January 19, 2016

Dear [Name],

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 [Our File #: PRE/32/2015]

On December 18, 2015, the Premier’s Office received your request for access to the following records/information:

“All communications (including telephone calls, faxes, emails and notes) to/from Cabinet Ministers, Premier, Premier's staff with regards to selecting a speaker for the House of Assembly.”

I am pleased to inform you that a decision has been made by the Deputy Chief of Staff of the Premier’s Office to provide access to the requested information. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the Access to Information and Protection of Privacy Act (the Act). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act.
Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you. It is the goal to have the responsive records posted to the Office of Public Engagement’s website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact me by telephone at (709)729-3570 or by e-mail at joybuckle@gov.nl.ca.

Sincerely,

Joy Buckle
ATIPP Coordinator

Enclosure
Good afternoon

The Constitution Act, 1867 and the Standing Orders of the House of Assembly of Newfoundland and Labrador dictate that: (i) at the opening of the first session of a General Assembly the election of a Speaker shall be the first order of business and shall not be interrupted by any other proceeding; and (ii) following a General Election the Members shall elect a Speaker immediately after the administration of the oath or affirmation of office.

All Members-elect have been advised that oaths of allegiance and oaths of office will be administered at 10:00 am Friday, December 18, 2015 and that the House of Assembly will convene on Friday, December 18, 2015 at 2:00 pm for the election of the Speaker. The afternoon session is open to the public.

Accordingly, I am forwarding the Standing Orders respecting the election of a Speaker, as well as a Notice of Intent form (both attached). Please note that in accordance with Standing Order 2(6), Members who are ministers or leaders of parliamentary groups are not eligible for election to the Office of Speaker.

The deadline for a candidate for Speaker to submit her/his Notice of Intent form is 4:30 p.m. on the working day preceding the day on which the election of Speaker will be held. As the House is convening at 2:00 pm on Friday, December 18, 2015, the deadline for submission of a Notice of Intent is 4:30 pm Thursday, December 17, 2015. The Notice of Intent form may be submitted in person, by fax or by email (as a PDF) to the undersigned.

Please contact me should you require further information or clarification.
STANDING ORDERS 2-7

REGULATION AND MANAGEMENT OF THE HOUSE

THE SPEAKER

2. (1) At the opening of the first session of a General Assembly, and at any other time as determined pursuant to Standing Order 2(3), the election of a Speaker shall be the first order of business and shall not be interrupted by any other proceeding.

(2) Following a General Election the Members shall elect a Speaker immediately after the administration of the oath or affirmation of office.

(3) In the case of a vacancy in the Office of the Speaker, as a result of death, resignation or for any other reason, the House shall proceed to elect one of its Members to be Speaker.

(4) If the Office of Speaker becomes vacant between sessions or during a period when the House stands adjourned to the call of the Chair, the Clerk shall immediately notify all Members that the Office of Speaker is vacant.

(5) The Clerk, when the Office of Speaker is vacant, shall ensure that the notification to Members of the date for the opening of a new session or the reconvening of an existing session contains the information that the first order of business shall be the election of a Speaker by secret ballot.

(6) No Minister of the Crown or leader of a recognized parliamentary group, shall be eligible for election to the Office of Speaker.

(7) The election of a Speaker shall take precedence over all other business and the House shall continue to sit, if necessary, beyond its ordinary hour of
daily adjournment, until a Speaker is elected and is installed in the chair and if the House has continued to sit beyond its ordinary hour of daily adjournment, the new Speaker shall thereupon adjourn the House until the next sitting day.

(SO 2 added 1999, amended 2005)

3. (1) For the purpose of electing a Speaker, the Clerk, or in the absence of the Clerk, the Clerk Assistant, shall administer the election process and shall preside during the election of a Speaker.

(2) During the election of a Speaker, the Clerk shall not be permitted to entertain any question of privilege or point of order.

(3) During the election of a Speaker, there shall be no debate and no adjournment motion nor motion of any other kind shall be accepted for consideration.

(4) The election of a Speaker shall not be considered a question of confidence in the Government.

(SO 3 added 1999)

4. (1) The election of a Speaker shall be conducted by secret ballot in accordance with this Standing Order.

(2) After a general election, or at any other time when there is a vacancy in the Office of Speaker, any Member who wishes to stand for election to the Office of Speaker shall, not later than 4:30 o’clock in the afternoon on the working day preceding the day on which the election of a Speaker is expected to take place, in writing in the prescribed form, so inform the Clerk who shall prepare, in alphabetical order, a list of the given names and surnames of those Members who wish
to stand as candidates for election to the Office of Speaker.

(3) After the closing days and times referred to in Standing Order 4(2), the Clerk shall affix a copy of the list of candidates provided for in Standing Order 4(2) in a conspicuous place in or near the Assembly Chamber, and shall provide copies of that list to the caucus office of each recognized parliamentary group and to each independent Member.

(4) If only one Member stands for election to the Office of Speaker, or at any stage of withdrawal pursuant to Standing Order 4(16), leaves only one candidate remaining, the Clerk shall announce in the Chamber that candidate's name and without any vote declare that Member to be elected Speaker.

(5) If there are two or more candidates for election to the Office of Speaker, ballot papers shall be provided to Members present in the Chamber, by the Clerk, prior to the taking of the ballot.

(6) Before the taking of the first ballot, the Clerk shall distribute the list of candidates to Members present in the Chamber.

(7) Each Member present in the Assembly Chamber who wishes to indicate his or her choice for the Office of Speaker, shall proceed to one of the voting booths at the Table and print or write legibly on the ballot paper the surname of a candidate whose name appears on the list distributed pursuant to Standing Order 4(6).

(8) Notwithstanding Standing Order 4(7) when two or more candidates, whose names appear on the list distributed pursuant to Standing Order 4(6), have identical surnames, each Member who wishes to indicate his or her choice for one of these candidates shall print or write legibly on the ballot paper the given name and the surname of the candidate of his or her choice.
(9) Members shall deposit their completed ballot paper in a box provided for that purpose on the Table.

(10) Once all Members wishing to do so have deposited their ballot papers, the Clerks at the Table shall retire from the Assembly Chamber with the ballot box and shall count the vote and the Clerk, being satisfied as to the accuracy of the count, shall destroy the ballots together with all records of the number of ballots cast for any candidate.

(11) If one candidate receives a majority of the votes cast, the Clerk shall announce the name of that Member as the Speaker.

(12) If no candidate receives a majority of the votes cast, the name of the candidate, or in the event of a tie the candidates, having the lowest number of votes cast, shall be excluded from subsequent ballots.

(13) If every candidate receives the same number of votes, no names shall be excluded from the next ballot.

(14) For each subsequent ballot, the Clerk shall prepare a list of candidates and distribute it to Members present in the Chamber.

(15) Subsequent ballots shall be conducted in the manner prescribed in Standing Orders 4(5) to 4(16) and the balloting shall continue, in a like manner, until such times as a candidate is elected Speaker upon having received a majority of the votes cast.

(16) At any time after the result of the first ballot has been declared, but before the commencement of a second or subsequent ballot, a candidate may withdraw from the election by rising in his or her place in the House and stating that he or she is withdrawing, and the election shall then proceed as if the Member had
not become a candidate.

(17) The Clerk shall prescribe the following:

(a) Members' notice of intent to seek election to the Office of Speaker;

(b) the form of the ballot paper; and,

(c) such other forms and information as may be required.

(SO 4 added 1999)

5. (1) A Chairperson of Committees who shall also be Deputy Speaker of the House shall be appointed at the commencement of every General Assembly, immediately after election of the Speaker; and the Member so appointed shall, if in his or her place in the House, take the Chair of all Committees of the Whole, including the Committees of Supply and Ways and Means.

(2) The Member appointed as Deputy Speaker and Chairperson of Committees shall continue to act in that capacity until the end of the General Assembly for which he or she is appointed, and in the case of a vacancy by death, resignation or otherwise, the House shall proceed forthwith to appoint a successor.

(3) In the absence of the Deputy Speaker and Chairperson of Committees of the House, the Speaker may, in forming a Committee of the Whole House, before leaving the Chair, appoint any Member Chairperson of the Committee.

(1951 SO 43)

CASTING VOTE

6. The Speaker shall not take any part in any debate before the House. In case of an equality of
voices, the Speaker gives a casting vote, and any reasons stated by him or her are entered in the Journal.

(1951 SO 10)
ORDER & DECORUM

7. (1) The Speaker shall preserve order and decorum and shall decide questions of order. No debate shall be permitted on any such decision and no such decision shall be subject to an appeal to the House. In explaining a point of order or practice, the Speaker shall state the standing order or authority applicable to the case.

(2) When the Speaker is putting a question, no Member shall walk out of or across the House, or make any noise or disturbance.

(3) When a Member is speaking, no Member shall pass between him or her and the Chair, nor interrupt him or her, except to raise a point of order.

(4) No Member may pass between the Chair and the Table, nor between the Chair and the Mace when the Mace has been taken off the Table by the Sergeant-at-Arms.

(5) Every Member shall be uncovered when he or she enters or leaves the House, or moves to any part of the House during the debate, and shall make an obeisance to the Chair in passing to or from his or her seat.

(6) When the House adjourns the Members shall keep their seats until the Speaker has left the Chair.

(1951 SO 11 amended 1999 & 2005)
Ms. Sandra Barnes  
Clerk of the House of Assembly  
Confederation Building  
Main Floor, East Block  
St. John’s, NL A1B 4J6

Dear Ms. Barnes:

This is to inform you that I, ____________________________, Member for the Electoral District of ____________________________, wish to stand for election to the Office of Speaker for the Forty-Eighth General Assembly of Newfoundland and Labrador.

Yours sincerely,

[Signature]

Received on

[Date]

[Time]
Parsons, Kelvin

From: Osborne, Tom
Sent: Monday, December 14, 2015 7:32 PM
To: Parsons, Kelvin
Subject: Re: Election of Speaker

Signed and submitted. Thanks:)

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Parsons, Kelvin
Sent: Monday, December 14, 2015 6:16 PM
To: Osborne, Tom
Subject: Fw: Election of Speaker

For your information and action re filing appropriate notice in time.
Kp

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Barnes, Sandra M. <sbarnes@gov.nl.ca>
Sent: Monday, December 14, 2015 3:23 PM
To: Ball, Dwight; Bennett, Cathy (MHA); Bennett, Derek; Bragg, Derrick; Brazil, David J.; Browne, Mark; Byrne, Gerry; Coady, Siobhan; Crocker, Steve; Davis, Bernard; Davis, Paul A (MHA- District of Topsail); Dean, Jerry; Dempster, Lisa; Edmunds, Randy; Finn, John; GambinWalsh, Sherry; Haggie, John; Haley, Carol Anne; Hawkins, Allan; Holloway, Colin; Hutchings, Keith; Joyce, Eddie; Kent, Steve; King, Neil; Kirby, Dale; Lane, Paul; Letto, Graham; Michael, Lorraine; Mitchelmore, Christopher; Osborne, Tom; Parsley, Betty; Parsons, Andrew; Parsons, Kevin; Parsons, Pam; Perry, Tracey; Petten, Barry; Reid, Scott; Rogers, Gerry; Trimper, Perry; Warr, Brian
Cc: Browne, Joe; Foote, Carla; Parsons, Kelvin; Will, Amanda; Dawe, Rosalind M; Dooley, Maureen; Keefe, Marie
Subject: Election of Speaker

Good afternoon

The Constitution Act, 1867 and the Standing Orders of the House of Assembly of Newfoundland and Labrador dictate that: (i) at the opening of the first session of a General Assembly the election of a Speaker shall be the first order of business and shall not be interrupted by any other proceeding; and (ii) following a General Election the Members shall elect a Speaker immediately after the administration of the oath or affirmation of office.

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Please contact me should you require further information or clarification.

Sandra Barnes  
Clerk of the House of Assembly  
Province of Newfoundland and Labrador  
P.O. Box 8700  
St. John's, NL, Canada  
A1B 4J6  
709-729-3405  
709-729-4820 (fax)
Good afternoon

Attached is a procedural note for tomorrow afternoon. Please let me know if you have any questions.

Sandra

Sandra Barnes  
Clerk of the House of Assembly  
Province of Newfoundland and Labrador  
P.O. Box 8700  
St. John's, NL, Canada  
A1B 4J6  
709-729-3405  
709-729-4820 (fax)
Procedure for Election of a Speaker Following a General Election

Arrival of the Lieutenant Governor

1. Government House advises that Their Honours will arrive at 1:45 pm.
2. The Clerk and the Registrar General will greet Their Honours at the Public Service Entrance. The Registrar General has been advised.
3. Their Honours are escorted to the Speaker’s Office.
4. The Premier’s Office has been advised that the Premier is requested to escort Her Honour into the Chamber.

Procedure:

1. The Parade assembles and parades to the House at the appointed time. The Mace is carried in the crook of the Sergeant-at-Arms arm. The doors to the public gallery are open. There is no direction to “Admit Strangers”.

2. Immediately after the Parade leaves the staging area, a Page escorts Their Honours and Premier to the scrum area.

3. As the parade enters the Chamber:

   **SERGEANT-AT-ARMS:** All rise.

   The Mace is placed on the lower brackets. Clerks remain standing. Sergeant-at-Arms returns to the main doors.

4. The Premier escorts Her Honour into the Chamber to her seat on the left side of the Speaker’s Chair and takes his seat.

5. The Sergeant-at-Arms announces the arrival of the Lieutenant Governor.

   **SERGEANT-AT-ARMS:** Madam Clerk, His Honour the Lieutenant Governor has arrived.

6. **CLERK:** Admit His Honour the Lieutenant Governor.

7. **SERGEANT-AT-ARMS:** [Collects the mace and returns to the entrance to escort His Honour. Mace is over the S-of-A shoulder] All Rise.
[Lieutenant Governor takes the Speaker’s Chair.]

8. SERGEANT-AT-ARMS: It is the wish of His Honour the Lieutenant Governor that all present be seated.

[Sergeant-at-Arms moves to the side holding the Mace.]

9. CLERK: [Moves to the right of the Lieutenant Governor and addresses the Members]

Members of the House of Assembly:

A Proclamation has been issued by His Honour the Lieutenant Governor, under the Great Seal of the Province, which reads as follows:

TO:
Sandra Barnes, Clerk of the House of Assembly
and
Elizabeth Murphy, Clerk Assistant of the House of Assembly

GREETING;

A PROCLAMATION

WHEREAS a General Election of the Members of the General Assembly of the Province of Newfoundland and Labrador was held on November 30th, 2015;

AND WHEREAS the Office of the Speaker of the House of Assembly is vacant and it is expedient to call together the Forty-Eighth General Assembly for the Members of the House of Assembly to proceed to their choice of Speaker;

NOW, THEREFORE, I, the Lieutenant Governor of the Province of Newfoundland and Labrador, do authorize and direct you, the said Sandra Barnes and Elizabeth Murphy, or either of you, to signify to the Members of the said House of Assembly to assemble for the dispatch of business on Friday, December 18th, 2015, at 2 o’clock in the afternoon, and that it is my pleasure that they should proceed to choose some person to be their
Speaker and to present such person for my approbation when I call the House of Assembly together in session.

10. SERGEANT-AT-ARMS: All rise. [Sergeant-at-Arms escorts their Honours from the Chamber.]

11. CLERK: Please be seated.

At the close of nominations for the Office of Speaker at 4:30 Thursday, December 17, 2015, [if] candidate(s) put his/her/their name[s] forward: list of candidates.

[script to be inserted if more than one candidate]

Accordingly, further to suborder 4(4) [or 4(11) if more than one candidate] of the Standing Orders, I declare [candidate] elected as Speaker for the remainder of the Forty-Seventh General Assembly.

12. The Premier and the Leader of the Official Opposition lead [drag] the new Speaker to the Speaker's Chair. Premier and LOO help the new Speaker into his/her robe.

13. SERGEANT-AT-ARMS: places the Mace on the Table

14. SPEAKER: takes the Chair and makes [brief] remarks.

15. The Premier moves the motion to appoint Deputy Speaker. This is seconded by Leader of the Official Opposition. (Mr. Davis will not be in the Legislature, therefore, the seconder will be the Opposition House Leader, Mr. Hutchings.)

   a. SPEAKER: The Honourable the Premier.

   b. PREMIER: Mr. Speaker, I move, seconded by the Opposition House Leader, that the Member for [District name] be appointed Deputy Speaker for the Forty-Eighth General Assembly.

   c. SPEAKER: The motion is that the Member for [District name] be nominated as the Deputy Speaker. All those in favour, aye? All those against, nay? [Carried/Defeated].

16. The Premier moves motion to appoint Deputy Chair of Committees. This is also seconded by the Opposition House Leader.

   a. SPEAKER: The Honourable the Premier.
b. **PREMIER:** Mr. Speaker, I move, seconded by the Opposition House leader, that the Member for [District name] be appointed Deputy Chair of Committees for the Forty-Eighth General Assembly.

c. **SPEAKER:** The motion is that the Member for [District name] be nominated as the Deputy Chair of Committees. All those in favour? All those in favour, aye? All those against, nay? [Carried/Defeated].

17. **GOVERNMENT HOUSE LEADER:** [moves the adjournment motion.] I move seconded by [seconder] that this House do now adjourn to ... [either the call of the chair or to a specific date.]

18. **SPEAKER:** All those in favour, aye? All those against, nay? [Carried/Defeated].
Good afternoon

In accordance with Standing Order 4(3) I am providing the list of candidates for Speaker. Please note that the election of the Speaker will take place at 2:00 pm tomorrow afternoon in the House of Assembly Chamber. This list has also been posted on the Committees bulletin outside the Speaker's Office.

Sandra Barnes
Clerk of the House of Assembly
Province of Newfoundland and Labrador
P.O. Box 8700
St. John's, NL, Canada
A1B 4J6
709-729-3405
709-729-4820 (fax)
Notice

Candidates for Election to Office of Speaker

Pursuant to Standing Order 4(3), the following is the complete list of candidates for the election of Speaker of the 48th General Assembly:

1) Mr. Tom Osborne
2) Mr. Scott Reid

2015-12-17 4:35
Date Time

Andrea Barnes
Clerk of the House of Assembly
Ball, Dwight

Subject: Opening of HoA, Election of Speaker
Location: HoA

Start: Fri 12/18/2015 1:55 PM
End: Fri 12/18/2015 3:30 PM
Show Time As: Tentative

Recurrence: (none)
Meeting Status: Not yet responded

Organizer: Fleming, Jeanette
Required Attendees: Ball, Dwight
Optional Attendees: Young, Jason

Premier to escort Her Honor Mrs. Fagan to her seat.