



ROBERT RULES OF ORDER
ARTICLE III: PRIVILEGED MOTIONS
(ALL-IN-ONE)

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ARTICLE III
PRIVILEGED MOTIONS

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ROBERT RULES OF ORDER

PART: I

ARTICLE: III

TITLE: Privileged Motions

ITEMS: 16 through 20



ITEM 16 | FIX THE TIME TO WHICH THE ASSEMBLY SHALL ADJOURN¹

This motion is privileged only when made while another question is pending and in an assembly that has made no provision for another meeting on the same or the next day. The time fixed cannot be beyond the time of the next meeting. If made in an assembly that already has provided for another meeting on the same or the next day, or if made in an assembly when no question is pending, this is a main motion and may be debated and amended and have applied to it the other subsidiary motions, like other main motions. Whenever the motion is referred to in these rules the privileged motion is meant, unless specified to the contrary.

This motion when privileged takes precedence of all others, and is in order even after it has been voted to adjourn, provided the chairman has not declared the assembly adjourned. It can be amended, and a vote on it can be reconsidered. When the assembly has no fixed place for its meetings, this motion should include the place as well as the time for the next meeting, and in this case the place is subject to amendment as well as the time. When the assembly meets at the time to which it adjourned, the meeting is a continuation of the previous session. Thus, if the Annual Meeting is adjourned to meet on another day, the adjourned meeting is a legal continuation of the Annual Meeting. [See 63.] The form of this motion is, "I move that when we adjourn, we adjourn (or stand adjourned) to 2 P.M. tomorrow."

Footnotes

¹ In Congress this motion was given the highest rank of all motions, but it was so utilized for filibustering purposes and there was so little need of such a motion in an assembly meeting daily for months that in the last revision to the rules it was omitted from the list of privileged motions. In ordinary assemblies having short or infrequent sessions its usefulness outweighs the harm that may be done by its improper use.

ITEM 17 | ADJOURN

The motion to adjourn (when unqualified) is always a privileged motion except when, for lack of provision for a future meeting, as in a mass meeting, or at the last meeting of a convention, its effect, if adopted, would be to dissolve the assembly permanently. In any organized society holding several regular meetings during the year, it is, when unqualified, always a privileged motion. When not privileged it is treated as any other main motion, being debatable and amendable, etc.

The privileged motion to adjourn takes precedence of all others, except the privileged motion "to fix the time to which to adjourn," to which it yields. It is not debatable, nor can it be amended or have any other subsidiary [12] motion applied to it; nor can a vote on it be reconsidered. It may be withdrawn.

The motion to adjourn can be repeated if there has been any intervening business, though it is simply progress in debate. The assembly may decline to adjourn in order to hear one speech or to take one vote, and therefore it must have the privilege of renewing the motion to adjourn when there has been any progress in business or debate. But this high privilege is liable to abuse to the annoyance of the assembly, if the chair does not prevent it by refusing to entertain the motion when evidently made for obstructive purposes, as when the assembly has just voted it down, and nothing has occurred since to show the possibility of the assembly's wishing to adjourn. [See Dilatory Motions, 40.]

The motion to adjourn, like every other motion, cannot be made except by a member who has the floor. When made by one who has not risen and addressed the chair and been recognized, it can be entertained only by general consent. It cannot be made when the assembly is engaged in voting, or verifying the vote, but is in order after the vote has been taken by ballot before it has been announced. In such case the ballot vote should be announced as soon as business is resumed. Where much time will be consumed in counting ballots the assembly may adjourn, having previously appointed a time for the next meeting, or, still better, may take a recess as explained in the next section. No appeal, or question of order, or inquiry, should be entertained after the motion to adjourn has been made, unless it is of such a nature that its decision is necessary before an adjournment, or unless the assembly refuses to adjourn, when it would be in order.

Before putting the motion to adjourn, the chair, in most organizations, should be sure that no important matters have been overlooked. If there are announcements to be made they should be attended to before taking the vote, or at least, before announcing it. If there is something requiring action before adjournment, the fact should be stated and the mover requested to withdraw his motion to adjourn. The fact that the motion to adjourn is undebatable does not prevent the assembly's being informed of business requiring attention before adjournment. Members should not leave their seats until the chair has declared the assembly adjourned.

An adjournment sine die -- that is, without day -- closes the session and if there is no provision for convening the assembly again, of course the adjournment dissolves the assembly. But, if any provision has been made whereby another meeting may be held, its effect is simply to close the session. In an assembly, as a convention, which meets regularly only once during its life, but whose by-laws provide for calling special meetings, an adjournment sine die means only the ending of the regular session of the convention, which, however, may be reconvened as provided in the by-laws. If called to meet again the assembly meets as a body already organized.

When the motion to adjourn is qualified in any way, or when its effect is to dissolve the assembly without any provision being made for holding another meeting of the assembly, it loses its privilege and is a main motion, debatable and amendable and subject to having applied to it any of the subsidiary motions.

In committees where no provision has been made for future meetings, an adjournment is always at the call of the chair unless otherwise specified. When a special committee, or the committee of the whole, has completed the business referred to it, instead of adjourning, it rises and reports, which is equivalent to adjournment without day.

The Effect upon Unfinished Business of an adjournment, unless the assembly has adopted rules to the contrary, is as follows:

(a) When the adjournment does not close the session [63], the business interrupted by it is the first in order after the reading of the minutes at the next meeting, and is treated the same as if there had been no adjournment, an adjourned meeting being legally the continuation of the meeting of which it is an adjournment.



(b) When the adjournment closes a session¹ in an assembly having regular sessions as often as quarterly, the unfinished business should be taken up, just where it was interrupted at the next succeeding session previous to new business; provided that, in a body elected, either wholly or in part, for a definite time (as a board of directors one-third of whom are elected annually), unfinished business falls to the ground with the expiration of the term for which the board, or any part of it, was elected.

(c) When the adjournment closes a session in an assembly which does not meet as often as quarterly, or when the assembly is an elective body, and this session ends the term of a portion of the members, the adjournment puts an end to all business unfinished at the close of the session. The business may be introduced at the next session, the same as if it had never been before the assembly.

Footnotes

¹ "All business before committees of the House at the end of one session shall be resumed at the commencement of the next session of the same Congress in the same manner as if no adjournment had taken place." H.R. Rule 26. In practice this rule is applied to business before the House as well as to that before committees. But unfinished business does not go over from one Congress to another Congress. When a society meets only once in six months or a year, there is liable to be as great a difference in the personnel of the two consecutive meetings as of two consecutive Congresses, and only trouble would result from allowing unfinished business to hold over to the next yearly meeting.



ITEM 18 | TAKE A RECESS¹

This motion is practically a combination of the two preceding, to which it yields, taking precedence of all other motions. If made when other business is before the assembly, it is a privileged motion and is undebatable and can have no subsidiary motion applied to it except amend. It can be amended as to the length of the recess. It takes effect immediately. A motion to take a recess made when no business is before the assembly, or a motion to take a recess at a future time, has no privilege, and is treated as any other main motion. A recess is an intermission in the day's proceedings, as for meals or for counting the ballots when much time is required; or in the case of meetings like conventions lasting for several days a recess is sometimes taken over an entire day. When a recess is provided for in the order of exercises, or program, the chair, when the time arrives, announces the fact and says the assembly stands adjourned, or in recess, to the specified hour. The assembly by a two-thirds vote can postpone the time for taking a recess, or adjournment. When the hour has arrived to which the recess was taken, the chairman calls the assembly to order and the business proceeds the same as if no recess had been taken. If the recess was taken after a vote had been taken and before it was announced, then the first business is the announcement of the vote. The intermissions in the proceedings of a day are termed recesses, whether the assembly voted to take a recess, or whether it simply adjourned having previously adopted a program or rule providing for the hours of meeting. When an assembly has frequent short regular meetings not lasting over a day, and an adjourned meeting is held on another day, the interval between the meetings is not referred to as a recess.

Footnotes

¹ Congress has omitted this motion from its latest revision of the list of privileged motions, on account of its abuse for filibustering purposes, and its being so seldom needed.



ITEM 19 | QUESTIONS OF PRIVILEGE

Questions relating to the rights and privileges of the assembly, or to any of its members, take precedence of all other motions except the three preceding relating to adjournment and recess, to which they yield. If the question is one requiring immediate action it may interrupt a member's speech; as, for example, when, from any cause, a report that is being read cannot be heard in a part of the hall. But if it is not of such urgency it should not interrupt a member after he has commenced his speech. Before a member has commenced speaking, even though he has been assigned the floor, it is in order for another member to raise a question of privilege. When a member rises for this purpose he should not wait to be recognized, but immediately on rising should say, "Mr. Chairman," -- and when he catches the chairman's eye, should add, "I rise to a question of privilege affecting the assembly," or "I rise to a question of personal privilege." The chair directs him to state his question. and then decides whether it is one of privilege or not. From this decision any two members may appeal. The chair may decide it to be a question of privilege, but not of sufficient urgency to justify interrupting the speaker. In such a case the speaker should be allowed to continue, and, when he has finished, the chair should immediately assign the floor to the member who raised the question of privilege to make his motion if one is necessary. Whenever his motion is made and stated, it becomes the immediately pending question and is open to debate and amendment and the application of all the other subsidiary motions just as any main motion. Its high privilege extends only to giving it the right to consideration in preference to any other question except one relating to adjournment or recess, and, in cases of great urgency, the right to interrupt a member while speaking. It cannot interrupt voting or verifying a vote. As soon as the question of privilege is disposed of, the business is resumed exactly where it was interrupted; if a member had the floor at the time the question of privilege was raised, the chair assigns him the floor again.

Questions of privilege may relate to the privileges of the assembly or only of a member, the former having the precedence if the two come into competition. Questions of personal privilege must relate to one as a member of the assembly, or else relate to charges against his character which, if true, would incapacitate him for membership. Questions like the following relate to the privileges of the assembly: those relating to the organization of the assembly; or to the comfort of its members, as the heating,



lighting, ventilation, etc., of the hall, and freedom from noise and other disturbance; or to the conduct of its officers or employees; or to the punishing of a member for disorderly conduct or other offence; or to the conduct of reporters for the press, or to the accuracy of published reports of proceedings.

Privileged questions include, besides questions of privilege, a call for the orders of the day and the privileged motions relating to adjournment and recess. This distinction between privileged questions and questions of privilege should be borne in mind.



ITEM 20 | ORDERS OF THE DAY¹

A Call for the Orders of the Day (which, in an ordinary assembly, is a demand that the assembly conform to its program or order of business) can be made at any time when no other privileged [14] motion is pending and the order of business is being varied from, and only then. It requires no second, and is in order when another has the floor, even though it interrupts a speech, as a single member has a right to demand that the order of business be conformed to. It is out of order to call for the orders of the day when there is no variation from the order of business. Thus, the orders of the day cannot be called for when another question is pending, provided there are no special orders made for that time or an earlier time, as general orders cannot interrupt a question actually under consideration. The call must be simply for the orders of the day, and not for a specified one, as the latter has no privilege. When the time has arrived for which a special order has been made, a call for the orders of the day taken precedence of everything except the other privileged motions, namely, those relating to adjournment and recess, and questions of privilege, to which it yields. If there are no special orders a call for the orders of the day cannot interrupt a pending question; but, if made when no question is pending, it is in order even when another has the floor and has made a main motion, provided the chair has not stated the question. Until the time of actually taking up the general orders for consideration this call yields to a motion to reconsider, or to a calling up of a motion to reconsider, previously made. A call for the orders of the day cannot be debated or amended, or have any other subsidiary motion applied to it.

It is the duty of the chair to announce the business to come before the assembly in its proper order, and if he always performs this duty there will be no occasion for calling for the orders of the day. But there are occasions when the chair fails to notice that the time assigned for a special order has arrived, or he thinks that the assembly is so interested in the pending question that it does not wish yet to take up the special order assigned for that time, and therefore delays announcing it. In such a case, as already stated, any member has a right to call for the orders of the day, and thus compel the chair either to announce the order or else put the question, "Will the assembly proceed to the orders of the day?" To refuse to take up the orders at the appointed time is an interference with the order of business similar to suspending the rules and should require the same vote namely, two-thirds. In other words, a two-thirds vote in the negative is necessary to



prevent proceeding to the orders of the day. If the assembly refuses to proceed to the orders of the day the orders cannot be called for again until the pending business is disposed of.

When the orders of the day are announced, or when they are called for, if it is desired to prolong the discussion of the pending question, some one should move that the time for considering the pending question be extended a certain number of minutes. A two-thirds vote is required for the adoption of this motion as it changes the order of business or program. After the order has been announced and the question is actually pending, it is debatable and may be amended or have any other subsidiary motion applied to it the same as any other main motion. The orders of the day in a mass cannot be laid on the table or postponed, but when an order has been actually taken up it may, by a majority vote, be laid on the table, or postponed, or committed, so that, if there is no other order to interfere, the consideration of the question previously pending will be resumed. Whenever the orders of the day are disposed of, the consideration of the interrupted business is taken up at the point where it was interrupted by the call for the orders of the day. By suspending the rules by a two-thirds vote any question may be taken up out of its proper order.

Orders of the Day. When one or more subjects have been assigned to a particular day or hour (by postponing them to, or making them special orders for, that day or hour, or by adopting a program or order of business), they become the orders of the day for that day or hour, and they cannot be considered before that time, except by a two-thirds vote. They are divided into General Orders and Special Orders, the latter always taking precedence of the former.

A General Order is usually made by simply postponing a question to a certain day or hour, or after a certain event. It does not suspend any rule, and therefore cannot interrupt business. But after the appointed hour has arrived it has the preference, when no question is pending, over all other questions except special orders and reconsideration. It cannot be considered before the appointed time except by a reconsideration or by a two-thirds vote. When the order of business provides for orders of the day, questions simply postponed to a meeting, without specifying the hour, come up under that head. If no provision is made for orders of the day, then such postponed questions come up after the disposal of the business pending at the previous adjournment, and after the questions on the calendar that were not disposed of at the previous meeting.



An order of business that specifies the order in which, but not the time when, the business shall be transacted, together with the postponed questions constitutes the general orders. This order cannot be varied from except by general consent or by suspending the rules by a two-thirds vote. If all of this business is not disposed of before adjournment, it becomes "unfinished business," and is treated as unfinished business, as explained in 17 under The Effect Upon Unfinished Business of an Adjournment.

As general orders cannot interrupt the consideration of a pending question, it follows that any general order made for an earlier hour, though made afterwards, by not being disposed of in time may interfere with the general order previously made. Therefore, general orders must take precedence among themselves in the order of the times to which they were postponed, regardless of when the general order was made. If several are appointed for the same time, then they take precedence in the order in which they were made. If several appointed for the same time were made at the same time, then they take precedence in the order in which they were arranged in the motion making the general order.

To Make a Special Order requires a two-thirds vote, because it suspends all rules that interfere with its consideration at the specific time, except those relating to motions for adjournment or recess, or to questions of privilege or to special orders made before it was made. A pending question is made a special order for a future time by "Postponing it and making it a special order for that time." [See Postpone to a Certain Time, 31, which should be read in connection with this section.] If the question is not pending, the motion to make it a special order for a certain time is a main motion, debatable, amendable, etc. The member desirous of making it a special order should obtain the floor when nothing is pending, and business of that class, or new business, is in order, and say, "I move that the following resolution be made the special order for [specifying the time]," and then reads the resolution and hands it to the chair. Or he may adopt this form: "I offer the following resolution, and move that it be made a special order for the next meeting." Or, in case a committee has been appointed to submit a revision of the constitution, the following resolution may be adopted: "Resolved, That the revision of the constitution be made the special order for Thursday morning and thereafter until it is disposed of." Another way of making special orders is by adopting a program, or order of business, in which is specified the hour for taking up each topic.



Program. It is customary to adopt a program, or order of business, in conventions in session for several days. Since the delegates and invited speakers come from a distance, it is very important that the program be strictly adhered to. No change can be made in it after its adoption by the assembly, except by a two-thirds vote. When the hour assigned to a certain topic arrives, the chair puts to vote any questions pending and announces the topic for the hour. This is done because, under such circumstances, the form of the program implies that the hour, or other time, assigned to each topic is all that can be allowed. But, if any one moves to lay the question on the table, or postpone it to a certain time, or refer it to a committee, the chair should recognize the motion and immediately put it to vote without debate. Should any one move to extend the time allotted the pending question, it should be decided instantly without debate, a two-thirds vote being necessary for the extension. It is seldom that an extension is desirable, as it is unfair to the next topic. When an invited speaker exceeds his time it is extremely discourteous to call for the orders of the day. The chair should have an understanding with invited speakers as to how he will indicate the expiration of their time. This can be done by tapping on a book or a bell. It is usually better to have it understood that the signal will be given one minute before the time expires, or longer if the speaker wishes it, so that he can properly close his address. At the expiration of the time the presiding officer should rise and attract the attention of the speaker still continues speaking, the chair that the time has expired, etc.

A series of special orders made by a single vote is treated the same as a program -- that is, at the hour assigned to a particular subject it interrupts the question assigned to the previous hour. If it is desired to continue the discussion of the pending topic at another time, it can be laid on the table or postponed until after the close of the interrupting question, by a majority vote.

Special Orders made at different times for specified hours. When special orders that have been made at different times come into conflict, the one that was first made takes precedence of all special orders made afterwards, though the latter were made for an earlier hour. No special order can be made so as to interfere with one previously made. By reconsidering the vote making the first special order, they can be arranged in the order desired. Suppose, after a special order has been made for 3 P.M., one is made for 2 P.M., and still later one is made for 4 P.M.; if the 2 P.M. order is pending at 3 P.M., the order for 3 P.M., having been made first,



interrupts it and continues, if not previously disposed of, beyond 4 P.M., regardless of the special order for that hour. When it, the 3 P.M. order, is disposed of, the special order for 2 P.M. is resumed even if it is after 4 o'clock, because the 2 P.M. order was made before the 4 P.M. order. The only exception to this rule is in the case of the hour fixed for recess or adjournment. When that hour arrives the chair announces it and declares the assembly adjourned, or in recess, even though there is a special order pending that was made before the hour for recess or adjournment was fixed. When the chair announces the hour, any one can move to postpone the time for adjournment, or to extend the time for considering the pending question a certain number of minutes. These motions are undebatable, and require a two-thirds vote.

Special Orders when only the day or meeting is specified. Often subjects are made special orders for a meeting without specifying an hour. If the order of business provides for orders of the day, they come up under that head, taking precedence of general orders. If there is no provision for orders of the day, they come up under unfinished business -- that is, before new business. If there is no order of business, then they may be called up at any time after the minutes are disposed of.

The Special Order for a Meeting. Sometimes a subject is made the special order for a meeting, as for Tuesday morning in a convention, in which case it is announced by the chair as the pending business immediately after the disposal of the minutes. This particular form is used when it is desired to devote an entire meeting, or so much of it as is necessary, to considering a special subject, as the revision of the by-laws. This form of a special order should take precedence of the other forms of special orders. It is debatable and amendable.

Footnotes

¹ While Congress retains the call for the orders of the day in its list of privileged motions, it has abandoned the use of orders of the day, having, instead, a detailed order of business with several calendars. It retains special orders which may be made by a two-thirds vote.



APPENDIX



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