



Yukon Legislative Assembly

Information Sheet No. 1 The Speaker of the Legislative Assembly

The office of Speaker is almost as old as parliamentary government itself. Sir Thomas Hungerford was the first Speaker of the House of Commons of England, appointed in 1377. Before 1377, "Equivalent presiding officers...were called 'parlour' or 'prolocutor' and have been identified as far back as 1258 when Peter de Montfort is said to have presided over the so-called 'Mad Parliament' held at Oxford that year."¹ The first Yukon Speaker was Robert Lowe, who was selected in 1909 after the election of the first wholly-elected Yukon Territorial Council.

The Speaker represents, and speaks for, the Legislative Assembly. This differs from the role of the Premier, who speaks on behalf of the Government of Yukon, his or her party and parliamentary caucus. Other party leaders speak on behalf of their own party and caucus.

The Speaker's authority comes entirely from the Assembly and is used entirely for its benefit. Speaker William Lenthall made this point forcefully in 1642, prior to the English Civil War, when King Charles I entered the House of Commons, sat in the Speaker's chair, and demanded the surrender of five parliamentary leaders on charges of treason. In response, Speaker Lenthall said:

May it please Your Majesty, I have neither eyes to see, nor tongue to speak in this place, but as the House is pleased to direct me, whose servant I am here; and I humbly beg Your Majesty's pardon that I cannot give any other answer than this to what Your Majesty is pleased to demand of me.²

By stating that he had no authority other than that given to him by the House of Commons, Speaker Lenthall affirmed that he was the servant of the House of Commons, not the King.

Electing a Speaker

The *Yukon Act* requires that the Legislative Assembly elect one of its members as Speaker. The *Legislative Assembly Act* requires that this be done on the first sitting day of a new Legislative Assembly. That day begins with the Clerk of the Legislative Assembly reading the Commissioner's proclamation summoning the Assembly. The Commissioner then enters the Chamber to read the Speech from the Throne. The Clerk then advises the

¹ <http://www.parliament.uk/business/commons/the-speaker/the-role-of-the-speaker/history-of-the-speakership/>

² <http://www.parliament.uk/business/commons/the-speaker/the-role-of-the-speaker/history-of-the-speakership/>

Members of the Legislative Assembly (MLAs) that the Commissioner will not read the Speech until they elect a Speaker. The Commissioner then leaves the Chamber.

The Speaker is elected by way of a motion that a certain member “take the Chair of this Assembly as Speaker.” The established practice is for this motion to be moved by the Premier and seconded by other party leaders. This practice demonstrates that the MLA nominated as Speaker has the support of all parties in the Assembly. Once the Speaker is elected the Commissioner returns to the House, reads the Speech from the Throne and the Assembly begins its business.

Impartiality

The Speaker’s role is very different from that of the other MLAs. The Speaker, usually a member of the government caucus, must be impartial, serve the entire Assembly and treat all MLAs equally. The Speaker does not take part in debate in the House and rarely participates in Committee of the Whole. The *Yukon Act* and the *Legislative Assembly Act* also stipulate that the Speaker only votes to break a tie. On those rare occasions when the Speaker votes, the Speaker does so in a way that preserves, as much as possible, the neutrality and impartiality of the position.

The Speaker as Presiding Officer

The Speaker’s role is defined by the Standing Orders. The Speaker ensures that Assembly proceedings follow the established rules and practices. This includes making sure that all motions for debate are properly put to the Assembly, determining the order in which members speak, and ruling on points of order and questions of privilege. The Speaker ensures that all MLAs get a fair opportunity to take part in the proceedings.

In enforcing the rules, the Speaker balances two basic principles: allowing the majority to conduct its business in an orderly manner and protecting the minority’s right to be heard. The Speaker favours neither side over the other. The Speaker, with the help of the Sergeant-at-Arms, maintains order on the floor and in the public gallery.

The Speaker’s Administrative Role

The Speaker chairs the Members' Services Board (MSB), an Assembly committee that oversees all administrative matters affecting the Assembly and its members. The MSB also reviews and approves the budgets for the Legislative Assembly Office, Elections Yukon, the Conflict of Interest Commission, the Ombudsman’s Office (who is also the Information and Privacy Commissioner and the Public Interest Disclosure Commissioner), and the Child and Youth Advocate Office. These estimates are then included in the budget that the government presents to the Legislative Assembly.

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