

# Meeting Procedure Made Easy



**David Julian Price**

***"The Meetings Expert"***

**2<sup>nd</sup> Edition**

# Meeting Procedure Made Easy

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Published by Cascade Publishing  
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First published 1997  
Second Edition 2003

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National Library of Australia Cataloguing-in-Publication data:

Price, David Julian  
Meeting Procedure Made Easy.

Bibliography.  
Includes index.  
ISBN 0 646 18755 4.

1. Meetings. I. Title.

658.456

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## **Preface to the Second Edition**

*The first edition of this book received a great deal of praise. Its simplicity was outstanding, readers told me.*

*This edition has few changes. Some cosmetic changes have been made but this edition remains the same easy to read book which can be used during a meeting to find the answer to a point or to solve an issue.*

*The book is consistent with the other major resources for meeting procedure used in Australia and New Zealand and can be used alongside them for clarity.*

*In addition, this book touches the issues of the informal meeting where there is a mix of formality and informality.*

*I welcome any suggestions as to how this book can be improved for the third edition. Please email me at [david@davidprice.com](mailto:david@davidprice.com).*

*David Julian Price*

*Perth, Western Australia*

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*by David J Price*

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## How to Get the Most from this Book in the Shortest Time

If you're a person who doesn't read manuals and prefers to get started then here's your guide.

- 1** Read the section called *How to Use this Book* on page **4**.
- 2** Read the section called *Rules and Strategies* on page **6**.
- 3** Read the section on motions on page **11**, then about substantive motions (page **17**) and procedural motions (page **21**) if you are not clear about the distinction.
- 4** Read the *Railway Line Principle* on page **22**. ***This is an absolute must!***
- 5** Go to the specific issue you want by looking at *How to achieve what you want to achieve* on page **129**, the *Quick reference guide* on page **132** or the *Index* on page **145**.



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# Getting Started

**In this section you will find:**

Read This!	2
How to use this book	4



## Read This!

The rules of every organisation differ.

Before you apply any of the content in this book, check the rules of your organisation. Those rules may be found in documents like “constitution”, “by laws”, “local laws”, “standing orders”, “rules”, “procedures”, “policies”, or your organisation may be governed by legislation such as a Local Government Act, the ATsIC Act, Associations Incorporation Act, or other legislative controls.



This book gives you a quick and easy guide to what various rules of procedure mean and how they can be, and should be used. The content of this book is consistent with the information found in a range of books on meeting procedure (see the Recommended Reading at the back of the book) but it does not set out to replace your own rules.

*Meeting Procedure Made Easy* is a reference to help you work within your rules but at the same time bring some understanding of how to apply the general rules of meeting procedure.

Use this book in conjunction with your own constitution, rules, standing orders or by laws.

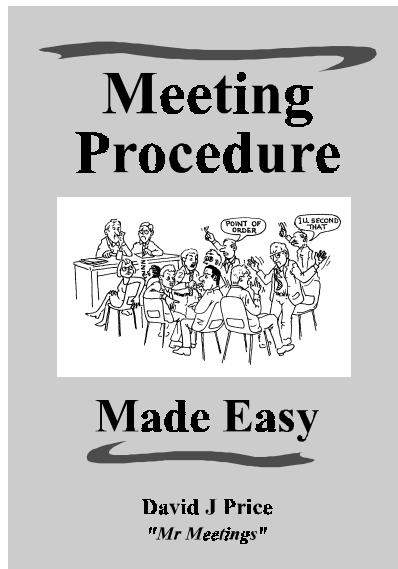
### **Be Flexible!**

Remember, unless your rules for running your meetings are specifically detailed in government legislation (and most legislation gives broad guidelines, not specific rules) then you have the power as a group to *change* those rules. Rules should not be set in concrete for ever - they should be changed as your organisation changes and as society's expectations change.

Be *willing* to change the rules!!

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**Note:** Some organisations adopt particular books as their set of rules in the absence of rules documented elsewhere. For instance, a motion could be moved at a meeting as follows: “That the rules for running meetings in this organisation be those set out in *Meeting Procedure Made Easy*”, or, “That where the constitution of this organisation is silent, the procedure laid down on *Meeting Procedure Made Easy* will apply”. These motions would establish a set of rules for the organisation and avoid unnecessary conflict about procedures.



The motion could be moved at a regular meeting, but would have greater authority if moved at the annual general meeting or at a special general meeting.

It is not uncommon for organisations to insert a clause in their constitution which states that where the constitution is silent, the procedures laid down in *Meeting Procedure Made Easy* will apply.

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## How To Use This Book

This book is designed for you to use during a meeting so that you can quickly and easily find what you want, find the right words to use and get on with the meeting - whether it's a formal or an informal meeting.

The quickest way to use the book is to look at the "How to achieve what you want to achieve" section on page 128 and the Quick Reference Table on page 132. Make sure however, that you read "The Railway Line principle - How to stay on track" on page 22 as it is vital!



You will notice that there is a series of graphics throughout the book. These graphics relate to particular sections to make it easier for you to find the section you need.

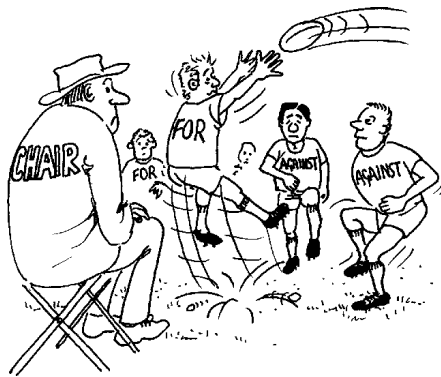
*Meeting Procedure Made Easy* has tied together the rules as laid down in the major references (Renton, Horsley, Joske et al.) on meeting procedure and can be used as a general guide for meetings. It is recommended that you adopt this book as your guide if you do not already have a particular book that you use as your reference for meeting procedure within your organisation.

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# Understanding the Meeting Game

**In this section you will find:**

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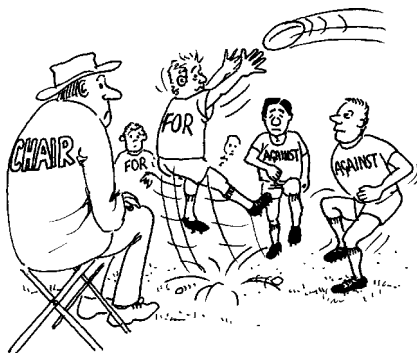


## Rules and Strategies

### Playing the game of meetings

Playing the game of meetings is something we all do from time to time but success in those meetings is greatly enhanced if you understand what is actually happening philosophically.

Meetings are a game - a strategic game, like chess. They are a strategic game where a number of players gather together in order to make decisions and while people will rarely admit it, everyone is actually looking for the decision that they want. Some will argue that they are only looking for the good of the organisation and I don't disagree with that. But what everyone considers to be the "good" of the organisation is what *they* consider it to be - everyone wants their way.



There are two things that you need, to be able to "play the game" - rules and strategies.

### Rules

Just like in chess, you must know the rules. If you do not know the rules of the game then how can you play? If you do know the rules of the game then you will be able to play it far more effectively than if you don't. In local government particularly, as well as community associations, the rules can have legal ramifications, as they do in company meetings.

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## Strategy

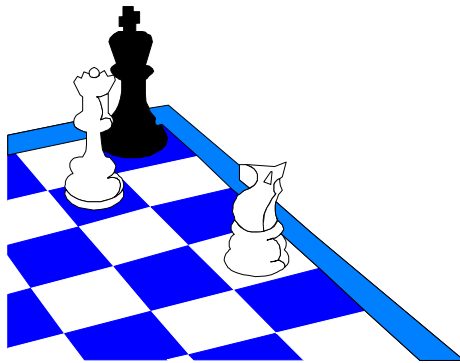
Knowing the rules is not enough. The people who win the game most often, are the people who know the strategy of playing. Strategy is vital for success in any meeting. The rules are essential to know - but to win, strategy is crucial.

Learning the *rules* is simple. You can learn them by reading a book like this. *Strategy* can only be learned through participation in meetings and observing the people who seem to get their own way most of the time and looking at the strategies they use.

There is a caution here - some people who get their own way actually do break the rules. The only reason they do that is because the other people let them. If everyone knows the rules then people are generally less able to break the rules. So the most effective meeting participants - effective in getting their own way more often - are those who understand strategy.

Learn strategy by observing the winners.

**Knowledge of strategy and the rules is the way to be successful in meetings.**





## **The Chair - Role and Responsibilities**

### **What is the Correct Title?**

The person chairing a meeting can be called chairman, chairperson, chair, president, mayor, convenor, facilitator, or moderator. The title may be determined by legislation such as in local government.

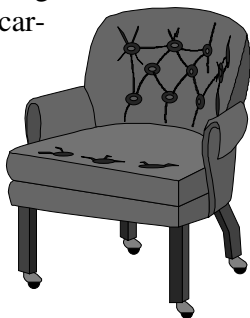
If the title is not pre-determined, then the safest rule is for your organisation to decide which title it wants to use or for the person in the chair to announce the title they choose to be addressed by.

There is no correct nor incorrect title. “Chairman” is regarded by some people as gender specific while others (of both genders) do not see it that way following a common interpretation which states that the “man” in chairman is derived from the latin “manus”, “to guide”, and does not refer to gender.

The safest guideline is to use the term the group, or the person in the chair uses. If you don’t know which term they use, ask.

The chairperson of a meeting has certain roles and responsibilities. The chair has responsibilities before, during and after the meeting, all of which should be carried out with an awareness of the governing rules of the organisation.

Before the meeting, the chair must ensure that the necessary documentation is prepared and that everyone who should receive papers, does so and that they are advised of the details of the meeting time and place.



During the meeting, the chair must ensure:

- \* that the rules are followed to the letter;
- \* that everyone present receives equal chance to address the meeting according to the rules;
- \* that discussion is conducted fairly and without bias and according to the rules of the organisation;
- \* that a quorum is present at all times;
- \* that minutes are taken accurately;
- \* that rulings are made clearly and decisively;
- \* that the principles of free speech and natural justice are upheld at all times;
- \* that guests or visitors are made to feel welcome and understand their rights or roles.

Above all else however, the role of the chair is to be impartial. The person chairing a meeting has a different role to that of the participants. They are not involved so much in the *content* of the meeting as they are in the *process* of the meeting.

Technically, a chairperson cannot enter the debate and a wise chairperson will never do it, for the minute they enter the debate, they lose their impartiality. With the loss of impartiality, so too goes respect very frequently and the role of the chair is compromised and in some circumstances untenable.

A chairperson who has an intense interest in a matter should, if the rules allow it, vacate the chair for the duration of discussion on the matter.

The whole issue of what the chair can and cannot do and should and should not do usually centres around four things - their maturity and experience as a chairperson, their knowledge of the rules, their quest for power, and their wisdom about human behaviour.

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The people who are most effective as a chairperson:

- \* are very mature in their understanding of the role of the chairperson as a facilitator and moderator;
- \* know the rules inside out;
- \* do not seek personal power and have not sought the position of chair to obtain power (it backfires usually);

and finally but most importantly,

- \* have a deep knowledge and understanding of human behaviour and what makes people behave and communicate as they do. They understand conflict and know how to manage (not necessarily resolve) it.

The three key words for an effective chairperson are:

**Fair**

**Firm**

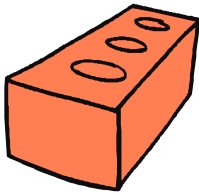
**Focussed**

If a chairperson is fair, firm and focussed, then they are likely to run a superb meeting. Chairing a meeting is not about power!

## Motions

### The Building Blocks of a Meeting

A motion is nothing more than a suggestion. It is a suggestion to a meeting that it proceed down a particular track to a particular destination or course of action. No more nor less complicated than that.



There are two types of motions - substantive motions and procedural motions.

**Substantive motions** are motions which are of substance which will actually decide on a course of action for the meeting to take. The actions resulting from successful substantive motions will generally occur after the meeting.

The second type of motion is a **procedural motion**. As the word implies these motions are about the procedures being used within the meeting and so the results of these motions will generally be seen at the meeting itself. Procedural motions are sometimes called *formal* motions. Because of the confusion it causes for many people, it is strongly recommended that you adopt and use the term “procedural” motion.

It is very important to understand in a meeting whether you are discussing a substantive motion or a procedural motion. The debate on each changes markedly and what you can and can’t do alters significantly.

It is very useful to understand procedural motions as tools in a tool box. Substantive motions centre on the *business* of the organisation and allow you to make decisions about what the organisation will or won’t do.

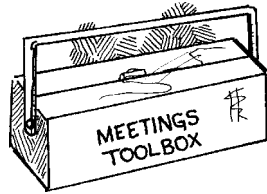
The procedural motions give you the ability to decide how you will make those decisions. So, when you are in a meeting discussing

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substantive motions, then you have at your disposal a tool box of procedural motions which can be used to make the debate shorter, longer, fairer, or more (sometimes less) efficient. The skill of the wise meeting participant is to know which procedural motion to take out of the tool box at any particular time.

In very simplistic terms, substantive motions are the “what” and the procedural motions are the “how”.

The procedural motions are covered in detail beginning on page 29 but if you have not read it carefully yet, read **The Railway Line Principle** on page 22 - it will help with your understanding of how the two types of motion fit together.



## **Moving Motions and Order of Discussion**

There are two basic models for moving motions in meetings. Neither one is right nor wrong. Each has an advantage and a disadvantage and they balance each other. Model One however, is the most common method used in meetings throughout Australia and New Zealand.



### **Model One**

Mover moves motion  
Seconder is called  
Mover speaks to motion  
Seconder speaks to motion  
(or reserves right to speak  
later) - (unwise - see p15)  
Speaker “against” is called  
Speaker “for” is called  
Speaker “against” is called  
Speaker “for” is called  
Debate continues  
Right of reply is offered  
to mover  
Vote is taken



### **Model Two**

Mover moves motion  
Mover speaks to motion  
Seconder is called  
Seconder speaks to motion  
(or reserves right to speak  
later) - (unwise - see p15)  
Speaker “against” is called  
Speaker “for” is called  
Speaker “against” is called  
Speaker “for” is called  
Debate continues  
Right of reply is offered  
to mover  
Vote is taken

---

### **Model One**

#### **Advantage of this model:**

The chair can determine if there is support for the motion by calling for a seconder before the meeting sits through the argument presented by the mover.

#### **Disadvantage of this model:**

A good motion may not be pursued because the mover has not had the opportunity to demonstrate its worth to the meeting.

### **Model Two**

#### **Advantage of this model:**

The mover gets the opportunity to convince the meeting that the motion is worthwhile and is therefore more likely to attract a seconder.

#### **Disadvantage of this model:**

The meeting may need to sit through the mover's speech when there is no general desire to pursue the motion.



## Seconding Motions

A motion should always be seconded although there are some legal arguments which raise precedents which show that seconding is not required. Most organisations' rules say that a seconder is required for every motion. *(Check the rules of your organisation. If they are silent on this then the safest way is to call for a seconder for every motion.)*

A seconder often reserves the right to speak to the motion later in the debate. This is a most unwise practice. There are a number of events which can remove this right from the seconder. For instance, if a procedural motion is moved which closes debate, the right disappears, if an amendment is moved and is carried, the right disappears (the motion is now different to the one which was seconded originally).

It is said that “a bird in the hand is worth two in the bush” and this applies perfectly to this issue. If you second a motion, speak to it then. Do not leave it to chance to speak later as your opportunity may disappear and once gone, it cannot be retrieved.

### Seconding Pro forma

A person may hear a motion and not be sure whether it is good or bad or they just want to hear what others think. Seconding pro forma is the appropriate tool to use. The wording is simply “I will second the motion pro forma”.

The pro forma seconder logically would not speak to the motion but would vote either for or against the motion according to the argument that is presented.





The seconder of a motion should be recorded in the minutes together with the mover of the motion. Some legislation states that only movers need to be recorded. If in any doubt record both - better safe than sorry. This applies to substantive and procedural motions.

## **Seconding Amendments**

If the rules of your organisation state that motions should be seconded, then so too should all amendments and, if you have them, amendments to amendments.

All other guidelines in relation to seconding motions also apply to seconding amendments.

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## Substantive Motions

Substantive motions are the motions which form the basis for decisions about the business of the organisation or meeting. Substantive motions are motions which express an opinion of an organisation, commit the organisation to some particular action, or motions which determine that certain people will do certain things. The easiest way to remember a substantive motion is that it is a motion of substance. A substantive motion is a motion whose action will nearly always occur after the meeting.

Some meetings have routine motions such as correspondence being accepted or that the minutes be confirmed. While they may be thought of as procedural motions because they are dealing with the procedure of an organisation, they are not procedural motions. They are in fact substantive motions and they are the exception to the rule where the action of a substantive motion occurs after the meeting. With these particular ones, the substantive motion action will occur during the meeting at which they are moved.

A substantive motion has a number of tests in order to determine whether it is or is not a substantive motion.

1. The first is that it must be a statement - it must begin with the word "that".
  2. The second test is that the motion must have some purpose - it must result in something - preferably an action. If the motion does not have some obvious action then ask the question "What would we do if this is carried?". If the answer to that is "Nothing" or "We don't know" then it is not an adequate motion.
  3. The third test of a motion is that it must be able to be stated succinctly - ideally in one sentence or at the most one paragraph.
-

There is an exception to this in that a motion may be like the following -

“That this local government authority authorise expenditure on a new sporting complex subject to the following conditions:

- Condition 1. ....
- Condition 2. ....
- Condition 3. ....”

In other words the actual motion is the entire motion plus all the conditions. The essence of the motion is included in the first statement - the rest simply are provisions or conditions.

A motion which is more than one paragraph long is probably more than one motion if it is not made up of listed, specific conditions. The secret therefore is if a number of conditions need to be built into a substantive motion, they should be built in as bullet points or as numbered conditions following the main wording of the motion.

If you are sitting in a meeting and there is debate raging about whether a particular action should or should not occur then the quickest way to shorten that debate and get the meeting to a decision is to move a substantive motion. In other words, make a specific suggestion which focusses the debate.

A significant problem occurs in most meetings when an issue is raised in the meeting and general discussion occurs around the issue. When the discussion has proceeded to a point where someone feels they can move a motion, a motion is then called from the floor and one of the methods described above is then implemented and so the decision is made.

Technically this is incorrect. In meeting procedure in its pure form, we should have a motion before anything is discussed.

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This would mean that when the issue is raised a suggestion should be called for from the floor in the form of a motion. It doesn't actually matter (within reason) what that suggestion is for it simply provides the meeting with a focus for discussion.

Bear in mind however that this is meeting procedure in its pure form and this in fact is rarely carried out, except in the most technically precise of meetings. What normally happens is that the issue is raised and then discussed, the meeting decides on a particular course of action informally through general discussion and then someone puts forward the motion which encapsulates the views of the organisation.

Some people will ask "Well, that's what we always do. What's wrong with that?" In reality there is not a great deal wrong with that except the meeting will lose a little bit of focus and be much more likely to take more time. Our research has shown that a meeting that is run that way can take up to twice as long to reach a decision as a meeting which demands, yes demands, a motion when the issue is raised.

You see, if an issue is raised and a suggestion is made with it, then there is nothing to stop the meeting moving into a *committee of the whole* (see page 77) to discuss the entire motion and come up with its desired course of action and then moving out of committee of the whole and moving the substantive motion in its final, agreed form.

### **Do you really need to worry?**

Only if time is important (and it usually is). What it does come down to however is your constitution and rules which may say that debate cannot occur until a motion is put before the meeting. In this case you do have an obligation to raise an issue with a suggested solution - that is in the form of a substantive motion. If your constitution or by-laws do not have this requirement, then really there is nothing to stop you simply having free and open

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discussion and then moving the substantive motion. Just be aware that it will take much longer to reach a decision without the focus a motion gives!

The best course of action is to have a suggestion first - a substantive motion.

## Procedural Motions

Procedural Motions are just that - motions of procedure. There are 14 procedural motions discussed in this book.

Various books differ on the specific procedural motions which can and cannot be moved. I have chosen to put all of the procedural motions from all of the other references together.

Procedural motions should be seen as tools in your tool box for running your meetings. They are nothing more - nothing less. The trick is to know which tool to retrieve at a particular time for the particular purpose for which you require it.

It's useful to consider another perspective on the use of procedural motions. Like many tools, most are used infrequently, but, like some tools which are used infrequently, nothing else will do the job. For instance, there is a particular tool called an impact driver. It is designed to turn very stubborn or jammed screws. It is a combination of a hammer and a screw driver. It is a tool which the average handyperson may use only once in ten years, but on the occasion when it is needed, nothing else will do the job. There is no other tool like it.

Procedural motions can be like impact drivers - you may need them rarely but when you do, nothing else will serve the purpose.

Understanding the procedural motions is the most important aspect of meeting procedure for if you know the tools to use, like any good craftsman, the end result will be a good one.

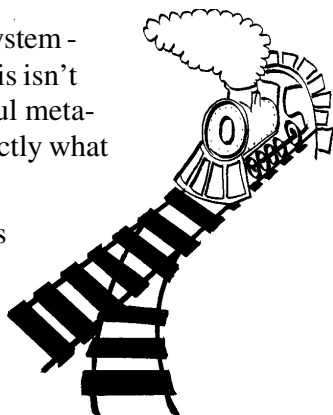


## **The Railway Line Principle**

### ***How to Stay on Track***

Meeting procedure is like a railway system - it's like a series of railway tracks. This isn't said frivolously - it is a very powerful metaphor to enable you to understand exactly what is happening in a meeting.

A meeting begins on a main track, as laid down in the agenda. When a motion is moved, then that motion is attempting to take the meeting in a particular direction, that is, it has a desired outcome - a destination.



Let's call the outcome our ultimate destination. What has occurred is that we have travelled along the main track (the agenda) and reached a set of points which is the first motion which will take us to a certain destination - a decision about the issue.

As we progress along the track of this motion, then there is nothing else to discuss except that motion because we have only one motion before us and we cannot, as in a train, be on more than one track at once.

However, like trains, meetings change track from time to time. Just like points and junctions, these allow a decision to be made in terms of which direction (or track) the meeting will take.

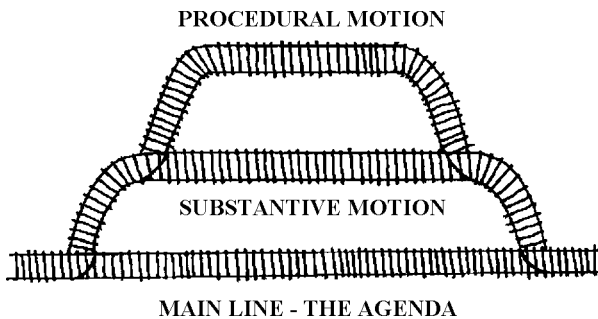
Here are three examples of what can happen.

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## Example One

The first is moving a procedural motion.

As we travel on our original track (the substantive motion) to our original destination a person may move a procedural motion. In terms of our railway line this is a like set of points and we immediately switch to a side track. While we are on that side track we can't talk about anything else because like a train, we are on one track - the procedural motion track.



It is very powerful to understand that while we are on this particular track then we now have a new destination, it cannot take us to the same destination because we are on a different track.

In this example we are talking about the procedural motion. When the procedural motion has been dealt with, we move back to either the original track (the substantive motion), or to another track which may be our main track, the agenda.

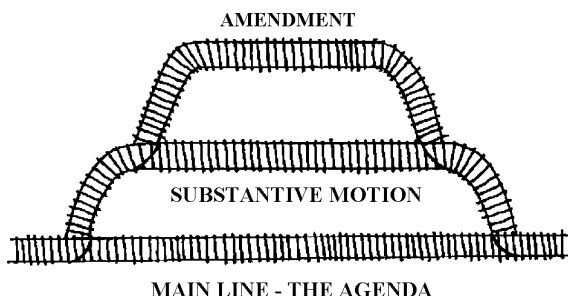
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## Example Two

A second example is that we may be on our first track from the main agenda heading toward our original destination (the substantive motion) and an amendment is moved. This equates to another set of points and so as we get to the amendment we decide whether we will run with it or not and we move onto the sidetrack - the amendment track.

Just as with a procedural motion, while we are on that track we can talk about nothing else except that amendment.



***This is a very important understanding - when amendments are moved, the debate must centre around the amendment and not on the amended motion if the amendment is successful.***

I strongly suggest you re-read the last sentence - it is a very important point.

Just like the procedural motion, the amendment is eventually put and if it is carried then we are back on our original track but with an extra carriage, and that carriage is the amendment, having been attached to the original motion. Like a train, the amendment may have been attached at the beginning, the end, or anywhere in the middle.

If the amendment is lost then we are simply back onto the substantive motion track with the same number of carriages as before

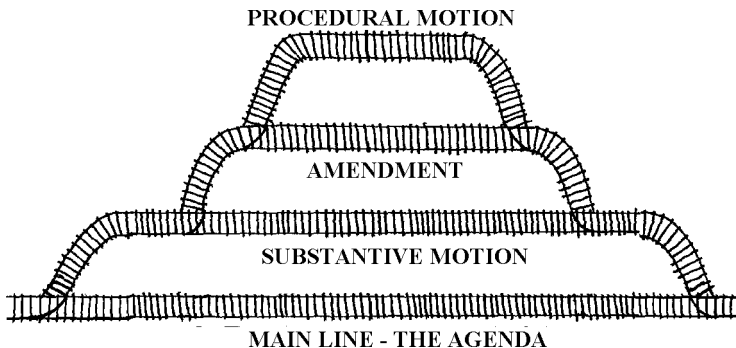
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and we continue towards our destination. The substantive motion remains the same and we now stay on the same track.

### **Example Three**

At the risk of confusion, there is a third possibility. That is we are travelling on our substantive motion track towards our destination and an amendment is moved so we have now switched to a side-track and we're discussing the amendment. A procedural motion is moved during discussion on the amendment and we now switch over to a fourth railway line and here we discuss nothing but the procedural motion. When the procedural motion is dealt with we switch back to the amendment. When the amendment is dealt with we switch back to the substantive motion, then when that is dealt with we switch back to the main track.

Now if this sounds confusing - it is. I suggest that you re-read it and look at the diagrams because if you can grasp this concept of meeting procedure being like a railway line then it will make your understanding of exactly where a particular meeting is, at any particular time, much easier.





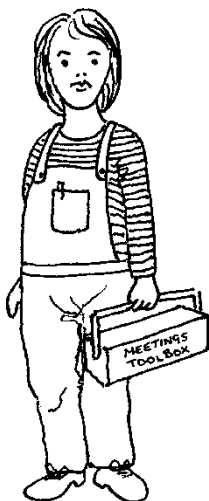
# What's In Your Meeting Tool Box

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## **Procedural motions designed to close discussion**

***The Closure - That the question now be put***

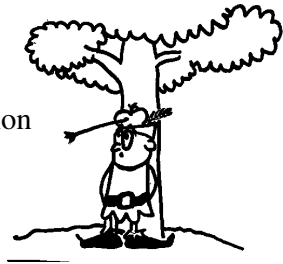
### **Alternative wording:**

I move the closure

I move that the question be put

### **Purpose of the motion - why use it?**

The closure motion is used to bring debate to an end and force the meeting to make a decision by having a vote. The closure motion is very useful when discussion has been going on for a long time and starts to go around in circles or becomes repetitive.



### **When would you move it?**

The closure motion can be used at any time providing there has been a reasonable amount of debate. It can be used by interrupting a speaker.

### **When not to move this motion.**

It should not be used early in a debate because the purpose is to draw lengthy discussion to a close.

### **Can the chair refuse this motion?**

Yes, the chair can refuse the motion. Usually it would be refused if there had not been sufficient debate and a number of people still wished to speak to the motion.

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### **Is a seconder required?**

Technically, a seconder is not required for this motion however it is wise practice to always call for a seconder.



### **Is discussion permissible?**

No debate is permissible on this motion.

### **Can this motion be amended?**

There can be no amendments to the closure motion.

### **Does the mover have a right of reply?**

Because there is no discussion there is no right of reply. However, if the motion is carried then the mover of the substantive motion upon which the procedural motion has been moved is offered the right of reply.

### **Who can/can't move this motion?**

Anyone can move this motion provided they have not already spoken for or against the substantive motion or, if moved on an amendment, spoken for or against the amendment before the chair.

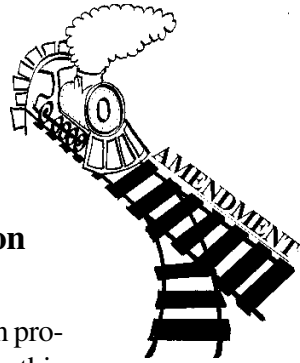
### **If lost, can the motion be moved again?**

Yes, this motion can be moved after an interval of time. For instance, it may be moved by a person frustrated with the debate. It may not be successful at this time. Later in the same debate, others may share the frustration and move the motion, at which time it may be carried.

---

### **Situation if the motion is moved on an amendment.**

If an amendment is before the chair when the closure motion is moved and carried, then only the amendment is put to the vote. Debate on the substantive motion continues.



### **Situation if the motion is moved on a procedural motion.**

The closure motion can only be moved on procedural motions which allow debate. In this circumstance the procedural motion only is put to the vote.

### **Effect of motion if carried.**

If the motion is moved on an amendment the amendment is put immediately. If it is moved on a substantive motion then the mover of the substantive motion is offered the right of reply and the motion is then put to the vote immediately. There is no further discussion.

### **Effect of motion if lost.**

Discussion on the substantive motion or the amendments resumes at the point at which the procedural motion was moved.

### **What is recorded in the minutes?**

The mover and seconder of the procedural motion are recorded together with the results. The results of the amendment and/or the substantive motion are then recorded.





## Tips

This is the motion to use when a meeting is bogged down in discussion. Monitor the content of the substantive motion being discussed and, if you have no strong view, do not enter the debate. By doing this you leave yourself able to move the closure motion. If you enter the debate then you cannot move the closure motion.



## Traps

The biggest trap with this motion is that people often tend to use it too early, particularly those who have a strong view. This can be unwise because having moved the motion and run the risk of it being lost, (because the meeting had not heard enough debate) the effectiveness of the tool can be then lost.

## Don't be confused.

This motion is often confused with the motion called “the previous question” whose wording is “that the question be not now put”.

## How would you gain the effect of this motion in an informal meeting?

The effect of this motion could be used in an informal meeting by using words such as: “I think we’ve had a lot of debate. Why don’t we simply make a decision and move on?”. By using these words, or similar words, you are simply suggesting let’s not talk about it anymore, let’s just make a decision. That is exactly what the closure motion achieves in a formal meeting.



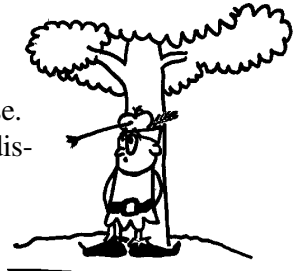
***The Previous Question -  
That the question be not now put***

**Alternative wording.**

“I move the previous question”

**Purpose of the motion - why use it?**

This motion is very useful but not well understood. It forces the discussion to close. Whether the motion is carried or lost the discussion must not continue. Because of its unusual effect many organisations do not allow it at all while others place strict constraints on its use.



**When would you move it?**

The previous question can be used at any time providing there has been a reasonable amount of debate but it cannot be moved while a person is speaking. Check the rules of your organisation to see if there are any specific constraints on the use of this motion.

**When not to move this motion.**

The motion should not be used early in the debate. No matter what the result, the debate will conclude and this may mean that either a poor decision is made or no decision is made.

**Can the chair refuse this motion?**

Yes, the chair can refuse the motion. However, refusal can itself be challenged by moving dissent with the chair's ruling.

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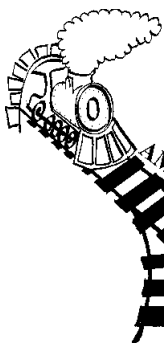
### **Is a seconder required?**

Yes, a seconder is required for this motion unless the rules of your organisation specifically state that a seconder is not required for motions or procedural motions.

### **Is discussion permissible?**

The motion may be discussed freely and may include people who have already spoken to the substantive motion.

### **Can this motion be amended?**



No there can be no amendments to the previous question.

### **Does the mover have a right of reply?**

No right of reply is offered or allowed. However if this procedural motion is lost then the mover of the substantive motion maintains their right of reply.

### **Who can/can't move this motion?**

Anyone can move this motion provided they have not already spoken for or against the substantive motion.

### **If lost, can the motion be moved again?**

Clearly, this question does not arise on the substantive motion because the substantive motion is dealt with one way or the other as a result of the previous question being moved. However, some organisation's rules state that this motion cannot be moved more than once during a meeting. Such a rule has no intellectual basis but is driven by an emotional desire not to have this procedural motion moved.

---

### **Situation if this motion moved on an amendment.**

This motion cannot be moved on an amendment.

### **Situation if this motion moved on a procedural motion.**

This motion cannot be moved during discussion on another procedural motion.

### **Effect of the motion if carried.**

If this motion is carried then the discussion on the substantive motion ceases immediately and the meeting moves to the next business. In this circumstance the chair's words would be "The procedural motion is carried and therefore the substantive motion lapses."

There is no constraint (consistent with the organisation's rules) on the substantive motion being moved again at another time although it would normally not be moved at the same meeting.

### **Effect of motion if lost.**

The right of reply is offered immediately to the mover of the substantive motion and the vote is then taken.

### **What is recorded in the minutes?**

The mover and seconder of the procedural motion are recorded together with the result. If the motion is carried then a note should be made that the substantive motion lapses. If it is lost then the result of the substantive motion will be recorded.

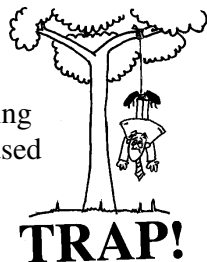


## Tips

This is a very useful tool to use if people in the meeting understand its use and impact. Most people do not understand this motion and it should therefore be used carefully. It is wise to explain the purpose of the motion when moving it.

## Traps

People who use this motion frequently tend to be “tarnished” and often have difficulty gaining support for other issues. It should therefore be used with great care and sparingly.



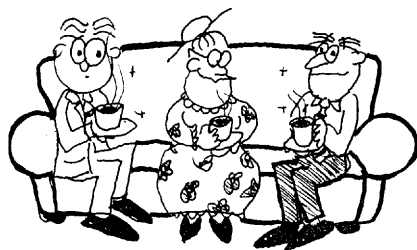
## Don't be confused.

This motion is often confused with the closure motion (that the question be now put) which has a very different effect.

## How would you gain the effect of this motion in an informal meeting?

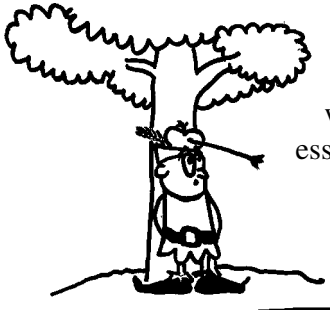
To gain this effect in an informal meeting then you could use words such as,

“I think we've had enough discussion on this. Let's either make a decision or move on to the next item on the agenda.”



***That the meeting proceed to the next business***

**Purpose of the motion - why use it?**



Purpose of this motion is to move the meeting to the next business on the agenda when the meeting has become bogged down on an issue for which a decision is not crucial or necessary. The effect of this motion is similar to the previous question, except that no decision is made on the substantive motion when the previous question is moved. This motion however is deleting the choice as to

whether to make a decision or to simply move on without a decision being recorded.

**When would you use this motion?**

The motion can be used in two circumstances. The first is when a motion is moved that is either frivolous or has minimal support but has nevertheless obtained a seconder. Secondly, when debate has continued for some time with no obvious conclusion in sight. The motion cannot be moved while a person is speaking.

**When not to move this motion.**

This motion would not be used when a decision is required on the substantive motion.

**Can the chair refuse this motion?**

The chair cannot refuse this motion, however if the chair believed that the motion was inappropriate, he or she should give appropriate advice to the meeting.

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### **Is a seconder required?**

A seconder is required for this motion. In rare circumstances the chair could second the motion in order that it proceed.

### **Is discussion permissible?**

There is no discussion on this motion.

### **Can this motion be amended?**

Logically, there can be no amendment to this motion.

### **Does the mover have a right of reply?**

As there is no discussion there can be no right of reply.

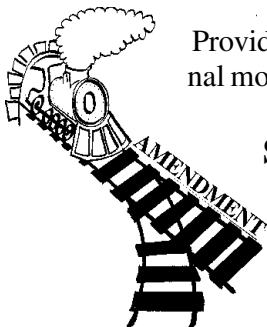
### **Who can/can't move this motion?**

Anyone can move this motion provided they have not already spoken for or against the substantive motion or any amendment which is currently before the chair.



### **If lost, can the motion be moved again?**

Provided adequate time has passed since the original moving, then this motion can be moved again.



### **Situation if the motion is moved on an amendment.**

If the motion is moved on an amendment and it is carried, then the meeting proceeds to the next agenda item. The result is the same as if the amendment had been defeated. In other words, the next business is the substantive motion, debate on which can now continue.

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## **Situation if the motion is moved on a procedural motion.**

If this motion is moved on a procedural motion and carried the procedural motion is deemed to be defeated and discussion continues on the substantive motion.

If it is moved on the closure or the previous question, then it supersedes both motions. In other words, if the previous question has been moved and the motion to proceed to the next business is then moved, then its result will act upon the substantive motion and not the previous question.

## **Effect of motion if carried.**

If this motion is carried the meeting proceeds to the next item of business which would either be the next item on the agenda, or if it were moved on an amendment, the substantive motion.

## **Effect of motion if lost.**

Discussion continues at the point at which the procedural motion was moved.

## **What is recorded in the minutes?**

The mover and seconder of the procedural motion is recorded together with the result. If moved on an amendment, then the fact that the amendment lapsed should be recorded and then the result of the substantive motion.

## **Tips**

This motion is very useful in meetings which have a lot of procrastinators and/or wafflers. It makes it clear to people that a meeting can-

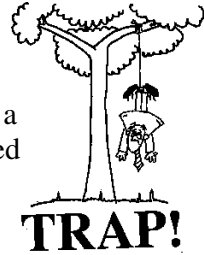




not continue discussing an issue without eventually making a decision. The mere fact that it is moved can sometimes force a meeting to make a decision.

## **Traps**

There is a danger that this motion can be moved too often and that decisions are avoided. It is a very useful tool but one which needs to be used with care.



## **Don't be confused.**

This motion is sometimes confused with the previous question - that the question be not now put.

## **How would you gain the effect of this motion in an informal meeting?**

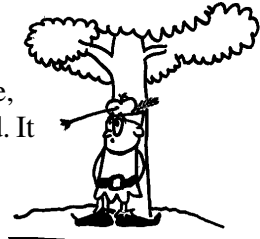
The effect of this motion could be gained in an informal meeting by using words such as "We don't seem to be getting anywhere with this discussion, let's just move on and maybe come back to it later". By saying these words or similar words you can effectively suggest to the meeting that there may be no point in making a decision.



***That the question lie on the table***

**Purpose of motion - why use it?**

This motion is used to set aside a motion so that no decision is made. The matter is now on the books of the organisation, leaving it open to be raised at any time in the future, but there is no requirement for it to be raised. It is an excellent motion to use when the desire is to be able to say that a matter is “still under consideration”.



**When would you move it?**

The motion can be moved at any time in debate but not interrupting a speaker.

**When not to move this motion.**

The motion would not be used when a matter needed a decision or where it needed to be raised at another meeting in the near future.

**Can the chair refuse this motion?**

This motion cannot be refused, although a wise chairman may point out to a meeting the ramifications if it is successful.

**Is a seconder required?**

Yes, a seconder is required for this motion and although rare, and not necessarily wise, it can be seconded by the chair.

**Is discussion permissible?**

There can be no discussion on this motion.

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### **Can this motion be amended?**

Logically, there can be no amendment to this motion.

### **If lost, can the motion be moved again?**

Technically no, however a wise chairperson may allow it.

### **Does the mover have a right of reply?**

As there is no discussion, there can be no right of reply.

### **Who can/can't move this motion?**

Anyone can move this motion provided they have not spoken for or against the substantive motion or any amendment to the substantive motion.

### **Situation if the motion is moved on an amendment.**

If this procedural motion is carried, then both the amendment and the substantive motion lie on the table.

### **Situation if the motion is moved on a procedural motion.**

This cannot be moved on a procedural motion for obvious reasons.

### **Effect of motion if carried.**

If this motion is carried then the substantive motion (and any amendment) lies on the table indefinitely. At any meeting in the future the matter may be raised from the table using the following motion "I move that the matter regarding XYZ be raised from the table."

In the circumstance of a matter being laid on the table, the secretary or executive officer should record the full wording of the sub-

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stantive motion, the mover and seconder, any amendment and its mover and seconder, and general points of discussion which have been raised.

When the matter is raised from the table, the secretary should read the motion (or amendment) state the mover, the seconder and the general points which have already been covered. The original mover is then permitted to open discussion again and debate continues normally.

It is wise for a secretary or executive officer to maintain a permanent file or record of motions which are lying on the table (see tips).

### **Effect of motion if lost.**

If the motion is lost, discussion on the substantive motion or the amendment resumes at the point at which the procedural motion was moved.

### **What is recorded in the minutes?**

The mover and seconder of the procedural motion and the result. In this instance the main points of discussion on the substantive motion would also be recorded. It is wise in this circumstance to give the substantive motion a specific reference number.



### **Tips**

This is the motion to use when the meeting doesn't want to make a decision but for some political or public relations reason, doesn't want to dispense with the matter completely.

It is a wonderful way of burying an issue.

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A secretary or executive officer would be very wise to implement a system for recording substantive motions which are lying on the table. This could be a simple list or it could be a chart which keeps the wording of the motion, the mover, the seconder, and the major points which have been covered. By having this record, the management of the motions can be very efficient.

### **Traps**



The biggest trap with this motion is that people often think that there is an obligation for the matter to be raised again. This is not the case. A matter can lie on the table for weeks, months, years or decades. Rarely do motions which are lying on the table for more than a few months ever get raised again.

### **Don't be confused**

This motion is sometimes confused with the adjournment motion. Adjournment requires the matter to be raised again. Moving that the motion lie on the table carries with it no such requirement.



### **How would you gain the effect of this motion in an informal meeting?**

The following words could be used to bring about the same effect; "We've been discussing this for a long time and I can't see us reaching a decision. It's not crucial anyway so why don't we put the whole matter aside and take no further action".

It is clear that no action will be taken and the matter may or may not be raised again at a later time. This is the method to use when taking no action or doing nothing is the most sensible approach.

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## **Procedural motions designed for adjournment**

*That debate be adjourned*

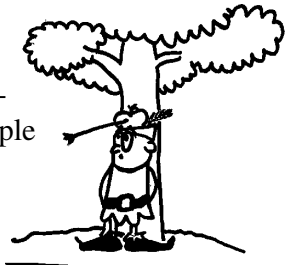
### **Alternative wording.**

That debate be adjourned sine die. (The words sine die mean at a time and place to be determined).

That debate be adjourned until .... A time, date or name of particular meeting would be inserted.

### **Purpose of motion - why use it?**

This motion would be used when debate on a particular issue cannot continue because of lack of information, certain people not being present or inappropriate timing.



### **When would you move it?**

This motion can be moved at any time except by interrupting a speaker. It would be moved when a decision is required, but the meeting is unable to reach a decision at this time.

### **When not to move this motion.**

The motion should not be used when the meeting does not wish to make a decision at all.

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### **Can the chair refuse this motion?**

No, the chair cannot refuse this motion however if it moved early in debate the chair could counsel against it being moved. If the mover insists, the chair must accept it.

### **Is a seconder required?**

Yes, a seconder is required for this motion.

### **Is discussion permissible?**

Discussion is permissible on this motion, as the meeting may not be universally of the view that a decision cannot be made now.

### **Can the motion be amended?**

This motion can be amended, but only in terms of time, date, and place.

### **Does the mover have a right of reply?**

Because there is discussion, it is appropriate for the mover to be offered a right of reply.

### **Who can/can't move this motion?**

Anyone can move this motion provided they have not spoken for or against the substantive motion. If an amendment is before the chair, they must not have spoken for or against the amendment either.

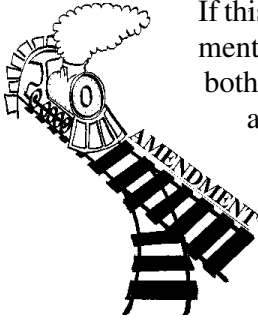


### **If lost can the motion be moved again?**

Provided there has been sufficient debate, this motion can be moved again.

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### **Situation if the motion is moved on an amendment.**



If this procedural motion is moved on an amendment to the substantive motion and carried, then both the amendment and substantive motion are adjourned. When the debate resumes at a future meeting, the mover of the substantive motion is given the opportunity to reintroduce the issue and then the debate resumes on the amendment at the point at which it was adjourned.

### **Situation if the motion is moved on a procedural motion.**

If the motion is carried, debate on the substantive motion and the procedural motion are adjourned. When the matter is raised again at a future meeting, the mover of the substantive motion is given the opportunity to speak to the motion again and then debate continues on the procedural motion at the point at which the debate was adjourned.

### **Effect of motion if carried.**

The meeting proceeds to the next business and the matter which has been adjourned will be recorded to be raised again at a future meeting. If carried on an amendment then the meeting continues to the next business which will be the next item on the agenda.

### **Effect of motion if lost.**

Debate continues at the point where this procedural motion was moved.

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## What is recorded in the minutes?

The mover and seconder of the procedural motion is recorded together with the result. The mover and seconder of the substantive motion is recorded, together with the mover and seconder of any amendment and a notation is made that the debate on the substantive motion (and any amendment) is adjourned.



## Tips

This is the motion to use when a meeting simply cannot make a decision because they don't have the information they require, or, a particular person who should be present is not able to attend or when a meeting is deadlocked and a better decision would be made if people went away and thought the matter through.

As soon as you are aware that the meeting cannot make a decision then move this motion.

There is a risk that people will see it as being moved too early and therefore you should speak persuasively about the futility of continuing debate when a decision cannot be made due to lack of information or certain people.



## Traps

There are two traps for this motion. Notwithstanding the comment above, the first trap is that it can be moved too early in debate and can then be seen to be a delaying tactic. In this case support is likely to be lost both for the substantive motion and the procedural motion.

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The second trap is to use the motion to put off a difficult decision when it can in fact be made. This is often seen to be needlessly delaying and frequently causes a negative reaction.

### **Don't be confused.**

This motion can be confused with the motion adjourning the meeting. Adjourning debate and adjourning the meeting are two entirely separate issues.

### **How would you gain the effect of this motion in an informal meeting?**

The effect of this motion could be used in an informal meeting by using words such as: "I don't think we are going to be able to reach a decision without (either a particular person being present or certain information), so let's move on and come back to this at our next meeting". By saying these words or similar words, you are suggesting that there is no point in discussing something which will be discussed again later anyway.



***That the meeting be adjourned***

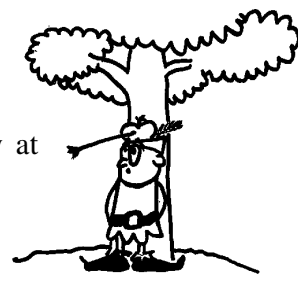
**Alternative wording.**

That the meeting be adjourned sine die (at a time and place to be determined).

That the meeting be adjourned until.... (at a particular time and place).

**Purpose of motion - why use it?**

The adjournment of the meeting would occur due to the lateness of the hour, continuing conflict, disruption, or another event occurring concurrently at which members of the meeting need to be present. When a meeting is unable to continue with discussion and decision making, then either closure or adjournment is the only option.



**When would you move it?**

This motion can be moved at any time except during the election of a chairperson of a meeting. It can be moved during discussion on any substantive motion, amendment, or procedural motion, but cannot be moved while a person is speaking.

**Can the chair refuse this motion?**

The chair cannot refuse this motion, however the chair can counsel against its use particularly if it is being used at an inappropriate time. If the mover insists, the chair must accept the motion.

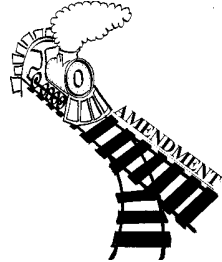
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### **Is a seconder required?**

Yes, a seconder is required for this motion.

### **Is discussion permissible?**

Yes, this motion may be debated. In fact, it would be likely that this motion would be debated except in cases such as where observers in a public meeting became disruptive to the point where the meeting could not continue.



### **Can this motion be amended?**

This motion can only be amended in relation to date, time and place.

### **Does the mover have a right of reply?**

Because there is discussion, the mover has a right of reply.

### **Who can/can't move this motion?**

Anyone can move this motion provided they have not spoken for or against the substantive motion or any amendment which may be before the chair.

### **If lost can the motion be moved again?**

Provided a period of time has elapsed, this motion can be moved again.

### **Situation if the motion is moved on an amendment.**

If an amendment is before the chair and this motion is carried, then debate on the substantive motion, the amendment, and all other items on the agenda ceases.

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### **Situation if the motion is moved on a procedural motion.**

If carried, debate on the procedural motion and the substantive motion is adjourned until the reconvened meeting.

### **Effect of motion if carried.**

Discussion on all other matters on the agenda as well as the current motion are adjourned and no decision is made. The matters are raised again at the reconvened meeting where discussion occurs and decisions are made. The reconvened meeting is actually the same meeting as the first.

### **Effect of motion if lost.**

Debate continues at the point at which the adjournment motion was moved.

### **What is recorded in the minutes?**

The mover and seconder of the procedural motion are recorded, together with the result. If the motion is carried, a notation would be made that the meeting was adjourned at a particular time. At the reconvened meeting, the minutes would continue with the following details being recorded: time of reconvened meeting start, people present and any apologies for this time. The minutes would then continue as usual.



### **Tips**

The adjournment motion is very useful to calm people down when there is conflict. The motion can include a time period as short as

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fifteen minutes if necessary. This would mean that people would have the chance to manage or resolve their conflict, and then return to the meeting ready to proceed reasonably. Adjournment would normally be used to adjourn to another day, but this is not the only way in which this motion can be useful.

Moving the adjournment motion during conflict can itself reduce the conflict markedly, even if the motion is not seconded or carried.

## **Traps**

A trap in using this motion is to use it for minor conflict or delay when other tools may be more appropriate if used in a mature fashion. Threatening to use the adjournment motion too often can be counterproductive.

## **Don't be confused.**

This motion is often confused with adjourning debate and “that the question lie on the table”. Both of these motions have entirely different results.

## **How would you gain the effect of this motion in an informal meeting?**

The effect of this motion could be gained at an informal meeting by using words such as:

“We’ve been here for two hours now. I think it would be better if we came back and continued with the agenda tomorrow.”

Or

“While there is so much conflict, I don’t think we’ll reach a good decision, so let’s come back tomorrow and pick this up again when we’ve all had the chance to calm down.”

Or

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“Let’s take a break for twenty minutes and all cool off and then come back to make a decision.”

In any of these circumstances, it would be wise to informally adjourn the meeting.

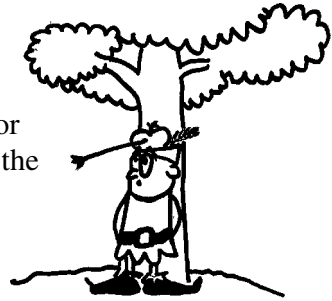


## **Procedural motions for efficient and general meeting management**

*That the motion (or amendment) be withdrawn*

### **Purpose of motion - why use it?**

This motion would be used to formally withdraw a motion or amendment from the meeting. A mover of a substantive motion may have been able to gain a seconder and have the motion on the books, however after discussion it may be clear that proceeding with debate is either unwise, unnecessary or undesirable. However, the mover of the substantive motion may not be willing to withdraw it or, the seconder may not be willing to withdraw it or, it may be possible that a member of the meeting may oppose its withdrawal. In this situation the only way to withdraw a motion is to formally move for its withdrawal.



This has a very different effect than adjournment or closure motions.

### **When would you move it?**

The motion can be used at any time but cannot be moved to interrupt the speaker.

### **When not to move this motion.**

The motion would not be used when withdrawal of the motion is initiated voluntarily, or upon request by the mover of the substantive motion upon which this procedural motion is acting.

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### **Can the chair refuse this motion?**

Yes the chair can refuse this motion however it should be remembered that the ruling to refuse acceptance can itself be challenged by moving the procedural motion that the chair's ruling be disagreed with.

### **Is a seconder required?**

Yes a seconder is required for this motion.

### **Is discussion permissible?**

This motion may be debated although debate should be kept to a minimum.

### **Can this motion be amended?**

Logically, this motion cannot be amended.

### **Does the mover have a right of reply?**

Because debate is permissible on this motion, a right of reply is offered.

### **Who can/can't move this motion?**

Anyone can move this motion provided they have not already spoken for or against the substantive motion or any amendment.

### **If lost can the motion be moved again?**

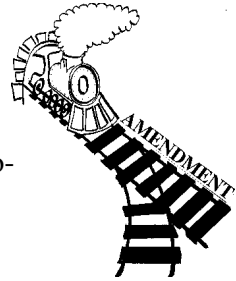
Provided a suitable time interval has occurred, this motion can be moved again.

### **Situation if the motion is moved on an amendment.**

If an amendment is before the chair then the only motion which can be moved is "that the amendment be withdrawn". The motion

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to withdraw a substantive motion cannot be moved during discussion on an amendment. Therefore if the motion is carried when moved on an amendment, the amendment is withdrawn but not the substantive motion.



### **Situation if the motion is moved on a procedural motion.**

If the motion is carried when moved on a procedural motion then the procedural motion is withdrawn, not the substantive motion.

### **Effect of motion if carried.**

The motion upon which it has been moved is withdrawn and the meeting proceeds to the next business. In the case of it being carried on an amendment, the next business is the substantive motion.

### **Effect of motion if lost.**

If this procedural motion is lost then discussion continues at the point at which it was moved.

### **What is recorded in the minutes?**

There are two schools of thought in relation to what is recorded in the minutes when this motion is moved and carried. The first argues that because the motion is withdrawn, it should not appear in the minutes. The second argues that because the substantive motion was accepted that it was therefore the property of the meeting and became business of the meeting.



The second option is by far the most sensible. Minutes should record the actual proceedings of a meeting including issues being brought forward for discussion and then set aside. This is exactly the case with this motion.

The minutes should therefore record the mover and seconder of the procedural motion and the result and also the mover and seconder of the substantive motion (or amendment) and the fact that it has now been withdrawn.

There is no need for the substantive motion to be listed or raised again although there is nothing preventing a person moving the motion again.

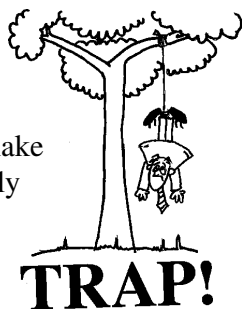
## **Tips**

This motion is a last resort motion. It is preferable for the mover to voluntarily withdraw the motion and this angle should be pursued first. If that method is unsuccessful then any mover of this motion should speak persuasively if it is to be successful.

Only move this motion when you are certain that you have the majority of people in agreement with you. Always argue objectively and avoid using personalities in your argument.

## **Traps**

The biggest trap for this motion is that people can sometimes perceive it to be a personal attack on the mover. To avoid this, make sure your arguments are presented objectively and that you have majority support.



## **Don't be confused.**

This motion should not be confused with any of the closure or adjournment motions. This motion takes the matter off the books

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completely. Adjournment motions simply delay a decision while closure motions force a decision.

### **How would you gain the effect of this motion in an informal meeting?**

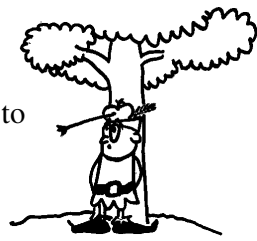
To gain the effect of this motion in an informal meeting you could use words such as “the more we talk about this the less I think we should deal with it at all. Let’s simply move on and make no decision now or ever”.



***That the speaker be no longer heard***

**Purpose of motion - why use it?**

This motion is used to silence a speaker who is either repetitive, rambling, not speaking to the issue, or using inappropriate or offensive language. It is not used to disagree with the opinions being expressed.



**When would you move it?**

Logically, this motion can only be used by interrupting a speaker. If the motion is moved when the speaker has finished it is clearly superfluous.

**Can the chair refuse the motion?**

Yes, the chair can refuse this motion when he or she is of the view that the speaker is about to conclude, or if the chair believes that the mover of the procedural motion is attempting to silence a point of view or an opinion. This refusal can itself, however, be challenged by moving the motion that the chair's ruling be disagreed with.

**When not to move this motion.**

The motion should not be used when a speaker has completed his or her remarks. The motion should also not be used frequently for it has the potential to cause significant conflict. A better way is to seek the indulgence of the chair by asking that the chair call the speaker into line.

**Is a seconder required?**

Yes a seconder is required for this motion and it would be wise not to move it unless you were certain that you had one.

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### **Is discussion permissible?**

This motion can be debated but it is wiser not to allow debate and to have the meeting decide immediately on the outcome.



### **Can the motion be amended?**

Logically, there can be no amendment to this motion.

### **Does the mover have a right of reply?**

A right of reply is offered only if there has been debate or, more precisely, only if there have been speakers against the motion.

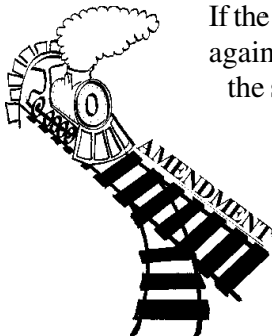
### **Who can/can't move this motion?**

Anyone can move this motion provided they have not already spoken for or against the substantive motion or any amendment.

### **If lost can the motion be moved again?**

Yes, this motion can be moved again. A common scenario would be that a speaker is given some latitude by the chair or the meeting earlier in debate but then stretches the limit causing another person in the meeting to move this motion.

### **Situation if the motion is moved on an amendment.**



If the motion is carried, the speaker may not speak again during debate on either the amendment or the substantive motion.

### **Situation if the motion is moved on a procedural motion.**

If the motion is carried, the speaker must cease speaking immediately to the pro-

cedural motion but can participate in debate on the substantive motion or amendment.

### **Effect of motion if carried.**

If this motion is carried, the speaker must cease speaking immediately and may not speak again during debate on the substantive motion or on any amendment to it.

### **Effect of motion if lost.**

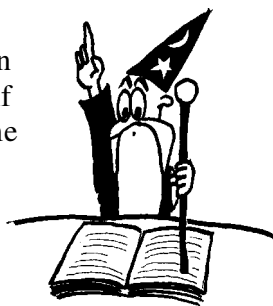
If this motion is lost the speaker may continue speaking as if the motion had not been moved.

### **What is recorded in the minutes?**

The mover and seconder of the procedural motion is recorded together with the result.

### **Tips**

This motion should be used sparingly. It can become a catalyst for conflict, especially if it is used continually against the same speaker. Using it with care can bring some speakers into line especially those who are repetitive or rambling. Sometimes the threat of this motion is enough to bring speakers into line.



### **Traps**

The use of this motion can be seen as a dirty trick. While it is generally not used for that purpose the perception of it being unfair can work against you. Therefore when moving the motion, make sure you objectively state the reasons why you are moving the motion.

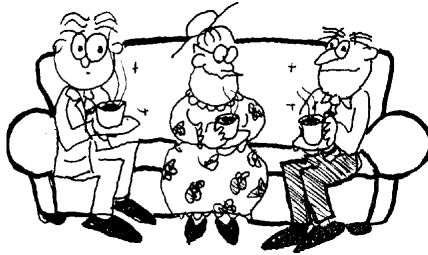
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## **Don't be confused.**

Although rare, this motion is sometimes confused with the gag - "that the question be not now put". Both motions have very specific intentions and results which do not relate to each other in any way.

## **How would you gain the effect of this motion in an informal meeting?**

In an informal meeting the only way to gain the effect of this motion is to call on the person's good sense and reason. In doing so, you may need to call on the support of other people by asking a question which brings the issue to the notice of both the speaker and the person leading the meeting. Asking a question such as the following may achieve this. "Excuse me Peter, we do have a lot to get through and you are repeating some points you have already made. Do other people think we should hear some other opinions?"

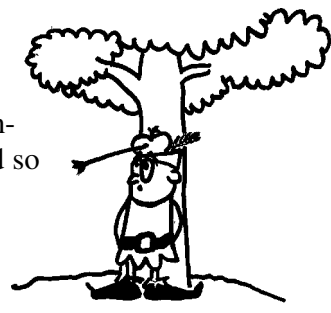




***That .... (name of a person) .... be now heard***

### **Purpose of motion - why use it?**

This motion is moved when it is the desire of the mover for a particular person to be heard, either for tactical reasons because the person has specialist experience, or out of courtesy. A person may have been repeatedly attempting to gain the attention of the chair without success and so another member of the meeting may move that they be heard. Alternatively, it could be advantageous for a particular person to speak at a particular time, thus initiating this motion.



This motion is sometimes incorrectly used to allow a speaker to speak for a second time when the rules would normally forbid this. In this case, the correct motion would be “that .... (name of person) be permitted to make a second speech”.

### **When would you move it?**

The motion can be moved at any time providing that it does not interrupt a speaker.

The motion would be used when the person to whom it refers is a member of the group. If the motion refers to a person who is visiting, but not a member of the group, then the wording should be “That ..... be invited to speak”.

### **When not to move this motion.**

This motion would not be moved when the chair has already indicated that a particular speaker will be heard.

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Technically the precise words of this motion should not be used when the person to whom it refers is not a member of the group - see above.

### **Can the chair refuse this motion?**

No, the chair does not have the discretion to refuse this motion unless it is not seconded, in which case technically it is not refused, but lapses.

### **Is a seconder required?**

Yes, a seconder for this motion is necessary.

### **Is discussion permissible?**

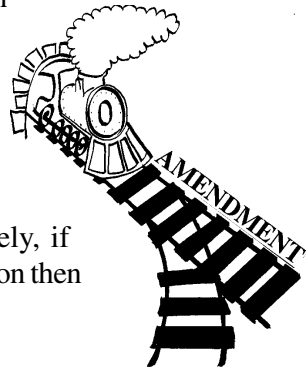
Discussion on this motion is permissible however it is not desirable and should be limited. The motion should be dealt with quickly.

### **Can this motion be amended?**

This motion can be amended but only in relation to the name of the person to whom it refers.

### **Does the mover have a right of reply?**

If discussion occurs, and more precisely, if there has been a speaker against the motion then the mover is offered a right to reply.



### **Who can/can't move this motion?**

Any person can move this motion regardless of whether they have spoken before or not.

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## **If lost, can the motion be moved again?**

Yes, this motion can be moved as often as necessary.

## **Situation if the motion is moved on an amendment.**

There is no difference in effect if this motion is moved on an amendment or a substantive motion.

## **Situation if moved on a procedural motion.**

There is no difference in effect if this motion is moved on a procedural motion or a substantive motion.

## **Effect of motion if carried.**

The named person is immediately offered the opportunity to speak. If they accept the opportunity they are then subject to the same rules as any other speaker.

## **Effect of motion if lost.**

If this motion is lost the named person is denied the right to speak at that time.

## **What is recorded in the minutes?**

The mover and seconder of the procedural motion is recorded, together with the result. This reference would obviously occur before the result of the substantive motion is noted in the minutes, but after the detail of the substantive motion and its mover and seconder. Some organisations would regard recording of this motion as unnecessary. If the motion is carried, then the necessity is indeed questionable. If it is lost however there is a strong argument that it



should be recorded as it may demonstrate lack of natural justice by denying a person the opportunity to speak. It is always safer to record a decision in the minutes than to omit it.

## **Tips**

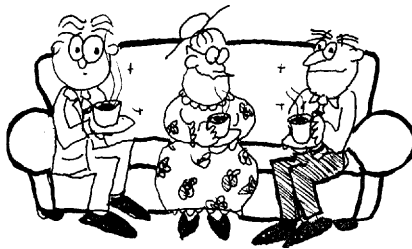
Use this motion sparingly. It is wiser to seek the approval of the chair in a reasonable manner than to force the issue by using the motion. Also it is essential that if you move this motion you are certain that the person you name wishes to speak at that time. It can be very embarrassing to move the motion and have it carried and then have the person decline the invitation to speak.

## **Traps**

This motion may be perceived as an exercise in gaining popularity and can backfire. You should be careful therefore that you use it very objectively and give your reasons when moving it.

## **How would you gain the effect of this motion in an informal meeting?**

To gain the effect of this motion in an informal meeting you would use words such as “Mary has something to add, can we hear what she has to say?” or “Brian has been trying to get a word in, can we hear his point please?” or “Now would be a good time to hear from our computer expert. Let’s hear what she has to say.”



*That the matter be referred to a committee*



### **Purpose of motion - why use it?**

This motion is used when a matter is lengthy or complex and requires considerable examination. The matter would be referred to a small group of people to examine in detail and then either make a recommendation for the larger group to consider or for the committee to take the necessary action and finalise the matter.

### **When would you move it?**

This motion can be moved at any time during debate providing it does not interrupt a speaker.

### **When would you not use it?**

This motion would not be used when referring a matter back to a committee from which it had come initially. In this case the procedural motion “that the matter be referred back to the committee” would be used.

### **Can the chair refuse this motion?**

The chair would be unwise to refuse this motion and indeed an astute chair would probably welcome it.

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### **Is a seconder required?**

Yes, this motion requires a seconder.

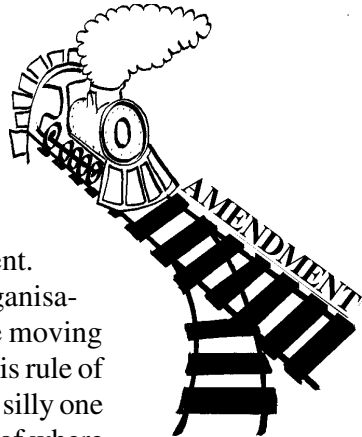
### **Is discussion permissible?**

Not only is discussion permissible on this motion, it is highly likely.

### **Can this motion be amended?**

This motion can be amended in several ways. Amendments can be accepted regarding the convener or chair of the committee and /or the members of the committee and/or the time for reporting and/or the terms of reference. In the case where more than one of these issues needs to be added to the motion by way of an amendment, it would be wise for them to be incorporated as part of the original motion or moved as one amendment.

The reason for this is that many organisations have rules which prohibit the moving of more than two amendments. (This rule of only allowing two amendments is a silly one and this motion is a demonstration of where there can be more than two factors which may need amendment.)



### **Does the mover have a right of reply?**

Because there is discussion there will be a right of reply offered but only if there has been a speaker against the motion.

### **Who can/can't move this motion?**

Anyone can move this motion provided they have not already spoken for or against the substantive motion or an amendment.

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### **If lost can the motion be moved again?**

This motion can be moved as often as necessary however it would be wise to allow a substantial interval of time if it were lost at any stage.

### **Situation if the motion is moved on an amendment.**

If this motion is moved and carried on an amendment then the entire matter is referred to the committee.

### **Situation if the motion is moved on a procedural motion.**

This motion cannot be moved on a procedural motion. Any procedural motion which is before the chair must be resolved before referral to a committee can be moved.

### **Effect of motion if carried.**

If this motion is carried then the entire matter is referred to the committee for the action which is specified. That is, if it is resolved that the committee will make a recommendation then that is what they must do. If it is resolved that the committee will determine what will occur and take the necessary action, then they have the authority to take the action and simply report. In this circumstance there is no requirement for them to consult the meeting before acting.

In the circumstance that the motion referring a matter to a committee does not clarify the action the committee should take, then it should be assumed that the committee will make a recommendation to the main meeting for consideration before any action is taken.

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## **Effect of motion if lost.**

Discussion continues at the point at which the procedural motion was moved.

## **What is recorded in the minutes?**

The mover and seconder of the procedural motion are recorded, together with any amendments which are moved, and the result of the motion and amendments. The fact that the substantive motion has been referred to a committee is noted.

It would be unwise to record this motion without also recording the people who would make up the committee. To do so would cause confusion and it would also mean that no-one would take responsibility for the action and it is likely that nothing would happen.



## **Don't be confused.**

This motion is sometimes confused with two other motions. The first is “that the matter be referred back to a committee” and more commonly it is confused with “that the meeting move into a committee of the whole” which itself is sometimes worded as “that the meeting move into committee”.



While the first of these motions is similar to this procedural motion, the second is entirely different.

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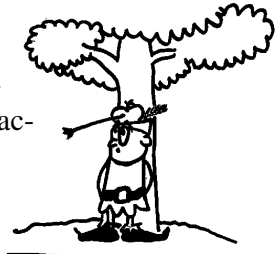
### **How would you gain the effect of this motion in an informal meeting?**

To gain the effect of this motion in an informal meeting you would use words such as “I think it would be better if a small group of people looked into this matter rather than all of us try to come up with a solution”. In this way you have effectively suggested that the meeting delegates a small group of people to the task.

***That the matter be referred back to the committee***

**Purpose of motion - why use it?**

This motion is used when a recommendation from a committee is not endorsed or accepted by the full meeting and needs to go back to the committee who originally considered it for further consideration.



**When would you move it?**

This motion can be used at any time during debate but not interrupting a speaker.

**When not to move this motion**

This motion would not be moved when a matter was being referred to a different committee than the one which originally considered it.

**Can the chair refuse this motion?**

No, the chair cannot refuse this motion although he or she may counsel against its use.

**Is a seconder required?**

A seconder is required for this motion.

**Is discussion permissible?**

The motion may be discussed as it is perfectly reasonable for some people to wish the matter to be referred so that they can either lobby or persuade people to their point of view. Alternatively people may wish for it not to be referred as they consider that to be a delaying tactic.

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### **Can this motion be amended?**

Because the matter is being referred back to an existing committee there is no avenue for amendments to be moved.

### **Does the mover have a right of reply?**

Because discussion is permitted, a right of reply must be offered but only if there has been a speaker against the motion.

### **Who can/can't move this motion?**

Anyone can move this motion provided they have not spoken for or against the substantive motion or an amendment.

### **If lost, can the motion be moved again?**

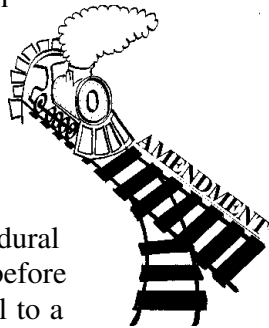
This motion can be moved as often as necessary however it would normally only need to be moved once.

### **Situation if the motion is moved on an amendment.**

If this motion is moved and carried on an amendment then the entire matter is referred to the committee.

### **Situation if the motion is moved on a procedural motion.**

This motion cannot be moved on a procedural motion. Any procedural motion which is before the chair must be resolved before referral to a committee can be moved.



### **Effect of motion if carried.**

If this motion is carried then the entire matter is referred back to the original committee for further discussion and recommenda-

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tion. Because the matter has come to the main meeting once and been referred back, then it must come back to the main meeting again in the form of a recommendation. There is no requirement for the new recommendation to be different to the original. It is quite possible that the committee having reconsidered the matter, will reach the same conclusion.

### **Effect of motion if lost.**

If this motion is lost discussion continues at the point at which the procedural motion was moved.

### **What is recorded in the minutes?**



The mover and seconder of the procedural motion are recorded, together with the result. If the original recommendation has been recorded in the minutes, even if not in the form of a motion, then a notation would be made that it had been referred back to the committee.

### **Tips**

This is the motion to use when it is clear that the original committee has not considered all the facts diligently or fully. To have the motion passed it would be wise to give your reasons objectively for suggesting that the matter go back to the committee. It would also be smart to give an example of what the committee has not considered to strengthen your case.

### **Traps**

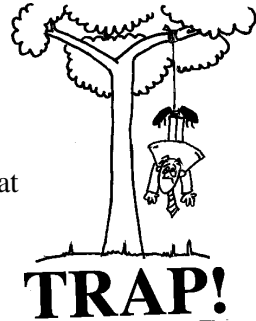
The trap with this motion is that as many people feel that it is a delaying tactic, its presentation needs to be considered carefully. Some people do use this motion as a delaying tactic and while this

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can be a useful strategy, if it is overused then it can be counterproductive.

### **Don't be confused.**

This motion is sometimes confused with “that the meeting move into a committee of the whole” and “that the matter be referred to a committee”.



### **How would you gain the effect of this motion in an informal meeting?**

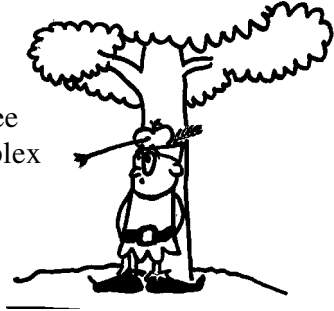
The effect of this motion could be gained in an informal meeting by using words such as “I think there are some issues which need to be explored further so why don't we ask the original group to have another look at this for us” or “I don't feel comfortable making a decision on this matter. I would prefer it if we asked the committee to look at the specific issues we've raised and come back to us with a recommendation”.



***That the meeting move into a committee of the whole***

**Purpose of motion - why use it?**

This is a very useful motion and the correct technical way of “suspending standing orders”. The motion allows a meeting to suspend the formalities which may exist, such as standing to speak and speaking only once. It allows the meeting to have free and open discussion about a complex matter or one which involves several options. **It dispenses with all formality but not common courtesy. Speakers should continue to address their comments through the chair and there should only be one person speaking at any time.**



When multiple options are under consideration this motion is by far the best way to deal with the matter.

**When would you move it?**

The motion can be moved at any time provided that it does not interrupt the speaker.

**When not to move this motion.**

The motion should not be moved on matters which are simplistic in nature or close to resolution.

**Can the chair refuse this motion?**

There are no circumstances in which this motion can be refused however the chair may counsel against its use if he or she considers that it is not the best tool to use in the circumstance.

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### **Is a seconder required?**

Yes a seconder is required for this motion.

### **Is discussion permissible?**

There is no discussion permitted on this motion.

### **Can this motion be amended?**

Logically there is nothing in this motion that can be amended.

### **Does the mover have a right of reply?**

Because there is no discussion there can be no right of reply.

### **Who can/can't move this motion?**

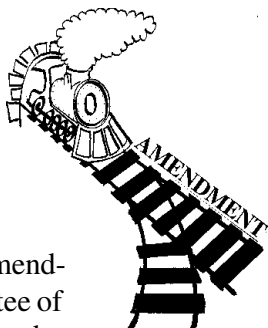
Any person can move this motion regardless of whether they have spoken before or not. The logic here is that the motion does not deny anyone else the opportunity to speak.

### **If lost, can the motion be moved again?**

The motion can be moved as often as necessary for the meeting to make a sensible decision. It is quite possible that early in debate on a substantive motion this procedural motion would be lost. However as the complexity becomes obvious it may well be carried when it is moved again.

### **Situation if the motion is moved on an amendment.**

If the motion is moved and carried on an amendment, then the discussion while in committee of the whole can cover all matters relating to the substantive motion and the amendment. When the meeting moves



out of committee, then discussion technically resumes on the amendment.

### **Situation if the motion is moved on a procedural motion.**

This motion cannot be moved while a procedural motion is being considered.

### **Effect of motion if carried.**

If this procedural motion is carried then discussion ceases at the point at which the procedural motion was moved and the meeting opens for free and open discussion. Formal protocols are relaxed but courtesy is maintained.

During this free and open discussion the meeting would ideally (and generally) reach a conclusion which meets the approval of the majority of the members of the meeting. It is desirable at this point for the chair to clarify the wording of a motion which would be moved when the meeting moves out of committee.

The chair would call for a motion “that the meeting move out of committee” and that motion would be put. Once it was carried, the meeting would return to the point at which it moved into committee.

If an amendment was before the chair at that time and the agreed resolution (while the meeting was in committee) were different, then the chair would request the mover to withdraw the amendment. If this failed, the chair would put the amendment with the recommendation that it be defeated. This process may also be repeated for the substantive motion.

Once the existing motion or amendment was withdrawn or defeated, the chair would call for the motion agreed in committee to be moved. It would then be put to the vote without debate (debate having occurred during committee).

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## **Effect of motion if lost.**

Debate on the motion continues according to normal rules and procedures.

## **What is recorded in the minutes?**

The mover and seconder of the procedural motion are recorded together with the result. If it is carried, then no discussion during the time that the meeting is in committee of the whole is recorded in the minutes. The motion to move out of committee is not recorded as it occurs during the time that the meeting is in committee.

When the meeting moves out of committee, then anything that occurs is then recorded. For instance, if the substantive motion or amendment is withdrawn, then that is recorded. If a motion is put and lost in order that another motion agreed upon in committee can be put, then that process is also recorded.



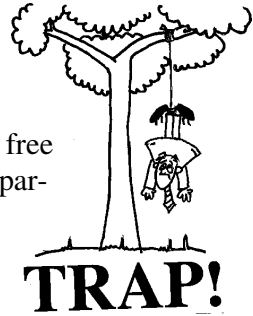
## **Tips**

This is the motion to move when the meeting is faced with a complex issue or an issue which has a number of options to consider. Provided everyone understands the purpose of the motion it is an extremely efficient way of reaching a good conclusion in the shortest possible time. If you are in a meeting which would benefit from moving into committee of the whole but the meeting is unfamiliar with the process, then explaining its purpose when you move the motion will be advantageous.

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## Traps

There are two main traps with this motion. The first is that it is often used for simple issues which do not require the facility of free and open discussion. Meetings participants, particularly those with limited knowledge of meeting procedure, frequently believe that decisions are best made by open discussion. In fact studies have shown that formal procedures will normally bring about a better decision. Therefore if the matter before the meeting is not complex and is simply a yes or no decision, then this motion should not be used.



The second trap is that this motion can be used too frequently. This makes meeting decision making very inefficient. While some people argue that the longer a meeting discusses a matter the more likely they are to reach a better decision, studies do not support this.

## Don't be confused.

This motion is often confused with “that the matter be referred to a committee” and “that the matter be referred back to the committee”.

Far more dangerous however, is a very common confusion with the motion “that standing orders be suspended”. This motion is used widely to achieve the purpose of the motion “that the meeting move into a committee of the whole”. By suspending standing orders your meeting in fact suspends everything contained in them and the rules are “thrown out” completely.



It is appropriate however to move motions such as the following: “That standing order number ... be suspended to allow speakers

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to speak more than once” or “that sufficient of standing orders be suspended to allow open discussion”.

The motion “that standing orders be suspended” has application in very rare circumstances but it is incorrectly used all too frequently.

### **How would you gain effect of this motion in an informal meeting?**

This motion moves a meeting from a formal structure to an informal one. In an informal meeting you are already enjoying the freedom which this motion achieves and its application is therefore unnecessary.

***That the ruling of the chair be disagreed with***

**Alternative wording.**

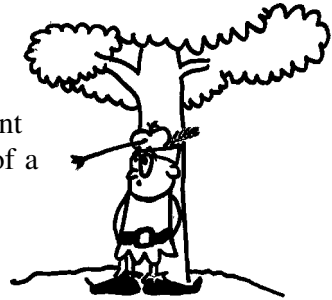
I move dissent with the chair's ruling.

I move that your ruling be disagreed with.

I move disagreement with your ruling.

**Purpose of motion - why use it?**

This motion is moved whenever the chair makes a ruling which a member of the meeting disagrees with. Note carefully that this motion is not moving a lack of confidence in the chair (see Don't be confused on page 95). The chair may rule on a point of order, the acceptance or denial of a motion, or an amendment. These, and any other ruling the chair makes, are subject to challenge.



The motion relies on the basic premise that the chair is the servant of the meeting and although in a position of authority, that authority is derived from the will of the meeting.

The motion is not a personal attack on the chair, it is a simple mechanism to objectively disagree with a ruling.

**When would you move it?**

This motion must be moved immediately after the chair makes a ruling. It cannot be moved to interrupt a speaker and cannot be moved once some further action has occurred following the ruling about which the motion is moved. You must be quick!

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### **When not to move this motion**

The motion cannot be moved once action has occurred after the ruling in question. It is then too late.

### **Can the Chair refuse this motion?**

The nature of this motion makes it obvious that there are no circumstances in which this motion can be refused.

### **Is a seconder required?**

To ensure that no person runs a personal campaign against the chair, a seconder should always be sought for this motion.

### **Is discussion permissible?**

There is no debate on this motion. Once moved and seconded, it should be put immediately to the vote. Technically a person in the chair does not have the right to explain their ruling. However good sense dictates that the meeting would be wise to hear an explanation on a tricky ruling and an experienced chairperson will always be able to provide a concise explanation before putting the motion to the vote. If the chair does choose to give an explanation it should be no more than one sentence in length.

If the matter requires explanation which cannot be given in one sentence, the chair should seek leave to make the explanation. This would be done by the chair saying the following words “I have made this ruling for a particular reason and I seek leave to advise the meeting”. In the absence of a voice to the contrary, the chair would then make the explanation as concisely as possible. If the meeting does not grant leave then the motion should be put immediately.



### **Can this motion be amended?**

For obvious reasons no amendment can be moved on this motion.

### **Does the mover have a right of reply?**

As there is no debate on this motion, no right of reply is offered.

### **Who can/can't move this motion?**

Any person can move this motion at any time regardless of whether they have spoken previously in the debate.

### **If lost, can the motion be moved again?**

Because the motion relates to a specific ruling, it cannot be moved again in relation to that ruling. However the motion itself can be moved as often as is necessary to challenge different rulings made by the chair.

### **Situation if the motion is moved on an amendment.**

This motion applies to the current ruling and it makes no difference when it is moved in a meeting.

### **Situation if the motion is moved on a procedural motion.**

This motion applies to the current ruling and it makes no difference when it is moved in a meeting.

### **Effect of motion if carried.**

If this motion is carried, then the ruling which the chair has made is immediately reversed and the meeting progresses accordingly.

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### **Effect of motion if lost.**

If this motion is lost the ruling the chair has made is upheld and the meeting progresses according to that rule.

### **What is recorded in the minutes?**

Although this motion forms part of the meeting and can be recorded in the minutes, it is usual for these motions to be omitted. If a person in the meeting or the chair wishes a particular instance of this motion to be recorded a request can be made to the minute taker to include the detail.



This advice is contrary to traditional practice which dictates that everything in a meeting should be recorded. The reason being that it acts upon a ruling not upon a motion, either substantive or procedural.

### **Tips**

Use this motion as objectively as possible and immediately following a ruling. Listen carefully to issues about which you are concerned and especially to the rulings which are made by the chair. Make sure that you always present the motion in an objective way so that it is not seen as a personal attack.

### **Traps**

The greatest trap in the use of this motion is that it can be seen to be a personal attack. This can be overcome by ensuring that it is moved objectively.

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## **Don't be confused.**

This motion is often confused with the motion of no confidence in the chair. They are two entirely different motions. Motions of no confidence are moved when the overall performance of the chair is such that the meeting is unable to progress efficiently, or the performance of the chair brings discredit onto the organisation.



Disagreement with the chair's ruling is a simple motion to do with one particular ruling and the fact that it is moved carries with it no implication of poor chairmanship in any way. It would be fair to say however, that if this motion were moved repeatedly, and carried, that the chair's skill may be questionable.

## **How would you gain the effect of this motion in an informal meeting?**

To gain the effect of this motion in an informal meeting you should tactfully challenge a direction or decision which the leader of the meeting has made. This could be done by using words such as "I don't think we all agree with that decision, can we check with people on where they stand?" or "That course of action isn't necessarily the one we would all like, perhaps it would be better to check with everyone."

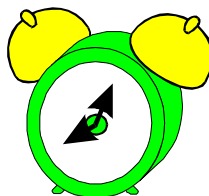




***That a time limit be imposed***

**Purpose of the motion - why use it?**

This motion has two applications. The first is to impose a time limit on the duration for speakers addressing the meeting. The second application is to impose a time limit on discussion of a particular item or on the meeting as a whole.



Many organisations have a time limit for speakers built into their rules or standing orders and so this motion could be used in that circumstance to relax the rules in particular situations.

The motion, although implying a restriction on time, could, be used to increase the time allowed.

**When would you move it?**

The motion can be moved at any time in a meeting except by interrupting a speaker. If it is clear before a speaker begins, that more or less time should be granted, then the motion should be moved before they speak. If it becomes clear that a speaker requires more time, then the motion to extend the time should be moved when the initial time allocation has expired.

**When not to move this motion.**

This motion should not be moved in order to increase time for all speakers after some people have already spoken. In the situation where some people have already spoken to a motion, then the time limit motion can only be used to increase overall duration of debate, not the duration for individual speakers.

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### **Can the chair refuse this motion?**

The chair cannot refuse the motion however he or she can counsel against its use. If the mover insists however, the chair must accept the motion.

### **Is a seconder required?**

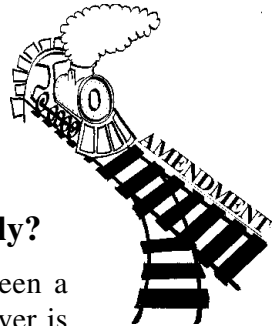
Yes a seconder is required for this motion.

### **Is discussion permissible?**

Yes, this motion is able to be debated but, the time for debate should be minimal as spending time debating this motion contradicts the purpose of it being moved.

### **Can the motion be amended?**

This motion can only be amended in relation to the specific time which is mentioned in the motion.



### **Does the mover have a right of reply?**

If debate has occurred and there has been a speaker against the motion, then the mover is offered a right of reply.

### **Who can/can't move this motion?**

Anyone can move this motion provided they have not already spoken during debate.

### **If lost, can the motion be moved again?**

This motion can be moved as often as necessary however if it were lost on one occasion, it is unlikely to be successful and moving it again may be counterproductive.

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### **Situation if the motion is moved on an amendment.**

If this motion is carried on an amendment then it applies to all future debate consistent with the wording of the motion. For instance if the motion referred to time limits for a particular matter, then this would apply only to substantive motions and amendments regarding that matter. If the motion was moved without reference to a particular matter then the time limits would apply to the entire meeting.

### **Situation if the motion is moved on a procedural motion.**

Time limit motions moved during a procedural motion can only apply to discussion on that procedural motion.

### **Effect of motion if carried.**

If this motion is carried then the time limit detailed in the motion is imposed for either the duration of the meeting or the duration for each speaker, depending on the wording of the motion.

### **Effect of motion if lost.**

If this motion is lost then the meeting continues without time constraints.

### **What is recorded in minutes?**

The mover and seconder of the procedural motion together with the result are recorded in the minutes.

### **Tips**

Give some forethought to the application of this motion. If you believe that more time is required for either individual speakers and/



or the overall debate, then move the motion in advance of the debate. This ensures that everyone participating is treated fairly and your motion is likely to be successful.

Be reasonable and realistic about the time limits you suggest. In most meetings the time limit for a speaker should be around three to five minutes. If a speaker is unable to present their argument in this time then they will often be seen as ramblers or wafflers and frequently lose support anyway.

If a matter under discussion needs extra time then do not give it too long. It is human nature that discussion will expand to fill the time available and shrink to fill the time that is possible.

## **Traps**

Using this motion too frequently can be counterproductive and it should only be used when crucial matters requiring extra time are under discussion.

## **How would you gain the effect of this motion in an informal meeting?**

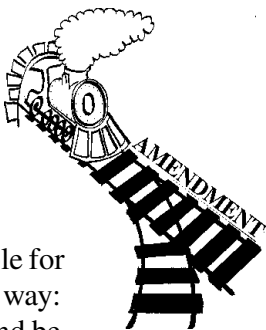
To gain the effect of this motion in an informal meeting you would use words such as “I believe this issue requires a little more time so let’s allocate twenty minutes to it and then make a decision” or “We have a lot of items to get through. I suggest that we limit discussion to five minutes per agenda item so that we can get through everything” or “I know a number of people want to speak about this issue so let’s give each person two minutes to speak and make their point”.

By using these words it is clear that time is money and that the meeting needs to consider it.



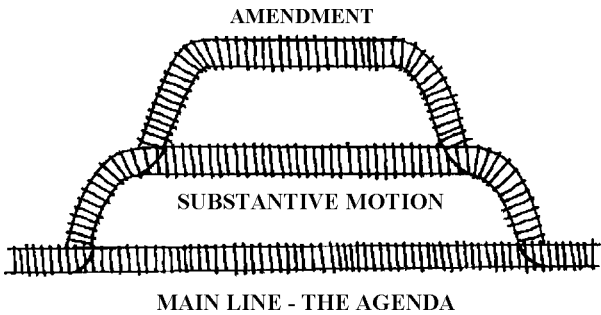
# Amendments

An amendment is a change to a motion to make it better or clearer. An amendment cannot change the intent of the original motion, however, it can change the motion’s words significantly, provided that the intent is not changed.



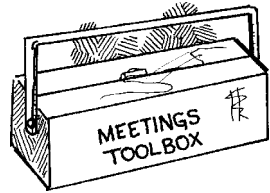
While it is unusual for instance, it is possible for an amendment to be worded in the following way: “that all the words after ‘that’ be deleted and be replaced with other words”. On the surface this may appear a ridiculous amendment but in fact it is a very good one. Often a motion is moved by a person who with every good intention is not good at wording motions and they suggest a good intent but the words that they put together to express that intent are not well constructed. In this case an appropriate amendment is to remove all words after ‘that’ and replace them with better words. The intent may remain exactly the same but the words may change drastically.

An amendment in our railway line metaphor is simply moving onto another line. The amendment should be worded very precisely. The amendment’s wording is not the entire motion reworded, but simply the exact change that is desired. For instance appropriate wordings for amendments are as follows “that the figure \$50.00



be replaced with the figure \$60.00”, “that the number of people be altered from 350 to 275”, “that the supplier be changed from Acme Supplies to Smith Brothers Supplies”, “that the date 9th March be replaced with the date 31st March”.

In each of these there is a very precise statement. Some organisations insist on even more conciseness such as “that the date 9th March be deleted and the dated 31st March be inserted”. The result is exactly the same and there is clear understanding in both.



Amendments are very useful tools to use. Amendments are essentially part of the substantive motion - they are not procedural motions but neither are they the substantive motion until they become part of it by their acceptance.

Many organisations have a limit to the number of amendments which can be moved. Some organisations limit the number of amendments to two, arguing that if there are more than two amendments then the entire motion should be changed. Technically this is incorrect.

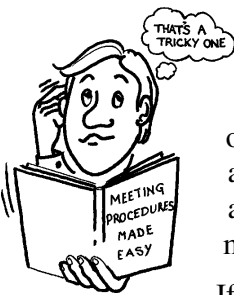
Theoretically there can be no limit to the number of amendments, however, a line must be drawn. I believe that two is a line drawn too early in the debate for there are frequently more than two changes desired in a motion to get it exactly right.

The way around this is rather than moving amendments, to “move into a committee of the whole” and agree on the changes that should be made and then move back out of committee and move all the amendments as one.

The second way of dealing with this is, rather than moving formal amendments, suggest them as amendments but seek approval of the mover of the original substantive motion to incorporate them in the wording of his or her original motion. The latter is the best

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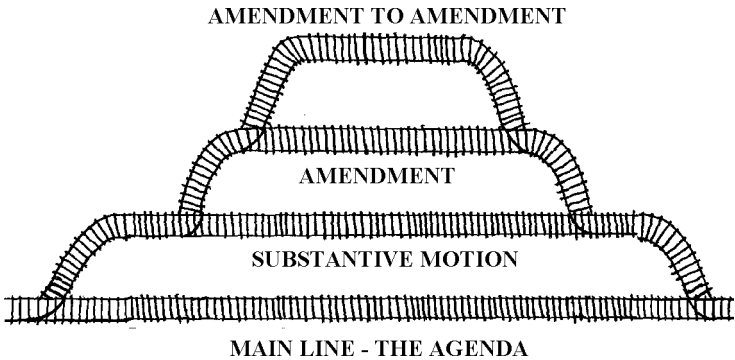
course of action and provided the amendment is a sensible one, it will normally gain the nod of approval from the original mover.



### **Amendments to Amendments**

Amendments to amendments are not second amendments. Think of the railway line. A second amendment cannot be moved until the first amendment is dealt with. An amendment to an amendment however, acts upon the amendment, not the original motion.

If we are on the amendment railway line, and an amendment to an amendment is moved, then we move over yet another line. Before we can return to the substantive motion both the amendment to the amendment and the amendment have to be resolved.



Amendments to amendments are technically correct, and perfectly logical however, virtually no organisation allows them (with the major exception of Rostrum) and very few of the books on meeting procedure even accept amendments to amendments as an appropriate course of action.

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Amendments to amendments are the technical way in which a number of options are evaluated against each other in order to reach a decision.

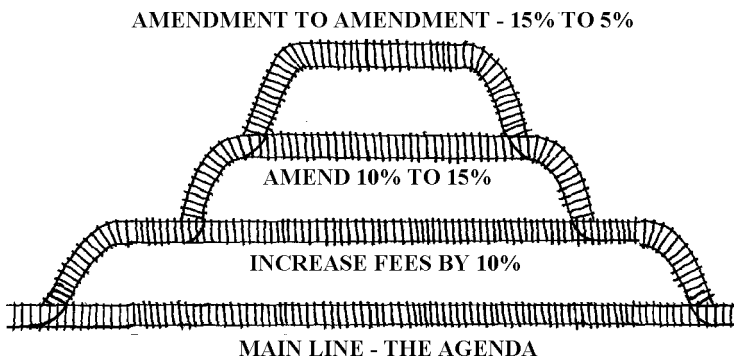
**Because amendments to amendments are used so rarely within organisations then my view is that they should not be considered as a tool for use in meetings in general. Most organisations will simply not allow them.**

If you **do** use amendments to amendments then this is the process.

A substantive motion may be moved such as:

“That the membership fees be increased by 10%”. This a valid motion and can be debated. An appropriate amendment may be:

“that the figure 10% be altered to 15%” These are the words which are used and the words which would be recorded in the minutes. Debate can now continue but technically can only address the changing of 10% to 15%, not the broader issue of whether fees should or should not be increased - that is the substantive motion - a different railway line.

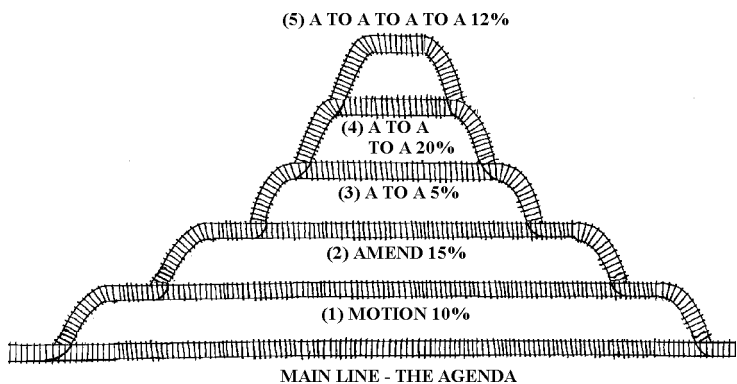




So now we have a substantive motion and an amendment. If a person wanted to suggest yet another percentage, then technically (provided your rules allow it) an amendment to the amendment can be moved such as: “That the figure 15% be changed to 5%”. Logically, this change acts upon the amendment, not the substantive motion, therefore it is a valid amendment to the amendment, not a second amendment. A second amendment must act upon the original motion. This amendment acts upon the amendment hence it is an amendment to the amendment.

Theoretically, any number of amendments to the amendment can be moved. It is the only technical way in which more than two options can be considered apart from moving into a committee of the whole.

In this example for instance, we could now have an amendment to the amendment to the amendment which could read “that the figure 5% be changed to 20%”. Even more confusing, but technically valid, we could have an amendment to the amendment to the amendment to the amendment which could read “that the figure 20% be changed to 12%”.



Ridiculous as this example may seem, look carefully at what we have:

- (1) A substantive motion suggesting that fees be raised by 10%;
- (2) A suggestion to change it to 15%; (Amendment)
- (3) A suggestion to change it to 5%; (Amendment to amendment)
- (4) A suggestion to change it to 20%; (Amendment to the amendment to the amendment)
- (5) and finally, a suggestion to change it to 12%. (Amendment to the amendment to the amendment to the amendment.)

Confusing perhaps, but technically accurate.

So what does the chair do? The questions are put in reverse order until one is successful. The chair would firstly put the 12% to the vote. If it is unsuccessful, the 20% would be put to the vote. If it is unsuccessful, the 5% would be put to the vote. If it is unsuccessful, the 15% would be put to the vote. If it is unsuccessful, the amendment would be declared lost and the substantive motion (10%) would be put to the vote. This would determine the outcome.

What though, if one of the earlier figures were successful? This would be the process: The chair would firstly put the 12% to the vote. If it is unsuccessful, the 20% would be put to the vote. Let's assume that this one is successful. The 5% now does not need to be put and nor does the 15% because logically it is impossible for either to succeed as the majority has already voted for 20%.

We now have the amendment having been successfully amended. But the amendment itself has not yet been carried. The chair would now put the amended amendment to the vote. The decision now is whether to change the fees increase from 10% (the figure in the substantive motion) to 20%. If this is carried, then we now have to vote on the amended substantive motion which now reads: "that

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the membership fees be increased by 20%”.

If it is unsuccessful, the amendment would be declared lost and the substantive motion (10%) would be put to the vote. This would determine the outcome.

Here is the trickiest bit. At this point it is possible that the amended motion is lost even though the amendment has been successful. It is logical, although perhaps unlikely, for a person or people to vote for the amendment but against the substantive motion. In this example for instance, a person may quite rightly think “I don’t want the fees to increase, but if they do, then it should be 20%” They would therefore vote **for** the amendment but **against** the amended substantive motion.

If it all sounds confusing it is - now you know why so few organisations entertain amendments to amendments.

The best way to handle multiple options is to move into committee of the whole, openly discuss the options, agree on one, move out of committee of the whole, amend the substantive motion to read as the group agreed, carry that amendment, then carry the amended substantive motion. It is much simpler!

## Point of Order

A point of order is a tool which is used to draw attention to a breach in rules, an irregularity in procedure, the irrelevance or continued repetition of a speaker or the breaching of established practices or contradiction of a previous decision.

It can be used at any time during a meeting including interrupting a speaker, but it must be valid. A point of order is not raised because you disagree with or do not like what is being said.



### How do you raise a point of order?

You do not *move* a point of order, you *raise* it or *take* it. The method is to say the words “point of order”, wait for the chair to acknowledge the point of order and then state it clearly. Whether you normally stand to speak in your meetings or not, it is wise to stand when raising a point of order so that it is perfectly clear that a) there is a serious point of order being raised, and b) to identify the person raising the point.

### Caution

Do not use points of order too much. Many people use them to disagree with the speaker’s opinion. When they are used either incorrectly, or too much, the other people in the meeting frequently tire of the person raising them and he or she loses support.

### Examples of correct “Points of Order”

... point of order Mr Chairperson, ..... the speaker is not speaking to the motion.

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- ... point of order, ..... allowing this person to move this motion contravenes standing order number 34, that the mover of the substantive motion cannot move a procedural motion which closes debate.
- ... point of order, ..... the speaker is repeating the same points he has already made.
- ... point of order, ..... the motion contravenes our by-laws.
- ... point of order, ..... the specific facts the speaker is giving are incorrect. (Note: this is not a statement of opinion, but of fact and assumes the person raising the point of order can validate the point)
- ... point of order, ..... the speaker's time limit has expired.
- ... point of order, ..... the language the speaker is using is offensive.
- ... point of order, ..... the meeting no longer has a quorum.
- ... point of order, ..... the motion is ultra vires.

### **Examples which are not valid points of order**

- ... point of order, ..... that's not true.
- ... point of order, ..... I disagree with that.
- ... point of order, ..... I want to explain why I said that.
- ... point of order, ..... the speaker shouldn't be allowed to say that.
- ... point of order, ..... how long do we have to listen to this?
- ... point of order, ..... I can't hear what the speaker is saying.



**WRONG  
WAY**

## When must the Point of Order be Raised?

The point of order must be raised immediately the alleged breach or irregularity occurs - that is why it can interrupt a speaker or the chair.

## What must the chair do when a point of order is raised?

Immediately a point of order is raised the chair must stop the speaker or stop the process of the meeting and deal with the point of order.

The chair should ask the speaker to resume his or her seat and then listen to the point of order. Having heard the point, the chair must rule immediately subject to conferring with relevant authorities about the validity of the issue raised in the point of order.



There are three possible statements a chairperson can make:

1. *"That is not a point of order".*

This is made when the point of order which has been raised is not a point of order. It is most likely a statement of opinion or similar and should be dealt with quickly.

2. *"I will accept your point of order and therefore ...."* In this instance the chair will continue the meeting according to the correct procedure, having had attention drawn to a breach or irregularity.

3. *"I do not accept your point of order."*

In this case the chair will continue with the meeting as if there had been no interruption.

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## Can a Point of Order be Debated?

No debate is permitted on a point of order beyond fair and reasonable clarification of procedures or rules.

## Can a Point of Order be Challenged?

Yes, but this should be done with great caution. If a person in a meeting believes that the ruling given by the chair in response to a point of order is incorrect, then the procedural motion “dissenting from the chair’s ruling” should be moved immediately.

The motion disagreeing with the ruling of the chair should be seconded and put to the vote without debate. The result of the vote will determine whether the ruling is upheld or reversed.

**Special Note:** There are some legal technicalities here which should be considered if your meetings are likely to have legal significance. There is not a clear cut legal ruling. There are legal precedents which say the ruling by the chair on a point of order cannot be challenged, and others which say it can. The wisest way to deal with this is before the event, by including a specific clause in your constitution or standard orders which either allows a challenge or denies it. (It would be wise to allow challenges.)



## **Can there be more than one point of order at the same time?**

Technically, yes, but it is very rare. A point of order having been raised, may itself be dealt with incorrectly in which case it would be valid for a second point of order to be raised about the irregularity of dealing with the first point of order.

In this case, the second point of order would be dealt with first, and then the original point of order. As a general rule however, there can only be one point of order being considered.

If the chair is competent and deals with points of order correctly, there should never be two points of order before the chair.

## **Should Points of Order be Recorded in the Minutes?**

Generally no, unless the rules of the organisation state that they should (and this is extremely rare and unnecessary). In most organisations, points of order are not recorded.





## Right of Reply

The right of reply is available only to the mover of a substantive motion. There is no right of reply for seconders of motions, movers of amendments, or movers of procedural motions. There are no exceptions to this.

The right of reply is available to the mover of the substantive motion in all circumstances except in these cases:

1. When the procedural motion “*That the meeting proceed to the next business*” is carried, the right of reply is lost because the motion is never put to the vote.
2. When the procedural motion “*That the question be not now put*” is carried for this has exactly the same effect as proceeding to the next business. Note that if this motion is lost, then the right of reply is given.
3. When the procedural motion “*That the motion lie on the table*” is carried, the right of reply is taken if and when the motion is raised from the table for discussion and decision at a later meeting. There is no right of reply at the current meeting.

### What is the Right of Reply?

The right of reply is rebuttal of arguments raised against the substantive motion. It is not the opportunity to summarise the argument “for” the motion. The test is the introduction of new material. If the speaker, when exercising the right of reply introduces any material which has not already been mentioned, then it is competent for a point of order to be raised. In this case the chair should direct the speaker to confine remarks to the rebuttal of negative argument.

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A wise speaker, exercising the right of reply, will have noted the arguments raised in opposition and deal with each sequentially rather than ramble generally. A right of reply delivered concisely, sequentially dealing with opposing arguments. Delivered with strength it will have a strong impact.

### **How Is the Right of Reply Taken?**

There is no requirement for the chair to offer the right of reply to the mover of the substantive motion however it can be courteous to do so. In the event that the right of reply is not offered, and the mover does not ask for the right of reply before the vote is taken, it is forfeited. The responsibility is on the mover of the motion to ensure that they ask, not on the chair to offer.

The right of reply on a substantive motion cannot be refused except in the three cases mentioned before where a vote is not taken.

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## Voting

Votes in a meeting can be taken in several ways - the voices, show of hands, ballot (also called a poll), division, and acclamation. Each has a specific purpose and method of being conducted.

### **Voting method 1 - The Voices**

The easiest and quickest is by “the voices”. The correct wording which the chairperson should use is: “Those in favour say aye, those against say no.” Depending on the result, the chairperson should then say “I think the ayes (or the no’s) have it ...(pause for a second or two but no more)... the motion is carried.”

The reason for the pause, is to allow a challenge from a member of the meeting who disagrees with the declared result. If a member of the meeting believes that the vote is close enough to justify a check, then a “show of hands” is called.

A show of hands must be called before the vote is declared. The wording to use is simply “Show of hands” or “I call for a show of hands”. Some authorities maintain that two members of the meeting must call for a show of hands. I think it is wise to not have stringent rules on this point and unless it is obviously a nonsense request, then it is wise to simply have the show of hands.

To conduct a show of hands formally two tellers should be appointed and both count both the aye’s and the no’s. They should then confer within earshot of the chair and deliver the count to the chair who declares the result. The tellers should not simply say “the motion is carried” - that is the task of the chair.

In a less formal meeting, tellers are not appointed and the chair simply counts the hands and declares the result.

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## **Voting method 2 - Show of Hands**

**Caution:** *Some organisations consider the term “show of hands” to be contrary to the spirit of equal opportunity and do not allow it. An appropriate alternative in this case is “show of votes”, thus allowing a person to use any physical method of indicating their vote.*

The show of hands is the most common method of voting and is very quick and simple to administer. The wording is as follows: “Those in favour raise one hand” (Chair counts carefully or generally if it is very high or very low), “those against raise one hand. The aye’s (or the no’s as the case may be) have it. The motion is carried.”

Logically, there should be no challenge as to the result of this method of voting however if a chairperson is perceived to be biased then the meeting could call for the vote to be counted by tellers. In addition, it is legitimate for a division to be called. In this case the division would be called to not clarify the result but to record the names of those voting in the minutes and the way they voted. (See the section on Division on page 116).

## **Voting method 3 - Ballot or Poll**

Technically the ballot and the poll are the same method. Organisations tend to use one or the other term. In essence the ballot is a written vote and is in nearly all cases, confidential or secret.

The method of operation is time consuming but not difficult. Ballot papers are distributed to each person who is entitled to vote. These may be initialled by a returning officer or the secretary of the organisation but this is not necessary unless your rules dictate it. It is wise however, to determine before the ballot is taken, the total number of permissible votes.

Voters are instructed how to vote and this is usually by writing “Yes” or “No” on the ballot slip or the name of a person being

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elected to a position. The voting papers are then collected and the returning officers (usually 2) count the votes and advise the chairperson of the result.

There is no rule as to whether the actual count is advised or just the result. It is wiser in my view to be as open as possible and advise the meeting of the actual count and the result. It is my experience that where the count is not announced, rumour and speculation begins about the margin and it is never productive for the organisation. It is better to be “up front” with everything.

It is customary for the ballot papers to be destroyed after the result is announced and a motion for their destruction is often requested by the chairperson. If the destruction is customary, the motion is unnecessary and the chairperson can simply direct that the papers be destroyed.

Clearly, by definition, if the ballot is secret, a division cannot be called on this method of voting. The actual count can however be included in the minutes of the meeting if it is requested.

## **Voting method 4 - Division**

The division is technically the only method of voting where the names of the participants and their vote is recorded in the minutes. It can be also used to clarify the result of a vote without question.

The method is very time consuming and can be difficult to administer where space is tight. The method is that the chairperson says: “Those in favour pass to the right of the Chair and those against pass to the left of the Chair.” The chairperson would normally appoint tellers who would record the names of the people voting and whether they were for or against.

People choosing to abstain would remain in their seats and their names would also be recorded in the minutes as having abstained.

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To call a division, a member of a meeting must make the call immediately the vote is announced. The appropriate words are: “Division” or “I call for a division”.

Once a division is called, it should not be denied for it is the democratic right of members of any group to have their vote, and that of others, recorded. A wise chairperson will promptly accede to a request for a division to avoid any perceived bias or unwillingness to be fair. A chairperson denying a division would have great difficulty justifying such a denial of what is simply reasonable and fair.

### **Variation on Division**

A variation on a division is for a member of the meeting to simply ask for all names to be recorded in the minutes together with the direction each voted. The result of this is the same as a division without the requirement for physical movement.

This is much more efficient but requires a certain level of organisation on the part of the minute taker. The effect is in fact identical to a show of hands except that specific names are noted.

### **Voting method 5 - Acclamation**

Votes of acclamation are used for issues such as votes of thanks or appreciation and are recorded in the minutes as having been carried by acclamation. The words for a chairperson to use are “Let the minutes record that this has been carried by acclamation” and the chairperson begins the applause.

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## **Types of Votes**

### **Deliberative Vote**

A deliberative vote is a vote which is given by virtue of a person's membership or attendance at a meeting as determined by the rules of the organisation. If a person is a member of an organisation then they will have the right to vote - that vote is called their deliberative vote.

The only person at a meeting who has any other type of vote other than a deliberative vote is the chairperson who may, if the rules of the organisation allow, also have a casting vote or a second vote.

When the chairperson casts the deliberative vote, it must be done at the same time as the other votes are called for. A chairperson cannot wait for the other people to vote before casting their own deliberative vote. If this were done, it would leave the chair open to much criticism for being unfair, or being seen to be unfair - and the criticism would be justified.

It is wise, if the rules do not compel the chair to exercise a deliberative vote, not to vote at all. This would preserve the impartiality of the chair and also demonstrate the impartiality to the meeting. If this were done however, it should be adopted as standard practise for all votes. It would be incongruous for a chairperson to use the deliberative vote on some decisions and not others.

### **Casting Votes or Second Votes.**

Casting votes are those given to the person chairing a meeting by the constitution, the rules or the regulations of an organisation. Usually the casting vote is a second vote but this not always the case. For instance, in a previous Local Government Act in Western Australia, a mayor did not have a deliberative vote but did have a casting vote.

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In general, where a casting vote is allowed, a wise chairperson will always vote to preserve the status quo - to keep the existing situation. If a casting vote is used to change a situation, a chairperson is on very thin ice because in effect, the change (which only



I WILL EXERCISE MY CASTING VOTE TO  
PRESERVE THE STATUS QUO... THE MOTION IS LOST

has 50% support anyway) will be made by one person - the chair - and that person will receive both the blame and the credit.

The wisdom of not making a decision by preserving the status quo is that either side can then continue to lobby and persuade so that a more conclusive result can be obtained at a future meeting.

Casting votes and second votes are dynamite! Use them with great care.

## **Proxy Voting**

Voting by proxy means that people who are unable to attend can either lodge their vote in writing or verbally with another person and/or give that person the power to vote on their behalf and giving them the authority to vote according to their own view.

The rules of organisations are usually very clear about the administration of proxy votes. It is always wise to only allow proxy votes which are authorised in writing by the member granting the proxy and it would be wise for a member to advise the secretary or re-

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turning officer that their proxy will be exercised by a particular person.

Some organisations do not allow proxy voting at all - check your own rules.

## **Voting by the Mover and Seconder of a Motion**

It is customary for the mover and seconder of a motion to vote in favour of the motion they have proposed. They are not obliged to vote in favour of their own motion and should not be the subject of criticism if they do vote against. It is possible that they hear compelling arguments which are stronger than their own and which cause them to change their mind.

In this circumstance, withdrawal of their motion may be an option but this may not be accepted by other members of the meeting who are still in favour of the original motion. In the case where the mover of the substantive motion is swayed, and either chooses not to withdraw or is unable to withdraw, then they should not accept their right of reply. They may however simply state in their right of reply, that they have been swayed and will be voting against the motion which stands in their name - their own motion.

It is unusual, but not unheard of for the mover to vote against their own motion.

## **Abstention from Voting**

Any person can abstain from voting if they choose although there are some exceptions. In some local governments, elected people are unable to abstain unless they have declared an interest. This is a good rule as some people have been known to abstain from voting to attempt to remain popular with everyone - a very shallow perspective and one that is seen through instantly. It is wise to abstain whenever you have an interest or if you are perceived to have an interest. **Note:** Ensure that your abstention is recorded in the minutes.

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# Tricky Issues

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## Tricky Issues

### Constitutions

Constitutions are not set in concrete regardless of the fact that many people think that they are. A Constitution is a basic set of rules which allow an organisation to function properly. There are two major problems with constitutions and by-laws. The first problem is that they are often in their formulation, copied from a set of another organisation which may or may not have the same ideals



or objectives. This often means that the rules written in one constitution don't actually meet the purpose for another organisation.

The second major problem is that well meaning people along the way have changed the constitution to allow certain things to occur which they want to occur. That does not necessarily mean that these things are good or that they are productive or that they are necessarily correct.

The golden rule of constitutions is to understand that they are like rubber not like concrete - they can be altered and they are flexible. An excellent exercise for any organisation is to have a day where they have a good look at their constitution and tidy up any inaccuracies or any interpretative problems that exist.

A constitution should be consistent with the general rules of debate and not try to change them because when people come to meetings they come with a general understanding of how meetings progress. It is when organisations have strange and often silly rules that people ask why and conflict occurs. This is not good for

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the organisation. The more general a constitution then the better it is in most circumstances.

## **Where Do You Find the Rules?**

The rules for the meetings of your organisation will normally be found in two places. The first place to look is your own Association's constitution or if you are a Government or quasi government organisation, the legislation which governs you, for instance Local Government should look in their own Local Government Act in their own State. The second place in which the rules will be found are books such as this one.



There are several books which are highly recommended and they are listed on Page 144 under Recommended Reading. This book is designed to synthesise the information in those books, and general information available in the community, into a ready source for use within a meeting.

It is crucial however for you to understand that the rules in any book are always subservient to the rules in your own Constitution or the Legislation. In other words the Legislation and Constitution, if it lays down rules, takes precedence over the rules in any book.

What you should do therefore is to become very familiar with your own rules and where those rules are silent, fall back to rules in books such as this one.

This may make you ask well why did I buy this book. The answer to that is that the rules that you will find in your Constitution and in Legislation will normally refer to meeting procedure by name of motions or by wording of motions but will rarely tell you the technicalities about the motion. This book therefore was well worth

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your while purchasing because it will show you how to interpret your own associations rules or legislation.

You must however understand that your legislation, constitution and by-laws will over-rule this book if they specifically state that you should take a particular course of action which is different to what this book suggests.

You may ask “doesn’t that mean one of them is wrong”. Yes and no. It would be wise, but impossible, for all associations in the country to use the same set of procedures in the running of their meetings. However, over time, various organisations have adapted the rules to suit themselves and in certain circumstances to suit the people who are running the organisations and so the rules became been “modified”. What is included in this book is the rules in their pure sense. Particular by-laws and constitutions and legislation sometimes changes the rules and localises them for your organisation.

## **Standing Orders**

Standing orders are the set of rules which govern the way an organisation or meeting will conduct its affairs. The standing orders are usually part of, or subservient to the constitution or the legislation.

Standing orders should be used if they exist and should be constantly updated to reflect the changing needs of the organisation. The rules of meeting procedure used by the organisation will normally be found in the standing orders.

The standing orders are the rules which govern how a particular meeting will operate. They are subservient to a constitution or legislation and state how the rules “locally” will be administered.

For instance, in local government, there is government legislation (The Local Government Act) but a local government may (and should) have its own standing orders or local laws. These basically determine how the meetings will be run in that particular

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local government. Nothing in the standing orders can contradict anything in the Act, or in a constitution in an association case.

## **Suspension of Standing Orders**

The motion “That standing orders be suspended” is probably the most frequently misused motion in meetings. If it is carried, it technically means that all of the standing orders are suspended when the likely intent of any mover is to only suspend specific clauses.

The correct wording should be: “That standing order number 11 be suspended”, or “That sufficient of standing orders be suspended to allow members to speak twice”.

This may sound like a minor point and I concede that most of the time it is. The problem occurs when it is challenged by someone who did not understand the specific intent of the mover and acts in a way which is contrary to other standing orders which the mover did not intend to be suspended.

The easiest way to avoid the problem is to simply state the clause or clauses of the standing orders you wish to have suspended.

## **Resuming Standing Orders**

A motion to resume standing orders can be worded as “I move that standing orders be resumed”, or “I move resumption of standing orders”.

## **Annual General Meetings**

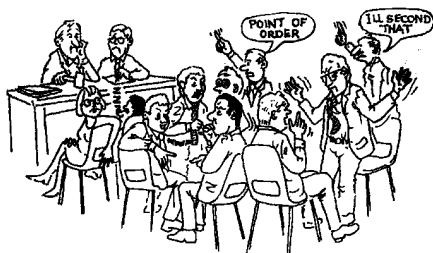
Annual general meetings are required under constitutions and rules of organisations but also under legislation for some organisations.

The important things to consider about AGM’s are that they should not be long - the business of an AGM can be divided into three categories - reporting, elections, major policy decisions including budgets, constitutional changes, membership fees etc. No ordi-

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nary business should be transacted at an AGM. It should wait for the next regular meeting.

The minutes which are read at an AGM are those of the previous AGM, twelve months earlier. Any decisions or action determined at an AGM should be reported at the next AGM, twelve months later.



The smart way to run an AGM is to open the AGM and conduct the business for twenty minutes or so, and then close the AGM and open the regular monthly meeting at which the day to day matters of the organisation should be discussed. Most AGM's I attend last about twenty minutes unless there is a major policy issue such as a change to the constitution or a major budget discussion such as a membership fees increase.

## **Special General Meetings**

Special general meetings are provided for in most organisations rules. They are major meetings which are held between annual general meetings.

At Special General Meetings (SGM's) the same type of business can be discussed as would normally be discussed at an AGM. For instance, constitutional changes are often considered at an SGM because it may be too long to wait for the next AGM. Similarly, budgets may be varied at an SGM because it is not possible to wait for the next AGM.

The process for calling SGM's requires careful examination of your rules. If an SGM is not properly convened, then the resolutions and decisions are invalid and carry no weight, regardless of whether a quorum was present or any other detail.

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## **Quorum**

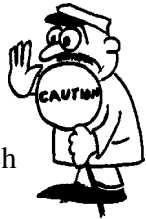
The quorum of a meeting is the minimum number of people which is required for the meeting to transact business. The actual figure will be in the organisation's constitution or rules.

In the event that a quorum is not present, the meeting can proceed and discuss and even record minutes but none of them have any legal significance until all of the decisions are agreed by a meeting at which a quorum is present.

## **Rescission**

A rescission motion is a motion to reverse a previous decision. There are lots of weird and wonderful rules that organisations have written into their by-laws about rescission. There is more “meeting folklore” about rescission than any other aspect of meeting procedure.

Some organisations' rules say that the only way a motion can be rescinded is that if everyone who was present at the original meeting is present when it is rescinded. This is clearly ridiculous for if a meeting has become aware of certain information which makes it unwise for them to proceed in a particular course of action.



If everyone at the original meeting is not present at the meeting where the motion is to be rescinded, then the meeting in fact is bound to go on with some action which they agree is unwise.

Some organisations have rules which say that a rescission motion cannot be moved at the same meeting at which the original decision was made. This is also ridiculous because a meeting may become aware of information which makes a course of action decided upon earlier in the meeting, unwise to take. It is silly to go ahead with that action just because rules say that you cannot rescind at the same meeting.

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Some organisations say that a rescission motion can only be moved by the person who moved the original motion and even that it must be seconded by the person who seconded the original motion. For the same reason as above this clearly is ridiculous. The original motion, once carried is the property of the meeting, not the person who moved it and any member has the right to move the rescission motion.

Some organisations also say that rescission motions cannot be dealt with within a certain time period such as three months or three meetings of the original motion. By now you will have realised that this is also totally ridiculous. There is no intelligent reason for this.

So how have these silly rules been written into organisations', by-laws and standing orders? They usually come about when someone has moved a motion which has been carried and did not want it to be changed and they had enough power in the organisation to be able to change the rules of rescission to make change difficult or impossible. Then the normal course of action for a new organisation is that they copy another organisation's rules which then become the draft of the new one. In this way these strange and unusual practices about rescission have been written into rules and by-laws of organisations everywhere.

So what do you do? You need to understand what rescission is all about. Rescission is simply reversing a decision which has previously been made. The first test is if action resulting from the decision has already occurred then there is no point in rescinding it. It doesn't matter whether the meeting wants to rescind, if the action has already been taken it is pointless to rescind the motion.

For instance, I have been involved with an organisation who chose to write to a particular person expressing their displeasure about a particular course of action which that person had taken in the community. The letter was written, sent and delivered but at the next meeting, it was announced that the person who had received the letter was in fact not responsible for the course of action for which

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he had been accused so the meeting then thought the way to deal with this was to rescind the motion. This was the incorrect way to deal with it because the motion had already been carried and the action had been carried out.

Rescission was not the tool to draw out of the tool box in this case. The tool to draw out was in fact not a procedural motion but a substantive motion which would have been along the lines “that a letter of apology be written to the individual concerned”.

**You cannot rescind a motion where the action resulting from it has already occurred.**

Rescission is about changing courses of action. Let’s look at that in logical terms and commonsense. Providing that the majority of people agree that a decision should be changed then it is reasonable that it should be done. However it depends on the definition of the term majority in this instance.

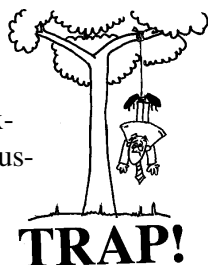
If we have a simple majority, that is one more than half, it is possible that certain groups can manipulate the meeting and wait for certain people not to be present and then move rescission motions so that courses of action that may have been won narrowly can be changed later.

The way around this is to build into your rules a sensible majority. That may be an absolute majority, that is one more than half of the total number who could be present regardless of the number who actually are present. It could be a 60% majority of the people present before a decision can be carried. Doing away with all the other silly rules. Anyone can move rescission at any time but for it to be carried it must achieve a 60% majority or it must receive an absolute majority. It will depend on your organisation as to which of these is the best course of action.

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## Expulsion

Check the rules! Expulsion is a drastic step which should never be considered lightly. If your rules do not cover expulsion of a member, then you should consult a lawyer because any person expelled from an organisation has a right to natural justice. If natural justice has been denied at any stage of the expulsion process, then the organisation is vulnerable.



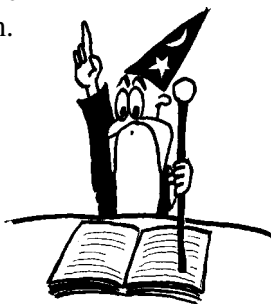
**Beware!** Even if your organisation has a laid down process, it too can be challenged in a court of law if it is claimed that the process denies natural justice.

## Receive, Accept or Adopt - which word?

The use of these words is open to interpretation and that is why clarification is needed. Some people argue that the distinction is purely semantic and at one level they are right. At another level though, it is semantics which cause misunderstandings and conflict and so I maintain that the semantic differences are important.

## Receipt

It is very common for the following motion to be moved: “*That the correspondence be received.*” This is a totally superfluous motion. The logic behind any motion is that it can be either be carried or lost. Consider what would happen, unlikely as it may be, if the motion to receive the correspondence were lost. Who would send the correspondence back and what would be written on the note - “sorry, we didn’t receive this”?



Ridiculous you may say, but nevertheless technically possible. Exactly the same applies to apologies and reports. Once something is received, it is received - there is no need for a motion.

## Acceptance

Acceptance is a much better word in some circumstances. For instance, an organisation may receive correspondence which is abusive or even obscene and it may not wish to have that correspondence on its records. To use the word receive in a motion would be confusing in this situation but the word acceptance is very clear.

The motion could be moved “*That the correspondence be accepted with the exception of the letter from Fred Jones*”. This motion clearly states that a letter was received from Fred Jones but that it was not acceptable and the organisation chose not to record it or file it. If the motion to “receive” the correspondence was moved, then the letter from Fred Jones would also need to be recorded.

The same principle applies to reports. A report may be received from a consultant who has been hired to prepare a specific report on a matter. The report may be poor in terms of its lack of detail, its failure to address the issues or a range of other possibilities. It would be valid for an organisation not to accept the report, just as it would be valid for the organisation to accept it if it were consistent with what was requested.

In this example, the motion “*That the report be received*” could not morally be lost and the group would then have shaky grounds on which to challenge the report, after all, the meeting had, in this circumstance, formally passed a motion receiving the report. The lawyers would have a field day with the semantics.

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## Adoption

Adoption is an easy term to come to grips with. It simply means that your meeting has received a recommendation or recommendations and the meeting intends to carry out them out. In this case the motion would be to adopt the report, or the recommendations.

It is possible a report contains several recommendations some of which are acceptable and others need more consideration. An appropriate motion in this circumstance would be “*I move that the report be accepted and that recommendations 1, 2 and 5 be adopted*”.

In simple terms, if you have recommendations which you have not yet considered, or that you have not decided to act upon, or that you intend to reject, then move for acceptance. It places the report on the record but commits you to nothing.

If you have recommendations which you intend to act on, then move to adopt them.

### Here are some guidelines:

- If a report is presented which meets the general requirements of the organisation, move to *accept* the report;
  - If a report is presented which does not meet the general requirements of the organisation, move to *not accept* the report;
  - If a report is presented which includes recommendations which the organisation may or may *not accept*, move to accept the report;
  - If a report is presented which includes recommendations which the organisation intends to adopt, move to *adopt* the report;
  - If a report is presented by or from an office bearer (verbally or in writing) and contains no recommendations or action, move to *accept* the report;
-

- If a report is presented by or from an office bearer and contains recommendations or action with which the meeting agrees, move to *adopt* the report.

## Personal Explanations

Any person in a meeting may seek leave to make a personal explanation if they believe that the meeting has been or is being misled or false information has been provided.

The correct method is to stand and ask the chair for leave to make personal explanation. It is imperative for the credibility of the speaker, that the explanation is based on fact and not on opinion.

## Point of Clarification

There is no such thing as a point of clarification. Many people use the term and many people chairing meetings have allowed the term to be used but there is actually no such beast.

If a point needs to be clarified, then the person should simply ask for leave to clarify some misinformation, incorrect information, or misleading facts. If leave is granted, it should be done concisely and be fact based not opinion based.

Leave can be sought while a speaker is addressing the meeting but it is reasonable for a chairperson to allow the speaker to finish before allowing the clarification to occur.

A “point of clarification” is often confused with a “point of order”.

## Withdrawal of Motions

The mover can seek to withdraw a motion however this can only be done if the seconder, upon request of the chair, agrees, and the meeting agrees. If there is one voice of dissension, the motion must proceed.



It is permissible for the mover and/or the seconder to vote against their own motion. See the section on voting.

### **Tabling reports or documents**

Documents or reports can be tabled at a meeting. This means that the content has not yet been considered (and may not be) but the document or report is now part of the official record of the organisation. There is no need for the document or report to be attached to the minutes but it must be stored and available for members of the meeting to access.

It is possible that at a future meeting a motion would be moved to either accept or adopt the report or document although tabling is a tool which is often used in exactly the same way as the procedural motion to lie on the table. It effectively means that the issue is not of sufficient importance to discuss now.

### **Lack of Confidence in the Chair**

This is a dangerous situation and a difficult one to deal with. A motion which suggests a lack of confidence in the chair must not be confused with moving disagreement with the ruling of the chair. They are two completely different motions with very different outcomes.

If you have a lack of confidence in the chair, firstly check the rules of the organisation. Some organisations do not allow for the chairperson to be removed during a meeting or a term. For instance, in some local governments and some associations, the only way that a president or mayor can be elected is at an Annual General Meeting and if there is a vote of no confidence, it can have no validity because a replacement cannot be elected until the next AGM. In some local governments for instance, the no confidence motion can be moved, debated and carried but has no effect other than to place on record a strong view that the elected members do not

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have confidence in their mayor. This may be enough but be sure of the rules and your strategy!

If you have checked your rules and you can move a no confidence motion (if the rules are silent, then you can move it) then make sure you have done your homework and have the numbers because motions like this can backfire very easily. It is one thing for people to say they are unhappy and quite another for them to actually vote in favour of a no confidence motion.

### **Pecuniary Interest or Conflict of Interest**

This is much more simple than people think. If you have an interest in a decision which will have a financial impact on you (or those close to you) then you can be determined to have a pecuniary interest. Check the rules or legislation covering your organisation to see how close a relationship must be for you to be determined to have a direct financial interest. Usually it is spouse and children and sometimes brothers and sisters. Check your own rules.

If you have an interest, but not necessarily financial, then you are generally determined to have interest or it is sometimes called a conflict of interest.

Consistent with the rules of your organisation, the safest way to go is to declare your interest and allow the meeting to decide whether you should participate in discussion. The meeting may allow you to participate in discussion but not vote. Check your rules again. In some local government legislation of instance, having declared an interest, a person must leave the room unless the interest is decided (by the meeting) to be trivial.

The rule of thumb is - if in doubt - declare an interest and let the meeting decide whether it is or is not an interest and whether it is appropriate for you to remain in the room and take part in the discussion.

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# Help!!

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## How to Achieve What You Want to Achieve

### What do you want to achieve?

To bring to the attention of the meeting a breach in rules, an irregularity in procedure, the irrelevance or continued repetition of a speaker or the breaching of established practices or contradiction of a previous decision.

### The correct tool or motion to use

Raise a point of order.

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To start the meeting talking about a particular suggestion and begin to move towards a specific action on an issue

Move a substantive motion.

Must be concise - preferably one sentence;

Must begin with "That"

*Must be action oriented - not an opinion.*

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To bring discussion to a close by testing whether the meeting is ready to make a decision.

That the question be put.

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To force the end of debate on the issue by either making a decision and moving on, or not making a decision and moving on.

That the question be not now put.

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To move the meeting along when the matter being discussed is of little value or is unlikely to be resolved.

That the meeting proceed to the next business.

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To send the matter to a smaller group of people (who may have expert knowledge) for analysis and consideration. The committee may be empowered to act or simply to return to the full meeting with a recommendation.

That the question be referred to a committee.

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To delay discussion and therefore a decision until a specified time and date when more facts are available, certain people are present, or if it is more effective or efficient to not make a decision now.

That the question be adjourned.

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To not make a decision on a matter but leave it able to be raised at any time in the future without compelling it to be raised. It can lie “on the table” forever.

That the question lie on the table.

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To stop a speaker from speaking on a particular issue or question when they are either long winded, repetitive, abusive, or displaying questionable integrity.

That the speaker be no longer heard.

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To disagree with a ruling of the person chairing the meeting when you believe the ruling to be incorrect, either according to the rules of the meeting, or contrary to good sense, fairness and reason. (This is not a vote of no confidence in the chair.)

That the Chair's ruling be disagreed with.

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To freely discuss an issue without the encumbrances of formal meeting procedure and to freely look at a range of options before deciding formally on the action to take.

That the meeting move into a committee of the whole.

---

To impose a time limit on speakers either for discussion on an item or for the entire meeting.

That a time limit be imposed on one item or for the rest of the meeting.

---

To cancel a previous decision when the action has not been taken.

That the motion be rescinded.

---

To question the confidence the meeting has in the chair continuing in the role.

That the chair lacks the confidence of the meeting.

---

Quick Reference Table for Procedural Motions						
Motion - title and wording	Can a speaker be interrupted?	Can the chair refuse this motion?	Is a seconder required?	Is discussion permissible?	Can this motion be amended?	Does the mover have a right of reply?
<i>Procedural motions designed to close discussion</i>						
The Closure That the question now be put (See page 29)	Yes	Yes	Technically no but wise to call for one	No	No	No, but the mover of the substantive motion retains the right of reply.
The Previous Question That the question be not now put (See page 33)	No	Yes	Yes	Yes	No	No, but the mover of the substantive motion retains the right of reply.
That the meeting proceed to the next business (See page 37)	No	No	Yes	No	No	No
That the question lie on the table (See page 41)	No	No	Yes	No	No	No

Quick Reference Table for Procedural Motions						
Can a person who has previously spoken move this motion?	If lost, can this motion be moved again?	Situation if an amendment is before the meeting.	Situation if a procedural motion is before the meeting.	Effect of Motion		What is recorded in the minutes?
				If Carried	If Lost	
<b><i>Procedural motions designed to close discussion</i></b>						
No	Yes	This motion can be moved on an amendment but if carried, only the amendment is put, not the substantive motion on which debate can continue	This motion acts upon the procedural motion, not the substantive motion	If moved on an amendment, the amendment is put immediately. If moved on a substantive motion, the mover is offered the right of reply and the motion is then put immediately.	Discussion resumes at the point at which the procedural motion was moved	Mover and seconder of the procedural motion and the result, and then the result of the amendment and/or substantive motion when it is put.
No	Not Applicable (Some organisation's rules state that this motion cannot be moved more than once during a meeting)	Not permitted on an amendment	Not permitted during discussion on a procedural motion	Discussion ceases immediately and the meeting moves to the next business	Right of reply is offered immediately to mover of substantive motion and vote is taken	Mover and seconder of procedural motion and result, and then either the next business (if carried) or the result of the substantive motion (if lost).
No	Yes	Can be moved on an amendment and if carried the meeting goes to next agenda item without a vote on either amendment or substantive motion	If moved on a procedural motion and carried, the procedural motion is deemed to be defeated and discussion continues from where the procedural was moved.	The meeting moves to the next item on the agenda.	Discussion continues at the point at which the motion was moved.	Mover and seconder of the procedural motion is recorded and if it is carried, "no resolution" is recorded for the substantive motion. If lost, the result of the substantive motion is recorded when resolved.
No	Technically no. However sensible management would allow it after a reasonable interval.	If carried, both the amendment and the substantive motion lie on the table	Not Permitted	Lies on the table indefinitely until a motion to "raise the matter from the table" is moved and carried	Discussion resumes at the point where the motion was moved	Mover and seconder of procedural is recorded and if carried, that the substantive is laid on the table. If lost, the result of the substantive motion.

Quick Reference Table for Procedural Motions						
Motion - title and wording	Can a speaker be interrupted?	Can the chair refuse this motion?	Is a seconder required?	Is discussion permissible?	Can this motion be amended?	Does the mover have a right of reply?
<i>Procedural motions designed for adjournment</i>						
That debate be adjourned (See page 45)	No	No	Yes	Yes	Yes, only as to time, date and place of resumed meeting	Yes
That the meeting be adjourned (See page 50)	No	No	Yes	Yes	Yes, only as to date, time and place of resumed meeting	Yes

Quick Reference Table for Procedural Motions						
Can a person who has previously spoken move this motion?	If lost, can this motion be moved again?	Situation if an amendment is before the meeting.	Situation if a procedural motion is before the meeting.	Effect of Motion		What is recorded in the minutes?
				If Carried	If Lost	
<i>Procedural motions designed for adjournment</i>						
No	Yes	If carried, debate on the substantive motion and the amendment are adjourned	If carried, debate on the substantive motion and the procedural motion are adjourned	The meeting proceeds to the next item of business.	Debate resumes at the point where the motion was moved	Mover and seconder of the procedural motion are recorded and if carried, the fact that the substantive stands adjourned. If lost, the result of the substantive motion.
No	Yes	If carried, debate on the substantive motion and the amendment are adjourned (as well as all other items on the agenda)	If carried, debate on the substantive motion and the procedural motion are adjourned	Debate on the substantive motion is adjourned as well as all other items on the agenda	Debate continues at the point at which the motion was moved.	The mover and seconder of the procedural motion are recorded and if carried, the fact that the meeting stands adjourned.



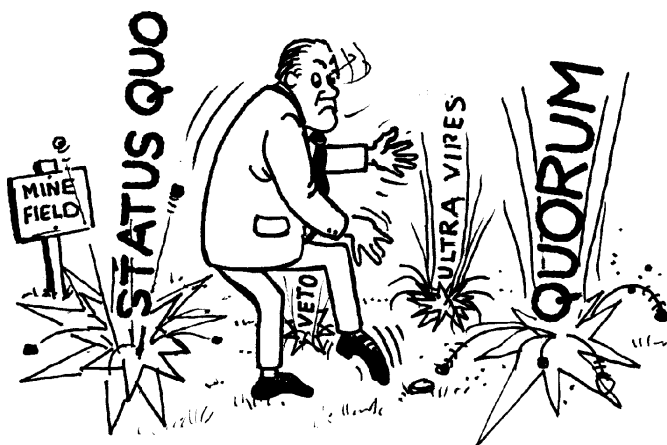
Quick Reference Table for Procedural Motions						
Motion - title and wording	Can a speaker be interrupted?	Can the chair refuse this motion?	Is a seconder required?	Is discussion permissible?	Can this motion be amended?	Does the mover have a right of reply?
<i>Procedural motions for efficient and general meeting management</i>						
That the motion (or amendment) be withdrawn (See page 55)	No	Yes	Yes	Yes	No	Yes - If discussion occurs
That the speaker be no longer heard (See page 60)	Yes	Yes	Yes	Yes - but preferably not	No	Yes
That (name of person) be now heard (See page 64)	No	No	Yes	Yes - but preferably not	Yes - only as to the name of the person	Yes - if discussion occurs
That the matter be referred to a committee (See page 68)	No	No	Yes	Yes	Yes - as to make up of committee, reporting parameters or terms of reference	Yes
That the matter be referred back to the committee (See page 73)	No	No	Yes	Yes	No	Yes

Quick Reference Table for Procedural Motions						
Can a person who has previously spoken move this motion?	If lost, can this motion be moved again?	Situation if an amendment is before the meeting.	Situation if a procedural motion is before the meeting.	Effect of Motion		What is recorded in the minutes?
				If Carried	If Lost	
Procedural motions for efficient and general meeting management						
No	Yes	If an amendment is before the chair, then the only motion which can be moved is "that the amendment be withdrawn". The motion to withdraw the substantive motion cannot be moved during discussion on an amendment.	Motion acts upon the procedural, not the substantive motion.	The motion is withdrawn and the meeting moves to the next business	Discussion continues at the point at which the motion was moved	The mover and seconder of the procedural motion are recorded and, if carried, the details of the withdrawn motion or amendment but obviously not a result as they would not have been put to the vote.
No	Yes	If carried, the speaker may not speak again during debate on the amendment or the substantive motion.	If carried, the speaker may not speak again during debate on the procedural motion	If carried, the speaker may not speak again during debate on the substantive motion or any amendment relating to it.	The speaker is afforded the same rights as other speakers.	Mover and seconder of the procedural motion are recorded and the result.
Yes	Yes	Effect same on motion or amendment	Effect same as on a substantive motion provided debate is permitted on the procedural motion before the Chair	The person named is given the right to speak	The person named is denied the right to speak at that time	Mover and seconder of the procedural motion is recorded and also the result.
No	Yes	The entire matter is referred for consideration	Not permitted	The matter is referred to a committee for discussion and recommendation	Discussion continues at the point at which the motion was moved	Mover and seconder of the procedural motion is recorded and also the result.
No	Yes	The entire matter is referred for consideration	Not permitted	The matter is referred back to the original committee for further discussion	Discussion continues at the point at which the motion was moved	Mover and seconder of the procedural motion is recorded and also the result.

Quick Reference Table for Procedural Motions						
Motion - title and wording	Can a speaker be interrupted?	Can the chair refuse this motion?	Is a seconder required?	Is discussion permissible?	Can this motion be amended?	Does the mover have a right of reply?
<i>Procedural motions for efficient and general meeting management - continued</i>						
That the meeting move into a committee of the whole (See page 77)	No	No	Yes	No	No	No
That the ruling of the Chair be disagreed with (see page 83)	No	No	Yes	No	No	No
That a time limit for discussion (or for speakaers) be imposed (See page 88)	No	No	Yes	Yes	Yes - time only	Yes

Quick Reference Table for Procedural Motions						
Can a person who has previously spoken move this motion?	If lost, can this motion be moved again?	Situation if an amendment is before the meeting.	Situation if a procedural motion is before the meeting.	Effect of Motion		What is recorded in the minutes?
				If Carried	If Lost	
Procedural motions for efficient and general meeting management - continued						
Yes	Yes	Discussion on amendment ceases and resumes when meeting moves "out of committee"	Not permitted	The meeting is open for free and open discussion with people able to speak more than once and while courtesy is maintained, formal protocols can be relaxed (such as standing to speak). This allows discussion on a complex matter.	The meeting proceeds according to the normal rules and procedures.	Mover and seconder are recorded and the results. If carried, details of the discussion during this time are not recorded. If a motion comes forth when the meeting moves "out of committee", then it is recorded as usual.
Yes	Not applicable as motion can only be moved immediately following a ruling.	Applies to current ruling only.	Applies to current ruling only.	The ruling which the chair has made is immediately reversed and the meeting proceeds as if the ruling had not been made.	The ruling which the chair has made is upheld and the meeting proceeds according to that ruling.	Mover and seconder are recorded and the result.
No	Yes	Applies henceforth to either total time remaining or specific time limits depending on wording of motion.	Applies to procedural motion only - not the substantive motion.	The time constraint contained in he motion is adhered to.	The time constraints are not applied.	Mover and seconder of the procedural motion are recorded and the result.

## The Terminology Minefield



There are not many words or terms you need to understand in meeting procedure. Here are some common and not so common terms.

**Absolute majority:** The number of votes required to achieve a majority if everyone who could be present was actually present, whether they are there or not. For instance, if a committee has 13 members, the absolute majority would be 7 regardless of how many members were actually present.

**Adjournment:** Putting off discussion and or decisions on a matter until another time.

**Amendment:** A suggested change to the wording of either a substantive motion or certain procedural motions.

**Amendment to an amendment:** A suggested change to the wording of an amendment (*not* the motion).

**Casting Vote:** The extra (or second) vote given to the chair of a meeting in some rules when the vote is tied. A wise chairperson will always exercise the casting vote to preserve the status quo.

**Chair:** The person who chairs the meeting. May be called Chairperson, Chairman, Convenor etc. (*Hint: If in doubt, use the term the group uses - if they use Chairman, use it, if they use Chairperson, use it.*)

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**Chair pro tem:** In the chair temporarily or for the time being.

**Clear days (notice):** A term which means the amount of days notice excluding the day of the notice and the day of the meeting. Seven clear days would mean seven days not including the day of the notice nor the day of the meeting.

**The Closure:** The name of the procedural motion “That the question be put”.

**Composite Motion:** (Also called Omnibus Motion) A motion which contains more than one part. The motion and the components within it is subject to amendment but participants must eventually vote either for or against the entire motion even if they are in favour of some parts and not others.

**Constitution:** The set of rules about how the organisation runs. The constitution may also have sets of by laws or standing orders which detail the way certain aspects of the organisation run such as the meetings.

**Counter Amendment or Motion:** An amendment or motion (usually foreshadowed) on the same subject but which would, if carried, have a different result to the original amendment or motion. It is permissible for an original motion or amendment to be temporarily set aside (with the agreement of the meeting) while a counter question is debated, then if it is successful, the original question would be deemed to have been withdrawn.

**Defamation:** Giving information or making implications or inferences about a person which injures their reputation. Slander (spoken) and libel (written) are both different forms of defamation. (A complex legal question covered well in Taggart. See page 146)

**Deliberative Vote:** The vote which the person in the chair has by virtue of their membership of the organisation.

**Dilatory Motion:** A motion moved to delay resolution on a motion or to prevent a decision being made. (Certain procedural motions are dilatory motions)

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**Ex Officio:** Latin meaning “by virtue of his or her office”. Means that a person is present at a meeting or a member of a group because they hold a particular office in the organisation such as president.

**Formal motion:** Technically refers to certain motions for which the wording is customary such as confirmation of minutes or acceptance of correspondence. Often used to mean a procedural motion.

**Foreshadowing Motions and Amendments:** Advising a meeting that you intend to move another motion on the same subject (usually called a counter motion or amendment) at a later time. Foreshadowing has no specific procedural significance and is very much more a strategy move than a rule. Foreshadowed motions and amendments are only acted upon if the original motion or amendment is defeated. If the original motion or amendment is successful, any foreshadowing has no status. Having received a foreshadowed motion or amendment, there is no obligation on the chair to act on it. The will of the meeting will prevail.

**In camera:** Means “*privately, not in public*”. Used to refer to discussions where people who are not members of the group are excluded from the room.

**Libel:** See defamation

**Nem con:** Latin *nemine contradicente* meaning “*no one contradicting*” or “*no one saying otherwise*”. Used in minutes to indicate that no person spoke against the motion and sometimes used to indicate that no negative votes were cast.

**Nem dis:** Latin *nemine dissente* meaning “*no one dissenting*”. Used in minutes to say that a vote had no dissention (regardless of possible abstentions).

**Nominations:** The process of calling for names to be put forward for consideration for election to a particular position. Contrary to popular belief, unless the rules of your organisation specifically state otherwise, (and very few do) nominations do *not* need to be seconded.

**Notice of Motion:** The process of advising a meeting in advance (in writing) that you intend to move a particular motion at the next meeting or a particular meeting (eg. AGM). Even though you give notice, there

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is no obligation on you to proceed with it. However, even if you do not proceed, as notice has been given to the meeting, another person may be willing to move the motion at the meeting. It would then be discussed even though you gave notice but did not move it. Giving notice and not proceeding is no guarantee that a matter will avoid discussion.

**Notice Paper:** The official document which lists and gives notice of the matters to be discussed. The term used in meetings such as local government or legislatures for the agenda.

**Null and Void:** Having no legal force or effect and cannot be enforced. A decision which cannot be enforced legally is said to be null and void.

**Omnibus Motion:** See Composite Motion

**Original Motion:** The substantive motion or the motion moved before any amendments are considered.

**Other Business:** A term often used for “General Business” or business for which notice has not been received.

**Percentage Majority:** The specific majority required under certain rules for certain questions to be carried. Usually 66% or 75% and used mainly in matters of significance such as increases in fees or changes to constitutions.

**Pious Motion:** A motion used to express an opinion or affirmation, or to express a particular belief or even disapproval. A pious resolution requires no specific action.

**Point of clarification:** Meeting folklore - there is no such thing.

**Point of explanation:** Meeting folklore - there is no such thing.

**Point of Order:** Drawing a meeting’s attention to a breach or irregularity in the proceedings.

**Presiding Member/Presiding Officer:** The term used for the person who presides at a meeting. When they are in the chair, they would normally be addressed as chair, chairman or chairperson, or in certain meetings, president or mayor.

**Previous Question:** The name of the procedural motion “*That the question be not now put*”.

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**Procedural Motion:** A motion which is used to decide on a particular procedure within a meeting. Sometimes called a formal motion.

**Pro forma (seconding):** The method of seconding a motion to allow discussion but without necessarily giving support or opposition. Correct wording is “*I will second the motion pro forma*”.

**Question:** The particular matter about which a decision is being made. A motion, once moved and seconded is referred to as the question before the chair. Similarly, an amendment, once moved and seconded, is the question before the chair.

**Quorum:** The minimum number of people required as stated in the rules of an organisation, for a meeting to be formally opened and transact business.

**Rescission:** The process of formally making a decision to reverse a previous decision. Rescission cannot occur if action has already occurred as a result of the first decision.

**Resolution:** A term used to refer to a decision. A motion once carried becomes a resolution. The term however, is often used in informal meetings or committee meetings where a decision is made without taking a formal vote.

**Returning Officer:** The person during the course of a ballot or poll, charged with the responsibility to announce the voting method, ensure eligibility of persons voting, collect votes, count or supervise counting of votes, and advise the result to the chair or make an announcement.

**Robert’s Rules:** The basic reference for meeting procedure used in the USA. Generally not used for meetings in Australia or New Zealand.

**Scrutineer:** A person appointed by a candidate for election to a position, who observes counting of votes and ensures that they are correctly and accurately distributed.

**Second Vote:** Another term for casting vote.

**Simple majority:** The number required to pass a resolution determined as one or more than half of the total number of people present at a particular meeting and eligible to vote.

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**Sine Die:** Latin meaning “*without a day being named*”. Used when not detailing time and date and time of an adjournment.

**Slander:** See defamation

**Special Majority:** A specific majority required for certain decisions to be made. If a special majority is required, it will be detailed in the rules of your organisation or in legislation. For example, the Local Government Act of Western Australia makes provision for a special majority in certain circumstances.

**Standing orders:** The set of rules which detail how the meetings will run and often also how the organisation will administer itself.

**Status Quo:** Mean “previous position” or “nothing changed”. Often used in a tied vote so the status quo is maintained. In other words, the previous position remains unchanged.

**Sub Judice:** A matter is still under judicial consideration and is not yet decided.

**Substantive motions:** A motion which is used to suggest a particular course of action about an issue or project the organisation is concerned about or involved with. A motion concerned with the “business” of the organisation.

**Suspensive Motion:** A procedural motion whose purpose is to suspend debate.

**Ultra Vires:** Latin meaning “*beyond the power*”. Means that an action or proposed motion is beyond the power of the organisation or outside its rules.

**Unanimous Consent:** A term used when *all* the people at a meeting voted, and voted in favour. It is often incorrectly used when there are no negative votes. A vote which results in no negative votes, but where some people abstain, is not unanimous. In this case the result should be recorded as *nem dis*, or no-one dissenting. (see *nem dis* and *nem con*)

**Veto:** Latin meaning “*forbid*”. Used when a governing body or a particular position has the power to withhold approval, or consent, of recommendations or actions made by a committee or particular group.

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## Recommended Reading

Magner, E.S., *Joske's Law and Procedure at Meetings in Australia* (Sydney, 1994, 8th Ed.) Published by The Law Book Company.

(Highly recommended when legal technicalities are important)

O'Connell, Margi, *"Life's Little Tips for Better Meetings"* (Sydney, 1995) Published by Hale & Iremonger.

Price, David., Smith, Bill., & Luxton, Harold., *"Foyster & Carr's Take the Chair"*, (Perth, 1995) Published by Rostrum

Renton, N.E., *Guide for Meetings and Organisations Volume 2 - Meetings*, (Sydney, 1994, 6th Edition) Published by the Law Book Company.

(Highly recommended when more detail is required)

Taggart, W.J., *Horsley's Meetings Procedure, Law and Practice* (Sydney, 1994, 2nd Edition) Published by Butterworths.

(Highly recommended when legal technicalities are important)

Walsh, Francis, *"The Meetings Manual"*, (Canberra, 1995) Published by AGPS Press



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## **Why not use David Julian Price *CSP* as a keynote speaker for your next conference or seminar?**

David speaks at conferences, seminars and workshops throughout Australia and overseas. He is available to come to your organisation and give you an entertaining presentation as a keynote speaker at a conference or to run a specific workshop for your organisation to make the meetings more effective and to save time and money.

Meetings cost money and most of that money is spent on time. David Julian Price will show you how you can save that time and therefore save money.

David J Price also publishes materials which help people understand meetings and their management. Call for a current list.

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## To win the “meeting game” and get what you want you need to know the rules

Have you ever wanted to understand the rules and procedures in a meeting so you can participate fully and equally? This book is for you. It demystifies all the meeting jargon and makes it simple to understand and use. Whether you chair meetings or attend as a participant, you will refer to this book again and again.

### In this book you will discover:

- ▶ How to understand complex meeting procedure and be able to participate fully and get what you want.
- ▶ How to blend formality and informality to take account of different styles and types of meetings so you can be flexible.
- ▶ 5 different ways to vote and when and how to use each one.
- ▶ 13 procedural motions you can move as well as when and how to use them.
- ▶ A whole chapter on the terminology and jargon (in alphabetical order) which is often used to confuse people.

*“The title of this book says it all. By making procedures clear and simple to understand, meetings everywhere can only benefit, and that benefits everyone.”*

**The Hon. Joan Child** A.O., Past Speaker of the Australian House of Representatives

*“An absolute must for anyone wanting to get ahead in today’s competitive world. This book will give you the tools to run memorable meetings.”*

**Patricia Fripp** CPAE, CSP, Past President, National Speakers Association

**David Julian Price** has chaired thousands of meetings and is known by his clients as Australia’s expert on meetings. He speaks at conferences and also runs group sessions or individual coaching throughout Australia and internationally on improving the chairing, productivity, processes and results of meetings. He can be contacted at [david@davidprice.com](mailto:david@davidprice.com), or at [www.bettermeetings.info](http://www.bettermeetings.info)

This book is used by people to make their meetings run better and be more productive. You have the tools in your hand! What are you waiting for?

