

HOUSE OF ASSEMBLY



NEWFOUNDLAND AND LABRADOR

ANNUAL REPORT
OF
THE COMMISSIONER FOR LEGISLATIVE STANDARDS
2007-2008

September, 2008

September 15, 2008

Honourable Roger Fitzgerald
Speaker
House of Assembly
Main Floor, East Block
Confederation Building
St. John's, NL

Dear Speaker:

Pursuant to Section 35 of the *House of Assembly Act - Part II Conflict of Interest*, I am pleased to present the 2007-2008 Annual Report of the Commissioner for Legislative Standards covering the period April 1, 2007 to March 31, 2008 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.legislativestandardscomm.gov.nl.ca. This site also contains links to other jurisdictions.

Sincerely yours,



Paul Reynolds
Commissioner for Legislative Standards

Annual Filing Requirement

Amendments were made to the *House of Assembly Act*, Part II - Conflict of Interest in 2004 to better suit the filing requirements of members and ministers following the introduction of fixed date elections.

This report, submitted in accordance with Section 35 of the Act, covers the period April 1, 2007 to March 31, 2008.

Section 36(1) Part II – Conflict of Interest of the *House of Assembly Act* has been amended and now states:

“Every elected member and appointed minister shall,

- (a) within 60 days of his or her election or appointment, and*
- (b) before the second April 1 occurring after the date of his or her election or appointment; and*
- (c) before each April 1 subsequent to the date referred to in paragraph (b)*

file with the commissioner a disclosure statement in the form set by the commissioner.”

My predecessor, Mr. Charles Furey, wrote all members on February 28, 2007 requesting that they file their annual disclosure statements by the April 1, 2007 deadline. All members complied with this request although several filed after the April 1 deadline.

Initial Disclosure Statements

Five by-elections were held in February and March, 2007. My predecessor wrote to each of the newly elected members following the by-elections to advise them of their obligations under the *House of Assembly Act*, Part II – Conflict of Interest. Each member was provided with an Initial Disclosure Statement to complete and return within 60 days of their being elected as members. All but one of the newly elected members filed. This member did contact our office several times and it is my understanding that his Disclosure Statement was being prepared. It was not received in our office prior to the call of the 2007 General Election and the member was not successful in seeking re-election so no further contact was necessary.

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.

General Election

Following the October 9, 2007 General Election all members were required to file Initial Disclosure Statements as stated in the *House of Assembly Act*, Part II, Conflict of Interest, section 36(1).

I wrote all members requesting that their Initial Disclosure Statements be filed within 60 days of their being elected. All members filed their reports although several were received after the 60 day deadline. All Public Disclosure Statements are on file in the Office of the Commissioner for Legislative Standards and available for public inspection as required under the legislation.

Member Consultations

Following the Provincial General Election I met with several of the newly elected members to provide them with assistance in completing their initial disclosure statements. I also received calls from several members/ministers who required clarification, interpretation or guidance to ensure they were in compliance with the provisions of the legislation.

Compliance

Based on the information contained in the Initial Disclosure Statements it appears that all members were in compliance with the legislation.

Conferences

Annual Conferences provide Commissioners with the opportunity to exchange information on issues of common interest and review legislative and regulatory differences and trends.

Commissioners routinely maintain contact through correspondence and emails regarding investigations, legislative interpretation and changes occurring in the various jurisdictions.

The Annual CCOIN Conference (Canadian Conflict of Interest Network) will be held this year in Quebec City in September 2008. Unfortunately, I am unable to attend this event but hope to attend the Annual COGEL Conference (Conference on Governmental Ethics Laws) being held in Chicago in December 2008.