



Yukon Legislative Assembly

A Glossary of Parliamentary Procedure

December 2016

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Introduction

Like many areas of endeavour, parliamentary procedure has its own language; a set of words and phrases that describe the technical or peculiar aspects of that activity. To those unfamiliar with parliamentary procedure this language may not always be clear. Some of these words and phrases seem arcane, which is not surprising given that they find their origins early in the development of parliamentary government. Other terms developed somewhat later as parliamentary procedure evolved over the years.

In 1992 the House of Commons of Canada identified a need to “prepare a glossary which would provide basic definitions in readily accessible form, directly related to the context of the Canadian House of Commons.” The first edition of the glossary appeared in 1993 and has since been updated.

In compiling this glossary the goal is similar: to provide accurate, concise and readily accessible definitions of the language of the Yukon Legislative Assembly. It was not necessary to ‘start from scratch’ to do so. Many of the entries in this glossary are taken *verbatim* from the 2001 edition of the glossary compiled by the House of Commons. This should not come as a surprise given that both the Yukon Legislative Assembly and the House of Commons are founded on the traditions of the Westminster parliamentary system. The commonality is enhanced because, pursuant to Standing Order 1, the procedures and practices of the House of Commons serve as the primary reference when the Yukon Legislative Assembly must deal with cases not provided for by its standing, sessional or other orders. Some definitions could not be used *verbatim* but required only minor changes. For example, in some cases only the names of roles, institutions or practices needed to be substituted (Premier for Prime Minister, Yukon Legislative Assembly for House of Commons, Daily Routine for routine proceedings) to make a definition applicable.

Merely copying the House of Commons glossary would not do, however. As much as both institutions share the same roots there are many differences between them. The glossary had to be adapted to encompass those differences. For example, there are several terms included in the House of Commons glossary that have to do with the Senate of Canada and relations between the two Houses. These are not relevant to the Yukon Legislative Assembly. And, while some roles are analogous, there are important differences between, for example, the Commissioner of Yukon and the Governor General of Canada. These, and other, differences have been considered.

It is hoped that this glossary will serve a similar purpose to the one prepared for the House of Commons: to be useful to those directly involved with the proceedings of the Legislative Assembly, and to all others that have an interest in the Assembly’s workings.

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Yukon Legislative Assembly
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Notes On Using The Glossary

The definitions in this glossary are presented for informational purposes only. They do not constitute a procedural authority.

Capitalization:

Certain terms will begin with a capital letter where they are employed as short forms of a proper term, e.g. Member (for Member of the Legislative Assembly), or Chamber (for Legislative Assembly Chamber).

Cross-References:

See: Is used to refer to a main entry that is accompanied by a definition; e.g. “**authority**, see: **procedural authority**.”

Compare: Is used to refer to a related term that provides additional or complementary information about the concept defined; e.g. “**abstention**, compare: **pairing**.”

Distinguish: Is used to refer to a related term where a risk of confusion exists; e.g. “**recess**, distinguish: **adjournment**; **suspension of a sitting**.”

Italics:

The title of documents (*Yukon Act*) are written in italics.

Synonym: Is used to identify a synonym listed under a main entry term; e.g. “appropriation bill” ...synonym: “budget bill”, “supply bill.”

A

abstention. A refusal by a Member to vote either for or against a motion. Standing Order 25(6) says, “Each Member [of the Legislative Assembly] present [for a division] shall vote unless he or she has a direct pecuniary interest [in the bill or motion being voted on].” In other words, Yukon MLAs cannot abstain. If a Member does not wish to vote on a motion, the Member must leave the Chamber while the division bells are ringing (i.e. before the vote is begun).

Act of the Legislature. A bill that has passed the Legislative Assembly and received Assent from the Commissioner. Distinguish: **bill**. See: **coming-into-force clause**.

Act to Perpetuate a Certain Ancient Right. The title of the Legislative Assembly’s pro forma bill. See: **pro forma bill**.

Acting Speaker. A Member, other than the Deputy Speaker (who is also Chair of Committee of the Whole), who is called upon, by motion, to take the Chair during the unavoidable absence of the Speaker. Usually, the Deputy Chair of Committee of the Whole is chosen to take the Chair as Acting Speaker. The acting Speaker must be a private Member.

Address. A formal message by which the Legislative Assembly may extend congratulations, express a wish or an opinion, or make a request. The only Addresses that occurs with frequency is the Address in Reply to the Speech from the Throne, which is addressed to the Commissioner of Yukon. Section 35(1) of the *Ombudsman Act* (since repealed) was a ‘sunset clause’ which stated that the Act was to continue in force for only five years at a time. The Assembly used an Address to the Commissioner, pursuant to section 35(2) of the Act, to renew the Act. The Assembly also debated Addresses during ceremonial sittings in Mayo on June 12, 2003 and in Dawson City on June 12, 2009.

Address in Reply to the Speech from the Throne. An Address expressing the Legislative Assembly’s thanks to the Commissioner for the Throne Speech. Moving the Address starts a wide-ranging debate on the government’s program. The rules which apply to the Address are found in Standing Order 26.

adjournment of debate. The adoption of a motion to adjourn debate temporarily ends debate on a motion. The motion to adjourn debate is moved without notice, and usually toward the end of a sitting day. Once debate is adjourned on a bill or motion a Member may move a motion to adjourn the House. Adjourning debate suspends the discussion thereby postponing a decision on the motion. A Member cannot move a motion to adjourn debate on his or her own motion. If a motion to adjourn a debate is adopted, the item is not dropped from the *Order Paper* but may be taken up again on another sitting day.

adjournment of the House. The termination of a sitting day of the Legislative Assembly. This can be done by a motion moved without notice by a Member (usually the Government House

Leader) and adopted by the House. However, this motion cannot be moved if another piece of business is under debate. If that is the case, a motion to adjourn debate must be adopted before the motion to adjourn the House can be moved. Standing Order 2(2) gives the Speaker the authority to adjourn the House at the normal hour of adjournment [5:30 p.m.], even if another piece of business is before the House at that time. In such cases the debate on the bill or motion is deemed adjourned. An adjournment commonly covers the period between the end of one sitting day and the beginning of the next. However, the Assembly also adjourns for an extended, sometimes undefined, period of time at the end of each Spring and Fall Sitting. Distinguish: **recess; suspension of a sitting; extended adjournment; dissolution.**

Administrator of Yukon. The Administrator assumes the powers of the Commissioner in the event of the latter's death, incapacity, removal or absence from the territory. The Administrator may, as necessary, read the Throne Speech, and signify Assent to bills. The position of Administrator is established by section 5 of the *Yukon Act*.

affirmation. A declaration of allegiance to the Sovereign, or a commitment to uphold the duties of one's office, made by a Member-elect before taking a seat in the Legislative Assembly. An affirmation is an alternative to an oath of allegiance and oath of office, as it does not carry the religious connotation of an oath. Affirmations and oaths are equally binding. See: **oath of allegiance; oath of office; oath of secrecy.**

amending Act. An Act of the Legislature that modifies an existing Act or Acts. Restrictions exist on the type of amendments that may be proposed to the bills leading to amending Acts. Such amendments must be within the limited scope of the amending Act, not the entirety of the Act being amended.

amendment. A proposed change to the text of a motion or to the clause of a bill. An amendment may present an improved formulation of the proposition under consideration (in the mind of the Member moving the amendment) or provide an alternative to it, but cannot directly contradict it. See: **expanded negative.**

ancillary motion. A subsidiary motion, such as a motion for the second reading of a bill or for concurrence in a committee report, dependent on an order already made by the Legislative Assembly. Distinguish: **substantive motion.**

appeal a decision. To request the reconsideration of a decision made by a committee chair. Decisions made by the Chair of Committee of the Whole, or the Chair of a standing, special or select committee, may be appealed by the committee to the Speaker (a rare occurrence). Pursuant to Standing Order 6(1) "no decision [of the Speaker] shall be subject to an appeal to the Assembly."

appointment. See: **Order in Council appointment.**

appropriation. A sum of money allocated by the Legislature for a specific purpose outlined in a main, supplementary or interim supply appropriation bill. Compare: **vote** (2).

appropriation bill. The Minister of Finance introduces a main, supplementary or interim supply appropriation bill to the Legislative Assembly in order to seek the Legislature's approval for government access to the Consolidated Revenue Fund. Such a bill is, by law and by the Standing Orders, accompanied by a Money Message from the Commissioner. Only a Minister can acquire a Money Message from the Commissioner. Synonym: **supply bill, budget bill**. See: **Money Message**.

Assent. The approval, by the Commissioner, the Administrator (in the absence of the Commissioner), or the senior judge of the Supreme Court of Yukon (in the absence of the Commissioner and the Administrator), of a bill passed by the Legislative Assembly. The granting of Assent transforms a bill into an Act of the Legislature. Assent is generally granted in the Chamber in the presence of Members of the Assembly. On rare occasions when the Commissioner has been unavailable at the time of the passage of a bill, there has been no Administrator appointed and the Assembly has adjourned for an extended period, Assent has been given in the Commissioner's office at a later date in the presence of the Clerk of the Legislative Assembly (if possible, the Speaker also attends).

Auditor General. Section 34(1) of the *Yukon Act* designates the Auditor General of Canada as the auditor for the Government of Yukon. The Auditor General is responsible for the independent examination of the government's accounts. Reports of this examination are tabled in the Legislative Assembly every year, as described in section 8 of the *Financial Administration Act*. The Auditor General also conducts annual performance audits of government departments. These reports are tabled in the Legislative Assembly and referred to the Standing Committee on Public Accounts.

authority. See: **procedural authority**.

B

backbencher. In Yukon the term, when it is used, refers to a government private member; a member of the government caucus who is not a cabinet minister. Distinguish: **front benches, private Member**.

Bar of the House (the Bar). A raised brass barrier inside the main entrance of the Chamber beyond which non-Members (strangers) may not be admitted. Exemptions are granted for Table Officers, Sergeants-at-Arms, Pages and departmental officials who advise cabinet ministers during Committee of the Whole. Note that witnesses who appear before Committee of the Whole sit outside the Bar. See: **stranger**.

Beauchesne's Rules and Forms of the House of Commons of Canada. An authority on parliamentary procedure in the Canadian House of Commons. It was originally written by

Arthur Beauchesne, Clerk of the House of Commons from 1925 to 1949, and subsequently revised and updated. It is commonly referred to simply as *Beauchesne*. The latest edition, the sixth, was published in 1989. Compare: **procedural authority**.

bell. An electronic bell used to summon Members at the beginning of a sitting day, for the taking of a vote, or for a quorum count. When used to summon Members for a vote, it is called a 'division bell.'

bill. A proposed law submitted to the Legislative Assembly for its approval. A bill may be introduced by a cabinet minister or a private Member, and may relate to public or private interests. Only a cabinet minister may introduce an appropriation bill or a bill for the imposition of a tax. A bill must pass through four stages (introduction and first reading, second reading, committee, and third reading) before it can be assented to by the Commissioner, and become law. See: **appropriation bill, government bill, private bill, private member's bill, public bill**. Compare: **Act**.

Blues. The unedited transcript of proceedings in the Legislative Assembly. So called because they were originally produced on blue paper. Compare: *Hansard*.

Bourinot. See: *Parliamentary Procedure and Practice in the Dominion of Canada*.

breach of privilege. An infringement of one of the specific privileges of the Legislative Assembly or one of its Members. A breach of privilege is an act that prevents the Assembly or the Member from carrying out their parliamentary functions. When a Member raises a question of privilege the Speaker must determine if there appears to be, at first glance (*prima facie*) a violation of privilege. If the Speaker determines that there appears to be a breach of privilege the Speaker will invite the Member who raised the question of privilege to move a motion that addresses the breach. It is up to the Assembly to determine if its privileges have been violated. See: **prima facie, privilege, question of privilege**. Distinguish: **contempt of Parliament**.

budget. The government's statement of its plans for raising and spending money for a given fiscal year. The budget is presented to the Legislative Assembly in the form of a main appropriation act. Over the years different governments have adopted different approaches to presenting the budget. Some have chosen to present both the Capital, and Operations and Maintenance budgets during the Spring Sitting. Others have chosen to present the Operations and Maintenance budget during the Spring Sitting and the Capital budget during the Fall Sitting. Distinguish: **budget speech**.

budget debate. A debate on the motion for second reading of a main appropriation bill. In essence, it is a debate on the government's budgetary policy. Compare: **budget speech**.

budget speech. The speech to the Legislative Assembly by the Minister of Finance at second reading of a main appropriation bill. The speech introduces the government's plans concerning

fiscal, economic and social policy for the coming fiscal year. Compare: **budget debate**. Distinguish: **budget**. Synonym: **budget presentation**.

business of the House. Any matter that is placed before the Legislative Assembly, introduced by a minister or by a private Member, during the Daily Routine or Orders of the Day. See: **Daily Routine, Orders of the Day**.

C

cabinet. The common term used to refer to the Executive Council of Yukon. See: **Executive Council of Yukon**.

cabinet commission. A body established by cabinet, headed by a government private member, to investigate and report on a particular policy area. Four cabinet commissions (local hire, forestry, development assessment process and energy) existed during the 29th Legislative Assembly (1996-2000). They were meant to be advisory in nature. They were styled as interdepartmental working groups, headed by a deputy commissioner, who reported to a government private member. The Commissions had no operational responsibilities. They provided advice to Cabinet, but had no authority to make final decisions or implement the decisions of Cabinet. Ministers remained responsible for decision making. Each commission was provided with a mission statement, mandate and terms of reference. Personnel and financial resources were allocated to them. The cabinet commissions also operated within a time frame. They ceased to exist once they completed the work assigned to them. A government private member was appointed as a cabinet commissioner for Highways and Public Works and Community Services during the 32nd Legislative Assembly. However, there was no actual commission so the member played more of a parliamentary secretary role.

cabinet commissioner. A government private member appointed to lead a cabinet commission. As a private member a cabinet commissioner does not receive an additional salary, is not required to take the cabinet oath of secrecy, and is not subject to the additional conflict of interest rules that apply to ministers. The Standing Orders provide that a cabinet commissioner may answer questions in Question Period (Standing Order 11(5)), make statements during ministerial statements (Standing Order 11(4)), or participate in Committee of the Whole with regard to his or her cabinet commission (Standing Order 58(2.1)). See: **cabinet commission**. Distinguish: **cabinet minister**.

cabinet minister. This is the common term for a Member of the Executive Council of Yukon. Executive Council Members are appointed by the Commissioner on the advice of the Premier. Ministers are almost always chosen from the government caucus and are responsible to the Legislative Assembly for their official actions and those of their departments, agencies or corporations. Cabinet ministers are given the title "Honourable." See: **Executive Council of Yukon**.

cabinet solidarity. The principle that each cabinet minister must publicly support all decisions of cabinet, even those the minister may personally disagree with. By convention, those ministers who do not publicly support a decision must resign from the cabinet. Compare: **ministerial responsibility; responsible government.**

casting vote. The deciding vote accorded to the Speaker (or, in committee, to the Chair) in the event of a tie. The *Yukon Act* and the *Legislative Assembly Act* stipulate that the Speaker only votes in the event of a tie and must vote in the event of a tie. In using the casting vote the Speaker or Chair will vote to maintain the status quo and/or provide the House will further opportunities to debate the matter. Guidelines for the use of the casting vote are found in the Speaker's Procedural Handbook and the Chair's Handbook for Committee of the Whole.

caucus. A group composed of all Members of a given political party who are elected to the Legislative Assembly. Distinguish: **political party.**

censure motion. A motion condemning the government, a minister, a private Member or a private individual or other entity for an action or lack of action for which they are responsible. Such motions are extraordinarily rare and would only arise in the context of a question of privilege or an accusation of contempt of the Assembly.

Chair. The presiding officer at a sitting of the Legislative Assembly (the Speaker, the Deputy Speaker, the Acting Speaker) or a committee meeting (Chair, vice-Chair or acting Chair). See: **presiding officer.**

Chair of Committee of the Whole. The member who presides over sittings of Committee of the Whole. The member elected as Deputy Speaker is also charged with presiding over Committee of the Whole. See: **presiding officer.**

Chamber. The room in which the Legislative Assembly meets to conduct its business. Synonyms: **Legislative Assembly Chamber, the House.**

Chapter 14. This chapter of Standing Orders of the Yukon Legislative Assembly that contains the rules regarding the convening, duration and conclusion of Sittings of the Legislative Assembly. Provisions include rules for providing notice to Members of the Assembly being called into session after an extended adjournment; the timing for the introduction of bills; determining the number of sitting days; and procedures designed to bring a Sitting to an orderly conclusion. Compare: **closure; guillotine; time allocation.**

clause. An individually- numbered portion of a bill consisting of a single sentence or statement. A clause may be divided into sub-clauses. Once a bill becomes law, its clauses are referred to as *sections*. Clauses are subject to amendment during committee consideration of a bill. See: **bill, section.**

clause-by-clause study. The final phase of a committee's consideration of a bill, involving detailed study of its provisions. Each clause of the bill is considered individually and may be carried, carried as amended or deleted.

Clerk of Committees. The Table Officer who is the primary administrative officer and procedural advisor to standing, select and special committees of the Legislative Assembly (other than the Members' Services Board). The Clerk of Committees also sits at the Table during sittings of the House and has other House-related duties, such as preparing the daily Order Paper and the Votes and Proceedings. See: **committee clerk; Table Officers.**

Clerk of the Legislative Assembly. The chief procedural and administrative advisor to the Speaker and Members of the Legislative Assembly. The Clerk of the Assembly is a permanent, non-partisan position, equivalent in rank to the deputy minister of a government department. The Clerk is also Secretary to the Members' Services Board, Secretary of the Yukon Branch of the Commonwealth Parliamentary Association, and Secretary-Treasurer of the Parliamentary Broadcasting Society. The Clerk is appointed by Order-in-Council, on the recommendation of the Members' Services Board. As the senior permanent official of the Assembly, the Clerk is responsible for a wide range of administrative and procedural duties relating to the work of the House and its committees.

Clerks-at-the-Table. See: **Table Officers.**

closure. A procedure prohibiting the further adjournment of debate on a motion or at any stage of a bill. Closure also requires that the motion come to a vote at the end of the sitting day in which it is invoked. There is no provision for closure in the *Standing Orders of the Yukon Legislative Assembly*. The Assembly manages its time according to the provisions of Chapter 14 of the *Standing Orders*. Distinguish: **Chapter 14; guillotine; previous question; time allocation.**

coming-into-force clause. The clause of a bill stating the date upon which an Act, or part of an Act, will take effect. Such a clause may indicate a specific coming into force date or that all or part of the Act will come into force on a date fixed by order of the Commissioner in Executive Council (Order-in-Council). If there is no coming into force clause the Act comes into force upon Assent.

Commissioner of Yukon. The public official who performs the 'head of state' role in Yukon, in contrast to the Premier who is the head of the government. In this sense the Commissioner's role is like that of a provincial Lieutenant Governor. The office of the Commissioner of Yukon is created by sub-section 4(1) of the *Yukon Act*. Most of the Commissioner's authority is exercised on the advice of the Premier (as in appointing Cabinet Ministers), or Cabinet (in issuing orders-in-council) or the Legislative Assembly (as in granting Assent to bills). However the Commissioner may, in certain circumstances exercise his or her own prerogative (as in selecting the Premier, though the choice is usually obvious given the composition of the House). The Governor in Council (the Governor General of Canada acting on the advice of the federal cabinet) formally appoints the Commissioner, normally for a five-year term.

Commissioner in Council. A now outdated phrase meaning the Commissioner acting on the advice of the Territorial Council, now called the Legislative Assembly. Under the *Yukon Act* that came into force on April 1, 2003, this term has been replaced by the term “Legislature.”

Commissioner in Executive Council. A phrase meaning the Commissioner acting on the advice of the Executive Council, or cabinet.

committee. A body of Members of the Legislative Assembly appointed by order of the House to consider such matters, including bills, as the Legislative Assembly may refer to it or empower it to examine. There are four types of committees: (1) standing, (2) select, (3) special, and (4) Committee of the Whole. All MLAs are Members of Committee of the Whole.

committee clerk. A non-partisan official of the Legislative Assembly Office who is administrative officer and advisor on parliamentary procedure to a committee. The committee clerk, after consultation with the committee Chair and committee Members, assembles the agenda and takes the minutes of proceedings at all committee meetings. The committee clerk may also draft rulings on procedural questions for the committee Chair. See: **Table Officers.**

committee hearing. The receiving of oral evidence by a committee either publicly or in camera. Hearings may be held on a specific topic or concerning a particular bill.

Committee of the Whole. Members of the Legislative Assembly sitting in the Chamber as a committee. Presided over by the Chair of Committee of the Whole, rather than by the Speaker, it studies legislation, including appropriation bills and any other matters referred to it by the Assembly. Witnesses also appear in Committee of the Whole pursuant to an order of the Committee or of the House. See: **Chair of Committee of the Whole; committee stage (of a bill).**

committee stage (of a bill). Detailed study of a bill by a committee (in almost all cases this will be done in Committee of the Whole). This is the stage at which amendments may be proposed during clause-by-clause consideration of the bill. The committee stage could also include the hearing of witnesses.

Commonwealth Parliamentary Association (CPA). An association of Members of national and regional legislatures of Commonwealth countries. The CPA provides a forum for the exchange of ideas and information and for the sharing of knowledge and experience through person-to-person contact on a wide range of issues affecting Commonwealth countries. All Members of the Legislative Assembly are Members of the Yukon Branch of the CPA. The Yukon Branch is part of the Canadian Region. The Yukon Branch has a travel budget which allows Members the opportunity to travel to annual Canadian and international CPA conferences; including the Canadian regional conference which takes place in July, the Canadian regional seminar which takes place in the fall, and the international Commonwealth Parliamentary Conference which usually takes place in September or October.

concurrence (in a committee report). The House, as a whole, expressing agreement with a committee report, including the conclusions or recommendations it contains. Concurrence is arrived at in the Legislative Assembly by the adoption of a motion to concur in a committee report. By adopting the motion the House adopts the recommendations in the committee's report as its own.

confidence convention. A fundamental feature of parliamentary government, that is not written into any statute or Standing Order of the House, that the Premier and the Cabinet are responsible to the Legislative Assembly for their actions and must enjoy the support of a majority of the Members of the Legislative Assembly to remain in office. If the government is defeated in the House on a confidence question, it is expected to resign or seek the dissolution of the House in order for a general election to be held. What constitutes a question of confidence in the government varies with the circumstances. A lack of confidence could be demonstrated by the adoption by the House of an explicit non-confidence motion, the defeat of an important government bill, such as a main appropriation bill, or the defeat of the motion for an Address in Reply to the Speech from the Throne. Confidence is not a matter of parliamentary procedure, nor is it something on which the Speaker can be asked to rule. See: **non-confidence motion.**

conflict of interest. A conflict arising from any interest, pecuniary(monetary) or other, which interferes with a Member's ability to perform his or her functions. A real or apparent conflict of interest may prevent a Member from participating in the debate on, and voting on, a bill or motion before the House. Standing Order 9(1) says, "No member is entitled to vote upon any question in which the member has a direct pecuniary interest." In Yukon conflict of interest for Members of the Legislative Assembly is defined and enforced by the Conflict of Interest Commissioner through the *Conflict of Interest (Members and Ministers) Act*.

Conflict of Interest Commissioner. An officer, appointed by a motion of the Legislative Assembly, to advise Members regarding compliance with the *Conflict of Interest (Members and Ministers) Act*.

consent. See: **unanimous consent.**

consequential amendment. In some cases amending one Act will require one or more amendments to another, related, Act. Amendments to related Acts are called consequential amendments as they are made in order to ensure coherence and consistency between related pieces of legislation.

Consolidated Revenue Fund. Subsection 28(1) of the *Yukon Act* says, "All public moneys over which the Legislature has the power of appropriation shall form a fund to be known as the Yukon Consolidated Revenue Fund." The purpose of an appropriation bill is to secure the legislature's approval for government access to the Consolidated Revenue Fund.

constituency. See: **electoral district.**

contempt. An act or omission that constitutes an offence against the authority or dignity of the Legislative Assembly. This includes disobeying its commands or libel against it or its Members. Such a matter would be dealt with as a question of privilege. Distinguish: **breach of privilege**.

convenor. The Member of the Legislative Assembly first named in the motion to appoint a standing, select or special committee of the Legislative Assembly. The exception is where a motion explicitly identifies one Member as Chair of the committee. The convenor calls the first, or organizational, meeting of the committee at which a Chair is elected.

count. A recorded vote in Committee of the Whole (rather than a voice vote) that divides Members into two groups (the yeas and nays) to reach a decision. In taking the count the Chair will ask all the yeas to rise and be counted by the clerk-at-the-table. Once the yeas are counted the Chair will ask the nays to rise and be counted. The Chair then declares the motion carried or negatived. The procedure for a count is detailed in Standing Order 44. Compare: **division**.

count out. An adjournment of the Legislative Assembly due to the absence of quorum. The Speaker determines whether a quorum is present by counting the number of Members in the Chamber. If Chair of Committee of the Whole determines that there is an absence of quorum in Committee of the Whole the Speaker will be called to the Chair to conduct a second quorum count. If the House is adjourned due to a lack of quorum, the names of Members present are recorded in the *Journals*. The procedures for a quorum call are found in Standing Order 3. Compare: **quorum call**.

cross the floor. A Member ‘crosses the floor’ when he or she leaves his or her caucus to join another caucus or sit as an independent Member. The term infers that in ‘crossing the floor’ the Member has gone from the government caucus to an opposition caucus, or vice versa. However, Members may also leave one opposition caucus for another, or to sit as an independent Member.

D

Daily Routine. The part of every sitting day that begins after the prayer and precedes Orders of the Day. The items that form the Daily Routine are listed in Standing Order 11(2).

debatable motion. A motion which, because of its substantive nature or procedural importance, is subject to debate before being put to a vote. Standing Order 24(1) lists the various types of motions that are debatable.

deferred count. A division in Committee of the Whole that is not held at the close of a debate, but at a later time pursuant to Standing Order 44.1. A deferred count can only apply to an appropriation or taxation bill.

delegated legislation. See **regulations**.

Deputy Chair of Committee of the Whole. A Member elected by the Assembly to preside over Committee of the Whole when the Chair of Committee of the Whole is out of the Chamber, temporarily or for the duration of a sitting day. The Deputy Chair may also preside over Committee of the Whole when the Chair (who is also Deputy Speaker) is required to preside over the Assembly in the absence of the Speaker. The Deputy Chair may also take on the role of Acting Speaker when required.

Deputy Clerk. The permanent, non-partisan Table Officer who acts as deputy to the Clerk of the Legislative Assembly for procedural purposes. The Deputy Clerk is also Clerk to Committee of the Whole.

Deputy Minister. The public servant, reporting directly to a cabinet minister, who is the permanent administrative head of a government department and is responsible for its day-to-day management. Appointment to such a position is by Order-in-Council. Synonym: **deputy head**.

Deputy Speaker. Title given to the Member elected at the beginning of every Legislative Assembly to substitute for the Speaker as presiding officer when the latter is absent from the House. The Deputy Speaker also serves as Chair of Committee of the Whole.

die on the Order Paper. This expression refers to the fate of a motion or bill that is on the *Order Paper* when a session is prorogued or an Assembly is dissolved. The Order Paper for the next session or Assembly starts anew and bills or motions on the previous Order Paper do not appear. Bills and motions that die on the Order Paper may be re-introduced in the next session of an Assembly or in the first session of a new Assembly, following a general election.

dilatory motion. A superseding motion designed to dispose of the original question before the Assembly, either for the time being or permanently. A motion to adjourn debate or the Assembly are examples of dilatory motions. The use of dilatory motions may delay or expedite the business of the Assembly. Compare: **filibuster**.

discharge an order. To cancel an order previously made by motion of the Legislative Assembly, often with a view to presenting an alternative. Compare: **rescind a resolution**.

discussion paper. See: **green paper**.

dissenting opinion. A brief appendix to a committee report containing opinions or recommendations from one or more committee members that oppose, or are supplementary to, the opinions or recommendations of the committee as a whole. A dissenting opinion may only be included in a committee report if a majority of the Committee Members agree to include it. See: **minority report**.

dissolution. The procedure by which a Legislative Assembly is ended. Section 11 of the *Yukon Act* empowers the Commissioner to issue a proclamation dissolving the Legislative Assembly. This power is exercised on the advice of the Premier. A dissolution is followed by a general election. Compare: **prorogation**.

division. A recorded vote that divides Members into two groups (the yeas and nays) to reach a decision on a motion before the House. Each Member is polled in turn and their name and corresponding vote is recorded on the division sheet, in *Hansard* and in the daily *Votes and Proceedings*.

division bell. See: **bell**.

division list. A list giving the results of a recorded vote, printed in the *Votes and Proceedings* and *Hansard*. In the *Votes and Proceedings* Members, identified by name, are listed under Yeas or Nays. In *Hansard* votes are registered in the order in which Members are called upon to vote. Compare: **division**.

division sheet. A sheet of paper that lists the names of Members in the order in which they vote in the Assembly. The Clerk of the Assembly uses this sheet when conducting a division. The original division sheet is dated, initialled by the Clerk and entered into the working papers of the Assembly.

dollar item. An item in the Estimates for a token amount of one dollar. Dollar items are included for a number of purposes; most often they provide a location for funding an activity that *may* take place, such as a public inquiry or a by-election.

E

electoral district. A geographical area, defined in the *Electoral District Boundaries Act*, that is entitled to elect one Member to the Legislative Assembly. There are 19 electoral districts in Yukon which collectively encompass the entire territory. See: **constituency**.

embargo. A restriction on the distribution or publication of a document or the information it contains, until a time stipulated for its release. An embargo is often placed on documents (like budget information) that are given a limited distribution prior to their tabling in the Legislative Assembly. Compare: **lock-up**.

emergency debate. A debate held on a motion to adjourn the ordinary business of the Assembly, devoted to the discussion of a specific and important matter requiring urgent consideration. In Yukon a Member may, pursuant to Standing Order 16, request a debate on a matter of urgent public importance. Under this standing order, the Speaker decides whether the request is in order. One factor that influences the Speaker's decision is whether the Assembly can deal with the matter in another way. If the Speaker determines the request is in order Standing Order 16 sets out the procedure by which the Assembly decides whether a

debate shall take place. Pursuant to Standing Order 28 a member may request the unanimous consent of the Assembly for a debate on a motion of urgent and pressing necessity.

enabling clause. The part of a bill giving the appropriate authorities the power to bring the provisions of the bill into force.

enabling legislation. Legislation that confers the power to do something. An example would be legislation enabling the government to sign a First Nations land claim or self-government agreement.

enacting clause. A short paragraph preceding the sections of an Act that indicates the authority by which it is made. In the Yukon, legislation is enacted on the authority of the Commissioner with the consent and advice of the Legislative Assembly.

Erskine May's Parliamentary Practice. A procedural authority providing a complete description of the rules, practices and precedents in the United Kingdom's House of Commons at Westminster. The original edition was prepared in 1844 by Sir Thomas Erskine May, Clerk of the British House of Commons. Commonly referred to as *Erskine May* or simply *May*. The latest edition, the 24th, was published in 2011.

Estimates. The expenditure plans of government departments, corporations, directorates and agencies; as well as the Legislative Assembly and Officers of the Legislative Assembly. The estimates consist of main estimates, presented annually, and supplementary estimates, presented as required. Estimates are included in main and supplementary appropriation bills. See: **Officers of the Legislative Assembly.**

evidence. The transcript of the proceedings of a public hearing or public proceeding of a standing, select or special committee meeting.

expanded negative. A proposed amendment to a motion which, although it is not expressed in the same terms, would have the same effect as proposing the negative of the motion under consideration. Such an amendment is not in order.

Executive Council of Yukon. Individuals collectively responsible for establishing policies for, and the administration of, government departments, directorates and agencies. Commonly known as cabinet ministers, they are also responsible for government corporations, Yukon College and the Workers' Compensation Health and Safety Board, but the governance of those entities is the responsibility of a board of directors. The Premier is the president of the Executive Council. The Commissioner of Yukon appoints individuals to the Executive Council on the advice of the Premier and pursuant to section 8 of the *Yukon Act* and paragraph 2(1)(b) and section 2.2 of the *Government Organisation Act*. Though not a legal requirement, the principles of responsible government determine that cabinet ministers are to be Members of the Legislative Assembly, other than in exceptional circumstances. Members of the Executive Council are commonly called cabinet ministers. Synonym: **Ministry, cabinet.**

expel a Member. The action of the Legislative Assembly in ridding itself of one of its Members who, in its opinion, is unfit for membership in the Assembly. Expelling a Member makes his or her seat vacant, allowing for a by-election. Compare: **naming a Member; suspend a Member.**

extended adjournment. The form of adjournment that takes place at the conclusion of a Spring or Fall Sitting of the Legislative Assembly. The Speaker's statement declaring the extended adjournment may or may not indicate the date on which the Assembly is to reconvene.

F

filibuster. An obstructive tactic consisting of the use of excessively long speeches, or an excessive number of speeches, to delay the business of the Legislative Assembly or of a committee. The use of this tactic is somewhat limited by the rules of the Assembly that stipulate the maximum length of speeches. Compare: **dilatory motion.**

First Reading. The initial presentation of a bill to the Legislative Assembly. No debate is allowed on the motion for introduction and first reading of the bill. While the motion for first reading is not debatable it is votable. Recorded divisions at first reading, though rare, are in order. Compare: **Second Reading; Third Reading.**

financial year. Subsection 21(1) of the *Interpretation Act* says that the term "financial year", when used with respect to the Government of the Yukon, means the 12 months ending March 31. Synonym: **fiscal year.**

fiscal year. See **financial year.**

floor of the Assembly. That part of the Chamber of the Legislative Assembly, beyond the Bar of the House, reserved for the Members and the officials of the Assembly.

free vote. A non-procedural term, meaning a vote during which party discipline is not imposed on individual caucus Members. Members are free to vote according to their conscience or the wishes of their constituents without regard to party policy on the issue at hand Compare: **cabinet solidarity; party vote; party discipline.** Synonym: **unwhipped vote.**

front benches. In large Assemblies this term is used to refer to the first row of Members which, on the government side, are occupied by the Premier and most of the Cabinet; and on the Opposition side by the leaders of the recognized opposition parties and their principal spokespersons (also known as the shadow cabinet). In the Yukon Legislative Assembly this term is used only in the figurative sense, as cabinet ministers and opposition critics often sit in the second row on either side of the House. Compare: **backbenchers.**

G

galleries. Seating areas in the Legislative Assembly set aside for the public, the media and distinguished visitors to observe the proceedings of the House.

Government. (1) The sovereign political authority of a State, in whom is vested the executive, legislative and judicial powers. In Canada, this authority is Her Majesty the Queen. Her sovereign powers are exercised by her representatives: the Governor General and the provincial Lieutenant Governors. (2) Often used to refer to the executive branch of the government (cabinet and government departments, agencies and corporations).

Government bill. Standing Order 51(2) says, “Government bills are bills introduced by Ministers relating to matters of administration or public policy of general application within Yukon.” Only government bills may involve the expenditure of public funds or the imposition of a tax.

Government business. Any bill or motion introduced in the Legislative Assembly by a Minister. Government business has precedence during Orders of the Day on Mondays, Tuesdays and Thursdays. Government business may also be taken up on a Wednesday if no private Members’ business is identified for that day or if private Members’ business is concluded prior to the normal hour of adjournment.

Government House Leader. The Member of the government caucus who is responsible for managing the government’s business in the Legislative Assembly. This includes liaising with the House Leaders of the opposition caucuses regarding the scheduling of House business. Though it is not a procedural requirement the Government House Leader is the Member who will normally move procedural motions, such as those for the adjournment of the House, the appointment of Members to committees, etc. The Government House Leader will also inform the House of business to be taken up on Wednesdays where government private Members’ business has precedence. The Government House Leader is usually a minister because a private Member in this position cannot move government motions.

Government Leader. The title formerly used to identify the head of government in Yukon. Though the Epp Letter authorized the use of the title ‘Premier’, Chris Pearson (1979-1985), Willard Phelps (1985) and Tony Penikett (1985-89) used the title ‘Government Leader.’ During his second term (October 10, 1989) Mr. Penikett announced he would use the title ‘Premier.’ However, his immediate successors – John Ostashek (1992-96) and Piers McDonald (1996-2000) – reverted to the title ‘Government Leader.’ Pat Duncan (2000-2002) employed the title ‘Premier’ and that has been the standard usage since then. See: **Premier**.

Government Member. A Member of the Legislative Assembly who is a member of the caucus forming the government party or coalition. This includes all caucus members – cabinet ministers and private Members. Distinguish: **backbencher**; **private Member**.

Government private Members' business: Bills and motions presented to the Legislative Assembly by Members of the Legislative Assembly who are members of the caucus or coalition forming the government, but are not in cabinet. Private members' business has precedence during Orders of the Day on Wednesdays when the Legislative Assembly is in session. Government private Members' business has precedence on the second Wednesday of a session when private Members business is considered, and every second Wednesday after that.

green paper. A document containing government policy proposals, issued for discussion purposes. A green paper does not represent a government commitment to introduce legislation or adopt a particular position. Distinguish: **white paper**. Synonym: **discussion paper**.

guillotine. This is a colloquial term for the provisions of Standing Order 76. This Standing Order provides for the orderly conclusion of business on the final sitting day of a Spring or Fall Sitting. Once the guillotine is invoked no further debate or amendment is permitted on government bills identified for a vote under the terms of this Standing Order. Compare: **Chapter 14; closure; previous question; time allocation**.

H

Hansard. The essentially verbatim report - transcribed, edited, and corrected - of what is said in the Assembly and in Committee of the Whole. *Hansard* is published for each sitting day. Standing Order 72 (3) provides the rules for editing *Hansard*. Compare: **Blues**.

hoist. An amendment moved at second or third reading that has the intent of rejecting a bill. A hoist amendment proposes that the bill not now receive second (or third) reading, "... but that it be read a second (or third) time this day six (or three) months hence." In legislative assemblies that prorogue on a regular basis the adoption of this amendment has the effect of rejecting a bill since the Order Paper will have been wiped clean by prorogation before the three or six month period is over. In a legislative assembly that does not prorogue with regularity the adoption of this amendment would delay consideration of the bill, but not reject it entirely.

House copy (of a bill). The copy of a bill in the care of the Clerk of the Assembly that is used as a working copy by the clerks-at-the-Table. In practice these bills are in the possession of the Deputy Clerk, who is also Clerk to Committee of the Whole.

House Leader. The Member of a caucus responsible for liaising with the House leaders of the other caucuses. House leaders meet each sitting day at 10 a.m. in the Committee Room in the Legislative Assembly Office to discuss the business for that sitting day. This purpose of the interaction among House leaders is to help the Assembly function more efficiently. House leaders often take the lead for their caucus in dealing with procedural matters in the House.

House of Commons Procedure and Practice. A procedural authority providing an encyclopedic description of the rules, practices and precedents in the House of Commons of Canada. It is

commonly referred to as O'Brien & Bosc because the current edition, the second, was published in 2009 under the direction of Audrey O'Brien, Clerk of the House of Commons of Canada, and Marc Bosc, Deputy Clerk of the House of Commons of Canada. The second edition contains a 31-page Table of Contents, 1226 pages of main text, 16 appendices covering 70 pages, an 18-page bibliography, a 75-page index and (according to Gary Levy, former editor of the *Canadian Parliamentary Review*) 6,952 footnotes.

housekeeping motion. A motion dealing with routine administrative or purely formal matters necessary to expedite Assembly business. Compare: **routine motion**.

House Officer. See: **Officers of the Legislative Assembly**

I

imputing false or unavowed motives. Standing Order 19(g) says, "A Member shall be called to order by the Speaker if that Member imputes false or unavowed motives to another Member." In this context this means to attribute to a Member motives that are unworthy of a Member of the Legislative Assembly. This could include an allegation of conflict of interest.

in absentia election. The election of a presiding officer of the Legislative Assembly or in committee when the candidate is not present.

in camera meeting. A committee meeting where only Members of the committee and committee support staff (the clerk to the committee, advisors) are present. In Yukon, committees usually meet in camera. Compare: **secret session**.

indemnity. The basic monetary amount paid to all Members of the Legislative Assembly in accordance with section 39 of the *Legislative Assembly Act*.

independent Member. A Member of the Legislative Assembly who is not a Member of a recognized caucus. A Member may be elected as an independent or may leave, or be expelled from, a caucus during a Legislative Assembly and sit as an independent Member.

inquiry. A study undertaken by a standing, select or special committee of the Legislative Assembly. It may be initiated as a result of a standing or special order, or by the committee itself, if the committee has been so authorized by the Legislative Assembly.

instruction. A direction by the Legislative Assembly to a committee that has already received an order of reference. Established by way of a motion in the House, an instruction further defines the committee's course of action or empowers it to do something. There are two types of instructions: permissive and mandatory. Distinguish: **order of reference**.

interim supply. Funds approved by the Legislature to cover government expenditures for a period at the beginning of a fiscal year, pending approval of the Main Estimates (the budget). The funds are approved by way of an interim supply appropriation bill.

interparliamentary delegation. An officially recognized group of Members representing the Legislative Assembly or a parliamentary association at an interparliamentary activity in Canada or abroad.

interpretation clause. A clause of a bill that contains the definitions of certain terms used in the bill.

Introduction of Visitors. A part of the Daily Routine when Members may introduce persons who are present in the public gallery.

Introduction (of a bill). See: **First Reading.**

invitation to appear. An invitation from a committee of the Legislative Assembly to a private individual or the representative of a group to appear before the committee for the purpose of providing information about some matter of importance to the committee. Distinguish: **summoning a witness**

item (of the Estimates). See: **vote (2).**

J

Journals. The official record of the decisions and other transactions of the Legislative Assembly. The Clerk of Committees is responsible for producing daily *Votes & Proceedings*, which are then proofed by the Clerk and the Deputy Clerk. At the end of a Spring or Fall Sitting, a compilation of revised and indexed *Votes & Proceedings* is produced as the *Journals*. See: **Votes and Proceedings.**

L

lay on the Table. See: **table.**

leader (of a party). The person recognized as the leader of a political party by the political party itself. However, if that person is not a Member of the Legislative Assembly a caucus Member will be recognized as the leader of that party in the House. Distinguish: **House Leader.**

leave. See: **Unanimous consent.**

legislation. The laws enacted by, or on the authority of, the Yukon Legislature. Compare: **delegated legislation.**

legislative agenda. The government's plan for a session, usually set out in the Throne Speech. The government is free to modify its legislative plan without notice during the course of the session.

Legislative Assembly. (1) The Legislative Assembly of Yukon is established by section 10 of the *Yukon Act*. It is the elected part of the Yukon Legislature. The Legislative Assembly is currently made up of 19 Members; each elected to represent one of Yukon's 19 electoral districts. (2) A particular Legislative Assembly (the current Legislative Assembly being the 34th) begins on the day of its general election and lasts until the Assembly is dissolved, either pursuant to subsection 11(1) of the *Yukon Act*, or by proclamation of the Commissioner, on the advice of the Premier. Distinguish: **Legislature; government.**

legislative counsel. Lawyers in the Department of Justice who draft government bills and amendments to government bills and related legislative matters. Legislative counsel do not provide services to private Members. Distinguish: **parliamentary counsel.**

legislative precinct. Refers to the Legislative Assembly Chamber, the offices of MLAs and their staff, the Legislative Assembly Office, the Members' Lounge and certain adjoining areas under the administrative control of the Legislative Assembly. Unlike in some jurisdictions Yukon's legislative precinct is not defined in law.

legislative return. A written response to: (a) an oral question (asked during Question Period or Committee of the Whole), (b) a written question that has been placed on the Order Paper, or (c) a motion for the production of papers. Legislative returns are tabled on a prescribed form during that part of the Daily Routine entitled 'Tabling Returns and Documents.'

Legislature. (1) The legislative branch of government composed of the Commissioner and the Legislative Assembly. (2) A period of time during which the institution described in (1) exercises its powers. Pursuant to subsection 11(1) of the *Yukon Act* this legally determined maximum duration is five years from the return of the writs for the previous general election. Distinguish: **Legislative Assembly.**

lobby (1) As a noun, refers to a group organized for the purpose of influencing the opinions and decisions of legislators with respect to some specific area of interest. (2) As a verb, refers to the act of attempting to influence the opinions and decisions of legislators.

lobbyist. A person or group actively engaged in trying to influence legislators with respect to some specific area of interest.

lock-up. A closed-door information session arranged prior to the presentation of a major initiative such as a budget. Compare: **embargo.**

M

Mace. The large, heavy and richly ornamented staff that is the symbol of the authority of the Legislative Assembly. When the Speaker takes the Chair, the Sergeant-at-Arms places the Mace on the Table to signify the Assembly is in session. When the House resolves into Committee of the Whole (or is in recess during a sitting day) the Sergeant-at-Arms places the Mace in the lower cradle.

maiden speech. A phrase used to refer to the first speech made in the Legislative Assembly by a new Member.

Main Estimates. Government documents providing a breakdown of the planned spending for the coming fiscal year. These documents accompany the main appropriation act for a given fiscal year and are distributed to Members once that bill has been introduced and given first reading.

main motion. The principal question before the Legislative Assembly or a committee. A proposed amendment to it, or an attempt to supersede it, is considered a subsidiary or secondary motion. Compare: **subsidiary motion**.

main question. The first question asked by a Member of a Minister when recognized by the Speaker in oral question period. The main question determines the subject matter of the Member's line of questioning; supplementary questions must address the same subject matter.

majority government. A government formed by a party, or the coalition of parties, holding more than half the seats in the Legislative Assembly. Compare: **minority government**.

mandatory instruction. An instruction from the Legislative Assembly that directs the work of a standing, select or special committee in an expressed and precise manner. The committee is obliged to follow a mandatory instruction from the Assembly. Compare: **permissive instruction**.

marginal note. A short explanatory note inscribed in the margin of a bill to serve as a title for each paragraph. Marginal notes cannot be amended by the House, though legislative counsel may change them, if appropriate, due to amendments having been made to the clause.

Member of the Legislative Assembly (MLA). A person elected to the Legislative Assembly as a representative of one of the 19 electoral districts into which Yukon is divided. In debate, Members are identified by the names of their electoral districts and not by their proper names.

Members' Services Board (MSB). Presided over by the Speaker, the Board is an all-party committee of the Legislative Assembly responsible for all matters of financial and administrative policy affecting the Assembly. The MSB is also involved in the selection process for the Clerk of the Legislative Assembly and Officers of the Legislative Assembly. The MSB also

reviews estimates for these entities before they are included in the government's budget. The Clerk of the Assembly is Secretary to the MSB.

Minister. See: **Cabinet Minister.**

Ministerial Statement. An item of the Daily Routine during which a cabinet minister may make an announcement or statement on government policy or a matter of public interest. One Member of each recognized opposition party is given an opportunity to respond to the statement. A Minister then has a right to reply to Members' responses. See Standing Order 11(3) and Standing Order 11(3.1). See: **Statements by Ministers.**

ministerial responsibility. The principle that cabinet ministers are responsible to the Legislative Assembly for their actions and those of their departmental officials. Compare: **Cabinet solidarity; responsible government.**

Ministry. See: **Cabinet.**

minority government. A government formed by a party, or a coalition of parties, that has fewer than half the seats in the Legislative Assembly. While a minority government does not hold a majority of seats, it usually holds more than any other party or coalition. As with a majority government it must maintain the confidence of the Assembly to continue in office. Compare: **majority government.**

money bill. A bill whose sole object concerns taxation or appropriation. Only a cabinet minister can introduce a money bill.

money message. A document signed by the Commissioner that – pursuant to Section 29 of the *Yukon Act* and Standing Order 61 – must accompany every appropriation bill introduced to the House. Only a cabinet minister can obtain a money message from the Commissioner.

motion. A proposal moved by a Member that the Assembly to do something, order something done, or express an opinion with regard to some matter. Once adopted, a motion becomes an order of the House or a resolution. Motions do not require seconders. The motion to elect the Speaker is, by practice, moved by the Premier and seconded by opposition leaders, though this is not procedurally necessary. Compare: **procedural motion**

motion for the production of papers. A motion which, if adopted, would require the government to provide a specified document, or documents, to the Legislative Assembly. A motion for the production of papers, if adopted, survives prorogation.

Motions Paper. That part of the Order Paper that contains private members' motions (motions other than government motions), other than those on the Notice Paper or on the Wednesday Order Paper. Though it is part of the Order Paper, the document 'Motions Other Than

Government Motions' is only printed once a week (usually every Tuesday), separately from the rest of the Order Paper, due to its size.

mover. The Member who presents a motion in the Legislative Assembly or in one of its committees. When debate is permitted, the Member speaks immediately following the proposing of the question to the Assembly (or committee). In most instances the mover of the motion also gets to close debate on the motion.

N

naming a Member. A disciplinary procedure used by the Speaker to maintain order in the Legislative Assembly. Pursuant to Standing Order 23 the Speaker may name a Member for persistently disregarding the Speaker's authority. The Speaker addresses the Member by his or her personal name, not the name of the Member's electoral district, thus 'naming' the Member. The Member is then suspended from the service of the Assembly for the rest of the sitting day and, pursuant to paragraph 39(5)(c) of the *Legislative Assembly Act*, a deduction is made from their indemnity. The House may, by motion, impose a longer suspension.

non-confidence motion. A motion that, if adopted, indicates that the Cabinet has lost the confidence of the Legislative Assembly. The Cabinet may then resign or the Premier may request that the Commissioner issue a proclamation dissolving the Legislative Assembly and issuing writs for a general election. Confidence is not a legal or procedural matter and, notwithstanding the wording of a motion, it is up to the cabinet to determine when it has lost the confidence of the House. See: **confidence convention**.

notice of motion. An announcement, either oral or written, of an intention to bring a substantive proposal before the Legislative Assembly. Oral notice of motion is given during the Daily Routine. A Member can submit a written notice of motion to the Table at any time during the sitting day, but it must be received at the Table by 5 p.m. in order to be included on the Notice Paper for the next sitting day.

Notice of Motion for the Production of Papers. A notice from a private Member proposing a motion that, if adopted by the House, would compel a cabinet minister to table a document, or documents, identified in the motion. Such a notice will appear on the Notice Paper on the sitting day following notice being given. Thereafter, it appears in the document 'Motions other than Government Motions.' Barring unanimous consent, such a motion may only be called for debate on Wednesday during private Members' business.

Notice Paper. A document published daily when the Legislative Assembly is sitting which presents motions and motions for the production of papers for which notice has been given on the previous sitting day. The Notice Paper is appended to the Order Paper.

O

oath of allegiance. A declaration of loyalty to the Sovereign. Section 12 of the *Yukon Act* says, “Before assuming office, each member of the Legislative Assembly shall take and subscribe before the Commissioner the oath of office prescribed by the Legislature of Yukon and the oath of allegiance set out in the Fifth Schedule to the [Constitution Act, 1867](#).” A member may swear or affirm the oath of allegiance. See: **oath of office**; **oath of secrecy**. Distinguish: **affirmation**.

oath of office. A declaration sworn or affirmed by Members-elect pursuant to section 12 of the *Yukon Act*, before taking office, to faithfully carry out the duties entrusted to them as Members of the Legislative Assembly. See: **oath of allegiance**; **oath of secrecy**. Distinguish: **affirmation**.

oath of secrecy. A declaration sworn or affirmed by cabinet ministers pledging to adhere to the requirement that certain cabinet information be kept confidential. See: **oath of allegiance**, **oath of office**. Distinguish: **affirmation**.

Officers of the Legislative Assembly: An official appointed by order of the Legislative Assembly and responsible to the Legislative Assembly for carrying out duties assigned by statute. The Officers of the Yukon Legislative Assembly are: the Child and Youth Advocate, the Chief Electoral Officer, the Conflict of Interest Commissioner, and the Ombudsman (who is also the Information and Privacy Commissioner, and the Public Interest Disclosure Commissioner).

Official Opposition. The caucus in opposition to the government party with the largest number of seats in the Legislative Assembly. The Official Opposition is accorded certain financial and procedural advantages over other parties in opposition.

officially recognized party. See: **recognized party**.

omnibus bill. According to *House of Commons Procedure and Practice* (second edition) “In general, an omnibus bill seeks to amend, repeal or enact several Acts, and is characterized by the fact that it is made up of a number of related but separate initiatives. An omnibus bill has “one basic principle or purpose which ties together all the proposed enactments and thereby renders the Bill intelligible for parliamentary purposes”. One of the reasons cited for introducing an omnibus bill is to bring together in a single bill all the legislative amendments arising from a single policy decision in order to facilitate parliamentary debate.”¹

Opening of the Legislature. The ceremony in the Chamber that signals the beginning of the first session of a new Legislature. At this time the Speaker, in the presence of the Commissioner, claims the rights and privileges of the Legislative Assembly. The opening is followed by the Throne Speech, wherein the Commissioner gives the reasons for summoning the Legislative Assembly.

¹ *House of Commons Procedure and Practice* (second edition), page 724, footnotes within the quote have been removed.

Opposition critic. A Member of an opposition caucus, responsible for presenting that caucus' policies regarding a government department, directorate, agency, corporation or other entity, and commenting on those of the government. Compare: **shadow cabinet**.

Opposition party. A political party that is neither the government party nor part of a coalition of parties forming the government.

Opposition private Members' business. Bills and motions presented to the Legislative Assembly by Members of the Legislative Assembly in opposition to the government. Private members' business has precedence during Orders of the Day on Wednesdays when the Legislative Assembly is in session. Opposition private Members business has precedence on the first Wednesday of a session when private Members business is considered, and every second Wednesday after that. There is a roster that determines the order in which opposition caucuses and independent Members may bring forward motions and bills for debate.

Oral Question Period. A part of the Daily Routine during which private Members may address questions, without notice, to cabinet ministers and, in rare circumstances, committee chairs. Ministers may be questioned only about their current portfolio. Committee chairs may be questioned in a restricted way about the business of their committees. The Oral Question period lasts approximately 30 minutes.

oral vote. See: **voice vote**.

order. A decision of the Legislative Assembly giving a direction to its committees, Members or officers, or regulating its proceedings. Orders may be divided into standing, sessional and special orders according to their period of application. Compare: **resolution**.

order for return. An order of the Legislative Assembly to the cabinet to table a document. This order would be the result of the House adopting a Motion for the Production of Papers. An order for return is not abolished by prorogation and does not need to be renewed in the following session.

Order-in-Council. An order issued by the Commissioner on the advice of the Executive Council (cabinet) pursuant to authority granted in legislation. An order in council may deal with, among other matters, the administration of the government, appointments to office and bringing into force legislation passed by the Legislative Assembly and assented to by the Commissioner.

Order-in-Council appointment. An appointment made by order of the Commissioner in Executive Council.

order of reference. An order of the Legislative Assembly to one of its committees instructing the committee to consider a matter or defining the scope of the committee's deliberations. An

order of reference may form a part of the Standing Orders or be specially adopted to deal with an issue as it arises. Distinguish: **instruction**.

Orders of the Day. That part of a sitting day that comes after the Daily Routine. Government bills and motions have precedence during Orders of the Day on Monday, Tuesday and Thursday. Private members' business has precedence on Wednesdays.

Order Paper. The official agenda of the Legislative Assembly, published with the Notice Paper and for each sitting day, itemizing the Daily Routine and listing all bills and motions that may be brought forward for debate on that particular day. Items remaining on the Order Paper when a session is prorogued or an Assembly is dissolved are said to "die on the Order Paper."

organizational meeting. The first meeting of a committee at which the committee deals with matters of routine business, including, the election of a Chair (except in cases where the Chair is appointed by the order of the House that established the committee.). The organizational meeting is called by the Member first named in the motion to appoint the committee. This Member is referred to as the convenor. See: **convenor**.

out of order. Contrary to proper parliamentary procedure. The expression may be applied to motions, bills or to any intervention or behaviour that offends the rules or practices of the Legislative Assembly.

P

Page. A secondary school student employed by the Legislative Assembly to perform various tasks for Members, cabinet and caucus staff and Legislative Assembly Office staff when the Assembly is in session. The tasks include delivering notes and documents, providing glasses of water, etc.

pairing. An arrangement whereby two Members on opposite sides of the Legislative Assembly agree not to vote on a specific motion or for a specific period of time. The arrangement permits Members to be absent on other business and is worked out by the respective House Leaders or by the Members themselves. There are no rules regarding pairing and the Speaker has no authority to enforce an agreement between Members. Compare: **abstention**.

parent act. In relation to an amending bill, the parent act is the law(s) that the amending bill proposes to amend.

Parliamentary Broadcasting Society. An organization, comprised of Yukon MLAs, that oversees the dissemination (on radio, TV and the Internet) of the proceedings of the Yukon Legislative Assembly. All Yukon MLAs are Members of the society. The society meets once a year (usually in April or May) to elect a board of directors and discuss broadcasting issues.

parliamentary counsel. Lawyers who provide legal advice to the Legislative Assembly, private members of the Legislative Assembly and committees. Parliamentary counsel also assist with the drafting of private member's bills and amendments. Parliamentary counsel who also serve as Table Officers may be referred to as a Law Clerk. The Yukon Legislative Assembly does not employ parliamentary counsel. Distinguish: **legislative counsel**.

parliamentary exchange. A program involving: (1) an official visit to Yukon by parliamentarians from Outside by invitation of the Speaker of the Yukon Legislative Assembly, or (2) an official visit Outside by Members of the Yukon Legislative Assembly at the invitation of a legislative assembly of another domestic or foreign jurisdiction.

parliamentary privilege. See: **privilege**.

parliamentary procedure. The rules and established practices by which the Legislative Assembly operates. Parliamentary procedure is based on statutes, the Standing Orders, authoritative procedural works, precedents, and tradition. These rules and practices provide the basis for rulings and statements from the Presiding Officers.

Parliamentary Procedure and Practice in the Dominion of Canada. A procedural authority concerning procedure in the House of Commons of Canada, written by Sir John Bourinot, Clerk of the House from 1880 to 1902. The first edition was published in 1884; the fourth and final edition appeared in 1916. Commonly referred to as *Bourinot*. See: **procedural authority**.

party. See: **political party**.

party discipline. The control exercised by a party over its Members and the way in which they vote. In the Legislative Assembly the enforcement of party discipline is usually one of the House Leader's duties.

party vote. A division on a question during which each Member votes in a way that reflects the official position of their respective party. Compare: **free vote**. Synonym: **whipped vote**.

passage (of a bill). The process by which a bill is approved by the Legislature and becomes law. The steps in the passage of a public bill are: introduction and first reading; second reading; committee stage (usually in Committee of the Whole); and third reading. Once the bill receives third reading the Speaker will declare that the bill "has passed this House." The bill may then be presented to the Commissioner for Assent. Most bills come into force upon assent, others are proclaimed into force at a later date. See: **coming-into-force clause**; **proclamation**.

permissive instruction. An instruction from the House that gives a committee the power to do something it would not otherwise be able to do, but does not compel the committee to use that power. The Assembly issues instructions to a committee by way of a motion adopted by the House. Compare: **mandatory instruction**.

petition. A formal request made by members of the public to the Legislative Assembly for redress of a grievance. Only a private Member can present such a request to the Assembly. Members may present petitions to the House during the Daily Routine when the Speaker calls for petitions. The Clerk will, on the following sitting day, inform the House if the petition meets the procedural requirements of the Assembly. If it does, the Speaker will declare the petition to have been “read and received.” Cabinet must respond, orally or in writing, within eight sitting days, to each petition that is deemed read and received. If all, or part, of the petition is not in order those parts that are not in order will be returned to the Member who presented the petition.

point of order. An objection raised by a Member with respect to a perceived departure from the Standing Orders or customary procedures. A point of order may be raised during House or committee proceedings. The Speaker, whose decision is final, decides points of order in the House. In Committee of the Whole or a standing, select or special committee, the Chair decides points of order. Decisions of a committee chair may be appealed to the Speaker, but this is rarely done. Distinguish: **breach of privilege.**

point of personal privilege. An indulgence granted by the Speaker. Rising on a point of personal privilege provides a Member with an opportunity to provide an explanation or apology to the Assembly. As there is no motion before the Assembly, no debate is permitted on a point of personal privilege. A point of personal privilege is not related to parliamentary privilege. A Member wishing to raise a point of personal privilege should do so at the appropriate time in the sitting day, which may vary depending on the nature of the statement to be made. As the opportunity to rise on a point of personal privilege is an indulgence granted by the Speaker, a Member wishing to do so should get prior permission from the Speaker. Otherwise, the Speaker may not grant the Member the opportunity when it is sought.

political party. A group of people sharing a particular ideology or policy platform, and a set of goals, and that puts forward candidates for election to the Legislative Assembly. Compare: **recognized party; third party.**

portfolio. The responsibilities of a cabinet minister, especially the subject matter or government department, corporation or other entity with which he or she is charged. The Commissioner assigns Cabinet portfolios, through Commissioner’s Orders, on the advice of the Premier, subject to section 8 of the *Yukon Act* and paragraph 2(1)(b) and section 2.2 of the *Government Organisation Act*.

postponement of a clause. Under certain conditions, a committee studying a bill may postpone consideration of a clause of that bill for a time and return to it later. Synonym: **stand a clause.**

prayer (of a petition). That part of a petition in which the petitioners present their request for action from the Legislative Assembly in response to an expressed grievance. The prayer must be concise, clear and respectful; and the action requested must be within the jurisdiction of the Legislative Assembly.

prayers. Standing Order 11(1) says “The Speaker shall offer prayers at the start of every sitting day.” The Speaker exercises his or her discretion in selecting the prayer or prayers for use in the Assembly. In lieu of a prayer the Speaker may offer a moment of silent reflection.

preamble (of a bill). The part of a bill preceding the main text that states the reasons for the bill’s introduction and the ends the bill seeks to attain. Not all bills have preambles. The preamble is to be distinguished from the bill’s explanatory note that is found on the inside cover of a bill. The explanatory note is a plain language explanation of the bill’s contents and is not part of the bill.

precedent. A Speaker’s ruling or a practice of the Legislative Assembly taken as guidance for subsequent cases of a similar nature. Not all decisions and practices constitute precedents.

Premier. Yukon’s head of government, since 1979 he or she has been the leader of the party having the greatest number of seats in the Legislative Assembly. Appointed by order of the Commissioner pursuant to paragraph 2(1)(a) of the *Government Organisation Act*, the Premier selects the other cabinet ministers and, along with them, is responsible to the Assembly for the administration of government affairs. Prior to 2000, Yukon’s head of government was usually called ‘Government Leader.’ See: **Government Leader.**

Prerogative. The rights, powers and privileges exercised by the Commissioner on his or her own judgement, not on the advice of the Premier or cabinet.

presiding officer. That Member of the Legislative Assembly elected to maintain order during a sitting of the Assembly or a committee meeting. The Assembly’s presiding officers include the Speaker, the Deputy Speaker (who is also Chair of Committee of the Whole), the Deputy Chair of Committee of the Whole, and the chairs of standing, select and special committees. See: **Speaker, Chair of Committee of the Whole, Chair.**

Press Gallery. (1) A room in the legislative precincts, overlooking the Legislative Assembly chamber, reserved for Members of the media. (2) Members of the media who cover the proceedings of the Assembly and are therefore granted access to the gallery reserved for them.

previous question. A motion for “the previous question” is a debatable motion that is moved as a means of preventing further debate on, or amendment to, the motion before the Assembly. When a Member moves a motion for the previous question he or she will move “THAT the question [on the motion before the House] be now put.” Pursuant to Standing Order 36, if the motion for the previous question is passed, the main motion is immediately put to a vote; if negatived, debate continues on the main motion. There is no memory of this motion having been moved in the Yukon Legislative Assembly. Distinguish: **closure.**

prima facie breach of privilege. An apparent violation of the privileges of the Assembly or one or more of its Members, as determined by the Speaker. Where the Speaker finds prima facie

("at first glance") that a breach of privilege has occurred that issue will be referred to the Legislative Assembly for debate and resolution. See: **breach of privilege**.

principle (of a bill). The object or related objects which a bill seeks to achieve. By giving a bill second reading the Legislative Assembly indicates its acceptance of the principles of the bill. Compare: **scope (of a bill)**.

private bill. A bill that relates to a private or local matter or for the particular interest or benefit of a person, corporation or municipality. See Standing Order 51(4). Distinguish: **private Member's bill**.

private Member. A Member of the Legislative Assembly, of the government caucus or in opposition, who is not a cabinet minister. A cabinet commissioner is a private Member (see Standing Order 10.1. See: **cabinet commissioner**. Compare: **backbencher**.

private Member's bill. A public bill introduced by a Member who is not a cabinet minister. Distinguish: **private bill**.

private Members' business. Bills and motions standing in the name of private Members. Private Members' business has precedence during Orders of the Day on each Wednesday when the House is in session. The only items that would pre-empt private Members' business are the Speech from the Throne, the Address in Reply to the Speech from the Throne or a debate on a question of privilege. See: **Government private Members' business; Opposition private Members' business**.

privilege. Rights and immunities that are unique to the Legislative Assembly as an institution and to each Member individually, without which Members could not carry out their duties and the Assembly could not fulfil its constitutional function. The roots of parliamentary privilege are found in the English Bill of Rights of 1689 which says, "That the Freedome of Speech and Debates or Proceedings in Parlyament ought not to be impeached or questioned in any Court or Place out of Parlyament."² Paragraph 18(1)(b) of the *Yukon Act* gives the Yukon Legislature the authority to legislate with regard to parliamentary privilege. The Yukon Legislature has not created a law to deal specifically with its privileges, though some legislation (*the Legislative Assembly Act*, the *Languages Act*) recognize certain privileges.

The rights and immunities of the Assembly as an institution include: the power to expel Members, the power to punish persons who offend the privileges of the Assembly, the power of the Assembly to regulate its internal affairs, the authority to compel the attendance of its Members, the right to initiate inquiries, call witnesses and demand evidence, the right to administer oaths to witnesses, and the right to publish papers containing defamatory material. The primary privilege of an individual Member is freedom of speech in the proceedings of the Assembly and its committees. Other rights and immunities enjoyed by an individual Member include: freedom from arrest in civil cases while the House is in session, exemption from jury

² <http://www.legislation.gov.uk/aep/WillandMarSess2/1/2/introduction>

duty and appearance as a witness when the Assembly is in session; and, in general, freedom from obstruction and intimidation in the performance of their parliamentary duties. The rights and immunities of individual Members are derived from those of the Assembly and so cannot supersede those of the Assembly. Compare: **contempt of Parliament; point of personal privilege.**

privileged motion. A debateable motion which is designated by the Speaker or the House as having priority over all other business under Orders of the Day until it is dealt with. Motions are so designated because of their importance to the House. Examples include the motion for an Address in Reply to the Speech from the Throne, a motion of non-confidence in the Speaker, or a motion designed to deal with a prima facie question of breach of privilege.

procedural authority. A book or other document that is widely accepted as a definitive text for explaining and dealing with matters of parliamentary procedure and practice. These may be referred to for guidance in resolving points of order and questions of privilege. The works most frequently cited in rulings and statements by Yukon's presiding officers are *House of Commons Procedure and Practice* (second edition, 2009), *Beauchesne's Parliamentary Rules and Forms of the House of Commons of Canada* (sixth edition, 1989), and *Erskine May's Treatise on the Law, Privileges, Proceedings and Usage of Parliament* (24th edition, 2011).

procedural motion. A motion that deals with a procedural matter, usually a routine matter, such as the first reading of a bill or its reprinting following amendment in committee. Procedural motions generally do not require notice. Compare: **housekeeping motion; routine motion; substantive motion.**

proceedings. Actions taken by the Legislative Assembly or one of its committees. The most important parts of the proceedings are the decisions taken.

proclamation. An official notice or order issued by the Commissioner. A Legislature is begun and ended by proclamation. Proclamations are also issued to announce the coming into force of an Act. See: **coming-into-force clause.**

pro forma bill. A bill traditionally introduced at the beginning of a session for the sole purpose of asserting the Legislative Assembly's right to determine the order of its deliberations, independently of the reasons for summoning the Legislative Assembly set out in the Throne Speech. The bill, usually Bill No. 1, is given first reading but is not further proceeded with. See: ***Act to Perpetuate a Certain Ancient Right.***

progress. See: **report progress.**

Projected Order of Business. Information that is distributed on each sitting day following the House Leaders meeting. While the Order Paper contains all the bills and motions that may be called for debate on a given sitting day, the Projected Order of Business reflects the business that is actually expected to be conducted on that day. The Projected Order of Business also

contains information about items to be brought forward under the Daily Routine (Tributes, Introduction of Visitors, Tabling Returns and Documents, etc.) that is not contained in the Order Paper. Unlike the Order Paper the Projected Order of Business is not an official House document and is distributed for information only. It is not enforceable by the Speaker and is subject to change without notice. Compare: **Order Paper**.

propose the question. The formal reading of a motion from the Chair that places the motion before the Assembly, or a committee, for debate. Until the question is proposed it cannot be debated, amended or voted upon. Distinguish: **put the question**.

prorogation: A means of ending a session of the Legislative Assembly that terminates all unfinished business. The Order Paper is expunged of all bills, motions and written questions. The Commissioner prorogues the Assembly on the advice of the Premier. The Legislative Assembly still exists during prorogation and MLAs retain all of their rights and privileges. Compare: **dissolution**. See: **session**.

provisional standing order. A standing order adopted by the Legislative Assembly for a definite or limited period of time. This type of order is often used for the purpose of trying out a new or modified procedure. Compare: **sessional order**; **special order**.

Public Accounts. An annual report on the financial transactions of the government prepared by the Department of Finance. The Public Accounts contain an opinion on those transactions from the Auditor General. The Financial Administration Act requires the Minister of Finance to table the Public Accounts in the House, or distribute it to MLAs by October 31 each year. Even if the Public Accounts are distributed to Members outside the House they must be tabled in the Legislative Assembly. The Public Accounts stand automatically referred to the Standing Committee on Public Accounts.

public bill. A bill concerned with matters of public policy or administration which are of general application throughout Yukon. A public bill may be sponsored by a Minister (government bill) or by a private Member (private Member's bill). Distinguish: **private bill**.

put the question. To put to a vote the motion before the Legislative Assembly. At this stage no further debate or amendment is possible. Once debate has ended the Speaker puts the question to the Assembly by asking Member if they are "prepared for the question." If they are, the Speaker will ask Members if they agree or disagree with the motion and determine whether there are more "yeas" or "nays." Determining whether the House supports a motion may require a recorded division. Distinguish: **propose the question**. See: **division**; **vote**.

Q

question. The matter before the Legislative Assembly or a committee, about which it is called upon to make a decision. When the Assembly appears ready to come to a decision, the Speaker asks if the House is "ready for the question."

question of privilege. See: **breach of privilege.** Distinguish: **point of order.**

question period. See: **Oral Question Period.**

quorum. The number of Members necessary to constitute a meeting of the Legislative Assembly (or a committee) for the exercise of its powers. In the Assembly, at least ten Members must be present at the start of a sitting day as the *Yukon Act* says a majority of the Members, including the Speaker, constitute quorum. In Committee of the Whole quorum is set by Standing Order 3(3) as eight Members including the Chair. In a standing, special or select committee, a majority of the committee Members constitutes a quorum. See: **quorum call.**

quorum call. To draw the attention of the Speaker (or a committee Chair) to the absence of a quorum. If a Member makes a quorum call, the business under consideration is interrupted and the Speaker or Chair conducts a quorum count. If a quorum is not established, the Assembly, or committee, adjourns. If a lack of quorum is detected in Committee of the Whole the Chair will recall the Speaker and the Speaker will conduct a second quorum count. The House will adjourn if there is no quorum with the Speaker in the Chair. Compare: **count out.**

R

reading of a bill. One of the stages of the passage of a bill. The reading stages (first, second and third) each serve a different function. See: **first reading, second reading, third reading.**

recall the Legislative Assembly. Standing Order 73 describes the process by which the Assembly is recalled after an indefinite or extended adjournment. The Speaker recalls the Legislative Assembly on the advice of the Premier. See: **Sitting.**

recess. This term has three meanings: (1) the period between the ending of one Session (by prorogation) and the beginning of the next, (2) a long adjournment, and (3) a brief interruption in the business of the Assembly or a committee called for by the presiding officer. Distinguish: **adjournment of the House; suspension of a sitting.**

recommittal (of a bill). To refer a bill back to the committee stage, after it had previously passed that stage. The Standing Orders provide for this to occur when a motion for third reading is called or after a bill has been read for a third time and passed. Recommittal of a bill is a rare occurrence.

recorded vote. A vote on a motion where the votes of individual Members are publicly made and recorded. Compare: **division, division list; voice vote.** Synonym: **recorded division.**

referral (to a committee). The sending of a bill (before or after second reading), resolution, question, issue or matter to a committee for study and report. Depending on the objectives of

the referral, it may be made to a standing, select or special committee, or to Committee of the Whole.

regulation: Legislation that is subordinate to, and authorized by, an Act of the Legislature. An Act typically provides an overall policy framework and authorizes the making of Regulation(s) to provide the details to give effect to the policy. An Act may authorize the Commissioner, the Commissioner in Executive Council, a Minister or another authorized body to make regulations. The Standing Committee on Statutory Instruments may review regulations. Synonym: **subordinate legislation; delegated legislation**. Compare: **legislation**.

report progress. A motion, moved in Committee of the Whole, that the Legislative Assembly be informed that Committee of the Whole has considered a matter (usually a bill) but has not concluded its deliberations. Once the Speaker resumes the Chair after Committee of the Whole proceedings, the Chair of Committee of the Whole will report to the House on the result of those proceedings. The report will be that Committee of the Whole has directed the Chair to report the bill without amendment, the bill with amendment, or to report progress on the bill.

reprint (of a bill). If a bill is amended substantially at the committee stage, the committee may order that the bill be reprinted before the House debates the bill at third-reading.

rescind a resolution. To cancel the effect of a resolution previously adopted by the Legislative Assembly. Parliamentary procedure prevents the Assembly from having a second debate on an issue already decided upon by the House. Therefore, a motion to rescind a resolution has to deal with the advantages and disadvantages of rescinding the resolution. It must not deal with the subject matter of the original motion. Compare: **discharge an order**. Synonym: **revoke a resolution**.

resolution. A motion adopted by the Assembly to make a declaration of opinion or purpose. Adopting a resolution does not require that any action be taken. Compare: **order**.

responsible government. The principle that ministers are collectively responsible to the Legislative Assembly for the actions of the government. In this way the legislative branch of government holds the executive branch accountable. Compare: **Cabinet solidarity; ministerial responsibility**.

return. See: **legislative return**.

revoke a resolution: See: **rescind a resolution**.

right of reply. The right of the mover of a substantive motion, or a motion for second or third reading of a bill, to speak a second time during debate. As this second speech closes debate on the motion, the Speaker will so inform the Assembly when recognizing the Member.

routine motion. A motion required to observe the proprieties of the Legislative Assembly, the maintenance of its authority, the management of its business, the arrangement of its proceedings, the establishing of the powers of its committees, the correctness of its records or the fixing of its sitting days or the times of its meeting or adjournment. See: Standing Order 24(1)(m). Compare: **housekeeping motion**.

ruling. (1) (of the Speaker) A decision on a point of order, a question of privilege or the procedural acceptability of some matter before the Legislative Assembly, which may serve as a precedent to govern future proceedings. Such rulings are final; they may not be debated or appealed (see Standing Order 6(1)). (2) (of a committee Chair) A decision on a point of order or the procedural acceptability of some matter before a committee which may serve as a precedent in future committee proceedings. On rare occasions, Chair's rulings are subject to an appeal to the Speaker (see Standing Order 42(4)).

S

schedule. An appendix to a bill that contains matters of detail not suitable for inclusion in a clause, or the text of an agreement that the bill brings into effect. A main appropriation bill, for example, may have three schedules appended to it: Schedule A details the proposed operations and maintenance, and capital appropriations by vote (each government department, corporation or other entity); Schedule B details amounts in Schedule A (by vote) that are committed to grants; and Schedule C (if required) details amounts in Schedule A (by vote) previously authorized by a special warrant. Schedules form part of a bill and are subject to amendment. The only exception applies to treaties and agreements that fall within the prerogative of the Commissioner.

scope (of a bill). The field of applicability of a bill as indicated by its text. Motions to amend a bill may not attempt either to alter or extend its scope. Compare: **principle (of a bill)**.

seat. This word has two meanings: (1) The place in the Legislative Assembly assigned to a Member. Members are accorded seats in the Assembly in their capacity as representatives of their electoral districts, not as individuals. (2) A colloquial term for the electoral district a Member represents.

Second Reading. The stage at which the principle and object of a bill is accepted or rejected. Detailed consideration is not given to the clauses of the bill at this stage. Once the principle of a bill has been accepted subsequent amendments must be in accordance with that principle.

secret session. A sitting of the Legislative Assembly or a part of a sitting, which only Members and certain officers of the Assembly may attend. The public and all other Assembly personnel, including the *Hansard* reporters, are refused admittance or are ordered to withdraw. While the Assembly has the power to hold a secret session, it has never done so. Compare: ***in camera* meeting**.

section of an Act. Each separate division of an Act, numbered with an Arabic numeral. The clauses of a bill become sections once the bill is assented to.

select committee. A group of Members appointed by motion of the Assembly to study a particular matter. Subject to the order that established the committee, the committee ceases to exist once it tables its final report. A bill may be referred to a select committee after first reading. Distinguish: **standing committee, special committee.**

Sergeant-at-Arms. A senior official of the Legislative Assembly, appointed by the Speaker. The Sergeant-at-Arms is responsible for the safekeeping of the Mace and of the furniture and fittings of the Assembly. The Sergeant-at-Arms leads the Speaker and the clerks into the House at the start of each sitting day. The Sergeant-at-Arms also controls admission to, and preserves order in, the galleries and other areas of the Legislative Assembly chamber. The Deputy Sergeant-at-Arms performs these duties in the absence of the Sergeant-at-Arms.

Session. One of the fundamental time periods into which a Legislative Assembly is divided. In Yukon, a session usually consists of several separate Spring and Fall Sittings. Sessions are begun by a Speech from the Throne and are ended by prorogation or dissolution of the Assembly. Distinguish: **Legislature, Sitting, sitting day.**

sessional order. An order governing the conduct of the business of the Legislative Assembly or of its committees that has effect only for the session or the legislature in which it is adopted. Compare: **special order; standing order.**

sessional paper. Pursuant to Standing Order 38(1) a sessional paper is a “return, report or other paper required to be tabled in the Assembly in accordance with an Act or pursuant to any resolution or Standing Order of the Assembly...tabled during Tabling Returns and Documents.” Once a sessional paper is tabled and distributed to Members it is open to public scrutiny.

shadow cabinet. The group of Members in each opposition party, especially the Official Opposition, chosen to act as party critics for each of the ministerial portfolios.

Sitting. A meeting of the Legislative Assembly within a Session. Sittings (generally) occur in the Spring and Fall and are comprised of a number of (usually consecutive) sitting days. A Sitting is convened by a notice from the Speaker, on the advice of the Premier. A Sitting ends with a declaration by the Speaker that the House having, having reached the final designated sitting day for that Sitting, and having dealt with the business before it now stands adjourned. Compare: **Legislature, session, sitting day.**

sitting day. A day when Members of the Legislative Assembly meet in the Chamber to conduct business. When in session the Assembly meets from Monday through Thursday, other than on holidays. A sitting day begins with a call to Order by the Speaker at 1:00 p.m. and ends with adjournment – either by motion or by order of the Speaker – usually at the normal hour of adjournment, 5:30 p.m.

Speaker. The Member elected by the Legislative Assembly to preside over its proceedings. In particular, he or she is responsible for maintaining order and decorum. As Chair of the Members' Services Board, the Speaker oversees the administration of the Assembly. In addition, the Speaker is the spokesperson and representative of the Assembly in its relations with the Commissioner and other bodies outside the House. The Speaker is also president of the Yukon Branch of the Commonwealth Parliamentary Association.

Speaker's Chair. The ornate, red chair in the Chamber occupied by the Speaker or another presiding officer when the Legislative Assembly is in session. When the Assembly is in Committee of the Whole, the Speaker's Chair is vacated and the Chair of the Committee occupies the Clerk's place at the Table.

Speaker's Parade. A procession led by the Sergeant-at-Arms (carrying the Mace), followed by the Speaker, the Clerk of the Assembly, the Deputy Clerk and the Clerk of Committees. It departs from the Speaker's Office for the Assembly after the bells have been rung for a second time prior to the opening of a sitting day. Synonym: **Speaker's Procession.**

special committee. A group of Members appointed by motion of the Assembly to study a particular matter. Subject to the motion establishing the committee the committee ceases to exist once it tables its final report. Distinguish: **standing committee, select committee.**

special order. An order of the Legislative Assembly adopted to regulate its affairs for a limited period of time or to deal with a particular matter. Compare: **provisional standing order; sessional order; standing order.**

Special Sitting. Provided for by Standing Order 75(7), a Special Sitting is a Sitting held at a time of the year when the Legislative Assembly is not normally in session. A Special Sitting may be established by the House for specific purpose, such as the ceremonial sittings in Mayo on June 12, 2003 and in Dawson City on June 12, 2009. The Standing Orders contained in Chapter 14 – Sittings of the Assembly do not apply to a Special Sitting. All other Standing Orders apply, unless the Special Sitting is established by a motion of the House that states otherwise.

special warrant. Issued by the Commissioner on advice of the Executive Council, a special warrant authorizes the payment of public funds to meet an urgent need in circumstances where the money has yet to be appropriated through an Act of the Legislature. A special warrant may be ordered only when the Legislative Assembly is dissolved, prorogued, adjourned indefinitely or adjourned with more than seven days remaining in its period of adjournment. A special warrant is issued pursuant to section 19 of the *Financial Administration Act*.

Speech from the Throne. A speech delivered by the Commissioner (or, in the absence of the Commissioner, by the Administrator) at the opening of a Session of the Legislative Assembly. The Speech outlines the government's legislative plans for the Session. The speech is delivered in the Chamber in the presence of the Members of the Assembly. Synonym: **Throne Speech.**

sponsor (of a bill). The Member or Minister who presents a bill in the Legislative Assembly. As cabinet is a collegial body a different minister may move the motion for the reading of a bill at different stages.

stand a clause. See: **postponement of a clause.**

standing committee. A committee of Members of the Legislative Assembly established pursuant to Standing Order 45. Standing committees differ from select or special committees in that they endure for the life of an Assembly (even though the membership may change). They do not dissolve when they report to the Assembly. The Standing Orders provide for five standing committees: the Members' Services Board; the Standing Committee on Public Accounts; the Standing Committee on Rules, Elections and Privileges; the Standing Committee on Statutory Instruments; and the Standing Committee on Appointments to Major Government Boards and Committees. A standing committee may study matters referred to it by standing or special order or, if given authority in its terms of reference, undertake studies on its own initiative.

Standing Committee on Appointments to Major Government Boards and Committees. The Standing Orders stipulate that this standing committee may be appointed, unlike the other standing committees that must be established during the first Sitting of each Legislature. This committee: (1) reviews nominations and recommends appointments to the Yukon Development Corporation Board of Directors, the Yukon Energy Corporation Board of Directors, the Yukon Workers' Compensation Health and Safety Board, the Yukon Lottery Commission, the Yukon Recreation Advisory Committee, the Yukon Arts Advisory Council, the Yukon Utilities Board, the Yukon Council on the Economy and the Environment; and the Yukon Human Rights Commission; and (2) may also review other appointments proposed by the Executive Council that are referred to it by the Executive Council.

Standing Committee on Public Accounts. Also known as the Public Accounts Committee, or PAC. The Public Accounts and all reports of the Auditor General are automatically and permanently referred to this committee. It is a common practice in Yukon and in many other Canadian jurisdictions for the Chair of this committee to be an opposition Member. In Yukon the Leader of the Official Opposition has been the most frequent occupant of this Chair.

Standing Committee on Rules, Elections and Privileges. Also known as SCREP. This is the standing committee of the Legislative Assembly charged with the review of parliamentary procedure and practice. SCREP may also deal with questions of parliamentary privilege. Compare: **Members' Services Board.**

Standing Committee on Statutory Instruments. This committee has the authority to review regulations made by the Commissioner in Executive Council (orders-in-council). The Assembly may also refer proposed regulations to this committee for review.

standing order. A rule, permanently adopted by the Legislative Assembly, to regulate its proceedings. Standing orders may be altered or repealed only by a subsequent decision of the Assembly. Compare: **provisional standing order; sessional order; special order.**

Standing Orders of the Yukon Legislative Assembly (Standing Orders). The collection of the permanent written rules adopted by the Legislative Assembly to govern its proceedings. The Standing Orders also contain two addenda (guidelines for the conduct of oral Question Period, guidelines for the use of electronic devices in the Chamber,) and three appendices (forms respecting resignation from or a vacancy in the Assembly, a model petition and the certificate to be filed before a witness attends a committee proceeding).

Statements by Ministers. See: **Ministerial Statement.**

statutory instrument. A regulation, order or other instrument issued by virtue of power conferred by an Act of the Legislature. Statutory instruments are subject to review by the Standing Committee on Statutory Instruments.

stranger. A traditional procedural term referring to any person who is not a Member of the Legislative Assembly or an official of the Assembly. This includes departmental officials, journalists and Members of the public. Strangers are admitted to the galleries but may be asked to leave if there is a disturbance, or if the Assembly or Speaker so orders.

sub judice convention. An established practice (a convention) whereby Members of the Legislative Assembly refrain from referring to legal matters during parliamentary proceedings, particularly criminal cases, that are before the courts. The fundamental principle is that MLAs should not do or say anything that might influence a matter before a court. The convention does not apply to the content of bills.

subamendment. An amendment to an amendment. A sub-amendment must be relevant to the amendment it seeks to modify, rather than to the original question. It is not in order to move an amendment to a subamendment.

subcommittee. A selection of Members of a standing, select or special committee. The committee may delegate its powers to a sub-committee, except the power to report to the Legislative Assembly.

subordinate legislation. See: **delegated legislation.**

subsidiary motion. A motion that is procedural in nature, dependent on an order already made by the Legislative Assembly, and used to move forward a question then before the Assembly. Motions for the second and third readings of bills, for example, are subsidiary to the motion for first reading. Synonym: **ancillary motion.** Compare: **substantive motion.**

substantive motion. An independent proposal which is complete in itself. Normally such motions require written notice before they can be moved in the Assembly. Compare: **subsidiary motion; procedural motion.**

substitute Member (of a committee). A Member designated, pursuant to Standing Order 47(2), to replace a permanent Member of a committee at one or several of its meetings. When such a substitution has been made, the substitute Member enjoys all of the regular Member's rights and privileges in the committee. Notice of the substitution should be given to the Chair as far in advance of the meeting as possible. A member substituting for the committee Chair does not get to Chair the meeting.

summoning a witness. Ordering a witness to appear at the Bar of the House or before one of its committees. Witnesses are summoned before committees only after they have declined an invitation to appear. Distinguish: **invitation to appear**

Summons of the Legislature. The convocation of the Legislative Assembly following a general election. The Assembly is summoned by a proclamation issued by the Commissioner on the advice of the Premier.

superseding motion. A motion moved for the purpose of superseding or replacing the question before the Legislative Assembly. It may be either a dilatory motion or a motion for the previous question. See: **previous question; dilatory motion.**

supplementary estimates. An expenditure plan introduced to provide funds to the government to meet new or increased costs. The government may introduce as many sets of supplementary estimates in a given fiscal year as it deems necessary. The Assembly deals with supplementary estimates by way of a supplementary appropriation bill.

supplementary question. Every Member asking a question during the oral question period has the right to ask two supplementary, or additional questions. A supplementary question is posed in response to the Minister's response to the main question. The question may seek clarification or further information. The supplementary questions must address the same subject matter as the main question. See: **main question.**

supply. See: **appropriation.**

supply bill. See: **appropriation bill.**

suspend a Member. The action of dismissing a Member from the service of the Legislative Assembly and its committees for one or more days due to disorderly behaviour. The Speaker may exercise this action alone – by naming the Member – but the suspension only lasts for the remainder of a sitting day. An order of the Assembly is required to suspend a Member for a longer period of time. The Assembly may, by order, suspend a Member for a longer period. Compare: **expel a Member; naming a Member.**

suspension of a sitting. A pause during the course of a sitting day of the Legislative Assembly caused by a disturbance in the Public Gallery or other circumstance, such as a power outage. When the sitting is suspended, the Speaker leaves the Chair but the Mace remains on the Table. Distinguish: **adjournment; recess.**

swearing in ceremony. The event at which newly-elected Members take their oath of allegiance and oath of office. The taking of oaths is required by section 12 of the *Yukon Act* which says, “Before assuming office, each member of the Legislative Assembly shall take and subscribe before the Commissioner the oath of office prescribed by the Legislature of Yukon and the oath of allegiance set out in the Fifth Schedule to the *Constitution Act, 1867.*” Oaths may be sworn or affirmed. There is a separate swearing in ceremony (with different oaths) for cabinet.

T

Table. This word has two definitions: (1) Used as a noun, with a capital ‘T’, it refers to the table in front of the Speaker’s Chair at which the clerks sit. Copies of frequently consulted procedural authorities, recent bound copies of *Hansard*, and other materials are kept on the Table for ease of access by Members and the Clerks-at-the-Table. The Mace is placed on the Table when the Legislative Assembly is sitting. (2) Used as a verb, with a lower-case ‘t’, it means to place a document before the Legislative Assembly or a committee for consideration or consultation. A tabled document may become part of the working papers (permanent record) of the Legislative Assembly. Synonym: **lay on the table.**

Table Officers. The Clerk of the Assembly, the Deputy Clerk and the Clerk of Committees who sit at the Table in front of the Speaker’s Chair. Table Officers provide procedural advice during sittings of the Legislative Assembly, conduct divisions and keep the minutes of proceedings. Synonym: **Clerks-at-the-Table.** See: **Clerk of the Legislative Assembly; Deputy Clerk; Clerk of Committees.**

Tabling Returns and Documents. An item called by the Speaker as part of the Daily Routine. At this time Ministers may table legislative returns, reports, or responses to committee reports and other documents. Private Members may also table documents. All legislative returns and some other documents will be put in the working papers (permanent record) of the Legislative Assembly.

talk out a bill (or motion). To debate a bill (or motion) until the time allotted for debate on that sitting day has expired. Compare: **filibuster; dilatory motion.**

taxation bill. A bill introduced by a Minister proposing to introduce a new tax, to increase the rate of an existing tax, to continue an expiring tax or to extend the application of a tax. This term can also refer to a bill introduced by a Member proposing to reduce an existing tax.

Third Party. The caucus of a political party or group in opposition to the government, other than the Official Opposition, with fewer members than the Official Opposition.

Third Reading. The last stage of consideration of a bill in the House. At this stage Members have an opportunity to see a bill in its final form, after amendments at the committee stage (if any). At the conclusion of third reading debate the bill is either approved or rejected. Once a bill receives third reading it has “passed” the House and awaits Assent from the Commissioner.

Throne Speech. See: **Speech from the Throne.**

time allocation. The designation of a specific period of time for the consideration of one or more stages of a bill. There is no provision for time allocation in the *Standing Orders of the Yukon Legislative Assembly*. Distinguish: **closure**. Compare: **Chapter 14; guillotine**.

Tributes. An item called by the Speaker as part of the Daily Routine. At this time a Member may make remarks recognizing a person or group or an event of some significance.

U

unanimous consent. Standing Order 14.3 says, “The Assembly may, by unanimous consent, suspend its Standing Orders or waive procedural requirements and precedents.” Unanimous consent requires the agreement of all Members present in the Chamber at the time that the request is being made. Unanimous consent is often requested, and granted, to expedite the process involved in reading a bill or considering the estimates of a government department. Actions taken by unanimous consent do not constitute precedents. See Standing Order 14.3. Synonym: **leave of the Assembly**.

unparliamentary language. The use, by a Member, during a sitting of the House or of one of its committees, of words or expressions that are likely to lead to disorder. During proceedings Members may not use language that suggests another Member is deliberately misleading the House, that casts aspersions on the motives of another Member, or is beneath the dignity of the House. A Member may raise a point of order if he or she hears language that the Member believes is unparliamentary. The Speaker, or Chair, may intervene without a point of order being raised.

V

vice-chair. The person elected as deputy to the chair of a select, special or standing committee.

voice vote. An oral vote held without recording individual Members’ votes or the number of yeas and nays. Compare: **recorded division**.

vote. This word has two definitions: (1) The formal expression of opinion for the purpose of reaching a decision. In the Legislative Assembly votes are given either orally or by a recorded

division. See: **division**. (2) An individual item of the Estimates indicating the amount of money required by the government for a particular department, agency, corporation or other office (the Legislative Assembly, Elections Yukon, the Office of the Ombudsman, the Office of the Child and Youth Advocate). Compare: **appropriation**.

Votes and Proceedings. The daily official record of the decisions and other transactions of the Legislative Assembly. At the end of a Spring or Fall Sitting, a compilation of revised and indexed *Votes & Proceedings* is produced as the *Journals*. See: **Journals**.

W

whip. A Member charged with keeping other Members of the same caucus informed concerning Assembly business and ensuring their attendance in the Legislative Assembly, especially when a vote is anticipated.

white paper. A document tabled in the Legislative Assembly presenting government policy in a given area. It may contain legislative or administrative proposals on which the government intends to act. Distinguish: **green paper**.

witness. A person invited to appear before Committee of the Whole or a standing, select or special committee to present an opinion on a particular topic or to provide technical advice with respect to the subject of the committee's study. While testifying, witnesses enjoy the same privilege of freedom of speech as Members and are subject to the same rules. Compare: **invitation to appear; summoning a witness**.

working papers. The permanent, archived records of the Legislative Assembly and its committees. Official documents produced by the Legislative Assembly (Hansard, Journals, Order Paper, etc.) and its committees (reports, transcripts of proceedings) are entered into the working papers. Documents tabled pursuant to an Act or an order of the Assembly are also entered into the working papers.

written question. Private Members may submit written questions to cabinet ministers seeking information. These written questions are placed on the Order Paper. A Member may have up to five written questions on the Order Paper at one time. Responses to written questions are tabled as legislative returns during the Daily Routine under Tabling Returns and Documents.

Y

Yukon Act. An Act of the Parliament of Canada that serves as Yukon's constitution. The first *Yukon Act* came into force on June 13, 1898. The *Yukon Act* establishes Yukon's form of government, including: the roles of the Commissioner, the Cabinet, and the Legislative Assembly; the powers of the Legislature; and rules for the administration of justice. The current *Yukon Act* came into force on April 1, 2003.

Yukon Gazette. A periodical publication of the Government of Yukon that contains legal notices required by statute or regulation, for Yukon. Items of interest to Members in Part I include Management Board Directives, Order-in-Council appointments, and proclamations. Part II contains Order-in-Council regulations, Ministerial Orders, Workers' Compensation Health and Safety Board Orders, and legal notices from the Legal Services Society of the Yukon. Part III is the index.