

# Yukon Legislative Assembly

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## Information Sheet No. 9: Convening A New Assembly

The first sitting day of a new Legislative Assembly is unique. In many ways this day illustrates many of the centuries-old traditions of parliamentary government. Adhering to these traditions confirms the continuity of our political institutions. All those who participate in and observe these ceremonies are linked to all who have participated in similar ceremonies in the past, and all who will participate in them in the future.

### **The Proclamation**

Once all Members of the Legislative Assembly (MLAs), House Officers and the Pages are in their appointed places, the Clerk of the Assembly officially begins the convening of a new Assembly by reading a proclamation from the Commissioner. The proclamation, written in delightfully archaic language, identifies the date and time when MLAs are to be summoned to the Chamber to begin the business of a new Assembly.

Once the proclamation is read the Clerk will read out a letter from the Chief Electoral Officer to the Commissioner which lists the names of all members elected and the electoral districts they represent.

### **The Commissioner Enters**

Following the report on members elected, the Commissioner will enter the Chamber, accompanied by aides-de-camp, and sit in the Speaker's Chair. The Clerk will then inform the MLAs that the Commissioner "does not see fit to declare the causes of the summoning of the present Assembly...until a Speaker of this Assembly shall have been chosen according to law..." The Commissioner and the aides-de-camp then leave the Chamber.

### **The Election of the Speaker**

Section 14(1) of the *Yukon Act* requires the election of a Speaker. Section 21 of the *Legislative Assembly Act* requires that this be done as soon as possible on the first sitting day of a new legislature.

The Speaker is elected by way of a motion that a certain member "take the Chair of this Assembly as Speaker." This motion is moved by the Premier and seconded by other party leaders. If the Assembly approves the motion that member becomes the Speaker. If the motion is not approved another member must put forward another motion proposing that another member take the Chair. This process continues until the Assembly approves one such motion. The House may also elect its other presiding officers – the Deputy Speaker (and Chair of Committee of the Whole) and the Deputy Chair of Committee of the Whole – on the first sitting day.

### **The Commissioner Returns**

Once elected, the Speaker will ask the Clerk to inform the Commissioner "that the Assembly is now prepared to hear the Speech from the Throne." The Commissioner

then returns to the Chamber and again takes the Speaker's Chair. The Speaker, standing to the Commissioner's right, will then address the Commissioner and "claim for [all MLAs] their undoubted rights and privileges, especially freedom of speech in their debates, access to your person when necessary, and your favourable consideration of their proceedings." The Commissioner then "grant(s) and "allow(s) the Assembly's constitutional privileges."

Centuries ago the reigning monarch would not accept the legitimacy of his or her subjects gathering to debate the wisdom of his or her decisions. To do so was sometimes treated as an act of treason. This exchange between the Speaker and the Commissioner symbolizes the foundation of parliamentary democracy – that the 'Crown' accepts the right of elected members to gather and discuss matters of public policy.

### **The Speech from the Throne**

The Commissioner then reads the Speech from the Throne. Strictly speaking, this speech constitutes the "the causes of the summoning of the present Assembly." Though the Commissioner delivers the speech, it is the Commissioner's advisors – the Premier and cabinet ministers – who are responsible for its content. The speech lays out the government's plans for the future.

### **The House is called to Order**

Once the Throne Speech is delivered the Commissioner will leave the Chamber and the Speaker will take the Chair and call the Assembly to order. The Assembly will then respond to the Throne Speech in two ways.

The first response to the Throne Speech will occur when an MLA moves the introduction and first reading of a bill entitled, *An Act to Perpetuate A Certain Ancient Right*. In delivering the Throne Speech the Commissioner tells the Assembly why it has been summoned and the business it is expected to deal with. By introducing and giving first reading to *An Act to Perpetuate A Certain Ancient Right* the MLAs assert their right to discuss any matter they choose. While the introduction of this bill is symbolically important, the bill is never brought forward for further debate.

The second response will occur later on the first sitting day when an MLA will move "THAT the Speech from the Throne be considered on a day following." Once that motion is approved the Government House Leader will identify the first day on which the Throne Speech will be considered. The Assembly's rules allow a maximum of three days to consider the Throne Speech. The 'consideration' of the Throne Speech is formally known as the Address in Reply to The Speech from the Throne.

As this is the first sitting day of a new Assembly there is no *Order Paper* containing business that the House can deal with. However, before the Assembly adjourns the Speaker will allow members the opportunity to introduce other bills or give notices of motion so that these items may be considered at a future date.

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