

How standing orders impact on the role of opposition members in Provincial legislatures

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Abstract

Standing orders are the rules of procedures which are established by legislatures. This paper compares standing orders in provincial legislatures in Canadian provinces and analyzes how differences in standing orders influence the effectiveness of opposition members. This research notes similarities and differences within the standing orders of the legislatures and uses specific examples of how these rules have enhanced or restricted the role of opposition members. Methods involve content analysis of the standing orders themselves and a review of parliamentary practice in the various legislatures related to items such as private members bills, amendments to government legislation, member's statements, committee structures and debate on legislation. The research uses systems theory as a theoretical framework for examining the role of oppositions in provincial legislatures. This research adds to the exploration of factors impacting the role and effectiveness of oppositions in Westminster style parliamentary democracies.

Introduction

In the context of this paper standing orders are instruments created within the parliamentary system to preserve order and maintain stability. The standing orders are a way of transferring traditions, customs and practices from the past into the present. They also change and evolve to meet the local situation and react to various other forces. The practices within Canadian legislatures in many cases are very similar, as might be expected given the historic connections to the Westminster parliamentary democracy, though variances are also evident and provide avenues for comparison. The origin of the name, from the French parler (to speak), suggests Parliament is a place to speak. Parliaments as political institutions have developed over hundreds of years and are characterized by sets of checks involving government being answerable to the legislature. The Westminster (from the Palace of Westminster) system found in Canadian provinces is a distinct series of procedures characterized by an adversarial approach where oppositions ask questions and propose alternative policy.

This research draws on systems theory as a theoretical framework for examining the role of oppositions in provincial legislatures. David Easton (1953) view that's political systems can change in response to changes in the social or physical environment in which they exist is taken into account. Also explored is how the structure of systems can determine the outcome of social interaction within a system. Authors such as John Scott (2000) and others have explored the impact which structures have on the rational choice made by actors within a system.

The purpose of this paper is to compare standing orders in provincial legislatures in Canadian provinces and gain insight into how differences in standing orders influence the effectiveness of opposition members.

Methods and data sources

Content analysis of standing orders and an examination of practice in legislatures form the basis for the findings of this paper. This involved a three step process of: (1) a preliminary review of the standing orders and the establishment of an initial framework for analysis, (2) conducting a more detailed analysis and making comparisons and (3) the

examination of records from legislatures to gain insight into practice based on the standing orders. The process used for examination of this data involved methods as suggested by Maxwell (1996), Gay and Airasian (2000) and Strauss and Corbin (1990). It involved a cyclical process of becoming familiar with the data and identifying main themes and use of analytical memos as an aid to reflective thinking upon the findings.

While the scope of this paper does not allow for a full analysis of all aspects of standing orders a number of functions of legislatures were compared across jurisdictions. Items selected for analysis are; (1) time in the legislature, (2) questions, (3) committee structure, (4) petitions, (5) private members statements, (6) private members days, and (7) debate on legislation. Other items such as the throne speech debate and the budget debate could have been examined as well, but would have expanded the project beyond the limited resources and time available. The items selected for analysis were chosen because they are at the core of an opposition's ability to conduct its function of holding a government accountable and providing alternative public policy options.

Results

In this section comparisons of standing orders in Canadian provincial legislatures are made in relation to the items outlined above in the methods section.

Time in the legislature

One of the tests of a democracy in a Westminster Parliamentary system is Government's accountability to parliament. Oppositions have opportunities to engage the government in a house of assembly. One useful comparison in this regard would be to look at the period of time which legislatures are open. That involves examining the number of sitting days as well as the number of hours they sit each day. Such practices are often clearly outlined in the standing orders of a legislature. Table 1 summarizes information related to the number of days each legislature is required to be open according to the standing orders.

One of the ways which a government can effectively limit the role of the opposition is to limit the time which the legislature is open. In legislatures the standing orders are in place to provide a forum which grants the opposition certain rights and privileges, while outside the legislature opposition parties are often severely disadvantaged and limited in the resources they have to challenge governments. While the comparisons provided in Table 1 can be important, it is necessary to be cautious against overly simple comparisons across provinces of time spent in the legislature. It is difficult to make such comparisons in isolation, because factors such as the number of members in a legislature might influence how long it would take to debate a piece of legislation. Other rules of the House, such as the allocation of speaking time per member or the number of amendments which can be brought forward, would also influence the time which a legislature would be open. Also, the nature of items dealt with in committee outside the proceedings of the legislature might also be important in relation to the time required in the legislature. For example if a active functioning committee structure is in place it might result in less time spent in the legislature.

Table 1. Comparison of days of legislature sitting according to standing orders

Province	Fall Sitting	Spring Sitting
Sask.	25 days	40 days
Que.	From the third Tuesday in October until no later than the twenty-first day of December.	From the second Tuesday in March until not later than the twenty-third day of June.
Ont.	From approximately the end of September till the middle of December with a week off during the week of Remembrance Day.	A specified time in March (after school holiday in March) until near the end of June. There is a week off for Victoria Day.
NB	Only the days when the House cannot meet are outlined	Only the days when the House cannot meet are outlined
Man.	From the first Monday after Labour Day to Thursday of the first full week of December.	The first Monday in February to Thursday of the second full week in June. There is a week break at the same time as Spring break in the public school system.
BC	Unless otherwise ordered, the House shall meet: The first Monday in October to the last Thursday in November inclusive.	The second Tuesday in February to the last Thursday in May inclusively.
Alb.	The Fall sitting commences on October 14 th and concludes no later than December 4 th , with a constituency week the week of Nov. 10 th . The session may be extended by government motion.	There is no set calendar in the standing orders for a Spring sitting.
PEI	The times of meeting and the length of the sittings are not outline in the standing orders, so it seems to be at the call of the government.	The times of meeting and the length of the sittings are not outline in the standing orders, so it seems to be at the call of the government.
NS	The times of meeting are not outline in the standing orders but the speaker normally gives 30 days notice of opening after consulting with the government.	The times of meeting are not outline in the standing orders but the speaker normally gives 30 days notice of opening after consulting with the government.
NL	The parliamentary calendar is presented in the appendix to the standing orders and is not binding upon government but rather a statement of ordinary practice. Suggested; A minimum of four weeks adjourning not later than one week before Christmas.	Suggested: From the second Monday of March to the Friday before Victoria Day weekend with a two week break during Easter.

Table 2 – Hours in the legislature each day

Prov.	Monday	Tuesday	Wednesday	Thursday	Friday
Sask.	1:30pm to 10:30pm with a recess from 5-7.	1:30pm to 10:30pm with a recess from 5-7.	1:30pm to 5pm.	10am to 1pm.	No sitting
Que.	No sitting	10am to 6pm with a recess from 12-2pm.	10am to 6pm with a recess from 12-2pm.	10am to 6pm with a recess from 12-2pm.	No sitting
Ont.	10:30am adjournment at 6pm with recess for lunch.	9am adjournment at 6pm with 2 recesses.	9am adjournment at 6pm with 2 recesses.	9am adjournment at 6pm with 2 recesses.	No sitting
NB	No sitting	1pm to 6pm.	10am to 12noon and then 2pm to 6pm.	1pm to 6pm.	10am to 12:30pm then 2pm to 4:30pm.
Man.	1:30pm to 5pm.	10am to 12 noon and then 1:30pm to 5pm.	1:30pm to 5pm.	10am to 12 noon and then 1:30pm to 5pm.	10am to 12:30pm for the throne speech and budget debate.
BC	10am to 12 noon then 1:30 to 6:30pm	10am to 12 noon then 1:30 to 6:30pm	1:30 to 6:30pm	10am to 12 noon then 1:30 to 6:30pm	No sitting
Alb.	Starts at 1:30pm if business not concluded at 5:30pm breaks until 7:30pm then resumes	Starts at 1:30pm if business not concluded at 5:30pm breaks until 7:30pm then resumes	Starts at 1:30pm if business not concluded at 5:30pm breaks until 7:30pm then resumes	Starts at 1:30pm if business not concluded at 5:30pm breaks until 7:30pm then resumes	No sitting
PEI	No sitting	2pm to 5pm if business not concluded a break until 7pm then resumes	2 pm to 5pm with no night sitting	2pm to 5pm if business not finished breaks and resumes at 7pm	10am with a lunch break from 1-2pm if necessary.
NS	7pm to 10pm	2pm to 6pm	2pm to 6pm	2pm to 6pm	11am to 2pm
NL	1:30pm to 5:30pm.	1:30pm to 5:30pm.	2pm to 5pm with no night sitting.	1:30pm to 5:30pm.	No sitting

While the number of days which a legislature is open is one indicator of the amount of time which the opposition has to hold the government accountable, another is the number of hours each day spent in the legislature. However, despite the schedules outlined in the standing orders (Table 2) there are many examples of instances where governments have the option to extend the hours of sitting. In Quebec on a motion of the Government House Leader the House can also meet on Monday from 2pm until 6pm. The House can sit later than 8pm on a request to the President by the Government House Leader with extended hours from May 25 till June 23 and from November 25 until December 21. Meeting at 10am each day Tuesday to Friday and may continue until 12 midnight. There are provisions for lunch (1-3) and dinner (6-8) breaks. In Ontario the Government House Leader may extend the hours of meeting during the last eight sessional days in the Fall and Spring session period but the standing orders specify that it can't sit past midnight. In New Brunswick the standing orders indicate that 5 members can block the House from sitting outside its normal hours. In Manitoba, except during the throne speech debate and the budget debate, the House sits on Tuesday and Thursday from 10am till 12 noon to consider private members business. In PEI evening sittings adjourn at 9 pm but can continue until 12 midnight with unanimous consent. In Nova Scotia the standing orders allow for the suspension of rules in relation to the ordinary sitting time, but also establish limits on the time the House can sit: Mondays no later than 10pm, Tuesday, Wednesday and Thursday no later than 8pm and on Friday no later than 6pm. However, these limitations can be removed by a majority vote on a motion by the Government House Leader. In Newfoundland and Labrador if business is not concluded at 5:30pm on Monday, Tuesday and Thursday then there is a dinner break until 7pm and the House adjourns at 10pm. If the closure rule (S.O. 47) is in operation, the House can sit later. Also, the Government House Leader can move a motion that the House not adjourn at 5:30 on Monday, Tuesday and Thursday afternoon or at 10pm those evenings. The notice of motion must be given at the previous day sitting. The significance of government being able to easily extend the hours of the legislature beyond regular sitting times is that it allows them to force pieces of legislature through the assembly faster. Also, it is common practice in Newfoundland and Labrador for the government to keep the legislature open all night to pass legislation near the end of a sitting.

Questions

One of the main ways which an opposition can hold a government accountable is by asking questions in the legislature. Question period is recognized as one of the most exciting aspects of the legislative process and is often the focus of media coverage. The oral question period is however not the only opportunity where the opposition can ask questions. There are also written questions which can be put on the order paper of the legislature and in some cases members have an opportunity to ask questions during debates. Table 3 includes some basic information about opportunities to ask questions in each province. As is indicated the length of question period varies and the requirements for answering written questions vary from very specific to non-existent. These differences in rules influence practice, for example, in the House of Assembly in Newfoundland and Labrador written questions are rarely asked and even more rarely answered.

Table 3 – Summary of information on opportunities to ask questions

Province	Oral Question Period	Written Questions	Questions during Debate
Sask.	25 minutes.	Yes, provisions requiring they be answered are established.	Yes
Que.	45 minutes.	Yes, provisions requiring they be answered are established.	Yes, with the speakers consent.
Ontario	60 minutes.	Yes, must be answered within 24 sessional days or request more time.	Yes, up to 4 members may take 2 minutes each to ask questions.
NB	30 minutes	Yes, but no clear requirement they be answered.	No provision for this in the Standing orders.
Manitoba	40 minutes	Yes, unanswered questions appear on the order paper every two weeks.	No provision for this in the Standing orders.
BC	30 minutes	Yes, while some provisions for answering are established it is not clear if an answer is required.	No provision for this in the Standing orders.
Alberta	50 minutes	Yes, the question must be accepted or rejected within 15 days and if accepted it must be answered in 30 days.	No provision for this in the Standing orders.
PEI	40 minutes	Yes, they “shall” be answered “without any unnecessary delay”	No provision for this in the Standing orders.
NS	1 hour Tue and Thur and 1 ½ hour on Wed.	Yes, but no clear requirements regarding answers.	No provision for this in the Standing orders.
NL	30 minutes	Yes, but there is no requirement that such questions be answered.	No provision for this in the Standing orders.

Committee structure

Some of the similarities and differences in the way committees are used in the provincial legislatures will now be examined. The standing committees of the various legislatures can be classified into three types; Administrative committees of the House, Scrutiny committees and Policy Committees. In many ways committees of the House can do tasks that would be cumbersome for the full legislature to exercise. However it is also interesting to note the different roles and powers that are assigned to committees in different provinces. For example in Nova Scotia and Ontario committees have a role in reviewing government appointments to agencies, board, commissions and crown corporations. In other provinces such as Saskatchewan they have a role in developing and reviewing regulations and bylaws for pieces legislation. Such a role enhances an opposition’s ability to hold a government accountable for its actions and to have input into decisions.

Table 4 – Committee Structure by Province

Pro	Administrative	Scrutiny	Policy
Sas	(1) House services, (2) privileges, (3) Private bills.	1) Public Accounts	(1) Crown and central agencies, (2) The economy, (3) Human resources, and (4) Intergovernmental affairs and justice
Que	(1) Committee of the National Assembly, and (2) Subcommittee on parliamentary reform.	(1) Public admin.	(1) Institutions, (2) Public finance, (3) Social affairs, (4) Labour and the economy, (5) Agriculture, fisheries and food (6) Planning and the public domain, (7) Education, (8) Culture, and (9) Transportation and the environment.
Ont.	(1) The Legislative assembly, and (2) Regulations and private bills	(1) Public Accounts	(1) Justice policy, (2) Social policy, (3) General government, (4) Estimates, (5) Finance and economic affairs, and (5) Government agencies.
NB	(1) Legislative admin, (2) Officers, (3) Private bills (4) Privileges, and (5) Procedure.	(1) Public Accounts	(1) Crown corporations, (2) Education, (3) Estimates, (4) Health care, and (5) Law amendments.
Ma	(1) Legislative affairs, (2) Private bills, (3) Rules of the House.	(1) Public Accounts	(1) Agriculture and food, (2) Crown corporations, (3) Human resources, (3) Intergovernmental affairs, (4) Justice, (5) Social and economic development, and (6) Statutory regulations and orders.
BC	(1) Parliamentary reform, ethical conduct, standing orders and private bills.	(2) Public Accounts	(1) Aboriginal affairs, (2) Education, (3) Finance and gov. services, (4) Health, (5) Crown corps, (6) Legislative initiatives and (7) Children and youth
Alb.	(1) Privileges and elections, standing orders and printing, (2) Private bills, and (3) Legislative officers.	(1) Public Accounts, (2) Alberta Heritage STF.	(1) Community services, (2) The economy, (3) Health, (4) Public Safety and Service, and (5) Resources and environment.
PEI	(1) Legislative management committee, and (2) Privileges, rules and private bills.	(1) Public Accounts	(1) Agriculture, forestry and environment, (2) Community affairs and the economy, (3) Social dev. (4) Fisheries, IGA and transport, and (5) The constitution of Canada.
NS	(1) Assembly matters, (2) Internal affairs (3) Law amendments, and (4) Private and local bills.	(1) Public Accounts	(1) Economic development, (2) Human resources, (3) Community services, (4) Resources, and (5) Veterans affairs.
NL	(1) Privileges and elections, (2) Standing order, and (3) Misc and private bills.	(1) Public Accounts.	(1) Government services, (2) Social services, and (3) Resource.

Petitions

Throughout the history of parliamentary procedure another traditional avenue open to citizens to bring issues to the legislature is petitions. While all provincial legislatures have provisions for this practice, the way petitions are presented and dealt with differ in significant ways. Table 5 outlines the process for petitions in each province and provides a quick way of identifying similarities and differences.

Table 5. Summary information related to petitions

Prov.	Presentation	Form	Gov. Response
Sask.	Members may present a petition to the table or they can do so during routine proceedings	Must have three signatures from persons other than Members of the Legislative assembly.	The government “may” provide a written response to any petition.
Que.	Notice must be given to the Secretary General at least 1 hour before routine proceedings.	Petitions must be on matters within the Assembly’s jurisdiction. No minimum number of signatures stated.	There is not a provisions for a government response.
Ont.	A member can either give them to the Clerk or present them during routine proceedings.	The member presenting must sign the petition but there is no minimum number signatures required.	Government “shall” file a response within 24 sessional days.
NB	Members make a brief statement about the petition in the Legislature.	Member presenting must sign and also state the number of signatures but there are no minimum number required.	Government “shall” provide a written response within two weeks.
Man.	Notice of one day given to the speaker and then it is presented in the Legislature.	Petitions must have 15 names. Also they are not in order if they request expenditure.	There is no requirement for government to respond to petitions.
BC	Petitions are presented after question period in routine proceedings	No minimum number of names. They are not in order if they request expenditure.	No requirement for government to respond.
Alb.	One day notice of a petition must be given to the Clerks office before it is presented.	Presenter must sign and state the number of signatures on the petition but there is no minimum number required.	There is no requirement for government to respond to petitions.
PEI	A member can either give them to the Clerk or present in Legislature.	No minimum number of names. They are not in order if they request expenditure.	No requirement for government to respond to petitions.
NS	A member can either give them to the Clerk or present in Legislature.	The member presenting must sign it and there must be three or more petitioners.	No requirement for government to respond to petitions.
NL	Members present petitions during routine proceedings. They have 3 minutes for each petition.	The member presenting the petition must sign it and there must be three or more petitioners.	No requirement for government to respond to petitions.

Private Members Statements

In many legislatures there is an opportunity for private members to present their views through the use of Private Members Statements. These are usually brief statements made during routine proceedings on topics the members feels is important. They exist in most provinces but in some cases the nature of the content is restricted to non-contentious issues.

Table 6 – Summary of information related to Members Statements

Province	Time allotted	Length of each	Nature of statements
Sask.	10 minutes total	Maximum 90 seconds	“any subject of interest or concern”
Quebec	No provision for members statements		
Ontario	Up to 9 per day allocated on a proportional basis.	Maximum 90 seconds	No restriction on content.
NB*	Up to 10 a day. The opposition is given priority.	Maximum of 60 seconds.	No restrictions on content. Other provisions exist as well.
Manitoba**	Up to 5 each day.	Maximum of 2 minutes.	No restriction on content.
BC	Two types; Long (4 of 15 minutes) on Monday and short (6 of 2 minutes each) other days.	Long are 15 minutes and short are 2 minutes each.	No restrictions on content.
Alberta	Up to 6 per day allocated on a proportional basis.	Maximum of 2 minutes.	No restrictions on content.
PEI	Five minutes per day is allocated.	Maximum of 90 seconds.	At the speakers discession.
NS	No provision for members statements		
NL	Six minutes per day is allocated	Maximum of 1 minute.	Must be of a non-contentious nature.

Other opportunities for statements are available in some legislatures. In New Brunswick three opportunities are available for members to make short statements; Condolences and messages of sympathy, Messages of congratulation and recognition and Members Statements. These are usually combined in other legislatures. In Manitoba members may speak once per session on a grievance for 10 minutes and there are no restrictions on the subject matter raised in the grievance. These free ranging opportunities to speak on issues are valuable opportunities for members to express their views.

Private Members Days

One opportunity which oppositions get to put forward alternative policy positions and have them debated in the legislature is during Private Members Day. The standing orders outline the procedures for these days in each of the provincial legislatures. In Saskatchewan the House Leader of each recognized caucus may designate and rank in order of priority two items of business to be given precedence over any other items of business standing under Private Members Motions or Private Members' Public Bills. The first choice of business alternates each week between government and the opposition. An independent member may request that the speaker designate an item of business in that member's name for priority consideration. Each Thursday after Private Bills, a motion is chosen alternately between the government and opposition for a seventy-five minute debate. The mover speaks for 15 minutes and other speakers for 10 minutes. The last 10 minutes is for members to ask questions and comment briefly on matters relevant to the content of the speeches and allow the speakers to respond.

In Quebec there are provisions in the standing orders for "business standing in the name of members in opposition." This business is done on Wednesday from 10am until not later than 12 noon. The member must give at least one days notice of the motion to be debated. The President decides the order, taking into account the sequence in which they were given and rotation among parliamentary groups and independent members.

In Ontario two and one-half hours is allotted to consider private members business on Thursday. The mover has 12 minutes, then each speaker to the motion has 12 minutes in rotation of recognized parties in the House and the debate concludes with 2 minutes for a reply by the member moving the motion. No amendments can be made to private members motions. The order of items for consideration is determined by draw at the commencement of each session. This can be changed upon the agreement of two members. Provisions are in place for private members bills and if they are given second reading they are carried on the order paper.

In New Brunswick a provision for "Opposition Members' Business" is in the standing orders. Government Members private bills are carried forward as government bills whereas opposition private members bills are treated differently and appear on the order and notice paper under "Opposition Members' Business". Opposition Bills and Motions are taken up on Thursday until 6 Pm. Items are usually dealt with in the order which they have been presented. The official opposition gets 7 times as many motions as the third party in the House. An opposition members business shall be debated for not more than two hours. The mover speaks for up to twenty minutes and all others who speak get up to fifteen minutes. The mover then takes 10 minutes to reply and close the debate.

In Manitoba two mornings of the week are designated for private members business. In each session there "shall" be up to three sitting days to be known as opposition days; two for the official opposition and one for the second largest recognized opposition party. The Government House Leader, after consultation with the opposition parties, announced the dates for the designated opposition days. During an opposition day motion, no member shall speak for longer than 10 minutes. The motions are not non-confidence motions which in theory should allow for a free vote. The motions cannot be amended. There is also a provision in the standing orders for Private Members' Resolution, which is separate from opposition days. In private members' resolutions

Tuesday is for government members and Thursday is for the opposition. Resolutions have to be submitted within 14 days after the throne speech and then one week's notice is given of what specific resolution is to be debated. Each resolution is considered for up to 3 hours.

In British Columbia it is indicated in the standing orders that Monday from 10am to 12 noon is private members time but there is no indication if this is always opposition time or if a portion is allocated for government members. It is also not clear how the order of business is determined. With the consent of the Speaker government can take some of the Private members time to deal with urgent government business.

In Alberta there are several opportunities to get private members motions and bills on the order paper. The sequence of private motions and bills are done by random draw of those submitted. After first reading bills may be sent to committee and then can go to second reading upon concurrence of a committee report that the bill should proceed. The government can transfer a private members bill to government business. Monday afternoon, after the daily routine, matters other than government business are dealt with.

On Prince Edward Island Tuesday evening and Thursday afternoon are for motions and orders other than those of government priority. Private members bills are bills introduced by members, other than Ministers of the crown, relating to matters of administration or public policy of general application within the province and which does not call for nor imply the expenditure of public funds or the imposition of any tax.

In Nova Scotia on Wednesday the first four hours are devoted to the daily routine and the orders of the day up to and including the orders of business, opposition members business. Whether there will be additional hours for Government business, and if so how many, up to a maximum of four, will be determined after discussions between the Government House Leader and the House Leader of the Opposition Party. There is also an interesting item provided for in the standing orders called "Proceedings after Moments of Interruption". At the conclusion of business immediately following the moment of interruption on Tuesday and Thursday a member of an opposition party and on Wednesday a non-government member of the majority party may make a motion concerning a matter which is listed on the order paper as motions other than government motions. Members speak for no more than ten minutes during a debate on these motions.

In Newfoundland and Labrador Wednesday is private Members Day and motions are called from each side of the House on a weekly alternating basis. The opposition has the first private members day of a new session. On the Monday before the Wednesday the Government House Leader or the Opposition House Leader gives notice of which motion will be debated. The debate is for one day and must conclude by 5pm. Speakers can speak up to 15 minutes. The member introducing the motion closes debate in the final 15 minutes. There is no provision in place for the passage of private members bills.

Debating Legislation

While the general rules of debating legislation have a long parliamentary history with many traditions and precedents established the standing orders of each provincial legislature is the first point of reference in terms of rules for debating and amending legislation. For example, in most legislatures the standing orders outline appropriate behavior during a debate in the legislature. For example a member should not; interrupt

the member who is speaking, bring attention to the absence of another member, question the conduct of the Speaker of the House, use offensive language, make attacks on judges or members of the Royal Family.

The amount of notice which has to be given of a motion for first reading of a bill is also important in the sense that it gives opposition parties time to prepare to debate the topic. The requirement that a bill do three readings in the Legislature and that not more than one stage be done each day is put in place to make it less likely that government would pass legislation before the opposition or the general public has an opportunity to examine and question its merits. The standing orders of some provinces allow for more than one stage to be dealt with in a day, however many allow for this provision to be waived only with unanimous consent of the legislature or in other cases with the approval of the Speaker. The amount of time which each member has to speak varies from province to province. Also in some legislatures extra time is allocated to party leaders, Ministers moving motions and the opposition critics.

Other aspects outlined in the Standing Orders of the Legislatures can influence the nature of the debate as well. For example they usually outline how a motion can be amended by; (a) omitting words, (b) omitting certain words in order to insert or add others, or (c) insert or add words. Sub-amendments are usually also allowed to modify amendments. While the right of an opposition to ask questions and to point out faults in legislation is well entrenched in parliamentary procedure it is also an accepted principle that governments have a right to govern and use their majority to pass legislation. Several mechanisms are available in the Standing Orders of all legislatures to facilitate this. The closure motion for example sets a specific time limit on the debate. In some legislatures there is an opportunity for the Speaker to intervene if the use of these procedures are infringing on the rights of the opposition. How the actual voting on bills is recorded is as well established in the Standing Orders. From the oppositions point of view it is important to hold individual members accountable for the way they vote on various pieces of legislation. The voting record of a member is often highlighted during an election campaign. However recorded votes are not automatic in most provincial legislatures and the procedures for calling for a recorded vote varies among the provinces. Some legislatures have provisions for deferred division which give all members advanced notice of when the vote will occur, while others do not.

Concluding Comments

This research provides an overview and initial comparisons of Standing Orders in provincial legislatures in Canada. These initial comparisons provide cause for reflection on what provisions might be more widely applied. Provisions such as the approval of government appointments by committees as required in Nova Scotia and Ontario might be examples for openness and accountability which other provinces could adopt. While this initial examination of this topic does not provide a solid basis for the development of theory and only speculative links to system theory and rational choice theory at this point, avenues for further research which might provide a basis for such connections have been identified.

In many ways this paper provides a preliminary overview of many areas which require further research. While this paper provides an initial overview of how Standing Orders impact on practice further research would provide clear understandings of the

connections between these two items. As well, a more complete examination of the historical development of Standing Orders in various legislatures would likely provide insight into how political systems evolve as a result of particular environments or circumstances. Another possibility for further research would be an exploration of correlations between various characteristics of legislatures with aspects of their Standing Orders. For example; is there a correlation between the number of members in a legislature and aspects of the standing orders such as speaking time?

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