



PETITIONS - Frequently Asked Questions

Question: Why is SOOF bothering with Petitions?

Answer: The right of the citizen to petition the Crown for redress of *grievance* is a fundamental constitutional principle, based as it is on centuries-old tradition and established precedent going back to the 13th century. The purpose of presenting a petition to the House of Assembly is to call attention to a local grievance and publicly record that citizens have submitted a request for relief from the Crown.

The Save Our Old Forests campaign is asking citizens within each County that has a petition to exercise their fundamental democratic right to petition the Crown.

Question: What is a *grievance*?

Answer: A *grievance* is an issue or concern for which a petitioner seeks a remedy. In the case of a petition to the House of Assembly, the grievance must relate to a matter over which the House of Assembly has the legal power to address.

In the case of the Save Our Old Forests campaign the grievance is that forests over 80 years old on Crown land are at risk of being destroyed by harvesting or roadbuilding before the Nova Scotia government has protected 20% of lands and waters by 2030.

Question: Why can't I just sign an online petition?

Answer: The *Rules and Forms of Procedure of the House of Assembly* that govern the Nova Scotia Legislature do not permit electronic or online petitions.

Question: What are the requirements for a petition in Nova Scotia?

Answer: For a petition to be valid and accepted by the House of Assembly it must meet the following criteria:

1. The petitions must be prepared and presented on physical, hard paper, and the signatures must be original and handwritten. Photocopies of petitions or print-outs of Internet petitions are not acceptable. Similarly, boxes or bundles of printed e-mails are not accepted.
2. Each page of a petition that has a signature must also include the "*prayer for relief*".
3. The petition must be appropriately addressed to Legislature or Executive which is one of the following:
 - A Minister of the Crown or the Premier of Nova Scotia

- The House of Assembly or the Legislature; or
 - The Government of Nova Scotia; or
 - The Executive Council of Nova Scotia
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Question: What is a *prayer for relief*?

Answer: A *prayer for relief* is a legal term for the portion of the petition that requests a remedy for the grievance – it is not a religious plea. The prayer is a clear, proper and respectful request that the House, the government, or Minister take, or refrain from taking action in response to grievance.

The *prayer for relief* on the Save Our Old Forests petitions meets all the required criteria noted above.

Question: What information is required for the signatures?

Answer: The information required for each person signing a petition is their original handwritten signature and address. The “address” can be the Postal Code, Community Name or Municipality Name, it does not have to be the full mailing address.

Question: What is the role of the MLA in the petition process?

Answer: Although all citizens possess the fundamental democratic right to petition the Crown, no unelected Nova Scotian enjoys the right to appear personally in the House of Assembly. In our representative democracy only an elected legislator (MLA) has the ability to submit petitions to the House of Assembly.

Question: Why does the MLA have to sign the petition?

Answer: In order for the House of Assembly to accept a petition it must be signed by the MLA who is presenting the petition. The MLA signature confirms that, in presenting the petition, they have agreed to be answerable for any *inappropriate content*.

Question: What constitutes *inappropriate content*?

Answer: The *Rules of the House* specifically provide that a petition may not contain any “impertinent or improper matter”. Examples of such would include inflammatory, insulting or non-parliamentary language. It could also include

making an improper request such as asking the House to intervene in a matter that is before the courts.

In the case of the Save Our Old Forests petition the wording was reviewed to make sure that the content would be accepted. The Save Our Old Forests petitions for Annapolis County and Kings County were presented in the House during the Daily Routine and filed with the Clerk's Office. Both have been recorded by the Clerk's Office in the *Journals and Proceedings of the House of Assembly*.

Question: Does the MLA have to agree with the petition?

Answer: No. The MLA does not have to agree or personally support the petition. The MLA's signature does not imply agreement or support.

Question: How are petitions submitted to the House of Assembly?

Answer: The MLA can only submit a petition to the House of Assembly when the Legislature is in session. The MLA has two options to submit a petition to the House of Assembly:

1. Filing the petition directly with the Clerk's Office; OR
2. Presenting the petition in the Chamber during the Daily Routine and then filing it with the Clerk in the Chamber.

The Clerk's Office will review the petitions and if all is in order will record the petition in the *Journals and Proceedings of the House of Assembly*.

Question: What if the MLA refuses to submit the Petition to the House?

Answer: There is no obligation under any circumstances for an MLA to present or file a petition presented to the MLA. The presentation or filing of a petition is a matter for the sole discretion of the MLA.

If the MLA declines to submit the petition to the House you can reach out to another MLA in the County you are based.

If you are unable to find an MLA in your County that will agree to submit the petition to the House of Assembly on your behalf, please contact soof@saveourolforests.ca to discuss next steps.
