



Members' Guide to Resources & Allowances

House of Assembly – Newfoundland & Labrador

JUNE 2023

This guide is intended to provide an overview of the House of Assembly Accountability, Integrity and Administration Act (and Members' Resources and Allowances Rules).

Where there is a difference in interpretation between this guide and the Act (and Rules), the Act and regulations are the final authority.

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For the **most current** version, visit assembly.nl.ca/Members



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Welcome to the House of Assembly of Newfoundland and Labrador. As a Member of the House of Assembly, also referred to as Member or MHA, you have been elected to represent one of the 40 districts (or constituencies) in the province. You will work to create laws, act as a spokesperson for your constituents and ensure government is accountable to the people.

As a Member of the House of Assembly and as an elected official, you are held to a **high standard of conduct and accountability** with respect to carrying out your roles and responsibilities. More detailed information on the **legal obligations of Members** with respect to their **conduct and accountability** is outlined in [Module 2](#).

As a Member, you are **personally responsible** for ensuring compliance with:

- The [House of Assembly Accountability, Integrity and Administration Act \(HOAAIAA\)](#);
- The [Members' Resources and Allowances Rules](#) (the *Rules*);
- The [Code of Conduct for Members of the House of Assembly](#); and
- [Directives](#) and [policies](#) of the House of Assembly Management Commission.

As a Member elected or re-elected to the House of Assembly, you must take and subscribe to an oath of allegiance and an oath of office before being permitted to take your seat and vote in the House of Assembly. These oaths are outlined in [Section 5](#) of the *HOAAIAA*.

If you have questions as you review the information provided in this guide, contact the Clerk of the House of Assembly (729-3405), the Chief Financial Officer (729-2923), the Law Clerk (729-3406) or any of the House of Assembly Service employees listed throughout.



Module 1 – Introduction to the House of Assembly

This module provides an outline of the structure of government and the Legislature, as well as the House of Assembly Service, the group of employees who support the functioning of the House of Assembly, its Committees and Members. The module also includes an overview of each of the Statutory Offices of the Legislature, which are independent and report to the House of Assembly through the Speaker. Other supports available to Members and information respecting facilities in the Confederation Building Complex are also covered in this module.

STRUCTURE OF GOVERNMENT

In Canada, government consists of three separate and distinct branches:

1. Legislative Branch (Makes laws)

- Headed by the Speaker;
- Made up of the 40 elected Members (MHAs).

2. Executive Branch (Administers laws)

- Headed by the Premier;
- Made up of ministers who oversee government departments and are responsible to the Legislature.

3. Judicial Branch (Interprets laws)

- Comprised of the courts and judges.

The separation of those branches (Legislative, Executive and Judicial) ensures their independence from one another, creates a system of checks and balances, and prevents power from concentrating in one area.

STRUCTURE OF LEGISLATURE

The House of Assembly is the elected body which approves legislation and holds oversight of the government within provincial jurisdiction in accordance with the Constitution of Canada.

The Legislature of Newfoundland and Labrador is a single legislative chamber (unicameral) which comprises the House of Assembly and the Lieutenant Governor.

The Lieutenant Governor, appointed by the Governor General of Canada in Council, serves as the representative of the Sovereign in Newfoundland and Labrador in the discharge of certain



functions. The Lieutenant Governor summons, prorogues and dissolves the House of Assembly; approves orders-in-council; and gives Royal Assent to legislation.

The composition of the House of Assembly is defined in the [House of Assembly Act](#). It is currently made up of 40 seats: 36 on the island portion of the province and four in Labrador. The composition of the House of Assembly can only be changed when legislative amendments are enacted further to recommendations of an Electoral Boundaries Commission.

The Government is formed from the Members of the political group which returns the majority in a general election. The Official Opposition comprises the Members of the political group having the second largest representation in the House. Other opposition Members would include Members elected from other political parties that meet the requirements of a recognized political party under the [Elections Act, 1991](#), and unaffiliated (also referred to as independent) Members.

SPEAKER OF THE HOUSE OF ASSEMBLY

The Speaker is the impartial presiding Officer of the House and is elected in a secret ballot vote by all Members. The Speaker has three main roles: parliamentary, administrative and ceremonial.

The Speaker is the key presiding Officer in the House of Assembly, ensuring that the rules of parliamentary procedure (the [Standing Orders](#)) are followed and that all Members have an opportunity to participate in debate. The Speaker is also the head of the House of Assembly Service, somewhat similar to a minister being the head of a government department. (More information on the House of Assembly Service is [outlined further](#) in this module.) As Chair of the House of Assembly Management Commission, the Speaker is responsible for calling meetings of the Commission; confirming an agenda for those meetings in consultation with the Clerk and other staff; and chairing the discussion at the meetings. In the ceremonial role, the Speaker hosts and meets with dignitaries of other jurisdictions.

The Office of the Speaker is located behind the Chamber in the North Wing of the East Block.

HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

The House of Assembly Management Commission is the group of elected officials, acting in a non-partisan manner to establish and implement financial and administrative policies applicable to the:

- House of Assembly and its Members;



- House of Assembly Service; and
- Statutory Offices of the House of Assembly.

Its complete range of responsibilities is outlined in [Part III](#) of the *HOAAIAA*. Specifically, the Commission has a duty and a responsibility to:

- Oversee the finances of the Legislature, including its budget, revenues, expenses, assets and liabilities;
- Review and approve the administrative, financial and human resource and management policies of the House of Assembly Service and its Statutory Offices;
- Implement and periodically review and update financial and management policies applicable to the House of Assembly Service and its Statutory Offices;
- Give direction with respect to matters that the Commission considers necessary for the efficient and effective operation of the House of Assembly Service and its Statutory Offices;
- **Make and keep current rules respecting the proper administration of allowances for Members and reimbursement and payment of their expenditures in accordance with subsection 11(2) of the *House of Assembly Accountability, Integrity and Administration Act*;**
- Annually report, in writing, to the House of Assembly, with respect to its decisions and activities; and
- Exercise other powers given to the Commission and perform other duties imposed on the Commission.

The Commission is constituted at the beginning of a new General Assembly, and continues when the assembly dissolves until the new membership is constituted. The Speaker (or in the Speaker's absence, the Deputy Speaker) presides over meetings of the Commission.

Composition

The House of Assembly Management Commission includes the following:

- The Speaker - Chairperson of the Commission;
- The Clerk - Secretary to the Commission (non-voting member);
- The Government House Leader;
- The Official Opposition House Leader;
- Two Members who are members of the Government caucus (only one of whom may be a member of the Executive Council);
- One Member who is a member of the Official Opposition caucus; and



- One Member, if any, from a third party that is a registered political party and has at least one member elected to the House of Assembly. If there is no third party, the additional member will be chosen from the Official Opposition.

HOUSE OF ASSEMBLY SERVICE

The House of Assembly Service (HOAS) is established by statute, which defines the group of employees to support the functioning of the House of Assembly and its Committees, the House of Assembly Management Commission and Members. It includes the Speaker and the Clerk, as well as employees of the Office of the Speaker, Office of the Clerk, the Corporate and Members' Services Division and the Information Management Division.

Employees of the HOAS are held to a **high standard of accountability, integrity and impartiality** with respect to carrying out their roles and responsibilities. In accordance with subsection 35(3) of the *HOAAIAA*, **all Officers and employees of the HOAS** are subject to a **Code of Conduct for Employees**, which was adopted by the Management Commission in August 2007. Each employee is required to **annually sign** the code of conduct as a means of declaring ongoing commitment to it. The Code of Conduct for Employees can be referenced on the House of Assembly website under the "About" section.

Office of the Clerk

The Office of the Clerk supports the activities of the Clerk of the House of Assembly in all parliamentary and administrative matters. The Table Officers, which include the Clerk, Clerk Assistant and Law Clerk, provide procedural advice during sittings of the House, keep minutes of the proceedings and record the votes.

The Clerk's Office also provides support services to all Committees of the House of Assembly and provides full administrative support to the House of Assembly Management Commission. This includes providing advice to the Speaker on all Commission matters, developing and distributing Commission briefing materials and implementing all Commission decisions.

The Clerk's Office provides all policy and communications support to the Speaker, the Management Commission and the House of Assembly Service. Communications support includes strategic internal and external communications planning and media relations; training and orientation; and activities related to public education and outreach, including tours of the House of Assembly. Policy support includes policy analysis and development; strategic planning; and all support to the Management Commission, including preparing for meetings and coordinating action of all decisions.



The Clerk

The Clerk is the non-partisan chief permanent Officer of the House of Assembly. In that capacity, the Clerk exercises responsibilities as Chief Parliamentary Advisor and Chief Administrative Officer.

As Chief Parliamentary Advisor, the Clerk interprets the Standing Orders, conventions, precedents and usages of the House to advise the Speaker and Members on parliamentary procedure. The Clerk is also responsible for the preparation of the Order Paper and the minutes of the proceedings of the House, and is responsible for ensuring the safekeeping of papers and records of the House of Assembly.

As the Chief Administrative Officer of the House of Assembly, the Clerk is responsible for the provision of administrative, financial, human resource and other support services to the House of Assembly, its Members and the Statutory Offices. The Clerk is a member of and Secretary to the House of Assembly Management Commission.

Clerk Assistant

The Clerk Assistant works with the Clerk in advising the Speaker and Members on parliamentary procedure. The Clerk Assistant also clerks Standing and Select Committees of the House. The Clerk Assistant acts as Secretary to the Management Commission in the absence of the Clerk, and serves as secretary to the Audit Committee (a committee of the Management Commission).

Law Clerk

The Law Clerk provides legal advice on parliamentary matters to the Speaker, the Clerk and the Members, including drafting services on amendments in Committee where required and for private Members' motions. The Law Clerk also provides general legal advice and services to the Management Commission and the House of Assembly Service.

Sergeant-at-Arms

The Sergeant-at-Arms preserves order and maintains security in the galleries, corridors and the Chamber. The Sergeant-at-Arms is responsible for the safekeeping of the Mace, and leads the Speaker's Parade, which signifies the ceremonial opening of each sitting day.



Corporate & Members' Services Division

The Corporate and Members' Services Division of the House of Assembly Service provides financial, budgetary, human resources, payroll and general administrative services to Members of the House of Assembly and their staff, Caucus Offices, the Statutory Offices (excluding the Office of the Auditor General) and the House of Assembly Service. Corporate and Members' Services Division is located on the second floor, North Wing of the East Block.

The Division includes the following four sections:

Human Resources Services & Payroll Administration

Human Resources Services and Payroll Administration provides services in payroll administration; benefits coordination; staffing; learning and development; staff relations and counselling; occupational health and safety; conflict of interest; service recognition; position classifications; and the development of HR policies.

Financial Planning & Reporting

Financial Planning and Reporting provides financial analysis, development and communication, as well as advice on financial policies and procedures. It is also responsible for coordinating the annual budget process; providing internal financial reports; providing external financial reporting, including Members' expenses; and coordinating all audit processes. This section is also responsible for the accounts receivable/revenue function.

Accounts Payable

Accounts Payable is responsible for processing all Members' expense claims, as well as all other payables for the Legislature (with the exception of the Office of the Auditor General).

General Operations & Purchasing

General Operations and Purchasing provides support for day-to-day operational matters, central purchasing and asset-management activities. This section also manages the process for setting up district constituency offices, and coordinates the furniture, equipment and services acquisition for all Members.



Information Management Division

The Information Management Division is responsible for preserving and making public the operations, proceedings and history of the House of Assembly, its Committees and the Management Commission. It is also responsible for developing and implementing the information-management framework to ensure appropriate record-keeping.

The Division includes the following four sections:

Legislative Library

The Legislative Library's primary purpose is to provide parliamentary library and information services to all Members and Officers of the House of Assembly and their support staff. This includes the dissemination of information, as well as reference and research services. The Library is the official depository of publicly released government documents of Newfoundland and Labrador. It is also responsible for developing and maintaining the House of Assembly website and intranet.

The Legislative Library is located on the Third Floor of the East Block, adjacent to the entrance of the Public Gallery.

Hansard

Hansard is responsible for producing the complete report of debates and proceedings of the House of Assembly, its Committees and the meetings of the Management Commission. The Hansard document is considered a near-verbatim transcript – limited editing is applied to ensure proper grammar, spelling and punctuation, to observe parliamentary forms and to minimize repetition and redundancy.

Broadcast Services

Broadcast Services is responsible for recording and broadcasting all sittings of the House of Assembly and all meetings of the Management Commission. It also records the audio of the proceedings of public meetings of Committees of the House.

Broadcasts are televised and webcast live; the webcasts are also archived for on-demand viewing. Audio recordings of Committee meetings are available on the House of Assembly website. Copies of audio/video recordings are available upon request by contacting Broadcast Services and can be provided in a variety of formats for use on websites or in presentations.



Broadcast Services also offers video-production services, such as recording video messages for Members.

Records Management

Records Management oversees the administrative and operational records of the Legislature by developing and implementing policies, procedures and guidelines for their control in accordance with the [*Management of Information Act*](#). It is also responsible for the administration of the [*Access to Information and Protection of Privacy Act, 2015 \(ATIPPA, 2015\)*](#) for the Legislature.¹ Records Management provides advice and best-practice guidance to Members for managing their records, and provides training respecting protection of privacy in relation to the collection and use of personal information of constituents (see [*Module 4*](#) for further information).

STATUTORY OFFICES

The Statutory Offices of the Legislature are established by statute and report to the House of Assembly through the Speaker. They are termed independent because they are independent of the Speaker, and the Executive Branch of government, including Cabinet and ministers. In many cases, these offices perform an oversight role by reviewing decisions and actions of government.

The process of appointing the Commissioners and Officers who hold these offices is a joint one, involving both a resolution passed in the House of Assembly and the approval of the Lieutenant-Governor in Council (Cabinet).

Office of the Auditor General

In accordance with the [*Auditor General Act*](#), the Office of the Auditor General is the independent auditor of government, its departments, all agencies of the Crown and Memorial University of Newfoundland. There is also a requirement for the Auditor General to provide the House of Assembly with timely and relevant information necessary to enhance public sector accountability and performance.

¹ As of January 2021, the *Access to Information and Protection of Privacy Act, 2015* is undergoing a legislative review. Should the outcome of the review result in changes to the procedures or requirements described herein, this section will be updated and redistributed accordingly.



The Auditor General reports to the House of Assembly on significant matters which result from the examination of government entities. The Auditor General is appointed for a ten year non-renewable term.

For more information, visit the [Office of the Auditor General website](#).

Office of the Child & Youth Advocate

In accordance with the [Child and Youth Advocate Act](#), the Office of the Child and Youth Advocate has the authority to represent the rights, interests and viewpoints of children and youth in Newfoundland and Labrador.

The mandate of the office is to protect and advance the rights of children and youth, ensure their voices are heard and ensure children and youth have access to services and programs provided for them by the Government of Newfoundland and Labrador. The office also provides information and advice to government, its boards and agencies, and communities about the availability, effectiveness, responsiveness and relevance of the services they provide to children and youth. The office acts generally as an advocate for the rights and interests of the children and youth of the province. The Child and Youth Advocate is appointed for a six-year term, and may be reappointed for a second six-year term.

For more information, visit the [Office of the Child and Youth Advocate website](#).

Office of the Citizens' Representative

In accordance with the [Citizens' Representative Act](#), the role of the Citizens' Representative is to act as an investigating body, ensuring decisions, acts or omissions by the Government of Newfoundland and Labrador are investigated. The investigations are conducted in an analytical, impartial and timely manner for the citizens of Newfoundland and Labrador, when all other avenues of administrative appeal have been exhausted. The Citizens' Representative has responsibility for investigating disclosures of wrongdoing made under the *House of Assembly, Accountability, Integrity and Administration Act*. The Citizen's Representative has responsibility for the complaint and resolution process under [Harassment-Free Workplace Policy Applicable To Complaints Against Members of the House of Assembly](#). The Citizens' Representative is appointed for a six-year term, and may be reappointed for a second six-year term.

For more information, visit the [Office of the Citizens' Representative website](#).



Office of the Information & Privacy Commissioner

The Office of the Information and Privacy Commissioner is responsible for protecting and upholding access to information and protection of privacy rights under the [*Access to Information and Protection of Privacy Act, 2015*](#) (*ATIPPA, 2015*). The office investigates and mediates complaints, and makes recommendations to government departments and agencies, boards and municipalities.

The Commissioner has a broad range of responsibilities and powers, and may make recommendations to ensure compliance with the access and privacy provisions of the *ATIPPA, 2015* and its regulations. The Information and Privacy Commissioner is appointed for a six-year term, and may be reappointed for a second six-year term.

For more information, visit the [Office of the Information and Privacy Commissioner website](#).

Office of the Chief Electoral Officer

Elections Newfoundland and Labrador is responsible for conducting elections and for ensuring fairness, impartiality and compliance with all aspects of the [*Elections Act, 1991*](#). The Chief Electoral Officer is responsible for selecting and appointing the 40 Returning Officers to administer the election in each electoral district. The Chief Electoral Officer is also accountable to ensure public disclosure of contributions and expenditures of political parties and candidates, and to certify public reimbursement of election expenses.

In addition to responsibilities associated with provincial elections, the office works co-operatively with Elections Canada, school boards and municipalities in exchanging data to maintain accurate voters' lists for other electoral events. The Chief Electoral Officer is appointed for a six-year term, and may be reappointed for a second six-year term.

For more information, visit the [Office of the Chief Electoral Officer website](#).

Commissioner for Legislative Standards

The Office of Commissioner for Legislative Standards has traditionally been held by the Chief Electoral Officer. As well as the responsibilities under the [*House of Assembly Act*](#), the Commissioner is responsible for hearing appeals of public office holders under the [*Conflict of Interest Act, 1995*](#). The Commissioner also has responsibility and oversight over the Code of Conduct for Members and its related provisions as outlined in the *HOAAIAA*. The Commissioner for Legislative Standards is appointed for a six-year term, and may be reappointed for a second six-year term.



For more information, visit the [Commissioner for Legislative Standards website](#).

Office of the Seniors' Advocate

The Office of the Seniors' Advocate is established by the [Seniors' Advocate Act](#), which came into effect on July 5, 2017. The Office of the Seniors' Advocate works with seniors, service providers and other key stakeholders to identify, review and analyze systemic issues. The office makes independent recommendations and promotes awareness to improve seniors' services. The Seniors' Advocate is appointed for a six-year term, and may be reappointed for a second six-year term.

For more information, visit the [Office of the Seniors' Advocate website](#).

HOUSE OF ASSEMBLY WEBSITE & INTRANET

The House of Assembly website (www.assembly.nl.ca) includes a variety of information and publications regarding the Legislature, its offices and the House of Assembly Management Commission. It also includes live and archived webcasts of House proceedings; Order Papers; Hansards; progress of Bills before the House; as well as biographies and contact information of Members.

The House of Assembly intranet (<http://intranet.assembly.nl.ca>) is an internal reference and information source, which includes policies and guidelines, forms, an overview of services offered to Members and contact information. It can only be accessed from **a government IT asset that has been given the proper authorization**. Members and constituency assistants will be set up with access to the House of Assembly intranet and will be notified via email with access instructions once set-up is complete.

FACILITIES

The House of Assembly of Newfoundland and Labrador is located within the Confederation Building Complex, which also houses offices and departments of the Executive Branch of government.



Parliamentary Precinct

The **Parliamentary Precinct** (as defined in the [*Parliamentary Precinct Order*](#) in the *House of Assembly Act*) is the area of the Complex which **is under the jurisdiction and authority of the Speaker**.

The Parliamentary Precinct is located in the East Block of the Confederation Building Complex, and includes the following areas:

- Chamber, galleries and foyer (also referred to as the scrum area)
- Offices of the Speaker/Clerk, Corporate and Members' Services, Records Office and Hansard – North Wing, 2nd and 3rd floors
- Legislative Library – 3rd floor
- East & West Wings – 5th floor
- Broadcast Services – ground floor
- Other storage & office space – ground floor
- Member parking spaces

Space Allocation for Members & Caucuses

Space allocation in the Parliamentary Precinct is under the authority of the Speaker. Offices for Members and caucuses within the Precinct are assigned following a general election based on standings in the House of Assembly, and the composition of caucuses at that time. Assignment of space for caucus support staff is based on the number of full-time equivalent positions that can be accommodated within the caucus salary budget.

Changes to space allocations and office assignments for Members and caucuses may be required during a General Assembly based on changes to standings in the Legislature. While the Speaker endeavours to minimize disruption to the extent possible, there may be occasions where office space allocated to Members and caucuses will need to be adjusted.

Meeting Space

The **Clerk's Boardroom** and **House of Assembly Committee Room** are available for use by Members when the House of Assembly is in session, and at other times if appropriate space is not available in the respective caucus office.

Standing and Select Committees of the House, and the Management Commission, are given priority for use of the Committee Room. Changes to the layout of the room and moving of



equipment are not permitted. Members are also responsible for required clean-up of the room after use.

Members can contact the **Clerk's Office at 729-3412** to book the Clerk's Boardroom or Committee Room.

Arranging Tours

Members wishing to arrange tours of the House of Assembly on behalf of constituents/groups from their district should email hoatours@gov.ni.ca with the following information:

- Proposed date and time;
- Number of people in the group;
- Age range and/or grade level; and
- Any other special instructions regarding the group (e.g., whether they plan to view House proceedings if the House is in session; whether they will be meeting with the Member during their visit; and etc.).

Members are advised to provide as much advance notice as possible when arranging tours of the House of Assembly.

Visitors to the Public Gallery

Visitors to the House of Assembly Public Galleries can enter Confederation Building Complex via the main lobby of the East Block, through either the front entrance or the northeast entrance at the rear. Visitors must provide photo identification and will be issued a House of Assembly visitor identification card. Visitors will then be directed to the third floor for security screening to enter the Public Gallery.

A visitor to the Public Gallery who has a subsequent meeting with a Member of the House of Assembly will need to return to Security to exchange their House of Assembly visitor identification card for a Confederation Building Complex visitor identification card. Visitors planning to go to another area of the Confederation Building Complex, including an area in the Parliamentary Precinct, must be escorted from the Security area to the meeting by a Member or employee.



Visitors to Speaker's Gallery

Admittance to the Speaker's Gallery on the floor of the House of Assembly Chamber is at the discretion of the Speaker, and an appropriate pass must be obtained from the Speaker's Office. Members are advised to contact the Speaker's Office for further information. Visitors will be required to sign in with Security in the main lobby prior to being escorted to the appropriate area.

Confederation Building Complex

The Confederation Building Complex comprises the East and West Blocks, which are linked by an indoor passageway. This is accessible from the basement level of the East Block and connects with the first floor of the West Block.

Parking

Parking for Members is assigned in the parking lot on the north-east corner of the East Block, except for those ministers and parliamentary secretaries whose offices are located in the West Block. The Premier, the Speaker, the Leader of the Official Opposition and Members of Cabinet are assigned spaces closest to the entrance door, while other Members are assigned spaces on a seniority basis. Each assigned space has a sign noting the title or the district of the Member.

Security & Identification Cards

Both the East and West Blocks have Security desks near the main entrances, which are staffed 24 hours a day. All Members and employees entering the building must present appropriate identification card to Security personnel. Members and political staff will be provided with a photo ID, which provides electronic swipe access 24 hours a day to caucus offices and other restricted areas of the Parliamentary Precinct.

General Operations and Purchasing (Corporate and Members' Services) will make appropriate arrangements for Members and staff to obtain identification cards.

Emergency Procedures

Emergency evacuation procedures are established for the Confederation Building Complex and are posted in various areas throughout the building, including the Parliamentary Precinct. All Members should familiarize themselves with the appropriate evacuation route(s) and nearest



emergency exit in the areas they are occupying. Muster stations are established outside both the East and West Blocks and are marked with a red sign.

The fire wardens assigned in each of the caucus offices can provide Members with additional information on evacuation procedures and muster stations.

Visitors with Meetings/Appointments in Parliamentary Precinct

All visitors to the Confederation Building Complex with meetings in the Parliamentary Precinct must enter via the Visitors' Entrance, located between the East and West Blocks on the Northeast side of the Complex. They will be required to provide photo identification to security upon arrival, and will be issued a visitor identification card which must be returned upon exiting the Complex.

All visitors must be escorted to and from their meetings.

Cafeteria

There is a cafeteria located in the basement of the West Block. The facility is open to employees and visitors who have obtained appropriate access to the Confederation Building Complex.

Wellness Centre

There is a small wellness centre in the basement of the West Block available for use by both employees and Members. Gym equipment is available and exercise classes are offered most lunch hours. Showers and lockers are also available.

Daycare

The Confederation Building Daycare Centre is a non-profit workplace co-operative established to provide quality care in a stimulating environment for the children of employees of the Government of Newfoundland and Labrador. Members are also entitled to use the facility.

Members may contact the Centre at 729-6038 or daycare@gov.nl.ca to arrange a tour, or to obtain more information.

Smoking Areas

Smoking is permitted in designated outdoor areas only. For the East Block, the area is near the basement doors entering from the large central parking lot. In the West Block, smoking is permitted near the basement doors at the north and south ends of the building. For your information, **smoking is not permitted within 30 feet of any entrance.**



Module 2 – Conduct & Accountability of Members

As a Member of the House of Assembly, and as an elected official, you are held to a **high standard of conduct and accountability** with respect to carrying out your roles and responsibilities. This module outlines the various **legal obligations** of Members in this regard, as well as other internal controls and mechanisms that ensures overall accountability of the Legislature.

House of Assembly Accountability, Integrity & Administration Act (HOAAIAA)

In 2006, a series of audits and subsequent reports from the Auditor General showed poor financial controls at the House of Assembly. As a result of those audits, four Members (involving the three political parties represented in the House at the time), an employee of the Legislature and an external supplier were charged with fraud, received convictions and served jail time.

Subsequent to the reports of the Auditor General, Chief Justice Derek Green was appointed to conduct a review of the Legislature. In June 2007, Chief Justice Green issued a report entitled *“Rebuilding Confidence: Report of the Review Commission on Constituency Allowances and Related Matters”* (Green Report).

The Green Report included 80 recommendations, as well as a proposed Act (*HOAAIAA*) and accompanying regulations to that Act (*Members' Resources & Allowances Rules*), both of which were passed unanimously by the House and came into force in June 2007. The *HOAAIAA* and *Members' Resources & Allowances Rules* (the *Rules*) established a framework to:

- Improve controls within the Legislature;
- Provide greater oversight; and
- Improve accountability with respect to the use of public funds by elected officials.

While this guide is intended to provide an overview, all Members **must review** the *HOAAIAA* and the *Rules* in detail (see *Appendix C*), and **understand the implications** of the various provisions as it relates to your obligations with respect to accountability and the high standard of behaviour that is expected.

Where there is a difference in interpretation between this guide and the *HOAAIAA* (and *Rules*), the Act and regulations are the final authority.



CONDUCT OF MEMBERS

The following section outlines the expectations and various provisions related to conduct of Members.

Code of Conduct

A statutory requirement of the *HOAAIAA* was the creation of a Code of Conduct for Members. The Standing Committee on Privileges and Elections developed the current Code of Conduct which was approved by a resolution of the House in May 2008. It was amended by resolution of the House in December 2019.

The entire process related to the Code of Conduct (i.e., complaints, investigations, reporting and recourse) is guided by the provisions of [Sections 35 to 42](#) of the *HOAAIAA*.

As a part of the oath of office and prior to being permitted to take their seat, all Members must swear/affirm to uphold the Code of Conduct.

Responsibility & Independence

As outlined in the *HOAAIAA*, the Code of Conduct process is solely overseen by the Commissioner for Legislative Standards, who is an independent Officer of the House of Assembly. Like all statutory officers of the Legislature, the position is completely independent of government and the House of Assembly (the same as the Auditor General, the Information and Privacy Commissioner, the Child and Youth Advocate and etc.).

While the Commissioner for Legislative Standards has the responsibility to inquire into matters relating to the conduct of Members, the provisions of the *HOAAIAA* stipulate that where a matter relates to a **complaint of harassment against a Member**, that matter **cannot be dealt with under the Code of Conduct** and its related processes. Matters relating to complaints of harassment against a Member must be investigated and reported upon by the Citizens' Representative in accordance with the ***Harassment-Free Workplace Policy Applicable to Complaints Against Members of the House of Assembly***. Further information on that Policy and its processes can be referenced in a further section of this module.

Investigations

The Code of Conduct process in the *HOAAIAA* provides three ways for an investigation to be initiated:

1. Any Member of the House of Assembly, by request to the Commissioner;



2. The Commissioner, on the Commissioner's own initiative;
3. The House of Assembly, by resolution; or

The Act gives the Commissioner broad powers to investigate matters, which are the same as what is provided for under the *Public Inquiries Act, 2006*. As an example, the Commissioner can issue a summons to compel testimony or to access records, if necessary.

In accordance with these broad investigative powers, the Commissioner can engage the necessary resources and expertise required to carry out a thorough investigation and complete a report.

Timelines for the Commissioner to conduct the inquiry are outlined in the *HOAAIAA*.

Recourse

The Code of Conduct provisions also give the Commissioner broad powers to recommend recourse. The Act provides four options for recourse, if warranted:

1. The Member be reprimanded;
2. The Member make restitution or pay compensation;
3. The Member be suspended from the House, with or without pay, for a specified period;
or
4. The Member's seat be declared vacant.

The Commissioner can also refer criminal misconduct to the appropriate authorities.

Process for Dealing with Reports & Recommendations

The process for dealing with the investigative report and recommendations of the Commissioner under the Code of Conduct varies depending on how the investigation is initiated.

If a matter is referred by a **Member, by the House through a resolution or self-initiated by the Commissioner**, the following occurs:

- The report is received by the House of Assembly Management Commission; copies go to the Speaker, as Chair, and members of the Management Commission. No discussion or decision occurs at that level, as the Management Commission only has the responsibility under the *HOAAIAA* to bring the report forward to the House. The Act requires the Commission to bring the report to the House within 15 sitting days, if in session; or within 15 days of the next sitting, if not in session;



- In accordance with the timelines above, the Speaker will table the report in the House of Assembly during Tabling of Documents. At this point, the report becomes public and copies will be provided to all Members of the House of Assembly. Once the report is tabled, the House must deal with the report and its recommendations by resolution within six months;
- Once the Commissioner's report is tabled in the House, a motion for debate will be drafted based on the recommendation(s) of the Commissioner. Notice of that motion is given in the House by the Government House Leader;
- The House of Assembly will then debate the motion/resolution in accordance with the Standing Orders and other parliamentary procedures (e.g., every Member has the right to speak and the House can make amendments to the original motion); and
- Recourse is determined by the adoption of the resolution of the House.

Code of Conduct Commitments & Principles

Commitments:

Members of this House of Assembly recognize that we are responsible to the people of Newfoundland and Labrador and will responsibly execute our official duties in order to promote the human, environmental and economic welfare of Newfoundland and Labrador.

Members of this House of Assembly respect the law and the institution of the Legislature and acknowledge our need to maintain the public trust placed in us by performing our duties with accessibility, accountability, courtesy, honesty and integrity.

Principles:

1. Members shall inform themselves of and shall conduct themselves in accordance with the provisions and spirit of the Standing Orders of the House of Assembly, the *House of Assembly Accountability, Integrity and Administration Act*, the *Members' Resources and Allowances Rules*, the *Elections Act, 1991*, the *House of Assembly Act* and this Code of Conduct and shall ensure that their conduct does not bring the integrity of their office or the House of Assembly into disrepute.
2. It is a fundamental objective of their holding public office that Members serve their fellow citizens with integrity in order to improve the economic and social conditions of the people of the province.
3. Members reject political corruption and refuse to participate in unethical political practices which tend to undermine the democratic traditions of our province and its institutions.



4. Members will act lawfully and in a manner that will withstand the closest public scrutiny. Neither the law nor this code is designed to be exhaustive and there will be occasions on which Members will find it necessary to adopt more stringent norms of conduct in order to protect the public interest and to enhance public confidence and trust.
5. Members will not engage in personal conduct that exploits for private reasons their positions or authorities or that would tend to bring discredit to their offices.
6. Members will carry out their official duties and arrange their private financial affairs in a manner that protects the public interest and enhances public confidence and trust in government and in high standards of ethical conduct in public office.
7. Members will base their conduct on a consideration of the public interest. They are individually responsible for preventing conflicts of interest and will endeavor to prevent them from arising. Members will take all reasonable steps to resolve any such conflict quickly and in a manner which is in the best interests of the public.
8. In performing their official duties, Members will apply public resources prudently and only for the purposes for which they are intended.
9. Members will not use official information which is not in the public domain, or information obtained in confidence in the course of their official duties, for personal gain or the personal gain of others.
10. Members should have regard to the duty of public service employees to remain politically impartial when carrying out their duties.
11. Members should promote and support these principles by leadership and example.
12. This Code of Conduct has a continuing effect except as amended or rescinded by Resolution of the House of Assembly.



Harassment-Free Workplace Policy Applicable to Complaints Against MHAs

On April 1, 2020 the [Harassment-Free Workplace Policy Applicable to Complaints Against Members of the House of Assembly](#) (the Policy) came into effect.

The Policy applies to interactions that a Member of the House of Assembly has with other Members and employees in the context of carrying out that Member's duties as an elected official.

Under the Policy, complaints of harassment can be **brought against a Member** by:

- a) Another Member of the House of Assembly;
- b) An employee of the Legislative Branch*; or
- c) An employee of the Executive Branch*.

*Applicable definitions of these employees are outlined in Section 2.0 of the [Policy](#).

The **Office of the Citizens' Representative** (OCR), an independent Statutory Office of the Legislature, has the **responsibility for oversight of the Policy**, including intake of complaints and coordination of the resolution process. There are options for both informal and formal resolution (refer to Section 9.0 of the [Policy](#) for further details).

Support & Advice

The **Independent Support Advisor** provides support, advice and guidance to individuals involved in dealing with and resolving issues of harassment. Contact with the Independent Support Advisor is **completely confidential** and is **available to anyone** involved in the process.

This resource is **independent of and external to** the Legislature and its Statutory Offices, including the OCR.

The Independent Support Advisor can be availed of at any time prior to submitting a complaint, or throughout the process once a complaint has been submitted, by contacting:

Denise Lawlor, RSW, MSW
709-579-8064
d.lawlor@nf.sympatico.ca

Inquiries & Submitting Complaints

The **Intake Officer** is the **main point of contact** within the OCR for inquires and for submitting a formal complaint.



Contact with the Intake Officer does not mean that a formal complaint must be filed at that point. Individuals may ask questions with respect to the process and options available, and seek advice on a particular situation before making a decision to proceed with a formal complaint under the Policy. The Intake Officer can be reached at:

(709) 729-7647
1-800-559-0079

*Ask to speak with the OCR Intake Officer

Training

Training provisions of the Policy, in accordance with Section 15, are mandatory for Members. Members will be contacted directly with further details.

Additional Information/Resources

[Informational brochure](#)

(available here: www.citizensrep.nl.ca)

Public Interest Disclosure (Whistleblower)

Members of the House of Assembly are also subject to the public interest disclosure (whistleblower) provisions of the *HOAAIAA*. [Part VI](#) of the Act names the Citizens' Representative as the investigator for public interest disclosures.

The Act defines "wrongdoing" with respect to a Member, the Speaker, an Officer of the House of Assembly and a person employed in the House of Assembly Service and the Statutory Offices as:

- i. An act or omission constituting an offence under the *HOAAIAA*;
- ii. Gross mismanagement, including of public money under the stewardship of the commission, in violation or suspected violation of a code of conduct;
- iii. Failure to disclose information required to be disclosed under the *HOAAIAA*; or
- iv. Knowingly directing or counseling a person to commit a wrongdoing described in subparagraphs (i) to (iii).

A person has the option of making a public interest disclosure to:

- Their supervisor;
- The Clerk of the House of Assembly;



- A member of the Audit Committee, all of whom must then refer the matter to the Citizens' Representative for investigation; or
- Directly to the Citizens' Representative.

The legislation provides protection to those making disclosures, including confidentiality of identity and protection from reprisals.

ACCOUNTABILITY

Members have **statutory accountabilities** with respect to **carrying out their role as elected officials**.

The following section outlines specific requirements and expectations with respect to accountability and the use of allowances and resources.

Expenses, Reimbursements & Payments to Members – Principles, Responsibility & Personal Liability

All **claims and invoices submitted** by or on behalf of a Member, or to provide resources to a Member, and **all payments and reimbursements** made under the *Rules* **must**:

- a) Be submitted and made in accordance with the purpose and intent of the *HOAAIAA* and the *Rules*;
- b) Be submitted by or on behalf of a Member and made only if and in a manner that does not call into question the integrity of the Member and the House;
- c) Be documented and supported in accordance with sound financial management principles;
- d) Not relate to partisan political activities; and
- e) Not relate to a personal benefit to a Member or an associated person of a Member.

(*Members' Resources and Allowances Rules – Section 5 refers*)

A Member is responsible for compliance with requirements for claims, payments and reimbursements of expenses under the *HOAAIAA* and the *Rules* **even if the Member delegates that responsibility to another individual** – e.g., a constituency assistant (*Members' Resources and Allowances Rules - subsections 6(1) and 6(2) refer*).

Any Member who has an expense or commits to an expense that is **greater than the maximum allowed** under a specific category is **personally responsible for payment of the excess amounts**.



These amounts **will not be reimbursed** by the House of Assembly ([*Members' Resources and Allowances Rules – Section 8 refers*](#)).

Any Member who is a **minister or a parliamentary secretary/assistant**, must **prorate expenses based on the proportion of time spent on constituency business** to ensure that only the appropriate amount is charged to the Member's House of Assembly allocations ([*Members' Resources and Allowances Rules - subsections 6\(5\) refers*](#)).

Restrictions on Allowances

[Section 7](#) of the *Members' Resources and Allowances Rules* outlines the following restrictions on claims and/or payments against an allowance:

- Allowances allocated to a Member must be expended during the fiscal year to which it relates. **Unused balances** for a fiscal year **cannot be carried forward** for use in the following fiscal year;
- All **claims and/or payments** against an allowance in a fiscal year **must be submitted** to the House of Assembly **within 30 days of the end of that fiscal year**;
- An expenditure related to a **previous fiscal year** can only be reimbursed/paid using current fiscal-year funds with the approval of the Management Commission;
- All **claims and/or payments** against an allowance **must be submitted** within **60 days** of the **expenditure being made**. An expenditure is considered to have been made or incurred only when the goods and/or services to which the expenditure relates are received.

Personal Donations

[Section 46](#) of the *Members' Resources and Allowances Rules* prohibits Members from making donations or gifts in their capacity as Members - **any donation must be made in a personal capacity only**.

Section 46 also stipulates that if a Member makes a personal donation or gift, it must be done **without reference** to the fact that **they are a Member of the House of Assembly**. If there is to be a public acknowledgement of the donation, Members must stipulate that there is to be no reference or acknowledgement to their role as a Member.



Attendance at House of Assembly Sittings

Members are required to attend the House of Assembly when it is sitting. If a Member is absent for a reason **other than one of the circumstances outlined in [Section 13](#)** of the *HOAAIAA*, an amount of \$200 will be deducted from the Member's salary for each day of the absence.

The following are **acceptable reasons for Members to be absent from the House** as outlined in Section 13 of the Act:

- i. Personal illness;
- ii. Adoption, pregnancy or parental leave;
- iii. Serious illness of a family member;
- iv. Bereavement;
- v. House of Assembly Committee meeting/Management Commission meeting;
- vi. Duties as caucus member (within House of Assembly precincts);
- vii. Ministerial duties;
- viii. Constituency business (within the House of Assembly precincts);
- ix. Constituency business within the constituency (with **prior approval** of the Speaker); and
- x. Other circumstances (with **prior approval** of the Speaker).

By January 31st of each year, a Member must file with the Clerk a declaration under oath or affirmation of the Member's attendance while the House of Assembly was sitting in the previous calendar year. This declaration must include dates of absence(s) and provide an explanation for these absences.

If a Member files a declaration disclosing an absence for reasons other than the above, an amount of \$200 will be deducted from the Member's salary for each day of the absence.

If a Member **does not file the declaration** by the required filing date, **the Clerk may withhold the Member's salary.**

The Premier, the Leader of the Official Opposition and the Leader of a Third Party must file a declaration of attendance, but are not subject to the same restrictions with respect to absences from the House given the nature of their responsibilities.

A copy of the ***Declaration of Attendance form*** can be found on the House of Assembly intranet under "Forms."



Code of Conduct Declaration

As outlined in a previous section, all Members must swear or affirm to uphold the Code of Conduct as a part of the oath of office and prior to being permitted to take their seat. In addition, [subsection 35\(4\)](#) of the *HOAAIAA* requires all Members to **file a declaration** with the Clerk **reaffirming their commitment** to follow the Code of Conduct **before February 1** of each year.

A copy of the ***Declaration of Code of Conduct*** can be found on the House of Assembly intranet under "Forms."

Harassment-Free Workplace Policy Declaration

Section 16 of the [Harassment-Free Workplace Policy Applicable to Complaints Against MHAs](#) requires all Members to **annually sign a declaration** confirming they **have read and understood** the Policy and its provisions. The declaration must be **submitted to the Clerk** by **January 31** of each year.

A copy of the ***Declaration of Harassment-Free Workplace Policy*** can be found on the House of Assembly intranet under "Forms."

Maintaining Records & Support Staff Training

In ensuring compliance with the *HOAAIAA*, the *Rules* and directives of the House of Assembly Management Commission, a Member is responsible for:

- Maintaining appropriate records;
- Operating the constituency office; and
- Engaging and training support staff.

(Members' Resources and Allowances Rules - subsection 6(4) refers)

Duties when the House of Assembly is not in Session

When the House of Assembly is not sitting, Members are required to primarily devote their time to carrying out the roles and responsibilities of Members, while making allowances for reasonable personal and family commitments, vacation and rest time, and ministerial or parliamentary secretary/assistant duties.

A Member who is not a minister may continue in employment, practice a profession or carry on a business so long as the Member fulfills their elected obligations.



Declaration of Direct Associates & Conflict of Interest

After each general election, and on April 1 of each following year, elected Members must file a disclosure document with the Commissioner for Legislative Standards in accordance with [Part II](#) of the *House of Assembly Act*, and must agree to abide by the provisions of that Act. The Commissioner then prepares an appropriate **disclosure statement**, which is available for viewing by the public at the Commissioner's Office. The Commissioner will contact Members soon after they are sworn in with instructions on filling out their disclosure statements.

Further details on the information required by Members for the filing of these disclosure statements can be obtained by contacting the Office of the Commissioner for Legislative Standards at 729-0714.

Expense Reports & Disclosure

Expense reports of Members (Accountability and Disclosure Reports) are prepared in accordance with the *Members' Resources and Allowances Rules* ([Sections 9 to 13 refer](#)), and are made public in accordance with the [***Publication Scheme of the House of Assembly***](#) (see "Policies & Guidelines" section on the House of Assembly intranet).

The reports provide details of reimbursements made to and payments made on behalf of Members to assist them in fulfilling their public duties and responsibilities. They reflect the four main categories of allowances established by the *Rules*. (More information on these categories is covered in further modules of this guide.)

Types of Reports

Members are provided with a summary report and 10 detailed reports on a monthly, semi-annual and annual basis. The reports include all transactions which have been processed through the Financial Management System (FMS) for each month. At the end of the month, the system-month is closed and any credits, adjustments or corrections identified after closing can only be entered in a subsequent month. The original transaction and any subsequent adjustments are separate items on the reports.

Before the 21st of each month, the House of Assembly will prepare a package of monthly reports for the preceding month, which is sent to the Member. The package includes the summary report and the detailed reports. Members should review these reports for accuracy and notify Financial Planning and Reporting (Corporate and Members' Services) of any errors.

The Clerk will advise the Speaker and the Member when the amount spent by the Member is in excess of 10 per cent of the prorated amount permitted for that portion of the year.



Members will receive a package of reports from the Clerk for the periods ending September 30 and March 31 in each fiscal year, including the summary report and the detailed reports for the reporting period. Note that Members are considered to have received the reports 5 days after the mailing date.

Objections to Reports

Once Members have received and reviewed the reports, they must sign the **Acceptance Form** to acknowledge their accuracy, and return to Financial Planning and Reporting, Corporate and Members' Services. (See "Forms" section of the House of Assembly intranet.) **A Member who does not complete and return the form within 21 days is considered to have accepted the accuracy of the reports.**

If Members have an objection with respect to the accuracy of the reports, they must notify the Speaker in writing outlining the objection. Objections do not alter the original reports, but are posted to the House of Assembly website with the reports in accordance with the *Publication Scheme*.

Public Access to Reports

Semi-annual and annual reports, including objections, for all Members are posted to the House of Assembly website in accordance with the *Publication Scheme*. In addition, Members and the Clerk are also required to make copies of the reports and objections available for inspection within a reasonable amount of time, if requested.

Certain information such as the name of a payee, or other information that could reasonably identify a payee, may be suppressed from a report if it is determined by the Speaker that the privacy interest of the payee outweighs the interest of the public in having full disclosure.

Retention of Reports

In accordance with [Part II](#) of the *Rules*, Members are required to keep a copy of all reports, along with any objections, on file in the constituency office or in their residence for **five years following the end of the fiscal year to which the report relates**. The Clerk must also keep a copy of the reports, along with any objections, on file for five years following the end of the fiscal year to which the report relates.



Oversight & Auditing

The *HOAAIAA* includes various provisions for oversight and auditing to ensure that the Legislature remains transparent and accountable with respect to its operations and to the expenditure of public funds.

Management Certification

In response to a recommendation of the Green Report, [Section 20](#) of the *HOAAIAA* requires the Clerk to annually certify to the Commission that the House of Assembly and Statutory Offices have appropriate systems of internal controls in place, and that those systems are operating effectively.

Consultants are engaged annually to enable the Clerk to meet these requirements. The services include a review of the design effectiveness and existence of internal controls, identification of any control gaps and recommendations for remedial action.

This **measure of accountability** is rare for Canadian public entities and is **unique to the Legislature among public entities in this province**.

Annual Financial Audit

An annual financial audit of the Legislature is also required under the *HOAAIAA*. The Auditor General assumes the auditing role, unless the Management Commission appoints an external auditor. This is done on recommendation of the Audit Committee of the Management Commission by the end of any given fiscal year.

The financial information audited by the Auditor General includes the Schedule of Assets and Liabilities, the Schedules of Expenditure and Related Revenues, and gross expenditures and unexpended balances of the Legislature for that fiscal year.

Compliance Audit

In accordance with the *HOAAIAA*, the Auditor General must also complete a compliance audit once during each General Assembly, which audits the Legislature's compliance with statutory requirements. This audit is in addition to the annual financial audit as outlined in the previous section.



Members' Compensation Review Committee

As required by the *HOAAIAA*, a Members' Compensation Review Committee (MCRC) must be appointed **at least once in each General Assembly** to review and make recommendations on the **salaries, allowances, severance payments and pensions paid to Members**.

Once an MCRC has concluded its review, its report and recommendations must be presented to the House of Assembly Management Commission for consideration. As outlined in subsection 16(6) of the *HOAAIAA*, the Commission has the power to **modify the recommendations**, but does **not have the authority to exceed the maximum amounts** recommended by the MCRC.

Reports of previous MCRCs can be found on the [House of Assembly website](#).



Module 3 – Compensation & Benefits

This module covers information with respect to Members' salary, pensions, severance and group insurance.

SALARY

Effective on the date of their election, Members are entitled to be paid an annual salary of \$95,357, payable in 26 equal instalments in arrears ([Section 11](#) of the *HOAAIAA* refers). Members are paid every two weeks by direct deposit through the payroll system.

Effective April 1, 2017, Member salaries shall be adjusted within 30 days of the implementation of salary adjustments under the last negotiated collective agreement contract of the following public sector entities, in an amount that is the average negotiated percentage of those entities ([subsection 11\(1.1\)](#) of the *HOAAIAA* refers):

- General service;
- Health professionals;
- Registered nurses; and
- Royal Newfoundland Constabulary.

When the last of the above-noted collective agreements is finalized, the amount of any applicable adjustment will be calculated and communicated to Members at that time.

Additional Salaries – Parliamentary Office Holder Positions

A Member who holds one of the following positions is paid an additional annual salary, as follows ([Section 12](#) of the *HOAAIAA* refers):

Position	Salary
Speaker	\$48,665
Deputy Speaker and Chair of Committees	12,166
Leader of the Official Opposition	48,665
Opposition House Leader	24,330
Leader of the Third Party	24,330
Third Party House Leader	12,166
Chair, Public Accounts Committee	12,166



Position	Salary
Vice Chair, Public Accounts Committee	9,300

Additional salaries for positions within the Executive Branch of government (e.g., Premier, minister or parliamentary secretary) are established by Cabinet, and administered by the Executive Branch.

A Member who is currently in receipt of Canada Pension Plan (CPP) benefits must complete the appropriate form. Otherwise, CPP deductions will be made from the Member's salary at the prescribed rate. Contact HOA Human Resources Services and Payroll Administration for a copy of the form (see [contact information](#) at the end of this module).

Employment Insurance premiums **are not deducted** from a Member's salary. As Members are elected officials and are not considered to be employees, they are not eligible for any provisions of the EI program, such as sick benefits or parental leave.

PENSIONS

The Pension Plan currently in effect for Members is established under the *Members of the House of Assembly Retiring Allowances Act*. It is a defined benefit pension plan that is calculated based on a percentage of a Member's years of pensionable service and pensionable earnings. **The pension provisions applicable to a Member depend on the date the Member was first elected.**

The MHA Pension Plan is administered by the Pensions and Debt Management Division, Department of Finance. For further details on the applicable pension provisions and information respecting specific entitlements, contact Lorelei Thomas at 709-729-5953.

GROUP INSURANCE

All Members of the House of Assembly have the option of enrolling in the group insurance program offered by the Government of Newfoundland and Labrador. Members who wish to enroll **must apply within 31 days** of their eligibility date (i.e., the date elected).

A Member who has other group insurance coverage, either private or with a previous employer, should contact HOA Human Resources Services and Payroll Administration (see [contact information](#) at the end of this module) to discuss the possible impacts of continuing or discontinuing that coverage.



All retired Members who are receiving a pension from the MHA Pension Plan may elect to continue coverage.

Refer to the [Human Resource Secretariat website](#) for the various benefits provided to Members under the group insurance plan, and information such as the definition of spouse/dependent, changing beneficiaries and submitting a claim.

To sign up for coverage on the group insurance plan, and to obtain related forms, contact HOA Human Resources Services and Payroll Administration (see [contact information](#) at the end of this module).

SEVERANCE

Members of the House of Assembly are provided with severance when they leave office in accordance with the [Severance Policy for Members of the House of Assembly](#).

The **applicable severance provisions** depend on the **date the Member was first elected**. Members should refer to the Severance Policy for further information (see “Policies & Guidelines” section on the House of Assembly intranet).

RETIRING/OUTGOING MEMBERS

All retiring/outgoing Members must make notification with appropriate offices/divisions as soon as possible to ensure that proper documentation is obtained and completed for applicable benefits (pension, severance, group insurance and etc.).

Private Members & Members with Parliamentary Office Holder Position (e.g., Speaker/Deputy Speaker and etc.):

- Contact HOA Human Resources Services and Payroll Administration for all benefits. Members will be advised of specific information requirements.

Members with Executive Branch Position (e.g., Premier/Minister/Parliamentary Secretary):

- Contact HOA Human Resources Services and Payroll Administration for severance benefits. Members will be advised of specific information requirements.
- Contact the Human Resource Consulting Division, Human Resource Secretariat at 729-5201 for all other benefits. Members will be advised of specific information requirements.



Related Legislation

House of Assembly Accountability, Integrity & Administration Act:

Members' Compensation Review Committee	Section 16
Salary	Section 11
Adjustment Mechanism	Section 11(1.1)
Additional Salaries	Section 12
Severance	Subsection 11(3)

Members of the House of Assembly Retiring Allowances Act – MHA Pension Provisions

Contact Information

Position	Contact
Manager, Human Resources Services & Payroll Administration	729-7214
Human Resources Services Coordinator	729-1478
Payroll Administrator	729-7210
Assistant Payroll Administrator	729-1479



Module 4 – Conducting Constituency Business & Constituency Office Operations

This module provides information on eligible expenses related to conducting constituency business (constituency allowance); setting up and operating the constituency office; support staff; and managing Members' records.

CONDUCTING CONSTITUENCY BUSINESS (CONSTITUENCY ALLOWANCE)

The constituency allowance provides for **other types of expenses** (not provided for under the other allowances) which a Member or constituency assistant may **legitimately incur** from time to time **while conducting constituency business**.

The **annual allocation** for each district is **\$3,000** (\$2,609, net of HST).

Eligible Expenses

The following types of expenses are eligible to be reimbursed under the constituency allowance:

- Purchase of food, non-alcoholic beverages and other supplies for meetings with constituents or other members of the public in relation to constituency business; and food and non-alcoholic beverages for other constituency-related events, provided that the **Member or their constituency assistant is in attendance at those events**. If a meal purchase is made under this allowance and the Member attends the event/meeting, a per diem for that particular meal cannot be claimed;
- Memberships in community or other organizations (e.g., Chamber of Commerce, Rotary Club and etc.);
- Equipment not provided by the House of Assembly;
- Magazine, newspaper and journal subscriptions (also allowable under office operations – see [further section](#) of this module);
- Travel, accommodations, meals and registration fees for conferences and training courses for the Member or constituency assistant, with prior approval of the Speaker in writing (email will suffice). Supporting documentation outlining the Speaker's approval must be submitted with the claim for reimbursement;



- Expenses associated with attending meetings and hearings involving advocacy on behalf of a constituent;
- Memorial wreaths used to commemorate veterans and others who served in the armed forces, peace officers, workers killed on the job or who died as a result of work-related illness and similar commemorations of a public nature;
- Short-term accommodation expenses in one or more locations for the purpose of meeting with constituents on constituency issues; and
- Other categories of items as directed by the Management Commission.

Non-Eligible Expenses

The following types of expenses are **not eligible** to be reimbursed under the constituency allowance:

- The acquisition, creation or distribution of anything that uses or includes a word, initial or device that identifies a political party;
- Artwork including paintings, prints, sculptures, carvings and crafts;
- Alcoholic beverages, either individually or in bulk;
- Cannabis in any form;
- Sponsorship of individuals or groups;
- Donations (see [Module 2](#) for further information);
- Raffle tickets;
- Meal expenses in restaurants, pubs, delicatessens and similar establishments for meetings with constituents, their family members and other guests*;
- Hospitality (except for meetings referred to in the previous section);
- Gifts;
- Items, services or activities of a personal nature, including clothing and laundry expenses;
- Travel costs for constituents;
- Travel costs for spouses or dependents;
- Financial assistance for constituents;
- Other items directed by the Management Commission.

Should Members incur **meal expenditures in a restaurant for the purpose of an event, the following **must be provided** with the **supporting documentation** for the expenditure ([Management Commission Directive 2017-004 refers](#)):*

- *Name of the event;*
- *Purpose of the event; and*
- *Number of attendees at the event.*



Restrictions

Allowable expenses under the constituency allowance **cannot be reimbursed** if:

- It is **not directly connected** with the **Member's responsibilities as a Member** in relation to the proper representation of constituents and the public;
- It is **incurred in relation to partisan political activities** or promotion;
- **Any of the following individuals** have, or is part of a corporation that has, a **financial interest** in the contract or other arrangement under which the expense is incurred:
 - Member;
 - Associated person in relation to the Member (as defined in the *Rules*);
 - Another Member; and/or
 - Spouse or child of another Member.

An allowable expense may be reimbursed in the circumstances described above only if it is specifically approved and directed by the Management Commission.

Related Legislation

<i>Members' Resources & Allowances Rules:</i>	
Allowance Total	Section 46(2)
Eligible Expenses	Section 46(3)
Non-Eligible Expenses	Section 46(4)
Restrictions	Section 47
Definition – Associated Person	Section 2(c)

Contact Information

Position	Contact
Manager, Accounts Payable	729-0769
Accounts Payable Clerk	729-5181
Accounts Payable Clerk	729-1480



OFFICE SPACE

The following section outlines information related to the location of the constituency office, acquiring appropriate accommodations and eligible expenses.

Location of Constituency Office

Various options, as outlined below, are available to Members for the location of office space. Members should contact HOA General Operations and Purchasing for any questions and assistance regarding location options (see [contact information](#) at the end of this section).

Confederation Building Complex

Members may choose to have their constituency office located in the Confederation Building Complex, at a location to be determined by the Speaker. Every effort will be made to locate space for private Members in proximity to their respective caucus office. The work area will consist of a private office for the Member and a workstation or private office, depending on availability, for the constituency assistant.

For Members who choose to locate their constituency office outside Confederation Building Complex (except ministers and parliamentary secretaries/assistants), office space for the Member will still be provided in Confederation Building for the Member only, at a location to be determined by the Speaker. Every effort will be made to locate space for private Members in proximity to their respective caucus office.

Space will not be provided in Confederation Building for constituency assistants of Members with a constituency office located outside the building. (The constituency assistant will be required to work from the district office.) Members with offices outside Confederation Building are eligible to avail of secretarial assistance shared with other Members when the House of Assembly is sitting.

Members who serve as a minister or parliamentary secretary/assistant are typically provided with office space in the ministerial/departmental suite.

Member's District/Adjacent District

All Members, including ministers and parliamentary secretaries/assistants, may choose to have a constituency office located in the district. This office will be in addition to the space provided in the Confederation Building and/or the ministerial/departmental suite.



It is the Member's choice as to which area of the district the office will be located. Various factors, including the availability of suitable office space or information technology infrastructure in the area, may impact the decision.

Office space may be located in one of the following:

- a. A government-owned/leased building (if available in the Member's community of choice, the Member **MUST** occupy this space);
- b. A leased property from an outside party (selected through the Public Procurement process);
- c. The Member's residence located in the district or within 60 kilometres or less (note that no office accommodation expenses, except for signage costs, are covered for this option);
OR
- d. In an adjacent district (with the approval of the Speaker).

A Member may also rent short-term meeting facilities as needed throughout the year using the constituency allowance allocation (see [previous section](#) of this module for further information).

Acquiring & Organizing Office Space

Once a decision is made on the location of the constituency office, General Operations and Purchasing **must be notified as soon as possible** (see [contact information](#) at the end of this section).

For offices to be located in the district, the following process is followed:

- General Operations and Purchasing will contact the Department of Transportation and Infrastructure to inquire about suitable government-owned/leased office space in the Member's location of choice. If space suitable in size, quality and location is available in a government-owned/leased building, the Member **must occupy** that space.
- If accommodation in a government-owned/leased building is not available in the area of choice, space will be acquired through the procurement process established under the [Public Procurement Act](#). General Operations and Purchasing will facilitate this process, and will notify the Member once suitable space is found and the lease agreement established.

General Operations and Purchasing also makes **all necessary arrangements** for the purchase and delivery of **furniture and equipment** and the **hook-up of all services** provided in the [Standard Office Allocation Package](#) (see [next section](#) for more information). Members **will be required** to utilize any suitable **furniture and equipment of the previous Member** for the constituency office.



General Operations and Purchasing will advise Members accordingly, and make necessary arrangements for moving and/or delivery.

For offices to be located in the Confederation Building Complex, the respective caucus support staff will make the necessary arrangements for office set-up with General Operations and Purchasing. For unaffiliated Members, General Operations and Purchasing will make necessary arrangements.

For offices to be located in a ministerial/departmental suite, Members should contact appropriate officials in the respective department to arrange set-up of the office.

Changing Office Location

A Member who chooses to have an office in the constituency may subsequently choose an alternate location provided that the existing lease agreement can be:

- Terminated without penalty or cost; and
- Terminated without having to give more than a two-month notice or payment of rent.

A Member who intends to change the office location must notify General Operations and Purchasing as soon as possible.

Changing Office Location When By-Elections Occur

If a constituency office is established in a district where a by-election occurs and the new Member wishes to have the office located elsewhere in the constituency, the Member **must occupy the space** of the **former Member until a provincial general election** occurs **unless**:

- The office is located in the former Member's home; and/or
- The office is located in a community where the new Member does not reside.

Eligible Expenses for Office Space

Eligible expenses for office accommodations include the following:

- Rent;
- Utilities;
- Taxes;
- Insurance;
- Security;
- Janitorial services;



- Signage identifying the space as the Member's constituency office¹;
- Snow clearing.

¹The **Standard Signage Policy** (see "Policies & Guidelines" section on the House of Assembly intranet) includes guidelines and specifications of signage for both leased and government-owned locations.

Related Legislation

Members' Resources & Allowances Rules:	
Location of Office Accommodations	Section 20
Organizing Office Accommodations	Section 20
Changing Office Accommodations Arrangements	Section 22
Eligible Expenses – Office Accommodations	Section 19
Renting from Self	Section 21
Eligibility for Space	Section 23
Rental of Short-term Accommodations	Section 46

Contact Information

Position	Contact
Manager, General Operations & Purchasing	729-5893
Members' Services Officer	729-1340
Purchasing Officer	729-7211



OFFICE RESOURCES

Members are provided with various resources to assist with the effective operation of the constituency office. For further information and assistance with acquiring goods and services, Members should refer to [Module 7](#), or contact General Operations and Purchasing (see [contact information](#) at the end of this section).

Office Furniture, Equipment & Services

A package of furniture, equipment and services ([Standard Office Allocation Package](#)) is available to Members who have an office located within the district. A newly elected Member must use the furniture and equipment that was previously provided to the outgoing Member of that district. **All arrangements** for purchasing of furniture, equipment and services **will be done by the House of Assembly on behalf of Members**. These expenditures will be reported in the publicly disclosed Member's Expense Reports (see [Module 2](#) for further information).

Members should refer to the [Standard Office Allocation Package](#) (see "Policies & Guidelines" section on the House of Assembly intranet) for further information on the office furniture, equipment and services included.

Inventory Management

All equipment purchased for or by a Member remains the property of the House of Assembly. Each Member is responsible for ensuring that items assigned to their custody are maintained and safeguarded. At least once a year, Members are responsible for verifying a listing of inventory items provided by the House of Assembly to ensure accuracy. A physical inventory will be conducted at least once in a four-year period. The [Inventory Management Policy](#) (see "Policies & Guidelines" section on the House of Assembly intranet) provides guidance on the accounting and control of moveable assets.

Office Operations, Supplies & Communications

Each Member is entitled to an office operations, supplies and communications allowance of \$12,000 (\$10,435 net of HST) per year. The following section outlines types of eligible expenses under this allocation. Members should refer to [Module 7](#) **prior to** acquiring or purchasing any goods or services.



Operations & Office Supplies

Eligible expenses for office operations and supplies include:

- **Office supplies:** pens, pencils, staples, paper clips, paper, tape, envelopes, toner and printer cartridges and etc.;
- **Courtesy items:** coffee, tea, juice and soft drinks for the constituency office;
- **Newspapers:** costs of subscriptions to newspapers, which must be arranged and paid directly by the House of Assembly;
- **External photocopies:** cost of high-volume photocopying not possible using the copier in the constituency office;
- **Staff professional development:** associated costs for relevant development opportunities for the constituency assistant (see [next section](#) for further information); and
- **Other items** as directed by the Management Commission.

Communications

Eligible expenses for communications include:

- **Printing:** subject to the [Printing Policy for Members of the House of Assembly](#) (see “Policies & Guidelines” section on the House of Assembly intranet);
- **Advertising and publications:** subject to the [Advertising & Publications Policy for Members of the House of Assembly](#) (see “Policies & Guidelines” section on the House of Assembly intranet);
- **Cards:** related costs for greeting cards for the occasions of **anniversary, birthday and sympathy only**. Costs related to **seasonal greeting cards** (e.g., Christmas) **are not permitted**. Members should contact General Operations and Purchasing for further information and assistance;
- **Postage:** cost of postage related to the mailing of householders, special occasion cards (see above) and letters/documents to constituents. Members should contact General Operations and Purchasing to obtain the appropriate code for sending mail from the Confederation Building Complex;
- **Courier services:** delivery of documents and other packages by courier or taxi; and
- **Answering services:** an outside answering service which is not provided as part of the services in the [Standard Office Allocation Package](#) (see “Policies & Guidelines” section on the House of Assembly intranet).



Start-up Allowance

Following an election or by-election, a Member **who has not been elected in a previous General Assembly** is entitled to a start-up allowance of **\$1,000** (\$870, net of HST) to cover the costs associated with setting up a constituency office.

Allowable expenses include:

- Office supplies, such as paper trays, three-hole punch, staplers, pencil holders, scissors, hanging folders, kettle and coffee maker;
- Office equipment, such as computer-monitor stand, non-glare screen and mobile phone accessories; and/or
- Any other non-consumable items directly related to establishing a constituency office.

Other Office Resources

The resources listed below are provided to Members by the House of Assembly and **are not charged to individual Member allowances**. These include:

- **Promotional items:** Includes the provincial flag and lapel pins of official provincial symbols;
- **Certificates:** Template, paper, folders and seals; and
- **Stationery:** Business cards, letterhead and compliments cards.

These items will be made available to Members prorated based on the population of their respective district and the amount of items budgeted by the House of Assembly in a given fiscal year ([Management Commission Directive 2017-001 refers](#)).

For more information and to obtain these resources, Members should contact General Operations and Purchasing (see [contact information](#) at the end of this section).

Information Technology Services & Supports

All information technology services and supports for the Legislature are provided by the Office of the Chief Information Officer (OCIO) of the Executive Branch. General Operations and Purchasing **will arrange for the installation of information technology services** for constituency offices located within the Parliamentary Precinct and within a district. Members with constituency offices in a ministerial/departmental suite should contact their respective department to arrange installation of IT services.



Members will be subject to OCIO policies and guidelines respecting appropriate use of government network and IT assets. IT support can be obtained by contacting the OCIO Helpdesk at 729-4357 or servicedesk@gov.nl.ca. Members may also access OCIO support, including policies and guidelines on acceptable use, via the "OCIO Support" icon from the desktop of any government-issued computer.

Related Legislation

Members' Resources & Allowances Rules:	
Eligible Expenses – Office Furniture, Equipment & Services	Section 25
Inventory Management	Section 25
Allowance Total – Office Operations, Supplies & Communications	Section 18
Eligible Expenses – Operations & Office Supplies	Section 24
Eligible Expenses – Communications	Section 24
Start-up Allowance	Section 19

Contact Information

Position	Contact
Manager, General Operations & Purchasing	729-5893
Members' Services Officer	729-1340
Purchasing Officer	729-7211



CONSTITUENCY ASSISTANT

Each Member of the House of Assembly is entitled to engage the services of one constituency assistant to support the Member. This section provides information on the selection, employment contract, pay scale, professional development and reimbursement of expenses for a constituency assistant.

Recruitment & Selection

When recruiting a constituency assistant, Members should consider the skills and knowledge deemed necessary for the successful operation of the constituency office. These may include, but are not limited to:

- Office management skills;
- Financial management skills;
- Computer skills;
- Knowledge of the district;
- Communication skills; and
- Interpersonal skills.

In selecting a constituency assistant, it is the **Member's responsibility to ensure that necessary qualifications and skill levels are met**. Members are reminded that the constituency assistant is the Member's representative in the district on a day-to-day basis. When making hiring decisions, Members are reminded of the conflict of interest provisions of the [*House of Assembly Act*](#). Questions regarding possible conflict of interest (e.g., hiring of family members) may be directed to the Commissioner for Legislative Standards at 729-0714.

Employment Contract

Constituency assistants are employed on a contractual basis. Once a constituency assistant has been selected, a *Political Support Staff Agreement* must be completed. The agreement outlines the remuneration, duties, benefits (e.g., pension, severance and group insurance) and other terms of employment. As part of the employment contract, a **certificate of conduct** and **vulnerable sector check** (as satisfactory to the Speaker) is **required** for all constituency assistants.

Members must contact Human Resources Services and Payroll Administration for assistance with this process (see [contact information](#) at the end of this section).



Pay Scale

Constituency assistants are paid in accordance with the pay scales established for [Political Support Staff \(PS\)](#). **All constituency assistants are hired at PS Level 04.**

Those with **no previous service** as a **constituency assistant** with the **Government of Newfoundland and Labrador** will be hired at **step 1** of the PS Level 04 scale.

For all others, their step within PS Level 04 depends on **their continuous years of service** as a **constituency assistant** with the **Government of Newfoundland and Labrador**.

It should be noted that the following is **not considered** when determining the applicable step for a constituency assistant:

- **Previous experience** as a constituency assistant, if there was a **break in service**; and/or
- **Previous experience** as a constituency assistant with **another jurisdiction** (e.g., House of Commons).

Contact House of Assembly Human Resources Services and Payroll Administration for further information on the constituency assistant pay scale (see [contact information](#) at the end of this section).

Professional Development

Professional development provisions for constituency assistants are included under the office operations, supplies and communications allocation. Prior to engaging in any professional development, Members should refer to the [Staff Professional Development Policy for Constituency Assistants](#) (see “Policies & Guidelines” section on the House of Assembly intranet). Funding for attendance at conferences and training is also available for constituency assistants under the [constituency allowance allocation](#) (outlined previously in this module).

Reimbursement of Expenses

Constituency assistants are entitled to claim reimbursement of travel and living expenses related to carrying out duties and responsibilities of their work within the intra- and extra-constituency allocation (see [Module 5](#)).

Employment in Vacated District

Where an electoral district is no longer represented by a Member (due to retirement, resignation and etc.), the **constituency assistant for the previous Member** can **remain employed until a new**



Member is officially declared elected for that district, and the required notice period applicable to the constituency assistant has elapsed.

Replacement Constituency Assistant

With prior approval of the Speaker, the House of Assembly covers the cost of replacement constituency assistants for all Members, including Members serving as ministers/parliamentary secretaries. Replacements are provided when the absence of the constituency assistant is **greater than one day**, for the purpose of:

- Vacation relief;
- Illness;
- Family responsibility; or
- Other reasons deemed to be acceptable by the Speaker.

Members requiring the services of a temporary constituency assistant **must complete** a *Request for Replacement Constituency Assistant* form **prior to engaging the services of a replacement** (see “Forms” section on the House of Assembly intranet).

To ensure consistency and appropriateness in hiring replacement workers, Members should consult the [*Guidelines for the Hiring of Replacement Constituency Assistants*](#) (see “Policies & Guidelines” section on the House of Assembly intranet); or contact Human Resources Services and Payroll Administration (see [contact information](#) at the end of this section).

Members **must also contact** General Operations and Purchasing **prior to** engaging a replacement constituency assistant to have the replacement set-up with **appropriate network and email access** to meet OCIO’s acceptable-use policies and guidelines. Constituency assistants **must not provide** the replacement with their **network/email access credentials** as it **violates acceptable-use policies**.

Shared Secretarial Assistance

Any private Member* with a constituency office and constituency assistant assigned outside the Confederation Building Complex is entitled to shared secretarial assistance in the Confederation Building Complex when the House is in session. Members should consult the [*Guidelines for Providing Shared Secretarial Assistance*](#) (see “Policies & Guidelines” section on the House of Assembly intranet) for clarification on the eligibility, allocations, allowable times and remuneration for such assistance.



Private Member **does not include: the Premier, Speaker, ministers, parliamentary secretaries, Leader of the Official Opposition, Leader of the Third Party or Opposition House Leader.*

Related Legislation

Members' Resources & Allowances Rules:

Constituency Assistant	Section 26
Professional Development for Constituency Assistants	Section 24 Section 46(3)
Replacement Constituency Assistants	Section 26
Shared Secretarial Assistance	Section 23

Contact Information

Position	Contact
Manager, Human Resources Services & Payroll Administration	729-7214
Human Resources Services Coordinator	729-1478
Payroll Administrator	729-7210
Assistant Payroll Administrator	729-1479



MEMBERS' RECORDS

Please note that additional and up-to-date information is provided in the *Members' Records Manual* (see "Policies & Guidelines" section on the House of Assembly intranet).

Members will begin to receive and create records immediately upon their election. Members are **legally obligated to manage all records of any type – typically paper and electronic – that come into their possession during their tenure** (subsection 6(4) of the *Members' Resources and Allowances Rules* refers). Additionally, there are statutory requirements related to maintaining records of expenditure and supporting documentation, as well as protecting the privacy of constituent's personal information (see further sections for more information). Members are reminded that **records of the constituency assistant** are also **considered to be records of the Member**, and must be managed in accordance with guidance provided by the House of Assembly.

Types of Records

Members' records typically fall into one of six categories. The following table provides a general definition of the record type along with any applicable statutory or other requirements related to maintaining those records. Members are also reminded that the *Management of Information Act* and Parliamentary Privilege may apply to some of the records outlined below.

Record Type	Definition	Applicable Statutory/Other Requirements
Constituency	Records that enable the Member to act or advocate on behalf of an individual or community to reach a desired outcome.	Personal information must be collected, protected and managed in accordance with the <i>Access to Information and Protection of Privacy Act, 2015 (ATIPPA, 2015)</i> . Generally exempt from access requests. See further section for more information.
MHA Expenditures	Records related to: a. All expenditures made by the Member under the <i>Rules</i> , along with copies of supporting documentation; and	In accordance with the <i>Rules</i> , records of expenditure must be maintained for auditing purposes; and Member Expense Reports must be maintained for five years for inspection by the public, if requested. Records of expenditure and expense reports may be destroyed five years plus one day



Record Type	Definition	Applicable Statutory/Other Requirements
	<p>b. Member Expense Reports (Accountability and Disclosure Reports) created by the House of Assembly for disclosure to the public.</p> <p>Does not include expense records related to ministerial or parliamentary secretary/assistant business.</p>	<p>after the fiscal year to which it relates; still applicable after departure from HOA.</p> <p>Vehicle travel logs may be destroyed three years plus one day after the fiscal year to which it relates; still applicable after departure from HOA.</p>
House of Assembly	Records generated by, or created for use in, the House of Assembly (e.g., Bills, Order Papers, Hansard, documents from Standing/Select Committees, materials of the Management Commission, Speaker's records and etc.)	N/A
Caucus/political party	Records created by or for a Member in the execution of the work of a political caucus/party.	Caucus/political party offices may have policies/guidelines with respect to management of these records. Contact the respective caucus/political party office for direction.
Personal	Records not relating to the roles and responsibilities of an MHA, but may be maintained within the office (e.g., personal bank statements, personal travel itineraries, personal correspondence and etc.)	N/A
Executive Branch	Records created or used in the day-to-day business of a government office (includes Cabinet records or any records Members would receive in their role as a minister or parliamentary secretary/assistant)	<p>Must be organized and managed as directed by the Executive Branch.</p> <p>See further section for more information.</p>



Management of Records

It is **strongly recommended** that Members **follow records management guidelines** provided by the House of Assembly, and adopt certain best practices and standards in their constituency offices. This will assist Members in ensuring legal obligations are met, while also resulting in more efficient office operations. It also assists Members in identifying which of their records may be subject to access-to-information requests, in accordance with the *ATIPPA, 2015*.

Shared drives on the network and email accounts will be prepopulated with folders for each of the record types identified in the previous table for any newly elected Members and their constituency assistants. Members returning from the previous General Assembly can contact HOA Records Management for assistance in setting up folders on the network shared drive and in email accounts (see [contact information](#) at the end of this section). It is **strongly recommended** that Members and constituency assistants **separate their records** into these folders regularly, especially for any **constituency and Member expenditure records** which have related statutory obligations.

Information technology and infrastructure is supplied by the Chief Information Officer (OCIO) of the Executive Branch. All Members' electronic records (e.g., records on the network shared drive and emails), are subject to OCIO daily back-up procedures. While certain categories of Members' records are exempt from access requests, including constituency records, **all records stored on the network shared drives and emails** may be **subject to a legal search and disclosure** if a warrant to that effect were ever issued by the courts. Records stored on electronic devices not connected to the government network are not backed-up, and may be irretrievable should something happen to the device.

Additional information and recommendations are provided in the *Members' Records Manual* (see "Policies & Guidelines" section on the House of Assembly intranet). Members may contact House of Assembly Records Management for further information and guidance (see [contact information](#) at the end of this section).

Protection of Personal Information

ATIPPA, 2015 defines personal information, and outlines what personal information can be collected as well as how it can be used and disclosed.

It is **strongly recommended** that Members practice the following with respect to **collection and protection of personal information**:



- **Use the consent/authorization forms** found on the House of Assembly intranet (see “Forms” section) to allow the collection, use and disclosure of personal information required for the Member to advocate on behalf of the constituent; and
- **Implement and practice safeguards** outlined in the *Members' Records Manual*.

Members are **protected from legal action** under *ATIPPA, 2015* when these protocols are followed, and where they had disclosed personal information in a record that was obtained in good faith and is meant to assist a constituent.

Members are advised that **these protections do not extend beyond their tenure as a Member**. Members must be aware they **continue to be personally responsible** for the **protection of private information** disclosed to them even after they are **no longer Members**.

Access-to-Information Requests

ATIPPA, 2015 gives the public a right to access certain records as defined in the Act. Members' records are generally exempt under *ATIPPA, 2015*, including:

- Personal or constituency records in the possession or control of the Member; and
- Registered political party or caucus records in the possession or control of the Member, party or caucus.

Constituency records are exempt from *ATIPPA, 2015* as long as they **remain in the possession or control of the Member**. However, if constituency records are used in an interaction with a public body (e.g., department or the House of Assembly Service) they become subject to *ATIPPA, 2015*.

The provisions of *ATIPPA, 2015* apply to the House of Assembly Service and Statutory Office records, in addition to financial records of Members that are filed with the House of Assembly. Routine disclosure of records on the House of Assembly website does not exempt them from an access request.

Should Members receive any **inquiries or requests** regarding *ATIPPA, 2015*, they **must contact the House of Assembly ATIPP Coordinator/Privacy Analyst** for further information and assistance (see [contact information](#) at the end of this section).

Executive Branch Records (including Cabinet Records)

If a Member becomes a member of Cabinet, a parliamentary secretary/assistant or is otherwise attached to a public body, the Member may also have Executive Branch records. These records **must be kept separate**, and **organized and managed** as directed by the Executive Branch.



Members should be aware that **failure to comply with Executive Branch direction** respecting the management of government records can result in **all of the Member's accounts** (and all the records within those accounts), **being copied and/or retained by the Executive Branch for up to 20 years.**

Members can contact **Cabinet Secretariat (729-6628)** for further details and assistance.

Records of Departing Members

Before their departure, Members and their constituency assistants must give consideration to the management and transition of all files. Members **must** follow the recommendations set out in the ***Members' Records Manual*** (see "Policies & Guidelines" section on the House of Assembly intranet). This will ensure that government records are maintained by the appropriate government office, and ensure constituency, Member expenditure, political/caucus and personal records are disposed of appropriately.

House of Assembly Records Management can provide guidance and recommendations to departing Members with respect to the management and final disposition of records, ensuring compliance with any relevant legislation, policies, standards and best practices.



Related Legislation

House of Assembly Accountability, Integrity & Administration Act

Members' Resources & Allowance Rules:

Overall Responsibility for Records	Section 6
Member Accountability & Disclosure Reports	Section 11 & 13
Records of Expenditures & Supporting Documentation	Section 9
Public Access to Statements	Section 12

Management of Information Act

Access to Information & Protection of Privacy Act, 2015:

Exemptions – Access Requests	Section 5
Protection of Privacy	Section 114

Contact Information

Position	Contact
Manager, Records Management	729-3537
ATIPP Coordinator/Privacy Analyst	729-7408
Records Management Specialist	729-7685



Module 5 – Types of Travel

This module covers the types of Member travel and related provisions. The travel and living allowance of the *Members' Resources and Allowances Rules* includes **three types of travel** as follows:

1. **House in Session (HIS);**
2. **House not in Session (HNIS); and**
3. **Intra- & Extra-Constituency (I&E).**

The provisions for these types of travel vary by Member depending on the location of the Member's district and the location of the Member's permanent residence. These criteria are used to assign Members to one of four categories (see [further section](#) of this module for details).

The three types of travel listed above are based on annual allocations for a fiscal year (April 1 to March 31), and include restrictions such as number of trips per week/year, number of nights for accommodations and etc. Members should also refer to [Module 6](#), which outlines provisions for modes of transportation, and amounts reimbursed for accommodations and meals.

There may be other types of travel that a Member may avail of from time to time that is not charged to the Member's travel and living allocation under the *Rules*, but is paid by the House of Assembly (e.g., travel for Committees/Management Commission; other travel requested by the House of Assembly; travel for conferences and etc.). Details of these types of travel are also included in this module.

DEFINITIONS

The definitions outlined below are applicable to travel and living provisions for Members:

Commuting distance means 60 kilometres or less, and applies **only to House-in-session and House-not-in-session** travel.

Constituency business means an activity **directly connected** with a Member's responsibilities as a Member in relation to the ordinary and proper representation of electors and their families and other residents in the constituency, but **does not include partisan political activities**.



Capital region means the area encompassing the following electoral districts as described and delineated in the *House of Assembly Act*:

- Cape St. Francis
- Conception Bay East - Bell Island
- Conception Bay South
- Ferryland (north of Witless Bay Line)
- Mount Pearl - Southlands
- Mount Pearl North
- Mount Scio
- St. John's Centre
- St. John's East - Quidi Vidi
- St. John's West
- Topsail - Paradise
- Virginia Waters - Pleasantville
- Waterford Valley
- Windsor Lake

In session means the period of time between the day prior to the commencement of a sitting of the House of Assembly and the day following an adjournment, where the period of adjournment is greater than 7 days.

Permanent residence is the place, as declared in an affidavit to the Speaker, where a Member in fact resides on a settled basis with their family; or where there is no single place where the Member resides on a settled basis, the place that the Member otherwise regards as the permanent residence. It **does not include** a seasonal or recreational dwelling or cabin.

Week means Sunday to the following Saturday for the purpose of applying the travel and living provisions of the *Rules*.



MHA CATEGORIES (TRAVEL & LIVING PROVISIONS)

The application of travel and living provisions for Members vary based on the **four categories** outlined in the *Rules*. These are defined based on two factors:

1. Location of the Member's district; and
2. Location of the Member's permanent residence.

Members are **assigned to one of four categories**, as follows:

MHA Category	Permanent Residence	District
MHA-1	Within Capital region	Outside Capital region
MHA-2	Within Member's district	Outside Capital region
MHA-3	Within Capital region	Within Capital region
MHA-4	Outside Member's district	Outside Capital region

Permanent residence **must be declared** by affidavit (see [Accommodations section](#) of Module 6 for further information).

The **eligible expenses** for each of the four categories **are different**; therefore, it is essential for Members to **identify their category to determine which expenses may be reimbursed**.

Members may also refer to [Appendix A](#), which provides **summary tables of eligible travel and living provisions by MHA category**.

HOUSE IN SESSION (HIS)

This category covers transportation, accommodations and meal expenses associated with travel to/from the Capital region to attend sittings of the House of Assembly (see [Module 6](#) for rates of reimbursement).

When the House of Assembly is **in session**, a Member may be reimbursed the cost of travel and living for:



- **One return trip per week** (Sunday to Saturday) between **the district or permanent residence** and the **Capital region** (unless the permanent residence is in the Capital region).

There is no annual allowance associated with House-in-session travel. The one-trip-per-week allocation applies as long as the House is sitting. If a Member **does not avail** of the **return trip** in **any one week**, the missed trip **cannot** be banked and used at a later date.

Reimbursement for mileage expenses is **not permitted** within the **60 kilometres** (commuting distance) zone. For example, when **travelling to the Capital region** from a **district outside**, mileage expenses **can only** be reimbursed from the permanent residence **up to 60 kilometres outside the Capital region**. Similarly, on the return trip back to the permanent residence, mileage expenses **can only** be reimbursed from the Capital region **up to 60 kilometres from the permanent residence**.

If a Member is in the Capital region to attend a sitting of the House of Assembly, the Member can remain in the Capital region for the weekend when the House adjourns on Thursday instead of returning to the constituency or permanent residence. If the House will sit again on the following Monday, expenses for the day(s) the Member remains in the Capital region can be claimed under the House-in-session category.

If a Member is in the Capital region to attend a sitting of the House of Assembly and the House adjourns for more than seven consecutive days, meals and accommodations for the **following day** can be claimed under the House-in-session category. If the Member stays in the Capital region for more than one day/night following the adjournment, expenses for the additional day(s)/night(s) must be claimed under the House-not-in-session category (see [next section](#)). However, when the Member returns to the constituency or permanent residence, the trip back will be considered the return portion of the House-in-session trip, and will be reimbursed under the House-in-session category.

Members with a permanent residence outside the Capital region may claim mileage expenses around the Capital region related to constituency business only (e.g., travel to/from the Member's accommodations and Confederation Building Complex).

Returning to District/Permanent Residence During Week – House in Session

When the House is in session, Members may be required to return to their constituency/permanent residence to deal with constituency business, requiring an **extra return trip for that week**. The Member may claim reimbursement for this extra return trip and costs



associated with the travel, but the trip **will be counted** as one of the allowable trips under the House-not-in-session category (see [next section](#)).

Districts Within Reasonable Driving Distance of Capital Region – House in Session

When the House is in session, a Member whose **permanent residence** is **outside the commuting distance** of 60 kilometres or less, but still within reasonable driving distance of the Capital region, is permitted to claim **EITHER**:

1. Daily transportation cost of commuting from the permanent residence to the Capital region; **OR**
2. Cost of one return trip per week to the Capital region along with meals and accommodations.

Members are reminded that mileage expenses are not permitted within the 60 kilometre (commuting distance) zone.

The districts eligible to avail of this option are:

- Carbonear - Trinity - Bay de Verde;
- Ferryland (south of Witless Bay Line);
- Harbour Grace - Port de Grave;
- Harbour Main;
- Placentia - St. Mary's; and
- Placentia West - Bellevue.

Members Serving as Ministers – House in Session

A Member who also serves as a minister should consult the ***Ministerial Expense Reimbursement Policies*** prior to seeking reimbursement of any expenses – Member or minister related – when the House of Assembly is in session.

HOUSE NOT IN SESSION (HNIS)

This category covers transportation, accommodations and meal expenses associated with travel to/from the Capital region when the House of Assembly is not sitting (see [Module 6](#) for rates of reimbursement).

A Member may claim the cost of travel and living for **20 return trips per year** between:



- The permanent residence and the Capital region; and/or
- The permanent residence (not located in the constituency) and constituency (located outside the Capital region).*

This refers to any Member identified as an **MHA 4, who is provided with an **additional 20 HNIS trips per year** for travel between the **permanent residence and the district, only if the permanent residence is not within 60 kilometres of the district.***

Similar to the restriction for House-in-session travel, **mileage expenses are not permitted** within the **60-kilometre (commuting distance) zone**.

Members with a permanent residence outside the Capital region may claim mileage expenses around the Capital region **related to constituency business only** (e.g., travel to/from the Member's accommodations and Confederation Building Complex).

INTRA- & EXTRA-CONSTITUENCY

The intra- and extra-constituency (I&E) allocation covers transportation, accommodations and meal expenses (see [Module 6](#) for rates of reimbursement) for the following travel:

- Within the constituency;
- Between the constituency or the Capital region and another constituency (outside the Capital region);
- To and from other parts of Canada for constituency business;
- To and from St. Pierre-et-Miquelon where the purpose of the trip is directly related to constituency business; and
- By the constituency assistant (where necessary) to attend to constituency business.

A Member may use this allocation to cover travel costs from **a constituency outside the Capital region** to the **Capital region** only if it is for the **purpose of attending a conference or training course** (see [Module 4](#) for further information).

The **restriction for mileage expenses** within the 60-kilometre (commuting distance) zone **does not apply** to intra- and extra-constituency travel.



The annual allocations for I&E vary per district and are outlined in Schedule A of the Rules. Effective June 30, 2023, they are as follows:

District	Allocation	District	Allocation
Baie Verte - Green Bay	\$14,100	Labrador West	5,600
Bonavista	12,200	Lake Melville	12,200
Burgeo - La Poile	14,100	Lewisporte - Twillingate	12,200
Burin-Grand Bank	12,200	Mount Pearl - North	5,600
Cape St. Francis	5,600	Mount Pearl - Southlands	5,600
Carbonear - Trinity - Bay de Verde	8,200	Mount Scio	5,600
Cartwright - L'Anse au Clair	26,800	Placentia - St. Mary's	12,200
Conception Bay East - Bell Island	8,400	Placentia West - Bellevue	14,100
Conception Bay South	5,600	St. Barbe - L'Anse aux Meadows	14,100
Corner Brook	5,600	St. George's - Humber	14,100
Exploits	8,200	St. John's Centre	5,600
Ferryland	12,200	St. John's East - Quidi Vidi	5,600
Fogo Island - Cape Freels	14,100	St. John's West	5,600
Fortune Bay - Cape La Hune	12,200	Stephenville - Port au Port	8,200
Gander	8,200	Terra Nova	12,200
Grand Falls-Windsor - Buchans	8,200	Topsail - Paradise	5,600
Harbour Grace - Port de Grave	5,600	Torngat Mountains	20,700
Harbour Main	8,200	Virginia Waters - Pleasantville	5,600
Humber - Bay of Islands	8,200	Waterford Valley	5,600
Humber - Gros Morne	12,200	Windsor Lake	5,600

Note: All amounts include HST



Monthly Automobile Allowance – Capital Region & Corner Brook Districts

Members in the Capital region and Corner Brook districts only have the option **at the beginning of each fiscal year to choose between:**

- a. Claiming mileage; **or**
- b. \$200 monthly automobile allowance.

The monthly is a taxable benefit to the Member. Once an option is chosen, the Member **must remain with that option for the entire fiscal year**. The deadline to select this option for any given fiscal year is March 1.

Travel by Helicopter

Four districts (as outlined below) are provided with an annual allocation for helicopter travel – within the constituency – due to challenges associated with travelling to remote areas.

This funding is **in addition to** the amount allocated for intra- and extra-constituency travel. The helicopter travel allocation **may only be used:**

- With **prior approval of the Speaker**; and
- When **less expensive travel is not available**.

The districts provided with helicopter travel allocations are:

- | | |
|--------------------------------|----------|
| – Burgeo - La Poile | \$21,000 |
| – Cartwright - L'Anse au Clair | \$21,000 |
| – Fortune Bay - Cape La Hune | \$24,600 |
| – Torngat Mountains | \$10,500 |

General Operations and Purchasing will make necessary arrangements for helicopter travel (see [contact information](#) at the end of this section).



OTHER TYPES OF TRAVEL

The following sections outline other types of travel that are **not charged** to the Member's travel and living allocation under the *Rules*, but are **paid by the House of Assembly**.

Travel at Request of House of Assembly

Expenses incurred by a Member for travel **at the request** of the Clerk of the House of Assembly for purposes other than usual Member duties (**e.g., swearing-in, orientation, mandatory training and etc.**) will be paid by the House of Assembly and will not count as one of the 20 House-not-in-session trips.

Members will be notified by the Clerk of the number of nights and daily amounts to be reimbursed at the time of the request.

Travel for the Purpose of Vacating Office

When a Member retires, resigns or is defeated following an election, the Member will be permitted one day to vacate the office in the Confederation Building Complex. In addition to the day it takes to vacate the office, the Member will be permitted travel, accommodations and meal expenses for the day before and the day after vacating the office.

Travel for Committee/Management Commission Work

The Chair and Members of a Standing or Select Committee of the House of Assembly, the House of Assembly Management Commission or a committee of the Commission may claim reasonable expenses for attendance at such meetings when the House is not in session.

Reasonable expenses include transportation, accommodations and meals reimbursed at the rates provided for under the *Rules* (see [Module 6](#) for further information).

Conference Travel

The [***Conference Travel Policy for Members of the House of Assembly***](#) provides travel guidelines for Members when travelling to Commonwealth Parliamentary Association or other similar conferences (see "Policies & Guidelines" section on the House of Assembly intranet). Travel under this policy is paid by the House of Assembly, and not charged to the Member's allocations under [***the Rules***](#).



All conference travel under the policy **must be approved by the Clerk and the Speaker**, and an **Official Journey Authorization** form (see “Forms” section of the House of Assembly intranet) **must be completed prior to** making any travel arrangements.



Related Legislation

Members' Resources & Allowances Rules:	
Definitions	Section 28
Principles – All Members	Section 29
Types of Travel – All Members	Section 30
No Banking – Weekly Travel	Section 34
Daily Commuting to Capital Region from District Outside Capital Region – House in Session	Section 33.1
Travel – MHA 1	Section 32(2) (HIS) Section 36(2) (HNIS) Section 38-39 (Intra & Extra)
Travel– MHA 2	Section 31 (HIS) Section 35 (HNIS) Section 38-39 (Intra & Extra)
Travel – MHA 3	Section 32(1) (HIS) Section 36(1) (HNIS) Section 38-39 (Intra & Extra)
Travel – MHA 4	Section 31 (HIS-travel to Capital) Section 33 (HIS-travel to District) Sections 35 & 37 (HNIS) Section 38-39 (Intra & Extra)
House in Session – Extra Trip for Constituency Business	Section 37.2
Restrictions on Reimbursement for Travel & Living Expenses	Section 29
Intra- & Extra-Constituency Allocations	Schedule A
Monthly Automobile Allowance – Capital Region & Corner Brook Districts	Section 38 (2.1)
Helicopter Travel	Section 38.1/Schedule B
Travel at Request of the House of Assembly	Section 37.3
Travel for the Purpose of Vacating Office	Section 37.4
Committee Expenses	Section 45



Contact Information

Position	Contact
Manager, Accounts Payable	729-0769
Accounts Payable Clerk	729-5181
Accounts Payable Clerk	729-1480
Manager, General Operations & Purchasing	729-5893
Members' Services Officer	729-1340
Purchasing Officer	729-7211



Module 6 – Transportation Options, Accommodations & Meals

This module covers general provisions related to transportation options, accommodations and meals. The travel and living allowance of the *Members' Resources and Allowances Rules* includes three types of travel, details of which are outlined in [Module 5](#). Members are also reminded that the **application of travel and living provisions vary** based on the **four categories** established in the *Rules* (see [Module 5](#) and [Appendix A](#) for further information).

DEFINITIONS

The definitions outlined below are applicable to travel and living provisions for Members:

Constituency business means an activity **directly connected** with a Member's responsibilities as a Member in relation to the ordinary and proper representation of electors and their families and other residents in the constituency, but **does not include partisan political activities**.

Capital region means the area encompassing the following electoral districts as described and delineated in the *House of Assembly Act*, as follows:

- Cape St. Francis
- Conception Bay East - Bell Island
- Conception Bay South
- Ferryland (north of Witless Bay Line)
- Mount Pearl - Southlands
- Mount Pearl North
- Mount Scio
- St. John's Centre
- St. John's East - Quidi Vidi
- St. John's West
- Topsail - Paradise
- Virginia Waters - Pleasantville
- Waterford Valley
- Windsor Lake

Permanent residence is the place, as declared in an affidavit to the Speaker, where a Member in fact resides on a settled basis with their family, or where there is no single place where the Member resides on a settled basis, the place that the Member otherwise regards as the permanent residence. It does not include a seasonal or recreational dwelling or cabin.

Secondary residence is a residence that is not a permanent residence, but is owned or leased by the Member and is available for occupancy by the Member. It does not include a seasonal or recreational dwelling or cabin.



Temporary accommodation means short-term, temporary or transient accommodations such as a hotel, motel, bed and breakfast or boarding house.

Private accommodation means accommodation owned or maintained by a person other than the Member or the Member's spouse, which may be used by the Member when traveling.

MODES OF TRANSPORTATION

This section provides general information on the provisions for the modes of transportation Members may use. Members should consult [Module 5](#) and [Appendix A](#) for specific entitlements to travel, accommodations and meals related to the type of travel (HIS, HNIS or I&E), and the category to which they are assigned ([MHA 1, 2, 3 or 4](#)).

Where it makes reference to **supporting documentation/receipts**, refer to [Module 7](#) for information on what is **acceptable**.

Member's Private Vehicle

A Member may claim reimbursement for private vehicle usage for the kilometres reasonably needed to accomplish travel objectives. The reimbursement is based on the number of kilometres traveled multiplied by the applicable rate.

A Member who represents a district outside the Capital region will receive a higher rate of reimbursement per kilometre for the first 9,000 kilometres traveled per year (including both Member and departmental/ministerial travel). Once a Member reaches 9,000 kilometres, a lower rate of reimbursement per kilometre must be used. Members representing districts in the Capital region are not entitled to the first 9,000 kilometre reimbursement rate, and must use the lower rate regardless of the number of kilometres traveled.

The House of Assembly uses the kilometre rate established by the Executive Branch of government. The Expense Claims Management System (ECMS) used to enter and submit expense claims **will automatically calculate appropriate reimbursement** for private vehicle usage (further information on ECMS can be found in [Module 7](#)). The most current kilometre rate can be found on the [Human Resource Secretariat website](#).

Any Member who serves as a minister should consult Section 2.0 of the [Ministerial Expense Reimbursement Policies](#) prior to seeking reimbursement for any private vehicle usage, whether Member or minister related.



Vehicle Travel Log

Members using their private vehicle for carrying out duties as a Member **must maintain** a vehicle travel log, which includes the following information:

- Dates of a trip;
- Destinations of a trip;
- Kilometres actually and reasonably traveled; and
- Kilometres traveled on unpaved roads, if applicable.

The [Road Distance Database](#) maintained by the Newfoundland and Labrador Statistics Agency should be used by Members when completing the vehicle travel log.

Subsection 40(8) of the [Rules](#) requires Members must maintain vehicle travel logs for three years for auditing purposes.

Rental Vehicle

A Member who travels by rental vehicle may claim reimbursement for the actual cost of the trip up to the cost of a full-fare economy airline ticket. The Member must include documentation from either a travel agency or the airline's website showing the cost of a full-fare economy ticket for the dates necessary for the purpose of the trip.

Insurance offered by rental companies and/or extra services (e.g., roadside assistance) **will not be reimbursed** as per government policy. Members are advised to contact General Operations and Purchasing **prior to making arrangements** for rental vehicles (see [contact information](#) at the end of this section).

If a vehicle rental is required for more than 15 consecutive days, a Member must receive prior approval of the Clerk. All approvals will be reported at a meeting of the Management Commission.

Parking Costs (When Using Rental Vehicle)

If using a rental vehicle for travel within the district, a Member must utilize the I&E allocation for this expense. If there is a **parking fee** in relation to **the primary vehicle** while using a rental vehicle in the district, the parking fee is **not an eligible expense** ([Management Commission Directive 2017-002 refers](#)).



Commercial Scheduled Fixed-Wing Aircraft

When travelling by commercial scheduled fixed-wing aircraft, a Member is not entitled to claim any cost that is greater than the full-fare economy ticket. The Member must attach original supporting documentation from a travel agency or the airline's website outlining the details of the cost and proof of payment when claiming expenses for travel by air.

Bus

A Member who travels by bus may claim reimbursement for the actual cost of the trip provided that it does not exceed the cost of a full-fare economy airline ticket. The Member must attach documentation from a travel agency or the airline's website showing the cost of a full-fare economy ticket for the dates necessary for the purpose of the trip.

Ferry

A Member may travel by ferry to carry out business associated with the role as a Member where it is necessary. When submitting a claim for reimbursement, the Member must attach original documentation/receipts outlining the details of the cost and proof of payment.

Taxi

A Member may travel by taxi to carry out business associated with the role as a Member where it is necessary. When submitting a claim for the cost of transportation by taxi, the Member must attach original documentation/receipts outlining the details of the cost, proof of payment, as well as the start and end points of travel.

Modes of Transportation – Intra- & Extra-Constituency Travel Only

When a Member is traveling **within the constituency** conducting **constituency business** (I&E travel), the following modes of transportation are also **acceptable without prior approval**:

- All-terrain vehicle;
- Boat;
- Snowmobile (Note: only half the mileage travelled will be reimbursed);
- Fixed-wing aircraft; and
- Helicopter (see [Module 5](#) for eligible districts).



The use of these modes of transportation within the constituency is **subject to** the **annual allocation** per district (as outlined in [Module 5](#)).

Approval for Other Modes of Transportation

If a Member wishes to travel by means other than the approved modes as outlined in the previous section, the Member must submit a request in writing to the Speaker seeking approval. The request must outline the following:

- Nature of the travel;
- Reasons for the travel;
- Estimated costs of the travel; and
- Other pertinent details of the proposed mode of travel.

The Speaker may approve the request (with conditions, if necessary) provided that the expenditure is reasonable to enable the Member to fulfill duties to constituents, and provided there is sufficient money available within the existing travel allocation. The Speaker will report the approval at a meeting of the Management Commission.

If a Member proposes to travel on a regular basis by means other than the approved modes of travel, the Member may write the Management Commission with that proposal. The Commission may approve the travel with terms and conditions considered to be appropriate without further need for the Member to seek approval.

Related Legislation

<i>Members' Resources & Allowances Rules:</i>	
Modes of Transportation	Subsections 40 (1), 40(3.1)
Approval for Other Modes of Transportation	Subsections 40 (2), 40 (3)
Modes of Transportation – Intra- & Extra-Constituency Travel Only	Paragraph 38(2)(a)



Contact Information

Position	Contact
Manager, Accounts Payable	729-0769
Accounts Payable Clerk	729-5181
Accounts Payable Clerk	729-1480
Manager, General Operations & Purchasing	729-5893
Members' Services Officer	729-1340
Purchasing Officer	729-7211

ACCOMMODATIONS

This section provides information on the accommodation provisions of the *Rules*. Members should consult [Module 5](#) and [Appendix A](#) for specific entitlements to travel, accommodations and meals related their category ([MHA 1, 2, 3 or 4](#)) and the type of travel (HIS, HNIS or I&E).

Permanent Residence

A Member may operate and maintain **only one permanent residence**, but may also have a secondary residence (see next section).

All Members **must file an *Affidavit of Permanent Residence*** (see “Forms” section of the House of Assembly intranet) with the Speaker prior to reimbursement of any expenses. The affidavit must be re-filed if the location changes.

Secondary Residence

Members who wish to **claim expenses** for a **secondary residence** must file an ***Affidavit of Secondary Residence*** (see “Forms” section of the House of Assembly intranet) with the Speaker prior to submitting any claims for reimbursement. The affidavit must be re-filed if the location changes.

The Member is entitled to claim, without receipts, **\$53 for each night the Member occupies a secondary residence**. Further detail on the application of accommodations expenses for secondary residence is included in the summary tables in [Appendix A](#).



Temporary Accommodations

A Member is entitled to claim, with original receipts and proof of payment, the actual cost of temporary standard room accommodations for each night the Member occupies the accommodations.

Expenses related to temporary accommodation include the following:

- Standard room rate;
- Long-distance telephone and internet charges related to constituency business;
- Overnight parking fees;
- Incidental hotel, motel, bed and breakfast or boarding house charges; and
- Other items as specified by a directive of the Management Commission.

Private Accommodations

A Member is entitled to claim, without receipts, a daily amount for each night the Member stays in private accommodations at the rate of:

- \$53 per night – Island portion of the province; and
- \$71 per night – Labrador.

Lump Sum for Accommodations – Capital Region Only

Instead of claiming a nightly rate for private or temporary accommodations in the Capital region, a Member may opt to receive a **lump sum for accommodations** for the **entire fiscal year** (House in session and House not in session). If selected, **no other accommodation expenses** in the **Capital region can be claimed for the entire fiscal year**.

The lump sum will be a **taxable benefit** to the Member and must be selected **no later than 30 days before the commencement of the fiscal year** (April 1). If the Member **leaves office prior to the end of the fiscal year**, the lump sum **must be repaid** on a prorated basis.

This option is **not available** to those who **maintain a secondary residence** (declared by affidavit) in the Capital region.

The lump sum is calculated as follows:



- a. Number of days the House will be in session for that fiscal year (according to the Parliamentary Calendar);

Multiplied by

- b. Average daily rate for all temporary accommodations booked in the Capital region for the previous calendar year.

Related Legislation

Members' Resources & Allowances Rules:

Definitions	Section 28
Principles – All Members	Section 29
Accommodations Expenses – (MHA 1)	Section 32(2) (HIS) Section 36(2) (HNIS) Section 38-39 (Intra & Extra)
Accommodations Expenses – (MHA 2)	Section 31 (HIS) Section 35 (HNIS) Section 38-39 (Intra & Extra)
Accommodations Expenses – (MHA 3)	Section 32(1) (HIS) Section 36(1) (HNIS) Section 38-39 (Intra & Extra)
Accommodations Expenses – (MHA 4)	Section 31 (HIS-travel to Capital) Section 33 (HIS-travel to District) Sections 35 & 37 (HNIS) Section 38-39 (Intra & Extra)
Accommodations Expenses – Temporary Accommodations	Section 41(1)
Lump Sum for Accommodations – Capital Region Only	Section 40.1



Contact Information

Position	Contact
Manager, Accounts Payable	729-0769
Accounts Payable Clerk	729-5181
Accounts Payable Clerk	729-1480

MEALS

This section provides information on the meal provisions of the [Rules](#). Members should consult [Modules 5](#) and [Appendix A](#) for specific entitlements to travel, accommodations and meals related their category ([MHA 1, 2, 3 or 4](#)) and the type of travel (HIS, HNIS or I&E).

Meal Per Diem

When carrying out constituency business, a Member is entitled to a per diem meal allowance of \$50 (inclusive of HST) without receipts.

If only a portion of the day is spent on constituency business, the \$50 meal per diem must be prorated as follows:

- Breakfast - \$10;
- Lunch - \$15;
- Dinner - \$25.

Restriction on Meal Allowance

Where a Member and/or constituency assistant attends a meeting/event with constituents or other members of the public in relation to constituency business, and purchases food (breakfast, lunch or dinner) for the meeting/event, a meal allowance **cannot be claimed** for that particular meal. This applies to meals/food claimed under the constituency allowance (see [Module 4](#) for additional information).



Related Legislation

Members' Resources & Allowances Rules:	
Principles – All Members	Section 29
Meal Allowance – MHA 1	Section 32(2) (HIS) Section 36(2) (HNIS) Section 38-39 (Intra & Extra)
Meal Allowance – MHA 2	Section 31 (HIS) Section 35 (HNIS) Section 38-39 (Intra & Extra)
Meal Allowance – MHA 3	Section 32(1) (HIS) Section 36(1) (HNIS) Section 38-39 (Intra & Extra)
Meal Allowance – MHA 4	Section 31 (HIS-travel to Capital) Section 33 (HIS-travel to District) Sections 35 & 37 (HNIS) Section 38-39 (Intra & Extra)
Restriction on Meal Allowance	Section 42

Contact Information

Position	Contact
Manager, Accounts Payable	729-0769
Accounts Payable Clerk	729-5181
Accounts Payable Clerk	729-1480



EXPENSES WHEN MEMBER CANNOT RETURN TO PERMANENT RESIDENCE

Where it is **unsafe or otherwise impractical** for a Member to **return to the permanent residence as scheduled**, and the Member is not otherwise entitled to claim for accommodations and meals, the Member must contact the Speaker or Clerk (by phone or email) **prior to incurring** any accommodations and meals costs. If the Member is **unable** to contact the Speaker or Clerk **prior to incurring** the expenses, the Member must notify them at the **earliest reasonable opportunity**. The Member must explain the reason(s) for and the estimated amount of additional expenses associated.

The Speaker will report all approvals at a meeting of the Management Commission, outlining the reason for the approval and amount of additional expenses incurred.

EXPENSES RELATED TO TRAVELING LONG DISTANCES (BETWEEN PERMANENT RESIDENCE & CAPITAL REGION)

Members who represent certain districts (see list below) are entitled to claim **one night** of accommodations expenses (and associated meals) when **in transit between** the **constituency or permanent residence** and the **Capital region**.

Members claiming such expenses must meet one of the following criteria:

Location of Permanent Residence	Location of Constituency
In constituency	Outside Capital region
Within Capital region	Outside Capital region
Outside Capital region/Outside constituency	Outside Capital region

The Districts to which this provision applies are as follows:

– Baie Verte - Green Bay	– Corner Brook
– Burgeo - La Poile	– Exploits
– Burin - Grand Bank	– Fogo Island - Cape Freels
– Cartwright - L'Anse au Clair	– Fortune Bay - Cape La Hune

Continued next page



– Grand Falls-Windsor - Buchans	– Lewisporte - Twillingate
– Humber - Bay of Islands	– St. Barbe - L'Anse aux Meadows
– Humber - Gros Morne	– St. George's - Humber
– Labrador West	– Stephenville - Port au Port
– Lake Melville	– Torngat Mountains

Accommodations expenses will be reimbursed according to the rates associated with the type of accommodation. The night **will NOT** be included as one of the allowable nights for accommodations under the House-in-session or House-not-in-session categories (see [Module 5](#) for further information).

A Member requiring **more than one night** must have the **approval of the Speaker** prior to incurring any expenses.

ACCOMMODATION & MEAL EXPENSES WITHOUT ASSOCIATED TRAVEL EXPENSES

Accommodation and meal expenses can be claimed without associated travel expenses if:

- The Member is on constituency business; and
- The expenses are compliant with all provisions of the *Rules*.

TRAVEL ON UNPAVED ROADS

In recognition of the additional wear and tear on a vehicle when traveling on unpaved roads, the **Member for Cartwright - L'Anse au Clair** is entitled to claim \$1,000 per fiscal year if travel on unpaved roads for constituency business exceeds 5,000 kilometres for that year.

The Member must file an ***Affidavit for Travel on Unpaved Roads*** annually with the Speaker verifying the travel (see "Forms" section of the House of Assembly intranet). Travel on unpaved roads must also be documented in the Member's vehicle travel log.

Other districts may be entitled to the above provision for travel on unpaved roads if designated by a Directive of the Management Commission.



RELATED LEGISLATION

Members' Resources & Allowances Rules:

Expenses When Member Cannot Return to Permanent Residence	Section 43
Expenses Related to Travelling Long Distances	Section 37.1
Accommodation & Meal Expenses Without Associated Travel	Subsection 29(9)
Travel on Unpaved Roads	Subsection 40(6)

CONTACT INFORMATION

Position	Contact
Manager, Accounts Payable	729-0769
Accounts Payable Clerk	729-5181
Accounts Payable Clerk	729-1480



Module 7 – Reimbursement & Payment of Expenses

This module outlines the process for reimbursement and payment of expenses under the four categories of allowances provided to Members, which are charged to one of the following categories:

1. Office Allowance;
2. Operational Resources;
3. Travel and Living Allowance; and
4. Constituency Allowance.

Members must sign all forms and provide appropriate supporting documentation before any claim can be processed or goods and/or services can be purchased on their behalf.

Each signature on a form is a certification by the Member that an expense has actually been incurred in compliance with the HOAAIAA; the Rules; directives and policies of the Management Commission; and the Financial Administration Act.

Where a Member who is also a minister or parliamentary secretary/assistant incurs expenses conducting constituency business along with other (ministerial or parliamentary secretary/assistant) business, the Member must prorate the expense based on the proportion of time spent on constituency business. This will ensure that only the appropriate amount is charged to the Member allocation. Expenses related to ministerial or parliamentary secretary/assistant business are charged to the applicable government department in the Executive Branch.

With respect to goods and services, Members/constituency assistants have the option of:

- Requesting the House of Assembly to acquire and pay for goods and services on their behalf – expenses are still charged to the applicable allocation for each Member; or
- Acquiring and paying for the goods and/or services themselves and submitting a subsequent expense claim for reimbursement.

Members and constituency assistants are **strongly encouraged**, where possible, to arrange for the **purchase and payment of goods and/or services directly by the House of Assembly** on their behalf.



PERSONAL LIABILITY & RESTRICTIONS ON ALLOWANCES/EXPENSES

A Member who incurs an expense or commits to an expense that is **greater** than the **maximum allowed** under a specific category is **personally responsible for payment** as these amounts **will not be reimbursed** by the House of Assembly. Members **are still personally responsible** even if:

- They have delegated the responsibility to a constituency assistant or another person;
- An expense has been accepted for payment by the House of Assembly; or
- An expense has been paid by the House of Assembly.

The Comptroller General can require the repayment of any excess amounts paid.

Unused Portions of Allowances

Unused portions of allowance allocations **cannot be transferred** between categories. Any expenditures incurred by the Member/constituency assistant which exceed the maximum allowed for that category in a fiscal year **will not be reimbursed** by the House of Assembly.

60-Day Deadline

Expenses charged to Member allocations **must be submitted** for reimbursement within **60 days** of the **date the expenditure was incurred**, otherwise payment of those expenses will be denied.

Members who feel they have a valid reason for not submitting the expenses for reimbursement within this timeframe may appeal the decision to the Speaker as Chair of the House of Assembly Management Commission (see [next section](#) for more information).

End of Fiscal Year

Expenses related to the **period up to March 31** of each fiscal year **must be submitted by mid-April** of that year to allow processing time before the Financial Management System cut-off. (This date will be communicated in an email from the Clerk to Members and constituency assistants.)

Any expenses submitted after the system cut-off date related to a previous fiscal year will require an appeal to the House of Assembly Management Commission for approval of payment (see [next section](#) for more information). Any expenses related to a previous fiscal year which are subsequently approved for reimbursement by the Commission will be paid within the appropriate allocation for the fiscal year in which the expenses are approved.



RULINGS ON ALLOWANCE USE (APPEALING EXPENSES REJECTED FOR PAYMENT)

Section 24 of the *HOAAIAA* outlines the process for rulings on allowance use when an expenditure of a Member has been rejected for reimbursement or payment. When this happens, a Member may choose to submit an appeal of the ruling to the Speaker as the Chair of the Management Commission.

Under the *HOAAIAA*, the Speaker may make a ruling on the matter and distribute the ruling to the Commission for concurrence; or the Speaker may choose to bring the matter to a regular meeting of the Management Commission for consideration.

When appealing a ruling of an expenditure, Members must submit a request **in writing** (including email) to the Speaker outlining:

- Details of the expense(s) that has been rejected;
- Reason(s) for the rejection; and
- Rationale to indicate how the expenditure(s) is in compliance with the *HOAAIAA*, the *Rules* or a directive of the Management Commission.

Once the request is received by the Speaker, further information may be requested, if necessary. The Member will be notified in writing as to whether a ruling will be made by the Speaker or brought to a meeting of the Management Commission for consideration.

To minimize the need for an appeal, Members are advised to contact Corporate and Members' Services for clarification on allowable expenditures prior to incurring them.

EXPENSE CLAIMS

The House of Assembly uses the Expense Claim Management System (ECMS), a self-service application used to submit, manage, delegate and approve expense claims online. Some rules governing travel are pre-defined in the system, providing a consistent application of the *Rules*.

A Member may delegate a maximum of two individuals (e.g., constituency assistant) to complete and submit expense claims on their behalf by completing a ***Delegation Request Form*** (see "Forms" section of the House of Assembly intranet). If a constituency assistant is delegated to complete expense claims on behalf of a Member, the Member is ultimately responsible for ensuring that all expenses are in compliance with the *Rules* by reviewing and signing all claims.



Should Members **forget their log-in information** for ECMS, they **must email** fmshelpdesk@gov.nl.ca. HOA Corporate and Members' Services **cannot reset** the ECMS password.

Member Expense Claims

Member expense claims are submitted for reimbursement of expenses incurred under the *Members' Resources and Allowances Rules*. The ECMS system for Members can be accessed on any computer that is connected to the internal Public Service Network (intranet.gov.nl.ca) under the heading "[A-Z Directory](#)" by selecting "[Expense Claim Management Systems \(ECMS\)](#)." This section also contains a "[User Manual](#)" and "[Quick Reference Card](#)," which provides detailed step-by-step instructions on completing and submitting expense claims. Members are reminded to consider privacy implications when entering details for a claim (e.g., names of constituents, addresses and etc.).

Once a Member expense claim has been submitted in ECMS, a paper copy must be signed by the Member and forwarded to Accounts Payable, Corporate and Members' Services with supporting documentation attached (see [further section](#) for more information). Expense claims for constituency assistant expenses require the signature of both the Member and the constituency assistant.

General Expense Claims

Members may occasionally be required to submit a claim for reimbursement that **will not be charged to the Member's allowances under the Rules**. These claims, referred to as general expense claims, are submitted if a Member attends a parliamentary conference or travels to attend a meeting of a Committee of the House (e.g., Management Commission, Public Accounts and etc.).

General expense claims are also submitted using the ECMS system which can be accessed through the Public Service Network (intranet.gov.nl.ca) under "Travel and Expense Claims." Members should note that general expense claims differ from Member expense claims in how they are completed and submitted. Members can contact Accounts Payable for more information and assistance with completing and submitting a general expense claim (see [contact information](#) at the end of the section).

Once a general expense claim has been submitted in ECMS, a paper copy must be signed by the Member, approved by the Speaker and all supporting documentation attached before forwarding to Accounts Payable for processing. If there are **mileage expenses** on a general



expense claim, a ***Private Vehicle Usage Report*** (see “Forms” section of the House of Assembly intranet) **is required** as part of the supporting documentation with the claim.

Supporting Documentation

When submitting the signed paper copy of an expense claim, Members must attach:

1. Original invoices and/or receipts that are taped to 8½ x 11 paper; and
2. Proof of payment.

If a Member **cannot obtain** or locate the **original documentation**, a Member should include either:

- A photocopy or faxed copy; or
- A statement itemizing the expenditure.

A **written explanation** from the Member must also be submitted **explaining the absence of the original documentation and stating that the expense has not previously been claimed**.

Proof of payment must show **full amount paid** if using multiple methods. It may include:

- Credit card voucher or notification;
- Debit card voucher;
- Cancelled cheque or receipt verifying payment; or
- A print-out of online verification of payment.

If paying a tip by credit card or cash, the receipt must show the **full amount paid with the tip included**. If the receipt does not show the amount paid for the tip, a Member must provide:

- A credit card statement from the financial institution showing the full amount paid including tip; or
- A written explanation of the amount paid for the tip, if using cash.

When a Member travels by **rental vehicle, commercial scheduled fixed-wing aircraft or bus**, and the actual cost of the trip exceeds the cost of a full-fare economy airline ticket, the Member may claim only the cost up to the full-fare economy airline ticket. The Member must attach either documentation from a travel agency or the airline’s website showing the cost of a full-fare economy ticket for the dates necessary for the purpose of the trip.

Supporting documentation or receipts are **NOT required** for:

1. Meal per diems;
2. Private accommodations;



3. Secondary residence; or
4. Private vehicle usage

Contact Accounts Payable for further information on supporting documentation (see [contact information](#) at the end of this section).

Supporting Documentation – When Goods/Services Acquired by Member with Subsequent Expense Claim for Reimbursement

Members and constituency assistants acquiring and paying for goods and/or services with a subsequent expense claim for reimbursement **must comply** with the [Purchasing Policy - Under \\$200](#) (see “Policies & Guidelines” section on the House of Assembly intranet).

All goods and/or services purchased (and paid directly) by Members or constituency assistants **valued at \$200 or more**, must comply with the provisions of the [Public Procurement Act](#).

One of the following procedures must be followed:

1. **Obtain three quotes** from vendors and include with the expense claim on a *Record of Quotations* form to demonstrate that the best value was received (see “Forms” section of the House of Assembly intranet).
2. **If three quotes are not obtained**, an **explanation of how a fair and reasonable price was established** must be attached to the expense claim in accordance with section 3.2.5 of the *Government Purchasing Agency Customer Service Manual*.

Members are advised that the **60-day deadline** as outlined in subsection 7(6) of the *Rules* **applies to goods and services purchased and paid directly by the Member and/or constituency assistant**.

Further information on supporting documentation when goods and services are purchased and/or paid directly by Members and/or constituency assistants can be obtained by contacting General Operations and Purchasing (see [contact information](#) at the end of this section).



Related Legislation

House of Assembly Accountability, Integrity & Administration Act

Advance Ruling on Allowance Use	Section 24
Review of Allowance Use	Section 52

Members' Resources & Allowances Rules

Principles	Section 5
Member Responsibility	Section 6
Restrictions on Claims	Section 7
Member Personal Liability/Repayment of Excess Amounts	Section 8
Categories of Allowance	Section 14
Disagreement with Speaker Decision	Section 15
Forms and Documentation	Section 16
Processing of Claims	Section 17

Public Procurement Act

Contact Information

Position	Contact
Manager, Accounts Payable	729-0769
Accounts Payable Clerk	729-5181
Accounts Payable Clerk	729-1480
Manager, General Operations & Purchasing	729-5893
Members' Services Officer	729-1340
Purchasing Officer	729-7211



GOODS/SERVICES ACQUIRED & PAID DIRECTLY BY HOA – ON BEHALF OF MEMBERS

Members and constituency assistants are **strongly encouraged** to have goods and services **arranged and paid directly by the House of Assembly**. Considerable time is saved for the Member and the constituency assistant as a claim for reimbursement is not required, and also ensures that available funds in a specific category are reserved immediately. In addition, it guarantees the best value for goods and services is received through any available standing offer agreements, which provide government entities with goods and/or services at predetermined prices, terms and conditions.

Examples of goods and services which can be arranged for direct purchase by the House of Assembly on Members' behalf include, but are not limited to:

- Memorial wreaths;
- Advertising;
- Food service for meetings with constituents;
- Office supplies; and
- Coffee supplies.

A Member or constituency assistant who is unsure as to whether an item or service can be arranged for direct purchase should contact General Operations and Purchasing (see [contact information](#) at the end of this section).

All direct purchases made on behalf of a Member will be charged to the appropriate allowance category. Members are advised that the **60-day deadline** as outlined in subsection 7(6) of the [Rules](#) **does not apply** to goods and services that are **purchased directly by the House of Assembly**.

Submitting a Requisition for Goods/Services

A Member or constituency assistant wishing to arrange the direct purchase of goods and services should submit a **Requisition for Goods and Services form** to General Operations and Purchasing (see "Forms" section of the House of Assembly intranet). Once the request has been processed, a purchase order will be issued and delivery of the good and/or service arranged.

The House of Assembly maintains contacts for suppliers and service providers in various regions of the province to ensure the shortest possible turnaround when arranging for direct purchase of goods and services outside the Capital region.



Online Approvals for Invoices (After Goods/Services Received)

Once the House of Assembly receives an invoice from a supplier, the requestor (e.g., constituency assistant) will receive an email notification that receipt of the good and/or service must be confirmed through the Financial Management System (FMS). Once this is complete, the Member will be notified by email that the invoice requires certification of payment (also completed in FMS) before payment can be issued to the supplier.

Members and constituency assistants are strongly encouraged to complete the above-noted steps **as soon as possible** after receiving notification to ensure that suppliers are paid in a timely manner. For further information and assistance regarding online approvals for invoices, contact Accounts Payable (see contact information below). Should Members **forget their log-in information** for FMS, they **must email** fmshelpdesk@gov.nl.ca. HOA Corporate and Members' Services **cannot reset** the FMS password.

Related Legislation

Public Procurement Act

House of Assembly Accountability, Integrity & Administration Act

Members' Resources & Allowances Rules

Contact Information

Position	Contact
Manager, Accounts Payable	729-0769
Accounts Payable Clerk	729-5181
Accounts Payable Clerk	729-1480
Manager, General Operations & Purchasing	729-5893
Members' Services Officer	729-1340
Purchasing Officer	729-7211



Appendices

Appendix A – Summary of Travel and Living Provisions by MHA Category

Appendix B – Circumstances Where Approval of the Speaker is Required

Appendix C – Applicable Legislation



APPENDIX A

MHA 1 – Permanent Residence in Capital Region and District Outside Capital Region

	Travel	Accommodations			Meals	Applic. Section of Rules
		Secondary Residence <i>Note: Receipts not required</i> <u>Affidavit of Sec. Residence required</u>	Temporary Accommodations <i>Note: Receipts required</i> (including telephone, internet and parking fees)	Private Accommodations <i>Note: Receipts not required</i>	<i>Note: Receipts not required</i> Breakfast - \$10, Lunch - \$15, Dinner - \$25	
House in Session (HIS) (travel to District for constituency business)	<u>Return trip/week (actual cost)</u> = 1 (Maximum 3 nights/trip for all accommodation types combined) <u>Extra return trip/week (actual cost)</u> = 1 (Travel back to District for constituency business only. Included as one of 20 trips under HNIS)	<u>Amount/night</u> = \$53	<u>Amount/night</u> = Actual cost of standard room accom.	<u>Amount/night</u> = \$53 (Island) <u>Amount/night</u> = \$71 (Lab.)	<u>Amount/day</u> = \$50 (prorated for part days) ⁴	Section 32
House not in Session (HNIS) (travel to District for constituency business)	<u>Return trips/year (actual cost)</u> = 20 (Maximum 50 nights/year for all accommodation types combined)	<u>Amount/night</u> = \$53	<u>Amount/night</u> = Actual cost of standard room accom.	<u>Amount/night</u> = \$53 (Island) <u>Amount/night</u> = \$71 (Lab.)	<u>Amount/day</u> = \$50 (prorated for part days) ⁴	Section 36
Intra-Constituency ¹ (travel within the District)	Actual cost - Subject to annual allocation ²	<u>Amount/night</u> = \$53 Subject to annual allocation ²	<u>Amount/night</u> = Actual cost of standard room accom. Subject to annual allocation ²	<u>Amount/night</u> = \$53 (Island) <u>Amount/night</u> = \$71 (Lab.) Subject to annual allocation ²	<u>Amount/day</u> = \$50 (prorated for part days) ⁴ Subject to annual allocation ²	Section 38
Extra-Constituency ¹ (other travel ³)	Actual cost - Subject to annual allocation ²	N/A	<u>Amount/night</u> = Actual cost of standard room accom. Subject to annual allocation ²	<u>Amount/night</u> = \$53 (Island) <u>Amount/night</u> = \$71 (Lab.) Subject to annual allocation ²	<u>Amount/day</u> = \$50 (prorated for part days) Subject to annual allocation ²	Section 39

Note 1 - Total annual allocations for Intra & Extra Constituency vary by District (see Module 5 of the [Members' Guide to Resources & Allowances](#)).

Note 2 - Reasons/circumstances for other travel are listed in Module 5 of the Guide (see link above).

Restrictions – MHA 1:

1. MHA 1 cannot claim reimbursement of expenses for travel and living allowance from the permanent residence to Confederation Bldg [s. 29(5) of *Members' Rules*].
2. MHA 1 can only claim reimbursement of travel and living expenses for HIS and HNIS travel to/from the Capital region if travelling outside commuting distance of the Member's permanent residence.
3. MHA 1 cannot claim reimbursement of accommodations or meals while attending to constituency business in the Capital region. [s. 36(1) of *Members' Rules*].
4. MHA 1 must claim meals expenses incurred while in transit to/from the district under HIS/HNIS. Meal expenses incurred in the district must be charged to intra-constituency.

MHA 2 – Permanent Residence in District which is Outside Capital Region

	Travel	Accommodations			Meals <i>Note: Receipts not required</i> Breakfast - \$10, Lunch - \$15, Dinner - \$25	Applic. Section of Rules
		Secondary Residence <i>Note: Receipts not required</i> <i>Affidavit of Sec. Residence required</i>	Temporary Accommodations <i>Note: Receipts required</i> <i>(including telephone, internet and parking fees)</i>	Private Accommodations <i>Note: Receipts not required</i>		
House in Session (HIS) (travel to Capital Region)	Return trip/week (actual cost) = 1 Extra return trip/ week (actual cost) = 1 <i>(Travel back to District for constituency business only. Included as one of 20 trips under HNIS)</i>	Amount/night = \$53	Amount/night = Actual cost of standard room accom.	Amount/night = \$53 (Island) Amount/night = \$71 (Lab.)	Amount/day = \$50 (prorated for part days)	Section 31
House not in Session (HNIS) (travel to Capital region for constituency business)	Return trips/year (actual cost) = 20 <i>(Maximum of 50 nights/year for all accommodation types combined)</i>	Amount/night = \$53	Amount/night = Actual cost of standard room accom.	Amount/night = \$53 (Island) Amount/night = \$71 (Lab.)	Amount/day = \$50 (prorated for part days)	Section 35
Intra-Constituency ¹ (travel within the District)	Actual cost - Subject to annual allocation ²	Amount/night = \$53 Subject to annual allocation ²	Amount/night = Actual cost of standard room accom. Subject to annual allocation ²	Amount/night = \$53 (Island) Amount/night = \$71 (Lab.) Subject to annual allocation ²	Amount/day = \$50 (prorated for part days) Subject to annual allocation ²	Section 38
Extra-Constituency ¹ (other travel ³)	Actual cost - Subject to annual allocation ²	N/A	Amount/night = Actual cost of standard room accom. Subject to annual allocation ²	Amount/night = \$53 (Island) Amount/night = \$71 (Lab.) Subject to annual allocation ²	Amount/day = \$50 (prorated for part days) Subject to annual allocation ²	Section 39

Note 1 - Total annual allocations for Intra/Extra Constituency vary by District (see Module 5 of the [Members' Guide to Resources & Allowances](#)).

Note 2 - Reasons/circumstances for other travel are listed in Module 5 of the Guide (see link above).

Restrictions – MHA 2:

- MHA 2 cannot claim reimbursement of expenses for travel and living allowance for HIS and HNIS travel to/from the Capital region if the distance from the Member's permanent residence to the Capital region is less than 60 km [29(1) of *Members' Rules*].
- MHA 2 can only claim travel and living expense to the Capital region under the intra/extra-constituency allocation for the purpose of attendance at a conference or training course. [29(1) of *Members' Rules*].

MHA 3 – Permanent Residence and District Within the Capital Region

	Travel	Accommodations			Meals	Applic. Section of Rules
		Secondary Residence <i>Note: Receipts not required</i> <i>Affidavit of Sec. Residence required</i>	Temporary Accommodations <i>Note: Receipts required</i> <i>(including telephone, internet and parking fees)</i>	Private Accommodations <i>Note: Receipts not required</i>	<i>Note: Receipts not required</i> Breakfast - \$10, Lunch - \$15, Dinner - \$25	
House in Session (HIS)	<u>Return trip/week (actual cost)</u> = NIL	<u>Amount/night</u> = NIL	<u>Amount/night</u> = NIL	<u>Amount/night</u> = NIL	<u>Amount/day</u> = NIL	Section 32(1)
House not in Session (HNIS)	<u>Return trips/year (actual cost)</u> = NIL	<u>Amount/night</u> = NIL	<u>Amount/night</u> = NIL	<u>Amount/night</u> = NIL	<u>Amount/day</u> = NIL	Section 36(1)
Intra-Constituency ¹ (travel within the District)	Actual cost - Subject to annual allocation ²	<u>Amount/night</u> = \$53 Subject to annual allocation ²	<u>Amount/night</u> = Actual cost of standard room accom. Subject to annual allocation ²	<u>Amount/night</u> = \$53 (Island) <u>Amount/night</u> = \$71 (Lab.) Subject to annual allocation ²	<u>Amount/day</u> = \$50 (prorated for part days) Subject to annual allocation ²	Section 38
Extra-Constituency ¹ (other travel ³)	Actual cost - Subject to annual allocation ²	N/A	<u>Amount/night</u> = Actual cost of standard room accom. Subject to annual allocation ²	<u>Amount/night</u> = \$53 (Island) <u>Amount/night</u> = \$71 (Lab.) Subject to annual allocation ²	<u>Amount/day</u> = \$50 (prorated for part days) Subject to annual allocation ²	Section 39

Note 1 - Total annual allocations for Intra/Extra Constituency vary by District (see Module 5 of the [Members' Guide to Resources & Allowances](#)).

Note 2 - Reasons/circumstances for other travel are listed in Module 5 of the Guide (see link above).

Restrictions – MHA 3:

1. MHA 3 cannot claim reimbursement of expenses for travel and living allowance from the permanent residence to Confederation Bldg [s. 29(5) of *Members' Rules*].

MHA 4 – Permanent Residence Outside District/District Outside Capital Region

	Travel	Accommodations			Meals	Applic. Section of Rules
		Secondary Residence <i>Note: Receipts not required</i> <i>Affidavit of Secondary Residence required</i>	Temporary Accommodations <i>Note: Receipts required</i> <i>(including telephone, internet and parking fees)</i>	Private Accommodations <i>Note: Receipts not required</i>	<i>Note: Receipts not required</i> Breakfast - \$10, Lunch - \$15, Dinner - \$25	
House in Session (HIS) (travel to Capital Region for sittings)	Return trip/week (actual cost) = 1 Extra return trip/ week (actual cost) = 1 <i>(Travel to District for constituency business only. Included as one of 20 trips under HNIS)</i>	Amount/night = \$53	Amount/night = Actual cost of standard room accom.	Amount/night = \$53 (Island) Amount/night = \$71 (Lab.)	Amount/day = \$50 (prorated for part days)	Section 31
House not in Session (HNIS) (travel to Capital Region for constituency business)	Return trips/year (actual cost) = 20 <i>(Maximum 50 nights/year for all accommodation types combined)</i>	Amount/night = \$53	Amount/night = Actual cost of standard room accom.	Amount/night = \$53 (Island) Amount/night = \$71 (Lab.)	Amount/day = \$50 (prorated for part days)	Section 35
Intra-Constituency ² (travel within the District)	Actual cost - Subject to annual allocation ³	Subject to annual allocation ³ Amount/night = \$53	Amount/night = Actual cost of standard room accom. Subject to annual allocation ³	Amount/night = \$53 (Island) Amount/night = \$71 (Lab.) Subject to annual allocation ³	Amount/day = \$50 (prorated for part days) Subject to annual allocation ³	Section 38
Extra-Constituency ² (other travel ⁴)	Actual cost - Subject to annual allocation ³	N/A	Amount/night = Actual cost of standard room accom. Subject to annual allocation ³	Amount/night = \$53 (Island) Amount/night = \$71 (Lab.) Subject to annual allocation ³	Amount/day = \$50 (prorated for part days) Subject to annual allocation ³	Section 39

MHA 4 with a District - 1) outside commuting distance of permanent residence and 2) outside the Capital Region, the following also applies:

House in Session (HIS) (permanent residence to district)	Return trip/week (actual cost) = 1 ¹ <i>(Maximum 3 nights/trip for all accommodation types combined)</i>	Amount/night = \$53	Amount/night = Actual cost of standard room accom.	Amount/night = \$53 (Island) Amount/night = \$71 (Lab.)	Amount/day = \$50 (prorated for part days)	Section 33
House not in Session (HNIS) (permanent residence to district)	Return trips/year (actual cost) = 20 <i>(Maximum 50 nights/year for all accommodation types combined)</i>	Amount/night = \$53	Amount/night = Actual cost of standard room accom.	Amount/night = \$53 (Island) Amount/night = \$71 (Lab.)	Amount/day = \$50 (prorated for part days)	Section 37

Note 1 – Actual cost to District from permanent residence or Capital region (whichever is shorter).

Note 2 - Total annual allocations for Intra/Extra Constituency vary by District (see Module 5 of the [Members' Guide to Resources & Allowances](#)).

Note 3 - Reasons/circumstances for other travel are listed in Module 5 of the Guide (see link above).

Restrictions – MHA 4:

- MHA 4 cannot claim reimbursement of expenses for travel and living allowance for HIS and HNIS travel to/from the capital region if the distance from the Member's permanent residence to the capital region is less than 60 km.
- MHA 4 cannot claim reimbursement of expenses for travel from permanent residence to the District, if permanent residence is within 60 km of District [Section 29(6) of *Members' Rules*].
- MHA 4 can only claim travel to Capital region under extra-constituency for the purpose of attendance at a conference or training course.



APPENDIX B

The list below outlines circumstances where **Members require the approval of the Speaker** prior to incurring an expense, conducting travel, or submitting a claim.

The following applies:

HOAAIA: *House of Assembly Accountability, Integrity and Administration Act*

Rules: *Members' Resources and Allowances Rules*

CMS: Corporate and Members' Services Division

CA: Constituency assistant

In writing: Email or letter

Circumstance	Instructions for Members	Applicable Legislation
Absence from House of Assembly Sitting – Other reason	<p>Members are required to obtain the prior approval of the Speaker when absent from a House of Assembly sitting for any reason other than those listed in this chapter. Members should contact the Speaker in writing outlining the reason and date(s) of the absence.</p> <p>Members are required to maintain a record of their own attendance for the purpose of completing the <i>Members' Declaration of Attendance</i> form. A copy of any approvals from the Speaker for absences from House sittings must be attached to the form.</p>	HOAAIA Section 13
Absence from House of Assembly Sitting – Constituency Duty in District	<p>Members are required to obtain the prior approval of the Speaker when absent from a House of Assembly sitting to attend to constituency duties in their district. Members must contact the Speaker in writing outlining the reason for and date(s) of the travel.</p> <p>Members are required to maintain a record of their attendance for the purpose of completing the <i>Members' Declaration of Attendance</i> form. A copy of any approvals from the Speaker must be attached to the form.</p>	HOAAIA Section 13
Alternate Mode of Travel	<p>Members are required to obtain the prior approval of the Speaker when using a mode of travel other than those listed in Chapter 5 when the travel is not for intra-constituency purposes (some modes for intra-constituency travel DO NOT require the approval of the Speaker).</p> <p>Members must contact the Speaker in writing outlining the proposed mode of travel, the reason for using that mode of</p>	<i>Rules</i> Section 40

Circumstance	Instructions for Members	Applicable Legislation
	<p>travel, date(s) of the travel, and associated cost. A copy of the Speaker's approval must be attached to the claim for reimbursement.</p> <p>The Speaker will report the approval at the next meeting of the Management Commission.</p>	
Helicopter Travel	<p>Members who represent one of the districts listed in Schedule B of the <i>Rules</i> may travel by helicopter while acting on constituency business within his/her district provided there is no less-expensive method of travel available. The prior approval of the Speaker is required for all travel by helicopter.</p> <p>Members must contact the Speaker in writing outlining the reason for using helicopter travel, date(s) of the travel and associated cost. The Speaker's approval must be forwarded to CMS so that appropriate arrangements for the helicopter travel can be made.</p>	<i>Rules</i> Section 38.1
Attendance at Conference or Training Course	<p>Members (and/or CAs) require the prior approval of the Speaker to claim costs associated with attending a conference/ training course charged to the constituency allowance allocation.</p> <p>Members must contact the Speaker in writing outlining the nature of the conference/ training course, the date(s) and associated costs. A copy of the Speaker's approval must be attached to the claim for reimbursement.</p>	<i>Rules</i> Section 46
Replacement Constituency Assistant	<p>Approval of the Speaker is required prior to engaging the services of a replacement constituency assistant.</p> <p>Members must complete the <i>Request for Replacement Constituency Assistant</i> form and submit to CMS for processing prior to engaging the services of a replacement CA. CMS will make arrangements to obtain the approval of the Speaker for the replacement.</p>	<i>Rules</i> Section 26
Travel Under Special Circumstances	<p>Members require the approval of the Speaker (or Clerk) to incur accommodations and meal expenses where it is unsafe or unpractical for them to return to their permanent residence as scheduled. Prior approval should be obtained where possible.</p> <p>Members must contact the Speaker/Clerk in writing explaining the reason for incurring the additional expenses, the associated cost, and the date(s). The approval must be attached with the</p>	<i>Rules</i> Section 43

Circumstance	Instructions for Members	Applicable Legislation
	claim for reimbursement. The Speaker will report approvals at the next meeting of the Management Commission.	
Constituency Office in Adjacent District	<p>The Speaker’s approval is required for Members wishing to locate the constituency office in a district adjacent to the one they represent.</p> <p>Members must contact the Speaker in writing outlining the reasons for locating the office in the adjacent district. A copy of the approval must be provided to CMS.</p>	The <i>Rules</i> Section 20



APPENDIX C

House of Assembly Accountability, Integrity & Administration Act

Members' Resources & Allowances Rules

House of Assembly Act
