

# Report of the Commissioner for Legislative Standards

January 1, 2023 – December 31, 2023



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## **Introduction**

This report covers the period January 1, 2023 to December 31, 2023.

## **Member Consultations**

The Commissioner's Office regularly deals with requests from members seeking clarification, interpretation, or guidance respecting the obligations of the member under conflict of interest legislation and/or the member's code of conduct. In accordance with section 40(3) of the *House of Assembly Act*, an opinion offered by this office to a particular member is privileged. The member may, if they so choose, release a copy of such an opinion but the Office of the Commissioner may only do so with the consent of the member in writing.

As such, member consultations and opinions offered can only be referenced in this report in a manner that respects the confidential nature of that activity. Without referencing dates or specific issues, the cooperation of the member involved is acknowledged and their desire to ensure their compliance with the provisions of the legislation is appreciated.

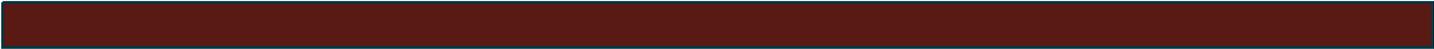
## **Referred Questions – Reports**

The Commissioner's Office may also receive a request from a member to conduct an inquiry and report on the activity of another member with respect to conflict of interest provisions of the *House of Assembly Act* ("HOA") and/or the *House of Assembly, Accountability, Integrity and Administration Act* ("HOAIA"). In such a case, the findings of the Commissioner are not privileged and would typically result in a report to the member involved and to the House itself.

Alternatively, the Commissioner may initiate an inquiry into the activity of a member with respect to conflict of interest provisions of the *House of Assembly Act* ("HOA") and/or the *House of Assembly, Accountability, Integrity and Administration Act* ("HOAIA") when it is in the public interest to do so. In such a case, the findings of the Commissioner are not privileged and would typically result in a report to the member involved and to the House itself.

During the year, the Commissioner received a request from MHA Petten, (MHA, Conception Bay South) seeking an opinion pursuant to s.36(1) of the *House of Assembly Accountability, Integrity and Administration Act*, S.N.L. 2007 c. A.10-1,1 and s.40(1) of the *House of Assembly Act*, R.S.N.L 1990 c. H-102 , regarding compliance of MHA Furey (MHA – Humber-Gros Morne) (hereinafter "Premier Furey") with the Code of Conduct and his statutory obligations.

[TheFureyReport-August1-2023.pdf \(gov.nl.ca\)](#)



## **Disclosure Statements**

Paragraph 36(1)(b) of the Act requires every elected member or appointed minister to file a Disclosure Statement on or before April 1 of each calendar year. In addition, Paragraph 36(1)(c) requires every elected member or appointed minister to file a Disclosure Statement within 60 days of his/her election/appointment.

Once filed, these disclosure statements are reviewed by the Commissioner and a Public Disclosure Statement is prepared for the signature of the member. The review process can take a considerable amount of time as it often involves back and forth communication between the member and the Commissioner. In some cases, the Commissioner may recommend that a member place some or all of their business interests in a blind trust.

All of the resultant Public Disclosure Statements are on file in the Commissioner's office and are available for public inspection.

## **Public Office Holder Appeals**

During the year, there were no appeals received from a public office holder in accordance with s.17 of the Conflict of Interest Act, 1995.

## **Blind Trusts**

The House of Assembly Act, s.38, requires the Commissioner to make a determination on a case by case basis about whether or not a private interest should be placed in a trust. Currently only one Minister is required to place their private interests in a trust.

## **Conferences/Meetings**

Annual Conferences and meetings provide Commissioners with an opportunity to exchange information on issues of common interest and review legislative and regulatory differences and trends. During the year, the Commissioner attended two in-person conferences; Canadian Conflict of Interest Network and the Council on Governmental Ethics Laws.