



Newfoundland & Labrador

## HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

### DIRECTIVE

Directive Number 2010-006

<b>Effective Date:</b> March 31, 2010	<b>Commission Minute:</b> CM 2010-032
<b>Subject:</b> Publication Scheme – Amendment	<b>Reference:</b> HOAMC Meeting, March 24, 2010 Agenda Item Tab No. 4
<b>Issued To:</b> All Members of the House of Assembly; Comptroller General; Directors of Government Accounting, Professional Services and Internal Audit, Financial Systems Control, and Corporate Services; Office of the Auditor General; Office Managers of Government Caucus, Official Opposition Caucus, NDP Caucus; Assistant Deputy Clerk, Executive Council; Director of Operations, Office of the Premier.	<b>Contact:</b> Marlene Lambe Chief Financial Officer 729 – 2923

### BACKGROUND

At its January 23, 2008 meeting, the Commission approved the House of Assembly Publication Scheme as required by subsection 49(1) of the *House of Assembly Accountability, Integrity and Administration Act*. **CM 2008-008 refers**. In its October 30, 2009 report, the Members' Compensation Review Committee made three recommendations regarding additional information which should be placed on the House of Assembly website. The information related to MHAs' total annual compensation, the MHAs' declaration of attendance in the House of Assembly and the provision of more detailed notes for the Member Accountability and Disclosure Reports.

The amended House of Assembly Publication Scheme is attached.

### DIRECTIVE

The Commission amended the House of Assembly Publication Scheme as follows:

- Section 2.0 is renamed Members' Financial and Other Reports.
- Section 2.1 is added and entitled **2.1. Members' Accountability and Disclosure Reports**. The description of financial reports currently in section 2.0 will apply to this category.
- Sections 2.2 and 2.3 are added as follows:

#### **2.2 Total Annual Compensation Report –**

- Report 1: A report of: salaries authorized under s. 11(1) and 12(1) of the Act; committee allowances under s. 46 of the Members' Resources and Rules; and, salaries authorized by the Lieutenant-Governor-in-Council for the Premier, Ministers, Parliamentary Secretaries and the Parliamentary Assistant, as provided by Executive Council

- Report 2: An annual report of actual compensation paid to Members by the House of Assembly in a fiscal year.

Responsibility: Corporate and Members' Services Division

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Report 1: Posted following any amendments; Report 2: Posted 90 days after the end of the fiscal year

Online Retention: Current General Assembly + two years

- 2.3 Members' Declarations of Attendance** – A report, in table form, reflecting Members' Declarations of Attendance in the House of Assembly as required by subsection 13(5) of the Act.

Responsibility: Corporate and Members' Services Division

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Posted by 31 March each year

Online Retention: Current General Assembly + two years

William MacKenzie  
Clerk of the House of Assembly



HOUSE OF ASSEMBLY  
Newfoundland and Labrador

**HOUSE OF ASSEMBLY**  
**PUBLICATION SCHEME**

Revised March, 2010

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## PUBLICATION SCHEME

The **House of Assembly Publication Scheme** is prepared in accordance of s.49 of the *House of Assembly Accountability, Integrity and Administration Act* (the Act):

49. (1) In addition to providing access to information under the *Access to Information and Protection of Privacy Act*, the commission shall
- (a) adopt and maintain a scheme, to be known as a publication scheme, which relates to the publication of information by the commission;
  - (b) publish information in accordance with the publication scheme; and
  - (c) review and update the publication scheme.
- (2) The publication scheme required to be adopted under subsection (1) shall
- (a) include information about the expenditures made by or on behalf of members under subsection 11(2) and in accordance with the rules;
  - (b) include other classes of information relating to the operation of the House of Assembly which the commission intends to publish, taking into account the appropriateness, with respect to each class, of public access to information concerning that class; and
  - (c) specify the manner, including written or electronic publication on a website, in which it is to be published.

The intent is to ensure certain types of information created, prepared and managed by the House of Assembly and its Management Commission are open and accessible in a standardized and systematic fashion. Such access will allow for public scrutiny and consideration of the work of the House of Assembly, its Members and the Management Commission.

The House of Assembly will make documents public, within the following four categories:

- House of Assembly Management Commission
- Members' Financial Reports
- Parliamentary Proceedings
- Other Publications

## 1.0 HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

The House of Assembly Management Commission's principal function is its duty to ensure the effective and transparent administration of the House of Assembly of Newfoundland and Labrador as outlined in the Act. The decision-making authority of the House of Assembly Management Commission is exercised through specific actions that include: making rules; issuing directives and making orders. For more information about the duties and responsibilities of the Commission see *House of Assembly Accountability, Integrity and Administration Act*, SNL 2007, c.H-10.1

In the course of its business, the House of Assembly Management Commission will produce certain routine documents. The Act specifically compels the Commission to make its documents routinely available to the public. These documents are:

### 1.1 **Policy and Procedure Manual** – The operating guidelines of the HOAMC (s.19.3).

Responsibility: Clerk's Office

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Once approved. Up-dated as required

Online Retention: Long-term/permanent<sup>1</sup>

### 1.2 **Agenda** – An itemized list of the business to be conducted by the Commission during any given meeting.

Responsibility: Clerk's Office

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Posted 2 days prior to meeting

Online Retention: Current General Assembly + two years

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<sup>1</sup> When an online retention of "long-term/permanent" is cited, the intent is to maintain the item on the website as long as it technically possible to do so. If storage space becomes an issue in the future, notice of the removal of certain items will be given well in advance of their removal. The official version will always retain its permanent retention as indicated in the publication scheme, even if the online version is removed from the website.

- 1.3 Papers** – briefing materials or reports provided to the Commission typically as supplementary information for agenda items.

Responsibility: Clerk's Office

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Posted not later than 30 minutes before the start of the Commission meeting

Online Retention: Current General Assembly + two years

- 1.4 Minutes** – A brief summary of the business conducted and decisions made during a Commission meeting.

Responsibility: Clerk's Office

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Posted not later than 5 days after being tabled in the House of Assembly (s.19.5)

Online Retention: Current General Assembly + two years

- 1.5 Hansard** - is the verbatim transcript of the actual proceedings of the Commission.

Responsibility: Hansard Office

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Posted immediately after prepared, usually within seven days of the meeting

Online Retention: Long-term/permanent

- 1.6 Rules, Directives and Decisions** – Orders or rules issued by the House of Assembly Management Commission.

Responsibility: Clerk's Office

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Posted not later than 5 days after being issued (s.19.5(a,b,c))

Online Retention: Retained until superseded

**1.7 Audit Committee** – this HOAMC sub-committee will assist the Commission in providing oversight and make recommendations regarding the stewardship of public money (s.23.7):

1.7.1 **Compliance Audit Report** once per General Assembly (s.20.5(c)) by the Auditor General.

Responsibility: Clerk's Office

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Immediately after Tabled with the Commission

Online Retention: Current General Assembly + two years

1.7.2 **Financial Audit Report** annually (s.20.5(f))

Responsibility: Clerk's Office

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Immediately after Tabled with the Commission

Online Retention: Current General Assembly + two years

**1.8 Annual Report** – a report issued annually that summarizes the work and decisions of the Commission (s.20.1(f); s.51)

Responsibility: Clerk's Office

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Posted immediately after tabled in House

Online Retention: Long-term/permanent

**1.9 Compensation Review Committee** - will issue a Report once per General Assembly.

Responsibility: Clerk's Office

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Immediately after Tabled with the Commission

Online Retention: Long-term/permanent

**1.10 Inquiries under Conflict of Interest s.38**

The Commissioner for Legislative Standards is responsible for these documents under this section of the Act. A link will be provided to the Commissioner's website.

## 2.0 MEMBERS' FINANCIAL AND OTHER REPORTS

2.1. **Members' Accountability and Disclosure Reports** – A report of each Member's finances will be posted annually and mid-year. Each report will contain a summary and information in tabular form from four categories:

1. Office Allowances
  - Office Accommodations
  - Rental of Short-term Accommodations
  - Office start-up costs
  - Office Operations
2. Operational Resources
  - Operational Resources
3. Travel and Living Allowances
  - House in session
  - House not in session
  - Intra & Extra-Constituency Travel constituency travel
4. Constituency Allowances
  - Constituency allowance

Responsibility: Corporate and Members' Services

Official Version: Paper

Permanent Retention: Clerk's Office

Online Version:

- Mid-year (semi-annual): Posted 50 days after the end of September (Rule 11.3 and 13.1 + 1 day)
- Annual: Posted 80 days after the end of the Fiscal Year

Online Retention:

- Mid-year (semi-annual): 5 years after the end of the fiscal year to which the statement relates (Rule 13.3)
- Annual: 5 years (Rule 13.3) or as long as the individual remains a sitting Member of the House of Assembly + 2 years, which ever is greater

2.2 **Total Annual Compensation Report** –

- Report 1: A report of: salaries authorized under s. 11(1) and 12(1) of the Act; committee allowances under s. 46 of the *Members' Resources and Rules*; and, salaries authorized by the Lieutenant-Governor-in-Council for the Premier, Ministers, Parliamentary Secretaries and the Parliamentary Assistant, as provided by Executive Council

- Report 2: An annual report of actual compensation paid to Members by the House of Assembly in a fiscal year.

Responsibility: Corporate and Members' Services Division

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Report 1: Posted following any amendments; Report 2: Posted 90 days after the end of the fiscal year

Online Retention: Current General Assembly + two years

**2.3 Members' Declarations of Attendance** – A report, in table form, reflecting Members' Declarations of Attendance in the House of Assembly as required by subsection 13(5) of the Act.

Responsibility: Corporate and Members' Services Division

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Posted by 31 March each year

Online Retention: Current General Assembly + two years

## 3.0 PARLIAMENTARY PROCEEDINGS

### 3.1 HOUSE OF ASSEMBLY

The parliament, or legislature, of Newfoundland and Labrador is more commonly referred to as the House of Assembly. The House produces certain types of standard documents that are typical of any legislature. They include:

- Order Papers
- Progress of Bills
- Bills
- Statutes and Regulations
- Journals
- Hansard
- Tabled Documents

**A. Order Papers** are effectively agendas of the business to be conducted in the House during any given sitting. They are prepared by the Clerk's Office in consultation with the Government House Leader.

Responsibility: Clerk's Office

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Posted morning of the sitting

Online Retention: Current General Assembly + one year

**B. Progress of Bills** is a table that indicates the stage at which any current Bill finds itself in the parliamentary process. It is up-dated regularly.

Responsibility: Clerk's Office

Official Version: Online until prorogation of the Session, then paper

Permanent Retention: Legislative Library

Online Version: Posted at beginning of Session and up-dated as required

Online Retention: Long-term/permanent

**C. Bills** are the draft versions of legislation presented to the House for debate and consideration. They go through several stages, including First, Second and Third Readings and Committee of the Whole House, they may be amended and may or may not eventually be passed by the House to become law.

Responsibility: Legislative Counsel – Dept. of Justice

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Posted after distributed in the House.

Online Retention: Minimum three years

- D. Statutes** are the official versions of laws as passed by the House (Bills become Statutes). Regulations are the rules that supplement certain Statutes. Regulations are published in the Newfoundland and Labrador Gazette (maintained by the Queen's Printer, see <http://www.gs.gov.nl.ca/gs/oqp/gazette/> ).

Responsibility: Legislative Counsel – Dept. of Justice

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Posted about 1 month after Royal Assent

Online Retention: Long-term/permanent

- E. Journals** are effectively the minutes, or brief summaries, of the business conducted in the House.

Responsibility: Clerk's Office

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Once completed

Online Retention: Long-term/Permanent

- E. Hansard** is the verbatim transcript of the actual proceedings of the House – what is said in the House.

Responsibility: Hansard Office

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Afternoon sittings are posted before midnight of the day of the sitting. Night sittings are posted as they are completed after the House adjourns for the winter or summer break

Online Retention: Long-term/permanent

**F. Tabled Documents** can be any manner of documents, but are typically reports or studies. They are tabled (literally laid on the Clerk's table) or deemed to be tabled (s.19.1 HOA Act), by Ministers in accordance with provisions of certain legislation or at the pleasure of a Member of the House of Assembly.

Responsibility: Clerk receives the documents tabled by a Member

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: The House website will maintain a list of tabled documents. Where the issuing agency provides an online version of the document, the House will link to it. Online retention will be for current General Assembly + two years where the issuing agency maintains their online version

Online Retention: List of documents will be retained indefinitely.

Availability of the tabled document depends on the issuing department or agency

## 3.2 COMMITTEES OF THE HOUSE OF ASSEMBLY

Parliamentary proceedings also include the activities of the official committees of the House of Assembly. Committees can fall into two categories:

- Standing Committees
- Select Committees

### 3.2.1 Standing Committees

Standing Committees are committees of the House that are predetermined by the related Standing Orders of the House of Assembly (s.65). They are normally formed during every session of every parliament. They include:

**Striking Committee** - A committee of 5 Members who at the beginning of a parliament determines the membership of the other committees. Other than to record membership of the other committees, the Striking Committee does not issue any reports.

**Public Accounts Committees** - Reviews the Public Accounts and other related matters of the province each year.

**Privileges and Elections** – Reviews matters related to parliamentary privileges and elections. The committee is struck at the beginning of each

parliament but meets only as needed. This Committee develops the Members' Code of Conduct.

**Standing Orders Committee** - Reviews matters related to the Standing Orders. The committee is struck at the beginning of each parliament but meets only as needed.

**Resource Committee** – Reviews matters related to resources including reviewing budget estimates submitted by related departments and agencies as well as reviewing related legislation.

**Government Services Committee** - Reviews matters related to government services including reviewing budget estimates submitted by related departments and agencies as well as reviewing related legislation.

**Social Services Committee** – Reviews matters related to social services including reviewing budget estimates submitted by related departments and agencies as well as reviewing related legislation.

**Miscellaneous and Private Bills Committee** - Reviews matters related to the miscellaneous issues and private Bills. The committee is struck and meets only as needed.

### 3.2.2 Select Committees

Select Committees are created as needed at the pleasure of the House of Assembly according to Standing Order 66. They conduct in-depth studies and reviews of particular issues. An example of a past Select Committee is the *Select Committee on Tobacco Related Health Care Costs*.

The following Standing and Select Committee records will be posted:

**A. Hansard** is the verbatim transcript of the actual public proceedings of the Committee.

Responsibility: Hansard Office

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Posted within six months of the meeting

Online Retention: Long-term/permanent

**B. Reports** of the Committee include their findings, conclusions and recommendations.

Responsibility: Clerk of Committees

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: When tabled in the House of Assembly

Online Retention: Long-term/permanent

## **4.0 OTHER PUBLICATIONS**

Unless otherwise indicated, other publications, including the following, will be posted as they are tabled in the House, approved by the Management Commission or otherwise become available:

- Annual Report of the House of Assembly
- Activity Plan of the House of Assembly
- Standing Orders
- News Releases
- Code of Conduct – Staff
- Code of Conduct – Members
- Publication scheme
- Members' Handbook and Rules Manuals – posted within 10 days of being tabled in the House of Assembly and revised or up-dated as appropriate (s.50.4)