

STANDING ORDERS 2-7

REGULATION AND MANAGEMENT OF THE HOUSE

THE SPEAKER

Election of Speaker

2. (1) At the opening of the first session of a General Assembly, and at any other time as determined pursuant to Standing Order 2(3), the election of a Speaker shall be the first order of business and shall not be interrupted by any other proceeding.

(2) Following a General Election the Members shall elect a Speaker immediately after the administration of the oath or affirmation of office.

(3) In the case of a vacancy in the Office of the Speaker, as a result of death, resignation or for any other reason, the House shall proceed to elect one of its Members to be Speaker.

(4) If the Office of Speaker becomes vacant between sessions or during a period when the House stands adjourned to the call of the Chair, the Clerk shall immediately notify all Members that the Office of Speaker is vacant.

(5) The Clerk, when the Office of Speaker is vacant, shall ensure that the notification to Members of the date for the opening of a new session or the reconvening of an existing session contains the information that the first order of business shall be the election of a Speaker by secret ballot.

(6) No Minister of the Crown or leader of a recognized parliamentary group, shall be eligible for election to the Office of Speaker.

(7) The election of a Speaker shall take precedence over all other business and the House shall continue to sit, if necessary, beyond its ordinary hour of

daily adjournment, until a Speaker is elected and is installed in the chair and if the House has continued to sit beyond its ordinary hour of daily adjournment, the new Speaker shall thereupon adjourn the House until the next sitting day.

(SO 2 added 1999, amended 2005)

Clerk presides

3. (1) For the purpose of electing a Speaker, the Clerk, or in the absence of the Clerk, the Clerk Assistant, shall administer the election process and shall preside during the election of a Speaker.

(2) During the election of a Speaker, the Clerk shall not be permitted to entertain any question of privilege or point of order.

(3) During the election of a Speaker, there shall be no debate and no adjournment motion nor motion of any other kind shall be accepted for consideration.

(4) The election of a Speaker shall not be considered a question of confidence in the Government.

(SO 3 added 1999)

Secret ballot

4. (1) The election of a Speaker shall be conducted by secret ballot in accordance with this Standing Order.

(2) After a general election, or at any other time when there is a vacancy in the Office of Speaker, any Member who wishes to stand for election to the Office of Speaker shall, not later than 4:30 o'clock in the afternoon on the working day preceding the day on which the election of a Speaker is expected to take place, in writing in the prescribed form, so inform the Clerk who shall prepare, in alphabetical order, a list of the given names and surnames of those Members who wish

to stand as candidates for election to the Office of Speaker.

(3) After the closing days and times referred to in Standing Order 4(2), the Clerk shall affix a copy of the list of candidates provided for in Standing Order 4(2) in a conspicuous place in or near the Assembly Chamber, and shall provide copies of that list to the caucus office of each recognized parliamentary group and to each independent Member.

(4) If only one Member stands for election to the Office of Speaker, or at any stage of withdrawal pursuant to Standing Order 4(16), leaves only one candidate remaining, the Clerk shall announce in the Chamber that candidate's name and without any vote declare that Member to be elected Speaker.

(5) If there are two or more candidates for election to the Office of Speaker, ballot papers shall be provided to Members present in the Chamber, by the Clerk, prior to the taking of the ballot.

(6) Before the taking of the first ballot, the Clerk shall distribute the list of candidates to Members present in the Chamber.

(7) Each Member present in the Assembly Chamber who wishes to indicate his or her choice for the Office of Speaker, shall proceed to one of the voting booths at the Table and print or write legibly on the ballot paper the surname of a candidate whose name appears on the list distributed pursuant to Standing Order 4(6).

(8) Notwithstanding Standing Order 4(7) when two or more candidates, whose names appear on the list distributed pursuant to Standing Order 4(6), have identical surnames, each Member who wishes to indicate his or her choice for one of these candidates shall print or write legibly on the ballot paper the given name and the surname of the candidate of his or her choice.

(9) Members shall deposit their completed ballot paper in a box provided for that purpose on the Table.

(10) Once all Members wishing to do so have deposited their ballot papers, the Clerks at the Table shall retire from the Assembly Chamber with the ballot box and shall count the vote and the Clerk, being satisfied as to the accuracy of the count, shall destroy the ballots together with all records of the number of ballots cast for any candidate.

(11) If one candidate receives a majority of the votes cast, the Clerk shall announce the name of that Member as the Speaker.

(12) If no candidate receives a majority of the votes cast, the name of the candidate, or in the event of a tie the candidates, having the lowest number of votes cast, shall be excluded from subsequent ballots.

(13) If every candidate receives the same number of votes, no names shall be excluded from the next ballot.

(14) For each subsequent ballot, the Clerk shall prepare a list of candidates and distribute it to Members present in the Chamber.

(15) Subsequent ballots shall be conducted in the manner prescribed in Standing Orders 4(5) to 4(16) and the balloting shall continue, in a like manner, until such times as a candidate is elected Speaker upon having received a majority of the votes cast.

(16) At any time after the result of the first ballot has been declared, but before the commencement of a second or subsequent ballot, a candidate may withdraw from the election by rising in his or her place in the House and stating that he or she is withdrawing, and the election shall then proceed as if the Member had

not become a candidate.

(17) The Clerk shall prescribe the following:

- (a) Members' notice of intent to seek election to the Office of Speaker;
- (b) the form of the ballot paper; and,
- (c) such other forms and information as may be required.

(SO 4 added 1999)

Deputy Speaker

5. (1) A Chairperson of Committees who shall also be Deputy Speaker of the House shall be appointed at the commencement of every General Assembly, immediately after election of the Speaker; and the Member so appointed shall, if in his or her place in the House, take the Chair of all Committees of the Whole, including the Committees of Supply and Ways and Means.

(2) The Member appointed as Deputy Speaker and Chairperson of Committees shall continue to act in that capacity until the end of the General Assembly for which he or she is appointed, and in the case of a vacancy by death, resignation or otherwise, the House shall proceed forthwith to appoint a successor.

(3) In the absence of the Deputy Speaker and Chairperson of Committees of the House, the Speaker may, in forming a Committee of the Whole House, before leaving the Chair, appoint any Member Chairperson of the Committee.

(1951 SO 43)

CASTING VOTE

Speaker's casting vote

6. The Speaker shall not take any part in any debate before the House. In case of an equality of

voices, the Speaker gives a casting vote, and any reasons stated by him or her are entered in the Journal.

(1951 SO 10)

ORDER & DECORUM

Order & decorum

7. (1) The Speaker shall preserve order and decorum and shall decide questions of order. No debate shall be permitted on any such decision and no such decision shall be subject to an appeal to the House. In explaining a point of order or practice, the Speaker shall state the standing order or authority applicable to the case.

(2) When the Speaker is putting a question, no Member shall walk out of or across the House, or make any noise or disturbance.

(3) When a Member is speaking, no Member shall pass between him or her and the Chair, nor interrupt him or her, except to raise a point of order.

(4) No Member may pass between the Chair and the Table, nor between the Chair and the Mace when the Mace has been taken off the Table by the Sergeant-at-Arms.

(5) Every Member shall be uncovered when he or she enters or leaves the House, or moves to any part of the House during the debate, and shall make an obeisance to the Chair in passing to or from his or her seat.

(6) When the House adjourns the Members shall keep their seats until the Speaker has left the Chair.

(1951 SO 11 amended 1999 & 2005)