



# Yukon Legislative Assembly

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## Information Sheet No. 3 Petitions

The right of citizens to petition their elected representatives for redress of a grievance is based on centuries- old tradition and precedent.

Petitioning the Crown (and later Parliament) for redress of a grievance originated in the time of the 13th- century monarch Edward I. Petitioners had recourse to the Crown's prerogative power, which was above the common law. Petitions granted to individuals and communities were in the nature of private laws; those granted to the nation as a whole made public laws.

In medieval times, before Parliament had assumed its present constitution and when its judicial and legislative functions were as yet undefined, Receivers and Triers of petitions appointed by the Crown travelled the country to hear the complaints of the people. Certain matters would be referred to local courts by the Triers, but others would be found appropriate for consideration by the High Court of Parliament.<sup>1</sup>

Today petitions are a way members of the public can bring their concerns to the attention of elected representatives. In this way petitions can influence government policies and the laws passed by the Yukon Legislature.

### **Presenting a Petition to the Yukon Legislative Assembly**

A petition must be presented to the Assembly by a Member of the Legislative Assembly (MLA) during a sitting day. In so doing the MLA must endorse the petition either by signing it or by signing a statement stating that the petition contains "proper matter for consideration by the Yukon Legislative Assembly."

A petition can be presented in two ways. The MLA may send the petition to the Clerk's Table at any time during the sitting day. Or the MLA may present the petition during that part of the Daily Routine called 'Petitions.' If the MLA presents the petition during 'Petitions' he or she may make a brief statement about the petition, including the subject of the petition, the number of signatures, and the redress requested by the petitioners. The MLA may read out the text of the petition, but cannot make any statement in favour of, or against, the petition as no debate is allowed at this time.

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<sup>1</sup> [\*House of Commons Procedure and Practice, Third Edition 2017, Marc Bosc and André Gagnon, page 1175\*](#)

## **The Form and Content of a Petition**

A petition must be addressed to the Legislative Assembly, state a grievance and ask that the Assembly do something about the grievance.

A petition can be printed or hand written, but the signature of at least three petitioners must be on the sheet that contains the statement of grievance. The petition must contain original signatures. Photocopied or faxed pages, or electronic petitions are not accepted. Petitioners do not have to put their address, phone number or other contact information on the petition. Petitions do not have to be dated. Anyone can sign the petition. Signatories do not have to be Canadian citizens or Yukon residents.

An appendix to the Standing Orders of the Yukon Legislative Assembly includes a model petition. It can be found on the Legislative Assembly's website at: <https://yukonassembly.ca/house-business/standing-orders>

Petitioners may ask for an expenditure or grant of public funds. A petition can also address an issue that has been delegated to another body by the Legislative Assembly. However, the petition cannot ask the Assembly to exercise authority it has delegated to another body.

There are other limits on petitions. The language of a petition must be respectful, and though the remedy requested would mean a change of government policy, it cannot express opinions about the government, the Assembly or MLAs. Also, a petition cannot contain a charge against a person. A petition cannot ask the Assembly to act outside the powers it has under the *Yukon Act*. Neither can a petition challenge an MLA's election to the Assembly. Contested elections are dealt with in the *Elections Act*.

## **Receipt of the Petition**

On the sitting day following the presentation of a petition the Clerk of the Assembly presents a report on the petition. If the Clerk reports that the petition is in order the Speaker will deem it "read and received" and it becomes part of the Assembly's permanent records.

## **Debate on a Petition**

MLAs are not allowed to debate the Clerk's report to the Assembly. An MLA can, however, ask that the Clerk read the petition to the Assembly. A petition that complains of some present personal grievance requiring an immediate remedy may be debated at this point. But that is up to the Members of the Assembly. Petitioners cannot demand an immediate debate.

## **Ministerial Response**

The Assembly's rules require that the Government of Yukon respond in the Legislative Assembly to every petition deemed "read and received." A Minister must give this response, orally or in writing, within eight sitting days of the presentation of the petition to the Assembly. An oral response to the petition cannot last more than five minutes. Opposition Members cannot speak to the petition at this time.