4. CHAIRMAN OF PARLIAMENTARY CAUCUS

The Caucus shall elect the Chairman and Deputy Chairman of a Caucus. In the absence of the Chairman and the Deputy Chairman of Caucus, the Party Whip shall assume the Chair. In the absence of all three, the Caucus shall elect a Chairman for that meeting from amongst those present.

The election of the Chairman and Deputy Chairman shall be held annually at the last Caucus meeting on or before 31st October or at the first possible Caucus meeting following a General Election, but in any event no less than three (3) weeks after the date of a General Election.

Nominations for each post shall be in writing and each nomination must have five (5) sponsors. Nominations must be received by the Chairman of the party seven (7) days before the date of Election. Voting will be by way of secret ballot as follows:-

- (a) If there shall be an election and there are two candidates the election shall be by a majority of all Eligible Members.
- (b) If there are more than two candidates the Eligible Members shall vote in favor of the candidate of their choice.
 - (1) If on the first vote a candidate obtains the support of the majority of the eligible members that candidate shall be elected.
 - (2) If no candidate obtains such a majority the candidate with the least number of votes shall be eliminated and voting will continue until a candidate obtains the support of a majority of the Eligible Members then that candidate shall be elected.
 - (3) In the event of a tie for the least number of votes a separate vote shall be taken to determine which candidate shall be eliminated.
 - (4) In the event of a tie between all the candidates then on the ballot there shall be a further vote if after the further vote there still remains a tie then the Party Chairman shall

adjourn the election for 72 hours for a new vote. If on the new vote the tie remains the election shall be abandoned and the nominations shall be declared invalid and a new notice of election shall be given in accordance with above.

Votes by Eligible Members shall be;

- a. by the Eligible member who is present in person; or
- b. by the Party Chairman on behalf of an Eligible Member who cannot be present in person at the time and on the date of the vote. The absentee Eligible Member shall give to the Party Chairman written instruction signed by the Eligible Member in which the Eligible Member shall list the names of the candidates in the order of preference. The Party Chairman shall cast the vote of the absentee Eligible Member as per the written instruction. Scrutineers shall act with the Party Chairman to ensure that the ballots of the absentee Eligible Members are cast in accordance with the written instructions. Written instructions shall include and not be limited to an original or a fax.

Candidates shall be entitled to appoint one scrutineer each of whom shall serve with a scrutineer appointed by the Chairman of the Party or his designate. The scrutineer shall report the results of the ballot to the Chairman of the Party or his designate who shall then announce the results of the meeting.

The Chairman of Caucus, the Parliamentary Leader, the Whip, the Party Chairman and the Executive Officer shall meet prior to each Caucus meeting to discuss Caucus business.

When matters of a Political or Philosophical nature are brought before a Caucus, the Chairman of the Caucus decides whether the item is timely or not. If it is a timely matter then it will be discussed in Caucus under a time limit of thirty minutes.

Each speaker is permitted to speak for only three minutes on any item under discussion, the Chairman having the discretion to allow longer debate and/or permit any person to speak for more than three minutes but in any event for not more than five minutes.

The Parliamentary Leader shall have a discretionary right to assume the Chair during debate in a Caucus on any subject should he/she feel that it is in the best interests of both Bermuda and Caucus he/she should do so.

The Chairman and Deputy Chairman of the Parliamentary Caucus shall also be the Chairman and Deputy Chairman of the Extended caucus

5. IMPARTIALITY OF CHAIRMAN

The Chairman is expected to be tactful, firm and impartial. He/she should allow full discussion on all matters. At the conclusion of debate he/she may sum up and indicate what he/she considers to be the consensus of Caucus.

6. PARTY PARLIAMENTARY WHIP

The Parliamentary Whip shall be appointed by the Parliamentary Leader and hold office at his/her pleasure.

The Parliamentary Whip, in carrying out his/her duties, is directly responsible to the Parliamentary Leader. The Whip must keep Members supplied with information about the business of the House of Assembly and secure the attendance of Members in the House at all times except when excused by Party Whip &/or Party Leader.

The Whip will also act as intermediary between the Parliamentary Leader/Ministers/Party Spokespersons and the Backbench in order to keep the Parliamentary Leader/Ministers/Party Spokespersons advised of Backbench opinion.

The Party Officers shall assist the Whip through the provision of clerical staff when requested to do so particularly on matters of a confidential nature.

7. CABINET MINISTERS/PARTY SPOKESPERSONS

Cabinet Ministers/ Party Spokespersons shall in pursuance of the object of Caucus keep Caucus informed of respective plans, policies and pending legislation by the effective use of methods provided in the Order of Business of Caucus.

8. CONFIDENTIALITY

All Members of a Caucus shall treat all information which they gather in the course of a Caucus debate or from papers made available in the strictest confidence until such time as the Parliamentary Leader or the Member responsible for the matter decide that the subject be open for disclosure and public debate. All breaches of confidentiality shall be

actively investigated by the Procedures Committee which shall make recommendations to the Parliamentary Leader for discipline.

9. CAUCUS PROCEDURE COMMITTEE FOR THE PARLIAMENTARY CAUCUS

The Caucus Procedure Committee shall consist of five Members of Caucus, two of whom shall be appointed by the Parliamentary Leader from the Cabinet/Party Spokespersons and three of whom, shall be elected individually by decision of a majority of Caucus. The Committee shall be established at the last Caucus meeting on or before 31st July in each year and shall hold office for the ensuing year.

The Committee shall be responsible for:

- (a) reviewing and recommending changes in Caucus procedure,
- (b) monitoring behaviour of the Members of the Parliamentary Caucus generally and particularly during suspensions from the Whip in order that they may make recommendations to Caucus as to re-admissions to the Whip,
- (c) investigating charges requiring disciplinary action,
- (d) investigating breaches of Caucus confidentiality including the leaking of confidential documents.

Any individual Member of Caucus may refer to the Committee for consideration, any matter coming under the responsibility of the Committee. Recommendations from the Committee shall be submitted to the Parliamentary Whip and thereafter shall be acted upon by a decision of a majority of the Members of Caucus.

10. ACCEPTANCE OF THE WHIP BY MEMBERS OF THE PARLIAMENTARY CAUCUS

A Member shall be said to accept the Whip if;

- a. the member is a member in good standing of the Party and;
- b. the member is an elected Member of the House of Assembly or an appointed Member of the Senate and;
- c. the member has not been suspended from the Parliamentary Caucus and;
- d. the member has not resigned the party whip.

Whenever a Member has been suspended for an indefinite period or has resigned the Whip, or the Whip has been removed, that Member shall not be re-admitted until:

- (a) that Member has applied by letter to the Parliamentary Whip for re-admission and;
- (b) the letter and the behaviour of the Member has been considered by the Caucus Procedure Committee who shall make a recommendation on the application to the Parliamentary Caucus and;
- (c) Caucus by majority vote agrees to readmit the member. Only those members who are members of the House of Assembly shall be entitled to vote.

11. SUSPENSION OF A MEMBER OF THE PARLIAMENTARY CAUCUS

The Parliamentary Caucus by majority vote shall have the power at any time to suspend a member of the Parliamentary Caucus for any period of time. Only those members who are members of the House of Assembly shall be entitled to vote.

12. HOUSE OF ASSEMBLY MOTIONS

Members shall give all motions to the Parliamentary Whip prior to submitting the motion to the Speaker of the House or the President of the Senate in ample time to allow discussion on the motion in Caucus or with the Parliamentary Leader or the appropriate Minister/Party Spokesperson if time does not allow for the motion to be discussed in Caucus.

In the event that Caucus refuses support of a motion or suggests that the motion not be put, the Member shall, if he proceeds with it, do so at his/her peril.

Should the Parliamentary Leader, Caucus or the Parliamentary Whip instruct a Member not to put the motion in the House and the Member does so, he/she shall be subject to disciplinary action and his/her case be referred to the Caucus Procedure Committee.

13. DEPARTMENT OF MEMBERS IN THE LEGISLATURE

Members of the Legislature are expected to vote for the agreed party position, except in a free vote or when specifically excused by the Whip. Members are free to express reservations on matters under consideration in the Legislature, in which case they should endeavour to do so without bringing the Party or any of its members into disrepute.

Members of the Legislature are expected to attend all sittings of the legislature, unless specifically excused by the Party Leader in consultation with the Parliamentary Whip, from the opening of the House to the conclusion of the business of the House.

14. NOMINATIONS FOR SPEAKER AND/OR DEPUTY SPEAKER

Following a General Election, members of the House of Assembly who accept the Party Whip who for this section shall be called "Eligible Members" may wish to put forward for consideration by the House of Assembly one nominee for each of the positions of Speaker and Deputy Speaker of the House of Assembly.

The election of nominees for each of the above posts will be by election as follows:

- (a) Candidates shall secure not less than five sponsors who shall be Eligible Members and none of who shall sponsor any other candidate.
- (b) Seven (7) days notice of the date, time and place of such election meeting shall be given in writing by the Party Chairman, or in his absence, the Deputy Chairman and shall be accompanied by sponsorship forms to be signed by the candidate and each of his/her five sponsors.
- (c) The form shall be returned to the Party Chairman of the in confidence no later than Nomination Day, which shall be three days before the date and time of the meeting.
- (d) The names of the candidates only shall be given to members of Caucus in confidence when compliance with the terms of these rules has been satisfied.
- (e) If there shall be an election and there are two candidates the election shall be by a majority of all Eligible Members.

- (f) If there are more than two candidates the Eligible Members shall vote in favor of the candidate of their choice.
 - (i) If on the first vote a candidate obtains the support of the majority of the eligible members that candidate shall be elected.
 - (ii) If no candidate obtains such a majority the candidate with the least number of votes shall be eliminated and voting will continue until a candidate obtains the support of a majority of the Eligible Members then that candidate shall be elected.
 - (iii) In the event of a tie for the least number of votes a separate vote shall be taken to determine which candidate shall be eliminated.
 - (iv) In the event of a tie between all the candidates then on the ballot there shall be a further vote if after a the further vote there still remains a tie then the Party Chairman shall adjourn the election for 72 hours for a new vote. If on the new vote the tie remains the election shall be abandoned and the nominations shall be declared invalid and a new notice of election shall be given in accordance with above.

Votes by Eligible Members shall be;

- (a) by the Eligible member who is present in person; or
- (b) by the Party Chairman on behalf of an Eligible Member who can not be present in person at the time and on the date of the vote. The absentee Eligible Member shall give to the Party Chairman written instruction signed by the Eligible Member in which the Eligible Member shall list the names of the candidates in the order of preference. The Party Chairman shall cast the vote of the absentee Eligible Member as per the written instruction. Scrutineers shall act with the Party Chairman to ensure that the ballots of the absentee Eligible Members are cast in accordance with the written instructions. Written instructions shall include and not be limited to an original or a fax.

Candidates shall be entitled to appoint one scrutineer each of whom shall serve with a scrutineer appointed by the Chairman of the Party or his designate. The scrutineer shall report the results of the ballot to the Chairman of the Party or his designate who shall then announce the results of the meeting.

15. CABINET MINISTERS/ PARTY SPOKESPERSONS, SENATE MEMBERS, JUNIOR MINISTERS AND THE PARLIAMENTARY WHIP

In the interest of the Party, it is understood that in the event of a change of Parliamentary Leader, Members of the aforementioned groups shall cease to hold office.

November 2000
RCL/db

Amended August 2001
PG/ms

Amended September 17th 2001/1
Constitution Committee

Amended October 9th 2001 at a Special General Meeting of the Party