

HOUSE OF ASSEMBLY



NEWFOUNDLAND AND LABRADOR

ANNUAL REPORT
OF
THE COMMISSIONER OF MEMBERS' INTERESTS
2005-2006

June, 2006

June 7, 2006

Honourable Harvey Hodder
Speaker
House of Assembly
Main Floor, East Block
Confederation Building
St. John, NL

Dear Speaker:

Pursuant to Section 35 of the House of Assembly Act - Part II Conflict of Interest, I am pleased to present the 2005-2006 Annual Report of the Commissioner of Members' Interests covering the period April 1, 2005 to March 31, 2006 for tabling in the Legislature.

Copies of this Report, as well as those from previous years, in addition to being available at the Office of the Commissioner, are also available through our web site at www.gov.nl.ca/conflictcommissioner. The site also contains links to other jurisdictions.

Sincerely yours,

Charles J. Furey
Commissioner of Members' Interests

Annual Filing Requirement

Section 36(1) of the Act requires all members to file an Annual Disclosure Statement before April 1 of each year. This Report, submitted in accordance with Section 35 of the Act, covers the period April 1, 2005 to March 31, 2006.

On February 28, 2005 I wrote all members asking each member to file their Annual Disclosure Statements by April 1, 2005.

Member Consultations

During the year I received calls from and met with members who had questions of clarification, interpretation or required guidance. I am pleased that a number of members contacted me prior to making certain decisions since this helps ensure that the correct procedures are followed in accordance with the provisions of the legislation. In those instances where decisions were taken by members that ought not to have been taken I am pleased that members, upon my recommendation, did reverse their earlier decision. There were instances where this did not happen and corrective action had to be taken by the member(s).

The cooperation of members is acknowledged, as is their desire to ensure they are in compliance with the provisions of the legislation.

Investigations

During the period covered by this Report there were no formal requests or applications from any member, the Honourable Premier or the House of Assembly to investigate any possible contravention of the Act.

Compliance

All members were in compliance with the legislation as it relates to filing requirements. Some members took specific action with respect to their private interests to ensure compliance. Public Disclosure Statements are on file in the Commissioner's office for public inspection for all 48 members.

Compliance Concerns

I am pleased that the references made to recommended legislative change in previous Reports appears to be moving forward. While members eventually all meet compliance requirements with respect to filing, albeit late on many occasions, there were specific requirements in the legislation to which some members are not adhering. Hopefully the legislative suggestions will correct this trend. For the information of the House of Assembly there were 28 members (58%) who failed to meet the deadline. This continues to be a problem, as of April 28, 2006 all but 1 member have filed.

Conferences

Annual Conferences provide Commissioners with an opportunity to exchange information on issues of common interest and review legislative and regulatory differences and trends. Although I have yet to attend one of these conferences all Commissioners are in regular contact with one another on a variety of issues. We exchange Reports, enquire of one another how different situations would be interpreted in our jurisdictions and keep each other apprised on the outcome of any investigation that may have been initiated involving a member. It is my intention to attend the Council on Governmental Ethics Laws to be held in New Orleans in early December of this year and possibly the CCOIN Conference in Iqaluit, September 7 - 10, 2006.